# 1ac

### 1ac

**For those of you that don’t know – I am not Lee Quinn, Richard’s normal debate partner; and probably the better half of Wake MQ. Lee Quinn did not show up for the Fullerton Tournament. Richard kept waiting for him. He went around the Fullerton Tournament asking everyone to video tape their debates hoping to catch a glimpse of Lee Quinn. He ran around the tournament asking everyone to put him on the Speech Doc chain in hopes that the evidence presented in the debates would offer a glimpse of where Lee Quinn might be. You see, Lee Quinn is an enormous Alabama fan. His first words were “Roll Tide”. He says roll tide so much I live in L.A., heard of Richard’s problems and decided to come help him. just a few blocks from the USC campus.**

**I went digging and digging and asking and asking and eventually thought we should contacted the Senators from Alabama Jefferson Sessions and Richard Shelby. Both of them being Alabama Alums, they might care about a young brilliant mind going missing. They sent back the following letter:**

**Dear Connor McCabe,**

**Thank you for contacting us. Any time a fan of our beloved Alabama university goes missing, we get concerned. Although we cannot disclose all of the details, the Executive has revealed that Lee Quinn has committed the following crimes that force him to be indefinitely detained:**

**INCIDENT 1 – the FIRST ALABAMA LOSS – The Iron Bowl where Alabama got Burned**

* **After the first Alabama loss, where the kicker missed 3 field goals, Lee Quinn turned into a dangerous individual who needed to be detained. How do we know this:**
* **FIRST THE COMPANY HE WAS KEEPING: He was conspiring to kill as evidenced by the company he was keeping. At the afternoon in question, he was sitting with known criminal Jim Schultz who has in the past been associated with the following:**
	+ **He created a super-scientific plot to suspend time and put into into cubes.**
	+ **He set up a plot to get Ashtar to come to earth and steal all of our bodies,**
	+ **He has also said “DEATH TO ALL AUTHORS”**
	+ **He even said “don’t take collegiate policy debate so seriously” This was the worst of them all as debate is THE training ground for all great leaders. Karl Rove, Justice Antonine Scalia, and countless others who have represented our country so well as great leaders**
* **SECOND – His speech acts**
	+ **Lee Quinn was found making threatening Promises to kill all kickers. He first advocated for torture of the young co-ed for missing three field goals. The torture was extremely detailed and specific. He was first going to make him debate in the Policy Research League. The one that is actually a secret training ground for the CIA. They plan things secretly, super secretly. David Strauss is their funder and Aaron Hardy their leader. Don’t forget this whole league was inspired by our coach Jarrod Atchison in the famed Atchison and Panetta who say that personal politics don’t belong in debate, EVER! Making someone debate in the Policy research league might truly be tortuous. After debating in the Policy research league, the kicker was required to kick a can 300 times for every 30 yard field goal missed**.

#### Therefore, whereas, On Tuesday, the United States Federal Government will enable Senator Jefferson Sessions and Richard Shelby from the great state of Alabama to introduce a bill titled the FIND LEE ACT OF 2014, hereafter referred to as the FLA, declaring that:

The President of the United states will no longer have the authority to indefinitely detain Alabama fans.  This legislation requires that any Alabama fan can only be detained for 24 hours after an Alabama loss.  The enforcement is carried out through a new court called the Robin Court.  This court will be round and only allow for discussion of policy questions, not questions of personal affirmation or social injustice.  The judge of this court will be Nate Cohn.  Anyone who aims to make a joke or have fun in this court will be sent to a separate court – it is called the “Secret POOP rediculosity law-enforcement group” otherwise known as the Policy Research League (henceforth referred to as the PRL).  This separate court will be secret so that no details are shared and no information is given out.  It will be modeled after a FISA court.  Information will be processed extremely quickly; the accused will not have an opportunity to respond.

#### Plank One – Definition of Terms

#### Whereas, this aforementioned body recognizes the strong possibility for confusion, terms utilized of importance shall be clearly defined.

#### (A.)                        Restrictions of a statutory nature, which utilized hereinafter will refer to mean of the language that restricts the President's powers of nomination and appointment to those individuals meeting specific criteria

#### (B.)                        Restrictions of a judicial nature, hereafter specified as “j-stricts” towards all relevant and post-aforementioned parties, shall be researched by a congressional committee composed of no less than 5 no more than 10 dudes with rights reserved to call more should conditions warrant. All J-stricts will be compelled under section 31 b of the FLA.

#### (C.)        War powers of the executive shall be recognized by this body as in reference to the presidents national defense power and exclude all previous and future definitions challenged by any Dutch nationals.

#### (D.)                       Armed Forces shall refer to subsection 10 chapter 101 of U.S. National Code including but not limited to the Army, Navy, Air Force, Marine Corps, and Coast Guard but excluding a NFU agreement because that shit is obviously not topical

#### Plank Two – Logistics

**Logistical implementation must contain the following no later than 50 days following passage of FLA,**

**(A.)         On a semiannual basis, the Attorney General shall fully inform the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate concerning all requests for the production of tangible things under this section. The Committee will mandate independent review by one Aaron Hardy to ensure all plans are topical and all unreasonable argumentation is sent to LD. To ensure effective advocacy skills, the Committee should consult on an informal basis Francisco Bencosme, a successful Wake Debate alum, to utilize the portable decision making skills he acquired from his years of policy debate experience to convince the Democrat senators to support the FIND LEE ACT .**

**(B.)         Any provision of this Act held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed so as to give it the maximum effect permitted by law, unless such holding shall be one of utter invalidity or unenforceability, in which event such provision shall be deemed severable from this Act and shall not affect the remainder thereof or the application of such provision to other persons not similarly situated or to other, dissimilar circumstances or cat meems.**

#### (C.)         In any judicial review of a determination made under this section, if the determination was based on classified information (as defined in section 1(a) of the Classified Information Procedures Act) such information may be submitted to the reviewing court ex parte and in camera. This subsection does not confer or imply any right to judicial review.

**(D.)         This section shall be construed as superseding or otherwise restricting any other authority granted to the Secretary, or to any other agency, by this subchapter or otherwise.**

**(F.)         These actions shall be taken in conjunction with the following legislative and non legislative mechanisms;**

**1)       ConCon**

**2)       National Referendum**

**3)       Binding national referendum**

**4)       Sham election**

**5)       Congressional passage/veto/override**

**6)       Supreme Court rules 9-0 it’s constitutional**

**7)       International treaty**

**8)       International treaty that we fiat congress won’t break**

**9)       Memorandum of understanding**

**10)     Privileged resolution**

**11)     Presidential decision**

**12)     Presidential indecision**

**14)     Intra-agency agreement**

**15)     Horse trading**

**16)     Olive branching**

**17)     Arm twisting**

**18)     Least restrictive means**

**19)     Most restrictive means**

**20)     Normal means**

**21)     Post normal means**

**22)     Abnormal means**

**23)     Future unanticipatable form of governmentality**

**Plank Three – Mandates**

**Whereas this body recognizes that Richard wanted to include a bunch of weird Alabama football jokes that I don’t understand, we authorize congress to double reemphasize paragraph subsection (D) of the previous section because the plan is the focus of the debate and basis for all ground. Additionally, the prior use of mandates shall be redacted on the grounds that there are too many dudes here already.**  **And this body will recognize that Jacob Thompson, director of debate at the University of Nevada Las Vegas, will ensure that there are no grammatical and/or spelling and/or legislative mistakes in the written legislation. This ensures that implementation proceeds as intended and ban nuclear war.**

**We reserve the right to clarify intent and arbitrarily specify further.**

# 2ac

## Case

## At kerr – debate key

#### investigating mythos as a hidden ‘specter’ of society is an ethical imperative

MacDonald, 1999

(Department of Political Studies, Queens University, 1999, Eleanor Science & Society 63.2 )

This deconstructive maneuver is paralleled by another, that of word "play." Spectres of Marx is, according to Derrida, a "hauntology" (Derrida, 1994, 51 and passim). (In fact, "hauntology" might well be considered to be another term for deconstruction - the study of what haunts, of what is both present and not present, of power that remains masked, or hidden, or thought to be dead while still potent, of the legacy of previous texts which remain buried within whatever one reads.) In another play on words, the "logic of spectrality" is "insepa- rable from the motif of deconstruction" (Derrida, 1994, 178). Derrida makes use of the variety of meanings available in the word "spectral" - that "spectral" can refer both to spectrum (what is neither/nor, nor both) as well as specters, and that spectrums (visual spectra) are the result of wave frequencies, which themselves cannot be seen, but are the condition for our sight. / The specter, as the name indicates, is the frequency of a certain visibility. But the visibility of the invisible. And visibility, by its essence is not seen, which is why it remains epikdna tes ousias, beyond the phenomenon or beyond being. The specter is also, among other things, what one imagines, what one thinks one sees and which one projects - on an imaginary screen where there is nothing to see. Not even the screen sometimes, and a screen always has, at bottom, in the bottom or background that it is, a structure of disappearing apparition. (Derrida, 1994, 100-1.) "Esprit" is another particularly rich word, evoking not only spirit or ghost, but also "mind, sense, wit, intelligence, talent, soul, and mean- ing." The wordplay continues: phantoms are phantasmagoric; appa- ritions both appear and are not apparent; "revenants" come back: "reviennent" but in the future, "avenir" The effect of all of this word "play," its apparent frivolousness, is anything but - it is precisely (justement, justly) Derrida's intention that we should have cause to question the meanings (esprits) that are intended in every sentence, in every phrase, that we should come to suspend our judgment, in- cluding the judgment of whether something is serious or frivolous, intentional or an accident of translation. To those who charge his approach as destructive, rather than deconstructive, as frivolous or irresponsible, rather than ethically charged, Derrida responds. . .it is not a taste for the void or for destruction that leads anyone to recog- nize the right of this necessity to "empty out" increasingly and to deconstruct the philosophical responses that consist in totalizing, in filling in the space of the question or in denying its possibility, in fleeing from the very thing it will have allowed one to glimpse**. On the contrary, it is a matter there of an ethical and political imperative, an appeal as unconditional as the appeal of thinking from which it is not separated.** (Derrida, 1994, 30.)

## at: obama circumvents

#### No circumvention- congress and the president just signed off on transfers

ACLU 10/20 (Senate Eases Transfer Restrictions for Guantánamo Detainees <https://www.aclu.org/national-security/senate-eases-transfer-restrictions-guantanamo-detainees>)

WASHINGTON – The Senate late last night passed the National Defense Authorization Act for fiscal year 2014, which will ease transfer restrictions for detainees currently held at the military detention camp at Guantánamo Bay, Cuba, most of whom have been held without charge or trial for over a decade. The bill, which passed the House of Representatives last week, cleared the Senate by a vote of 84-15. The improved transfer provisions were sponsored by Senate Armed Services Committee Chairman Carl Levin and were strongly supported by the White House and the Defense Department. "This is a big step forward for meeting the goal of closing Guantánamo and ending indefinite detention. For the first time ever, Congress is making it easier, rather than harder, for the Defense Department to close Guantánamo – and this win only happened because the White House and Defense Secretary worked hand in hand with the leadership of the congressional committees," said Christopher Anders, senior legislative counsel at the ACLU’s Washington Legislative Office. "After years of a blame-game between Congress and the White House, both worked together to clear away obstacles to transferring out of Guantánamo the vast majority of detainees who have never been charged with a crime." The current population at Guantánamo stands at 158 detainees, approximately half of whom were cleared for transfer to their home or third-party countries by U.S. national security officials four years ago. Also, periodic review boards have recently started reviews of detainees who have not been charged with a crime and had not been cleared in the earlier reviews. While the legislation eases the transfer restrictions for sending detainees to countries abroad, it continues to prohibit the transfer of detainees to the United States for any reason, including for trial or medical emergencies. "There has been a sea change on the Guantánamo issue, both in Congress and at the White House. With the president’s renewed commitment to closing it, and the support of Congress, there now is reason to hope that the job of closing Guantánamo and ending indefinite detention can get done before the president leaves office," said Anders. "As big as this win is, there is more work left to be done. The Defense Department has to use the new transfer provisions to step up transfers out of Guantánamo, and Congress needs to remove the remaining ban on using federal criminal courts to try detainees."

#### Clear statement requirement solves- no circumvention

Landau 9 (Joseph, Associate-in-Law, Columbia Law School. MUSCULAR PROCEDURE: CONDITIONAL DEFERENCE IN THE EXECUTIVE DETENTION CASES Washington Law Review Vol. 84:661, 2009)

The executive detention cases of the past several years have prompted renewed debate over the proper scope of judicial deference to the executive branch’s claimed need to limit individual liberties during times of crisis. Some theorists argue that courts should resolve large policy questions raised by individual challenges to assertions of executive power.1 Others believe that courts should decide as little as possible, asking only whether executive action is grounded within statutory authority.2 However, a number of the post-9/11 national security decisions have accomplished a great deal without following either approach. In these cases, the Supreme Court and a number of lower courts have put procedural devices to surprisingly “muscular” uses. The decisions illustrate a rare but critical assertion of procedural law where the political branches fail to legislate or properly implement substantive law. This is “muscular procedure”—the invocation of a procedural rule to condition deference on coordinate branch integrity. The cases provide a framework for understanding the role of judicial review in the post-9/11 executive detention decisions, with implications for other fields of law as well.3 Many commentators have criticized the Supreme Court’s executive detention decisions as “merely” procedural rulings, pointing out that the Court has generally addressed itself to questions about adjective law or the ground rules of litigation: whether the Court has jurisdiction; whether detainees can access the courts; and whether the government is required to provide discovery, and if so, how much.4 Far fewer decisions have resolved substantive questions such as the scope of executive power and the content of individual liberty—that is, whom the Executive can hold and for how long, and the specific constitutional protections that apply. But regardless of whether a particular decision turns on “process” or “substance”—an age-old distinction that resists clear definition5—courts have affected the law of national security in profound ways by explicitly requiring the political branches to adhere to a judicially imposed standard of transparency and deliberation. In individual cases, rulings about seemingly mundane procedural issues such as discovery and evidentiary standards have accelerated the release of enemy combatant detainees

who were held at Guantánamo Bay years after being cleared of any wrongdoing.6 More broadly, procedural devices have been used to smoke out and put in check Congress’s lack of oversight of the executive branch and its misguided interpretations and implementation of authorizing legislation.7 In a number of these cases, courts have resolved the merits of an enemy combatant8 challenge by scrutinizing the Executive’s adherence \ to baseline procedural safeguards—rejecting determinations based on absolute secrecy, innuendo, tentativeness, or multiple levels of hearsay, while affirming executive branch decisions satisfying minimal standards of reliability.9 In the process, the judiciary has rebuffed the President’s extreme interpretations of vague authorizing legislation,10 reexamined inadequately reasoned decisions by various arms of the executive branch in implementing a congressional delegation,11 and stimulated legislative action where Congress has failed to oversee executive decision-making through the legislative process.12 Throughout these decisions, procedure functions as a corrective to decision-making by one (or both) of the political branches that, if left undisturbed, would violate a judicially imposed standard requiring lucid, intelligible procedures.

## A2 the cult k

#### focus on minutia disrupts the immersive benefits of the aff

**Green et al 6** - Melanie C. Green (PhD, Ohio State University) is an assistant professor at the University of Pennsylvania. 2 Timothy C. Brock (PhD, Yale University) is a professor is a graduate student at Ohio State University 3 Geoff Kaufman (PhD, Yale University) is a professor is a graduate student at Ohio State University (“Understanding Media Enjoyment: The Role of Transportation Into Narrative Worlds” Communication Theory Volume 14, Issue 4, Article first published online: 10 JAN 2006 )

 Situational Influences on TransportationBased Enjoyment Factors external to media may also influence transportation and, correspondingly, enjoyment. Circumstances that prevent readers from being fully immersed in a narrative world reduce media enjoyment. A crying baby in a movie theater, distracting noise when one is attempting to read, or other stimuli that attract attention to the real world rather than the media world make transportation difficult or impossible**. Experimentally instructing readers to focus on surface aspects of a narrative, such as grammar and sentence structure, can reduce transportation relative to a baseline** (Green & Brock, 2000). Individuals were still able to understand the story content, but did not report the same type of engagement as individuals who did not have this proofreading goal. Manipulations that reliably increase transportation without altering the target narratives have proved more elusive. It is possible that manipulations that encourage empathy or openness could increase the likelihood of narrative immersion, however. Individuals may also seek out transportation opportunities to avoid boredom, unpleasant tasks, or even interaction with others (e.g., Lull, 1990). For example, an otherwise-mediocre novel or movie may seem engaging when one is trapped on an airplane with nothing better to do. The influence of aversive surroundings on experienced transportation and enjoyment remains to be tested empirically.

# Da

#### No disads- Congress removed transfer restrictions for detainees- the last step is setting up habeas infrastructure

ACLU 10/20 (Senate Eases Transfer Restrictions for Guantánamo Detainees <https://www.aclu.org/national-security/senate-eases-transfer-restrictions-guantanamo-detainees>)

WASHINGTON – The Senate late last night passed the National Defense Authorization Act for fiscal year 2014, which will ease transfer restrictions for detainees currently held at the military detention camp at Guantánamo Bay, Cuba, most of whom have been held without charge or trial for over a decade. The bill, which passed the House of Representatives last week, cleared the Senate by a vote of 84-15. The improved transfer provisions were sponsored by Senate Armed Services Committee Chairman Carl Levin and were strongly supported by the White House and the Defense Department. "This is a big step forward for meeting the goal of closing Guantánamo and ending indefinite detention. For the first time ever, Congress is making it easier, rather than harder, for the Defense Department to close Guantánamo – and this win only happened because the White House and Defense Secretary worked hand in hand with the leadership of the congressional committees," said Christopher Anders, senior legislative counsel at the ACLU’s Washington Legislative Office. "After years of a blame-game between Congress and the White House, both worked together to clear away obstacles to transferring out of Guantánamo the vast majority of detainees who have never been charged with a crime." The current population at Guantánamo stands at 158 detainees, approximately half of whom were cleared for transfer to their home or third-party countries by U.S. national security officials four years ago. Also, periodic review boards have recently started reviews of detainees who have not been charged with a crime and had not been cleared in the earlier reviews. While the legislation eases the transfer restrictions for sending detainees to countries abroad, it continues to prohibit the transfer of detainees to the United States for any reason, including for trial or medical emergencies. "There has been a sea change on the Guantánamo issue, both in Congress and at the White House. With the president’s renewed commitment to closing it, and the support of Congress, there now is reason to hope that the job of closing Guantánamo and ending indefinite detention can get done before the president leaves office," said Anders. "As big as this win is, there is more work left to be done. The Defense Department has to use the new transfer provisions to step up transfers out of Guantánamo, and Congress needs to remove the remaining ban on using federal criminal courts to try detainees."

#### Drones are locked in

**Ratnesar 5-23**-13 [Romesh Ratnesar is deputy editor of Bloomberg Businessweek and a Bernard L. Schwartz Fellow at the New America Foundation, “Five Reasons Why Drones Are Here to Stay,” <http://www.businessweek.com/articles/2013-05-23/five-reasons-why-drones-are-here-to-stay>]

In his much-lauded speech on counterterrorism at the National Defense University, President Obama sought to draw limits on U.S. use of unmanned aerial vehicles, or drones, to target terrorists. The administration has announced plans to shift responsibility for the drone program from the CIA to the Pentagon and require that drones be used only against those who pose an imminent threat to the country. In his speech, Obama signaled an openness to the creation of a special court that would oversee future drone operations. He suggested that the number of drone strikes will drop in the “Afghan war theater”—which includes the tribal areas of Pakistan, where the vast majority of strikes have taken place (as illustrated in this comprehensive map by my colleagues at Bloomberg Businessweek.) According to Obama, the withdrawal of U.S. troops in 2014 and “the progress we have made against core al Qaeda will reduce the need for unmanned strikes.”¶ There’s some reason to believe, then, that the drone campaign will slow down considerably during Obama’s second term. But it’s far too soon to herald the end of the drone war. Fiscal constraints, strategic realities, and tactical considerations—some of which Obama highlighted during his speech—mean that drones will remain a central feature of U.S. counterterrorism policies for years to come. Here are five reasons why flying robots are here to stay:¶ 1. They’re Cheap. The U.S. has around 8,000 drones in its arsenal, most of which are used for surveillance and spying. That amounts to around one-third of all military aircraft. Yet drones cost a small fraction of manned fighter jets, which still consume more than 90 percent of all Pentagon spending on air power. The most powerful drone currently used by the CIA and the military in anti-terrorist operations is the MQ-9 Reaper; it costs around $12 million per drone. A conservative estimate of the cost of an F-22, the Air Force’s most advanced war plane, is 10 times that amount. An analysis by the American Security Project concluded that, even after accounting for the dozens of personnel needed to operate drones, plus their crash rate, “the drones most widely used in U.S. operations have a slight cost advantage over fighter jets.”¶ 2. They Work. As Obama said at NDU, “dozens of highly skilled al Qaeda commanders, trainers, bomb makers, and operatives have been taken off the battlefield” by drones. Estimates of the numbers killed by U.S. drone strikes vary; according to the Bureau of Investigative Journalism, the strikes have killed 3,136 people, including 555 civilians. Though tragic, the ratio of civilian deaths caused by drones—about 17 percent—compares favorably with alternative forms of warfare. In conventional military conflicts, civilian deaths typically account for anywhere between 30 percent and 80 percent of all fatalities. By those standards, U.S. drones strikes have been remarkably precise—and their accuracy has improved with time. According to the New America Foundation, in the 48 drones strikes conducted in Pakistan last year, fewer than 2 percent of those killed were civilians.¶ 3. They’re Necessary. Despite their comparatively low cost and relative accuracy, killing terrorists from the sky is still less desirable than capturing them on the ground. The trouble is that al-Qaeda continues to thrive in places where government institutions and security forces are weak, embattled—or, in the case of Syria, just as unappealing as the extremists. As upheaval continues to spread across the greater Middle East, the U.S. will have even fewer local allies to count on. But after almost 12 years of bloody counterinsurgency in Afghanistan and Iraq, neither the president nor the Pentagon have any desire to send U.S. troops into such seething, jihadist-infested hotspots as Yemen, Mali, or Syria. In badlands like these, drones will continue to be the least worst option.¶ 4. They’re Popular. What was perhaps most curious about Obama’s drones speech was that it was politically unnecessary. A poll taken in February found that 56 percent of Americans support drone attacks against suspected terrorists. The consensus cuts across party lines: The policy is backed by 68 percent of Republicans, 58 percent of Democrats and 50 percent of independents. The fact that drones are already being used less often—there have been 25 lethal strikes through the first five months of 2013, compared to 114 in all of 2012—coupled with their improved precision, means that public support is likely to remain strong. 5. They’re Spreading. Americans like to think they enjoy a monopoly on drone technology. They don’t. According to the Brookings Institution’s P.W. Singer, a leading authority on drones, at least 75 militaries around the world have used drones, and more than two dozen possess versions that “are armed or of a model that has been armed in the past.” The global market for drones, including those used for civilian purposes, is expected to grow massively in coming decades. It’s almost certain that states other than the U.S. will attempt to carry out lethal drone attacks against their enemies. For that reason, Obama should take the lead in establishing an international protocol governing the acceptable use of drones. Convincing other countries to sign on to such a convention might require the U.S. to further curtail its drone use. But don’t expect to get rid of them altogether.

#### But, if use increases, public backlash checks

**Zapfe and Mahadevan ’13** [Martin Zapfe, PhD in Political Science from the Center of Excellence at the University of Constance, Germany, is head of the Global Security Team at the Center for Security Studies (CSS), Prem Mahadevan is a senior researcher with the Global Security Team at the Center for Security Studies (CSS) and holds a doctoral degree in Intelligence Studies, “DESCENDING DRONES?” July, <http://www.css.ethz.ch/publications/pdfs/CSS-Analysis-137-EN.pdf>]

The first reason why the number of drone ¶ strikes is likely to decline in the future is ¶ that the US government’s leeway within ¶ the domestic US political system is diminishing. Since the 11 September 2001 ¶ attacks, the White House has enjoyed an ¶ unprecedented degree of latitude in counterterrorism, unfettered by parliamentary ¶ and societal control. After 12 years of relative quiet on the “home front”, this scope is ¶ gradually shrinking. For a US president, and especially for ¶ Barack Obama, the domestic legitimacy of ¶ the drone missions is decisive. In this respect, however, US public opinion is divided. According to a Gallup survey in March ¶ 2013, 65 per cent of US respondents support the targeted assassination of foreign ¶ terrorism suspects overseas. However, only ¶ 41 per cent support the killing of US citizens overseas. Outside of security policy circles, therefore, domestic criticism of US policy is not primarily voiced against missions ¶ against foreign terrorism suspects, but ¶ against the relatively special case of the ¶ targeted assassination of US citizen Anwar al-Awlaki in September 2011 in Yemen. ¶ However, this question touches upon matters of state policy regarding democratic ¶ oversight, and is thus increasingly affecting ¶ the acceptance of drones in general.

#### stability

Botz Bornstein in 09 **(Dr. Thorsten Botz-Bornstein** Assistant Professor of Philosophy, Tuskegee University, If Barbey d’Aurevilly Had Known About Virtual Reality: Dandyism Revisited, International Journal of Baudrillard Studies, January 2009)

Philosophically, dandyism cannot be pinned down to a stable attitude or some other objective characteristics except, perhaps, that of mockery and provocation. Virginia Woolf wrote about Brummell: “That was his style, flickering, sneering, hovering on the verge of insolence, skimming the edge of nonsense” (Woolf 1930:4), and Barbey summed up the essence of dandyism thus: “If he wants to, a dandy can spend ten hours making his toilet; but once it is done he forgets about it” (Barbey d’Aurevilly, 1889:311, n.22). In principle, the dandy is interested neither in truth nor in reality but in those things that are *new*: “I hate normality so much that I find truth boring and disgusting,” said Barbey (cited in De Liederkerke, 1986:3). The dandy is disgusted because he knows life too well. Curiously, this gives him a certain amount of piece of mind: “The piece of mind of dandyism is the pose of a spirit which needs to have come across many ideas and which is too disgusted to get animated,” said Barbey (Barbey d’Aurevilly, 1889:309, n.11). The dandy displays a peculiar spiritual attitude that includes disinterest and quiety but also a large amount of anarchic protest.¶ Dandyism’s intrinsic anarchic component requires the constant reinstatement of a paradoxical situation: in order to be constantly new, dandyism cannot be allowed to be simply “itself” but has to be established through a constant difference from itself. When Brummell died, William Pill Lennox wrote: “He was anything but a dandy. The term “dandyism” never could be applied with justice to him; it would be a profanation to couple his name with such an offensive distinction” (Melville, 1924:46).¶ In general, it is the French dandy who misunderstands dandyism and interprets it rather as a project of simulation. Thackeray noted that the French dandy “has a wondrous respect for English “gentlemen-sportsmen”; he imitates their clubs, their love of horse-flesh, he calls his *palefrenier* a groom, and wears blue bird’s-eye neck-cloths” (Thackeray, 1840:101). Apart from Barbey, only Baudelaire sticks out as a *real* French dandy when he claims (in a letter of March 5, 1866) that “I like those things that one never sees twice” (Baudelaire, 1946:304). Baudelaire understood dandyism in the first place as “an institution beyond laws [which] has strict laws to which all subjects are submitted” (Baudelaire, 1889a:84). Sartre described Baudelaire’s dandyism as the “the fundamental impossibility to take itself seriously” (1947:94) and put forward that Baudelaire “is neither entirely there, nor entirely visible, he lingers suspended between nothingness and being” (*Ibid*.:200). In the end, Baudelaire’s dandy-like charm is founded on nothing more than on the consciousness of the player: ¶ This consciousness without rime and reason, which must first invent the laws to which it wants to obey – utility looses here all its meaning; life is not more than a game, and (one)SIC man has to chose his aim himself, without commandment, without notice, without advice. And once he is aware of this truth, that there is no other end to this life than the one he has deliberately given himself, he does not really want to look for any further truth. Life, writes Baudelaire, has only one true charm: the charm of play. According to Sartre, “Baudelaire neither can nor wants to live *being* or *existence*” up to the end (1947:90) because his existence is “retained, fugitive and similar to a scent” (*Ibid*.:204).¶ In imposing (one)SIC his own style on the way (one)SIC he “follows” rules, the dandy follows and does not follow. On the one hand he follows the rules perfectly (so perfectly that his act of rule-following becomes a parody or a mockery). On the other hand, through his style of following rules he makes clear his disdain for the rules of decadent aristocracy as well as for the bourgeois world of money. The dandy could never refuse a high military honor but, according to Jacques Boulenger, his style of receiving it comes close to mockery: “With what haughty contempt, for example, could [the dandy] accept the grade of officer in one of the first regiments of the army, a grade that any other boor of his birth and his age would have considered a dream” (Boulenger, 1907:7). ¶ Since the dandy neither follows nor rejects rules but does not suggest alternative rules either (dandyism itself has no rules), the dandy leads his life in an unreal sphere of non-rule. This sphere is opposed to both the careerist’s reality and the snob’s universe of simulation and dissimulation. Since the dandy does not, like the careerist, acknowledge reality as a binding factor, nor simulate, like the snob, an imaginary reality, the dandy must be considered as a “virtual” person.¶ In the nineteenth century, modernity is invaded by two characters: the careerist and the snob: “Snobism consists thus in accepting only those who submit to the rites of integration” noted Jean d’Ormesson (1963:450). Confining the premodern aristocrat to a less important role, the careerist and the snob monopolize a large part of the modern cultural environment. Dandyism arises as a curious alternative concept of life that manages to survive within the triangle formed by careerist, snobbish, and aristocratic lifestyles.¶ First, careerism, snobbism, and dandyism are each based on different conceptions of reality. The careerist takes reality for granted. He is a realist who does not question existing structures but only his(one’s)SIC own place within these structures. His logic is what Baudrillard has called a “class logic” which recognizes the democratic “welfare through objects and deeds” (*salut par les objects et les oeuvres*) (Baudrillard, 1970:78). as the only principle of social success. The careerist considers the *aristocratic* welfare that is dependent on election and grace as decadent.¶ The careerist’s opponent, the snob, is, in fact, not so different from the careerist. What distinguishes (the snob) sic him from the careerist is that he aspires to link aristocratic attributes to his otherwise thoroughly careerist profile. He(one)SIC advances this project by deliberately integrating elements of “non-realist” imagination into the real world in which he is living. In the end, however, this approach turns out to be fatal. Creating an imaginary universe of what he they (SIC) *would like* to be, the snob ends up confounding shadows and appearances with reality. ¶ Though the careerist and the snob hate each other for understandable reasons, they still do share another very essential characteristic: both suffer from a tragic sense of life in which – finally – certain rules cannot be transgressed, neither through work nor through imagination. The careerist decides to remain in the dark Platonic cavern, being happy to occupy a higher position within its limited space. At times he might take the relativistic stance that the deceptive darkness of the cavern is as real as “outside” reality. However, deep down he knows that this is not true. ¶ Likewise, the snob remains in the cavern but he does not cease sympathizing with the shadows that are passing by the window. Both the careerist and the snob suffer from their own insufficiency because they are unable to fully reach what they consider to be the highest form of “reality,”

which is that of aristocratic “election and grace.” In this sense, the lives of both are marked by a tragic loss. ¶ The dandy lives, materially speaking, in conditions similar to those of the careerist and the snob because also he is a parvenu and in no way established in society. However, the dandy finds an extremely original way of dealing with his initially underdeveloped social status, managing to escape both the careerist’s realism and the snob’s fabulationism. His the dandy (Sic) position can be resumed like this: he the dandy (sic) willingly acknowledges that he the dandy (sic) will never reach the cultural world of election and grace, be it real or imagined but at the same time – and to the annoyance of the snob –they (SIC) he *constantly is already there*, in the space of the aristocracy *as if* he were an aristocrat himself. The point is that he gains a “real” existence *only* through the “as if.” ¶ The snob also produces many “as ifs,” but he wants them to be real in the way of a careerist project. For the dandy there is *only* the “as if” which represents the ground of his precarious reality. To the dandy, who abandons all ethical questions about reality and illusion and attempts to function solely within a situated reality, Plato’s timeless and imperceptible reality no longer matters. This does not mean that he has become realistic in Plato’s sense. The dandy is convinced that ideas of a “reality out there” and “ideas in there” should be neither accepted nor inverted but simply abandoned. The dandy’s reality is one of perfect simulation.¶ Underlying the dandyist paradox is a certain attitude towards rules. The dandy suffers much less from rules than the careerist and the snob whose life turns into a tragedy almost every time a rule is mentioned. The dandy’s life, on the other hand, *cannot* be tragic because he has decided that rules do not matter. Not that he would have decided to break them; they simply do not matter. In a paradoxical way, the dandy makes fun of rules by respecting them or, as Lister’s dandy Trebeck puts it, “I laugh at them while I laugh with them” (Lister, 1826:198). Barbey explains that the dandy “suffers from the rule and he takes revenge by tolerating it. He refers to the rule and at the same time he escapes it. He masters the rule and is at the same time mastered by the rule” (Barbey d’Aurevilly,1889:16).¶ The dandy combines the careerist’s pragmatism with the snob’s imagination in order to create a precarious form of reality that, being founded on nothing other than itself, constantly negates itself through its own scandalous procedures. Wearing fashionable clothes he obtains also a high degree of individuality; but because he wears these clothes like a uniform he also melts into the group.

# FW

#### restriction means a limit or qualification, and includes conditions on action

CAA 8,COURT OF APPEALS OF ARIZONA, DIVISION ONE, DEPARTMENT A, STATE OF ARIZONA, Appellee, v. JEREMY RAY WAGNER, Appellant., 2008 Ariz. App. Unpub. LEXIS 613

P10 The term "restriction" is not defined by the Legislature for the purposes of the DUI statutes. See generally A.R.S. § 28-1301 (2004) (providing the "[d]efinitions" section of the DUI statutes). In the absence of a statutory definition of a term, we look to ordinary dictionary definitions and do not construe the word as being a term of art. Lee v. State, 215 Ariz. 540, 544, ¶ 15, 161 P.3d 583, 587 (App. 2007) ("When a statutory term is not explicitly defined, we assume, unless otherwise stated, that the Legislature intended to accord the word its natural and obvious meaning, which may be discerned from its dictionary definition.").

P11 The dictionary definition of "restriction" is "[a] limitation or qualification." Black's Law Dictionary 1341 (8th ed. 1999). In fact, "limited" and "restricted" are considered synonyms. See Webster's II New Collegiate Dictionary 946 (2001). Under these commonly accepted definitions, Wagner's driving privileges were "restrict[ed]" when they were "limited" by the ignition interlock requirement. Wagner was not only [\*7] statutorily required to install an ignition interlock device on all of the vehicles he operated, A.R.S. § 28-1461(A)(1)(b), but he was also prohibited from driving any vehicle that was not equipped with such a device, regardless whether he owned the vehicle or was under the influence of intoxicants, A.R.S. § 28-1464(H). These limitations constituted a restriction on Wagner's privilege to drive, for he was unable to drive in circumstances which were otherwise available to the general driving population. Thus, the rules of statutory construction dictate that the term "restriction" includes the ignition interlock device limitation.

#### Resolve is steadfastedness to think- the resolution should be affirmed as a thought experiment

Pezze ‘6 (Barbara, PhD Philosophy at Honk Kong U, “Heidegger on Gelassenheit”, Minerva, vol .10, http://www.ul.ie/~philos/vol10/Heidegger.html)

Let us pause for a moment to consider a possible misunderstanding. It could appear, from what we have been saying, that Gelassenheit “floats in the realm of unreality and so in nothingness, and, lacking all power of action, is a will-less letting in of everything and, basically, the denial of the will to live!” (1966a, p. 80). But this is not the case, for in the Gelassenheit we find something that recalls the “power of action,” but which is not a will. It is a “resolve” [Entschlossenheit] (ibid., p. 81), but not as an act of will that makes a decision and finds a solution to a problem or a situation. This “resolve,” as Heidegger himself suggests, must be thought as the one that is spoken of in Being and Time, that is, it is a “letting oneself be called forth” (1996, p. 283) to one’s ownmost possibility of being. “Resoluteness” — as Entschlossenheit is translated in Being and Time — is “authentic being a self” (1996, p. 274). It is quite difficult to think a resolve that is not a matter of will that moves to an action; we tend, in fact, to consider resoluteness as a strong determination to attain something. As we read in Heidegger’s Introduction To Metaphysics (2000), the essence of the resolve, as he intends it, is not an intention to act; it is not a ‘gathering of energy’ to be released into action. Resolve is the beginning, the inceptual beginning of any action moved. Here acting is not be taken as an action undertaken by Dasein in being resolute. Rather, acting refers to the existential and fundamental mode of being of Dasein, which is to be “care,” and which is the “primordial” being of Dasein. Resoluteness, in its essence, is the remaining open of Dasein for be-ing. In the context of the Conversation, this resolve should thus be understood as “the opening of man particularly undertaken by him for openness…” [als das eigens übernommene Sichöffnen des Daseins für das Offene…] (Heidegger 1966a, p. 81). It is a resolve to remain open to be-ing, and therefore to what is ownmost to man’s nature, which is disclosed in relation to be-ing. This resolve is what Heidegger, in the Conversation, indicates as “releasement to that-which-regions,” the resolve to release oneself to that-which-regions, to remain open towards the openness itself. Now, there is another element that pertains to Gelassenheit: there is, in fact, not only a resolve, but also a “steadfastness” [Ausdauer] (Heidegger 1966a, p.81) proper to Gelassenheit. Thinking, becoming more and more aware of its nature, and experiencing more clarity about it, remains firm and resolute. Thinking “stands within” and “rests” in this “composed steadfastness” (ibid., p. 81]). The “steadfastness” proper to Gelassenheit would be behavior which did not become a swaggering comportment, but which collected itself into and remained always the composure of releasement [Verhaltenheit der Gelassenheit]. (Heidegger 1966a, p. 81)

#### [SHOULD]

#### should means to suggest potentiality

**Dilip 11**, Aron Dilip (Contributing Editor – India) – Professor in Social Science Difference Between Should and Must Mar 17th, 2011 http://www.differencebetween.com/difference-between-should-and-vs-must/#ixzz1yLDjLmkx BK

Should and Must are two modal auxiliary verbs in English language that should be used correctly and with difference. Both the verbs differ in their forms and their meanings as well. The verb ‘must’ is generally used expressive of certainty as in the sentence ‘I must get up at five tomorrow.’ In this sentence the modal auxiliary verb ‘must’ is used expressive of certainty regarding getting up at five in the morning. ‘Must’ is used to indicative of strong advice to oneself or to others as in the sentences: 1. I really must stop drinking alcohol. 2. You must be here by 9 o’clock at the latest. In both the sentences given above you will find that ‘must’ is used supportive of an advice or order. Sometimes ‘must’ is used in questions too. In such cases it seems to ask about the intentions of the person who is spoken to as in the sentences: 1. Must I write down everything? 2. Why must you read till late in the night this week? You seem to ask about the intentions of the person who is spoken to in both the sentences by the usage of the verb ‘must’. The modal auxiliary verb ‘should’ can be used as the past form of ‘shall’ as in the sentence ‘I said I should be in the temple before eleven.’ The verb ‘should’ sometimes is used after ‘if’ to suggest some sort of possibility or chance as in the sentence ‘If you should see Julie, give her my wishes.’ The meaning that you get from the sentence is that in case you meet her you convey my wishes to her. The verb ‘should’ is very frequently used to express obligation and duty as in the sentence ‘You should meet him today.’ Thus the two verbs are to be used with precision.

#### [SUBSTANTIALLY]

#### Substantially means to a large degree

**Words and Phrases, 2** (Words and Phrases Permanent Edition, “Substantially,” Volume 40B, p. 324-330 October 2002, Thomson West)

N.D.Ill. 2002. Under ADA, “substantially” in phrase substantially limits, means considerable, or to a large degree.

**descriptions are creative by nature—failure to embrace affective narration** spirals into nihilsm

Michel de **Certeau 84** – philosopher, founding member of “ École Freudienne de Paris” alongside Jacques Lacan ( “The Practice of Everyday Life” Translated by Steven Rendall UNIVERSITY OF CALIFORNIA PRESS )

 Marking out boundaries As operations on places, stories also play the everyday role of a mobile and magisterial tribunal in cases concerning their delimitation. As always, this role appears more clearly at the second degree, when it is made explicit and duplicated by juridical discourse. In the traditional language of court proceedings, magistrates formerly "visited the scene of the case at issue" ("se transportaient sur les lieux") (transports and juridical metaphors), in order to "hear" the contradictory statements (dits) made by the parties to a dispute concerning debatable boundaries. Their "interlocutory judgment," as it was called, was an "operation of marking out boundaries" (hornage). Written in a beautiful hand by the court clerk on parchments where the writing sometimes flowed into (or was inaugurated by?) drawings outlining the boundaries, **these interlocutory judgments were in sum nothing other than meta-stories**. They combined together (the work of a scribe collating variants) the opposing stories of the parties involved: "Mr. Mulatier declares that his grandfather planted this apple tree on the edge of his field.... Jeanpierre reminds us that Mr. Bouvet maintains a dungheap on a piece of land of which he is supposed to be the joint owner with his brother Andre...." Genealogies of places, legends about territories. Like a critical edition, the judge's narration reconciles these versions. The narration is "established" on the basis of "primary" stories (those of Mr. Mulatier, Jean-pierre, and so many others), stories that already have the function of spatial legislation since they determine rights and divide up lands by "acts" or discourses about actions (planting a tree, maintaining a dungheap, etc.). These "operations of marking out boundaries," consisting in narrative contracts and compilations of stories, are composed of fragments drawn from earlier stories and fitted together in makeshift fashion (bricoles). In this sense, they shed light on the formation of myths, since they also have the function of founding and articulating spaces. Preserved in the court records, they constitute an immense travel literature, that is, a literature concerned with actions organizing more or less extensive social cultural areas. But this literature itself represents only a tiny part (the part that is written about disputed points) of the oral narration that interminably labors to compose spaces, to verify, collate, and displace their frontiers. The ways of "conducting" a story offer, as Pierre Janet pointed Out, 16 a very rich field for the analysis of spatiality. Among the questions that depend on it, we should distinguish those that concern dimensions (extensionality), orientation (vectorality), affinity (homographies), etc. I shall stress only a few of its aspects that have to do with delimitation itself, the primary and literally "fundamental" question: it is the partition of space that structures it. Everything refers in fact to this differentiation which makes possible the isolation and interplay of distinct spaces. From the distinction that separates a subject from its exteriority to the distinctions that localize objects, from the home (constituted on the basis of the wall) to the journey (constituted on the basis of a geographical "elsewhere" or a cosmological "beyond"), from the functioning of the urban network to that of the rural landscape, there is no spatiality that is not organized by the determination of frontiers**. In this organization, the story plays a decisive role. It "describes," to be sure. But "every description is more than a fixation," it is "a culturally creative act."" It even has distributive power and performative force (it does what it says) when an ensemble of circumstances is brought together**. Then it founds spaces. Reciprocally, where stories are disappearing (or else are being reduced to museographical objects), there is a loss of space: deprived of narrations (as one sees it happen in both the city and the countryside), **the group or the individual regresses toward the disquieting, fatalistic experience of a formless, indistinct, and nocturnal totality**. By considering the role of stories in delimitation, one can see that the primary function is to authorize the establishment, displacement or transcendence of limits, and as a consequence, to set in opposition, within the closed field of discourse, two movements that intersect (setting and transgressing limits) in such a way as to make the story a sort of "crossword" decoding stencil (a dynamic partitioning of space) whose essential narrative figures seem to be the frontier and the bridge.

# 1ar

#### vote aff to embrace this opening even if you cannot conceive a body of thought external to logos. the sense of wonder found in embracing unknowable potentiality is crucial to break down opressive hierarchies

Susan **McManus 07** - Lecturer in Political Theory at Queens College (“Theorizing Utopian Agency: Two Steps Toward Utopian Techniques of the Self” Theory & Event. Baltimore: 2007. Vol. 10, Iss. 3;1 proquest )

 51. Jane Bennett, invoking wonder or enchantment, as a "mood with ethical potential," draws attention to the work of wonder within and between bodies at the ethical and collective levels, associating wonder with an openness and generosity that inculcates a mood of solidarity with self, other, and world. Wonder "cultivates a stance of presumptive generosity (i.e., of rendering oneself more open to the surprise of other selves and bodies and more willing and able to enter into productive assemblages with them)."108 This "collective" work of wonder in cultivating solidarities is given strength by its embodied ethical work. Bennett refers to the ethical palpability of wonder as a force of "ethical energetics": that which motivates and moves the subject, that which induces acts. She proposes that theorizing "ethical energetics" (such as enchantment or wonder) speaks to a sense of agency that has been neglected in two of the fields where it should be central: philosophy, on the one hand, and contemporary politics, on the other. In philosophy, ethics in the Kantian formulation neglect the embodied (the sensuous, hungering, desiring body) in favor of imperatives (codes of conduct, rules, principles). Bennett simply asks how those imperatives actually work to move that very desirous, hungering body to follow those rules. She proposes that principles do not in themselves contain the (affective) agency to make them effective. Thus, a motivating, embodied sensibility that is energizing, active, lively, creative is vital: if ethical engagement is to be transformed into ethical and political action "affects must be engaged, orchestrated, and libidinally bound to it."109 52. The lesson for contemporary politics? Practice wonder: as wonder works through bodies and minds, and between bodies, its affective maneuvers - surprise, openness, generosity - are vital in energizing and directing ethical agency in all its "layered intensity."110 This is a crucial counter-move within contemporary politics where we are taught daily by powerful media of dangers and threats, of poverty and suffering, and of strange and dangerous others, at the macro and micro levels that we should guard against. Drawing on her active theorization of ethics, Bennett takes an implicitly Blochian stance in response. For Bloch, we strive because we hunger, but our hunger is given direction by hope as "a directing act of a cognitive kind."111 And so for Bennett, "the ethical and political potential within suffering is more likely to be realized if one's attention to suffering is infused by or remixed with the en-couraging experience of wonder."112 Bennett's theorization of "ethical energetics" actively confounds ascetic and static responses to suffering based upon a closed world of no alternatives. 53. Irigaray's political theory and ethics of alterity further discloses palpable maneuvers of wonder. As she works to cultivate and sustain revolutionary consciousness, she also cultivates a shift away from the micro- and macro-level of possessiveness and appropriativeness.113 How does she do so, and what is the work of wonder therein? As Simone Roberts puts it, wonder "requires a redirecting of attitudes."114 Wonder makes possible a reflexive intervention and redirection in three places: in the conception of the relation between mind and body (or, how we know the world); in the conception of the relation between bodies; and finally, in a profoundly open conception of the future. 54. Wonder inflects the way the world is known most profoundly as it crosses over the sensible and transcendental realms. At work in a conceptual constellation that includes angels as well as mucosity, wonder demands that "both angel and body be found together."115 Irigaray argues that wonder disrupts and undermines some of the key oppositions that sustain master-slave relations, and thus the very possibility of relations of domination and possession. For what else have hierarchical oppositions such as spirit over flesh, god over nature, the divine over the carnal, the masculine over the feminine sustained but the privilege of the mind over the body, and of some bodies over other bodies? Wonder, Irigaray argues, on the contrary, "forges an alliance between the divine and the mortal" wherein the distinctiveness as well as the alterity of the other is apprehended without capture, and where the force of wonder is to maintain the open and potentially transformative space of the in-between.116 55. Wonder, then, casts doubt upon hierarchical ways of knowing the world and knowing the other. Irigaray refuses to contain wonder's epistemic-affect; and as she further develops and deploys a conception of wonder, she resolutely orients it away from hegemonic appropriation. As Roberts argues, "wonder requires an interval, difference; that which we appropriate to ourselves cannot participate in wonder as it is reduced to the same of the subject as an object for me."117 Irigaray thus privileges a sense of wonder that weaves a relational web incorporating those who are different wherein difference is affirmed. This means that wonder comes to be inscribed within relational forms of being and becoming wherein the other is no longer captured as that which can be possessed; for possession collapses the spaces of wonder, and sameness dissolves wonder. In a vital third move, then, Irigaray proposes that as we renegotiate and reinscribe the world through wonder, its "flowering keeps the future open."118 This affirmation of alterity is thus intrinsically connected with an affirmation of a future that we cannot yet conceptualize. The wisdom of wonder is bound up with a relation between self and other, self and world, and self and that which is not yet that privileges the new, the not yet, the as yet unbecome, possibility and potentiality itself: It is a question of making something exist, in the present and even more in the future. It is a matter of staging an encounter between the one and the other - which has not yet occurred, or for which we lacked words, gestures, thus the means of welcoming, celebrating, cultivating it in the future. Meeting with the other, the different, this has happened to us. We were surprised, touched, wonderstruck, called beyond or on this side of what we already were.119 56. Irigaray's reference to "staging" implies a degree of reflexivity whereby a subject's existent (overcoded, ideological) reactive responses to alterity are confronted, pulled up short. Instead of the subject acceding to a pre-existent script, or to reactive modes of judgment, she is rendered productively speechless. In this figuration of wonder, Irigaray confounds both the epistemic evisceration of wonder as well as its hegemonic articulation by cultivating instead the opening of a cognitive gap between the event or encounter and potential futures whereby the other is not identified with or claimed by the self, but rather the self is reoriented through her encounter. Thus, wonder, for Irigaray, is both non-appropriative and transformative: as wonder is welcomed by political subjects, those subjects are themselves changed, transformed, called beyond that which they are already. 57. I have been concerned here to delineate practices of wonder, as utopian techniques of the self, that can cultivate a utopian agency that refuses and counters exhaustion and blocked consciousness. Heeding Badiou's concerns that an ethics of alterity, that works by means of the maneuvers of wonder, may only reify or cultivate a hegemonic sameness, I explored the modern work of wonder as it inscribed positivist forms of knowledge as knowledge itself, and as wonder participated in figuring the world as that which can be possessed, appropriated. Rejecting these moves, I explored the potentiality that wonder holds for theorizing and embodying transformative knowledges and agency. 58. These political theorists of affective forms of agency speak to the formal maneuvers of wonder in ways that seek to (re)direct its affective and epistemological force toward openness to the other, and openness to a future transformed. This means that alterity and potentiality become the stuff of wonder; and our reaction toward alterity is given direction by wonder, precluding its appropriative grasp, and precluding its canceling by that which goes by the name of knowledge. The detail and texture of wonder's maneuvers in provoking different and other ways of responding to fear, uncertainty, and anxiety remain to be worked out in everyday life. Nevertheless, wonder remains a significant theoretical, affective and epistemological resource that creates and sustains ways of thinking, being, and becoming that encode and embody an affirmative resistance. Wonder, therefore, can be made to speak to a sense of ethical and political agency that is profoundly utopian. Despair and exhaustion, all too reasonable in our difficult times, can only capitulate and close down the horizon. While wonder alone is not sufficient for a politics of resistance, its vision and motivation are surely necessary. If we are to grasp different strata of possibilities within the complex of forces that compose our political present, we need a motivating sensibility, a relational ethos, and a wondrous sense of a world that itself, sometimes, transgresses its "rules."

**by rejecting conventional understandings of language, we break down a system of interpretive authority which causes international conflict**

Klaus **Krippendorff 90** - Professor of Communication at the Annenberg School for Communication, University of Pennsylvania (“Models and Metaphors of Communication” 1990 Departmental Papers (ASC) http://repository.upenn.edu/cgi/viewcontent.cgi?article=1283&context=asc\_papers ajones)

Let me start with communication is sharing. I am suggesting that this commonly cherished metaphor is a wolf in sheeps clothing. Considered as the foundation of intimacy, friendship, community, and social organization, communication is sharing invites, nourishes, and can hence not be separated from instituting an authority, an authority that is constitutively oppressive. As presented earlier, when messages are containers of entities that have an objective existence and belong to a single observer independent reality, contents of communication must therefore be the same for whoever puts them in and whoever takes them out and all those receiving the same message must also get the same content. Because sharing is so highly valued in society, the experience of disagreements or mismatches between intentions and receptions or among different interpretations of the same message often is upsetting. When such discrepancies are apparent, it turns out, we do not dismiss the sharing metaphor, rather, we find either the process of communication unreliable or the communicators incompetent, devious, or in error. I am suggesting that blaming the communicators evokes three normal responses, all of them basically inhumane. Firstly, differences may be dismissed as errors, pathological, devious misconduct or mere entertainment. We dismiss them as errors when we can trace differences to inabilities, accidents or involuntary happenings. We dismiss them as pathological when we can explain them in terms of unfortunate conditions like that of schizophrenics who cannot help but express themselves in characteristically deviant ways. We dismiss them as devious misconduct when we have reasons to believe ulterior motives account for them, like the calculated ambiguities in political election campaigns or simply lies. Finally we dismiss them as entertaining curiousity when we can discount their reality, like the paradoxes that amused logicians for two thousand years until Whitehead and Russel's theory of logical types ruled them completely out of existence and meaningless. Note that all of these dismissals presuppose and are entirely based on assuming the authority to do so. Those who can dismiss what others get from their messages must be free of errors themselves else the errors others make would be confounded and not be recognizable as such, they must have access to objective norms else pathologies could not be judged, they must have superior knowledge about others' true motives else devious misconduct could not be established, and above all, they must have privileged access to an objective reality else magicians, paradoxes and if you want to add metaphors could not be ruled out of the domain of the scientific, the objective and the real. Needless to say, the dismissed one is left with no cognitive autonomy at all. This metaphorial entailment alone is astounding but let me add the other two. Secondly, differences that can't be dismissed may be submitted for mediation to another authority. This authority may be a distinguished person, an institutionalized procedure or both. When we ask a speaker to clarify what he or she said, we attribute thia authority to the originator. In fact, a whole rhetorical tradition makes a speaker's intentions the ruler over what a correct interpretation is and I have actually no qualms about this when discourse is possible. But when authors cannot mediate between different readings there always are authorities, experts, rulers, judges, who are either invited or eager to impose their legitimate authority on such situations. Professors enjoy the privilege of institutional authority in grading students on what is relevant and how reality is to be interpreted. Scientific procedures too confer institutional authority on facts that non-scientists may not doubt for fear of the inevitable ridicule this would entail. But probably the most important institutional authority is the legal system. The interaction among lawyers, judges, law enforcers, etc. is designed to channel and mediate controversies that inevitably consist of conflicting interpretations of what the relevant facts are and whose solution is to be considered fair. By design, a court always dismisses all but one version. Thirdly, differences that can be neither dismissed nor resolved by mediation yield physical violence. Most physical violence in the United States occurs not on the streets, as television tries to make us believe, but in homes. And violence in families rarely is about food, love or children but about who is right and who has the authority to decide on the interpretation the others must accept as true. Also international conflicts are embedded language, with one side claiming to be correct, honerable, historically justified and blaming the other for the unwillingness to share this one interpretation. I do not want to give the impression of believing that all violence is soley based on language, but that much of it is evidence of the sharing metaphor at work in situations in which it doesn't fit. The need for authority can also be recognized in the use of conduit metaphors. The similarity arises from the objectivity attributed to signs, symbols, information, etc., conceived of as flowing from one place to another. In expressions like "I am sending you a sign" ("this is a sign"), "this symbol means such and such," "this index points to something else," signs seem to function as stimuli if not as agents, regardless of whether anyone knows them and regardless of how someone choses to see them. Although semioticians maintain many distinction, for example between sign vehicles and referents and between signs whose referents are correlated by nature and symbols whose referents are established by convention, questions like "what does this symbol mean" can ultimately be answered only by an authority on the reality in which the symbol is assumed to exist as such. Questions like "what do you want this symbol to mean in your world" would not require such an authority but could also not be answered while believing that it is the symbols that flow.