# 1AC

### Plan

#### Plan: The targeted killing war powers authority of the President of the United States should be statutorily prohibited.

### Advantage

#### US drone strikes terrorize the people of Waziristan – they tear apart communities by making it impossible to gather and generate cycles of violence in reprisal attacks – those attacks provide the conditions for more strikes. They should be ended.

Akbar Ahmed, Ibn Khaldun Chair of Islamic Studies at American University, 2013, *The Thistle and the Drone*, p 81-84

American drone strikes caused further devastation in a landscape already in turmoil. Strikes began under President George W. Bush targeting specific figures and multiplied under President Barack Obama, hitting Waziristan at an average of once every four days. In North Waziristan they centered primarily on Mir Ali, Miranshah, and Datta Khel, and in South Waziristan on an area around Wana in Wazir territory and in Makin, the heart of the Shabi Khel Mahsud. Initially the drones focused on South Waziristan and targets like Baitullah Mahsud, who was killed in a drone strike in 2009, and his successor Hakimullah Mahsud. After the Pakistan invasion of South Waziristan in 2009, the Mahsud were dispersed and the drone strikes soon shifted to North Waziristan. Of 118 strikes in 2010, the highest number of attacks up to that date, 104, hit North Waziristan. Between the first drone strikes in Pakistan in 2004 and the time of writing in 2012, only 18 in the Tribal Areas have been outside Waziristan. The use of drones has thwarted any prospects of peace between Pakistan and the tribes of Waziristan. In June 2004 Nek Muhammad Wazir, the leader of the Wazir Taliban who had signed a cease-fire agreement with Pakistan two months before, was killed in the first CIA drone attack in Pakistan, which Musharraf claimed the Pakistan military had carried. The agreement with Pakistan soon fell apart, and militant forces regrouped under the leadership of Baitullah Mahsud. Whenever the Pakistan government took responsibility for drone strikes or remained silent in the face of their deadly attacks, the tribesmen took revenge on anything they thought represented the government. In November 2006 a suicide bomber struck a military camp in Dargai, northwest of Islamabad, killing forty-two Pakistani soldiers and wounding twenty, in response to a drone strike on a madrassah in Bajaur the previous week that killed eighty-five people. The Pakistani government claimed the madrassah bombing to be an air strike launched by the Pakistani military. The drone campaign has also been a source of public friction between the United States and Pakistan, and the core of the problem lies in North Waziristan’s Wazir Taliban, headed by Hafiz Gul Bahadur. Pakistan considered Bahadur’s group the “good” Taliban as they maintained a lasting peace treaty with the government in contrast to other tribes. Drone strikes jeopardized agreements between Pakistan and the tribes, so much so that in Marsh 2011 Bahadur threatened to pull out of the peace deal altogether after one of his top commanders, Sherabat Khan Wazir, a key pro-Pakistan leader of the Wazir Taliban, was killed in a drone strike in Datta Khel, North Waziristan , along with forty-three other people. America, on the other hand, viewed the Wazir Taliban as one of its primary enemies because of their involvement in the war in Afghanistan alongside their tribal cousins against NATO forces. The year 2013 began with a series of drone strikes that killed, among others, Maulvi Nazir. There was no “good” Taliban where America was concerned. From a tactical standpoint, Brigadier Dogar believed that the drone was counterproductive to the elimination of terrorism in the region. “The drone undermined us,” he said, noting that the tribes thought the Pakistan military was complicit in the drone strikes. “Each drone strike puts my men in jeopardy,” he complained, and pointed out that there was no coordination between Pakistan and the United States in the use of drones. On the ground, he never knew in advance that an American strike was imminent. He would hear an explosion and send his staff to check whether or not it was a drone. Before they could return he would hear about the strike on television. Some members of the American military were also aware of the negative impact of the use of drones on any tactical success in the region. In March 2010 Admiral Michael Mullen, the chairman of the Joint Chiefs of Staff, stated, “Each time an errant bomb or a bomb accurately aimed but against the wrong target kills or hurts civilians, we risk setting our strategy back months, if not years. Despite the fact that the Taliban kill and main far more than we do, civilian casualty incidents such as those we’ve recently seen in Afghanistan will hurt us more in the long run than any tactical success we may achieve against the enemy. Beyond targeting the Wazir Taliban who were allied with the central government and opposed to the Mahsud-dominated TTP, as well as individuals they had given shelter to, the long lists of drone casualties stoked further resentment in the larger Pakistani population, which demanded an end to the strikes. Pakistanis believed the victims were innocent people and blamed Islamabad for allowing its allies, the Americans, to launch them. Their anger only mounted in the face of uncertainty as to who was killed, why they were deemed appropriate targets for assassination, and when the strikes would end. Amid the confusion about the legitimacy of the targets, tribesmen with agnatic rivalry on their minds seemed to be playing their own devious games with the drones. Their duplicity was observed by *Arab News*, which in May 2011 reported that the Mahsud and Wazir were manipulating drone strikes to settle scores. It alleged that tribesmen serving as paid CIA informants were directing American drones against their rivals, falsely claiming that these individuals were terror targets. Stories of innocent people being killed by drones flooded the media. One account that caught the attention of the international media involved Tariq Aziz, a sixteen-year-old boy from Waziristan. In April 2010 Tariq’s cousin was killed by a drone. Believing him an innocent victim, Tariq accompanied a group of elders to Islamabad to tell his story to Reprieve, a human rights group. Neil Williams, a Reprieve volunteer, spent an hour with Tariq. “We started talking about soccer…he told me he played for New Zealand. The teams they played with from the village had all taken names from football clubs, like Brazil or Manchester United,” Williams recalled. As recounted in the Rolling Stone article, Tariq and other teenagers at the meeting told Williams how they lived in fear of drones. They could hear them at night over their homes in Waziristan, buzzing for hours like aerial lawn mowers. An explosion could strike at any moment, anywhere, without warning. “Tariq really didn’t want to be going back home,” Williams [said]. “He’d hear the drones three or four times a day.” Three days after the conference, Williams received an e-mail. Tariq had been killed in a drone strike while he was on his way to pick up his aunt. It appears that he wasn’t the intended target of the strike: Those who met Tariq suspect he was simply in the wrong place at the wrong time, especially since his 12-year-old cousin was also killed in the blast. A recent study of the drone attacks in Waziristan conducted by Usama Khilji of the Foundation for Fundamental Rights in Pakistan confirmed their “psychological, social and economic impact” on the people of the region: Drones are said to circle the skies in NWA [North Waziristan Agency] all day and all night, except for cloudy days, with the sound being a lot louder during nighttime, according to locals from the Mir Ali and Miran-shah areas. Drones produce a monotonous buzz, almost like the sound of a generator, which together with the uncertainty that comes with the perpetual fear of missile strikes have had an immense psychological impact on the population. Particularly affected are young children who are said to be unable to sleep at night and cry due to the noise. Some children have lost their lives with the impact of the drone missile strikes in the neighborhoods. Local doctors have declared many adults mentally unfit due to the effect drones have had on them, with the details of the disorders unknown due to lack of, firstly, awareness of mental health and, secondly, psychiatrists and psychologists in the area. These findings were echoed in the September 2012 study conducted by Stanford University’s and New York University’s school of law titled Living Under Drones: Death, Injury, and Trauma to Civilians from US Drone Practices in Pakistan. Jennifer Gibson, an American researcher for the Stanford and NYU study and a staff attorney for Reprieve, representing drone victims in Pakistan, has visited areas adjacent to Waziristan and talked to dozens of people from the area. She told me that she was appalled by what she heard and learned: Drones terrorize the civilian population. They subject whole communities to the constant threat of random annihilation. People imagine that drones fly to a target, strike with surgicial precision, and return to a U.S. base hundreds or thousands of miles away. The truth is nothing of the sort. For the communities in Waziristan, drones are nearly as common as the clouds in the skies. As many as six of them hover over villages at any one time. People hear them day and night. They are an inescapable presence, one that fires unpredictably on those living below. The United States refuses to tell these communities who it is targeting. As a result, everyone might possibly be next. This constant fear and the inability to make oneself safe is destroying the very fabric of communities in Waziristan. People are afraid to send their children to school. Women are afraid to meet in markets. Families are afraid to gather at funerals for people wrongly killed in early strikes. The fabric of daily life is ripped to shreds. In an interview for the Stanford and NYU study, Noor Khan, whose father was killed in the controversial March 2011 drone strike in Datta Khel, commented on the impact of the drone attacks on his community: the community is now plagued with fear….the Tribal elders are now afraid to gather together in jirgas as has been the custom for more than one century. We are scared that if we get together we might be targeted again. The mothers and wives plead with the men to not congregate together for fear that they will be targeted. They do not want to lose any more of their husbands, sons, brothers, and nephews. We come from large families, some joined families, and people in the same family now sleep apart because they do not want their togetherness to be viewed suspiciously through the eye of the drone. They do not want to become the next target…. the people of NWA are against these strikes. I am against these drone strikes!

#### They also represent a war on democracy in Pakistan – guarantee cycles of violence which empower the military and violent resistance

M.W. Aslam, PhD in Politics and International Studies from the University of Leeds, 2011, “A critical evaluation of American drone strikes in Pakistan: legality, legitimacy and prudence,” Vol 4 no 3, T and F Online

As in some other tribally based societies of the world, the tribal areas of Pakistan are structured on a patriarchal basis in which clans and their chieftains are responsible for each member's safety and security. This is how peace was maintained in these areas before the foreign and Pakistani government's involvement in the area following the onset of the war on terrorism. The territory of FATA does not have the equivalent of police, and law and order has mainly been guaranteed by the tribal chiefs relying on the help of loosely constituted tribal militias (see Abbas 2007b). However, in the current scenario, the drone attacks have caused a number of casualties without the tribal chiefs or the Pakistani government being able to protect civilians. This, in turn, has resulted in the alienation of local people (Harrison 2007) whose help is considered significant in the success of the current war on terrorism – not an encouraging consequence of the policy of using drones. According to Pakistan's Prime Minister, the drone attacks sometimes end up uniting the tribesmen and militants. Addressing the National Assembly of Pakistan, Gilani (quoted in Times of India 2011) said: Under a well thought out strategy, we had separated the tribesmen from militants. Whenever a drone attack is carried out, it unites the militants and the tribal people. This creates problems for the government because no war is won without the support of the people. The drone strikes have also played an instrumental role in bringing together diverse groups of militants against their common enemy, the United States and its ally Pakistan (Fishman 2010, p. 16); they would certainly not be so united in the absence of the attacks (Jones 2009, p. 41). Fishman (2010, p. 16) recounts how drone strikes were instrumental in the formation of an alliance between the leaders of three militant groups in 2009 that included Mullah Nazir, Baitullah Mehsud and Hafiz Gul Bahadur to fight against the Pakistan army. Mullah Nazir specifically mentioned that ‘drone strikes in South Waziristan were an important reason he had turned on the Pakistani government’ (Fishman 2010, p. 16). Thus, the effects of drone attacks can in no way be said to be contributing to the stated American objective of the country's involvement in that region: to tackle terrorism emanating from there. The use of drone strikes is one of the reasons behind an increase in the number of terrorist attacks against Pakistani civilians and security forces throughout the country. Some of the more active militants engaged against the Pakistani army have cited the drone attacks as a reason for ‘bouts of violence against the Pakistani state’ (Fishman 2010, p. 10). Pakistani society has been under constant attack by militants who are trained and equipped in FATA (Raja 2011). Indeed, hundreds of drone strikes have taken place over many years, but the insurgency in FATA and in southern Afghanistan does not seem to be getting weaker (Bergen and Tiedemann 2011). Faisal Shehzad, recently apprehended after attempting to bomb Times Square in New York City, explicitly stated that his action was a revenge for American drone attacks (see Leonard 2010). His claims and attempted attack underscore the radicalising effect of this policy. The drone attacks and the Pakistani government's inability to prevent them have implications for the stability of the institution of Pakistan army as well. According to Harrison (2007), former President Musharraf faced serious opposition from the Pashtun generals in the army for his alignment with America and his heavy-handed approach in dealing with militancy in the country's tribal areas. The continuation of the current approach is likely to lead to tensions within the army and any future break-up of the army could quite possibly bring about dissolution of the country itself. In such a situation, there will be no possibility of guaranteeing that Pakistan's conventional and nuclear arms remain in safe hands (Lieven 2010). In yet another unintended consequence of the strikes, as they are only focused on the tribal areas of Pakistan, militants have been able to avoid them by moving to settled parts of the country. In other words, these attacks are literally helping in spreading militancy across Pakistan. As Byman (2009) notes, ‘al Qaeda and the Taliban have been able to relocate parts of their apparatus further inside Pakistan, which may work to actually widen the zone of instability’– hardly a desirable consequence of this policy. President Obama entered the White House with the goals of focusing on the war in Afghanistan and of helping Pakistan to become a stable and democratic sovereign state. To highlight his approach towards Pakistan, Obama (quoted in CFR 2009) argued: To avoid the mistakes of the past, we must make clear that our relationship with Pakistan is grounded in support for Pakistan's democratic institutions and the Pakistani people. And to demonstrate through deeds as well as words a commitment that is enduring, we must stand for lasting opportunity. However, one major consequence of the drone strikes has been to undermine that very goal of America's Pakistan policy. These attacks have often been criticised by the civilian leaders of Pakistan and on 14 May 2011, the National Assembly of Pakistan passed a resolution stating that the ‘unilateral actions … [including] the continued drone attacks on the territory of Pakistan, are not only unacceptable but also constitute violation of the principles of the Charter of the United Nations, international law and humanitarian norms and such drone attacks must be stopped forthwith’ (NA 2011). This resolution was passed after an 11-hour session discussing the issue of American attacks on Pakistani territory including the raid that led to the capture and killing of Osama bin Laden (Rodriguez 2011). However, within barely 48 hours of the passage of that resolution, a drone attack was conducted that led to the deaths of nine people (Cloughley 2011). Regardless of whether that particular attack and others that came afterwards ended up targeting militants, the episode has had major symbolic implications by revealing Pakistan's sheer helplessness concerning the matter of drone strikes on its own territory. The Obama administration may have claimed its ongoing support for democracy in Pakistan through its words but the consequences of its actions have not always contributed to the aim of supporting Pakistan's key democratic institution, its National Assembly (Cloughley 2011).

#### Recognizing the violence the US commits against Pakistanis is critical to creating a relationship of respectful dialogue

Madiha Tahir, independent journalist who worked in Pakistan covering conflict, culture and politics, 10-4-2013, “Life Under Drones in Pakistan,” Counterpunch, http://www.counterpunch.org/2013/10/04/life-under-drones-in-pakistan/

PG: Can you talk about the victims of drone strikes and the effect drones have on the people of the area? MT: Drones strikes have been going on now for almost a decade, in 2014 it will be 10 years. There is an entire generation that has grown up under the eye of the drones in Waziristan. People tell me there are multiple drones that hover during the day, but they usually tend to strike at night. You never know when they are going to strike, and that has created an incredible amount of psychological stress. Psychiatrists I’ve spoken with told me drones cause a different kind of stress than the stress caused by insurgent groups. They said the difference between the two is that with the insurgents you have a sense, whether it is true or not, that you have control. The thought is ‘as long as I stay out of your way, I don’t get killed.’ With the drones there is nobody on the other side. Clearly there is someone on the other side, but it’s not something that can be dialoged with. And you don’t know at what point you’ve been market, or why you’ve been marked, and when you are going to meet your death. This creates incredible, acute stress among people of the area. Daily life has been pretty well disrupted because the United States has been engaging in “double tap” (A drone strikes and then after people arrive to help the victims a drone strikes again.) As a result, people wait before they try to rescue drone victims. The U.S. has attacked funerals as well, so the drones affect many aspects of people’s lives. People I spoke to referred to those killed by the drones, not as civilian victims, but as Shahid (martyrs). This is a very specific word, which means somebody who has been killed for a political cause. When you believe these people died for a political end you react to the death very differently than if the person died from a heart attack, or accident. In the U.S. there is a lot of talk about “blowback”, and I understand why it exists—it’s kind of a strategic argument—but it’s also very self-involved argument. The question shouldn’t be are we killing more of the bad ones than the good ones, or vice versa. That’s a horrifying question. We have to think about how the drones are affecting the lives of these human beings, and how they will continue to affect them for decades. PG: Is there a political solution possible in Waziristan? MT: The U.S. has to leave, but they also have to stop funding the Pakistani establishment, and they have to start taking the Pakistan civilian government seriously. The tribal areas also need to be incorporated into Pakistan. How this is done is up to them, but the services of the state need to be extended to that area. There is a whole range of socio-political issues, which need to be resolved. They will require money and also will among political leaders, but this is impossible as long as the United States continues its meddling, occupation, and funding of the Pakistani political establishment.

#### The drone strike regime is a tool for violent authoritarianism and should be ethically rejected

Ken Butigan, Depaul Peace Studies, 9-14-2013 http://www.commondreams.org/view/2013/09/14-0, September 14, 2013 by [Waging Nonviolence](http://wagingnonviolence.org/feature/renouncing-right-bear-drones/) ¶ Renouncing the Right to Bear Drones

The riveting attention paid to chemical weapons in Syria over the past few weeks is not a new phenomenon. Our revulsion has its roots in World War I’s searing plumes of mustard gas that decimated thousands of troops and that still swirl through the trenches of our collective mind. But it is also grounded in our conscious or unconscious memory of every pivotal moment in the history of war when one combatant’s edge widened incrementally or dramatically over another with the latest innovation in killing.¶ The “Beale 5″ were sentenced this week for engaging in nonviolent civil resistance last year protesting drones at Beale Air Force Base outside Sacramento, Calif. (WNV/Occupy Sacramento)The ability of new weaponry to mechanize and geometrically multiply casualties with every turn of the technological wheel has proven chillingly advantageous to systems of domination. But this superiority has not only been numerical. Its power often has laid in its capability to deface and ultimately obliterate the facticity and stubbornly human presence of the other — whether it be with the meat grinding Gatling gun of the Civil War or the vaporous immensity of the atomic bomb. Virtually every new weapon over the past 5,000 years has not only been designed to defeat the opponent with greater firepower but to reduce, ruin and extinguish her or his body, presence, physical integrity — the qualities that makes us irreducibly human.¶ We are now in the midst of the drones revolution, the next leap in technologized lethality. The quantitative horror that drones have ushered into the world is deeply troubling. For example, U.S. drones have killed an estimated 3,149 people in Pakistan since 2004, as [Out of Sight, Out of Mind](http://drones.pitchinteractive.com) vividly documents. At the same time a qualitative horror rumbles through our collective consciousness rooted in the growing capacities of drones, including their radical particularity, universal comprehensiveness, and increasing automation.¶ The precision of drones has dramatically refashioned the concept of most battlefield weapons, which steadily have increased the ability to kill large numbers of people. A military drone, on the contrary, is hyper-personal, designed and tailored to kill a particular person. While the United States regularly carries out what it terms signature strikes — aimed at classes of people that are presumed to be terrorists because they match a certain demographic profile (young men, for example) — the stark reality of drones is that they are designed to track and eliminate specific individuals.¶ Paradoxically, this very particularity makes the potential reach of drones universal. One by one, we are all hypothetically at risk. Any one of us could find ourselves on a “kill list” if we are deemed by “deemers” to fit the system’s criteria at any given moment. As the NSA revelations of Edward Snowden and others have underscored, the capacity increasingly exists for the U.S. government and other entities to amass profiles on every human being on the planet. Perhaps all seven billion of us are on a master list whereby the “deemer-in-chief” can toggle us from the “non-kill list” to the “kill list” when national security demands it. Whether this is the case or not, the growing capacity of drones to roam the planet to track and eliminate targets drawn from a comprehensive super-database is a prospect with which we must grapple going forward.¶ Even more than this, there is the possibility that such a comprehensive system will become virtually automated. Not only might there be a universal list, it could be activated and maintained by a set of algorithms, freeing those glued to the monitors and working the joysticks at places like Creech Air Force Base in Nevada — as well as their bosses who now compile and sign off on the lists — from the sometimes PTSD-inducing task of deciding who will live and who will die.¶ All these facets of drones — customizable killing, planet-wide surveillance and targeting, and the potential for them to be the lynchpin of a self-regulating, ubiquitous and permanent military regime — increase lethality but also degrade, destroy and erase the inviolable human presence.¶ The drones revolution is on, and every effort is being made to get us to enlist. Over the past few years this has included an unrelenting touting that drones are a foregone conclusion. Virtually every day there are new revelations in the press — for example, the Defense Advanced Research Projects Agency [recently announced](https://www.fbo.gov/?s=opportunity&mode=form&id=f99b89f85139680dc1cdb0c49a22dde9&tab=core&_cview=1) that it was working on [underwater drones](http://www.sovereignindependentuk.co.uk/2013/09/09/darpa-goes-deep-new-hydra-project-to-see-underwater-dones-deploying-drones-syria-false-flag/), and there seems to be a thriving “do-it-yourself” [drones cottage industry](http://diydrones.com) — while U.S. drone warfare continues apace in the Middle East and the Horn of Africa. (Although [most analysts downplay the role drones might play in Syria](http://motherboard.vice.com/blog/why-we-wont-use-drones-in-syria) if the [United States goes in](http://www.foreignaffairs.com/articles/139889/audrey-kurth-cronin/drones-over-damascus), this spring a news account detailed how the CIA has plans to carry out drone attacks against extremists in the Syrian opposition.) This is a new form of subtle and not-so-subtle conscription, designed not so much to fill the ranks of the armed services as to gradually get us to assume that a drone-run world is normal, good and just another part of the future.¶ But there is resistance to this “cultural draft,” including the [international movement](http://nodronesnetwork.blogspot.com) that, for the past few years, has been growing and broadening. (In reflecting on this movement, I recently [explored the idea](http://wagingnonviolence.org/feature/envisioning-an-international-treaty-banning-drones/) of promulgating an international treaty banning drones, inspired by the international treaty banning land mines.) Code Pink, which has provided powerful leadership for this movement, is sponsoring a [drones summit](http://www.codepinkalert.org/article.php?id=6457) November 16-17 in Washington, D.C. “Drones Around the Globe: Proliferation and Resistance” will feature among other presenters Cornel West, international law expert Mary Ellen O’Connell, and activists from Yemen and Pakistan.¶ Anti-drone protests have been staged recently in [Yemen](http://rt.com/news/us-drone-strikes-yemen-protests-669/) and [Britain](http://www.bbc.co.uk/news/uk-wales-24018746). And this week, the “Beale 5” were sentenced in a Sacramento, Calif., courtroom for a [nonviolent civil disobedience action](http://occupysac.com/9-arrested-for-blocking-gate-of-beale-afb-to-protest-drone-strikes/) they engaged in October 30, 2012 at Beale Air Force Base in Northern California, which provides surveillance drones that scout locations for killer drones. Last month they were convicted of trespassing at the base after a day-long bench trial, where they faced a maximum sentence of six months in federal prison and a $5,000 fine. Judge Carolyn Delaney sentenced the five — Janie Kesselman, Sharon Delgado, Shirley Osgood, Jan Hartsough and David Hartsough — to 10 hours of community service after the defendants told her that they would rather go to jail rather than accept fines or probation.¶ In her statement before the judge, Jan Hartsough, who was a Peace Corps volunteer in Pakistan in the mid-1960s, said:¶ After living and working there for two years, Pakistan is a part of me. I have followed with great pain and sadness the drone attacks on Pakistanis. I have learned from Pakistani victims of drone strikes that they are experiencing psychological trauma — never knowing when a drone might strike again. Kids are afraid to go to school; adults are afraid to gather for a funeral or a wedding celebration for fear of becoming a “target.” … So what have we accomplished with our drone attacks? When will we wake up and see that there are much better ways to win the respect of the world’s people? As a mother and grandmother I seek to find ways to help create a more peaceful world for future generations. Ending drone warfare is a concrete step we can and must take.¶ After the statements of Hartsough and the others, the judge declared that prison would serve “no purpose.”¶ A second anti-drone trial is scheduled later this year for another group of five people arrested at Beale this past April 30.

#### The trajectory of unrestricted drone warfare guarantees drone strikes against the entire globe

Eric Posner, professor at University of Chicago Law School, 5-17-2013, “The drone paradox; When robots eliminate the risk of casualties, wars are likely to become more common,” National Post, ln

Similarly, we may be comfortable with giving the president authority to use military force on his own when he must put soldiers into harm's way, knowing that he will not risk lives lightly. Presidents have learned through hard experience that the public will not tolerate even a handful of casualties if it does not believe that the mission is justified. But when drones eliminate the risk of casualties, the president is more likely to launch wars too often. The same problem arises internationally. The international laws that predate drones assume that military intervention across borders risks significant casualties. Since that check normally kept the peace, international law could give a lot of leeway for using military force to chase down terrorists. But if the risk of casualties disappears, then nations might too eagerly attack, resulting in blowback and retaliation. Ironically, the reduced threat to civilians in tactical operations could wind up destabilizing relationships between countries, including even major powers like the United States and China, making the long-term threat to human life much greater. These three scenarios illustrate the same lesson: that law and technology work in tandem. When technological barriers limit the risk of government abuse, legal restrictions on governmental action can be looser. When those technological barriers fall, legal restrictions may need to be tightened. These anxieties generate some standard meta-arguments that are now little more than incantations -that the president should consult with Congress more, or should use clearer standards when targeting enemies, or should be less secretive. The generic criticisms overlook basic practical hurdles. Secrecy is necessary to gather intelligence. Standards for targeting enemies will always be fuzzy because it's difficult to anticipate the shape of future threats. (The much-criticized DOJ rules for drones are hardly less clear than the rules governing ordinary police work.) And both of these factors mean that Congress can never play more than a formulaic role. Bans on the use of drones for domestic surveillance are premature. But U.S. courts should ready themselves to update surveillance rules to take into account drones, as well as technology like the GPS tracking devices discussed in U.S. v. Jones. Courts need to address how these technologies can be abused and whether police seem to be abusing them, and they will need to use more flexible rules than the trespass standard the Supreme Court has adopted so far. A rule against trespassing without a warrant won't stop police drones mounted with video cameras and image-identifying software from lingering outside every home as they search for suspected crooks. When it comes to presidential power, only time will tell whether the risks of blowback exceed the value of drones. Many critics seem confident that President Obama's drone war has undermined American security, but we do not know what would have happened if he had shown more restraint. Nonetheless, it is quite a paradox that we trust the president with nuclear weapons because we know that he cannot use them, while we may not trust the president with drones because we know that he can. Internationally, nations might benefit from an arms control agreement governing drones, but it is hard to imagine any such agreement in the near future, given uncertainties about how drone technologies will develop, the difficulty of monitoring drones, and the asymmetries that mean the best-equipped states will resist any constraints. But a starting point is to recognize that the laws of war currently favour drones because they limit civilian casualties, while disfavouring conventional weapons - a surefire recipe for a destabilizing arms race. It would be nice to think that future wars will be fought by robots, with no risk to civilians or even soldiers - just as in ancient times a duel between heroes could settle a dispute between armies without a battle. But the gods liked to play havoc with duels, and drone warfare is likely to be similarly unpredictable. The long-predicted science-fiction world of robotic killing machines has finally arrived. The law now has to catch up.

### Method

#### Policy relevance key to public engagement, new perspectives, peace, democracy, and preventing imperialism – scholars need to speak the language of policy makers.

Zachary Lockman is Chair of the Department of Middle Eastern and Islamic Studies at New York University 2005 “Critique from the Right The Neo-conservative Assault on Middle East Studies” CR: The New Centennial Review 5.1 (2005) 63-110

It may be too soon to tell, but from the vantage point of the first years of the twenty-first century it would seem that area studies has weathered the storms of the immediate post–Cold War period. In large part this may have been because these fields, including Middle East studies as practiced in the United States, were by the 1990s not what they had been 30 years earlier. The sharp decline (within academia, at least) of once dominant paradigms like a cultural-essentialist Orientalism and modernization theory resulted in the dissipation of the intellectual coherence that had characterized the field in its first decades. But the kind of intellectual fragmentation that had come to characterize Middle East studies was the norm across a great many other fields and disciplines and was counterbalanced, probably even outweighed, by the fact that many Middle East specialists, perhaps especially younger scholars, were now not only well versed in the theoretical and methodological issues and debates of their own disciplines but also routinely engaged with innovative work that cut across or transcended disciplinary boundaries. They could thus increasingly manage, without any great difficulty, to participate in productive scholarly conversations not only with their disciplinary colleagues (fellow historians, political scientists, anthropologists, literature specialists, etc.) but also with scholars from other disciplines interested in this part of the world and in others as well. Moreover, because so many scholars working on the Middle East were participants in the scholarly conversations and debates that had transformed broad segments of the humanities and the social sciences in recent decades, Middle East studies had to a considerable extent overcome its [End Page 73] insular and rather backward character and was now much more open to, and engaged with, the wider intellectual world than had once been the case. The developments of the last two or three decades, including the critiques of Orientalism and modernization theory; the broad range of new work on colonialism; innovative approaches to historical, social, and cultural analysis influenced by critical anthropology; and, more broadly, heightened interaction among disciplines and fields had given many within Middle East studies a new set of common languages that facilitated productive intellectual exchange.3 This was also a much more intellectually and politically self-aware and self-critical field than was once the case. As a result, the best of the new work in this field was by the beginning of the twenty-first century very much on a par with the best produced in other area studies fields, and scholars specializing in the Middle East were being read and listened to by scholars specializing in other parts of the world as never before.4 In conjunction with a generally higher level of mastery of relevant languages and the use of innovative theoretical and methodological approaches, scholars in the field were by the late twentieth century also making use of a broader range of sources than in the past. A case in point is work on the history of the Arab provinces of the Ottoman empire. Students and scholars with a command of both Arabic and Ottoman Turkish made increasing use not only of the vast Ottoman imperial archives in Istanbul but also of local Islamic court records and family papers, along with more traditional sources like the writings of European consuls and travelers, to produce portraits of social, political, economic, and cultural life in these lands in the last four hundred years of Ottoman rule of unprecedented depth and complexity.5 These studies helped to undermine what was once conventional wisdom in late Ottoman history, that these lands were economically, socially, and culturally stagnant before Napoleon's army landed in Egypt in 1798; that they were uniformly characterized by despotism, the oppressive and retrograde imposition of Islamic law, and the rigorous segregation and subordination of non-Muslims; and that all real change was induced by contact with the West. Instead, the newer scholarship began to elucidate indigenous sources and dynamics of change while also showing how this [End Page 74] region was part of the broader sweep of world history long before the nineteenth century and the onset of westernization or modernization as conventionally understood. As a result of these scholarly advances, Ottoman historians often came to have much broader and more fully comparative perspectives than historians of early modern Europe, many of whom had only recently come to understand that they needed to overcome their own provincialism by addressing the ways in which developments in Europe were not utterly sui generis but often were bound up with larger patterns and dynamics of change that affected large stretches of Eurasia. Scholars and the State If the preceding assessment is accurate, it is fair to say that the changes that transformed Middle East studies in the United States over the last several decades of the twentieth century made it a more intellectually productive and interesting scholarly field. However, this development was accompanied by a growing gap between academics studying the Middle East and the officials, agencies, and institutions of the U.S. government, and a corresponding decline in the influence of university-based scholars on the shaping of foreign policy and on the media, the main purveyor of information, images, and attitudes about the region to the broad public. For one, a good many (though by no means all) students and scholars in this field were less than happy with U.S. government policies toward the Middle East in the 1980s and beyond. Hard evidence is lacking, but it is probably safe to suggest that much of the membership of the Middle East Studies Association, the field's main professional organization, was not enthusiastic about U.S. support for Saddam Hussein's regime in its war against Iran in the 1980s, the U.S.-led Gulf War of 1991, the sanctions regime imposed on Iraq thereafter, the U.S.-led invasion of Iraq in 2003, or, more broadly, the extent to which successive U.S. administrations countenanced Israel's ongoing occupation of the West Bank, Gaza, and East Jerusalem; its continuing implantation of Jewish settlements there; and its rejection of a Palestinian state in those territories as endorsed by virtually the entire international community. There was a widespread (though never universal) [End Page 75] sense that the policies pursued by the United States in the Middle East were hindering, rather than contributing to, peace, democracy, human rights, development, and progress in the region. This disaffection from official policy and the premises that underpinned it did not mean that U.S.-based scholars studying the Middle East were unwilling to share their perspectives on, and try to influence, U.S. policy toward the region. In fact, many devoted a great deal of time and effort to trying to educate the broader public through informal meetings, lectures, articles, op-ed pieces, radio and television interviews, and the like, and to convey their views to elected officials; not a few were also quite willing to meet with State Department and intelligence agency personnel. It is rather that the shared vision of the world, and of the place of the United States within it, that had once linked the world of academia with the world of policymaking had faded, and many scholars no longer spoke the same language as policymakers. Adding to this sense of distance and alienation was a new and much more critical understanding of the proper relationship between scholars and the state—not a surprising development in the aftermath of a period in which the pernicious ends to which scholarly knowledge could be put had been made all too visible, in Vietnam but elsewhere as well. In the first decades of the Cold War a good many scholars in this as in other area studies fields, especially social scientists working on contemporary issues, saw no problem with conducting research on behalf of the government and cooperating with intelligence agencies because they were all part of the good fight against Communism. By the 1980s those who were assuming the leadership in U.S. Middle East studies were by and large much more wary about their sources of funding and the ends to which their training and research, and that of their students, might be put. Fewer scholars were willing to allow what they knew about the region to be used in the service of a state about whose policies they were often at least dubious, for example, by conducting research for agencies like the CIA or by encouraging promising students to enter government service. There developed a widespread sense that to allow one's research agenda to be determined by the needs of the state or to serve potentially pernicious ends was not only a betrayal of one's [End Page 76] integrity as a scholar but might also compromise one's ability to conduct research in the Middle East, where by the 1980s real or alleged CIA connections had gotten Americans and others denounced, kidnapped, or worse. At issue was not government funding per se: since the passage of the National Defense Education Act in 1958, a great many students and scholars working on the Middle East had happily made use of NDFL/FLAS and other government fellowships for language training, graduate study, and research. A large proportion of the budgets of the centers for Middle East studies at universities around the country also came from the federal government. But because this individual and institutional funding came through the U.S. Department of Education it was deemed ethically and politically acceptable even by those who most vociferously disagreed with U.S. government policies in the Middle East. Similarly, additional government funding for graduate student and faculty research on the Middle East first made available by the 1992 Near and Middle East Research and Training Act—originally channeled through the Social Science Research Council and later through the Council of American Overseas Research Centers—was not seen as posing a problem because the funding was allocated first through the U.S. Information Agency and then through the State Department budget. The real issue was which part of the U.S. government was supplying the funding, for what ends, and with what conditions. As early as 1985 the Middle East Studies Association had asked "university-based international studies programs to refrain from responding to requests for research contract proposals from the Defense Academic Research Support Program [established by the Defense Department to fund academic research on issues of interest to the military] or from other intelligence entities and call[ed] upon its members to reflect carefully upon their responsibilities to the academic profession prior to seeking or accepting funding from intelligence sources."6 Some years later MESA also criticized the new National Security Education Program (NSEP), created by the National Security Education Act of 1991. The NSEP sought to bolster the teaching of "less commonly taught" languages (including Arabic, Persian, and Turkish), thereby enabling (as the [End Page 77] program's website put it) "the nation to remain integrally involved in global issues related to U.S. National Security" as well as to "develop a cadre of professionals with more than the traditional knowledge of language and culture who can use this ability to help the U.S. make sound decisions on and deal effectively with global issues related to U.S. National Security" (see the NSEP website at http://www.iie.org/programs/nsep/nsephome.htm). Unlike other programs funding research and training on the Middle East, the NSEP was housed in the Department of Defense, intelligence agency officials sat on its oversight board, and recipients of the funding it offered were required to work for a government agency involved in national security affairs after their fellowship or scholarship was completed. In a 1993 resolution endorsed by a referendum of its membership, MESA joined with the African Studies Association and the Latin American Studies Association to "deplore the location of responsibility in the U.S. defense and intelligence community for a major foreign area research, education, and training program. . . . This connection can only increase the existing difficulties of gaining foreign governmental permissions to carry out research and to develop overseas instructional programs. It can also create dangers for students and scholars by fostering the perception of involvement in military or intelligence activities, and may limit academic freedom." MESA called on the government to establish a peer and merit review process for funding applications that would be independent of military, intelligence, and foreign policy agencies and to broaden the service requirement so that it would include a much wider range of jobs, including those outside government service. Until its concerns were met, MESA urged that "its members and their institutions not seek or accept program or research funding from NSEA...." Three years later MESA adopted yet another resolution reiterating its rejection of NSEP because the law appropriating funding for the program now required that all fellowship recipients agree to work for the Defense Department or some intelligence agency for at least two years or else repay the cost of their fellowship (see the NSEP website, as well as the MESA resolutions site at http://w3fp.arizona.edu/mesassoc/resolutions.htm). (This last requirement was later relaxed somewhat so that recipients who [End Page 78] could not find employment with a national security agency despite a "good faith effort" to do so could fulfill the service requirement by working in higher education.) MESA would voice the same concerns about other outgrowths of the NSEP, for example, the 2002 National Flagship Language Initiative–Pilot Program (NFLI-P), launched to address what were seen as America's extraordinary deficiencies in languages critical to national security. Many (though by no means all) Middle East studies faculty adopted MESA's perspective on this issue, declining to seek NSEP funding for themselves or their institutions. The disinclination by MESA and many of its individual and institutional members to cooperate with the government in ways that had been common in the 1950s and 1960s was certainly not shared by everyone in the field. Yet it is instructive that when in the 1980s reports surfaced of questionable links between academics and intelligence agencies, the most vocal response among scholars in the field was condemnation. A case in point is the scandal surrounding Nadav Safran, a political scientist whose first book set forth an analysis of modern Egyptian history informed by modernization theory and who by the mid-1980s was director of Harvard University's Center for Middle Eastern Studies. The scandal erupted when it became known that Safran had taken $45,700 from the Central Intelligence Agency to fund a major international conference he was hosting at Harvard on "Islam and Politics in the Contemporary Muslim World"—a hot topic at the time and one of obvious interest to the CIA. Not only had Safran secretly used CIA funding for this conference, he had not told the invitees, a number of whom were coming from the Middle East, that the CIA was picking up the tab. It then came out that Safran had also received a $107,430 grant from the CIA for the research project that led to his 1985 book Saudi Arabia: The Ceaseless Request for Security. Safran's contract with the CIA stipulated that the agency had the right to review and approve the manuscript before publication and that its role in funding the book would not be disclosed. And indeed, the book as published made no mention of the fact that the research for it had been partially funded by the CIA. When the scandal broke, about half the invitees to Safran's conference withdrew, and many of the faculty and students associated with Harvard's [End Page 79] Center for Middle Eastern Studies publicly expressed their opposition to Safran's actions. A month later the Middle East Studies Association censured Safran on the grounds that his actions had violated its 1982 resolution calling on scholars to disclose their sources of research funding. Safran intimated that his critics were motivated by anti-Semitism, but after an internal investigation at Harvard he agreed to step down as center director at the end of the academic year.7 Safran was surely not the only academic to have secretly or openly solicited or accepted funding from an intelligence agency for his research in this period, and no doubt such relationships persisted long after this scandal, but the reaction to it—unimaginable in the early decades of U.S. Middle East studies—does indicate how the relationship between academia and the state had changed. Think Tanks and Talking Heads But there was a price to be paid for the gap that had opened up between the world of Middle East scholarship and the world of policymaking. If many college- and university-based academics no longer entirely shared the worldview that prevailed in Washington or no longer felt the need to shape their research agenda so that it was relevant to the policies that flowed from that worldview, there were others who stood ready to meet the demand for knowledge that would serve the state. Many of these were based not in institutions of higher education but in the host of think tanks that had proliferated from the 1970s onward—privately funded institutions oriented toward the production and dissemination of knowledge designed to inform and influence public policy, for our purposes mainly the foreign policy of the United States. Some of these institutions and organizations went back a long way. The Carnegie Endowment for International Peace, for example, was founded in 1910 to advance international cooperation, while the Council on Foreign Relations, publisher of the influential journal Foreign Affairs, was established in 1921, originally as a sort of elite dinner club. The liberal Brookings Institution was established in 1927, supported by Carnegie and Rockefeller funding, while the conservative American Enterprise Institute was founded [End Page 80] in 1943 to promote "limited government," "free enterprise," and a "strong foreign policy and national defense." After the Second World War, contractors like the huge RAND Corporation entered the field to produce or fund research for the military and intelligence and other government agencies concerned with foreign policy. Another wave beginning in the 1960s had witnessed the establishment of a large number of what one observer called "advocacy" think tanks, like the Center for Strategic and International Studies (1962), the Heritage Foundation (1973), and the Cato Institute (1977), which combined "policy research with aggressive marketing techniques" as they struggled to secure funding and influence in an increasingly competitive marketplace. There are now also many "legacy-based" institutions, like the Carter Center in Atlanta and the Nixon Center for Peace and Freedom in Washington, D.C. By the end of the twentieth century there were an estimated 2,000 organizations engaged in policy analysis based in the United States, a substantial proportion of them focused on foreign policy and international relations.8 The 1970s also witnessed the establishment of what Lisa Anderson called "a new generation of professional graduate schools of public policy," many of whose graduates went on to work for policy-oriented think tanks rather than in colleges and universities (Anderson 2000, 21). The Middle East was a relative backwater for the think tank industry until the 1980s. The Middle East Institute, founded in 1946, published a journal and organized conferences but exercised relatively little political clout. By contrast, the Washington Institute for Near East Policy (WINEP), founded in 1985, quickly achieved a much higher profile and much greater influence. Describing itself as "a public educational foundation dedicated to scholarly research and informed debate on U.S. interests in the Middle East,"9 WINEP emerged as the leading pro-Israel think tank in Washington. Its founding director, Martin Indyk, had previously worked at the American Israel Public Affairs Committee (AIPAC), founded in 1959 and by the 1970s by far the most well-funded, visible, and effective pro-Israel lobbying organization.10 Indyk and his colleagues at WINEP worked hard to strengthen Israel's standing in Washington as the key U.S. ally in the Middle East and to ensure [End Page 81] that U.S. policy in the region coincided with the policies and strategies of the Israeli government. During the late 1980s and early 1990s this meant trying to foil U.S. recognition of the PLO and U.S. pressure on Israel to halt settlement activity in the West Bank and Gaza and enter serious negotiations. In the 1990s WINEP expanded its purview to encompass the entire Middle East, but its focus always remained on Israel, for which it tried to build support by arguing that Israel and the United States faced a common threat from Islamic radicalism and terrorism, defined rather broadly to encompass virtually all of Israel's enemies, state and nonstate. Various other think tanks also began or stepped up research and advocacy on Middle East issues in the late 1990s and early 2000s. These included the Haim Saban Center for Middle East Policy, launched by the Brookings Institution in 2002, and the conservative American Enterprise Institute. During the Clinton administration a substantial number of WINEP alumni served in key foreign policy positions, including Martin Indyk himself, appointed as special assistant to the president and senior director for Near East and South Asian affairs at the National Security Council and, later, as U.S. ambassador to Israel. They and other Clinton administration officials promulgated the policy of "dual containment," whereby the United States would seek to isolate, and if possible eliminate, the governments of both Iraq and Iran, not coincidentally perceived as two of Israel's most serious enemies. By the late 1990s, however, WINEP would itself be outflanked by newer rivals that unlike WINEP openly aligned themselves with the stances of the Israeli right (or even far right) and argued for aggressive U.S. action against Israel's enemies, including the overthrow of the regime of Saddam Hussein in Iraq. The policies these and other explicitly right-wing think tanks advocated during the Clinton years, when they were in the political wilderness, were initially regarded as extreme and outlandish. But many of them would eventually be adopted by the George W. Bush administration, in which their architects assumed key posts. Among them were Vice President Richard Cheney; Defense Policy Board member (and for a time chair) Richard Perle, a key advocate of war against Iraq; Deputy Defense Secretary Paul Wolfowitz; Undersecretary of State John Bolton; and Undersecretary [End Page 82] of Defense Douglas Feith. Before assuming power these (people) men and their colleagues had, through such right-wing organizations as the Project for a New American Century and the Jewish Institute for National Security Affairs, called for the use of U.S. military power to dominate the world, massive increases in military spending, and unequivocal support for the policies of the Israeli right.11 After the attacks of September 11, 2001, President George W. Bush openly embraced much of their agenda, tacitly supporting Israel's effort to crush the Palestinian uprising by force and in March-April 2003 invading and occupying Iraq. The first years of the twenty-first century thus witnessed an unprecedented convergence in positions of supreme power in Washington of right-wing (and in some cases Christian fundamentalist) zealots and neo-conservative American Jews united by a common vision of securing permanent and unchallengeable U.S. global hegemony, with a strong focus on the Middle East and a close embrace of Israel, a vision to be achieved by military force if necessary. The war against Iraq was in a sense the pilot project for this radical vision. As Michael Ledeen, in 2003 "resident scholar in the Freedom Chair" at the American Enterprise Institute and long a fixture among right-wing foreign-policy activists, was reported to have put it, crudely but not inaccurately: "Every ten years or so, the United States needs to pick up some small crappy little country and throw it against the wall, just to show the world we mean business" (Goldberg 2002). More specifically, a reconstructed, oil-rich Iraq was seen as a valuable new base for U.S. power in the Middle East, enabling the United States to terminate its problematic relationship with Saudi Arabia and compel the Arabs (including the Palestinians) to make peace with Israel on the latter's terms. That the vast majority of the international community, including a great many Americans, vehemently rejected the use of military force to achieve this vision made no difference whatsoever to its advocates.12 There were certainly voices raised, in academia, the think tank world, and elsewhere, in opposition to this agenda and the understanding of the world that underpinned it, as there had been voices offering alternative views about U.S. policy toward the Middle East at other critical junctures. But during the 1980s, 1990s, and early years of the twenty-first century [End Page 83] these voices received relatively little attention, and university-based scholars seemed to play a decreasing role in influencing foreign policy. Critics of U.S. foreign policy also found it difficult to make themselves heard through the mass media. It is striking that the great bulk of the "talking heads" who appeared on television to offer their opinions on the 1990–91 Gulf crisis, on the 2003 Iraq war, and on other issues relating to the Middle East and U.S. policy toward it seemed to come not from academia but from professional pundits, from people associated with think tanks or with one of the public policy schools, and from retired military personnel. Whatever their knowledge (or lack thereof) of the languages, politics, histories, and cultures of the Middle East, these people spoke the language and shared the mindset of the Washington foreign policy world in a way few university-based scholars did. They were also used to communicating their perspective in effective sound bites, whereas academics were often put off by the ignorance and political conformism of much (though by no means all) of American mass media journalism and its tendency to crudely oversimplify complex issues and transform everything (even war) into a form of entertainment. This helped bring about a considerable narrowing of the perspectives available to the public and the consolidation of a powerful, indeed almost impenetrable, consensus about the Middle East that encompassed most of the political class and the punditocracy. Republicans and Democrats argued mainly over how best to maintain U.S. hegemony in the region, leaving very little room for those who envisioned a fundamentally different foreign policy founded on peace, democracy, human rights, mutual security, multilateral disarmament, nonintervention, and respect for international law. It is, however, worth noting that despite the virtual absence of such views in the mass media, they were embraced by a good many Americans, as evidenced by the massive demonstrations that preceded the U.S. attack on Iraq in March 2003 and the polls that indicated substantial public opposition to war, partly because of the new modes and channels of communication and organizing made possible by the Internet. Nonetheless, in the aftermath of September 11th, critical (and even moderate) voices were largely drowned out by the right, which quickly and effectively moved to implement its global agenda by exploiting public [End Page 84] outrage against the Islamist extremists who had perpetrated the September 11th attacks. They succeeded in "selling" first military intervention in Afghanistan (justified by the fact that the Taliban regime had allowed al-Qa'ida to operate in that country and refused to hand over those responsible for organizing the September 11th attacks) and then war against Iraq, even though no one was able to produce any credible evidence that the regime of Saddam Hussein had had anything to do with the September 11th attacks or still possessed weapons of mass destruction. In this effort conservative scholars like Bernard Lewis played a significant part, graphically illustrating their continuing, even enhanced, clout in right-wing policymaking circles long after their standing in scholarly circles had declined, as well as the durability and power of some very old Orientalist notions many had mistakenly thought dead as a doornail.

#### Focus on creating safe spaces misdiagnoses the problem and shift focus away from effective efforts to challenge broader structures of power – their politics of the self refocuses on the individual creating a colonialist conception of the subject.

Andrea Smith, intellectual, feminist, and anti-violence activist, 2013, The Problem with “Privilege,” http://anarchalibrary.blogspot.com/2013/08/the-problem-with-privilege-2013.html

This kind of politics then challenges the notions of “safe space” often prevalent in many activist circles in the United States. The concept of safe space flows naturally from the logics of privilege. That is, once we have confessed our gender/race/settler/class privileges, we can then create a safe space where others will not be negatively impacted by these privileges. Of course because we have not dismantled heteropatriarchy, white supremacy, settler colonialism or capitalism, these confessed privileges never actually disappear in “safe spaces.” Consequently, when a person is found guilty of his/her privilege in these spaces, s/he is accused of making the space “unsafe.” This rhetorical strategy presumes that only certain privileged subjects can make the space “unsafe” as if everyone isn’t implicated in heteropatriarchy, white supremacy, settler colonialism and capitalism. Our focus is shifted from the larger systems that make the entire world unsafe, to interpersonal conduct. In addition, the accusation of “unsafe” is also levied against people of color who express anger about racism, only to find themselves accused of making the space “unsafe” because of their raised voices. The problem with safe space is the presumption that a safe space is even possible.¶ By contrast, instead of thinking of safe spaces as a refuge from colonialism, patriarchy, and white supremacy, Ruthie Gilmore suggests that safe space is not an escape from the real, but a place to practice the real we want to bring into being. “Making power” models follow this suggestion in that they do not purport to be free of oppression, only that they are trying to create the world they would like to live in now. To give one smaller example, when Incite! Women of Color Against Violence, organized, we questioned the assumption that “women of color” space is a safe space. In fact, participants began to articulate that women of color space may in fact be a very dangerous space. We realized that we could not assume alliances with each other, but we would actually have to create these alliances. One strategy that was helpful was rather than presume that we were acting “non-oppressively,” we built a structure that would presume that we were complicit in the structures of white supremacy/settler colonialism/heteropatriarchy etc. We then structured this presumption into our organizing by creating spaces where we would educate ourselves on issues in which our politics and praxis were particularly problematic. The issues we have covered include: disability, anti-Black racism, settler colonialism, Zionism and anti-Arab racism, transphobia, and many others. However, in this space, while we did not ignore our individual complicity in oppression, we developed action plans for how we would collectively try to transform our politics and praxis. Thus, this space did not create the dynamic of the confessor and the hearer of the confession. Instead, we presumed we are all implicated in these structures of oppression and that we would need to work together to undo them. Consequently, in my experience, this kind of space facilitated our ability to integrate personal and social transformation because no one had to anxiously worry about whether they were going to be targeted as a bad person with undue privilege who would need to publicly confess. The space became one that was based on principles of loving rather than punitive accountability.¶ Conclusion¶ The politics of privilege have made the important contribution of signaling how the structures of oppression constitute who we are as persons. However, as the rituals of confessing privilege have evolved, they have shifted our focus from building social movements for global transformation to individual self-improvement. Furthermore, they rest on a white supremacist/colonialist notion of a subject that can constitute itself over and against others through self-reflexivity. While trying to keep the key insight made in activist/academic circles that personal and social transformation are interconnected, alternative projects have developed that focus less on privilege and more the structures that create privilege. These new models do not hold the “answer,” because the genealogy of the politics of privilege also demonstrates that our activist/intellectual projects of liberation must be constantly changing. Our imaginations are limited by white supremacy, settler colonialism, etc., so all ideas we have will not be “perfect.” The ideas we develop today also do not have to be based on the complete disavowal of what we did yesterday because what we did yesterday teaches what we might do tomorrow. Thus, as we think not only beyond privilege, but beyond the sense of self that claims privilege, we open ourselves to new possibilities that we cannot imagine now for the future.

#### We’re not pro-State, but we’re “anti-anti-statist" – Some things can ONLY be solved "through the system". Restricting drone authority is an instance of that.

Dr. Richard Barbrook, School of Westminster, Nettime, "More Provocations", 6-5-1997, Amsterdam.nettime.org/Lists-Archives/nettime-1-9706/msg00034.html

 I thought that this position is clear from my remarks about the ultra-left posturing of the ‘zero-work’ demand. In Europe, we have real social problems of deprivation and poverty which, in part, can only be solved by state action. This does not make me a statist, but rather anti-anti-statist. By opposing such intervention because they are carried out by the state anarchists are tacitly lining up with the neo-liberals. Even worse, refusing even to vote for the left, they acquiese to rule by neo-liberal parties. I deeply admire direct action movements. I was a radio pirate and we provide server space for anti-roads and environmental movements. However, this doesn’t mean that I support political abstentionism or, even worse, the mystical nonsense produced by Hakim Bey. It is great for artists and others to adopt a marginality as a life style choice, but most of the people who are economically and socially marginalised were never given any choice. They are excluded from society as a result of deliberate policies of deregulation, privatisation and welfare cutbacks carried out by neo-liberal governments. During the ‘70s. I was a pro-situ punk rocker until Thatcher got elected. Then we learnt the hard way that voting did change things and lots of people suffered if state power was withdrawn from certain areas of our life, such as welfare and employment. Anarchism can be a fun artistic pose. However, human suffering is not.

#### Use reason contextually to respond to situations of oppression – attempts to universally determine in advance the strategy we should use fails and guarantees oppression

Daria Roithmayr, Assoc. Law Prof @ Illinois, 2003, “Beyond Right and Reason,” 57 U. Miami L. Rev. 939

The version of pragmatism I want to defend against Schlag's critique differs quite significantly from the versions of neopragmatism targeted by Schlag. Like neopragmatism, which is certainly a reconstructive project, radical pragmatism also finds it useful at times to focus on the inquiry, "What works for the community?" But radical pragmatism does not necessarily depend on reason to answer that question. Nor does it have a unifying method or propose some replacement metanarrative for producing a determinate answer. Rather, radical pragmatism acknowledges that sometimes, maybe even often, something outside reason - be it political and/or ethical commitments of varying sorts, intuitions, passions, experiences, or sentiments - may drive the constructive answer to that question. At other times, and in other circumstances, reason may be useful. In addition, radical pragmatism also differs in its focus on the "disempowered community" rather than some more universal concept of community. Building on Radin's call to adopt the perspective of the oppressed, radical pragmatism focuses on the question, "What works for the disempowered community?" This focus is not designed to confront pragmatism's tendency toward conservatism. Rather, working from Radin's conception of pluralist perspectives, radical pragmatism finds it more useful to consider the disempowered community separately from the dominant group in order to focus on differing needs, political commitments, and preferred measures of usefulness. 1. the constructive question: "what works for the disempowered community?" Radical pragmatists think that often it might be useful to ask the question, "What works for the community?" and more specifically, "What works for the disempowered community?" As Richard Rorty points out, to the extent that these questions are useful, it is primarily because they shift habits of thought and conversational focus away from less useful and often pointless conversations surrounding "What is true?" or "What is reasonable?" 24 Those latter questions generate answers that can never be verified. Conversations about truth or reason frequently get bogged down or stop altogether when someone argues that something is illogical or contrary to the dictates of reason. The question, "What works?" shifts the conversation onto different and potentially more productive ground. It is important to note, however, that radical pragmatism has limited ambitions. Radical pragmatism is offered not as a universalist, ahistorical prescription, but as a suggestion for what might be useful for disempowered communities in the current political, social, economic, and legal climate. At the moment, it may well be useful for the disempowered community to move away from an exclusive reliance on universalist discourses like reason and truth, toward something both more pragmatic and postmodernist. (At another moment, in another place, it may be less useful.) What is the role of reason in this postmodern pragmatist inquiry? Radical pragmatism acknowledges Schlag and Stanley Fish's point that reason has little to say about the affirmative question of what works for the community, disempowered or otherwise. 25 At the same time, reason historically has often played a decidedly political role in policing the borders between inside and outside, between empowerment and disempowerment. Thus, radical pragmatists might explore the ways in which insiders have used reason and law to exclude a particular disempowered community. More importantly, radical pragmatists might explore the way in which outsiders can use reason to their political advantage. In some cases, a radical pragmatist might use reason as one implement in the pragmatist's toolbox in order to advance a particular political commitment. Sometimes, but certainly not always, using the language of reason might be useful in making an argument about what works for the disempowered community, or in framing the parameters of the inquiry. At [\*949] other times, one might prefer to argue on the basis of experience or tradition, or make decisions on the basis of intuition or common sense. As Radin notes, whether to use the language of reason as the prevailing ideology "depends on whether we think that under current circumstances, our best chances for improving the situation lie in trying to dislodge the ideology or in trying to extract political gain from those who accept the ideology and cannot be dislodged from it." 26 It is not possible to determine in advance whether one should use reason as the prevailing ideology or try some other strategy. Similarly, on those occasions when one uses reason to frame the argument, it is not possible to predict whether doing so will produce a useful outcome so far as the disempowered outsider is concerned. For example, one could imagine a way in which using the rhetoric of reason and rights discourse might advance political or ethical commitments to equality, empowerment, or inclusion.

#### Legislation is key to reign in endless war

Alan W. Dowd, writer on National Defense, Foreign Policy, and International Security, Winter-Spring 2013, “Drone Wars: Risks and Warnings,” Strategic Studies Institute, http://www.strategicstudiesinstitute.army.mil/pubs/parameters/Issues/WinterSpring\_2013/1\_Article\_Dowd.pdf

Thanks to drones, as Miller’s question suggests, “endless war” is quite possible. In this regard, it’s worth noting that the drone war is an outgrowth of Washington’s post-9/11 campaign against terrorist organizations and regimes—a campaign authorized by the Use of Force Resolution of 18 September 2001. That measure directed the president “to use all necessary and appropriate force against those nations, organizations or persons he determines planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.”34 That final clause referring to “future acts of international terrorism” creates a loophole larger than a Reaper ground-attack drone—with a wingspan of some 66 feet—a loophole that should be tightened through legislation focusing on threats beyond Afghanistan. After all, it would be a stretch to say that the 18 September measure authorized—11-plus years later—an autopilot war against targets in Pakistan, Yemen, Somalia, and beyond. Those targets may indeed be enemies of, and threats to, the United States. But few of the drone war’s intended targets today—not to mention the unfortunates simply in the wrong place at the wrong time—“planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001.” Underscoring this point, The Washington Post recently reported that a growing number of drone strikes in Yemen have targeted “lower-level figures who are suspected of having links to terrorism operatives but are seen mainly as leaders of factions focused on gaining territory in Yemen’s internal struggle.”35 (Emphasis added.) Yet the drone war goes on, largely because there are no Americans in harm’s way—at least not directly.

#### Only statutory restrictions solve CIA operations – they comply with the letter of the law

Naureen Shah et al, Acting Director of the Human Rights Clinic and Associate Director of the Counterterrorism and Human Rights Project, Human Rights Institute at Columbia Law School, 2012, “The Civilian Impact of Drones: Unexamined Costs, Unanswered Questions,” Center for Civilians in Conflict, http://civiliansinconflict.org/uploads/files/publications/The\_Civilian\_Impact\_of\_Drones\_w\_cover.pdf

As the CIA’s role in drone strikes has gained increasing prominence and notoriety, CIA and Obama Administration officials have repeatedly offered assurances that the agency complies with the law and seeks to avoid civilian casualties in drone strikes (see The Civilian Toll). While we cannot prove and do not necessarily believe that the CIA routinely and knowingly violates US law or disregards civilian life—to the contrary, it may have set up procedures and rules related to civilian harm— the CIA does not have an ethos or culture that promotes substantial engagement with legal questions or larger discussions of civilian protection. Moreover, while the threat of public or congressional scrutiny would traditionally provide the CIA incentive to act with caution about the law, in the context of covert drone strikes these incentives are substantially reduced or altogether absent. The most generous interpretation of the CIA’s relationship to the law is that it is formalistic: the agency may conform to the strictures of the law, but there is no indication that the CIA has developed an ethos that would independently motivate adherence to the norms and values underlying the law, including those that motivate steps to reduce civilian harm. In a series of addresses in 2011 and 2012, CIA General Counsel Stephen Preston described the agency’s relationship to the law as like that of a tightly regulated business.302 At the American Bar Association Preston explained: All intelligence activities of the Agency must be properly authorized pursuant to and conducted in accordance with the full body of national security law that has been put in place over the six plus decades since the Agency was founded. All such activities are also subject to strict internal and external scrutiny. In short, the Agency is at least as rule-bound and closely watched as businesses in the most heavily regulated industries.303 Although intended to provide assurance, the analogy to business regulation is disconcerting. It suggests that rather than seeing itself as duty-bound to the law and culturally invested in its rationales, the agency relates to the law as a constraint that may undermine the agency’s goals if not carefully managed, and perhaps, in some cases, circumvented. Even in accounts favorable to the CIA, the CIA’s relationship to the law is discussed only in terms of avoiding liability and political fall-out for actions that might, if revealed, be perceived as illegal even if technically legal. There is no allusion to a concern for whether actions, though technically legal, might offend the purposes and values of the law, or brush up too closely to their limits to be appropriate. For example, Jack Goldsmith, former lawyer in the Bush administration, writes that the CIA’s 150 or so lawyers “help operators sort through the cognitive dissonance that arises from the twin injunctions to violate some laws and norms but not others.” According to Goldsmith, these lawyers “provide comfort that whatever other fallout might occur from their CIA activities, operators needn’t worry about violating what to them often felt like bewildering US legal restrictions.” In any event, “everyone in the CIA knows that trouble follows from violating US law” and people “are watching for violations and can impose various types of legal or political punishment if they find one.”304 Likewise, former CIA lawyer Afsheen John Radsan conjectures that the CIA has sought legal approval for its drone strikes because “[t]he CIA, we know is accustomed to checking off the boxes in its paperwork” and is “[m]indful of their potential legal exposure on targeted killing.”305 To be sure, recent accounts of the CIA’s torture and secret detention programs under the Bush administration reflect that CIA personnel are deeply concerned with liability and public perception. CIA personnel aggressively sought clearance from agency lawyers and others in the Bush administration for the detention and torture programs—and, for the most part, received approval. John Rizzo, a leading CIA lawyer at the time, reportedly advised the CIA to tell as many people as possible about the programs to minimize political fall-out and maximize political support.306 In internal debates at the CIA, Rizzo notes: “I never heard— and I think I would have heard—any dissent, any moral objection,” to the programs.307

#### Obama will comply with legislative regulation

David J. Barron, Professor of Law at Harvard Law School and Martin S. Lederman, Visiting Professor of Law at the Georgetown University Law Center, “The Commander in Chief at the Lowest Ebb -- A Constitutional History,” 2008, Harvard Law Review, February, 121 Harv. L. Rev. 941, Lexis)

In addition to offering important guidance concerning the congressional role, our historical review also illuminates the practices of the President in creating the constitutional law of war powers at the "lowest ebb." Given the apparent advantages to the Executive of possessing preclusive powers in this area, it is tempting to think that Commanders in Chief would always have claimed a unilateral and unregulable authority to determine the conduct of military operations. And yet, as we show, for most of our history, the presidential practice was otherwise. Several of our most esteemed Presidents - Washington, Lincoln, and both Roosevelts, among others - never invoked the sort of preclusive claims of authority that some modern Presidents appear to embrace without pause. In fact, no Chief Executive did so in any clear way until the onset of the Korean War, even when they confronted problematic restrictions, some of which could not be fully interpreted away and some of which even purported to regulate troop deployments and the actions of troops already deployed. Even since claims of preclusive power emerged in full, the practice within the executive branch has waxed and waned. No consensus among modern Presidents has crystallized. Indeed, rather than denying the authority of Congress to act in this area, some modern Presidents, like their predecessors, have acknowledged the constitutionality of legislative regulation. They have therefore concentrated their efforts on making effective use of other presidential authorities and institutional [\*949] advantages to shape military matters to their preferred design. n11 In sum, there has been much less executive assertion of an inviolate power over the conduct of military campaigns than one might think. And, perhaps most importantly, until recently there has been almost no actual defiance of statutory limitations predicated on such a constitutional theory. This repeated, though not unbroken, deferential executive branch stance is not, we think, best understood as evidence of the timidity of prior Commanders in Chief. Nor do we think it is the accidental result of political conditions that just happened to make it expedient for all of these Executives to refrain from lodging such a constitutional objection. This consistent pattern of executive behavior is more accurately viewed as reflecting deeply rooted norms and understandings of how the Constitution structures conflict between the branches over war. In particular, this well-developed executive branch practice appears to be premised on the assumption that the constitutional plan requires the nation's chief commander to guard his supervisory powers over the military chain of command jealously, to be willing to act in times of exigency if Congress is not available for consultation, and to use the very powerful weapon of the veto to forestall unacceptable limits proposed in the midst of military conflict - but that otherwise, the Constitution compels the Commander in Chief to comply with legislative restrictions. In this way, the founding legal charter itself exhorts the President to justify controversial military judgments to a sympathetic but sometimes skeptical or demanding legislature and nation, not only for the sake of liberty, but also for effective and prudent conduct of military operations. Justice Jackson's famous instruction that "with all its defects, delays and inconveniences, men have discovered no technique for long preserving free government except that the Executive be under the law, and that the law be made by parliamentary deliberations" n12 continues to have a strong pull on the constitutional imagination. n13 What emerges from our analysis is how much pull it seemed to [\*950] have on the executive branch itself for most of our history of war powers development.

#### Legal changes cause shifts in values – prohibiting drone strikes that devalue the lives of people in the FATA causes the government to internalize new values respecting those lives

Anthony A. Leiserowitz, director of Strategic Initiatives and the Yale Project on Climate Change, and a research scientist at the School of Forestry & Environmental Studies at Yale University and Lisa O. Fernandez, the program coordinator for Strategic Initiatives and the Yale Project on Climate Change, October 2007, “Toward a New Consciousness: Values to Sustain Human and Natural Communities,” Environment, http://www.environmentmagazine.org/Archives/Back%20Issues/September-October%202008/Leiserowitz-Fernandez-full.html

Policy analysts cannot create a movement by themselves. But they can help prepare the ground so that when a movement coalesces, policy tools and leaders are ready with a clear sense of which goals to pursue and paths to take. Likewise, it is imperative that environmentalism become more than another special interest. What is required is a systems shift, a new holistic view of the world we live in. A powerful, inspiring vision of a better world, not just a critique of the status quo is needed. If widely accepted, the policy changes will follow. Policymakers and analysts can help to develop the social and political capital and policy tools for the movement that is emerging in response to the ecological, social, and economic challenges of the present and future. Use policy to encourage behavior change along with a change in values. The late Senator Daniel Patrick Moynihan (D-NY) argued that, “The central conservative truth is that culture, not politics, determines the success of a society. The central liberal truth is that politics can change a culture and save it from itself.” Sociologists have found that the engrained routinization of behavior, over time, can lead to sea changes in values. Focusing solely on changing values first may miss the opportunity to engrain new behaviors, which may themselves lead to new values. Part of the importance of policy is that laws and regulations can require changes in behavior, whether or not citizens and companies currently hold the values that would lead to those behaviors without regulation. Democratic governments, however, cannot govern without the consent of the governed and often cannot adequately enforce changes in individual behavior. Thus, policy instruments and value changes need to support each other, creating synergies and positive feedbacks that lead to large-scale changes in human behavior. Changes in smoking, seat-belt use, and drunk driving are all recent examples of the mutually reinforcing impacts of shifts in public values and attitudes on the one hand and changes in government policies on the other. • Prepare for the opportunities inherent in future crises. There is often opportunity in crisis, and the policy domain needs to be prepared to act when it occurs. Crises like Pearl Harbor, Three Mile Island, and 9/11 resulted in rapid and fundamental shifts in public priorities and institutions. As global environmental conditions continue to deteriorate, there will be inevitable surprises, shocks, and disasters. How can leaders be prepared not only to better respond to the damage and destruction of these events, but also to take advantage of these “teachable moments”? We need to prepare for future ecological crises by creating institutions, systems, and roadmaps for change so that negative responses, such as authoritarianism, do not seize the day.

#### The violence of drones abroad boomerangs to recreate oppressive practices at home – the foreign spaces “targeted” by drones serve as a testing grounds for technologies and techniques of militarization and security that spillover to police domestic urban spaces

Stephen Graham, Professor of Cities and Society at Newcastle University and previously taught at Durham and MIT, among other universities, 2010, Cities Under Siege: the New Military Urbanism, p. xiii-xvii

Such fantasies of high-tech omnipotence are much more than science fiction.¶ As well as constructing the UK’S e-Borders programme, for example, Raytheon¶ is also the leading manufacturer of both cruise missiles and the unmanned¶ drones used regularly by the CIA to launch assassination raids across the¶ Middle East and Pakistan since 2002. Raytheon is also at the heart of a range¶ of very real US military projects designed to use computer software to allow¶ robotic weapons to target and kill their foes autonomously without any human¶ involvement whatsoever, as Huber and Mills have envisioned.¶ TIlE NEW MILITARY URBANISM¶ The crossover between the military and the civilian applications of advanced¶ technology — between the surveillance and control of everyday life in Western¶ cities and the prosecution of aggressive colonial and resource wars — is at the heart¶ of a much broader set of trends that characterize the new military urbanism.¶ Of course, the effects observed in the urban Western setting differ wildly from¶ those seen in the war-zone. But, crucially, whatever the environment, these hi-¶ tech acts of violence are predicated on a set of shared ideas.¶ Fundamental to the new military urbanism is the paradigmatic shift that¶ renders cities’ communal and private spaces, as well as their infrastructure —¶ along with their civilian populations — a source of targets and threats. This is¶ manifest in the widespread use of war as the dominant metaphor in describing¶ the perpetual and boundless condition of urban societies — at war against drugs, against crime, against terror, against insecurity itself. This development¶ incorporates the stealthy militarization of a wide range of policy debates,¶ urban landscapes, and circuits of urban infrastructure, as well as whole realms¶ of popular and urban culture. It leads to the creeping and insidious diffusion¶ of militarized debates about ‘security’ in every walk of life. Together, once¶ again, these work to bring essentially military ideas of the prosecution of, and¶ preparation for, war into the heart of ordinary, day-to-day city life.¶ The insidious militarization of urban life occurs at a time when humankind¶ has become a predominantly urban species for the first time in its 150,000-¶ year history. It gains its power from multiple circuits of militarization and¶ securitizatjon which, thus far, have not been considered together or viewed as a¶ whole. It is this task to which the current book is devoted.¶ By way of introduction, and to give a flavour of the remarkable range of¶ political, social and cultural circuits currently being colonized by the new¶ military urbanism, it is worth introducing its five key features. As with Huber and Mills’s prescriptions for the future, the new military urbanism,¶ in all its complexity and reach, rests on a central idea: militarized techniques of¶ tracking and targeting must permanently colonize the city landscape and the¶ spaces of everyday life in both the ‘homelands’ and domestic cities of the West¶ as well as the world’s neo-colonial frontiers. To the latest security and military¶ gurus, this is deemed imperative, the only adequate means to address the new¶ realities of what they call ‘asymmetric’ or ‘irregular’ war.¶ Such wars pitch non-state terrorists or insurgents against the high-tech security,¶ military and intelligence forces of nation-states and their burgeoning array of private¶ and corporate afliliates-in-arms. Non-uniformed and largely indistinguishable from¶ the city populace, non-state fighters, militia, insurgents and terrorists lurk invisibly¶ thanks to the anonymity offered by the world’s burgeoning cities (especially the¶ fast-growing informal districts). They exploit and target the spiralling conduits and¶ arteries which link modem cities: the Internet, YouTube, GPS technology; mobile¶ phones, air travel, global tourism, international migration, port systems, global¶ finance, even postal services and power grids.¶ The terrorist outrages in New York, Washington, Madrid, London and¶ Mumbai (to name but a few sites of attack), along with state military assaults¶ on Baghdad, Gaza, Nablus, Beirut, Grozny, Mogadishu and South Ossetia,¶ demonstrate that asymmetric warfare is the vehicle for political violence across¶ transnational spaces. More and more, contemporary warfare takes place in supermarkets, tower blocks, subway tunnels, and industrial districts rather¶ than open fields, jungles or deserts.¶ All this means that, arguably for the first time since the Middle Ages. the¶ localized geographies of cities and the systems that weave them together are¶ starting to dominate discussions surrounding war, geopolitics and security¶ In the new military doctrine of asymmetric war — also labelled ‘low-intensity¶ conflict ‘nebvar the ‘long var or ‘fourth-generation war’ — the prosaic and¶ everyday sites, circulations and spaces of the city are becoming the main¶ ‘battlespace’ both at home and abroad.¶ In such a context, ‘Western security and military doctrine is being rapidly¶ reimagined in ways that dramatically blur the juridical and operational¶ separation between policing, intelligence and the military; distinctions between¶ war and peace; and those between local, national and global operations.¶ Increasingly, wars and associated mobilizations cease to be constrained by time¶ and space and instead become both boundless and more or less permanent.¶ At the same time, state power centres increasingly expend resources trying to¶ separate bodies deemed malign and threatening from those deemed valuable¶ and threatened within the everyday spaces of cities and the infrastructures¶ that lace them together. Instead of legal or human rights and legal systems¶ based on universal citizenship, these emerging security politics are founded¶ on the profiling of individuals, places, behaviours, associations, and groups.¶ Such practices assign these subjects risk categories based on their perceived¶ association with violence, disruption or resistance against the dominant¶ geographical orders sustaining global, neoliberal capitalism. In the West, this shift threatens to re-engineer ideas of citizenship and¶ national boundaries central to the concept of the Western nation-state since the¶ mid-seventeenth century. An increasing obsession with risk profiling may use¶ the tools of national security to unbundle ideas that feed into the conception¶ of universal national citizenship. For example, the United States is already¶ pressuring Britain to bring in a special visa system for UK citizens who want to¶ visit America with close links to Pakistan. In other words, such developments¶ threaten to establish border practices within the spaces of nation-states —¶ challenging the definition of the geographical and social ‘insides’ and ‘outsides’¶ of political communities. This process parallels, in turn, the eruption of national¶ border points within the territorial limits of nations at airports, cargo ports,¶ Internet terminals and the railway stations of express trains. Meanwhile, the policing, security and intelligence arms of governments¶ are also reaching out beyond national territorial limits as global surveillance¶ systems arc created to monitor the world’s airline, port, trade, finance and¶ communications systems. Electronic border programmes, for example — like¶ Raytheon’s in the UK — are being integrated into transnational systems so¶ that passengers’ behaviour and associations can be data-mined before they¶ attempt to board planes bound for Europe and the US. Policing powers are¶ also extending beyond the borders of nation-states. The New York Police¶ Department, for example, has recently established a chain of ten overseas¶ cilices as part of its burgeoning anti-terror efforts. Extra-national policing¶ proliferates around international political summits and sporting events. In a¶ parallel move, refugee and asylum camps are increasingly being ‘offshored’ to¶ keep them beyond the territorial limits of rich capitalist nations so that human¶ bodies deemed malign, unworthy or threatening can be stored and dealt with¶ invisibly and at a distance.¶ The expansion of police powers beyond national borders occurs just as¶ military forces are being deployed more regularly within Western nations. The¶ United States recently established a military command for North America for¶ the first time: the Northern Comrnandi Previously, this was the only part of the¶ world not covered in this way. The US Government has also gradually reduced¶ long-standing legal barriers to military deployment within US cities. Urban¶ warfare training exercises now regularly take place in American cities, geared¶ towards simulations of ‘homeland security’ crises as well as the challenges of¶ pacifying insurgencies in the cities of the colonial peripheries in the global¶ south. In addition, in a dramatic convergence of doctrine and technology, high¶ tech satellites and drones developed to monitor far-off Cold War or insurgent¶ enemies are increasingly being used within ‘Western cities. FOUCAULT’S BOOMERANG¶ The new military urbanism feeds on experiments with styles of targeting¶ and technology in colonial war-zones, such as Gaza or Baghdad, or security¶ operations at international sports events or political summits. These operations¶ act as testing grounds for technology and techniques to be sold on through¶ the world’s burgeoning homeland security markets. Through such processes of¶ imitation, explicitly colonial models of pacification, militarization and control,¶ honed on the streets of the global South, are spread to the cities of capitalist heartlands in the North. This synergy, between foreign and homeland security operations, is the second key feature of the new military urbanism.

#### Anyone concerned with anti-blackness should be raising hell about drone strikes

Jemima Pierre, editor of Black Agenda Report, a leading website on news commentary and analysis from the black left, 10-9-2012, “Black Ethics and Drone Politics,” Black Agenda Report, http://www.blackagendareport.com/content/black-ethics-and-drone-politics

They ought to call it the Nobel Death from the Sky Prize. “Barack Obama is leading a multi-country gangster-style drone war that kills people whose identities aren’t known, and that has left more than 3000 dead, including 176 children.” Yet Black America remains largely silent in “the face of such overwhelming death, despair, and destruction done on our behalf by our Black president.” It would be hard to miss the recent media coverage of the ethical and legal problems posed by the Obama administration’s drone warfare program. With a couple of widely circulated academic studies and a CNN security report, the issue of drones has finally seeped into mainstream consciousness. Yet many people in this country seem to be un-phased by the havoc wreaked by these death machines. More telling is how many on the so-called left go out of their way to either ignore the ethical questions and human casualties of drones, or to cravenly defend their indefensible use by the US government. Two of the more damning critiques of the US drone program come from the joint study by the Stanford Law School International Human Rights and Conflict Resolution Clinic and New York University Law School’s Global Justice Clinic, and from Columbia University Law School’s Center for Civilians in Conflict. The Stanford/NYU report, “Living Under Drones,” is based on field research in Pakistan, including more than 130 interviews with survivors of drone attacks or family members who were victims of attacks. The report demonstrates how only two percent of attacks reach their intended targets resulting in massive civilian casualties. But it also focused on the psychological repercussion, including anxiety and depression, suffered by Pakistanis who have to live under the constant buzz of drones hovering overhead 24 hours a day, not knowing when – or who – they will kill. The Columbia University Study, “The Civilian Impact of Drone Strikes: Unexamined Costs, Unanswered Questions,” challenged the government’s assumption that drones are “a panacea for counterterrorism efforts.” It pointed to the Obama administration’s unprecedented secrecy around drone attacks, but also how, for the US public, drones have become an acceptable part of contemporary warfare. The authors of the Columbia study also argued that one of the reasons for the lack of a public outcry over the use of drones is because media coverage of such attacks are sanitized: there are no pictures of the victim killed, no photos of the villages destroyed, and no images of damage done to local environments. All we see are images of drones. Add that to the lack of US citizen and military casualties, we get a response that combines indifference with consent to the government’s atrocious actions abroad. But in an election year, and in the face of mounting criticism of Obama’s deployment of drones, the white liberal left and other party loyalists have been forced to respond. Their responses, though, are often more morally repugnant than any racist rambling by Tea Party members. In a series of conversations in liberal venues there has been a consistent set of responses to some of the even more tepid critiques of drone warfare. Some of the more common are: 1) Obama has to win so that Romney doesn’t get to control drone warfare; 2) the data showing civilian casualties are sketchy; 3) targeted assassinations are not new to US foreign policy; 4) Romney would do the same or worse; 5) at least we’re saving US lives by not having “boots on the ground” or; 6) leftist radicals need to stop whining and vote for the lesser of two evils. One liberal even went so far as to brazenly argue: "It’s not obvious that drone strikes are indefensible and, even if they are morally wrong, they shouldn’t determine your vote alone." So now it’s the Democratic Party base defending drone bombing of “suspects” – and innocents – without the courtesy of proof or trial. By comparison, the Bush administration’s “shock and awe” and torture policies were a walk in the park on a lovely spring day. But at least the white liberals are having a discussion. Aside from a few notable exceptions, it’s been all crickets in the US Black community when it comes to talking about Obama’s criminal actions in office. And for some Black preachers, gay marriage is obviously more of an abomination than endless war and wanton murder. Others in the Black community have even participated in the morbid celebrations over the killing of Osama bin Laden and Muammar Gaddafi – killings that occurred without so much as evidence of guilt or even the pretense of due process. Barack Obama is leading a multi-country gangster-style drone war that kills people whose identities aren’t known, and that has left more than 3000 dead, including 176 children. Some of the victims have been U.S. citizens. His administration’s actions are immoral, indefensible, and cruel. They are also shortsighted. And they are done in our names, and our children’s names. As Obama has spearheaded this dangerous new world of drones, we have to believe that this new war will come with the inevitable blowback. CNN reports that more than 70 countries now own some type of drone. And even though only the US, UK, and Israel have used weaponized drones against adversaries, it’s only a matter of time before we see their proliferation (and we can bet that they will be turned on us domestically). It remains to be seen how many will stand by silently and allow this slide down the steep slope of moral depravity. For Black folk to remain silent – or even ambivalent – in the face of such overwhelming death, despair, and destruction done on our behalf by our Black president is, at best, indefensible. At worse, we’re just as criminally responsible as that drone pilot in Nevada who presses the red button on his joystick extinguishing human life as though he were playing a video game. No [hu]man, no political party, and no amount of racial allegiance should demand of us that we give up our humanity in the name of murder. It’s time we raise our voices against drone killings.

# 2AC

### 2AC – FW

#### Only debates about engaging institutions can produce social change. Disengagement from politics fractures coalitions and reinforces conservatism.

Chantal Mouffe, Professor of Political Theory at the Centre for the Study of Democracy, University of Westminster, 2009, “The Importance of Engaging the State”, *What is Radical Politics Today?*, Edited by Jonathan Pugh, pp. 233-7

In both Hardt and Negri, and Virno, there is therefore emphasis upon ‘critique as withdrawal’. They all call for the development of a non-state public sphere. They call for self-organisation, experimentation, non-representative and extra-parliamentary politics. They see forms of traditional representative politics as inherently oppressive. So they do not seek to engage with them, in order to challenge them. They seek to get rid of them altogether. This disengagement is, for such influential personalities in radical politics today, the key to every political position in the world. The Multitude must recognise imperial sovereignty itself as the enemy and discover adequate means of subverting its power. Whereas in the disciplinary era I spoke about earlier, sabotage was the fundamental form of political resistance, these authors claim that, today, it should be desertion. It is indeed through desertion, through the evacuation of the places of power, that they think that battles against Empire might be won. Desertion and exodus are, for these important thinkers, a powerful form of class struggle against imperial postmodernity. According to Hardt and Negri, and Virno, radical politics in the past was dominated by the notion of ‘the people’. This was, according to them, a unity, acting with one will. And this unity is linked to the existence of the state. The Multitude, on the contrary, shuns political unity. It is not representable because it is an active self-organising agent that can never achieve the status of a juridical personage. It can never converge in a general will, because the present globalisation of capital and workers’ struggles will not permit this. It is anti-state and anti-popular. Hardt and Negri claim that the Multitude cannot be conceived any more in terms of a sovereign authority that is representative of the people. They therefore argue that new forms of politics, which are non-representative, are needed. They advocate a withdrawal from existing institutions. This is something which characterisesmuch of radical politics today. The emphasis is not upon challenging the state. Radical politics today is often characterised by a mood, a sense and a feeling, that the state itself is inherently the problem. Critique as engagement I will now turn to presenting the way I envisage the form of social criticism best suited to radical politics today. I agree with Hardt and Negri that it is important to understand the transition from Fordism to post-Fordism. But I consider that the dynamics of this transition is better apprehended within the framework of the approach outlined in the book Hegemony and Socialist Strategy: Towards a Radical Democratic Politics (Laclau and Mouffe, 2001). What I want to stress is that many factors have contributed to this transition from Fordism to post-Fordism, and that it is necessary to recognise its complex nature. My problem with Hardt and Negri’s view is that, by putting so much emphasis on the workers’ struggles, they tend to see this transition as if it was driven by one single logic: the workers’ resistance to the forces of capitalism in the post-Fordist era. They put too much emphasis upon immaterial labour. In their view, capitalism can only be reactive and they refuse to accept the creative role played both by capital and by labour. To put it another way, they deny the positive role of political struggle. In Hegemony and Socialist Strategy: Towards a Radical Democratic Politics we use the word ‘hegemony’ to describe the way in which meaning is given to institutions or practices: for example, the way in which a given institution or practice is defined as ‘oppressive to women’, ‘racist’ or ‘environmentally destructive’. We also point out that every hegemonic order is therefore susceptible to being challenged by counter-hegemonic practices – feminist, anti-racist, environmentalist, for example. This is illustrated by the plethora of new social movements which presently exist in radical politics today (Christian, anti-war, counter-globalisation, Muslim, and so on). Clearly not all of these are workers’ struggles. In their various ways they have nevertheless attempted to influence and have influenced a new hegemonic order.This means that when we talk about ‘the political’, we do not lose sight of the ever present possibility of heterogeneity and antagonism within society. There are many different ways of being antagonistic to a dominant order in a heterogeneous society – it need not only refer to the workers’ struggles. I submit that it is necessary to introduce this hegemonic dimension when one envisages the transition from Fordism to post-Fordism. This means abandoning the view that a single logic (workers’ struggles) is at work in the evolution of the work process; as well as acknowledging the pro-active role played by capital. In order to do this we can find interesting insights in the work of Luc Boltanski and Eve Chiapello who, in their book The New Spirit of Capitalism (2005), bring to light the way in which capitalists manage to use the demands for autonomy of the new movements that developed in the 1960s, harnessing them in the development of the post-Fordist networked economy and transforming them into new forms of control.They use the term ‘artistic critique’ to refer to how the strategies of the counter-culture (the search for authenticity, the ideal of selfmanagement and the anti-hierarchical exigency) were used to promote the conditions required by the new mode of capitalist regulation, replacing the disciplinary framework characteristic of the Fordist period. From my point of view, what is interesting in this approach is that it shows how an important dimension of the transition from Fordism to post- Fordism involves rearticulating existing discourses and practices in new ways. It allows us to visualise the transition from Fordism to post- Fordism in terms of a hegemonic intervention. To be sure, Boltanski and Chiapello never use this vocabulary, but their analysis is a clear example of what Gramsci called ‘hegemony through neutralisation’ or ‘passive revolution’. This refers to a situation where demands which challenge the hegemonic order are recuperated by the existing system, which is achieved by satisfying them in a way that neutralises their subversive potential. When we apprehend the transition from Fordism to post- Fordism within such a framework, we can understand it as a hegemonic move by capital to re-establish its leading role and restore its challenged legitimacy. We did not witness a revolution, in Marx’s sense of the term. Rather, there have been many different interventions, challenging dominant hegemonic practices. It is clear that, once we envisage social reality in terms of ‘hegemonic’ and ‘counter-hegemonic’ practices, radical politics is not about withdrawing completely from existing institutions. Rather, we have no other choice but to engage with hegemonic practices, in order to challenge them. This is crucial; otherwise we will be faced with a chaotic situation. Moreover, if we do not engage with and challenge the existing order, if we instead choose to simply escape the state completely, we leave the door open for others to take control of systems of authority and regulation. Indeed there are many historical (and not so historical) examples of this. When the Left shows little interest, Right-wing and authoritarian groups are only too happy to take over the state. The strategy of exodus could be seen as the reformulation of the idea of communism, as it was found in Marx. There are many points in common between the two perspectives. To be sure, for Hardt and Negri it is no longer the proletariat, but the Multitude which is the privileged political subject. But in both cases the state is seen as a monolithic apparatus of domination that cannot be transformed. It has to ‘wither away’ in order to leave room for a reconciled society beyond law, power and sovereignty. In reality, as I’ve already noted, others are often perfectly willing to take control. If my approach – supporting new social movements and counterhegemonic practices – has been called ‘post-Marxist’ by many, it is precisely because I have challenged the very possibility of such a reconciled society. To acknowledge the ever present possibility of antagonism to the existing order implies recognising that heterogeneity cannot be eliminated. As far as politics is concerned, this means the need to envisage it in terms of a hegemonic struggle between conflicting hegemonic projects attempting to incarnate the universal and to define the symbolic parameters of social life. A successful hegemony fixes the meaning of institutions and social practices and defines the ‘common sense’ through which a given conception of reality is established. However, such a result is always contingent, precarious and susceptible to being challenged by counter-hegemonic interventions. Politics always takes place in a field criss-crossed by antagonisms. A properly political intervention is always one that engages with a certain aspect of the existing hegemony. It can never be merely oppositional or conceived as desertion, because it aims to challenge the existing order, so that it may reidentify and feel more comfortable with that order. Another important aspect of a hegemonic politics lies in establishing linkages between various demands (such as environmentalists, feminists, anti-racist groups), so as to transform them into claims that will challenge the existing structure of power relations. This is a further reason why critique involves engagement, rather than disengagement. It is clear that the different demands that exist in our societies are often in conflict with each other. This is why they need to be articulated politically,which obviously involves the creation of a collective will, a ‘we’. This, in turn, requires the determination of a ‘them’. This obvious and simple point is missed by the various advocates of the Multitude. For they seem to believe that the Multitude possesses a natural unity which does not need political articulation. Hardt and Negri see ‘the People’ as homogeneous and expressed in a unitary general will, rather than divided by different political conflicts. Counter-hegemonic practices, by contrast, do not eliminate differences. Rather, they are what could be called an ‘ensemble of differences’, all coming together, only at a given moment, against a common adversary. Such as when different groups from many backgrounds come together to protest against a war perpetuated by a state, or when environmentalists, feminists, anti-racists and others come together to challenge dominant models of development and progress. In these cases, the adversary cannot be defined in broad general terms like ‘Empire’, or for that matter ‘Capitalism’. It is instead contingent upon the particular circumstances in question – the specific states, international institutions or governmental practices that are to be challenged. Put another way, the construction of political demands is dependent upon the specific relations of power that need to be targeted and transformed, in order to create the conditions for a new hegemony. This is clearly not an exodus from politics. It is not ‘critique as withdrawal’, but ‘critique as engagement’. It is a ‘war of position’ that needs to be launched, often across a range of sites, involving the coming together of a range of interests. This can only be done by establishing links between social movements, political parties and trade unions, for example. The aim is to create a common bond and collective will, engaging with a wide range of sites, and often institutions, with the aim of transforming them. This, in my view, is how we should conceive the nature of radical politics.

### 2AC Experience

#### The call for the ballot is always already commodified – their framing as ‘currency’ is apt but the ballot can’t buy cultural change

Anne Coughlin, associate Professor of Law, Vanderbilt Law School, 1995, “REGULATING THE SELF: AUTOBIOGRAPHICAL PERFORMANCES IN OUTSIDER SCHOLARSHIP,” 81 Va. L. Rev. 1229, ln

Although Williams is quick to detect insensitivity and bigotry in remarks made by strangers, colleagues, and friends, her taste for irony fails her when it comes to reflection on her relationship with her readers and the material benefits that her autobiographical performances have earned for her. n196 Perhaps Williams should be more inclined to thank, rather than reprimand, her editors for behaving as readers of autobiography invariably do. When we examine this literary faux pas - the incongruity between Williams's condemnation of her editors and the professional benefits their publication secured her - we detect yet another contradiction between the outsiders' use of autobiography and their desire to transform culture radically. Lejeune's characterization of autobiography as a "contract" reminds us that autobiography is a lucrative commodity. In our culture, members of the reading public avidly consume personal stories, n197 which surely explains why first-rate law journals and academic presses have been eager to market outsider narratives. No matter how unruly the self that it records, an autobiographical performance transforms that self into a form of "property in a moneyed economy" n198 and into a valuable intellectual [\*1283] asset in an academy that requires its members to publish. n199 Accordingly, we must be skeptical of the assertion that the outsiders' splendid publication record is itself sufficient evidence of the success of their endeavor. n200 Certainly, publication of a best seller may transform its author's life, with the resulting commercial success and academic renown. n201 As one critic of autobiography puts it, "failures do not get published." n202 While writing a successful autobiography may be momentous for the individual author, this success has a limited impact on culture. Indeed, the transformation of outsider authors into "success stories" subverts outsiders' radical intentions by constituting them as exemplary participants within contemporary culture, willing to market even themselves to literary and academic consumers. n203 What good does this transformation do for outsiders who are less fortunate and less articulate than middle-class law professors? n204 Although they style themselves cultural critics, the [\*1284] storytellers generally do not reflect on the meaning of their own commercial success, nor ponder its entanglement with the cultural values they claim to resist. Rather, for the most part, they seem content simply to take advantage of the peculiarly American license, identified by Professor Sacvan Bercovitch, "to have your dissent and make it too." n205

#### Their participation args beg the question of societal change – intercollegiate debate is inevitably elitist given society – it costs money to travel, academia is elitist and ivory tower – even by entering the space you become an elite of some kind

Michael J. Ritter, JD at UT Law and BA from Trinity University in 2007 where he debated, September 2013, “OVERCOMING THE FICTION OF “SOCIAL CHANGE THROUGH DEBATE”:

WHAT’S TO LEARN FROM 2PAC’S CHANGES?”, http://site.theforensicsfiles.com/NJSD.2-1.Final.pdf

The tournament structure means that only a select few will be included in the first place to compete, and as tournaments progress, more and more debaters are excluded. Because only a limited number of teams can be sent to tournaments, coaches must decide who “makes the team” and which teams go to what tournaments. But these decisions (while they could be made for a good reason, bad reason, or no reason at all) will likely be influenced by a student’s natural ability or potential to become skilled at how to do our community’s particular formats of competitive debate. And because teams generally can and do not compete against other teams from their schools, a competitive interscholastic debate will result in one school advancing over the other whose chances of advancing then diminish if not disappear.

### 2AC Public Sphere

#### Anti-blackness is not a predetermined antagonism – it is created by contingent practices, which can be challenged and reversed

Peter Hudson, Senior Lecturer in the Political Studies Department at the University of the Witwatersrand, Johannesburg, South Africa, 2013, “The state and the colonial unconscious,” http://www.tandfonline.com/doi/abs/10.1080/02533952.2013.802867#tabModule

Thus the self-same/other distinction is necessary for the possibility of identity itself. There always has to exist an outside, which is also inside, to the extent it is designated as the impossibility from which the possibility of the existence of the subject derives its rule (Badiou 2009, 220). But although the excluded place which isn’t excluded insofar as it is necessary for the very possibility of inclusion and identity may be universal (may be considered “ontological”), its content (what fills it) – as well as the mode of this filling and its reproduction – are contingent. In other words, the meaning of the signifier of exclusion is not determined once and for all: the place of the place of exclusion, of death is itself over-determined, i.e. the very framework for deciding the other and the same, exclusion and inclusion, is nowhere engraved in ontological stone but is political and never terminally settled. Put differently, the “curvature of intersubjective space” (Critchley 2007, 61) and thus, the specific modes of the “othering” of “otherness” are nowhere decided in advance (as a certain ontological fatalism might have it) (see Wilderson 2008). The social does not have to be divided into white and black, and the meaning of these signifiers is never necessary – because they are signifiers. To be sure, colonialism institutes an ontological division, in that whites exist in a way barred to blacks – who are not. But this ontological relation is really on the side of the ontic – that is, of all contingently constructed identities, rather than the ontology of the social which refers to the ultimate unfixity, the indeterminacy or lack of the social. In this sense, then, the white man doesn’t exist, the black man doesn’t exist (Fanon 1968, 165); and neither does the colonial symbolic itself, including its most intimate structuring relations – division is constitutive of the social, not the colonial division. “Whiteness” may well be very deeply sediment in modernity itself, but respect for the “ontological difference” (see Heidegger 1962, 26; Watts 2011, 279) shows up its ontological status as ontic. It may be so deeply sedimented that it becomes difficult even to identify the very possibility of the separation of whiteness from the very possibility of order, but from this it does not follow that the “void” of “black being” functions as the ultimate substance, the transcendental signified on which all possible forms of sociality are said to rest. What gets lost here, then, is the specificity of colonialism, of its constitutive axis, its “ontological” differential. A crucial feature of the colonial symbolic is that the real is not screened off by the imaginary in the way it is under capitalism. At the place of the colonised, the symbolic and the imaginary give way because non-identity (the real of the social) is immediately inscribed in the “lived experience” (vécu) of the colonised subject. The colonised is “traversing the fantasy” (Zizek 2006a, 40–60) all the time; the void of the verb “to be” is the very content of his interpellation. The colonised is, in other words, the subject of anxiety for whom the symbolic and the imaginary never work, who is left stranded by his very interpellation.4 “Fixed” into “non-fixity,” he is eternally suspended between “element” and “moment”5 – he is where the colonial symbolic falters in the production of meaning and is thus the point of entry of the real into the texture itself of colonialism. Be this as it may, whiteness and blackness are (sustained by) determinate and contingent practices of signification; the “structuring relation” of colonialism thus itself comprises a knot of significations which, no matter how tight, can always be undone. Anti-colonial – i.e., anti-“white” – modes of struggle are not (just) “psychic” 6 but involve the “reactivation” (or “de-sedimentation”)7 of colonial objectivity itself. No matter how sedimented (or global), colonial objectivity is not ontologically immune to antagonism. Differentiality, as Zizek insists (see Zizek 2012, chapter 11, 771 n48), immanently entails antagonism in that differentiality both makes possible the existence of any identity whatsoever and at the same time – because it is the presence of one object in another – undermines any identity ever being (fully) itself. Each element in a differential relation is the condition of possibility and the condition of impossibility of each other. It is this dimension of antagonism that the Master Signifier covers over transforming its outside (Other) into an element of itself, reducing it to a condition of its possibility.8 All symbolisation produces an ineradicable excess over itself, something it can’t totalise or make sense of, where its production of meaning falters. This is its internal limit point, its real:9 an errant “object” that has no place of its own, isn’t recognised in the categories of the system but is produced by it – its “part of no part” or “object small a.”10 Correlative to this object “a” is the subject “stricto sensu” – i.e., as the empty subject of the signifier without an identity that pins it down.11 That is the subject of antagonism in confrontation with the real of the social, as distinct from “subject” position based on a determinate identity.

#### Racism is down – progressivism is effective at combating discrimination – prefer data

Zack Beauchamp, Editor and reporter at Think Progress, 12-11-2013, “5 Reasons Why 2013 Was The Best Year In Human History,” http://thinkprogress.org/security/2013/12/11/3036671/2013-certainly-year-human-history/

Racism, sexism, anti-Semitism, homophobia, and other forms of discrimination remain, without a doubt, extraordinarily powerful forces. The statistical and experimental evidence is overwhelming — this irrefutable proof of widespread discrimination against African-Americans, for instance, should put the “racism is dead” fantasy to bed. Yet the need to combat discrimination denial shouldn’t blind us to the good news. Over the centuries, humanity has made extraordinary progress in taming its hate for and ill-treatment of other humans on the basis of difference alone. Indeed, it is very likely that we live in the least discriminatory era in the history of modern civilization. It’s not a huge prize given how bad the past had been, but there are still gains worth celebrating. Go back 150 years in time and the point should be obvious. Take four prominent groups in 1860: African-Americans were in chains, European Jews were routinely massacred in the ghettos and shtetls they were confined to, women around the world were denied the opportunity to work outside the home and made almost entirely subordinate to their husbands, and LGBT people were invisible. The improvements in each of these group’s statuses today, both in the United States and internationally, are incontestable. On closer look, we have reason to believe the happy trends are likely to continue. Take racial discrimination. In 2000, Harvard sociologist Lawrence Bobo penned a comprehensive assessment of the data on racial attitudes in the United States. He found a “national consensus” on the ideals of racial equality and integration. “A nation once comfortable as a deliberately segregationist and racially discriminatory society has not only abandoned that view,” Bobo writes, “but now overtly positively endorses the goals of racial integration and equal treatment. There is no sign whatsoever of retreat from this ideal, despite events that many thought would call it into question. The magnitude, steadiness, and breadth of this change should be lost on no one.” The norm against overt racism has gone global. In her book on the international anti-apartheid movement in the 1980s, Syracuse’s Audie Klotz says flatly that “the illegitimacy of white minority rule led to South Africa’s persistent diplomatic, cultural, and economic isolation.” The belief that racial discrimination could not be tolerated had become so widespread, Klotz argues, that it united the globe — including governments that had strategic interests in supporting South Africa’s whites — in opposition to apartheid. In 2011, 91 percent of respondents in a sample of 21 diverse countries said that equal treatment of people of different races or ethnicities was important to them. Racism obviously survived both American and South African apartheid, albeit in more subtle, insidious forms. “The death of Jim Crow racism has left us in an uncomfortable place,” Bobo writes, “a state of laissez-faire racism” where racial discrimination and disparities still exist, but support for the kind of aggressive government policies needed to address them is racially polarized. But there’s reason to hope that’ll change as well: two massive studies of the political views of younger Americans by my TP Ideas colleagues, John Halpin and Ruy Teixeira, found that millenials were significantly more racially tolerant and supportive of government action to address racial disparities than the generations that preceded them. Though I’m not aware of any similar research of on a global scale, it’s hard not to imagine they’d find similar results, suggesting that we should have hope that the power of racial prejudice may be waning. The story about gender discrimination is very similar: after the feminist movement’s enormous victories in the 20th century, structural sexism still shapes the world in profound ways, but the cause of gender equality is making progress. In 2011, 86 percent of people in a diverse 21 country sample said that equal treatment on the basis of gender was an important value. The U.N.’s Human Development Report’s Gender Inequality Index — a comprehensive study of reproductive health, social empowerment, and labor market equity — saw a 20 percent decline in observable gender inequalities from 1995 to 2011. IMF data show consistent global declines in wage disparities between genders, labor force participation, and educational attainment around the world. While enormous inequality remains, 2013 is looking to be the worst year for sexism in history. Finally, we’ve made astonishing progress on sexual orientation and gender identity discrimination — largely in the past 15 years. At the beginning of 2003, zero Americans lived in marriage equality states; by the end of 2013, 38 percent of Americans will. Article 13 of the European Community Treaty bans discrimination on the grounds of sexual orientation, and, in 2011, the UN Human Rights Council passed a resolution committing the council to documenting and exposing discrimination on orientation or identity grounds around the world. The public opinion trends are positive worldwide: all of the major shifts from 2007 to 2013 in Pew’s “acceptance of homosexuality” poll were towards greater tolerance, and young people everywhere are more open to equality for LGBT individuals than their older peers. Once again, these victories are partial and by no means inevitable. Racism, sexism, homophobia, and other forms of discrimination aren’t just “going away” on their own. They’re losing their hold on us because people are working to change other people’s minds and because governments are passing laws aimed at promoting equality. Positive trends don’t mean the problems are close to solved, and certainly aren’t excuses for sitting on our hands.

### Alt

#### Equating personalization and radical pedagogy leads to the conflation of individual with group identity and requires ontological policing to assess the authenticity of claims

Joan Scott, professor of sociology at Princeton, 1992, “Multiculturalism and the Politics of Identity,” The Identity in Question (Summer, 1992), pp. 12-19, JSTOR

There is nothing wrong, on the face of it, with teaching individuals about how to behave decently in relation to others and about how to empathize with each other's pain. The problem is that difficult analyses of how history and social standing, privilege, and subordination are involved in personal behavior entirely drop out. Chandra Mohanty puts it this way: There has been an erosion of the politics of collectivity through the reformulation of race and difference in individualistic terms. The 1960s and '70s slogan "the personal is political" has been recrafted in the 1980s as "the political is personal." In other words, all politics is collapsed into the personal, and questions of individual behaviors, attitudes, and life-styles stand in for political analysis of the social. Individual political struggles are seen as the only relevant and legitimate form of political struggle.5 Paradoxically, individuals then generalize their perceptions and claim to speak for a whole group, but the groups are also conceived as unitary and autonomous. This individualizing, personalizing conception has also been behind some of the recent identity politics of minorities; indeed it gave rise to the intolerant, doctrinaire behavior that was dubbed, initially by its internal critics, "political correctness." It is particularly in the notion of "experience" that one sees this operating. In much current usage of "experience," references to structure and history are implied but not made explicit; instead, personal testimony of oppression re-places analysis, and this testimony comes to stand for the experience of the whole group. The fact of belonging to an identity group is taken as authority enough for one's speech; the direct experience of a group or culture-that is, membership in it-becomes the only test of true knowledge. The exclusionary implications of this are twofold: all those not of the group are denied even intellectual access to it, and those within the group whose experiences or interpretations do not conform to the established terms of identity must either suppress their views or drop out. An appeal to "experience" of this kind forecloses discussion and criticism and turns politics into a policing operation: the borders of identity are patrolled for signs of nonconformity; the test of membership in a group becomes less one's willingness to endorse certain principles and engage in specific political actions, less one's positioning in specific relationships of power, than one's ability to use the prescribed languages that are taken as signs that one is inherently "of" the group. That all of this isn't recognized as a highly political process that produces identities is troubling indeed, especially because it so closely mimics the politics of the powerful, naturalizing and deeming as discernably objective facts the prerequisites for inclusion in any group.

# 1AR

### AT: Anti-Ethics

#### Anti-blackness is not a predetermined antagonism – it is created by contingent practices, which can be challenged and reversed

Peter Hudson, Senior Lecturer in the Political Studies Department at the University of the Witwatersrand, Johannesburg, South Africa, 2013, “The state and the colonial unconscious,” http://www.tandfonline.com/doi/abs/10.1080/02533952.2013.802867#tabModule

Thus the self-same/other distinction is necessary for the possibility of identity itself. There always has to exist an outside, which is also inside, to the extent it is designated as the impossibility from which the possibility of the existence of the subject derives its rule (Badiou 2009, 220). But although the excluded place which isn’t excluded insofar as it is necessary for the very possibility of inclusion and identity may be universal (may be considered “ontological”), its content (what fills it) – as well as the mode of this filling and its reproduction – are contingent. In other words, the meaning of the signifier of exclusion is not determined once and for all: the place of the place of exclusion, of death is itself over-determined, i.e. the very framework for deciding the other and the same, exclusion and inclusion, is nowhere engraved in ontological stone but is political and never terminally settled. Put differently, the “curvature of intersubjective space” (Critchley 2007, 61) and thus, the specific modes of the “othering” of “otherness” are nowhere decided in advance (as a certain ontological fatalism might have it) (see Wilderson 2008). The social does not have to be divided into white and black, and the meaning of these signifiers is never necessary – because they are signifiers. To be sure, colonialism institutes an ontological division, in that whites exist in a way barred to blacks – who are not. But this ontological relation is really on the side of the ontic – that is, of all contingently constructed identities, rather than the ontology of the social which refers to the ultimate unfixity, the indeterminacy or lack of the social. In this sense, then, the white man doesn’t exist, the black man doesn’t exist (Fanon 1968, 165); and neither does the colonial symbolic itself, including its most intimate structuring relations – division is constitutive of the social, not the colonial division. “Whiteness” may well be very deeply sediment in modernity itself, but respect for the “ontological difference” (see Heidegger 1962, 26; Watts 2011, 279) shows up its ontological status as ontic. It may be so deeply sedimented that it becomes difficult even to identify the very possibility of the separation of whiteness from the very possibility of order, but from this it does not follow that the “void” of “black being” functions as the ultimate substance, the transcendental signified on which all possible forms of sociality are said to rest. What gets lost here, then, is the specificity of colonialism, of its constitutive axis, its “ontological” differential. A crucial feature of the colonial symbolic is that the real is not screened off by the imaginary in the way it is under capitalism. At the place of the colonised, the symbolic and the imaginary give way because non-identity (the real of the social) is immediately inscribed in the “lived experience” (vécu) of the colonised subject. The colonised is “traversing the fantasy” (Zizek 2006a, 40–60) all the time; the void of the verb “to be” is the very content of his interpellation. The colonised is, in other words, the subject of anxiety for whom the symbolic and the imaginary never work, who is left stranded by his very interpellation.4 “Fixed” into “non-fixity,” he is eternally suspended between “element” and “moment”5 – he is where the colonial symbolic falters in the production of meaning and is thus the point of entry of the real into the texture itself of colonialism. Be this as it may, whiteness and blackness are (sustained by) determinate and contingent practices of signification; the “structuring relation” of colonialism thus itself comprises a knot of significations which, no matter how tight, can always be undone. Anti-colonial – i.e., anti-“white” – modes of struggle are not (just) “psychic” 6 but involve the “reactivation” (or “de-sedimentation”)7 of colonial objectivity itself. No matter how sedimented (or global), colonial objectivity is not ontologically immune to antagonism. Differentiality, as Zizek insists (see Zizek 2012, chapter 11, 771 n48), immanently entails antagonism in that differentiality both makes possible the existence of any identity whatsoever and at the same time – because it is the presence of one object in another – undermines any identity ever being (fully) itself. Each element in a differential relation is the condition of possibility and the condition of impossibility of each other. It is this dimension of antagonism that the Master Signifier covers over transforming its outside (Other) into an element of itself, reducing it to a condition of its possibility.8 All symbolisation produces an ineradicable excess over itself, something it can’t totalise or make sense of, where its production of meaning falters. This is its internal limit point, its real:9 an errant “object” that has no place of its own, isn’t recognised in the categories of the system but is produced by it – its “part of no part” or “object small a.”10 Correlative to this object “a” is the subject “stricto sensu” – i.e., as the empty subject of the signifier without an identity that pins it down.11 That is the subject of antagonism in confrontation with the real of the social, as distinct from “subject” position based on a determinate identity.