# UGA Round 4 v Georgia DG

## 1NC

### Agamben

#### Aff’s legal solutions merely mask sovereign power and legitimatize exclusion

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[Margaret, "Bare Life and the Limits of the Law," Theory & Event, 9:2, 2006, muse.jhu.edu/journals/theory\_and\_event/v009/9.2kohn.html, accessed 9-12-13, mss]

Giorgio Agamben is best known for his provocative suggestion that the concentration camp – the spatial form of the state of exception - is not exceptional but rather the paradigmatic political space of modernity itself.  When Agamben first made this claim in Homo Sacer (1995), it may have seemed like rhetorical excess. But a decade later in the midst of a permanent war on terror, in which suspects can be tried by military tribunals, incarcerated without trial based on secret evidence, and consigned to extra-territorial penal colonies like Guantanamo Bay, his characterization seems prescient. The concepts of bare life, sovereignty, the ban, and the state of exception, which were introduced in Homo Sacer, have exerted enormous influence on theorists trying to make sense of contemporary politics. Agamben recently published a new book entitled State of Exception that elaborates on some of the core ideas from his earlier work. It is an impressive intellectual history of emergency power as a paradigm of government. The book traces the concept from the Roman notion of iustitium through the infamous Article 48 of the Weimar constitution to the USA Patriot Act. Agamben notes that people interned at Guantanamo Bay are neither recognized as prisoners of war under the Geneva Convention nor as criminals under American law; as such they occupy a zone of indeterminacy, both legally and territorially, which, according to Agamben, could only be compared to the Jews in the Nazi Lager (concentration camps) (4). Agamben's critique of the USA Patriot Act, at least initially seems to bare a certain resemblance to the position taken by ACLU-style liberals in the United States. When he notes that "detainees" in the war on terror are the object of pure de factorule and compares their legal status to that of Holocaust victims, he implicitly invokes a normative stance that is critical of the practice of turning juridical subjects into bare life, e.g. life that is banished to a realm of potential violence. For liberals, "the rule of law" involves judicial oversight, which they identify as one of the most appropriate weapons in the struggle against arbitrary power. Agamben makes it clear, however, that he does not endorse this solution. In order to understand the complex reasons for his rejection of the liberal call for more fairness and universalism we must first carefully reconstruct his argument. State of Exception begins with a brief history of the concept of the state of siege (France), martial law (England), and emergency powers (Germany). Although the terminology and the legal mechanisms differ slightly in each national context, they share an underlying conceptual similarity. The state of exception describes a situation in which a domestic or international crisis becomes the pretext for a suspension of some aspect of the juridical order. For most of the bellicose powers during World War I this involved government by executive decree rather than legislative decision. Alternately, the state of exception often implies a suspension of judicial oversight of civil liberties and the use of summary judgment against civilians by members of the military or executive. Legal scholars have differed about the theoretical and political significance of the state of exception. For some scholars, the state of exception is a legitimate part of positive law because it is based on necessity, which is itself a fundamental source of law. Similar to the individual's claim of self-defense in criminal law, the polity has a right to self-defense when its sovereignty is threatened; according to this position, exercising this right might involve a technical violation of existing statutes (legge) but does so in the name of upholding the juridical order (diritto). The alternative approach, which was explored most thoroughly by Carl Schmitt in his books Political Theology and Dictatorship, emphasizes that declaring the state of exception is the perogative of the sovereign and therefore essentially extra-juridical. For Schmitt, the state of exception always involves the suspension of the law, but it can serve two different purposes. A "commissarial dictatorship" aims at restoring the existing constitution and a "sovereign dictatorship" constitutes a new juridical order. Thus, the state of exception is a violation of law that expresses the more fundamental logic of politics itself. Following Derrida, Agamben calls this force-of-law. What exactly is the force-of-law? Agamben suggests that the appropriate signifier would be force-of-law, a graphic reminder of the fact that the concept emerges out of the suspension of law. He notes that it is a "mystical element, or rather a fictio by means of which law seeks to annex anomie itself." It expresses the fundamental paradox of law: the necessarily imperfect relationship between norm and rule. The state of exception is disturbing because it reveals the force-of-law, the remainder that becomes visible when the application of the norm, and even the norm itself, are suspended. At this point it should be clear that Agamben would be deeply skeptical of the liberal call for more vigorous enforcement of the rule of law as a means of combating cruelties and excesses carried out under emergency powers. His brief history of the state of exception establishes that the phenomenon is a political reality that has proven remarkably resistant to legal limitations. Critics might point out that this descriptive point, even if true, is no reason to jettison the ideal of the rule of law. For Agamben, however, the link between law and exception is more fundamental; it is intrinsic to politics itself. The sovereign power to declare the state of exception and exclude bare life is the same power that invests individuals as worthy of rights. The two are intrinsically linked. The disturbing implication of his argument is that we cannot preserve the things we value in the Western tradition (citizenship, rights, etc.) without preserving the perverse ones. Agamben presents four theses that summarize the results of his genealogical investigation. (1) The state of exception is a space devoid of law. It is not the logical consequence of the state's right to self-defense, nor is it (qua commissarial or sovereign dictatorship) a straightforward attempt to reestablish the norm by violating the law. (2) The space devoid of law has a "decisive strategic relevance" for the juridical order. (3) Acts committed during the state of exception (or in the space of exception) escape all legal definition. (4) The concept of the force-of-law is one of the many fictions, which function to reassert a relationship between law and exception, nomos andanomie. The core of Agamben's critique of liberal legalism is captured powerfully, albeit indirectly, in a quote from Benjamin's eighth thesis on the philosophy of history. According to Benjamin, (t)he tradition of the oppressed teaches us that the 'state of exception' in which we live is the rule. We must attain a concept of history that accords with this fact. Then we will clearly see that it is our task to bring about the real state of exception, and this will improve our position in the struggle against fascism. (57) Here Benjamin endorses the strategy of more radical resistance rather than stricter adherence to the law. He recognizes that legalism is an anemic strategy in combating the power of fascism. The problem is that conservative forces had been willing to ruthlessly invoke the state of exception in order to further their agenda while the moderate Weimar center-left was paralyzed; frightened of the militant left and unwilling to act decisively against the authoritarian right, partisans of the rule of law passively acquiesced to their own defeat. Furthermore, the rule of law, by incorporating the necessity of its own dissolution in times of crisis, proved itself an unreliable tool in the struggle against violence. From Agamben's perspective, the civil libertarians' call for uniform application of the law simply denies the nature of law itself. He insists, "From the real state of exception in which we live, it is not possible to return to the state of law. . ." (87) Moreover, by masking the logic of sovereignty, such an attempt could actually further obscure the zone of indistinction that allows the state of exception to operate. For Agamben, law serves to legitimize sovereign power. Since sovereign power is fundamentally the power to place people into the category of bare life, the law, in effect, both produces and legitimizes marginality and exclusion.

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

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[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.

### Kaldor

#### The affirmatives environmental movement forces us to footnote individual ethics and responsibility – prevents effective change.

Esteva and Prakash 98, Gustavo Esteva, President of the 5th World Congress on Rural Sociology and Madhu Suri Prakash, Professor of Educational Theory at the University of Pennsylvania State, Grassroots Post-Modernism – Remaking the Soil of Cultures, 2008, pg. 22-23

We can only think wisely about what we actually know well. And no person, however sophisticated, intelligent and overloaded with the information age state-of-the-art technologies, can ever "know" the Earth ¬except by reducing it statistically, as all modern institutions tend to do today, supported by reductionist scientists." Since none of us can ever really know more than a minuscule part of the earth, "global thinking" is at its best only an illusion, and at its worst the grounds for the kinds of destructive and dangerous actions perpetrated by global "think tanks" like the World Bank, or their more benign counterparts – the watchdogs in the global environmental and human rights movements. Bringing his contemporaries "down to earth" from out-of-space or spacy "thinking," teaching us to stand once again on our own feet (as did our ancestors), Wendell Berry helps us to rediscover human finiteness, and to debunk another "fact" of TV manufactured reality: the "global village." The transnational reach of Dallas and the sexual escapades of the British Royal Family or the Bosnian bloodbath, like the international proliferation of McDonald's, Benetton or Sheraton establishments, strengthen the modern prejudice that all people on Earth live in "One World."(' McLuhan's (McLuhan and Powers, 1989) unfortunate metaphor of the "global village" now operates as a presupposition, completely depleting critical consciousness. Contemporary arrogance suggests that modern man and woman can know the globe, just as pre-moderns knew their village. Rebutting this nonsense, Berry confesses that he still has much to learn in order to "husband" with thought and wisdom the small family farm which he has tilled and harvested for the past forty years in his ancestral Kentucky. His honesty about his ignorance in caring for his minuscule piece of our earth renders naked the dangerousness of those who claim to "think globally" and aspire to monitor and manage the "global village." Once environmental "problems" are reduced to the ozone layer or to global warming, to planetary "sources" and "sinks," faith in the futility of local efforts is fed by global experts; while their conferences, campaigns and institutions present the fabulous apparition of solutions "scientifically" pulled out of the "global hat." Both a global consciousness and global government (such as the Global Environmental Facility "masterminded " at the Earth Summit) appear as badly needed to manage the planets "scarce resources" and "the masses" irresponsibly chopping "green sinks” to their daily tortillas or chappatis, threatening the "experts" planetary designs for eco-development. The "ozone layer" or "global warming are abstract hypotheses, offered by some scientists as an explanation of recent phenomena. Even in that condition, they could prove to be very useful for fostering critical awareness of the folly of the "social minorities." But they are promoted as "a fact,” reality itself; and all the socio-political and ecological dangers inherent in the illusion of the "Global Management" of planet Earth is hidden from "the people." Excluded, for example, from critical scrutiny is the reflection that in order for "global thinking" to be feasible, we should be able to "think" from within every culture on Earth and come away from this excursion single-minded - clearly a logical and practical impossibility, once it is , critically demythologized. For it requires the supra-cultural criteria of "thinking" - implying the dissolution of the subject who "thinks"; or assuming that it is possible to "think" outside of the culture in which every man and woman on Earth is immersed. The human condition does not allow such operations. We celebrate the hopefulness of common men and women, saved from the hubris of "scientific man," unchastened by all his failures at playing God. With the traditional humility of Gandhi, Ivan IIlich, Leopold Kohr, Fritz Schumacher, and others of their ilk, Berry warns of the many harmful consequences of "Thinking Big": pushing all human enterprises beyond the human scale. Appreciating the genuine limits of human intelligence and capacities, Berry celebrates the age-old wisdom of "thinking little" or small” on the proportion and scale that humans can really understand, know and assume responsibility for the consequences of their actions and decisions upon others

#### Recreation of these stereotypes entrenches the existing power structure ensuring globalized war and structural violence

Kaldor 99, Mary Kaldor, professor of Global Governance a the London School of Economics and Director of the Civil Society and Human Security Research Unit, New & Old Wars, 1999, Stanford University Press, pg 110-111

The new wars have political goals. The aim is political mobilization on the basis of identity. The military strategy for achieving this aim is population displacement and destabilization so as to get rid of those whose identity is different and to foment hatred and fear. Nevertheless, this divisive and exclusive form of politics cannot be disentangled from its economic basis. The various political/military factions plunder the assets of ordinary people as well as the remnants of the state and cream off external assist ance destined for the victims, in a way that is only possible in conditions of war or near war. In other words, war provides a legitimation for various criminal forms of private aggrandizement while at the same time these are necessary sources of revenue in order to sustain the war. The warring parties need more or less permanent conflict both to reproduce their positions of power and for access to resources. While this predatory set of social relationships is most prevalent in the war zones, it aLso characterizes the surrounding regions. Because participation in the war is relatively low (in Bosnia, only 6.5 per cent of the population took part directly in the pros ecution of the war) the difference between zones of war and apparent zones of peace are not nearly as marked as in earlier periods. Just as it is difficult to distinguish between the political and the economic, public and private, military and civil, so it is increasingly difficult to distinguish between war and peace. The new war economy could be represented as a continuum, starting with the combination of criminality and racism to be found in the inner cities of Europe and North America and reaching its most acute manifestation in the areas where the scale of violence is greatest. If violence and predation are to be found in what are considered zones of peace, so it is possible to find islands of civility in nearly all the war zones. They are much less known about than the war zones, because it is violence and criminalitý and not normality that is generally reported. But there are regions where local state apparatuses continue to function, where taxes arc raised, services are provided and some production is maintained. There are groups who defend humanistic values and refuse the politics of particularism. The town of Tuzia in Bosnia— Herzegovina represents one celebrated example. The self-defence units created in Southern Rwanda arc another example. In isolation, these islands of civility are difficult to preserve, squeezed by the polarization of violence, but the very fragmentary and decentralized character of the new type of warfare makes such examples possible. Precisely because the new wars are a social condition that arises as the formal political economy withers, they are very difficult to end. Diplomatic negotiations from above fail to take into account the underlying social relations; they treat the various factions as though they were protostates. Temporary ceaselires or truces may merely legitimize new agreements or partnerships that, for the moment, suit the various factions. Peacekeeping troops sent in to monitor ceasefires which reflect the status quo may help to maintain a division of territory and to prevent the return of refugees. Economic reconstruction channelled through existing ‘political authorities’ may merely provide new sources of revenue as local assets dry up. As long as the power relations remain the same, sooner or later the violence will start again. Fear, hatred and predation are riot recipes for long-term viable polities. Indeed, this type of war economy is perennially on the edge of exhaustion. This does not mean, however, that they will disappear of their own accord. There has to be some alternative. In the next chapter, I will consider the possibilities for such an alternative; in particular, how islands of civility might offer a counterlogic to the new warfare.

#### The alternative is to reject the 1AC and their outdated conceptions of sovereignty and war to interrupt the cycle of acting and alter our scholarship and military logic to embrace a reformist cosmopolitan ethic.

Kaldor 05, Mary Kaldor, professor of Global Governance at the London School of Economics and Director of the Civil Society and Human Security Research Unit, “Old Wars, Cold Wars, New Wars, and the War on Terror,” International Politics, 42.4, December 2005, pg 497-498

By analysing New War in terms of social relations of warfare, we come up with a very different approach about how to deal with these type of conflicts and indeed, how to deal with terrorism in general. I don't want to suggest that terrorism is not a serious threat. On the contrary, I think it is too serious to be hijacked by fantasies of Old War. Actually, I felt the same way about Communism; nuclear weapons, in my view, prevented us from adopting a serious strategy for undermining communism; this was only possible in a détente context. I think World War II really did mark the end of Old Wars. Wars of this type are impossible; they are simply too destructive to be fought and have become unacceptable and, indeed, illegitimate. The 8-year war between Iraq and Iran was probably the exception that proved the rule. It was immensely destructive and led to a military stalemate and, at least on the Iraqi side, far from consolidating the state, it was the beginning of state disintegration, the slide into new war.New Wars deliberately violate all the conventions of Old War, as well as the new body of human rights legislation that has been built up since World War II. The key to dealing with New Wars has to be the reconstruction of political legitimacy. If Old Wars established a notion of political legitimacy in terms of the friend-enemy distinction, in New Wars the friend-enemy distinction destroys political legitimacy. So, political legitimacy can only be reconstructed on the basis of popular consent and within a framework of international law. It means supporting efforts of democratization in difficult situations or using various international tools and law to support such processes.Is there a role for military force? Yes, I believe military force has to be used to protect people and uphold the rule of law. I favour humanitarian intervention in cases of threatened humanitarian catastrophes. But that can't be done through classic war fighting. I don't have time to discuss this, but I do think that one can envisage new defensive uses of forces aimed at prevention, protection and stabilization rather than victory.Carl Schmitt would argue that there can be no political community without enemies, and that, where force is used in the name of humanity, the adversary is no longer an enemy but an outlaw, a disturber of the peace. If he is right, the future is very grim, a pervasive global New War is possible. But if we believe political communities can be held together by reason rather than fear, then there is an alternative possibility, a transformation of statehood, in which states are no longer intrinsically linked to warfare and operate within a multilateral framework. And as for the argument about humanity, we could turn it on its head. If we dub the terrorists as enemies, we give them political status; indeed, this may be what they are trying to achieve. I think it is quite a good idea to see them as outlaws and disturbers of the peace, and to use the methods of policing and intelligence rather than Old War.To conclude, what I have tried to show is that attempts to recreate Old War prevent us from dealing with the realities of today's globalized world. Indeed ideas of Old War feed into and exacerbate real New Wars taking place in Iraq and elsewhere. I call them 'new' not because they are altogether new but because we can only develop alternative strategies if we see how different they are from World War II, the Cold War or the War on Terror. I think there is a huge security gap in the world today. Millions of people live in daily fear of violence. Yet, our conceptions of security, drawn from the dominant experience of World War II, does not reduce that insecurity. Indeed, it makes it worse.

### Warming

#### There is no such thing as “Nature” or the “natural environment.” Their assumption that “Nature” is “separate” and “over yonder” causes mass extinction, the destruction of the planet, and makes their impacts inevitable.

#### Morton 2010

(Timothy Morton is a Professor of Literature and Environment at the University of California – Davis. 2010 by the President and Fellows of Harvard College. “The Ecological Thought”)

We’ve gotten it wrong so far – that’s the truth of climate disruption and mass extinction. I don’t advocate a return to premodern thinking. The ecological thought is modern. The paradox is that the modern era – let’s say it began around the late eighteenth century – impeded its own access to the ecological thought, even though the ecological thought will have been one of its lasting legacies. As far as ecology goes, modernity spent the last two and a half centuries tilting at windmills. The ghost of “Nature,” a brand new entity dressed up like a relic from a past age, haunted the modernity in which it was born. This ghostly Nature inhibited the growth of the ecological thought. Only now, when contemporary capitalism and consumerism cover the entire Earth and reach deeply into its life forms, is it possible, ironically and at last, to let go of this nonexistent ghost. Exorcise is good for you, and human beings are past the point at which Nature is a help. Our continued survival, and therefore the survival of the planet we’re now dominating beyond all doubt, depends on our thinking past Nature. Modern thinkers had taken it for granted that the ghost of Nature, rattling its chains, would remind them of a time without industry, a time without “technology,” as if we had never used flint or wheat. But in looking at the ghost of Nature, modern humans were looking in a mirror. In Nature, they saw the reflected, inverted image of their own age – and the grass is always greener on the other side. Nature was always “over yonder,” alien and alienated. Just like a reflection, we can never actually reach it and touch it and belong to it. Nature was an ideal image, a self-contained form suspended afar, shimmering and naked behind glass like an expensive painting. In the idea of pristine wilderness, we can make out the mirror image of private property: Keep off the Grass, Do Not Touch, Not for Sale. Nature was a special kind of private property, without an owner, exhibited in a specially constructed art gallery. The gallery was Nature itself, revealed through visual technology in the eighteenth century as “picturesque” – looking like a picture. The “new and improved” version is art without an object, just an aura: the glow of value. Nature isn’t what it claims to be.

#### Warming won’t cause extinction

**Barrett** **‘7** professor of natural resource economics – Columbia University, (Scott, Why Cooperate? The Incentive to Supply Global Public Goods, introduction)

First, **climate change does not threaten the survival of the human species**.5 If unchecked, it will cause other species to become extinction (though biodiversity is being depleted now due to other reasons). It will alter critical ecosystems (though this is also happening now, and for reasons unrelated to climate change). It will reduce land area as the seas rise, and in the process displace human populations. “Catastrophic” climate change is possible, but not certain. Moreover, and unlike an asteroid collision, large changes (such as sea level rise of, say, ten meters) **will likely take centuries to unfold, giving societies time to adjust.** “Abrupt” climate change is also possible, and will occur more rapidly, perhaps over a decade or two. However, **abrupt climate change** (such as a weakening in the North Atlantic circulation), though potentially very serious, **is unlikely to be ruinous.** Human-induced climate change is an experiment of planetary proportions, and we cannot be sur of its consequences. Even in a worse case scenario, however, global climate change is not the equivalent of the Earth being hit by mega-asteroid. Indeed, if it were as damaging as this, and if we were sure that it would be this harmful, then our incentive to address this threat would be overwhelming. The challenge would still be more difficult than asteroid defense, but we would have done much more about it by now.

#### No impact to US competitiveness- it’s all hype

**Krugman ’11** [Paul, Nobel Prize-winning economist, professor of Economics and International Affairs at Princeton University, received his B.A. from Yale University in 1974 and his Ph.D. from MIT in 1977. He has taught at Yale, MIT and Stanford. At MIT he became the Ford International Professor of Economics, “The Competition Myth,” 1-24-11, http://www.nytimes.com/2011/01/24/opinion/24krugman.html?\_r=0]

Meet the new buzzword, same as the old buzzword. In advance of the State of the Union, President Obama has telegraphed his main theme: competitiveness. The President’s Economic Recovery Advisory Board has been renamed the President’s Council on Jobs and Competitiveness. And in his Saturday radio address, the president declared that “We can out-compete any other nation on Earth.” This may be smart politics. Arguably, Mr. Obama has enlisted an old cliché on behalf of a good cause, as a way to sell a much-needed increase in public investment to a public thoroughly indoctrinated in the view that government spending is a bad thing.¶ But let’s not kid ourselves: talking about “competitiveness” as a goal is fundamentally misleading. At best, it’s a misdiagnosis of our problems. At worst, it could lead to policies based on the false idea that what’s good for corporations is good for America.¶ About that misdiagnosis: What sense does it make to view our current woes as stemming from lack of competitiveness?¶ It’s true that we’d have more jobs if we exported more and imported less. But the same is true of Europe and Japan, which also have depressed economies. And we can’t all export more while importing less, unless we can find another planet to sell to. Yes, we could demand that China shrink its trade surplus — but if confronting China is what Mr. Obama is proposing, he should say that plainly.¶ Furthermore, while America is running a trade deficit, this deficit is smaller than it was before the Great Recession began. It would help if we could make it smaller still. But ultimately, we’re in a mess because we had a financial crisis, not because American companies have lost their ability to compete with foreign rivals.¶ But isn’t it at least somewhat useful to think of our nation as if it were America Inc., competing in the global marketplace? No.¶ Consider: A corporate leader who increases profits by slashing his work force is thought to be successful. Well, that’s more or less what has happened in America recently: employment is way down, but profits are hitting new records. Who, exactly, considers this economic success?¶ Still, you might say that talk of competitiveness helps Mr. Obama quiet claims that he’s anti-business. That’s fine, as long as he realizes that the interests of nominally “American” corporations and the interests of the nation, which were never the same, are now less aligned than ever before.¶ Take the case of General Electric, whose chief executive, Jeffrey Immelt, has just been appointed to head that renamed advisory board. I have nothing against either G.E. or Mr. Immelt. But with fewer than half its workers based in the United States and less than half its revenues coming from U.S. operations, G.E.’s fortunes have very little to do with U.S. prosperity.¶ By the way, some have praised Mr. Immelt’s appointment on the grounds that at least he represents a company that actually makes things, rather than being yet another financial wheeler-dealer. Sorry to burst this bubble, but these days G.E. derives more revenue from its financial operations than it does from manufacturing — indeed, GE Capital, which received a government guarantee for its debt, was a major beneficiary of the Wall Street bailout.¶ So what does the administration’s embrace of the rhetoric of competitiveness mean for economic policy?¶ The favorable interpretation, as I said, is that it’s just packaging for an economic strategy centered on public investment, investment that’s actually about creating jobs now while promoting longer-term growth. The unfavorable interpretation is that Mr. Obama and his advisers really believe that the economy is ailing because they’ve been too tough on business, and that what America needs now is corporate tax cuts and across-the-board deregulation.¶ My guess is that we’re mainly talking about packaging here. And if the president does propose a serious increase in spending on infrastructure and education, I’ll be pleased.¶ But even if he proposes good policies, the fact that Mr. Obama feels the need to wrap these policies in bad metaphors is a sad commentary on the state of our discourse.¶ The financial crisis of 2008 was a teachable moment, an object lesson in what can go wrong if you trust a market economy to regulate itself. Nor should we forget that highly regulated economies, like Germany, did a much better job than we did at sustaining employment after the crisis hit. For whatever reason, however, the teachable moment came and went with nothing learned.¶ Mr. Obama himself may do all right: his approval rating is up, the economy is showing signs of life, and his chances of re-election look pretty good. But the ideology that brought economic disaster in 2008 is back on top — and seems likely to stay there until it brings disaster again.

#### No great power draw-in

**Gelb ’10** (President Emeritus of the Council on Foreign Relations, 2010 (Leslie, former senior official in the U.S. Defense Department and State Department, Foreign Affairs, November/December Foreign Affairs 2010)

Also reducing the likelihood of conflict today is that there is **no arena** in which the vital interests of great powers seriously clash. Indeed, the most worrisome security threats today--rogue states with nuclear weapons and terrorists with weapons of mass destruction--**actually tend to unite the great powers more than divide them**. In the past, and specifically during the first era of globalization, major powers would war over practically nothing. Back then, they fought over the Balkans, a region devoid of resources and geographic importance, a strategic zero. **Today, they are unlikely to shoulder their arms over almost anything, even the highly strategic Middle East. All have much more to lose than to gain from turmoil in that region**. To be sure, great **powers such as China and Russia will tussle with one another for advantages, but they will stop well short of direct confrontation.** **To an unprecedented degree**, the **major powers now need one another to grow their economies, and they are loath to jeopardize this interdependence by allowing traditional military and strategic competitions to escalate into wars**. In the past, U.S. enemies--such as the Soviet Union--would have rejoiced at the United States' losing a war in Afghanistan. Today, the United States and its enemies share an interest in blocking the spread of both Taliban extremism and the Afghan-based drug trade. China also looks to U.S. arms to protect its investments in Afghanistan, such as large natural-resource mines. More broadly, no great nation is challenging the balance of power in either Europe or Asia. Although nations may not help one another, they rarely oppose one another in explosive situations.

#### Their Modeling evidence is highlighted to the point of laughabilility

#### LONG EVIDENCE \_ Their author concludes the courts need to EXPLICITLY cite International law in order to have a global signal – We have the paragraphs before and after their evidence

Long 8 – Professor of Law @ Florida Coastal School of Law Andrew Long, “International Consensus and U.S. Climate Change Litigation,” 33 Wm. and Mary Envtl. L. and Pol'y Rev. 177, Volume 33 | Issue 1 Article 4 (2008)

The remainder of this Article poses straightforward, narrow, nor-mtive questions: Should domestic courts explicitly use norms derived from international treaties and customary law in deciding climate change cases? If so, in what ways? The answers to these questions turn partially on the legitimacy-derived from U.S. legal tradition and constitutional principles-of using international sources in domestic decisions, and partially on a more functionalist assessment of the value or effect of such use. A. Legitimacy of Invoking International Environmental Law in Domestic Climate Change Cases The legitimacy of U.S. court decisions depends, first and foremost, upon fidelity to the constitution. As noted above, the constitutional text is [\*209] not clearly dualist and, indeed, early Supreme Court opinions viewed international and domestic law as "deeply intertwined." [n182](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n182) Although the extent of dualism in the United States is hotly contested, [n183](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n183) even a strictly dualistic conception of the constitution is not a complete bar from judicial cognizance of certain elements of international law. [n184](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n184) In any event, movement toward "a more monistic approach [to consideration of international sources in domestic cases] can be reconciled with the constitutional text" [n185](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n185) and has deeper historical support than willed judicial ignorance of international law. [n186](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n186) To the extent certain traditions weigh against incorporation, we must consider that legitimacy depends as much on our narrative of what the constitution requires as it does on fidelity to doctrine. [n187](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n187) "[A] constitutional culture that is open to law made elsewhere will find the doctrine to render transnational norms acceptable." [n188](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n188) Even in the current doctrinal landscape, use of climate change norms to buttress, rather than trump, domestic law decisions is constitutionally acceptable. In climate change cases as elsewhere, courts should proceed cautiously, "taking care to anchor their use of international sources in a firm commitment to view their roles as, first and foremost, domestic actors." [n189](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n189) For climate change cases, the over fifteen year existence of the UNFCCC without contrary legislation supports construing domestic law as consistent with the international norm requiring state action. [n190](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n190) [\*210] Legitimacy of using international norms is enhanced by clear U.S. accession to them. [n191](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n191) U.S. accession to basic climate change norms is evi-dent in the UNFCCC and, to a lesser extent, domestic climate-related le- gislation. [n192](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n192) In addition, continuing participation in, and proclaimed support for, international negotiations toward a post-2012 climate regime support a conclusion that the U.S. accepts the consensus on climate change. [n193](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n193) A preliminary requirement for incorporating international norms is definitional. [n194](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n194) Just as human rights treaties provide clear evidence of international human rights norms, so evidence must exist to support definition of climate change norms before they can be legitimately incorporated into U.S. decisions. Once identified, however, a major function of international environmental norms is "providing a framework for interpretation and application of domestic environmental laws and policies." [n195](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n195) In the case of climate change, the norms necessary for domestic administrative law litigation are rather easy to identify and define. Kyoto was effectively rejected by both the legislature and the executive and, therefore, has limited value for U.S. courts. [n196](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n196) However, the UNFCCC states a key norm for understanding the U.S. commitment to ad-dress climate change. [n197](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n197) The norm against transboundary environmental harm may also be relevant. To a lesser extent, more recent U.S. actions in working toward a post-2012 regime may be helpful in understanding the U.S. commitment and translating it to proper interpretation of domestic law. From these sources, we can roughly state the following general consensus norms and principles. First, the problem: anthropocentric climate change is occurring as a result of greenhouse gas emissions. This [\*211] factual statement reflecting a global consensus was accepted by the Supreme Court in Massachusetts in a manner approaching recognition of **international consensus.** The normative element of problem definition was also employed by the Court: this change presents a grave threat that should be addressed. The second element of the consensus on climate change is the more pressing and le-gally significant norm: states have an obligation to take mitigation measures. [n198](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n198) The Vermont District Court essentially recognized this norm in Green Mountain, but the Court skirted discussing it in Massachusetts.[n199](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n199) In some contexts, invoking **international consensus** may give rise to an "international countermajoritarian difficulty." [n200](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n200) However, several considerations undermine this concern in the context of the climate change cases. First, even at its most substantive, international law would be primarily for the interpretation of domestic statutes. [n201](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n201) Thus, potential countermajoritarian concerns are undermined by the direct consideration of legislative intent, which should not be overridden by consideration of international sources. Second, to the extent that Congress disagrees with a court's construction of a statute, the statute may be amended. In short, there is no compelling reason that courts cannot look to in- ternational sources in climate change cases. The question, then, is whether making international norms explicitly relevant to domestic law adds value. B. Advantages of Bringing International Norms into Domestic Climate Change Cases Although domestic U.S. climate change cases to date have an important role in the international dialogue concerning climate change action, a more explicit and direct discussion of the relationship would be beneficial in several ways. In particular, such discussion would enhance the United States' leadership position in the international community, promote the effectiveness of the international climate regime, encourage [\*212] consistency in domestic climate change law, and enable additional checks on agency actions at the domestic-global interface. [n202](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n202) 1. Enhancing U.S. International Leadership In a time of unfavorable global opinion toward the United States, explicit judicial involvement with international norms will move the United States closer to the international community by acknowledging the relevance of international environmental norms for our legal system. As in other contexts, explicit judicial internalization of climate change norms would "build[] U.S. 'soft power,' [enhance] its moral authority, and strengthen[] U.S. capacity for global leadership" [n203](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n203) on climate change, and other global issues. More specifically, domestic judicial consideration of the global climate regime would reaffirm that although the United States has rejected Kyoto, we take the obligation to respect the global commons seri-ously by recognizing that obligation as a facet of the domestic legal system. U.S. courts' overall failure to interact with the international climate regime, as in other issue areas, has "serious consequences for their roles in international norm creation." [n204](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n204) As judicial understandings of climate change law converge, the early and consistent contributors to the transnational judicial dialogue will likely play the strongest role in shaping the emerging international normative consensus. [n205](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n205) As Justice L'Heureux-Dube of the Canadian Supreme Court noted in an article describing the decline of the U.S. Supreme Court's global influence, "[d]ecisions which look only inward . . . have less relevance to those outside that jurisdiction." [n206](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n206) [\*213] Thus, if U.S. courts hope to participate in shaping the normative position on climate change adopted by judiciaries throughout the world, explicit recognition of the relationship between domestic and international law is vital. With climate change in particular, norm development through domestic application should be an important aspect of global learning. The problem requires a global solution beyond the scope of any prior multi-lateral environmental agreements. This provides a situation in which U.S. judicial reasoning in applying aspects of climate regime thinking to concrete problems will fall into fertile international policy soil. Accordingly, the recognition of international norms in domestic climate change litigation may play a strengthening role in the perception of U.S. leadership, encourage U.S. development and exportation of effective domestic climate strategies, and promote international agreements that will enhance consistency with such approaches. In short, explicit judicial discussion of international climate change norms as harmonious with U.S. law can enhance U.S. ability to regain a global leadership position on the issue and, thereby, more significantly shape the future of the international climate regime. **2.** . Promoting the Effectiveness of the International Response Along with promoting U.S. interests and standing in the international community, climate change litigation has a direct role to play in developing the international regime if courts directly engage that regime. [n207](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n207)Just as the United States as an actor may benefit from acknowledging and applying international norms, the regime in which the actions occur will benefit through application and acceptance. Indeed, a case such as Massachusetts v. EPA that directly engages only domestic law can nonetheless be understood to impact international lawmaking by considering its actors. [n208](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n208) More important, however, will be cases in which the domestic judiciary gives life to international agreements through direct engagement-a "role [that] is particularly important as a check on the delegitimization of international legal rules that are not enforced."[n209](http://www.lexisnexis.com.go.libproxy.wfubmc.edu/lnacui2api/frame.do?tokenKey=rsh-20.327990.730538573&target=results_DocumentContent&returnToKey=20_T18204002057&parent=docview&rand=1379822287768&reloadEntirePage=true" \l "n209) [\*214] Assuming, as we must in the arena of climate change, that international law can only effect significant changes in behavior through penetration of the domestic sphere, domestic litigation that employs international law not only provides an instance in which the international appears ef-fective but, more importantly, molds it into a shape that will enable further use in domestic cases or suggest necessary changes internationally. By engaging the international, domestic cases can also provide articulation for the norms that have emerged. The precise meaning of the UNFCCC obligation that nations take measures must be hammered out on the ground. In the United States, if Congress has not acted, it is appropriate for the courts to begin this process by measuring particular actions against the standard.

#### B) Their second piece of modeling evidence assumes CAPS ON EMISSIONS – they have ZERO evidence that is politically feasible

Khosla 9 A new President for the United States: We have a dream 27 January 2009 | News story [13 Comments](http://www.iucn.org/news_homepage/?2595/new-President-for-the-United-States-We-have-a-dream#comments) | [Write a comment](http://www.iucn.org/news_homepage/?2595/new-President-for-the-United-States-We-have-a-dream#cform) by Ashok Khosla, IUCN President

The logjam in international negotiations on climate change should not be difficult to break if the US were to lead the industrialized countries to agree that much of their wealth has been acquired at the expense of the environment (in this case greenhouse gases emitted over the past two hundred years) and that with the some of the benefits that this wealth has brought, comes the obligation to deal with the problems that have resulted as side-effects. With equitable entitlement to the common resources of the planet, an agreement that is fair and acceptable to all nations should be easy enough to achieve. Caps on emissions and sharing of energy efficient technologies are simply in the interest of everyone, rich or poor. And both rich and poor must now be ready to adopt less destructive technologies – based on renewables, efficiency and sustainability – both as a goal with intrinsic merit and also as an example to others. But climate is not the only critical global environmental issue that this new administration will have to deal with. Conservation of biodiversity, a crucial prerequisite for the wellbeing of all humanity, no less America, needs as much attention, and just as urgently. The United States’ self-interest in conserving living natural resources strongly converges with the global common good in every sphere: in the oceans, by arresting the precipitate decline of fish stocks and the alarming rise of acidification; on land, by regenerating the health of our soils, forests and rivers; and in the atmosphere by reducing the massive emission of pollutants from our wasteful industries, construction, agriculture and transport systems.

#### Alt causes swamp soft power effectiveness

**Afrasiabi, 7** (PhD and author on Iran (Kaveh, Asia Times, “The illusion of American 'smart power'” http://www.atimes.com/atimes/Middle\_East/IK13Ak02.html)

Over the years, Nye has been anything but shy about claiming credit for his singular contributions to the theories of power, yet much of it is undeserved, as any competent sociologist probing the history of thoughts, running from Max Weber to Antonio Gramsci to Michel Foucault, regarding the subtleties and complexities of power, would readily attest. Nye's theory is an excellent theory that can never be refuted precisely because it cannot be pinned down, its core assumptions **too nebulous** to lend themselves to scientific parsimony. Aside from contradictory notions and simplistic truisms, eg, "strengthen America" by "bolstering its soft power", the report is distinguished by its unabashed glorification of the American military - that has "never been put in the service of building a colonial empire in the manner of European militaries". A little micro-focusing on post September 11, 2001, American interventionism, curiously absent in the whole report, would arguably lead to a diametrically different conclusion. Too much focus on power actually distracts from conscious policies. To be sure, the authors of the "smart power" report are not void of praise for European imperialism, particularly the 19th-century British imperialism that, they claim, contains precious lessons for the "smarter" America of the 21st century. Their point - about "legitimized British power in the eyes of others" - is clearly Eurocentric and blind to the perception of the colonized populations who eventually removed the chains one way or another. But that is a separate story. Tightly packed into the report is the incontrovertible fact that American standing in the world has suffered. Yet, any report focused on "how America wields power in the world" that omits a serious consideration of the **multiple causes, such as** the American quagmire in **Iraq, cannot** possibly **be taken seriously**. The trouble is, however, that both authors of the report are on record supporting the 2003 invasion, although in fairness to Nye, he did criticize it as the "right war at the wrong time", and targeted President George W Bush's failure to "neglect of allies and institutions" that have created a "a sense of illegitimacy". [3] The problem with Nye's approach, however, is the failure to recognize that the "pretextual" war against a sovereign nation in the Middle East, which bypassed the UN, could not possibly have the required legitimacy even if professor Nye and his arsenal of "soft power" pills were in order at the White House; in a word, contrary to Nye, it was the wrong war at the wrong time. Formerly of the US State Department, Francis Fukuyama has agreed that procuring legitimacy has to do with "justice". In other words, an unjust war cannot be called legitimate no matter what the **verbal acrobatics** by the likes of Nye and others, who pay lip service to the "de-legitimating" US Middle East policies, ie, neglecting the Middle East peace process, mentioned only in passing in the above-said report, without due consideration of the serious ramification of such neglects with respects to the threats facing the US today. While side-stepping the Iraq issue with the lame excuse of "broader" perspectives that need to "replace the narrow lens focused on Iraq", the report gives several other reasons for the waning influence of US, ie, reactions to American-led globalization, US's "angry" response to September 11, perception of incompetence, and the side-effects of Cold War success as a lone superpower. Here, the authors **conflate** the **long-term causes of** power **decline with** **the** negative **fall outs of questionable** policies, such as with respect to US **unilateralism**. Regarding the latter, Robert Jervis has correctly pointed at the structural causes of American unilateralism, chiefly the absence of external restraints to American power. In comparison, Nye and Armitage mention other nations resorting to the UN to "constrain" the US power, yet **provide no analysis of why the US has fallen astray from "norm-based internationalism**", the fact that it has to do with power dynamism and America's "totalizing" power grab at the global level, to borrow a term from the French philosophers Gilles Deleuze and Pierre-Felix Guattari. In light of their benign, tolerant attitude toward the exercise of American power, even under the Bush administration, which is said to have used "elements of smart power", Nye and Armitage never really get to the bottom of their own frank admission that today many nations "resent US's unbounded dominance". Instead of drawing from this insight the necessity of a multi-polar world order, the report on "smart power" is keen on maintaining America's "preeminence" in the world and the various ways to ensure it, simultaneously throwing ideas such as "shared leadership" and "accommodating rising powers". True to its contradictory nature, the report on the one hand admits that global politics is not a "zero-sum game" and, yet, in the same breath sends the message that "China can only become preeminent if the US continues to allow its own power of attraction to atrophy". Flawed, inadequate diagnosis of the problems behind America's waning influence **go hand-in-hand with** equally **inadequate prescriptions** for a new US foreign policy, no matter how useful the insights on increasing foreign aid, closing down Guantanamo detention center, focusing on public diplomacy, that is, the usual panoply of "neo-liberal" recipes for action, with the sole exception of omitting the word "interdependence" previously highlighted in Nye's own writings. These **recommendations are not far-reaching enough**, often **tackling the symptoms rather than the real causes** of problems, overall denoting a mindset that reflects policy continuity (with the past and the present) when discontinuity should have the upper hands signaling a real foreign policy reorientation away from the disastrous policies of the Bush presidency. Clearly, such a **reorientation is impossible short of a paradigmatic shift away from the core assumptions of the American hegemonic model** (which are only superficially questioned in this report). Devoid of such a radical shift, the report's "smart power" has nested in it the elements of a vicious policy circle, bound to reintroduce failed US policies under new guises.

### Bioterror

#### No impact – their Wilson evidence is terrible, says swine flu should’ve caused extinction –

AND status quo solves – their evidence says globalization of medications means no spillover – that was all CX.

#### Bioterror threat is a self-fulfilling prophecy

Kittelsen ‘9 – Researcher for the Security Programme; the International Peace Research Institute in Oslo (Sonja, “Conceptualizing Biorisk: Dread Risk and the Threat of Bioterrorism in Europe,” Security Dialogue vol. 40, no. 1, February)

The dread that the prospect of bioterrorism elicits thus not only compounds the distinction between actual and imagined threat, but also challenges the conventional spatio-temporal relationship between ‘threat’ and ‘security’, in that it reinforces a sense of imminence and pervasiveness of possible attack. Its imperceptible nature means that insecurity can exist independent of an actual attack occurring, the mere threat of infection and contagion carrying the capacity to evoke a heightened sense of fear long before and well after an attack has been identified as ever having taken place. In the absence of fact about a threat that deliberately evades detection, the demand on governments to act proactively has become all the more salient, and providing for security has taken a precautionary turn. Strategies aimed at mitigating the threat of bioterrorism have thus involved attempts at delineating security through spatio-temporal techniques that involve intervening in the present in order to avoid the potential for serious and irreversible damage in the future. They constitute an attempt at rearticulating the boundary between ‘secure’ and ‘insecure’ space through the active act of anticipation. Inherent in such an anticipatory logic, however, is an in-built vulnerability, in that this logic is necessarily informed by the subjective insecurities that the threat of bioterrorism elicits. It simultaneously functions within and constitutes a product of the dread that the threat of bioterrorism evokes, and accordingly does not so much serve to reduce the threat of bioterrorism as it serves to mitigate the effects of what is considered an inevitable occurrence. It there- by runs the risk of perpetuating insecurity to the extent that it facilitates threat through its enactment. Engaging with the threat of bioterrorism, then, neces- sarily requires recognizing how the same logic that informs the dread that bioterrorism elicits also serves to inform the security practices pursued to confront it. Just as the molecular body is no longer conceptualized as a unified whole, so too is Europe less a self-contained entity than a site of circulation and exchange. Mitigating the threat of bioterrorism, then, necessitates explor- ing the ways in which security practices and perceptions of threat interact with each other and with the more tangible aspects of the threat of bioterror- ism to make Europe not only vulnerable to biological insecurity, but also a producer and perpetuator of it. This article argues that it is by conceptualizing bioterrorism through the notion of ‘dread risk’ that this self-perpetuation of vulnerability and threat can be exposed and the necessary inroads provided by which to engage more critically with the threat of bioterrorism, its produc- tion and perpetuation, as well as with the constitution of ‘security’ itself.

#### The worst case scenario happened – no extinction

**Dove 12** [Alan Dove, PhD in Microbiology, science journalist and former Adjunct Professor at New York University, “Who’s Afraid of the Big, Bad Bioterrorist?” Jan 24 2012, http://alandove.com/content/2012/01/whos-afraid-of-the-big-bad-bioterrorist/]

The second problem is much more serious. Eliminating the toxins, we’re left with a list of infectious bacteria and viruses. With a single exception, these organisms are probably near-useless as weapons, and history proves it.¶ There have been at least three well-documented military-style deployments of infectious agents from the list, plus one deployment of an agent that’s not on the list. I’m focusing entirely on the modern era, by the way. There are historical reports of armies catapulting plague-ridden corpses over city walls and conquistadors trying to inoculate blankets with Variola (smallpox), but it’s not clear those “attacks” were effective. Those diseases tended to spread like, well, plagues, so there’s no telling whether the targets really caught the diseases from the bodies and blankets, or simply picked them up through casual contact with their enemies.¶ Of the four modern biowarfare incidents, two have been fatal. The first was the 1979 Sverdlovsk anthrax incident, which killed an estimated 100 people. In that case, a Soviet-built biological weapons lab accidentally released a large plume of weaponized Bacillus anthracis (anthrax) over a major city. Soviet authorities tried to blame the resulting fatalities on “bad meat,” but in the 1990s Western investigators were finally able to piece together the real story. The second fatal incident also involved anthrax from a government-run lab: the 2001 “Amerithrax” attacks. That time, a rogue employee (or perhaps employees) of the government’s main bioweapons lab sent weaponized, powdered anthrax through the US postal service. Five people died.¶ That gives us a grand total of around 105 deaths, entirely from agents that were grown and weaponized in officially-sanctioned and funded bioweapons research labs. Remember that.¶ Terrorist groups have also deployed biological weapons twice, and these cases are very instructive. The first was the 1984 Rajneeshee bioterror attack, in which members of a cult in Oregon inoculated restaurant salad bars with Salmonella bacteria (an agent that’s not on the “select” list). 751 people got sick, but nobody died. Public health authorities handled it as a conventional foodborne Salmonella outbreak, identified the sources and contained them. Nobody even would have known it was a deliberate attack if a member of the cult hadn’t come forward afterward with a confession. Lesson: our existing public health infrastructure was entirely adequate to respond to a major bioterrorist attack.¶ The second genuine bioterrorist attack took place in 1993. Members of the Aum Shinrikyo cult successfully isolated and grew a large stock of anthrax bacteria, then sprayed it as an aerosol from the roof of a building in downtown Tokyo. The cult was well-financed, and had many highly educated members, so **this** release over the world’s largest city really **represented a worst-case scenario**.¶ **Nobody got sick** or died. From the cult’s perspective, it was a complete and utter failure. Again, the only reason we even found out about it was a post-hoc confession. Aum members later demonstrated their lab skills by producing Sarin nerve gas, with far deadlier results. Lesson: one of the top “select agents” is extremely hard to grow and deploy even for relatively skilled non-state groups. It’s a really crappy bioterrorist weapon.¶ Taken together, these events point to an uncomfortable but inevitable conclusion: our biodefense industry is a far greater threat to us than any actual bioterrorists.

#### No impact to bioweapons

**Easterbrook ‘3** (Gregg Easterbrook, senior fellow at The New Republic, July 2003, Wired, “We’re All Gonna Die!” http://www.wired.com/wired/archive/11.07/doomsday.html?pg=2&topic=&topic\_set=

3. Germ warfare!Like chemical agents, biological weapons have never lived up to their billing in popular culture. Consider the 1995 medical thriller Outbreak, in which a highly contagious virus takes out entire towns. The reality is quite different. Weaponized smallpox escaped from a Soviet laboratory in Aralsk, Kazakhstan, in 1971; three people died, no epidemic followed. In 1979, weapons-grade anthrax got out of a Soviet facility in Sverdlovsk (now called Ekaterinburg); 68 died, no epidemic. The loss of life was tragic, but no greater than could have been caused by a single conventional bomb. In 1989, workers at a US government facility near Washington were accidentally exposed to Ebola virus. They walked around the community and hung out with family and friends for several days before the mistake was discovered. No one died. The fact is, evolution has **spent millions of years conditioning mammals to resist germs**. Consider the Black Plague. It was the worst known pathogen in history, loose in a Middle Ages society of poor public health, awful sanitation, and no antibiotics. Yet it didn’t kill off humanity. **Most people** who were caught in the epidemic **survived. Any superbug introduced into today’s Western world would encounter top-notch public health, excellent sanitation, and an array of medicines specifically engineered to kill bioagents**. Perhaps one day some aspiring Dr. Evil will invent a bug that bypasses the immune system. Because it is possible some novel superdisease could be invented, or that existing pathogens like smallpox could be genetically altered to make them more virulent (two-thirds of those who contract natural smallpox survive), biological agents are a legitimate concern. They may turn increasingly troublesome as time passes and knowledge of biotechnology becomes harder to control, allowing individuals or small groups to cook up nasty germs as readily as they can buy guns today. But **no superplague has ever come close to wiping out humanity before, and it seems unlikely to happen in the future.**

## 2NC

### \*\*\*Kaldor

### 2NC – Framework

#### 3. Fiat is not real – the k is an academic discussion of the underpinnings of the affirmative – by definition comes before the outcomes of the aff because winning that their epistomolgy is wrong means the aff should have never happened – this is specifically true of war powers debates

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.

#### No judge choice - HOLD THEM ACCOUNTABLE TO THE 1AC. They replicate heteronormative and hyperracialzed power structures that ensures intervention in the name of violent world order. Rejecting their scholarship requires you to vote neg.

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.

#### We don’t preclude the 1AC or the possibility of policy focus, we just think that methodology is a prior question – means they don’t have offense. But even if they win policy simulation is good that makes the kritik more important – ethical and methodological questions are critical to avoid policy failure

McAllister et al 12 – School of Planning, Architecture and Civil Engineering Queen’s University Belfast (Keith, with Liu Ping Hui and Stephen McKay, “Evidence and Ethics in Infrastructure Planning”, International Journal of Applied Science and Technology Vol. 2 No. 5; May 2012, dml)

Lack of transparency on matters of policymaking and decision taking raise more ethical questions than answers. There was a definitive disinclination by key respondents to answer on such matters, inferring a reluctance to engage in fearless speech (Foucault, 1983). Nonetheless, such is the importance of these questions that those who provide leadership and wield power must be cognisant of the ramifications of not upholding the ethical standards and principles of legitimacy which justify their position. The professional-political relationship in decision taking is masked in shadow, though this investigation has yielded knowledge inferring that ethical dilemmas face planning practitioners on a daily basis, albeit that most do not perceive it to be a serious issue, as one respondent put it “it‟s just part of the job”.

Such perceptions undermine the ethos upon which the profession is founded and must be redressed. Rudimentary knowledge means that only speculation is possible on the dynamic which is located at the hub of policymaking and decision taking, therefore only those interacting at the foci of power truly understand how outputs emerge from interactive discursive processes. The evidence from this investigation did, however, indicate that cognisance must not just be taken of the professional-political relationship but the professional-professional relationship in the wider planning context. While the sample is admittedly small, there is clearly an issue to address with regard to the impact of power on professional ethics. Professionals, whatever their rank, have a responsibility to dissent (Marcuse, 1976) and it is disconcerting to think that where organisational legitimacy (Tilling, 2004) is taken as read, power-laden structures (Tewdwr-Jones and Allmendinger, 1998) may be conducive to the development of an inherent fear to express opinion as it might damage how, at best, they are perceived by their superiors or, at worst, impede career development.

While specifically testing the integrity of professional practitioners is almost impossible, it is vitally important that those who influence decisions at locations where power is wielded hold true to the ethical principles underpinning the profession. Failure to do so will ultimately lead to a catastrophic breakdown of societal approval (Kapland and Ruland, 1992) of the planning profession. Such a scenario may ultimately be conducive to the development and implementation of inappropriate policies and strategies which contribute to the demise of the environment which we strive to protect. Evidence from other jurisdictions suggests that the new infrastructure paradigm for operational practice is generally well placed to face such challenges in terms of “expertise and knowledge” (Sheridan, 2010, p. 10). The findings from this investigation suggest that commissioners and inspectors in the wider planning context are perceived as having the ethical robustness to distance themselves from challenges presented by powerbrokers; and the inherent nature of the approach is such that, unlike advocates who tactically manipulate knowledge or flagrantly misrepresent the truth, commissioners are programmed to use a balance sheet approach underpinned by impartiality (Marcuse, 1976). The task for the IPC commissioners is to remain cognisant of such ethical challenges and match the expectations achieved by their counterparts in other planning decision making arenas.

### A2 Perm

#### Saying the US is modeling and is the foundation of international law causes forced assimilation and subjugation of difference in the name of a new world order

Kaldor 99, Mary Kaldor, professor of Global Governance a the London School of Economics and Director of the Civil Society and Human Security Research Unit, New & Old Wars, 1999, Stanford University Press, pg 115-117

Cosmopolitianism, used in a Kantian sense, implies the existence of a human community with certain shared rights and obligations. In ‘Perpetual Peace’ Kant envisaged a world federation of democratic stares in which cosmopolitan right is confined to the right of ‘hospitality’ - strangers and foreigners should be welcomed and treated with respect’ I use the term more extensively to refer both to a positive political vision, embracing tolerance, multiculturalism, civility and democracy, and to a more legalistic respect for certain overriding universal principles which should guide political communities at various levels, including the global level. These principles are already contained in various treaties and conventions that comprise the body of international laws. In chapter 2, I referred to the various rules of engagement and laws of war which deal with the abuses of armed power. Laws and customs of war which date back to early modern times were codified in the nineteenth and twentieth centuries; particularly important were the Geneva Conventions sponsored by the ICRC and the Hague Conferences of 1899 and 1907. The Nuremberg trials after the Second World War marked the first enforcement of ‘war crimes, or, even more significantly, ‘crimes against humanity’. To what was known as international humanitarian law, human rights norms were added in the post-war period. The difference between humanitarian and human rights law has to do largely with whether violation of the law takes place in war or peacetime. The former is confined to abuses of power in war time situations. The assumption tends to be that war is usually modem interstate war and that such abuses are inflicted by a foreign power — in other words, aggression. The latter is equally concerned with abuses of power in peacetime, in particular those inflicted by a government against its citizens — in other words, repression. The violations of international norms with which both bodies of law are concerned are, in fact, those which form the core of the new mode of warfare. As I have argued, in the new wars the classic distinctions between Internal and external, war and peace, aggression and repression are breaking down. A war crime is at one and the same time a massive violation of human rights. A number of writers have suggested that humanitarian law should be combined with human rights law to form ‘humane or cosmopolitan’ law.3 Elements of a cosmopolitan regime do already exist. NGOs and the media draw attention to violations of human rights or to war crimes, and to some extent governments and international institutions respond through methods ranging from persuasion and pressure to, as yet, tentative, enforcement. Particularly important in the latter respect has been the establishment of international tribunals with respect to violations of international humanitarian law for Rwanda and former Yugo-slavia, and the creation of an International Criminal Court (ICC) to deal with ‘core crimes’ — war crimes, crimes against humanity and genocide. War crimes tribunals were established in 1993 and 1994, and the ICC in 1998. These tentative steps towards a cosmopolitan regime, however, conflict with many of the more traditional geo-political approaches adopted by the so-called international community which continue to emphasize the importance of state sovereignty as the basis of international relations. The prevalence of geopolitics is reflected in the terminology used to describe the re sponse of the international community to post-Cold War conflicts. The literature is replete with discussions about intervention and non-intervention. Intervention is taken to mean an infringement of sovereignty and, in its strong version, a military infringement. The prohibitions against intervention, expressed in particular in Article 2(1) of the UN Charter which refers to the ‘principle of sovereign equality’, is considered important as a way of restricting thc use of force, respecting pluralism and acting ‘as a brake on the crusading, territorial and imperial ambitions of states’.

#### b) The US first mentality surrounding their green tech/competition internal link entrenches economics of speed that propagate violence

Goldman et al. ‘6(Robert Goldman, Stephen Papson, Noah Kersey, Landscapes of the Social Relations of Production in a Networked Society, Fast Capitalism 2.1, http://www.uta.edu/huma/agger/fastcapitalism/2\_1/SocialRelations.html)

The formula for success is knowledge, power, mobility, and determination. Situated in positions of power, the corporate elite imagistically embody these attributes -- they are active, informed, determined, focused, surrounded by technology. Even when the body is not moving, information continues to flow via cell phones and electronic information tools integrated into the scenes. Embodied in pinstripes, wingtips, and the other accoutrements of power, these scenes suggest that markets may be volatile but capital is composed and disciplined in its pursuit of opportunities. Nowhere is this scenario more graphically played out than in the 1999 ad campaign for Salomon Smith Barney that reveals a world moving at warp speed while the elite investment bankers calmly survey it as they spot the “opportunities” that will pay off. These representations resemble what Thomas Friedman (1999) dubs the “Electronic Herd” in The Lexus and the Olive Tree. His metaphor embraces the volatility of markets in conjunction with the diffusion of capital across the electronic circuits of finance. According to Friedman, no corporation or nation-state can risk losing the favor of the Herd. In the global economy this can be **catastrophic** to market values. Those who comprise the Herd compete to maximize the rate of return on investments, which translates into **manically scouring the planet for opportunities** or cutting losses as quickly as possible when it is time to sell. **The manic need to invest is matched by panic selling**. Combined with the ability to transfer funds and monies electronically, a stock can be cut in half in hours, or a country’s currency thrown into crisis with a rapidity hitherto unknown. Friedman’s metaphor of the electronic herd pictures an economic elite dashing about in a global free market economy fueled by technological innovation and the liquidity of capital forms (currency, stocks, commodities). The figures who compose this grouping are constructed as dynamic, mobile, and technologically sophisticated. They fluidly traverse the world of nonplaces and occupy office suites in corporate towers surrounded by personal communication technologies. And yet, even in these idealized abstractions, uncertainties and anxieties seep through. Narratives of success are sprinkled with hints of impending crisis, or stories of those who made the wrong choices - the wrong office equipment, the wrong software, the wrong package delivery service. The exhilaration associated with accelerated social, economic, and technological change mixes with an undercurrent of apprehension. Speed may mean winning, but it can also lead to **crashing**. There are more losers than winners in casino capitalism. The landscape of risk is **omnipresent**.

#### c) Soft power rhetoric forces a restrcuting of the world that makes miscalculation and escalation inevitable

Press ‘5 – Associate Professor of Government at Dartmouth (Daryl Press, “Calculating credibility: how leaders assess military threats”, Google Books)

How can these results be true? How can so many wise statesmen be wrong about the connection between past actions and credibility? And why don't leaders use their adversary's past actions to assess the credibility of threats? It is not surprising that Past Actions theory is widely believed. In our daily lives our actions do seem to have a big effect on our credibility. Friends who frequently cancel plans or, even worse, simply fail to show up on time at prearranged meeting places (e.g., the movies) develop a well-deserved reputation for unreliability. Their promises are soon viewed with skepticism. And it is well-known that children who are not punished for breaking their parents' rules quickly learn that they can do whatever they wish. But world leaders facing high-stakes international crises reason differently than people do in their daily lives. The dangers of international politics focus the mind. In our daily lives we quickly estimate the odds that our friend will show up at the movies, and we blithely calculate the odds that a parent will punish. But in high-stakes military crises people move beyond the quick-and-dirty heuristics that serve them so well in mundane matters; they model the current situation much more carefully. These conclusions are supported by empirical research in cognitive psychology'. Researchers have discovered that people use simplifying heuristics like analogical reasoning—that is, comparisons with the past—for everyday problem-solving. But when the stakes are higher, and when people feel sad, anxious, or threatened, they abandon simple heuristics in favor of more careful "systematic" reasoning. Seen this way, it is no wonder that statesmen do not worry much during high-stakes crises about what their adversary did in the past; not surprisingly they focus on power and interests in the "here and now." In fact, it would be surprising if people did rely on the same mental shortcuts that they use to make the mundane split-second decisions of daily life to make the most critical decisions they will ever face. The evidence provided in this book presents a new puzzle, one that is difficult to resolve fully. As the cases reveal—particularly the Berlin and Cuban crises—the very same leaders who are so concerned about their own country's credibility that they are loath to back down reflexively ignore the enemy's history for keeping or breaking commitments. In other words, leaders accept serious risks and pay great costs to keep their commitments because, they believe, to do otherwise would reduce their own credibility and encourage new challenges. But they pay little attention to the enemy's past actions, and they never use them as a guide to his credibility. In the concluding chapter I speculate about the possible explanations for this surprising behavior. To summarize, this book makes two central arguments about international politics: First, the best way to make threats credible is by wielding enough power to carry out the threats successfully at costs that are commensurate with the interests at stake. The key to maintaining credibility in military crises, therefore, lies in possessing substantial military power. But unless a country has serious interests at stake in a conflict, it will be hard to make threats credible, even if it does wield tremendous power. Second, Past Actions theory has been believed for far too long, at a huge price. Policymakers, scholars, and other foreign policy experts have held it as an article of faith that the theory is true, and their compatriots have paid dearly for this faith. This study has found very little evidence to support Past Actions theory and a mountain of evidence against it. Additional empirical work should be done on this topic—the money and lives at stake warrant it—but the burden of proof should be placed on adherents of Past Actions theory to defend their claims. Until a body of scholarship demonstrates that keeping ones international commitments significantly increases one's credibility, the United States and other countries should stop fighting wars in this dubious theory's name. The arguments in this book offer both good and bad news for U.S. foreign policy. The good news is that power is a key determinant of credibility. In this age of American hegemony, the United States should have little trouble convincing foes that the United States will fight to protect its most important national interests. The bad news for the United States is that even the world's only superpower will find it difficult and expensive to appear credible in crises that do not engage serious U.S. interests. All over the world the United States is involved in disputes that involve American preferences but do not threaten vital U.S. interests. Because America's enemies frequently recognize that America’s core interests are not at stake in their disputes, it will be hard to convince them that the United States will "go to the mattresses" to prevail in these conflicts. This book has broader implications for the conduct of American foreign policy: the United States can free itself from the self-imposed rigidity created by excessive concern over its reputation. U.S. foreign policy can be far more flexible and effective than it currently is. In every competitive environment—sports, gambling, chess, warfare—competitors use feints and bluffs to tremendous advantage. Probing forward—with the private knowledge that one will retreat if challenged—is a useful tactic for learning about an enemy's strength and strategies. America's obsession with the dangers of backing down has precluded probes and feints, making U.S. foreign policy unnecessarily rigid. Metaphorically, America's foreign policy strategists have used America's "chess pieces" as if they were all pawns—unable to move back from an untenable position—when in fact its game pieces are rooks and bishops. Understanding the real source of credibility permits a more flexible and powerful approach to foreign policy.

#### d) Energy security is a vehicle used for interventionist wars – manufactures justification for military conflicts

Langlois-Bertrand 10 (Simon, Defence R&D Canada Centre for Operational Research and Analysis, "The Contemporary Concept of Energy Security," http://cradpdf.drdc-rddc.gc.ca/PDFS/unc101/p533868\_A1b.pdf)

The energy security problem, in this view, is thus a purely geostrategic issue, based on a logic of war: energy is both the object of war (what states compete for) and the instrument of war (what states compete with).27 The language used in these debates is particularly telling, with the prominent use of terms such as the “oil weapon,” “competition over access,” and “exclusive backyards,” amongst others. Under this logic, energy security is derivative of geopolitics, as the “struggle for energy is (…) subsumed under the ‘normal’ competition for power, survival, land, valuable materials or markets.”28 Consequently, what comes out of these lines of argument is the inherent national dimension to all the discussions. The international oil companies, where mentioned, are often reduced to their home countries. The pillars of this approach to energy security are exemplified in the “regions and empires” narrative. In this storyline, the key change to energy security brought by the crises of the 1970s was an increasingly important geopolitical dimension. This approach would thus “place greater stress on strategic alliances; the search for ‘exclusive backyards’; military power to protect supplies; intra-Western rivalry and undercutting and Western oil companies taking control of production capacity through buy outs and mergers in producer states.”29 The common theme of analysis within this view is the idea that Western consumer countries should be wary of neglecting systematically to “incorporate energy security concerns into the design of their foreign policies.”30 The “regions and empires” narrative also places great importance on unilateral security policy in international energy market dynamics, involving essentially, a division of the world into countries and regions, on the basis of ideology, religion, and political arguments. Political and military strategy, bilateralism and regionalism divide the world up into competing U.S., E.U., Russian and Asian spheres of influence. The absence of effective world markets for strategic goods further stimulates the establishment of bilateral trade relationships and treaties, thus reinforcing the formation of more or less integrated blocks with satellite regions that compete for markets and energy resources.31 With, again, an implicit focus on oil and gas, proponents of this narrative would argue, for instance, that just four states (Russia, Iran, Turkmenistan and Qatar) possess more than half global gas reserves. Consequently, “many [doubt] the extent to which gas would be subjected to market dynamics, with fixed, structural dependence on a small number of producers actually increasing (…) and [lament] that the much heralded take-off of [liquefied natural gas] was proving illusive.”32 These arguments produce a conceptual framework for energy security by highlighting more or less three interrelated levels of the (foreign policy) problem: vulnerabilities of the oil and gas supply chain; changes in the oil and gas trade patterns; and changes in geopolitical environments for the supply of oil and gas.33 This is already quite restrictive, but the reasoning can be pushed further through its logical extension: energy becoming an integral part of strategic planning. The situation in Africa and Central Asia leaves little doubt as to the existence of at least some sense of competition over access to resources between core energy players (mostly China, the U.S., and Russia). The arrival of military planning to such problems, however, inspires “a logic of hardening, securing and protecting” in the entire domain of energy.34 The military component of energy security is not new, stemming back to at least the establishment of the Carter Doctrine.35 Following the Islamic revolution in Iran and the invasion of Afghanistan by the Soviet Union, U.S. President Jimmy Carter delivered a strong message to the world in his 1980 State of the Union address: Let our position be absolutely clear: an attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States of America, and such an assault will be repelled by any means necessary, including military force.36 As Michael Klare points out, however, what is most striking with hindsight is not the assertion of the Carter Doctrine itself, but its reassertion and extension by every U.S. President since: after Carter created the Rapid Deployment Joint Task Force (RDJTF), subsequent Presidents followed with clear actions in support of the Doctrine. At first, it consisted of more “traditional” military actions: Ronald Reagan elevated the RDJTF to a full-scale regional headquarters, and eventually asserted the United States’ determination to protect oil flows in the Gulf by authorizing the “reflagging” of Kuwaiti tankers with the American ensign (and their protection); George H.W. Bush then protected Saudi Arabia against possible Iraqi attack (Operation Desert Shield) and then drove the Iraqis out of Kuwait (Operation Desert Storm) in the Persian Gulf War. These actions were soon extended, furthermore, to most other oil-producing regions of the world. The Clinton administration, for instance, pushed for the construction of a new oil pipeline between Azerbaijan through Georgia to Turkey, and began assisting these states with military aid and through a series of annual joint military exercises.37 Finally, after Clinton started this ‘globalization’ of the Carter Doctrine, George W. Bush made it a central objective of American foreign policy, as a consequence of the National Energy Policy announced in 2001.38 Klare and others go on to argue that this militarization, stemming from a simplified and overly strategic view of energy security concerns, increase the prospects for conflict and war in years to come. Several mechanisms influence those prospects: the prominence of insurgency and separatist warfare in oil-producing regions; the political violence associated with mechanisms falling under the ‘resource curse’ purview; international terrorism by groups such as Al-Qaeda; increased tensions over contested maritime resource zones as onshore energy sources are depleted; and, more generally, increasing doubts about the future sufficiency of global stockpiles of oil and gas.39 This, on top of the globalization of the Carter Doctrine, leads to a higher potential for conflict. To illustrate this, the most discussed case in the contemporary period is, “a growing risk, therefore, that U.S. and Chinese efforts to militarize their foreign energy endeavours will produce a competitive stance between them and someday spark a dangerous confrontation.”40 As can be expected, not every analyst shares this pessimism over future prospects for international energy dynamics. Fettweis, in a direct rebuttal of Klare’s arguments on the matter, argues that at least three reasons make it unlikely that wars over territories containing resources will be more common in the 21st century: first, fighting to control oil is usually a self-defeating proposition, as seizing oil will always be costlier than buying it; second, both consumers and producers share the same interest in stability; finally, there are fewer instances of any kind of warfare.41 In a different assessment, Daniel Yergin emphasizes the implications of interdependence in international energy markets, and both authors conclude that China and the United States are most likely to end up on the same side if a clash between producing and importing countries should happen again.42 Flowing from these debates, the foreign policy and military approach to energy security also underscores the United States’ special position and role in these matters. These considerations are neither based solely on the U.S. being a powerful actor on the international scene, nor on their use of the military in energy-related policy: other states have considerable influence, and the use of the military to protect the secure flow of oil is common all around the world. What makes the United States a special case is the extent to which their actions influence the global energy situation, giving it a set of responsibilities unequalled by any other state.43 The United States’ leading Cold War role during the 1970s and 1980s, and later on the “globalization” of the Carter Doctrine taken broadly, show that their “system-maintaining role has benefited a number of core states as well as America itself, [by] maintaining a stable supply of crucial energy onto the world market.”44 Finally, some proponents of this approach also see the inherently unstable nature of oil and gas exploitation as reinforcing these dynamics: exploitation of oil and gas, as it has been done in the past few decades, show patterns of increases in national instability, of public and political distrust, and of emergence of destabilizing forms of competition.45 Several different policies are being developed to deal with those issues, but an important policy gap remains in the sense that little attention is paid to changing those underlying dynamics.46 The bottom line is that while this approach has strong appeal, its limited focus on oil and gas, and on competition between states, oversimplifies issues related to securing energy supplies. Mitigation strategies are often reduced to diversification,47 and the militarizing of the problem tends to order issues in a hierarchical manner,48 relegating other important concerns

#### e) Discourse of bioattacks justifies US double-standards – makes us complicit in ongoing atrocities and masks local politics

Egan 2 (R. Danielle, Assistant Professor of Sociology at St. Lawrence University, (Collateral Language, ed. Collins and Glover, p. 18-19)

A function of the discourse of Anthrax and its **production of panic** is the construction of Anthrax as a weapon of mass de­struction. This creates **both the illusion and the panic necessary** for its cultural acceptability. Anthrax as weapon of mass destruc­tion extends this discourse to its ultimate limit, meaning that if Anthrax is a weapon of mass destruction, then any and all governmental intervention is not only valid but also **absolutely nec­essary** for national safety. This, in effect, makes the continual bombing of Afghanistan seem necessary and the next potential target, Iraq, prudent. We are being bombarded, we are under at­tack, the body America is in danger by a weapon of mass de­struction; therefore, we must strengthen our immune system— we must fight back. We must protect ourselves by any means nec­essary. The use of the term “weapon of mass destruction” in the discourse of Anthrax is the ultimate illusion, the ultimate way of producing a cultural panic and blindness to the massive contra­diction between Anthrax, which has at this time killed four peo­ple, and the repeated dropping of ten-ton bombs on Afghanistan. The contradiction in logic is so obvious, but so ob­scured. How can a bacterium that a simple sixty-day course of the antibiotic Cipro can cure be viewed as more threatening than the continual air raids in Afghanistan? Or the “daisy cutter” bombs that incinerate a one-square-mile area? The United States has repeatedly used weapons of mass de­struction, whether one thinks of the napalm used in Vietnam, the atomic weapons dropped on Japan, or the not-so-”smart” bombs in Iraq which killed thousands of innocent Iraqi civilians—or the embargo which has been estimated to have cost close to a million children their lives in Iraq. Or, if we go back further in history, the smallpox-infested blankets sent to Native Americans by the U.S. government, an action that cost thousands of lives. Weapons of mass destruction are defined as those that can kill large num­bers of people through nuclear, biological, or chemical means. I would argue that there is a need to recognize that conventional weapons such as daisy cutters, smart bombs, and cluster bombs with their ability to take large numbers of lives, particularly in re­peated air raids, are weapons of mass destruction. To do so would force the United States to **explore its own mass destruction** in other countries, destruction that has been **ideologically ignored** under the guise of “protection of U.S. interests.” Our **discursively produced panic** has **effectively wiped out** our cultural under­standing of past and present U.S. atrocities.

#### Fourth, Masking disad –

Gregory McNeal 08, Visiting Assistant Professor of Law, Pennsylvania State University Dickinson School of Law. The author previously served as an academic consultant to the former Chief Prosecutor, Department of Defense Office of Military Commissions, “ARTICLE: BEYOND GUANTANAMO, OBSTACLES AND OPTIONS,” August 08, 103 Nw. U. L. Rev. Colloquy 29

3. Executive Forum-Discretion--Any reform which allows for adjudication of guilt in different forums, each with differing procedural protections, raises serious questions of legitimacy and also incentivizes the Executive to use "lesser" forms of justice--nonprosecution or prosecutions by military commission. In this section, my focus is on the incentives which compel the Executive to not prosecute, or to prosecute in military commissions rather than Article III courts. Understanding the reason for these discretionary decisions will guide reformers pondering whether a new system will actually be used by the next President.¶ There are two primary concerns that executive actors face when selecting a forum: protecting intelligence and ensuring trial outcomes. Executive forum-discretion is a different form of prosecutorial discretion with a different balancing inquiry from the one engaged in by courts. Where prosecutorial discretion largely deals with the charges a defendant will face, executive forum-discretion impacts the procedural protections a defendant can expect at both the pretrial and trial phase. Where balancing by Courts largely focuses on ensuring a just outcome which protects rights, the balancing engaged in by executive actors has inwardly directed objectives [\*50] which value rights only to the degree they impact the Executive's self interest.¶ Given the unique implications flowing from forum determinations, reformers can benefit from understanding why an executive actor chooses one trial forum over another. I contend that there are seven predictive factors that influence executive discretion; national security court reformers should be aware of at least the two most salient predictive factors: trial outcomes and protection of intelligence equities. n112 The Executive's balancing of factors yields outcomes with direct implications for fundamental notions of due process and substantial justice. Any proposed reform is incomplete without thoroughly addressing the factors that the Executive balances.

#### Fifth, Imperial apathy DA – any inclusion of the plan will footnote and coopt the alternative. Only a complete rejection of the status quo security apparatus solves.

Abbas 10, Asma Abbas, Professor and Division Head in Social Studies, Political Science, Philosophy at the Liebowitz Center for International Studies at Bard College at Simon’s Rock, Liberalism and Human Suffering: Materialist Reflections on Politics, Ethics, and Aesthetics, London: Palgrave Macmillan, pg. Pg. 38-39/

The dizzying back and forth between professed Kantians and Humeans blurs the fact that, regardless of whether morality is anchored interior to the acting subject or determined by the effects of the actions of the subject as they play out in the outside world, the unit of analysis is quite the same. Thus, when touchy liberals desire better attention to the fact of human pain and suffering, they manage to talk about cruelty where, ironically, cruel actions are derivatives of cruel agents and the victim’s suffering is just fallout. Besides this shared inability to dispel the primacy of the agent and the perpetrator in favor of the sufferer of pain, the rift between Kant and Hume is deceptive in another way. In terms of historical evolution, the current status of cruelty betrays a fetish of the active agent. It is no accident that the terms “good” and “evil” require a focus on cruelty and its infliction, leaving untouched the suffering of cruelty. Moral psychology ends up being the psychology of cruelty, which is amoral question, and hence of those who cause it. In the same frame, suffering is never a moral, let alone political or legal, question unless amoral agent with a conscience has caused it. All sufferers automatically become victims in the eyes of politics and law when “recognized.” Suffering is thus relevant as a political question only after it is a moral one, when it is embodied and located in a certain way, when it surpasses arbitrary thresholds. It is one thing to claim that liberalism, whether empiricist or idealist, cannot overcome its subject-centeredness even in its moments of empathy for the “victim.” It is another to understand the stubborn constitution of the agent at the helm of liberal justice and ask what makes it so incurable and headstrong and what the temperament of this stubbornness might be: is it pathetic, squishy, helplessly compassionate, humble, philanthropic, imperialist, venomous, neurotic, all of the above, or none of these? Not figuring out this pathos is bound to reduce all interaction with liberal assertions to one or another act of editing or “correcting” them. Inadvertently, all protests to liberalism tread a limited, predictable path and will be, at some point, incorporated within it. Liberalism’s singular gall and violence is accessed every time a resistance to it is accommodated by liberalism. Think, for instance, not only of how often liberals affirm their clumsiness and mediocrity in speaking for the other’s suffering but also of how quickly its antagonists—purveyors of many a righteous anti-representational politics—“make space” for the voice of others without challenging the (liberal, colonizing) structures that determine and distribute the suffering and speaking self, and the suffering and speaking other, to begin with. This protest leaves unquestioned what it means to speak for one’s own, or others’, suffering and whether there are other ways of speaking suffering that problematize these as the only options.

#### Sixth, the permutation conflates bad notions of power and knowledge that corrupts agency and legitimizes state oppression

Burke, 7 (Anthony, senior lecturer in Politics and International Relations at UNSW, Sydney, “Ontologies of War: Violence, Existence, and Reason,” Vol. 10, No. 2, Project Muse)

This essay develops a theory about the causes of war -- and thus aims to generate lines of action and critique for peace -- that cuts beneath analyses based either on a given sequence of events, threats, insecurities and political manipulation, or the play of institutional, economic or political interests (the 'military-industrial complex'). Such factors are important to be sure, and should not be discounted, but they flow over a deeper bedrock of modern reason that has not only come to form a powerful structure of common sense but the apparently solid ground of the real itself. In this light, the two 'existential' and 'rationalist' discourses of war-making and justification mobilised in the Lebanon war are more than merely arguments, rhetorics or even discourses. Certainly they mobilise forms of knowledge and power together; providing political leaderships, media, citizens, bureaucracies and military forces with organising systems of belief, action, analysis and rationale. But they run deeper than that. They are truth-systems of the most powerful and fundamental kind that we have in modernity: ontologies, statements about truth and being which claim a rarefied privilege to state what is and how it must be maintained as it is. I am thinking of ontology in both its senses: ontology as both a statement about the nature and ideality of being (in this case political being, that of the nation-state), and as a statement of epistemological truth and certainty, of methods and processes of arriving at certainty (in this case, the development and application of strategic knowledge for the use of armed force, and the creation and maintenance of geopolitical order, security and national survival). These derive from the classical idea of ontology as a speculative or positivistic inquiry into the fundamental nature of truth, of being, or of some phenomenon; the desire for a solid metaphysical account of things inaugurated by Aristotle, an account of 'being qua being and its essential attributes'.17 In contrast, drawing on Foucauldian theorising about truth and power, I see ontology as a particularly powerful claim to truth itself: a claim to the status of an underlying systemic foundation for truth, identity, existence and action; one that is not essential or timeless, but is thoroughly historical and contingent, that is deployed and mobilised in a fraught and conflictual socio-political context of some kind.

### A2 reps good

#### 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.

#### Vote neg on ethics – colonialism must be rejected in every instance, even if they claim to do good.

Shaikh 07, Nermeen Shaikh, senior fellow at Asia Source, “Interrogating Charity and the Benevolence of Empire,” 2007, Development 50, Palgrave-Journals

It would probably be incorrect to assume that the principal impulse behind the imperial conquests of the 18th and 19th centuries was charity. Having conquered large parts of Africa and Asia for reasons other than goodwill, however, countries like England and France eventually did evince more benevolent aspirations; the civilizing mission itself was an act of goodwill. As Anatol Lieven (2007) points out, even 'the most ghastly European colonial project of all, King Leopold of Belgium's conquest of the Congo, professed benevolent goals: Belgian propaganda was all about bringing progress, railways and peace, and of course, ending slavery'. Whether or not there was a general agreement about what exactly it meant to be civilized, it is likely that there was a unanimous belief that being civilized was better than being uncivilized—morally, of course, but also in terms of what would enable the most in human life and potential. But what did the teaching of this civility entail, and what were some of the consequences of changes brought about by this benevolent intervention? In the realm of education, the spread of reason and the hierarchies created between different ways of knowing had at least one (no doubt unintended) effect. As Thomas Macaulay (1935) wrote in his famous Minute on Indian Education, We must at present do our best to form a class who may be interpreters between us and the millions whom we govern; a class of persons, Indian in blood and colour, but English in taste, in opinions, in morals, and in intellect. To that class we may leave it to refine the vernacular dialects of the country, to enrich those dialects with terms of science borrowed from the Western nomenclature, and to render them by degrees fit vehicles for conveying knowledge to the great mass of the population. This meant, minimally, that English (and other colonial languages elsewhere) became the language of instruction, explicitly creating a hierarchy between the vernacular languages and the colonial one. More than that, it meant instructing an elite class to learn and internalize the culture—in the most expansive sense of the term—of the colonizing country, the methodical acculturation of the local population through education. As Macaulay makes it clear, not only did the hierarchy exist at the level of language, it also affected 'taste, opinions, morals and intellect'—all essential ingredients of the civilizing process. Although, as Gayatri Chakravorty Spivak points out, colonialism can always be interpreted as an 'enabling violation', it remains a violation: the systematic eradication of ways of thinking, speaking, and being. Pursuing this line of thought, Spivak has elsewhere drawn a parallel to a healthy child born of rape. The child is born, the English language disseminated (the enablement), and yet the rape, colonialism (the violation), remains reprehensible. And, like the child, its effects linger. The enablement cannot be advanced, therefore, as a justification of the violation. Even as vernacular languages, and all habits of mind and being associated with them, were denigrated or eradicated, some of the native population was taught a hegemonic—and foreign—language (English) (Spivak, 1999). Is it important to consider whether we will ever be able to hear—whether we should not hear—from the peoples whose languages and cultures were lost? The colonial legacy At the political and administrative levels, the governing structures colonial imperialists established in the colonies, many of which survive more or less intact, continue, in numerous cases, to have devastating consequences—even if largely unintended (though by no means always, given the venerable place of divide et impera in the arcana imperii). Mahmood Mamdani cites the banalization of political violence (between native and settler) in colonial Rwanda, together with the consolidation of ethnic identities in the wake of decolonization with the institution and maintenance of colonial forms of law and government. Belgian colonial administrators created extensive political and juridical distinctions between the Hutu and the Tutsi, whom they divided and named as two separate ethnic groups. These distinctions had concrete economic and legal implications: at the most basic level, ethnicity was marked on the identity cards the colonial authorities introduced and was used to distribute state resources. The violence of colonialism, Mamdani suggests, thus operated on two levels: on the one hand, there was the violence (determined by race) between the colonizer and the colonized; then, with the introduction of ethnic distinctions among the colonized population, with one group being designated indigenous (Hutu) and the other alien (Tutsi), the violence between native and settler was institutionalized within the colonized population itself. The Rwandan genocide of 1994, which Mamdani suggests was a 'metaphor for postcolonial political violence' (2001: 11; 2007), needs therefore to be understood as a natives' genocide—akin to and enabled by colonial violence against the native, and by the new institutionalized forms of ethnic differentiation among the colonized population introduced by the colonial state. It is not necessary to elaborate this point; for present purposes, it is sufficient to mark the significance (and persistence) of the colonial antecedents to contemporary political violence. The genocide in Rwanda need not exclusively have been the consequence of colonial identity formation, but does appear less opaque when presented in the historical context of colonial violence and administrative practices. Given the scale of the colonial intervention, good intentions should not become an excuse to overlook the unintended consequences. In this particular instance, rather than indulging fatuous theories about 'primordial' loyalties, the 'backwardness' of 'premodern' peoples, the African state as an aberration standing outside modernity, and so forth, it makes more sense to situate the Rwandan genocide within the logic of colonialism, which is of course not to advance reductive explanations but simply to historicize and contextualize contemporary events in the wake of such massive intervention. Comparable arguments have been made about the consolidation of Hindu and Muslim identities in colonial India, where the corresponding terms were 'native' Hindu and 'alien' Muslim (with particular focus on the nature and extent of the violence during the Partition) (Pandey, 1998), or the consolidation of Jewish and Arab identities in Palestine and the Mediterranean generally (Anidjar, 2003, 2007).

#### Apocalyptic environmental rhetoric causes eco-authoritarianism and political apathy – turns the case

Buell 3 (Frederick, cultural critic on the environmental crisis and a Professor of English at Queens College and the author of five books, From Apocalypse To Way of Life, pages 185-186)

Looked at critically, then, crisis discourse thus suffers from a number of liabilities. First, it seems to have become a political liability almost as much as an asset. It calls up a fierce and effective opposition with its predictions; worse, its more specific predictions are all too vulnerable to refutation by events. It also exposes environmentalists to being called grim doomsters and antilife Puritan extremists. Further, concern with crisis has all too often tempted people to try to find a “total solution” to the problems involved— a phrase that, as an astute analyst of the limitations of crisis discourse, John Barry, puts it, is all too reminiscent of the Third Reich’s infamous “final solution.”55 A total crisis of society—environmental crisis at its gravest—threatens to translate despair into inhumanist authoritarianism; more often, however, it helps keep merely dysfunctional authority in place. It thus leads, Barry suggests, to the belief that only elite- and expert-led solutions are possible.56 At the same time it **depoliticizes people**, inducing them to **accept their impotence** **as** **individuals**; this is something that has made many people today feel, ironically and/or passively, that since it makes **no difference** at all what any individual does on his or her own, one might as well go along with it. Yet another pitfall for the full and sustained elaboration of environmental crisis is, though least discussed, perhaps the most deeply ironic. A problem with deep cultural and **psychological** as well as social effects, it is embodied in a startlingly simple proposition: the worse one feels environmental crisis is, the more one is tempted to **turn one’s back on the environment**. This means, preeminently, turning one’s back on “nature”—on traditions of nature feeling, traditions of knowledge about nature (ones that range from organic farming techniques to the different departments of ecological science), and traditions of nature-based activism. If nature is thoroughly wrecked these days, people need to delink from nature and live in postnature—a conclusion that, as the next chapter shows, many in U.S. society drew at the end of the millenium. Explorations of how deeply “nature” has been wounded and how intensely vulnerable to and dependent on human actions it is can thus lead, ironically, to further **indifference** to nature-based environmental issues, not greater concern with them. But what quickly becomes evident to any reflective consideration of the difficulties of crisis discourse is that all of these liabilities are in fact bound tightly up with one specific notion of environmental crisis—with 1960s- and 1970s-style **environmental apocalypticism**. Excessive concern about them does not recognize that crisis discourse as a whole has significantly changed since the 1970s. They remain inducements to look away from serious reflection on environmental crisis only if one does not explore how environmental crisis has turned of late from apocalypse to dwelling place. The apocalyptic mode had a number of prominent features: it was preoccupied with running out and running into walls; with scarcity and with the imminent rupture of limits; with actions that promised and temporally predicted imminent total meltdown; and with (often, though not always) the need for immediate “total solution.” Thus **doomsterism** was its reigning mode; **eco-authoritarianism** was a grave **temptation**; and as crisis was elaborated to show more and more severe deformations of nature, temptation increased to refute it, or **give up**, or even cut off ties to clearly terminal “nature.”

#### Globalization and collective security are inevitable, but our method and justification for how we should engage those structures is founded in our scholarship. Alt is a prerequisite and any risk of a link means you vote neg.

Kaldor 99, Mary Kaldor, professor of Global Governance a the London School of Economics and Director of the Civil Society and Human Security Research Unit, New & Old Wars, 1999, Stanford University Press, pg 123-124

The failure to take seriously alternative sources of power displays a myopia about the character of power and the relationship between power and violence. An effective response to the new wars has to be based on an alliance between international organizations and local advocates of cosmopolitanism in order to reconstruct legitimacy. A strategy of winning hearts and minds needs to identify with individuals and groups respected for their integrity. They have to be supported, and their advice, proposals, recommendations need to be taken seriously. There is no standard formula for a cosmopolitan response; the point is rather that, in each local situation, there has to be a process involving these individuals and groups through which a strategy is developed. The various components of international involvement — the use of troops, the role of negotiation, funds for reconstruction — need to be worked out jointly. This argument also has implications for the way in which political pressure from the above is exerted on political and military leaders to reach agreement or to consent to peacekeeping forces. Typical methods include the threat of air strikes or economic sanctions, which have the consequence of identifying the leaders with the population instead of isolating them, treating them as representative of ‘sides’, as legitimate leaders of states or proto-states. Such methods can easily be counterproductive, alienating the local population and narrowing the possibilities of pressure below. There may be circumstances in which these methods are an appropriate strategy and others where more targeted approaches may be more effective — arraigning the leaders as war criminals so that they Cannot travel, exempting Cultural communication so as to support civil society, for example. The point is that local cosmopolitans can provide the best advice on what is the best approach; they need to be consulted and treated as partners.

### 2NC – Alt

#### This debate round matters – critical interrogation of our war policy and adaptation to “new wars” is critical to create a new form of scholarship that is predicated on local, national, and global scholarship external from the status quo security apparatus.

Kaldor 13, Mary Kaldor, professor of Global Governance at the London School of Economics and Director of the Civil Society and Human Security Research Unit, “In Defence of New Wars,” March 7, 2013, Stability, 2(1): 4, pp. 1-16, <http://www.stabilityjournal.org/article/download/sta.at/40%E2%80%8E>

The debate about new wars has helped to refine and reformulate the argument. The debate about Clausewitz has facilitated a more conceptual interpretation of new wars, while the debate about data has led to the identification of new sources of evidence that have helped to substantiate the main proposition. The one thing the critics tend to agree is that the new war thesis has been important in opening up new scholarly analysis and new policy perspectives, which, as I have stressed, was the point of the argument (Newman 2004; Henderson and Singer 2002). The debate has taken this further. It has contributed to the burgeoning field of conflict studies. And it has had an influence on the intensive policy debates that are taking place especially within the military, ministries of defence and international organisations the debates about counter-insurgency in the Pentagon, for example, or about human security in the European Union and indeed about non-traditional approaches to security in general. What is still lacking in the debate is the demand for a cosmopolitan political response. In the end, policing, the rule of law, justice mechanisms and institution-building depend on the spread of norms at local, national and global levels, and norms are constructed both through scholarship and public debate. If we are to reconceptualise political violence as ‘new war’ or crime and the use of force as cosmopolitan law enforcement rather than war-fighting, then we have to be able to challenge the claims of those who conceptualise political violence as ‘old war’, and this can only be done through critical publicly-engaged analysis.

#### Have to engage in coalition building with local populations to be effective

Kaldor 99, Mary Kaldor, professor of Global Governance a the London School of Economics and Director of the Civil Society and Human Security Research Unit, New & Old Wars, 1999, Stanford University Press, pg 123-124

The failure to take seriously alternative sources of power displays a myopia about the character of power and the relationship between power and violence. An effective response to the new wars has to be based on an alliance between international organizations and local advocates of cosmopolitanism in order to reconstruct legitimacy. A strategy of winning hearts and minds needs to identify with individuals and groups respected for their integrity. They have to be supported, and their advice, proposals, recommendations need to be taken seriously. There is no standard formula for a cosmopolitan response; the point is rather that, in each local situation, there has to be a process involving these individuals and groups through which a strategy is developed. The various components of international involvement — the use of troops, the role of negotiation, funds for reconstruction — need to be worked out jointly. This argument also has implications for the way in which political pressure from the above is exerted on political and military leaders to reach agreement or to consent to peacekeeping forces. Typical methods include the threat of air strikes or economic sanctions, which have the consequence of identifying the leaders with the population instead of isolating them, treating them as representative of ‘sides’, as legitimate leaders of states or proto-states. Such methods can easily be counterproductive, alienating the local population and narrowing the possibilities of pressure below. There may be circumstances in which these methods are an appropriate strategy and others where more targeted approaches may be more effective — arraigning the leaders as war criminals so that they Cannot travel, exempting Cultural communication so as to support civil society, for example. The point is that local cosmopolitans can provide the best advice on what is the best approach; they need to be consulted and treated as partners.

## 1NR

### \*\*\*Warming

### Overview

#### The turn outweighs – value to life impacts should be a tiebreaker when the 2AC makes ZERO UTIL ARGUMENTS. Ideological separation causes global disorientation that makes daily existence a slow-motion nuclear war –

#### Morton, ’10 (Timothy Morton is a Professor of Literature and Environment at the University of California – Davis. 2010 by the President and Fellows of Harvard College. “The Ecological Thought”)

We become aware of the worldness of the world only in a globalizing environment in which fiber optic cables run under the ocean and satellites hover above the ionosphere. There was no world before capitalism. This sounds shocking to some environmentalists, but the ecological thought is indeed shocking. We are becoming aware of the world at the precise moment at which we are “destroying” it – or at any rate, globally reshaping it. Nature appears in a world of industrial, privatizing farming. Marx put it in his inimitably ruthless way: “First the labourers are driven from the land, and then the sheep arrive.” He forgot to add: and then Nature shows up. Things are first known when lost, as Edward Thomas wrote: I never had noticed it until/ ‘Twas gone, - the narrow copse/ Where now the woodman lops/ The last of the willows with his bill/ It was not more than a hedge overgrown/ One meadow’s breadth away/ I passed it day by day/ Now the soil is bare as bone. Nature as such appears when we lose it, and it’s known as loss. Along with the disorientation of the modern world goes an ineffable sadness. Writing during the First World War, Thomas knew how globally disruptive events drastically change our physical and mental language. The First World War was a horrifying combination of modern technology and old school battle strategy, and a glimpse at Paul Nash’s painting *We Are Building a New World* (1918) will convince you of the environmental vision of artists at this time. Ecological disaster is a warlike experience – the Pentagon is concerned about the political consequences of climate disruption. The total destruction of nuclear war is upon us, in an ultra-slow-motion version. We look around and see what we are losing as a “thing” that is disappearing from our grasp and out from under our feet. Two things that seem distinct – human society and Nature – are two different angles of the same thing. As far as location and cohabiting go, feudal peasants had no choice: neither did slaves, nor did indigenous peoples. Now we have the first stirrings of a choice: are we going to choose, and how? This is very different from saying that capitalism is the be-all and end-all of existence. Since its beginnings, capitalism has used war and catastrophe to reinvent itself. The current catastrophe is no exception. We should reject the false choice between the “politics of possibility” and a “return to nature.” Instead, let’s use this moment to imagine what sort of noncapitalist society we want.

### Extinction impact

#### Not rapid

McGrath ’13 (Matt McGrath, Environment correspondent, BBC News, “Climate slowdown means extreme rates of warming 'not as likely'”, http://www.bbc.co.uk/news/science-environment-22567023, May 19, 2013)

Scientists say the recent downturn in the rate of global warming will lead to lower temperature rises in the short-term. Since 1998, there has been an unexplained "standstill" in the heating of the Earth's atmosphere. Writing in Nature Geoscience, the researchers say this will reduce predicted warming in the coming decades. But long-term, the expected temperature rises will not alter significantly. “Start Quote The most extreme projections are looking less likely than before” Dr Alexander Otto University of Oxford The slowdown in the expected rate of global warming has been studied for several years now. Earlier this year, the UK Met Office lowered their five-year temperature forecast. But this new paper gives the clearest picture yet of how any slowdown is likely to affect temperatures in both the short-term and long-term. An international team of researchers looked at how the last decade would impact long-term, equilibrium climate sensitivity and the shorter term climate response. Transient nature Climate sensitivity looks to see what would happen if we doubled concentrations of CO2 in the atmosphere and let the Earth's oceans and ice sheets respond to it over several thousand years. Transient climate response is much shorter term calculation again based on a doubling of CO2. The Intergovernmental Panel on Climate Change reported in 2007 that the short-term temperature rise would most likely be 1-3C (1.8-5.4F). But in this new analysis, by only including the temperatures from the last decade, the projected range would be 0.9-2.0C. Ice The report suggests that warming in the near term will be less than forecast "The hottest of the models in the medium-term, they are actually looking less likely or inconsistent with the data from the last decade alone," said Dr Alexander Otto from the University of Oxford. "The most extreme projections are looking less likely than before."

#### We adapt

Mendelsohn ‘9 – Robert O. Mendelsohn 9, the Edwin Weyerhaeuser Davis Professor, Yale School of Forestry and Environmental Studies, Yale University, June 2009, “Climate Change and Economic Growth,” online: <http://www.growthcommission.org/storage/cgdev/documents/gcwp060web.pdf>

These statements arelargely alarmist and misleading. Although climate change is a serious problem that deserves attention, society’s immediate behavior has an extremely low probability of leading to catastrophic consequences**.** The science and economicsof climate change is quite clear that emissions over the next few decades will lead to onlymild consequences. The severe impacts predicted by alarmists require a century (or two in the case of Stern 2006) of no mitigation. Many of the predicted impacts assume there will be no or little adaptation. The net economic impacts from climate change over the next 50 years will be small regardless. Most of the more severe impacts will take more than a century or even a millennium to unfold and many of these **“**potential” impacts will never occur because people will adapt. It is not at all apparent that immediate and dramatic policies need to be developed to thwart long‐range climate risks. What is needed are long‐run balanced responses.

### Resource wars

#### Nature turn .

#### Bennett 2009

(Jane, Prof Pol Theory @ Johns Hopkins University, “Agency, Nature and Emergent Properties: An Interview with Jane Bennett”, Interviewed by Khan, Contemporary Political Theory, 8, Muse)

I think that those moments when things call us up short and reveal our profound implication in nonhumanity are relevant, perhaps even indispensable, to ethical action. For such action requires a bodily comportment conducive to the enactment of 'good will' or generosity toward others. What Spinoza called the 'joyful' affects are needed to feed or energize a body called upon – by reason, habit, sympathy or some unnamed motive – to love, forgive or treat with compassion others, or to do as little violence as possible in one's actions. So of course I affirm the 'rationalizing' project of disentangling political power from oppressive traditions, and of the norms of due process and the rule of law. But the will to contest oppressive effects must itself be induced, and the norms of due process and democratic rule are not self-enacting. In each case, they require aesthetic-affective energy to spark or fuel them. If, for example, the American public is to be aroused to repudiate torture as a tool of foreign policy and re-endorse the Geneva conventions, the fearful and vengeful mood now prevalent must be altered. If Americans are to change established modes of energy production and consumption (to avoid catastrophic climate change and to decrease the social violence it is already entailing), we will need to stop thinking of earth as a basket of passive resources for the satisfaction of desires.

### “nature”

#### “Nature” is not real. Their ideological separation makes their impacts inevitable.

#### Morton 2010

(Timothy Morton is a Professor of Literature and Environment at the University of California – Davis. 2010 by the President and Fellows of Harvard College. “The Ecological Thought”)

Why “ecology without nature”? “Nature” fails to serve ecology well. I shall sometimes use a capital N to highlight its “unnatural” qualities, namely (but not limited to), hierarchy, authority, harmony, purity, neutrality, and mystery. Ecology can do without a concept of a something, a thing of some kind, “over yonder,” called Nature. Yet thinking, including ecological thinking, has set up “Nature” as a reified thing in the distance, under the sidewalk, on the other side where the grass is always greener, preferably in the mountains, in the wild. One of the things that modern society has damaged, along with ecosystems and species and the global climate, is thinking. Like a dam, Nature contained thinking for a while, but in the current historical situation, thinking is about to spill over the edge.

### “Environment” link

#### The “environment” does not exist – only prior questions of their ideological separation can solve their terminal impacts.

#### Morton 2010

(Timothy Morton is a Professor of Literature and Environment at the University of California – Davis. 2010 by the President and Fellows of Harvard College. “The Ecological Thought”)

Ideology isn’t just in your head. It’s in the shape of a Coke bottle. It’s in the way some things appear “natural” – rolling hills and greenery – as if the Industrial Revolution has never occurred. These fake landscapes are the original greenwashing. What the Scots are saying, in objecting to windfarms, isn’t “Save the environment!” but “Leave our dreams undisturbed!” If you’re a parent, you will understand our resistance to cleaning things up. Ecology talks about areas of life that we find annoying, boring, and embarrassing. Art can help us, because it’s a place in our culture that deals with intensity, shame, abjection, and loss. It also deals with reality and unreality, being and seeming. If ecology is about radical coexistence, then we must challenge our sense of what is real and what is unreal, what counts as existent and what counts as nonexistent. The idea of Nature as a holistic, healthy, real thing avoids this challenge. We must face some puzzling questions. What is an environment? Is there such a thing as the environment? Is it everything “around” us? At what point do we stop, if at all, drawing the line between environment and nonenvironment: The atmosphere? Earth’s gravitational field? Earth’s magnetic field, without which everything would be scorched by solar winds? The sun, without which we woudn’t be alive at all? The Galaxy? Does the environment include or exclude us? Is it natural or artificial, or both? Can we put it in a conceptual box? Might the word *environment* be the wrong word? Environment, the upgrade of Nature, is fraught with difficulty. This is ironic, since what we often call the environment is being changed, degraded, and eroded (and destroyed) by global forces of industry and capitalism. Just when we need to know what it is, it’s disappearing.

### let warming happen

#### Allowing global warming to occur destroys the concept of a *world* by proving the inevitable failures of human intervention. This reconnects us with nonhumans, providing meaning to our last dying moments, means only the alternative solves value to life.

#### Morton 2012

(Timothy Morton is a Professor of Literature and Environment at the University of California – Davis. January 11, 2012. “Peak Nature.” <http://www.adbusters.org/magazine/98/peak-nature.html>)

The second area of concern is historical, namely the way in which current ecological crises such as global warming and the sixth mass extinction event have thrown into sharp relief the notion of world. It is as if humans are losing their world, and their idea of world (including the idea that they ever had one), at one and the same time. This is at best highly disorienting. In this historical moment, the concept world is thrown into sharp relief by circumstances demanding conscious human intervention. Working to transcend our notion of world is important at this moment. Like a mannerist painting that stretches the rules of classicism to breaking point, global warming has stretched our world to breaking point. Human beings lack a world for a very good reason. This is simply because no entity at all has a world, or as Graham Harman puts it, “there is no such thing as a ‘horizon.’” Let’s think about one way in which global warming abolishes the idea of a horizon. This would be the timescales involved – yes, timescales in the plural. There are three of them. We could call these, in turn, the frightening, the horrifying, and the petrifying. 1) Frightening timescale. It will take several hundred years for cold ocean waters (assuming there are any) to absorb about 75% of the excess CO2. 2) Horrifying timescale. It will then take another 30,000 years or so for most of the remaining 25% to be absorbed by igneous rocks. The half-life of plutonium is 24,100 years. 3) Petrifying timescale. The final 7% will be around 100,000 years from now. There is a real sense in which “forever” is far easier on the mind than these very large timescales, what I call very large finitude. Hyperobjects produce very large finitude, scales of time and space that are finite and for that reason humiliatingly difficult for humans to visualize. Forever makes you feel important. But 100,000 years makes you wonder whether you can imagine 100,000 anything. It seems rather abstract to imagine that a book, for instance, is 100,000 words long. The “world” as the significant totality of what is the case is strictly unimaginable, and for a good reason: it doesn’t exist. What is left if we aren’t the world? Intimacy. We have lost the world but gained a soul, as it were – the entities that coexist with us obtrude on our awareness with greater and greater urgency. Our era is witness to the emergence of a renewed Aristotelianism, an *object-oriented ontology* that thinks essence is right here, not in some beyond. It’s precisely the magical amazement of things like stones, beetles, doors, red hot chili peppers, Nirvana, Bob Geldof, quasars and cartoon characters in the shape of Richard Nixon’s head that truly has to be explained, not explained away. Three cheers for the so-called end of the world, then, since this moment is the beginning of history … and the end of the human dream that reality is significant for humans alone. Let us welcome the prospect of forging new alliances between humans and nonhumans alike, now that we have stepped out of the cocoon of world.

### Warming science

#### Global warming is not an event to be monitored, studied, and prevented. It is a slow motion nuclear bomb that is already destroying the earth. Their scientific solutions fail and postpone our realization that warming has intruded every aspect of existence. Only the alternative gives value to an existence slowly melting away.

#### Morton 2012

(Timothy Morton is a Professor of Literature and Environment at the University of California – Davis. January 11, 2012. “Peak Nature.” <http://www.adbusters.org/magazine/98/peak-nature.html>)

But these sorts of violent changes are exactly what global warming predicts. So every accident of the weather becomes a potential symptom of a substance, global warming. So all of a sudden this wet stuff falling on my head is a mere feature of some much more sinister phenomenon that I can’t see with my naked human eyes. I need terabytes of RAM and extreme processing speed to model it in real time (they were just able to do this in spring 2008). There is an even spookier problem with Aristotle’s arctic summer. If those arctic summers continue in any way, and if we can model them as symptoms of global warming, it is the case that there never was a genuine, meaningful (for us humans) sweltering summer, just a long period of sweltering that seemed real because it kept on repeating for say two or three millennia. Global warming, in other words, plays a very mean trick. It reveals that what we took to be a reliable world was actually just a habitual pattern – a collusion between forces such as sunshine and moisture and us humans expecting such things at certain regular intervals and giving them names, such as dog days. We took weather to be real. But in an age of global warming we see it as an accident, a simulation of something darker, more withdrawn – climate. As Harman argues, “world” is always presence-at-hand – a mere caricature of some real object. What Ben Franklin and others in the Romantic period discovered was not really weather, but rather a toy version of this real object, a toy that ironically started to unlock the door to the real thing. Strange weather patterns and carbon emissions caused scientists to start monitoring things that at first only appeared locally significant. That’s the old school definition of climate: there’s the climate in Peru, the climate on Long Island, but climate in general, climate as the totality of derivatives of weather events – in much the same way as inertia is a derivative of velocity – climate as such is a beast newly recognized via the collaboration of weather, scientists, satellites, government agencies, and so on. This beast includes the sun, since it’s infrared heat from the sun that is trapped by the greenhouse effect of gases such as CO2. So global warming is a colossal entity that includes entities that exist way beyond Earth’s atmosphere and yet it affects us intimately, right here and now. Global warming is a prime example of what I am calling a hyperobject, an object that is massively distributed in space-time and that radically transforms our ideas of what an object is. It covers the entire surface of Earth and most of the effects extend up to 500 years into the future. Remember what life was like in 1510? You are walking on top of lifeforms. Your car drove here on lifeforms. The iron in Earth’s crust is distributed bacterial excrement. The oxygen in our lungs is bacterial out-gassing. Oil is the result of some dark secret collusion between rocks and algae and plankton millions and millions of years in the past. When you look at oil you’re looking at the past. Hyperobjects are time-stretched to such a vast extent that they become almost impossible to hold in mind. And they are intricately bound up with lifeforms. The spooky thing is, we discover global warming precisely when it’s already here. It is like realizing that for some time you had been conducting your business in the expanding sphere of a slow motion nuclear bomb. You have a few seconds for amazement as the fantasy that you inhabited a neat, seamless little world melts away. All those apocalyptic narratives of doom about the “end of the world” are, from this point of view, part of the problem, not part of the solution. By postponing doom into some hypothetical future, these narratives inoculate us against the very real object that has intruded into ecological, social and psychic space. If there is no background – no neutral, peripheral stage set of weather, but a very visible, highly monitored, publicly debated climate – then there is no foreground. Foregrounds need backgrounds to exist. So the strange effect of dragging weather phenomena into the foreground as part of our awareness of global warming has been the gradual realization that there is no foreground! The idea that we are embedded in a phenomenological lifeworld, for instance, tucked up like little hobbits in the safety of our burrow, has been exposed as a fiction. The specialness we granted ourselves as unravelers of cosmic meaning (Heideggerian *Dasein* for instance) falls apart since there is no meaningfulness possible in a world without a foreground-background distinction. Worlds need horizons and horizons need backgrounds, which need foregrounds. When we can see everywhere, when I can Google Earth the fish in my mom’s pond in her garden in London, the world – as a significant, bounded, horizoning entity – disappears. We have no world because the objects that functioned as invisible scenery for us, as backdrops, have dissolved.

### AT “Try or Die”

#### We’re impact turning their “try or die” logic – Their naïve hope in the effectiveness of small changes distracts us from how individuals each contribute to warming – turns case – giving up 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.

### A2 disease

#### No impact to disease

Posner ‘5 (Richard A, judge on the U.S. Court of Appeals, Seventh Circuit, and senior lecturer at the University of Chicago Law School, Winter. “Catastrophe: the dozen most significant catastrophic risks and what we can do about them.” http://findarticles.com/p/articles/mi\_kmske/is\_3\_11/ai\_n29167514/pg\_2?tag=content;col1, March 11, 2005)

Yet the fact that Homo sapiens has managed to survive every disease to assail it in the 200,000 years or so of its existence is a source of genuine comfort, at least if the focus is on extinction events. There have been enormously destructive plagues, such as the Black Death, smallpox, and now AIDS, but none has come close to destroying the entire human race. There is a biological reason. Natural selection favors germs of limited lethality; they are fitter in an evolutionary sense because their genes are more likely to be spread if the germs do not kill their hosts too quickly. The AIDS virus is an example of a lethal virus, wholly natural, that by lying dormant yet infectious in its host for years maximizes its spread. Yet there is no danger that AIDS will destroy the entire human race. The likelihood of a natural pandemic that would cause the extiinction of the human race is probably even less today than in the past (except in prehistoric times, when people lived in small, scattered bands, which would have limited the spread of disease), despite wider human contacts that make it more difficult to localize an infectious disease. The reason is improvements in medical science. But the comfort is a small one. Pandemics can still impose enormous losses and resist prevention and cure: the lesson of the AIDS pandemic. And there is always a lust time.