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#### Drones policy is shrouded in secrecy – debate is impossible because of the lack of transparency – instead of assessing the information selectively leaked by the government, focus should be on the production of knowledge behind policy.

Toth, ’13 [Kate Toth, London School of Economics, Dissertation; “REMOTE-CONTROLLED WAR: IMPLICATIONS OF THE DISTANCING OF STATE-SPONSORED VIOLENCE ON AMERICAN DEMOCRACY”; Apr 27, 2013; http://www.academia.edu/3125323/REMOTE-CONTROLLED\_WAR\_IMPLICATIONS\_OF\_THE\_DISTANCING\_OF\_STATE-SPONSORED\_VIOLENCE\_ON\_AMERICAN\_DEMOCRACY]

With regard to drones, what the public knows has been released through leaks to the press that were likely approved by the President (Engelhardt, 2012). Though the government now claims the right to assassinate Americans along with foreigners through the drone program, “informed public debate and judicial oversight” are impossible because “its drone program is so secret [the government] can't even admit to its existence” (Freed Wessler, 2012). That is, except via leaks that allow Obama to craft a politically advantageous narrative (Friedersdorf, 2012a). Meanwhile, the use of drones has exploded domestically, and again, “citizens lack a basic right to know who is operating the drones circling their houses, what information is being collected and how it will be used” (ABC News, 2012). The Bush administration politicized science (Beck, 1992) by notoriously editing reports on climate change and pressuring scientists (Coglianese, 2009). This is instructive for the current debate as it exhibits that one cannot simply assess the information released, but examine this knowledge within a political context, harking back to Foucault’s (1997) production of knowledge. Writing about the covert drone strikes, Friedersdorf (2012b) in The Atlantic asked, “in what sense would we be living in a representative democracy if neither the bulk of Congress nor the people” are told about the strikes? One of the lingering questions raised from this debate is, how different is it if we were told the bare minimum of facts via leaks, so still preventing effective debate, versus being told nothing at all? When President Obama took office, in the memo outlining his “Transparency and Open Government” initiative, it was written that transparency will “ensure the public trust and establish a system of transparency, public participation, and collaboration” and that this transparency will “strengthen our democracy” (White House, 2009). This is what Obama believes transparency has the power to achieve, and it falls in line with the access to information that Diamond and Morlino (2004) highlight as key to accountability in democracy. President Obama’s track record is, perhaps, an example of not striking the right balance between what, and how much, to release. However, given that many of the steps he has taken, both in terms of transparency of existing programs and secrecy regarding proliferation of new programs such as drones, it does not seem likely that this is unintentional. Transparency relies on a strong civil society to use the information effectively, or press for it to be released (Etzioni, 2010); perhaps this lack of accountability is also indicative of the weakness of current American civil society and media.

#### Drone secrecy is the norm of the Obama administration – May’s disclosure of information was calibrated to avoid public scrutiny.

Shah, ‘8/13 [Naureen Shah is an advocacy adviser at Amnesty International USA and author of several studies on the impact of US drone strikes; “Obama Has Not Delivered on May’s Promise of Transparency on Drones”; August 17, 2013; <http://www.alternet.org/civil-liberties/obama-has-not-delivered-mays-promise-transparency-drones?paging=off>

The past two weeks have seen an escalation in drone strikes more dramatic than any since 2009. The media estimate that more than 37 people have died in a series of strikes in Yemen. The US government has refused to officially acknowledge the strikes surge or reports of potentially unlawful deaths – just as it did, for years, refuse to confirm reports of the more than 300 drone strikes in Pakistan. On drones, secrecy is business as usual – and it carries on. Earlier this summer, however, there was hope for a different way forward. In late May, the White House released more information about US drone strikes than it ever had before. Following a major address on national security by President Obama, the government pledged to keep sharing "as much information as possible". In fact, since May, the White House has not officially released any new information on drone strikes (though leaks still abound). While NSA surveillance has taken center-stage, the government's policy of secrecy and obfuscation on drones persists, too. Past critics of the drone program – ranging from Senator Rand Paul (Republican, Kentucky) to Senator Ron Wyden (Democrat, Oregon) – should take notice. It is time to renew and expand the demand for answers about who is being killed. Instead of acknowledging the new strikes and describing a coherent policy and legal approach, the government has again chosen to selectively disclose information that raises more questions than it answers. Thus, an unattributed leak to the New York Times on Monday served up a major policy change in the form of a morsel, with little elaboration, that a recent terrorist threat has "expanded the scope of people we could go after". So, the question of whom the United States believes it can kill in drone strikes remains, as it ever was, full of unknowns. A handful of bullet-points on the government's "policy standards" for using lethal force, which the White House released in May concurrently with the president's national security speech, initially appeared to provide some guidance. But it expressly does not apply in "extraordinary circumstances", and since the embassy closures of earlier this month could be interpreted as providing such justification, the memorandum may not be relevant to the latest spate of strikes in Yemen. The White House could clarify this issue; better yet, it could move beyond conveniently malleable policy standards and describe how the government applies existing international law. Instead, the White House has again chosen to operate secretly and under rules of its own creation, which may permit killing individuals under a concept of "imminence" (of threat) that departs radically from all conventional interpretations of the law. Even more damning is that, in the absence of any commitment to investigating credible allegations of unlawful deaths, the United States appears indifferent to the question of who is actually dying in drone strikes. President Obama admitted in May that four US citizens had been killed, three of whom – including 16-year-old Abdulrahman Aal-Awlaki – he admitted were not intended targets. But the president did not define the identities of the more than 4,000 other people killed, or specifically address reports that a significant number of the dead – in assessments varying between 400 and nearly 1,000, according to the Bureau of Investigative Journalism – were civilians. When the president acknowledges four deaths of US citizens, but not 4,000 deaths of non-Americans, he signals to the world a callous and discriminatory disregard for human life. Perhaps only a fraction of these 4,000 deaths were unlawful. But acknowledging and investigating these deaths is a matter of dignity and justice – for the survivors of strikes, their communities and their countrymen. When deaths are found to be unlawful, victims' families and survivors have a right to reparation. Refusing to investigate deaths is a matter of disrespect both for international law and for the public's right to know the full truth. Many critics, before President Obama's May address, feared that foreign governments would follow the US to lead and conduct secret drone strikes without regard for international law. They should still be concerned about the precedent the US government is setting: refusing to investigate or be held accountable for wrongful deaths. The risk now is not just that the late May reforms on drone strikes were half-measures, but that they were calibrated to merely reassure the public, defuse criticism, and avert longer, harder scrutiny of whether the government's actions are lawful and right. A token dose of transparency may remove the sting of government secrecy, but it does not cure the disease.

#### The justification for targeted killing secrecy is secret – court precedent proves that policy restrictions are doomed to failure.

Ruppert, ’13 [Madison Ruppert, Editor of End the Lie, citing decision by Justice Colleen McMahon of the United States District Court, Southern District Of New York; “Federal judge: Obama admin never has to explain legal basis for drone assassinations of Americans”; Jan 2, 2013; ; http://endthelie.com/2013/01/02/federal-judge-obama-admin-never-has-to-explain-legal-basis-for-drone-assassinations-of-americans/#axzz2fZyjG3bL]

The paradoxical situation of the ruling was put well by David Kravets who writes McMahon is “allowing the administration to claim it was legal to kill enemies outside traditional combat zones while keeping the legal rational secret.” Indeed, McMahon confirmed that “the government has not violated FOIA by refusing to turn over the documents sought in the FOIA requests, and so cannot be compelled by this court of law to explain in detail the reasons why its actions do not violate the Constitution and laws of the United States.” “The Alice-in-Wonderland nature of this pronouncement is not lost on me,” McMahon continued, “but after careful and extensive consideration, I find myself stuck in a paradoxical situation in which I cannot solve a problem because of contradictory constraints and rules — a veritable catch-22.” “I can find no way around the thicket of laws and precedents that effectively allow the Executive Branch of our government to proclaim as perfectly lawful certain actions that seem on their face incompatible with our Constitution and laws, while keeping the reasons for their conclusion a secret,” ruled McMahon. However, both the ACLU and The New York Times are not giving up after the defeat. “We began this litigation because we believed our readers deserved to know more about the U.S. government’s legal position on the use of targeted killings against persons having ties to terrorism, including U.S. citizens,” said David McCraw in The Times. “Judge McMahon’s decision speaks eloquently and at length to the serious legal questions raised by the targeted-killing program and to why in a democracy the government should be addressing those questions openly and fully,” said McCraw. Yet obviously McMahon’s decision fell far short of the mark in that it didn’t actually hold the Obama administration responsible for their actions. “This ruling denies the public access to crucial information about the government’s extrajudicial killing of U.S. citizens and also effectively greenlights its practice of making selective and self-serving disclosures,” said Jameel Jaffer, an ACLU lawyer. Indeed even McMahon noted that the Obama administration’s public state8ments on the program were “cryptic and imprecise,” although she used this to claim that they “were thus insufficient to overcome exemptions in the freedom of information law for classified materials and internal government deliberations,” according to The Times. Interestingly, McMahon admitted she had not even read the withheld documents and instead opted to claim that the memorandum prepared by the Department of Justice’s Office of Legal Counsel must contain detailed analysis “unless the standards at O.L.C. have slipped dramatically.” The only information available on the memo comes from secondary sources who had allegedly read it, as reported by The Times. In other words, we have no clue what it really says and McMahon does not either. “More fulsome disclosure of the legal reasoning on which the administration relies to justify the targeted killing of individuals, including United States citizens, far from any recognizable ‘hot’ field of battle, would allow for intelligent discussion and assessment of a tactic that (like torture before it) remains hotly debated,” wrote McMahon. Reuters reports that McMahon “appeared reluctant to rule as she did,” although that isn’t quite evident from the ruling. In an attempt to show that McMahon was “reluctant” Reuters points to her writing that disclosure of the actual legal justification would help the American people understand the “vast and seemingly ever-growing exercise in which we have been engaged for well over a decade, at great cost in lives, treasure, and (at least in the minds of some) personal liberty.” In February of 2012 I wrote of the lawsuit, “Hopefully the ACLU will be able to make some progress with this lawsuit, but I seriously doubt anything will happen given the fact that the courts have become a tool of the executive and the entire system of checks and balances has been all but openly eradicated from the American political system entirely.” Unfortunately it seems I was right.

#### Government secrecy mystifies elite decision making, subjecting all to unknown risk – this devaluation of individual agency is unethical.

Gowder, ‘6 [Paul Gowder, PhD in Political Science, Stanford University; Symposium: Federal Secrecy Policy After September 11 and the Future Of The Information Society: Introductory Essay: Secrecy as Mystification of Power: Meaning and Ethics in the Security State Winter; 2005-2006; <http://moritzlaw.osu.edu/students/groups/is/files/2012/02/Gowder__Final__formatted_.pdf>]

In addition, each type of secrecy as currently applied is visible in the abstract: we know the government is keeping secrets, we simply do not know what those secrets are. This is suboptimal for the State; since such awareness carries a risk of investigation by angry citizens, the State would prefer the populace to be completely unaware that secrets are being kept. Since the public tends to discover the secrets, sooner or later, anyway, the State has openly established the legal authority for its secrecy. Consequently, the people are placed into apprehension of their own interests being affected by government secrecy.44 Knowing the government is keeping secrets, one is subjected to uncertainty as to whether those secrets are about, or connected with, oneself. Similarly, knowing specific examples of secret-keeping raises the suspicion that there are additional examples of secret-keeping that are not known. The essential feature of risk-secrecy is that, from the perspective of the object of secrecy, it converts what was once a calculable risk into an incalculable uncertainty. Before the imposition of risk-secrecy, each citizen was free to make an individual and autonomous decision about the risks she was willing to take in exchange for whatever benefits. She might, for example, choose to move to a neighborhood with a dangerous nuclear plant in exchange for a higher-paying job. In the risk-secrecy regime, not only is that choice forced upon her, but it is done invisibly, so that the possible presence of secret risk is presented as pure facticity, impossible to cognitively incorporate or take a position in regard to. In my existential-Kantian terms, we no longer have the freedom to make meaningful and responsible choices regarding that portion of our lives. We cannot connect our decisions (like where to live) to the factors (like environmental risk) that would, were we free, enter into that decision, nor can we take a cognitive position on those factors. In Beauvoir’s terms, risk-secrecy is a mystification: the choices of the state actors and the consequences of her own choices are concealed from the object of secrecy. They are instead made to appear as uncontrollable acts of nature whose injurious potential presents as random. Because the fact of the secrecy is known, we are all aware that we might be subject to an unknown risk. As a consequence, we subjectively must experience the world as less within our control and thus, less meaningful.45 The keeper of the secrets appropriates the right and burden of self-definition for his charges, and thus reduces them to a state of protected obedience similar to that of a parent and a child, or a pre-feminist woman under the stifling protection of a patriarchal husband. This is unlike ordinary state protection (e.g. police work) where the protected person still has some role in her own safety. Consequently, that secret-keeper takes upon himself her anguish of choice:46 he must decide who is to risk destruction without any input from the actual victim of the risk. He thereby objectifies those for whom he decides. By making the decision for them, according to his values, the secret-keeper turns the objects of secrecy from ends in themselves– autonomous subjects with their own meaning to be respected in their own right – into means – objects of his suspicion and protection priorities. This is the behavior of the person Beauvoir describes as the “serious man” (and characterizes as “mak[ing] himself a tyrant”)47 – the installation of an abstract ideal (of “security”) above the freedom of the people supposedly to be served by the ideal, and thereby above his own freedom as well, since his freedom depends on their freedom to have intersubjective meaning. Kantians too would object to this secret paternalism. As Korsgaard explains in the context of a lie, the object of such a non-consensual transaction can not “‘contain in himself’ the end”48 of the action, not even if she would consent if she knew about it, because she is denied the opportunity to “choose, freely, to contribute to its realization.49” Since she can not rationally or autonomously choose the end of the secret act, her involvement is as a “mere means.”50 Should the feared risk come into being, the people injured experience a loss of meaning in the understanding sense: what appeared before as the possibility of a random, uncontrollable harm now appears as the fact of a random, incomprehensible harm. Risk-secrecy is converted into reason-secrecy because she is not permitted to know why what has happened to her occurred. She is not permitted to see the reasons and the choices and the autonomous actors behind the maybe-seen catalyst security lapse and understand that act as an act of the subjects who are (supposedly) accountable to her, rather than as a fact. She is not permitted to take a position in relation to the other people whose actions she experienced as injury.51 This, mutatis mutandis to the risk before it came into being, is an unethical mystification, and our victim will experience it as a loss of meaning. Much the same holds for reason-secrecy. When the State carries out its will on a person on the basis of a secret standard, that person has the experience of an arbitrary imposition of power. The experience of being put on a no-fly list must be seen as akin to the experience of being hit by a meteorite: an utterly meaningless and unpredictable event, impossible to ground in familiar reality.52 Reason-secrecy necessarily depends on invasions of privacy and undermining of the control that the object of such secrecy has over her own identity. In order for people to become fields for the exercise of power, the State must first collect data about them.53 If the State is to exercise its power, on the basis of that data, pursuant to secret reasoning, it must collect (or transfer and misuse) the data secretly (unless the reasons are some grossly visible characteristic of the object of secrecy, like race). Otherwise, the objects of secrecy might be able to learn the sort of data that the State is examining and infer the secret reasons. Even worse for the secret state, the individual objects of secrecy might learn of and evade the examination. Consequently, the disciplinary power of the security state comes from the conjunction of the power of the officials to watch everyone and the lack of power in the watched class to reciprocally watch the officials.54 This permits the application of power universally on each citizen under the panoptic eye, since no citizen can know whether she is being watched at any moment. Reason-secrecy achieves this effect by secretly examining data about the public, which then is used to exercise power on individuals selected by this secret examination. The security state thus exercises power over us all by placing us in anticipation of power being exercised on us.55 Because of that structural feature of reason-secrecy, it implies all the ethical difficulties inherent in risk-secrecy. The panoptic nature of the relationship between the holder of secret reasons and a citizen who is the object of secrecy implies that each person presenting herself for inspection under secret reasons (i.e. at an airport) has no way of knowing whether or not harm will be inflicted on her (i.e. a denial of flight) by the State. Thus, whether or not she is actually harmed, the citizen is not able to ground the possibility of harm in any choice or characteristic of herself. From the point of view of the experience of the person presenting herself for inspection, the State is placed in exactly the same position as the terrorist: each may strike at any moment and do injury to our beleaguered citizen without any rhyme, reason, or predictability. Act-secrecy also necessarily implicates the ethical objections to reason-secrecy (and thereby to risk-secrecy), because the concealment of an act implies a concealment of the reasons for the act. (The State can not announce “we will search the homes of anyone who does X” without disclosing the searches to its targets.) Moreover, in the case of unexplained, arbitrary, and random risks (whether imposed by third parties or the government as in risk and reason secretly respectively), the citizen has at least a minimal opportunity to ascribe meaning to the random nature of the act and initiate some project. For example, the citizen might gain a sense of control by participating in political action to demand disclosure of the secret reasons or punishment for risk-negligent officials. The same can not be said for act-secrecy. Because act-secrecy conceals not only the reasons for the act, but the very act itself, it deprives the victim of such an act of any way of taking a position with regard to that concealed act. Each citizen is placed in apprehension of utterly random exercises of power that she will never have the opportunity to resist or understand. The function of these forms of secrecy is thus to reduce the decisions of individual people to nothingness. The decisions of government agents become invisible and appear as mere manifestations of nature. The decisions of third parties become random and unavoidable chance. The decisions even of the object of secrecy are disconnected from their consequences.56 If the ability to understand and choose to act in the world is the fundamental characteristic of humanity, an act upon another that renders the choices both parties have made invisible, so that the situation seems a meaningless “brute fact” rather a changeable choice, must be seen as dehumanizing and consequently, unethical.57

#### Drones have become the technological symbol of disorder – debate about targeted killing must avoid impossible questions of “drones good or bad” that echo the polarization of status quo political discourse – facts alone will never be enough – instead, we must learn from the complexities surrounding drones and apply them to the concerns of so many about personal security.

Rothenberg, ‘13 [Daniel Rothenberg is a professor of practice at the School of Politics and Global Studies, ASU and the Lincoln fellow for Ethics and International Human Rights Law. He is editing a book with Peter Bergen on drones to be published later this year. “What the Drone Debate Is Really About”; May 6, 2013; <http://www.slate.com/articles/technology/future_tense/2013/05/drones_in_the_united_states_what_the_debate_is_really_about.html>]

The term drone draws attention, elicits passions, and sparks heated discussions. Often the debate about drones flattens the complexity of real policy issues as the questions asked demand impossible answers, “Are drones good or bad?” or “Are you for or against drones?” Not surprisingly, this approach heightens the tensions attached to debate about drones, turning conversations into arguments and echoing the polarization that characterizes so much of contemporary political discourse. The intensity of interest in drones arose some years after they became a key element of U.S. military operations abroad. Interestingly, after more than a decade at war, drones remain the only military system within an extraordinarily advanced arsenal to have captivated popular attention. And they have done so at a time when the public has grown weary of war and the deep confusions surrounding the objectives, value, and purpose of these conflicts. For many within the military, the intensity of the debate about drones in combat has been perplexing. As they often point out, drones are simply one of a number of military platforms upon which information-gathering technology or weapons are deployed. For tactical purposes, it may make little difference whether a Hellfire missile is launched from a fighter jet or a drone. And, as military experts and knowledgeable observers emphasize, drones do not operate independently—rather, they are part of a complex, multilayered system in which particular technologies, drones and others, are useful only as integrated within a larger strategic vision. That said, much of the discussion of drones focuses not on their use by the military within defined war zones, where domestic and international law applies, but rather to their use by the CIA and other organizations in places where the legality of their deployment is under question, where data are minimal and where secrecy prevails. In this way, covert drone strikes are the latest in a series of interrelated issues—including torture, black sites, and extraordinary rendition—that reflect directly on the meaning, impact, and ethics of U.S. strategy (once called the global war on terror). Yet, even as drones are linked to existing questions of the appropriateness, legitimacy, and potential illegality of U.S. action, they are the only element of this critique linked to advanced technology, with its complex evocation of promise and danger. Drones have become the iconic public image of the U.S. government’s international projection of military force, during a complex and uncertain time when support is waning and there is great confusion as to the purpose of these ongoing conflicts. More recently, public debate on drones has turned to their current and potential use within our country. And, in this context as well, drones have produced tense discussions about multiple issues including protecting privacy, respecting core constitutional rights, and enabling potential abuses of state power. In response, there are demands for increased regulation as well as concerns that new rules will have a profoundly negative effect on our society. Many worry that the use of drones in our country will usher in a new era of intrusive state surveillance and may even be used as a means of attacking and killing American citizens here at home. For those who currently use drones or advocate for their expanded deployment—whether for military or civilian applications—these debates are deeply frustrating. They point out that drones are simply machines, neither good nor bad, not the sort of issue for which one should seek either support or rejection. They point to drones’ capacity to safely, effectively and inexpensively fight fires, monitor weather patterns, spray crops, and provide ongoing real-time information on hundreds of issues. This is why there is an ongoing effort to shift the language of the debate by replacing the popular term drone with one of a number of arguably more accurate—and less politically loaded—alternatives including unmanned aerial vehicle (UAV), remotely piloted vehicle (RPV), or remotely piloted aircraft (RPA). Still, drone remains the default term and will be for the foreseeable future. In fact, the lure and power of the word drone provides insight into the true nature and intensity of the debate. Drones have come to us from foreign battlefields and migrated to the domestic policy environment. While drones may be simple and varied machines, the ones we know best bear names that suggest both danger and brutality, the Predator (MQ-1) and the Reaper (MQ-9). Drones embody the glory of American technological superiority and innovation (at least for now) and appear to many as an ideal tool for facing a difficult, distant, and elusive enemy. Yet, woven into their usefulness abroad is a sense that they are the first expressions of a new reality defined by multiple related technologies whose transformative capacities are as dangerous here as they have been proved to be abroad. Drones captivate us. Their sleekly disturbing look, an odd combination of the fragile and the deadly, produces both fascination and fear. The word drone highlights these qualities, depicting a machine that is solitary, potentially autonomous, ever present, and quietly menacing. The truth is that those who suggest that public debate needs to focus clearly on what drones really are and really do, are missing the point. Facts alone will not resolve the heated discussions. Rather the idea of drones and the resulting questions, complex and varied as they are, are enmeshed in powerful narratives of fear and mistrust as drones have become a central element of the contemporary American political imagination. The drone debate is not only about targeted killings abroad or potential invasions of privacy at home; it is about how this emerging technology has come to symbolize the disorder, threat, uncertainty, and fear of our rapidly changing world. The challenge we face as a society is not simply how to regulate drones (which is clearly necessary) but rather how to learn from the passions they inspire such that we connect serious policy debate on emerging technologies with a respect and acknowledgement for the very real fears of so many.

#### All of us are in the shooting gallery – this isn’t just about drones OR even transparency – state sanctioned targeted killing encompasses countless atrocities against those deemed expendable – debate centering on government secrecy is key to foster hope for individual change.

Giroux, ‘13 [Henry A. Giroux currently holds the Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department and a Distinguished Visiting Professorship at Ryerson University; “The Shooting Gallery: Obama and the Vanishing Point of Democracy”; February 12, 2013; http://www.truth-out.org/opinion/item/14483-the-shooting-gallery-obama-and-the-vanishing-point-of-democracy]

This retreat from moral responsibility reveals more than political failure, more than a perverse victory for those who argue for the acceptability of what was once considered unthinkable in a democracy. It signals the emergence of a kind of anti-politics, the dismantling of a politics in which matters of power, justice, governance and social responsibility are inextricably connected to democratic institutions, laws, values and education. This is an anti-politics in which the obligations of justice and responsibility to others has been overtaken by a rhetoric of fear, national security and war that has made Americans accomplices of a tyrannical and terrorist state apparatus. Under such circumstances, the critical project of democracy, if not politics itself, is replaced by the shared experience of fear, the instrumentalization of culture and society and a state of emergency that "eradicates political freedom, democratic processes and legality as such."6 The move toward an authoritarian and dystopian state - one marked by its flight from moral and political responsibility - has been made more acceptable by the widespread popular willingness to overlook, if not legitimate, the ongoing violation of civil liberties as a central theme of government policy, military conduct, mainstream news media and popular culture in general. Mainstream culture is flooded with endless representations of individuals, government officials, and the police operating outside of the law as a legitimate way to seek revenge, implement vigilante justice and rewrite the rationales for violating human rights and domestic law. TV programs like Dexter and Person of Interest, as well as a spate of Hollywood films like as Gangster Squad and Django Unchained have provided a spectacle of legal lawlessness and violence unchecked by ethical considerations and allegedly justified by the pursuit of noble ends. The culture of violence, fear and sometimes manufactured terror takes a toll politically and ethically on any democratic society, especially when it becomes the most popular spectacle in town. Unfortunately, the line between fiction and material reality, along with the more hallowed spheres of politics and governance, has collapsed and it has become more difficult to determine one from the other. Forms of violence and violations of civil rights that should be unthinkable in a democracy are now lauded as necessary and effective tactics in the war on terrorism, and so rarely subject to critical interrogation. Some of the more notable transgressions are evident in former Vice-President Dick Cheney's infamous statement to Tim Russert on NBC's Meet the Press in which he stated that the Bush administration would have to "work ... the dark side" and the 2006 comment by John Brennan in which he claimed that we have "to take off the gloves" in some areas in order to wage a war against terrorism. And while torture has been denounced by President Obama, the administration has in actuality created a new foundation for violating civil rights and promoting human abuses. As the White Paper memo produced by the Justice Department's Office of Legal Counsel makes clear, Obama has put into play government policies so extreme and brutal that the administration has propelled itself to the vanishing point of legal illegalities. This is partly evident in the Obama administration's claim, duly noted even in the mainstream press, that it can target and kill American citizens anywhere on the globe. The emergence of such practices has little to do with a legitimate need to promote national security and a country's right to self-defense. On the contrary, such policies represent America's slide into barbarism, made all too vivid by the fact that the officials who are responsible for them are not only held unaccountable, but nominated to the highest positions in the American government. Witness the nomination of John Brennan as the next director of the CIA. Moreover, the Obama administration now has carried this institutionalization of mad violence to an extreme with the assertion that a few officials in the highest reaches of government can decide which Americans and foreigners can be targeted and killed as enemies of the United States. The winter 2013 release of the Justice Department's "White Paper," the confirmation hearings for John Brennan as the next CIA Director, and the publication of "Globalizing Torture: CIA Secret Detention and Extraordinary Rendition"8 all provide powerful evidence of the ongoing assault on American democracy under the Bush and Obama administrations, and the consolidation of a culture in which fear and punishment reign unchecked and the law is on the side of the most frightening of anti-democratic practices. These indices reveal, in turn, a society in which terror becomes as totalizing as the loss of any sense of ethical and political responsibility. These revelations are about more than the fact that the United States is losing its moral compass or is violating civil liberties and promoting human rights abuses, though these registers should not be dismissed. What such commentary misses is the degree to which the Obama administration exercises scorn toward democracy itself, such that it now resembles an authoritarian state. The White Paper, for instance, reveals a mode of governance, policy, and practice that is deeply anti-democratic in its claim to be able to use lethal, yet legal, force against American citizens anywhere on the globe. When secrecy replaces judicial review and presidential power can be evoked without limits to kill Americans, it becomes difficult to recognize the United States as a democratic nation. Evoking the language of Orwellian legality to legitimate the claim that Americans can be killed without due process, the White Paper justifies assassinating American citizens if they are a "senior operational leader of al-Qaeda or associated force," if they "pose an imminent threat of violent attack to the United States" and if their "capture is infeasible."9 This Orwellian language operates in the dead zone of morality and jurisprudence. Moreover, this discourse becomes meaningless in light of the administration's claim that the use of such sweeping authority and actions do not need judicial review, can be done in secret, away from the public domain and does not need to provide evidence to a judge before or after an attack.10 What is truly shocking is that an American citizen can be targeted for assassination by the US government without the latter having to provide any proof of guilt - or the former being given the right to establish innocence. This is more than an attack on constitutional rights or a violation of human rights; it is a capitulation to authoritarianism. Glenn Greenwald captures this in his insightful comment: The most extremist power any political leader can assert is the power to target his own citizens for execution without any charges or due process, far from any battlefield. The Obama administration has not only asserted exactly that power in theory, but has exercised it in practice.... The definition of an extreme authoritarian is one who is willing blindly to assume that government accusations are true without any evidence presented or opportunity to contest those accusations. This memo - and the entire theory justifying Obama's kill list - centrally relies on this authoritarian conflation of government accusations and valid proof of guilt. They are not the same and never have been. Political leaders who decree guilt in secret and with no oversight, inevitably succumb to error and/or abuse of power. Such unchecked accusatory decrees are inherently untrustworthy.... That's why due process is guaranteed in the Constitution and why judicial review of government accusations has been a staple of western justice since the Magna Carta: because leaders can't be trusted to decree guilt and punish citizens without evidence and an adversarial process. That is the age-old basic right on which this memo, and the Obama presidency, is waging war.11 The administration's legal rhetoric and the practices it legitimates increasingly make the United States look like the ruthless Latin American dictatorships that seized power in the 1970s, all of which appealed to paranoia, fear, security and the use of extra-legal practices to defend barbaric acts of assassinations, torture, abuse and disappearance. The writer Isabel Hilton rightly invokes this repressed piece of history and what it reveals about the current Obama administration. She writes: The delusion that office-holders know better than the law is an occupational hazard of the powerful and one to which those of an imperial cast of mind are especially prone. Checks and balances - the constitutional underpinning of the democratic idea that no one individual can be trusted with unlimited power - are there to keep such delusions under control.... When disappearance became state practice across Latin America in the 70s, it aroused revulsion in democratic countries where it is a fundamental tenet of legitimate government that no state actor may detain—or kill—another human being without having to answer to the law.12 Not only has the Obama administration discarded the principles of justice, judicial review and international law in its willingness to kill Americans without limits on its authority, it openly flaunts such behavior as integral to how the United States defines itself in a post- 9/11 world. And while it has agreed recently to release its legal reasoning for killing US citizens by armed drones, it has done so only "to ease pressure on John Brennan, the architect of the drones strategy, at his Senate confirmation hearing as CIA Director."13 How can any American possibly talk about living in a democracy in which the President of the United States claims that he and a few high-ranking government officials have the right and "the power ... to carry out the targeted killing of American citizens who are located far away from any battlefield, even when they have not been charged with a crime, even when they do not present any imminent threat in any ordinary meaning of that word."14 In a democracy, citizens have constitutional rights, checks and balances limit unaccountable authority and human rights are upheld rather than scorned. The task of governance and political leadership is not to promote dangerous policies, but to draw out injustices embedded in the recesses of the past and present, to make clear that the cover of secrecy and silence will not protect those who violate the law, and to reject forms of patriotic militarism that sanction illegality in the name of a permanent war on terrorism. But there is more at stake here than a call for transparency, the embrace of human rights and the rejection of a government that imprisons, eavesdrops on US citizens or kills them without charges, trial and due process. There is also an obligation of democratic leadership and governance to uphold some measure of accountability and to redress the policies and practices that implicate the United States in a long history of torture - one that extends from the genocide of Native Americans to the enslavement of millions of Africans and their descendants, to the killing of 21,000 Vietnamese under the aegis of the CIA's infamous Phoenix Program. The purpose of this history is not to induce shame but to recognize that such crimes were legitimated by political conditions and institutionalized policies that must be excised from American domestic and foreign policies if there is to be hope for a future that does not simply repeat the past. What is missing in the refusal to make visible the United States' descent into authoritarianism is the necessity for the American people to see what is wrong with such actions, who should be held accountable, why such acts of human cruelty should not happen (again) and what actions must be taken to open up the possibilities for society to exercise collective judgments that enable a rejection of past actions as well as the possibility of a more just future. Moreover, as philosophy professor Maria Pia Lara argues, refusing to narrate human cruelty is tantamount to relinquishing the moral imperative to build a transformed democratic community. She contends that exposing and engaging the hidden dimensions of cruelty and the abuse of human rights is part of a moral imperative "directed at making others understand that what happened did not need to happen." Moreover, such "stories [provide] us with a moral sense of the need to keep examining the past in order to ... build a space for self-reflection [and] define the process of establishing a connection between the collective critical examination of past catastrophes and the learning processes in which societies engage."15 At a time in history when American society is overtly subject to the quasi militarization of everyday life and endlessly exposed to mass-produced spectacles of commodified and ritualized violence, a culture of cruelty and barbarism has become deeply entrenched and more easily tolerated. Beyond creating in this instance a moral and affective void in the collective consciousness - a refusal to recognize and rectify the illegal and morally repugnant violence, abuse and suffering imposed on those alleged to be dangerous and "disposable" others - such a culture contributes to the undoing of the very fabric of civilization and justice. The descent into barbarism can take many forms, but one version may be glimpsed when torture becomes a defining feature of what a country considers acceptable policy (to say nothing of riveting entertainment), or the majority of its inhabitants remain passive when the President of the United States claims he has the right to put together a kill list in order to assassinate American citizens. How else to explain the fact that 49 percent of the American public "consider torture justified at least some of the time [and] fully 71 [percent] refuse to rule it out entirely"?16 Frank Rich has suggested that the American public's indifference to national security issues is partly due to the massive hardships and suffering many Americans have endured as a result of the Great Recession.17 This may be true but what it overlooks are the ever-growing anti-democratic forces, or what might be called authoritarianism with a soft edge, which haunt American politics and the modern ideal of democracy. The civic imagination is in retreat in American society and the public spheres that make it possible are disappearing. Clearly, political and popular culture are in dire need of being condemned, interrogated, unlearned and transformed through modes of critical education and public debate, if American democracy is to survive as more than a distant and unfulfilled promise. Americans have lived too long with governments that use power to promote violent acts, conveniently hiding their guilt behind a notion of secrecy and silence that selectively punishes those considered expendable - in its prisons, public schools, foster care institutions and urban slums. As Tom Engelhardt points out, what has not sunk in for most Americans, including the mainstream media, is that the United States has become a lockdown state, or more appropriately an authoritarian state, as evidenced by the fact that the Obama administration can: torture at will; imprison at will, indefinitely and without trial; assassinate at will (including American citizens); kidnap at will anywhere in the world and 'render' the captive in the hands of allied torturers; turn any mundane government document (at least 92 million of them in 2011 alone) into a classified object and so help spread a penumbra of secrecy over the workings of the American government; surveil Americans in ways never before attempted (and only 'legalized' by Congress after the fact, the way you might back-date a check); make war perpetually on their own say-so; and transform whistleblowing - that is, revealing anything about the inner workings of the lockdown state to other Americans - into the only prosecutable crime that anyone in the complex can commit.18 The fateful consolidation of an authoritarian state reaches its tipping point when a government engages in these practices along with the claim that it can kill its own citizens anywhere in the world without recourse to due process or any moral qualms. Such policies point to more than an ethically empty space and the atrophy of democratic modes of governance, politics and culture, they point inexorably to the dark caverns of a society that has embraced the foundations of authoritarianism. Democracy has been hijacked in the United States by right-wing extremists, the financial elite, the military-industrial-academic complex and a demagogic cultural apparatus that has created a state of emergency that appears to "lack the kind of collective sense of urgency that would prompt us to fundamentally question our own ways of thinking and acting, and form new spaces of operation."19 All of us are now in the shooting gallery and we are all potentially the targets.

#### The battlefield extends eternally throughout the universe and even into the mind, causing cycles of invisible violence – presidential power will expand indefinitely until Armageddon unless we break the cycle.

Swanson, ‘10 [David Swanson, activist, blogger and author, former coordinator for ACORN; “Wars Are Not Fought on Battlefields” chapter from book “War is a Lie”; chapter published online January 19, 2011; book published 2010; http://www.truth-out.org/archive/item/93978:david-swanson--wars-are-not-fought-on-battlefields]

At first glance, our battlefields do not appear to be where we live and work and play as civilians, as long as "we" is understood to mean Americans. Wars don't happen in the United States. But for the people living in the countries where our wars have been fought since, and including, World War II, the so- called "battlefield" has quite clearly included and continues to include their home towns and neighborhoods. In many cases, that is all the battlefield has consisted of. There hasn't been any other, non-residential area constituting part of the battlefield. While the Battles of Bull Run or Manassas were fought in a field near Manassas, Virginia, the Battles of Fallujah were fought in the city of Fallujah, Iraq. When Vietnam was a battlefield, all of it was a battlefield, or what the U.S. Army now calls "the battlespace." When our drones shoot missiles into Pakistan, the suspected terror plotters we're murdering are not positioned in a designated field; they're in houses, along with all of the other people we "accidentally" kill as part of the bargain. (And at least some of those people's friends will indeed begin plotting terrorism, which is great news for the manufacturers of drones.) It's Everywhere At second glance, the battlefield or battlespace does include the United States. In fact, it includes your bedroom, your living room, your bathroom, and every other spot on the planet or off it, and possibly even the thoughts that are in your head. The notion of a battlefield has been expanded, to put it mildly. It now encompasses anywhere soldiers are when they're actively employed. Pilots speak of being on the battlefield when they have been great distances above anything resembling a field or even an apartment building. Sailors speak of being on the battlefield when they haven't set foot on dry land. But the new battlefield also encompasses anywhere U.S. forces might conceivably be employed, which is where your house comes in. If the president declares you an "enemy combatant," you will not only live on the battlefield — you will be the enemy, whether you want to be or not. Why should a desk with a joystick in Las Vegas count as a battlefield on which a troop is flying a drone, but your hotel room be off limits? When U.S. forces kidnap people on the street in Milano or in an airport in New York and send them off to be tortured in secret prisons, or when our military pays a reward to someone in Afghanistan for handing over their rival and falsely accusing them of terrorism, and we ship the victims off to be imprisoned indefinitely in Guantanamo or right there in Bagram, all of those activities are said to take place on a battlefield. Anywhere someone might be accused of terrorism and kidnapped or murdered is the battlefield. No discussion of releasing innocent people from Guantanamo would be complete without expression of the fear that they might "return to the battlefield," meaning that they might engage in anti-U.S. violence, whether they had ever done so before or not, and regardless of where they might do it. When an Italian court convicts CIA agents in absentia of kidnapping a man in Italy in order to torture him, the court is staking the claim that Italian streets are not located in a U.S. battlefield. When the United States fails to hand over the convicts, it is restoring the battlefield to where it now exists: in each and every corner of the galaxy. We will see in chapter twelve that this conception of the battlefield raises legal questions. Traditionally killing people has been deemed legal in war but illegal outside of it. Apart from the fact that our wars are themselves illegal, should it be permissible to expand them to include an isolated assassination in Yemen? What about a massive bombing campaign with unmanned drones in Pakistan? Why should the smaller expansion of an isolated murder be less acceptable than the larger expansion that kills more people? And if the battlefield is everywhere, it is in the United States as well. The Obama administration in 2010 announced its right to assassinate Americans, presuming to already possess by common understanding the right to assassinate non-Americans. But it claimed the power to kill Americans only outside the United States. Yet, active military troops are stationed within the United States and assigned to fight here if so ordered. The military is used to clean up, or at least guard, oil spills, to assist in domestic police operations, and to spy on U.S. residents. We live in the area of the globe policed by Northern Command. What's to stop a battlefield over yonder in Central Command from spreading to our towns? In March 2010, John Yoo, one of the former lawyers in the Justice Department who had helped George W. Bush "legally" authorize aggressive war, torture, warrantless spying, and other crimes, spoke in my town. War criminals today usually go on book tours before the blood is dry, and sometimes they take questions from the audience. I asked Yoo if a president could shoot missiles into the United States. Or could a president drop nuclear bombs within the United States? Yoo refused to concede any limits to presidential power, except perhaps in time rather than place. A president could do anything he chose, even within the United States, as long as it was "wartime." Yet, if the "war on terror" makes it wartime, and if the "war on terror" lasts for generations, as some of its proponents desire, then there really are no limits. On June 29, 2010, Senator Lindsey Graham (R., S.C.) questioned then Solicitor General and successful Supreme Court nominee Elena Kagan. "The problem with this war," Graham said, "is that there will never be a definable end to hostilities, will there?" Kagan nodded and simply agreed: "That is exactly the problem, Senator." That takes care of the time constraints. What about place constraints? A bit later, Graham asked: The battlefield, you told me during our previous discussions, that the battlefield in this war is the entire world. That is, if someone were caught in the Philippines, who was a financier of al Qaeda, and they were captured in the Philippines, they would be subject to enemy combatant determination. Um, because the whole world's the battlefield. Do you still agree with that? Kagan ducked and dodged, while Graham asked her this three times, before she made clear that, yes, she still agreed. So a battlefield turns out to be more a state of mind than a physical location. If we are always in the battlefield, if marches for peace are in the battlefield too, then we had best be careful what we say. We wouldn't want to assist the enemy somehow, while living in the battlefield. Wars, even when the battlefield was not, like a god, present everywhere, have always had a tendency to eliminate hard-won rights. This tradition in the United States includes President John Adams' Alien and Sedition Acts of 1798, Abraham Lincoln's suspensions of habeas corpus, Woodrow Wilson's Espionage Act and Sedition Act, Franklin Roosevelt's rounding up of Japanese-Americans, the madness of McCarthyism, and the many developments of the Bush- Obama era that really took off with the first passage of the PATRIOT Act. On July 25, 2008, the pressure for accountability for abuses of power had grown too great for silence to continue. The House Judiciary Committee finally agreed to hold a hearing on the impeachment of George W. Bush. Chairman John Conyers had held similar hearings in 2005 as the ranking minority member, advertising his aim to pursue accountability for the War on Iraq if he were ever given the power. He held that power from January 2007 forward, and in July 2008 — having obtained the approval of Speaker Nancy Pelosi — he held this hearing. To make the similarity to the unofficial hearings he'd held three years earlier complete, Conyers announced before the hearing that, while the evidence would be heard, no impeachment proceedings would go forward. The hearing was just a stunt. But the testimony was deadly serious and included a statement from former Justice Department official Bruce Fein from which this is excerpted: After 9/11, the executive branch declared — with the endorsement or acquiescence of Congress and the American people — a state of permanent warfare with international terrorism, i.e., the war would not conclude until every actual or potential terrorist in the Milky Way were either killed or captured and the risk of an international terrorist incident had been reduced to zero. The executive branch further maintained without quarrel from Congress or the American people that since Osama bin Laden threatens to kill Americans at any time and in any location, the entire world, including all of the United States, is an active battlefield where military force and military law may be employed at the discretion of the executive branch. For instance, the executive branch claims authority to employ the military for aerial bombardment of cities in the United States if it believes that Al Qaeda sleeper cells are nesting there and are hidden among civilians with the same certitude that the executive branch knew Saddam Hussein possessed weapons of mass destruction.… The executive branch has directed United States forces to kill or kidnap persons it suspects have allegiance to Al Qaeda in foreign lands, for instance Italy, Macedonia, or Yemen, but it has plucked only one United States resident, Ali Saleh Kahlah al-Marri, from his home for indefinite detention as a suspected enemy combatant. But if the executive branch's constitutional justification for its modest actions is not rebuked through impeachment or otherwise, a precedent of executive power will have been established that will lie around like a loaded weapon ready for use by any incumbent who claims an urgent need. Moreover, the Founding Fathers understood that mere claims to unchecked power warranted stern responses." No stern responses were forthcoming, and President Obama maintained and expanded upon the powers established for presidents by George W. Bush.208 War was now officially everywhere and eternal, thereby allowing presidents even greater powers, which they could use in the waging of even more wars, from which yet more powers could derive, and so forth to Armageddon, unless something breaks the cycle. It's Nowhere The battlefield may be all around us, but the wars are still concentrated in particular places. Even in those particular locations — such as Iraq and Afghanistan — the wars lack the two basic features of a traditional battlefield — the field itself and a recognizable enemy. In a foreign occupation, the enemy looks just like the supposed beneficiaries of the humanitarian war. The only people recognizable for who they are in the war are the foreign occupiers. The Soviet Union discovered this weakness of foreign occupations when it tried to occupy Afghanistan during the 1980s. Oleg Vasilevich Kustov, a 37-year veteran of the Soviet and Russian military, described the situation for Soviet troops: Even in the capital, Kabul, in most districts it was dangerous to go more than 200 or 300 meters from installations guarded by our troops or detachments of the Afghan army, internal forces, and secret services — to do so was to put one's life at risk. To be completely honest, we were waging war against a people. That sums it up perfectly. Wars are not waged against armies. Nor are they waged against demonized dictators. They are waged against peoples. Remember the U.S. soldier in chapter five who shot a woman who had apparently been bringing a bag of food to the U.S. troops? She would have looked just the same if she had been bringing a bomb. How was the soldier supposed to tell the difference? What was he supposed to do? The answer, of course, is that he was supposed to not be there. The occupation battlefield is full of enemies who look exactly like, but sometimes are not, women bringing groceries. It is a lie to call such a place a "battlefield." One way to make this clear, and which oft en shocks people, is to note that a majority of those killed in wars are civilians. A better term is probably 'non-participants.' Some civilians participate in wars. And those who resist a foreign occupation violently are not necessarily military. Nor is there any clear moral or legal justification for killing those fighting a truly defensive war any more than there is for killing the non-participants. Estimates of war deaths vary for any given war. No two wars are the same, and the numbers change if those who die later from injury or disease are included with those immediately killed. But by most estimates, even counting only those immediately killed, the vast majority of those killed in war in recent decades have been non-participants. And in wars involving the United States, the vast majority of those killed have been non-Americans. Both of these facts, and the numbers involved, will seem crazy to anyone getting their war news from American media outlets, which routinely report the "war dead" and list only Americans. The "good war," World War II, is still the deadliest of all time, with military deaths estimated at 20 to 25 million (including 5 million deaths of prisoners in captivity), and civilian deaths estimated at 40 to 52 million (including 13 to 20 million from war-related disease and famine).210 The United States suffered a relatively small portion of these deaths — an estimated 417,000 military and 1,700 civilian. That is a horrendous statistic, but it is small in relation to the suffering of some of the other countries. The War on Korea saw the deaths of an estimated 500,000 North Korean troops; 400,000 Chinese troops; 245,000 - 415,000 South Korean troops; 37,000 U.S. troops; and an estimated 2 million Korean civilians. The War on Vietnam may have killed 4 million civilians or more, plus 1.1 million North Vietnamese troops, 40,000 South Vietnamese troops, and 58,000 U.S. forces. In the decades following the destruction of Vietnam, the United States killed a lot of people in a lot of wars, but relatively few U.S. soldiers died. The Gulf War saw 382 U.S. deaths, the highest number of U.S. casualties between Vietnam and the "war on terror." The 1965-1966 invasion of the Dominican Republic didn't cost a single U.S. life. Grenada in 1983 cost 19. Panama in 1989 saw 40 Americans die. Bosnia-Herzegovina and Kosovo saw a total of 32 U.S. war deaths. Wars had become exercises that killed very few Americans in comparison to the large numbers of non-U.S. non- participants dying. The wars on Iraq and Afghanistan similarly saw the other sides do almost all of the dying. The numbers were so high that even the proportionately tiny U.S. death counts climbed into the thousands. Americans hear through their media that over 4,000 U.S. soldiers have died in Iraq, but rarely do they encounter any report on the deaths of Iraqis. When news of Iraqi deaths is reported, the U.S. media usually cites totals collected from news reports by organizations that openly and prominently stress the likelihood that a large proportion of deaths are not reported. Fortunately, two serious studies have been done of Iraqi deaths caused by the invasion and occupation that began in March 2003. These studies measure the deaths that exceed the high death rate that existed under international sanctions before March 2003. The Lancet published the results of household surveys of deaths through the end of June 2006. In 92 percent of households asked to produce a death certificate to verify a reported death, they did so. The study concluded that there had been 654,965 excess violent and nonviolent deaths. This included deaths resulting from increased lawlessness, degraded infrastructure, and poorer healthcare. Most of the deaths (601,027) were estimated to be due to violence. The causes of violent deaths were gunshot (56 percent), car bomb (13 percent), other explosion/ordnance (14 percent), air strike (13 percent), accident (2 percent), and unknown (2 percent).212 Just Foreign Policy, a Washington-based organization, has calculated the estimated deaths through the time of this writing, extrapolated from the Lancet report based on the relative level of deaths reported in the media in the intervening years. The current estimate is 1,366,350. The second serious study of deaths caused by the War on Iraq was a poll of 2,000 Iraqi adults conducted by Opinion Research Business (ORB) in August 2007. ORB estimated 1,033,000 violent deaths due to the War on Iraq: "48 percent died from a gunshot wound, 20 percent from the impact of a car bomb, 9 percent from aerial bombardment, 6 percent as a result of an accident, and 6 percent from another blast/ordnance." Death estimates from the War on Afghanistan were much lower but rising swiftly at the time of this writing. For all of these wars, one can add a much larger casualty figure for the wounded than those I've cited for the dead. It is also safe to assume in each case a much larger number for those traumatized, orphaned, made homeless, or exiled. The Iraqi refugee crisis involves millions. Beyond that, these statistics do not capture the degraded quality of life in war zones, the usual reduced life expectancy, the increased birth defects, the rapid spread of cancers, the horror of unexploded bombs left lying around, or even the U.S. soldiers poisoned and experimented upon and denied compensation. Zeeshan-ul-hassan Usmani, an assistant professor at Ghulam Ishaq Khan Institute in Pakistan's North-West Frontier Province who recently completed five years as a Fulbright scholar in the U.S., reports that the ongoing and illegal U.S. drone strikes into Pakistan have killed 29 suspected terrorists and 1,150 civilians, wounding 379 more. If the numbers above are correct, World War II killed 67 percent civilians, the War on Korea 61 percent civilians, the War on Vietnam 77 percent civilians, the War on Iraq 99.7 percent Iraqis (whether or not civilians), and the Drone War on Pakistan 98 percent civilians.

#### Vote aff to politicize targeted killing secrecy – there is no wizard behind the curtain – legal solutions will fail until we refuse to defer authority knowledge to experts.

Cole, ‘12 [David Cole teaches constitutional law, national security, and criminal justice at Georgetown University Law Center. He is also a volunteer attorney for the Center for Constitutional Rights, the legal affairs correspondent for The Nation, a regular contributor to the New York Review of Books, and a commentator on National Public Radio’s All Things Considered. He has been published widely in law journals and the popular press, including the Yale Law Journal, California Law Review, Stanford Law Review, New York Times, Washington Post, Wall Street Journal, and Los Angeles Times. He has litigated constitutional cases in the Supreme Court; “Confronting the Wizard of Oz: National Security, Expertise, and Secrecy”; Connecticut Law Review, VOLUME 44, JULY 2012, NUMBER 5; http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2093&context=facpub]

Thus, deference to experts need not preclude independent or democratically accountable decision-making. The larger problem may be one that Rana notes but does not sufficiently emphasize—an inordinate reliance on classified information and covert operations.15 Secrecy is in many ways the ultimate enemy of democracy in the national security realm.16 As Judge Damon Keith has written, “democracy dies behind closed doors.”17 The experts in the intelligence community have the power to hide their decisions from external review and checks by classifying the information they consider or the actions they take.18 Even if they do so in good faith, the inevitable result is that their actions are increasingly insulated from scrutiny by others and immune from democratic checks. Virtually everyone who has had access to classified information concedes that the system leads to massive over-classification.19 Our overreliance on secrecy may well be more central to the problem of inordinate deference than assumptions about the nature of knowledge regarding security. And in any event, the problems are mutually reinforcing. The inaccessibility of the information the experts rely upon compels us to defer to them because we lack sufficient grounds to question them. And that, in turn, may well make the experts more protective of their information and more likely to classify their actions, decisions, and considerations. If this analysis is correct, then we must overcome not only the epistemological problem that Rana cites, but the problem of overreliance on secrecy as well. Experts can inform rather than supplant democratic decision-making only if we treat national security questions as appropriate for public deliberation, and if there is sufficient transparency to permit the decisions to be adequately informed. Rana stakes his claim for change on democratic legitimacy. Leaving such important decisions to unelected “experts” cannot be squared with the democratic foundations upon which our society rests, he argues.20 But there are at least two additional reasons, beyond democratic legitimacy, for resisting wholesale deference to the national security experts. First, many of the decisions that must be made in the security field involve more than questions of security. Surveillance issues, for example, almost inevitably involve a weighing of privacy interests against security concerns. Interrogation practices require us to balance the need for intelligence against interests in respecting human dignity and autonomy. Detention questions inevitably require a balancing of liberty and security. National security experts may well have expertise with respect to the security side of the equation on such questions, but there is no reason to think that they are experts in privacy, liberty, or human dignity. Indeed, precisely because of their specialized focus on security, they are ill-suited to weigh other concerns against security concerns. As Justice David Souter wrote in Hamdi v. Rumsfeld:21 In a government of separated powers, deciding finally on what is a reasonable degree of guaranteed liberty whether in peace or war (or some condition in between) is not well entrusted to the Executive Branch of Government, whose particular responsibility is to maintain security. For reasons of inescapable human nature, the branch of the Government asked to counter a serious threat is not the branch on which to rest the Nation’s entire reliance in striking the balance between the will to win and the cost in liberty on the way to victory; the responsibility for security will naturally amplify the claim that security legitimately raises. A reasonable balance is more likely to be reached on the judgment of a different branch . . . .22 How one strikes the balance between liberty and security is a decision that may be informed by experts, but is ultimately a normative question about the kind of society we want to live in—and that is quintessentially not a decision for experts, but for the people. Second, even if we bracketed the oft-competing rights concerns, and all we cared about was effective security, deference to experts operating with secret information behind closed doors might well be counterproductive. Experts are in no way immune from groupthink and other decisional biases, and the smaller the circle of actors with the requisite knowledge to act, the less likely it is that such errors will be corrected.23 Moreover, as the 9/11 Commission found, barriers to the sharing of information can greatly undermine the soundness of security strategies.24 Stovepiping is an inevitable consequence of specialization and classification (because only those with a clearance and a “need to know” can then gain access to the information), and makes it less likely that even the experts themselves will have access to all the information relevant to their decisions.25 Thus, greater transparency may be a benefit not merely from the vantage point of democratic legitimacy, as Rana illustrates, but also from the normative perspective of striking an appropriate balance, and from the pragmatic standpoint of improving security. Rana calls our attention to some of the deep philosophical undercurrents that have come to define modern attitudes toward national security. The issues are too important to be left to experts, but until we challenge our assumptions about the propriety of doing so, he argues, no formal legal solution will succeed. I am sympathetic to Rana’s concerns, and seek to support his argument with the three principal points made here. First, it is critical to consider the particular role that secrecy, itself controlled by experts, plays in constructing and perpetuating “expertise,” and in shielding the experts from democratic assessment. Second, when it comes to weighing security against other values, such as privacy, liberty, and human dignity, the experts deserve skepticism, not deference. And third, security decisions themselves are often undermined by the barriers that secrecy and specialization raise. Like the Wizard of Oz, national security experts operate behind a large screen, and that screen bars us from realizing, as Rana insists, that we are all capable of making the necessarily normative judgments about security and liberty that implicate not only the survival of our polity, but its survival in the form we choose

#### Voting aff is necessary to challenge the secrecy of the authoritarian war machine.

Giroux, ‘9/4 [Henry A. Giroux currently holds the Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department and a Distinguished Visiting Professorship at Ryerson University; “Hope in a Time of Permanent War”; September 4, 2013; http://www.truth-out.org/opinion/item/18578-hope-in-a-time-of-permanent-war]

War has become not simply a strategy but a way of life in the United States. It has been elevated to an all-encompassing ideology and politics that includes a view of all citizens as potential terrorists in need of surveillance and an ongoing attack on dissidents, critical journalists, educators and any public sphere capable of questioning authority. Hope provides a potential register of resistance, a new language, a different understanding of politics and a view of the future in which the voices of the public are heard rather than silenced. Hope also accentuates how politics might be played out on the terrain of imagination and desire as well as in material relations of power and concrete social formations. Freedom and justice, in this instance, have to be mediated through the connection between civic education and political agency, which presupposes that the goal of hope is not to liberate the individual from the social - a central tenet of neoliberalism - but to take seriously the notion that the individual can only be liberated through the social. Democratic hope is a subversive, defiant practice that makes power visible and interrogates and resists those events, social relations and ideas that pose a threat to democracy. It refuses to escape into firewall of obtuse academic discourse removed from the problems of everyday life, it rejects the alleged neutrality of mainstream media, rebuffs the discourse of idiocy and simplification that characterizes celebrity culture, and it disallows a sterile and empty discourse of common sense, which wages a war on informed criticism, the imagination and the very possibility of imagining a better world. Hope at its best provides a link, however transient, provisional and contextual, between passion, vision and critique, on the one hand, and engagement and transformation, on the other. But for such a notion of hope to be consequential it has to be grounded in a pedagogical project that has some hold on the present. Hope becomes meaningful to the degree that it identifies agencies and processes, offers alternatives to an age of profound pessimism, reclaims an ethic of compassion and justice, and struggles for those institutions in which equality, freedom and justice flourish as part of the ongoing struggle for a global democracy. Yet, such hopes do not materialize out of thin air. They have to be nourished, developed, debated, examined and acted upon to become meaningful. And this takes time, and demands what might be called an "impatient patience." When outrage dissipates into silence, crippling the mind, imagination, spirit, and collective will, it becomes almost impossible to fight the galloping forces of authoritarianism that beset the United States and many other countries. But one cannot dismiss as impossible what is simply difficult, even if such difficulty defies hope itself. Bauman is right, once again, in arguing that "As to our hopes: hope is one human quality we are bound never to lose without losing our humanity. But we may be similarly certain that a safe haven in which to drop its anchor will take a very long time to be found."[xx] As the current administration tries to persuade the American public and a cravenly Congress that military intervention is necessary in Syria, Obama is betting against hope - against the possibility that his investment in war, state violence and secrecy will be challenged by the American public. There is more at stake here than a military strike against Syria, there is the Hobbesian imaginary of endless permanent war and the presence of a security-warfare state that can only imagine violence as a solution to whatever problem it identifies. The future of American society lies in opposition to the warfare state, its warfare culture, its mad machinery of violence and its gross misdeeds. State violence is not a measure of greatness and honor. Such violence trades in incredulous appeals to security and fear mongering in its efforts to paralyze the impulse for justice, the culture of questioning, and the civic courage necessary to refuse and oppose complicity with state terrorism. Hope turns radical when it exposes the acts of aggression against injustices perpetuated by a militarized state that can only dream of war. But hope does more than critique, dismantle, and expose the ideologies, values, institutions, and social relations that are pushing so many countries today into authoritarianism. It begs for more than a retreat into the language of criticism by developing a renewed sense of what it means to imagine otherwise, rethink a more just sense of the future, reclaim the principles of a real democracy, and organize a political discourse that inhabits not common sense but reflective sense, good sense—a sense that the struggle is not over and demands a broad based social movement in which the struggle for a new democratic global social order can be constructed.

# 2AC

### Case

#### Discredit expert opinion – there’s no such thing as “objectivity” in the war on terror.

Greenwald, ’11 [GLENN GREENWALD, former Constitutional and civil rights litigator, Winner IF Stone Award for Investigative Journalism and Online Journalism Association Award; “PolitiFact and the scam of neutral expertise”; DEC 5, 2011; <http://www.salon.com/2011/12/05/politifact_and_the_scam_of_neutral_expertise/>]

The notion that these two individuals — or anyone like them — are entitled to be treated as neutral, ideology-free experts is what is “preposterous nonsense.” But this is a common means of deceit in our political discourse: depicting highly biased, ideologically rigid establishment advocates as some kind of neutral expert-arbiters of fact, even though they’re drenched in all sorts of biases and ideological objectives. I recently wrote about this with regard to the conceit of establishment journalists that they are “objective” even though they ooze all sorts of obvious, serious establishment biases. Identically, Paul Krugman and Brad DeLong, among others, recently pointed out that a slew of economists typically referred to as “technocrats” — as though they are merely ideology-free, objective administrators and experts — are, in fact, hard-core ideologues. This is exactly true of the two “experts” on whom PolitiFact relies to conclude that there is nothing particularly worrisome in the new AUMF language, and it’s true of most “national security and Terrorism experts” paraded by media outlets to justify the government’s conduct. Just on the level of credentials, in what sense is Wittes — who, just by the way, is not a lawyer and never studied law — more of an expert on these matters than, say, Ron Paul or Kevin Drum? And why are the pronouncements of Robert Chesney that this AUMF language is not dangerously permissive more authoritative than the views on the same topic of ACLU lawyers or Professor Hafetz, who say exactly the opposite? Both Wittes and Chesney are perfectly well-versed in these issues, but so are countless others who have expressed Paul’s exact views. Why is the Wittes/Chesney opinion that these AUFM standards are perfectly narrow and trustworthy — and that’s all it is: an opinion — treated by PolitiFact as factually dispositive, while the views of Paul and those who agree with him are treated as false? That is preposterous nonsense. But this is the cult of contrived neutrality that dominates so much political and media narrative. One of these objective experts, Wittes, works for a think tank lavishly funded by Haim Saban, who described himself this way: On the issues of security and terrorism I am a total hawk. I’m a Democrat for the reinforcement of the Patriot Act. It’s not strong enough. The A.C.L.U. can eat their heart out, but they are living in the 1970′s. We should all have ID’s. You betcha. What do you have to hide? Some friends of mine on the left side think I’m crazy. . . . I’m a one-issue guy and my issue is Israel. Wittes — unsurprisingly — has a long history of cheerleading for some of the worst War on Terror excesses and those who committed them, as well as advocating for even more extreme measures than we’ve seen so far. Identically, Chesney has expended substantial energy over the years publicly defending many of the most controversial aspects of the Bush/Cheney — now Bush/Cheney/Obama — War on Terror. The name of their blog — “Lawfare” — is a word used to mock the notion that law should interfere with the glories of war. There is nothing less surprising in the world than the fact that these two dismiss as paranoia and hysteria concerns over the government’s excessive detention powers. \* \* \* \* \* This is how this contrived neutrality scam typically functions. Wittes and Chesney are not pure neocons, which is why they are able to parade around as objective arbiters. But they are every bit as ideological as Bill Kristol; it’s just a mildly different ideology. What they are are standard defenders of government prerogatives, dutiful servants of political power, wholesale cheerleaders for American exceptionalism, masquerading under the banner of “centrism.” They are full-throttled believers in the War on Terror. One can agree or disagree with them all one wants, but one cannot reasonably depict them as even slightly more neutral or objective than Ron Paul, and they are certainly not above-the-fray arbiters who can descend down and authoritatively resolve political disputes. This contrived neutrality is a common scam in our political discourse, and it frequently shapes our national security and civil liberties debates. There is a whole insular, rotted culture based in Washington — they refer variously to themselves as the Foreign Policy Community or “natsec” experts and they’re found at think tanks, a small set of academic institutions (which serve as feeders for government agencies), and establishment media outlets — who have endless, amiable, self-flattering debates with themselves within an extremely narrow range of opinion. But even when they feign disagreement, it’s all grounded in the same common nationalistic assumptions. What they are, above all else, are devotees to political power. They’re the classic royal court courtiers and hangers-on. They’ll question the tactics of American foreign policy endlessly (are we fighting this war the right way?), but never the ends, and most especially never America’s right to do what it wants in the world and the right of its government to seize ever more power in the name of those wars. They’re free to express those views, but — like the bevy of bias-ridden establishment journalists, economic “technocrats,” and the sham Terrorism expert community — they’re anything but neutral, objective and ideology-free. One trick they use to prevent anyone from talking about the embedded biases and operating dynamics of their insular culture is to proclaim these discussions off-limits on the ground of incivility. The last time I wrote about the Brookings culture and funding sources, Wittes wrote a series of petulant posts declaring that he would never again engage or mention me (since then, he has responded to what I’ve written several times while childishly refusing to use my name, even once re-printing a response to a column of mine from a cowardly “senior administration lawyer” insisting on (and receiving) anonymity who did the same: “He Whose Name Must Not Be Mentioned”). They try to create rules in the name of civility where you are forced to accept and honor their expertise and objectivity — you must simply ignore and never mention the cultural, financial and careerist incentives they have to spout pro-government, authoritarian views (recall what Les Gelb said about why they often are pro-war) — so that their expertise, objectivity and good faith remain unquestioned. If you do anything other than pretend that they are Beacons of Bias-Free Objectivity — if you analyze the mandated orthodoxies in their world and the cultural pressures to accept and spout those orthodoxies — then you’re engaged in unfair “personal attacks” and will prompt outcries from the fellow devotees of their National Security priesthood. You’re not permitted to question their objectivity or expertise. We’re all supposed to pretend that war cheerleaders at Brookings and similar think tanks are honorable “scholars” and good faith, ideology-free experts — like the leading Democratic Saban-funded cheerleader for the Iraq War and now leading agitator for the Iranian Threat — or else we’re proving how crass, gauche and mean we are: how unSerious. This is the scam of contrived neutrality and objective expertise which PolitiFact fell for in condemning Ron Paul’s perfectly rational statements as “mostly false”: Ben Wittes and Bobby Chesney said there was nothing to worry about and such concerns about detention abuses were “preposterous”! What more proof do you need? The objective “centrist” expert hath thus decreed it, and thus is it proven.

### CP

### 2AC FW

#### Resolved is to reduce to mental analysis.

Random House Unabridged Dictionary 2006 (<http://dictionary.reference.com/browse/resolved>)

Resolve: 1.To come to a definite or earnest decision about; determine (to do something): I have resolved that I shall live to the full. 2. to separate into constituent or elementary parts; break up; cause or disintegrate (usually fol. by into). 3.to reduce or convert by, or as by, breaking up or disintegration (usually fol. by to or into). 4.to convert or transform by any process (often used reflexively). 5.to reduce by mental analysis (often fol. by into).

#### The context of the resolution is determined before the colon.

Peck 96 (U of Ottawa; <http://www.uottawa.ca/academic/arts/writcent/hypergrammar/colon.html>)

The colon focuses the reader’s attention on what to follow, and as a result, you should use it to introduce an idea that somehow completes the introductory idea.

#### Government means the people – this is the original meaning.

Radovanović, ‘12 [Olivera Radovanović; “Society as a Garden: Justification and Operationalization of Foucaldian of “Right to Kill” in the Contemporary World” ; Masters Thesis for Masaryk University, Department of Sociology; May 2012; http://is.muni.cz/th/236868/fss\_m/Ma\_Thesis\_Olivera\_Radovanovic.pdf]

Government and state are often considered to be one and the same institution, but they actually grew independently. If we return to the original meaning of the word “government”, we could correct this misconception and say that power relations were gradually getting under control of “government”, i.e. they were developed, rationalized and centralized by the supervision of the state institutions. (Foucault 2003b: 223) Not before the eighteenth century did it come to the “governmentalization of the state.” The activities of the state took the form of government in order to focus on the conduct of its subjects and the rule of law, which is how the state itself transformed into the sum of instruments with broader programs of government. “[T]he broader strategies of government within which the instrumentalities of the state are incorporated and deployed” (Hindness 2006: 108, 109) are what counts now. In order to draw a distinction between the government and other forms of state system, Foucault introduced the term “art of government” in association with the idea of the state which is distinctive from the holder of sovereign power and refers to the population that is ruled by an institutional structure. Saying that the relation between the government and the governed became fully symmetrical would be an exaggeration, but the government to an extent indeed becomes a part of the population that is to be governed: “[g]overning ceased to be seen as existing on the external boundaries of the state; it was inside the state, inside society.” (Curtis 2002: 522) The emergence of the concept of population having its own regularities, rates of reproduction and life expectancy permitted the art of government to break away from the problem of sovereignty and territoriality. Government was now meant to manage the population, the processes it is involved in, and the institutions. (Hindness 2006: 112)

Should means criticism, not a mandate.

Oxford, ‘5 [Aug 16, 2005; http://oxforddictionaries.com/definition/english/should?]

Definition of should in English

should

Pronunciation: /ʃʊd/

verb (3rd sing. should)

1 used to indicate obligation, duty, or correctness, typically when criticizing someone’s actions:

he should have been careful

I think we should trust our people more

you shouldn’t have gone

* indicating a desirable or expected state:

by now pupils should be able to read with a large degree of independence

* used to give or ask advice or suggestions:

you should go back to bed

what should I wear?

* (I should) used to give advice:

I should hold out if I were you

#### A statute is a rule decided for the government

Collins English Dictionary – Complete and Unabridged © HarperCollins Publishers 1991, 1994, 1998, 2000, 2003

statute [ˈstætjuːt]

n

2. (Law) a permanent rule made by a body or institution for the government of its internal affairs

#### It’s not mutually exclusive – the aff is not the death of resolutional debating – policy engagement in other rounds solve their standards.

#### Our pedagogy of hope comes before evaluating FW – politics as a point of contestation creates fragmented knowledge and decreases educational opportunities to access debaters’ political agency.

Giroux, ‘9/4 [Henry A. Giroux currently holds the Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department and a Distinguished Visiting Professorship at Ryerson University; “Hope in a Time of Permanent War”; September 4, 2013; http://www.truth-out.org/opinion/item/18578-hope-in-a-time-of-permanent-war]

Unlike some theorists who suggest that politics as a site of contestation, critical exchange and engagement has either come to an end or is in a state of terminal arrest, especially in light of the withering of the Occupy Wall Street Movement, I believe that the current depressing state of politics points to the urgent challenge of reformulating the crisis of democracy and the radical imagination as part of the fundamental crisis of vision, meaning, education and political agency. Politics devoid of vision degenerates into cynicism or appropriates a view of power equated with domination. Lost from such accounts is the recognition that democracy has to be struggled over - even in the face of a most appalling crisis of educational opportunity and political agency. There is also too little attention paid to the fact that the struggle over politics and democracy is strongly connected to creating and sustaining public spheres where individuals can be engaged as political agents equipped with the skills, capacities and knowledge they need not only to actually perform as autonomous political agents but also to believe that such struggles are worth taking up. The formative cultures, institutions and modes of critical agency necessary for a vibrant democracy do not exist in a culture in which knowledge is fragmented, power concentrated in few hands and time is reduced to a deprivation for large segments of the public - one consequence of which is the endless struggle by many Americans simply to try to survive at the level of everyday life. The colonizing of time, space and power suggests taking back people's time in an era when the majority must work more than ever to make ends meet. There is no democracy in a country in which for most people time is a deprivation rather than a luxury. Time is crippled when it is trapped within an endless need to fight to merely survive in order to have enough to eat, have access to decent health care, day care and a social wage. The struggle over time is inextricably linked to a struggle over space, institutions, public spheres, the public good, power, the future and the nature of politics itself.

#### Framework as fiatrical game distances us from the material machinations of our political advocasies – leads to violent war policy.

Stone-Mediatore, ’10 [2010, Shari-; “Epistemologies of Discomfort: What Military-Family Anti-War Activists Can Teach Us About Knowledge of Violence”; Studies in Social Justice Volume 4, Issue 1, 25-45,; <http://phaenex.uwindsor.ca/ojs/leddy/index.php/SSJ/article/view/2851/2371/>]

For several decades now, feminist theorists have criticized modern epistemic norms, revealing male and upper-class biases beneath seemingly neutral epistemic standards. Theorists including Genevieve Lloyd (1984), Dorothy Smith (1987), Lorraine Code (1991, 2006), Sandra Harding (1991), Linda Alcoff (1993), Val Plumwood (1993), and Carol Cohn (1993, 2003), have made compelling cases that received epistemic norms over-value traits associated with upper-class men, such as emotional detachment, certainty, and abstraction, at the expense of the more engaged and exploratory ways in which we come to know the world. The result, they suggest, is not only that our professional. institutions fail to give a fair hearing to people who are associated with the undervalued epistemic traits. Just as dangerously, those institutions tend to produce knowledge that is rigid, narrow in outlook, and inadequate for addressing human problems.1 And yet, despite feminist criticism, modern epistemic norms continue to determine who gets authorized to speak on public affairs. In the context of war, such policing of public debate is particularly troubling, for it tends to reserve authority for detached professionals, who treat war as a rational means of policymaking, while people close enough to war to appreciate its horrors are denied authority to speak .In one case, for instance, when a Columbus Dispatch reporter was interviewing a young veteran, the reporter discounted any of the young man’s remarks that seemed to him coloured by the young man’s “anger at having been sent to Iraq.”2 Similarly, when veterans of Iraq and Afghanistan gathered outside D.C. to present first-hand accounts of the violence, the veterans were virtually ignored by the mainstream media (Thompson, 2008). And in the early years of the war, when I proposed a campus forum featuring members of Veterans for Peace and Military Families Speak Out (MFSO), a colleague dismissed my proposal, commenting that such people are “not academically-oriented.”

### ---AT Fairness Impact

#### Demands for fairness celebrate institutionalized inequality.

Fish, ’93 (Stanley Fish, writer for the Atlantic professor of humanities and law at Florida International University, in Miami, and dean emeritus of the College of Liberal Arts and Sciences at the University of Illinois at Chicago. He has also taught at the University of California at Berkeley, Johns Hopkins and Duke University. He is the author of 11 books, most recently “Save the World On Your Own Time,” on higher education. “The Fugitive in Flight,” a study of the 1960s TV drama, will be published in 2010., The Atlantic, Reverse Racism, or How the Pot Got to Call the Kettle Black, <http://www.theatlantic.com/magazine/archive/1993/11/reverse-racism-or-how-the-pot-got-to-call-the-kettle-black/4638/?single_page=true>)

The same insincerity and hollowness of promise infect another formula that is popular with the anti-affirmative-action crowd: the formula of the level playing field. Here the argument usually takes the form of saying "It is undemocratic to give one class of citizens advantages at the expense of other citizens; the truly democratic way is to have a level playing field to which everyone has access and where everyone has a fair and equal chance to succeed on the basis of his or her merit." Fine words--but they conceal the facts of the situation as it has been given to us by history: the playing field is already tilted in favor of those by whom and for whom it was constructed in the first place. If mastery of the requirements for entry depends upon immersion in the cultural experiences of the mainstream majority, if the skills that make for success are nurtured by institutions and cultural practices from which the disadvantaged minority has been systematically excluded, if the language and ways of comporting oneself that identify a player as "one of us" are alien to the lives minorities are forced to live, then words like "fair" and "equal" are cruel jokes, for what they promote and celebrate is an institutionalized unfairness and a perpetuated inequality. The playing field is already tilted, and the resistance to altering it by the mechanisms of affirmative action is in fact a determination to make sure that the present imbalances persist as long as possible.

### ---AT Switch Side Debate

#### Southern literary societies prove that switch side debate reinforces dominant power structures.

Westbrook, ‘2 [B. Evelyn Westbrook- PhD Rhetoric University of Texas Debating Both Sides: What Nineteenth-Century College Literary Societies Can Teach Us about Critical Pedagogies, Rhetoric Review, 21:4, 339-356 Taylor Francis]

If societies like the Athenian and Clariosophic did, in fact, train students for public office, how did they influence students to think about the issues they debated? Did students regard debates as contests to be won, diversions from otherwise banal studies, or sincere inquiries into issues of public consequences? Asking these questions of South Carolina College’s Clariosophic Society, which like most other antebellum societies was at its peak before the Civil War, gives us the chance to see members debate particularly passionate political issues at a critical moment in American history (Harding 179). Furthermore, these questions are worth asking of nineteenth-century literary societies like South Carolina’s Clariosophic Society not only because they can provide us with a more complete picture of nineteenth-century rhetorical education but also because they allow us through historical analogy to look critically at today’s writing pedagogies that similarly foreground agonistic debate. The Radical Potential of the Clariosophic Society As war clouds gathered before the Civil War, literary societies all over the United States, but especially in the stronghold of the Confederate South, grappled with serious public questions. South Carolina College’s Clariosophic Society was no exception. Like other southern societies (and like most of their northern and western counterparts), members of the Clariosophic Society vigorously debated contemporary social and political questions, including slavery and secession (Harding 193). In fact, Clariosophics debated so many political questions that one member, Maxcy Gregg, complained in his 1835 valedictory speech of the society’s preoccupation with “politics of the day.” Indeed, of the 135 questions debated between 1842 and 1847, 53 dealt explicitly with contemporary local, national, or international politics.5 Because societies were forums wherein students debated issues of the day, it is tempting to characterize them as instruments of change in a reform era. Indeed, some scholars have (Frederick Rudolph; Richard Hofstadter). However, Rita Saslaw reminds us that college literary societies were extensions of conservatie and elite institutions of higher education and therefore assumed the role of preserving the values of society for future generations. Furthermore, except at progressive schools like Oberlin, antebellum literary societies were open only to the most privileged white males. And even at Oberlin, Saslaw argues, societies “did not fill the role of a forum for social activism” but “merely succeeded in providing a protected arena for the discussion of political, philosophical, religious, and historical topics” (200, 201). If debating divisive political and social issues in the composition classroom fosters social critique, as some contend, then we might expect members of the Clariosophic Society to occasionally challenge conventional wisdom and hegemonic ideologies. Because Clariosophics’ votes indicated “their own private feelings as to the question discussed,” society minutes, which record the decisions reached on questions debated, can serve as a barometer of student opinion (Hollis 235). Thomas Harding explains that “as most questions [for debate] were settled by popular vote and the votes recorded, the decisions furnish a first-hand account of what Southern college boys were thinking about in the years that witnessed the disruption of the Union” (193). Furthermore, Harding observes that in the decades immediately preceding the Civil War, “the decisions of the Southern college societies were generally in line with the prevailing attitude toward slavery in the South” (Harding 194).6 Clariosophics’ votes on questions debated between 1842 and 1847 suggest, indeed, that even though societies encouraged discussions of contemporary questions, members consistently reaffirmed dominant Carolinian ideologies and political sentiments rather than critiquing them.7 As historians like Robert Forbes have noted, South Carolinians were “the Americans most dedicated to preserving [slavery]” (81), and South Carolina was what historian Manisha Sinha calls “the secessionist state par excellence” (187). It’s no surprise, then, that in their debates Clariosophic members doggedly upheld Confederate positions regarding slavery and secession: • Is the spirit of liberty higher in countries where there are slaves or where there are none? (debated March 12, 1842, and decided affirmatively8) • Situated as we are should our slaves be debased the means of knowledge? (debated January 7, 1843, and decided affirmatively) • Has a state the right to secede from the Union? (argued on October 31, 1846, and decided affirmatively) • Is it likely that slavery will be eventually abolished? (argued on February 19, v1848, and decided negatively) The Clariosophics’ proslavery and secessionist positions reflect how deeply embedded racial slavery was in Carolinian ideology and politics: In their disapproval of providing slaves “the means of knowledge,” Clariosophics sided with Carolina’s planter politicians, who, fearing insurrection, were reluctant to permit Methodist ministers or missionaries to instruct or preach to their slaves (Ambrose 56). Furthermore, the society’s affirmative decision on the question, “Is the spirit of liberty higher in countries where there are slaves or where there are none?” reflects a characteristic Confederate defense of slavery: Historian Robert Forbes claims that Southern supporters of slavery often stigmatized challenges to slavery as threats to liberty, especially the right to property (81). The liberties and rights of white, propertied men were not surprisingly upheld by members of the Clariosophic Society who debated such questions as: • Is it not an infringement upon the inalienable rights of man for government to prohibit expatriation? (argued on February 7, 1846, and decided affirmatively) • Is our right to property natural or the gift of Government? (argued March 20, 1847, and decided affirmatively) • Is the right of making wills a natural right? (argued March 27, 1847, and decided affirmatively) • Is the free agency of man compatible with the necessary order of things? (argued on November 7, 1846, and decided affirmatively) Clariosophics routinely defend the white man’s “inalienable” rights to property and citizenship. Although championing freedoms and securing individuals’ rights may seem inconsistent with proslavery positions, these sentiments also acted, as Forbes explains, as “safeguards to slavery” (70): Man’s “natural right” to property implied that slavery was the white man’s natural right. Despite Clariosophics’ staunch defense of the white man’s right to property, Clariosophics paradoxically denied a father the right to will his estate to his daughter: On the question “Ought a man to have the right of entailing all his property on his daughter?” (argued on February 5, 1842), Clariosophics decided negatively. In fact, between 1842 and 1847, members upheld sexist ideologies in all four questions (including the one listed above) that considered women’s rights and liberties: • Have the sexes naturally equal minds? (debated on May 2, 1846, and decided negatively) • Do the duties of women in Society demand for her a college Education? (argued April 3, 1847, and decided negatively) • Is the female mind naturally inferior to that of man? (considered on December 4, 1847, and decided affirmatively) Time and again, society members denied women’s rights to property and education and defended a patriarchal social order. Furthermore, despite growing awareness of the masterful female orators of the day—like South Carolina’s own Grimké sisters—Clariosophics insisted on women’s intellectual inferiority. Racism and sexism in South Carolina were, Sinha posits, two sides of the same coin: “Just as belief in race and class inequality complemented each other in Carolinian proslavery discourse, the justification of racial slavery led slavery ideologues to champion gender inequality” (90). Sinha contends, in fact, that racial, gender, and class inequality formed the ideological foundation of antebellum South Carolina’s peculiarly antidemocratic political structure. Their vindication of slavery, argues Sinha, caused Carolinian planter politicians to question the democratic ideals of universal liberty and equality, a challenge to the Declaration of Independence and to natural-rights theory that Sinha calls “counterrevolutionary.” For instance, proslavery theorists like Alfred Huger, David Gavin, and Albert Taylor Bledsoe blamed democracy and “the cult of egalitarianism” for slaveholders’ troubles (Sinha 225). And some Carolina planter politicians like James Henry Hammond went so far as to describe South Carolina’s government as an aristocracy (Sinha 226). The antidemocratic, counterrevolutionary rhetoric that Sinha documents is also reflected in many of the Clariosophics’ decisions: • Had the National Convention of France the right to depose Louis XVI? (debated on January 1, 1843, and decided negatively) • Ought the terms of Judgeship to be limited to a certainage? (argued on January 8, 1843, and decided negatively) • Was Cromwell an honest politician? (argued on November 22, 1845, and decided negatively) • Was the execution of Charles I justifiable? (argued January 17, 1846, and decided negatively) • Is an elective or hereditary monarchy better calculated to advance national prosperity? (argued on March 21, 1846, and decided negatively) • Was Brutus justified in assassinating Caesar? (argued on May 15, 1846, and decided negatively) • Is the primogeniture system a beneficial one to a nation? (argued on May 23, 1846, and decided negatively) • Should the Governor of our State be elected by the Legislature or the people? (argued on May 30, 1846, and decided affirmatively) • Should our Congressmen be governed by their own sentiments or by those of their constituents? (argued on November 2, 1846, and decided affirmatively) • Are the people more easily corrupted than the Legislature? (argued on January 9, 1847, and decided negatively) • Was the administration of Cromwell beneficial to liberty? (argued on January 15, 1847, and decided negatively) Debating Both Sides 347 Downloaded by Clariosophics favored laws that would extend public figures’ terms in office. They also preferred rule by an elite rather than by the people, even though they felt that the public was less vulnerable to corruption. And although they voted against the primogeniture system, members preferred a hereditary monarchy to elected representatives. What’s more, they defended monarchs like Louis XVI and Charles I and emperors like Julius Caesar while criticizing Brutus and Cromwell. In short, then, even though society debates provided a forum for airing divisive political and social issues, members of the Clariosophic Society consistently voted to uphold Carolinian proslavery, antidemocratic, and separatist positions. Furthermore, though these debates were politically charged, they may have been regarded as purely academic exercises that were ultimately irrelevant in political spheres. Indeed, this is what Charleston planter Hugh Legare implied when he dismissed the question of whether to justify or condemn slavery on principles of natural law, calling it “a very good thesis for young casuists to discuss in the college moot-club,” but one that he and his fellow politicians would not undertake “for we have no taste for abstractions” (qtd. in Forbes 93). Another reason that societies may have failed to operate as forums for cultural and political critique is their emphasis on competition over inquiry. As Clariosophic Maxcy Gregg put it, students may have been “arguing for victory, instead of inquiring for truth.” Without much at stake in questioning the status quo, members could dramatize radical ideas while keeping a safe distance from the subversive politics they advocated. And after it all, they could slide back into their comfortable positions and even pat themselves on the back for having argued “the other side.” In today’s universities, where “diversity” is the watchword, few students could get away with the kind of blatant sexism and racism that the Clariosophics flaunted. Nevertheless, students today can still assume subversive positions for the sake of a grade, earn their mark, and then retreat to their former ideologies, feeling liberalized by the process. In fact, in “Community Service and Critical Teaching,” Bruce Herzberg shares his colleague’s experience of overhearing students admit to feigning exactly this kind of enlightenment in order to earn an “easy A” in a service-learning course (309). The critical question, then, is how to convince students—especially privileged ones—that more than their grades are at stake in classroom exercises that ask them to put their ideas and ideologies on the line.

### Warming

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

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

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

### 2AC

#### Engaging in strategies for political change and ontological exploration are not mutually exclusive, they are inevitably part of one another. The perm expresses the best way to come to terms with the technological instrumentalization of being and is the only way to encounter dasien and resist oppressive power structures.

Hicks ’03 [Steven V., Professor and chair of philosophy at Queens College of the CUNY, “Nietzsche, Heidegger, and Foucault: Nihilism and Beyond,” Foucault and Heidegger: Critical Encounters, Ed. Alan Milchman and Alan Rosenberg, p. 109, Questia]

<Why a “philosophical shock”? The answer, in part, may be that from Foucault's perspective**,**  (even Schopenhauerean) . 65 66 Here we have arrived at a key difference between Heidegger and Foucault: for Foucault, Heidegger takes insufficient account of the playful and even irreverent elements in Nietzsche and of Nietzsche's critique of the dangers of the ascetic ideal. Foucault joins with Heidegger's insightful reading of Nietzsche and the problem of nihilism is itself too ascetic. Heidegger's emphasis on “silence” as proper to Dasein's being, his frequent use of quasireligious terms of “grace” and “call of conscience, ” his many references to the destiny of the German Volk, his avoidance of politics and the serious “quietistic” tone of Heideggerian Gelassenheit are all reminiscent of the life-denying ascetic ideal Nietzsche sought to avoid Moreover, Foucault seems to join with Derrida and other “neo-Nietzscheans” in regarding Heidegger's idea of “letting Being be”—his vision of those who have left traditional metaphysics behind and with it the obsession with mastery and technology that drives contemporary civilization—as too passive or apathetic a response to the legitimate problems of post-Nietzschean nihilism that Heidegger's own analysis uncovers. This context-specific, unambiguously confrontational nature of Foucault's critique of the forms of domination and technologies of power lodged in modern institutions offers a more Nietzsche-like response than the one Heidegger offers to the nihilistic problems of Western civilization. As Foucault sees it, the lessons Heidegger would have us draw from Nietzsche throw us back to the passive “nihilism of emptiness” that Nietzsche feared. While not predicting the emergence of better times, Foucault tries to offer a better (less passive, less ascetic) model for reforming our “background practices” and for cultivating an affirmative attitude toward life that he and other neo-Nietzscheans think may be “our only chance to keep from extinguishing life on earth altogether.” other new Nietzscheans in promoting, as an alternative to Heideggerian Gelassenheit, the more Nietzschean vision of “playing with the text”—which in Foucault's case means promulgating active and willful images of resistance and struggle against particular practices of domination, rebellion against “micro-powers, ” and blatant disregard for tradition (cf. DP, 27). 67

#### Their alternative leaves no room for radical democratic action – makes oppression and technological disorder inevitable.

Zimmerman ’90 [Michael E., Professor of Philosophy at Tulane University, 90

(Heidegger’s Confrontation with Modernity p. 264]

The same criticism of early Foucault's "all-encompassing theory of power" may be leveled at Heidegger's all-encompassing theory of the technological Will to Power. While insightful in many ways, Heidegger's account appears to leave no room for what many people regard as the legal, political, cultural, and social expressions of resistance to the "disciplinary matrix" of modern technology. Such resistance is a manifestation of at least a measure of human freedom, even in the face of the undeniable power of the multifarious forms of repression and distraction at work in modern technological societies. Heidegger discounted the potential of constitutionally based democracies for resisting technological totalitarianism for several reasons. To begin with, because of his reading of Western history, he argued that liberal democracy and Soviet communism were "metaphysically" the same in that both were manifestations of subjectivism and humanism.

# 1AR

#### Voting neg is calculative thought too.

Buckley, ‘96 (McGill University (Philip, Rationality and Responsibility in Heidegger's and Husserl's View of Technology, [http://web.archive.org/web/20010111031000/http://ulla.mcgill.ca/arts150/arts150r3.htm](http://web.archive.org/web/20010111031000/http:/ulla.mcgill.ca/arts150/arts150r3.htm),)

This "gap" does not mean that calculative thought is somehow "bad," or that contemplative thinking is "better." To judge contemplative thought as superior to calculative thought is to think calculatively, and hence cannot be the task of authentic philosophy. Neither is Heidegger claiming that the nature of modern science as calculative is to be viewed as negative. It is the good "fortune" of science that it cannot "think" in the contemplative, deliberative or recollective sense.7 The problem, it seems, occurs when calculative thought pushes aside other forms of thinking. Heidegger wants to undermine the exclusivity of calculative thinking without denigrating it. He desires to open a space for other forms of thinking.

#### Ethics must come before ontology.

Bulley, ‘4 (2004, Dan, PhD Candidate @ Department of Politics and International Studies--University of Warwick, "Ethics and Negotiation," www.lancs.ac.uk/fss/politics/events/aber/ethics%20and%20negotiation%20-%20bulley.doc)

Crucially an openness to justice cannot be an a priori good thing. Indeed, like the future, one can say it can only be “anticipated in the form of an absolute danger.” As incalculable and unknowable, an unconditional openness to the future-to-come of justice risks the coming of what he calls the “worst.” The most obvious figures of this “worst,” or, “perverse calculation,” are atrocities such as genocide, Nazism, xenophobia, so-called ‘ethnic cleansing.’ These we can and must oppose or prevent. But why? Why only these? Derrida states that what we can oppose is only those “events that we think obstruct the future or bring death,” those that close the future to the coming of the other. We can oppose this future-present (a future that will be present) coming then on the basis of the future-to-come (a future with no expectation of presence). Or to put it in terms of the other, we can oppose those others who prevent our openness to other others. Such was the ideology of National Socialism in its desire to entirely negate the Jews. We have a duty to guard against the coming of such a theory or idea. Why? Because such an other closes us to the other; a future that closes the future. However, if, as Derrida says there is no ultimate way of judging between our responsibility for others, as “Every other (one) is every (bit) other,” whose calculation can we say is perverse, or the ‘worst’? Why are we responsible to victims rather than the perpetrators of atrocities if both are equally ‘other’? Who makes this decision and how can it be justified? Levinas suggests that our “being-in-the-world” our being-as-we-are, is only conceivable in relation to, and because of, the other. Thus the death of the other calls our very being into question. Ethics in this sense precedes ontology as our responsibility to the other precedes our own being. We may say then that our commitment is to those that accept the other as other, that allow the other to be. There is a danger though that this becomes foundational, treated as a grounding principle outside traditional modernist ethics on which we can build a new ‘theory of ethics’. This is not the value of Derridean and Levinasian thinking however. What makes their different ways of thinking the other interesting is not that they are absolutely right or ‘true,’ but rather that they take traditional ethical thinking to its limit. Whether or not a Jewish tradition is privileged over Greek, they remain within the bounds of Western metaphysics. Derrida’s “responsibility [to the Other] without limits,” does not escape this, establishing itself unproblematically as a ‘ground’ outside traditional thinking. Rather, his thinking of the ethical shows that we can think these things differently, while still accepting the exigency to prevent the ‘worst’.