# 1nc

### 1

#### [A.] Interpretation: Statutory restrictions are only legislation that is passed by both houses of congress and signed by the president

#### 1. Statutory restriction are limits placed on authorized activities by ruling legislation

Black’s Law

[“statutory restriction”, <http://thelawdictionary.org/statutory-restriction/>, accessed 6-2-13, AFB]

Limits or controls that have been place on activities by its ruling legislation.

#### 2. Statutes must be passed by both houses of legislature and signed by the president – only then does it become ruling legislation

West’s Encyclopedia of American Law ed. 2, “statute,” 2008. http://legal-dictionary.thefreedictionary.com/statute

An act of a legislature that declares, proscribes, or commands something; a specific law, expressed in writing.¶ A statute is a written law passed by a legislature on the state or federal level. Statutes set forth general propositions of law that courts apply to specific situations. A statute may forbid a certain act, direct a certain act, make a declaration, or set forth governmental mechanisms to aid society.¶ A statute begins as a bill proposed or sponsored by a legislator. If the bill survives the legislative committee process and is approved by both houses of the legislature, the bill becomes law when it is signed by the executive officer (the president on the federal level or the governor on the state level). When a bill becomes law, the various provisions in the bill are called statutes. The term statute signifies the elevation of a bill from legislative proposal to law. State and federal statutes are compiled in statutory codes that group the statutes by subject. These codes are published in book form and are available at law libraries.

#### [B.] Violation: The affirmative’s use of treaties does not occur through statutorily created ruling legislation.

#### Statutes and treaties are distinct – differing origin points and status of law

West’s Encyclopedia of American Law, ed. 2, “law,” 2008. http://legal-dictionary.thefreedictionary.com/Statutes+and+Treaties

Statutes and Treaties¶ After the federal Constitution, the highest laws are written laws, or statutes, passed by elected federal lawmakers. States have their own constitution and statutes.¶ Federal laws generally involve matters that concern the entire country. State laws generally do not reach beyond the borders of the state. Under Article VI, Section 2, of the U.S. Constitution, federal laws have supremacy over state and local laws. This means that when a state or local law conflicts with a federal law, the federal law prevails.¶ Federal statutes are passed by Congress and signed into law by the president. State statutes are passed by state legislatures and approved by the governor. If a president or governor vetoes, or rejects, a proposed law, the legislature may override the Veto if at least two-thirds of the members of each house of the legislature vote for the law.¶ Statutes are contained in statutory codes at the federal and state levels. These statutory codes are available in many public libraries, in law libraries, and in some government buildings, such as city halls and courthouses. They are also available on the World Wide Web. For example, the statutory codes that are in effect in the state of Michigan can be accessed at <http://www.michigan.gov/orr>. A researcher may access the United States Code, which is the compilation of all federal laws, at <http://uscode.house.gov>. The site is maintained by the Office of the Law Revision Counsel of the U.S. House of Representatives.¶ On the federal level, the president has the power to enter into treaties, with the advice and consent of Congress. Treaties are agreements with sovereign nations concerning a wide range of topics such as environmental protection and the manufacture of nuclear missiles. A treaty does not become law until it is approved by two-thirds of the U.S. Senate. Most treaties are concerned with the actions of government employees, but treaties also apply to private citizens.

#### [C.] Prefer our interpretation:

#### 1. Limits and ground: Expanding the restrictive mechanism into treaties and beyond statutes creates an unsustainable negative research burden to cover that many angles of restrictions – allows the affirmative to incorporate presidential origination and doesn’t include links to the house of representatives. Also creates unpredictable aff ground related to the treaty powers advantages.

#### 2. Education: Treaties debates crowd out substantive education on domestic restrictions on presidential authority – we should assess the relative strength of statutory restrictions to other types of restrictions.

#### [D.] Topicality is a voting issue – rule of game, fairness, and education

### 2

#### The Executive should reverse Al-Bihani and affirm through application of the Charming Betsy canon that treaties ratified by the United States are restrictions on the war power authority of the president.

#### It solves—it’s legally bound by the courts

Posner and Vermeule 2010 [Eric A. , Professor of Law at the University of Chicago Law School and Editor of The Journal of Legal Studies; Adrian , Harvard Law Professor, The Executive Unbound: After the Madisonian Republic, Oxford Press, p. 138-139//wyo-sc]

Many of our mechanisms are unproblematic from a legal perspective, as they involve presidential actions that are clearly lawful. But a few raise legal questions; in particular, those that involve self-binding.59 Can a president bind himself to respect particular first-order policies? With qualifications, the answer is "yes, at least to the same extent that a legislature can." Formally, a duly promulgated executive rule or order binds even the executive unless and until it is validly abrogated, thereby establishing a new legal status quo.60 The legal authority to establish a new status quo allows a president to create inertia or political constraints that will affect his own future choices. In a practical sense, presidents, like legislatures, have great de facto power to adopt policies that shape the legal landscape for the future. A president might commit himself to a long-term project of defense procurement or infrastructure or foreign policy, narrowing his own future choices and generating new political coalitions that will act to defend the new rules or policies. More schematically, we may speak of formal and informal means of selfbinding: 1. The president might use formal means to bind himself. This is possible in the sense that an executive order, if otherwise valid, legally binds the president while it is in effect and may be enforced by the courts. It is not possible in the sense that the president can always repeal the executive order if he can bear the political and reputational costs of doing so. 2. The president might use informal means to bind himself. This is not only possible but frequent and important. Issuing an executive rule providing for the appointment of special prosecutors, as Nixon did, is not a formal self-binding.61 However, there may be political costs to repealing the order. This effect does not depend on the courts' willingness to enforce the order, even against Nixon himself. Court enforcement makes the order legally binding while it is in place, but only political and reputational enforcement can protect it from repeal. Just as a dessert addict might announce to his friends that he is going on a no-dessert diet in order to raise the reputational costs of backsliding and thus commit himself, so too the repeal of an executive order may be seen as a breach of faith even if no other institution ever enforces it. In what follows, we will invoke both formal and informal mechanisms. For our purposes, the distinction between the authority to engage in de jure self-binding (legally limited and well-defined) and the power to engage in de facto self-binding (broad and amorphous) is secondary. So long as policies are deliberately chosen with a view to generating credibility, and do so by constraining the president’s own future choices in ways that impose greater costs on ill-motivated presidents than on well-motivated ones, it does not matter whether the constraint is formal or informal.

### 3

#### New NDAA increases presidential flexibility and signals an end to ongoing congressional opposition.

Kaplan 13

[REBECCA KAPLAN, “Obama signs budget deal, defense authorization bills into law,” CBS NEWS, December 26, 2013, <http://www.cbsnews.com/news/obama-signs-budget-deal-defense-authorization-bills-into-law/> // wyo-cjh]

The other major piece of legislation the president signed was the National Defense Authorization Act, which stalled in the Senate in December before lawmakers were able to pass a slimmed-down version by crafting a compromise bill between Congress’ two chambers and shutting down the opportunities for senators to offer amendments. The law takes some steps to reform the way the military prosecutes sexual assault cases, but lawmakers did not have the opportunity to vote on a proposal from Sen. Kirsten Gillibrand, D-N.Y., to remove the decision to prosecute cases from the chain of command and put them into the hands of independent military prosecutors. It does give Mr. Obama additional flexibility to transfer detainees from Guantanamo Bay abroad, a step toward allowing him to close the facility and make good on a long-held promise first made in his 2008 campaign. The goal has been frustrated by Congressional opposition, among other challenges. The small bit of additional flexibility in the defense bill drew praise from the president as a “positive step” in a signing statement he released Thursday, but he also urged Congress to lift other restrictions that slow down the process of negotiating with foreign countries to transfer detainees and prevent the administration from transferring Guantanamo detainees to the U.S., where they could be tried. These restrictions, Mr. Obama suggested in the statement, are a violation of the constitutional principle of separation of powers. “The executive branch must have the authority to determine when and where to prosecute Guantanamo detainees, based on the facts and circumstances of each case and our national security interests. For decades, Republican and Democratic administrations have successfully prosecuted hundreds of terrorists in Federal court. Those prosecutions are a legitimate, effective, and powerful tool in our efforts to protect the Nation. Removing that tool from the executive branch does not serve our national security interests,” the statement said.

**Judicial review of foreign policy decks the executive flexibility necessary to solve prolif, terror, and the rise of hostile powers---link threshold is low**

Robert **Blomquist 10**, Professor of Law, Valparaiso University School of Law, THE JURISPRUDENCE OF AMERICAN NATIONAL SECURITY PRESIPRUDENCE, 44 Val. U.L. Rev. 881

Supreme Court Justices--along with legal advocates--need to conceptualize and prioritize big theoretical matters of institutional design and form and function in the American national security tripartite constitutional system. By way of an excellent introduction to these vital issues of legal theory, the Justices should pull down from the library shelf of the sumptuous Supreme Court Library in Washington, D.C. (or more likely have a clerk do this chore) the old chestnut, The Legal Process: Basic Problems in the Making and Application of Law by the late Harvard University law professors Henry M. Hart and Albert M. Sacks. n7 Among the rich insights on institutional design coupled with form and function in the American legal system that are germane to the Court's interpretation of national security law-making and decision-making by the President are several pertinent points. First, "Hart and Sacks' intellectual starting point was the interconnectedness of human beings, and the usefulness of law in helping us coexist peacefully together." n8 By implication, therefore, the Court should be mindful of the **unique** [\*883] constitutional **role played by the POTUS in preserving peace** **and should prevent imprudent judicial actions that would undermine** American national **security**. Second, Hart and Sacks, continuing their broad insights of social theory, noted that legal communities establish "institutionalized[] procedures for the settlement of questions of group concern" n9 and regularize "different procedures and personnel of different qualifications . . . appropriate for deciding different kinds of questions" n10 because "every modern society differentiates among social questions, accepting one mode of decision for one kind and other modes for others-e.g., courts for 'judicial' decisions and legislatures for 'legislative' decisions" n11 and, extending their conceptualization, an executive for "executive" decisions. n12 Third, Professors Hart and Sacks made seminal theoretical distinctions between rules, standards, principles, and policies. n13 While all four are part of "legal arrangements [\*884] in an organized society," n14 and all four of these arrangements are potentially relevant in judicial review of presidential national security decisions, principles and policies n15 are of special concern because of **the sprawling, inchoate, and rapidly changing nature of** national security **threats and the imperative of hyper-energy in the Executive branch in responding to these threats.** n16

The Justices should also consult Professor Robert S. Summers's masterful elaboration and amplification of the Hart and Sacks project on enhancing a flourishing legal system: the 2006 opus, Form and Function in a Legal System: A General Study. n17 The most important points that [\*885] Summers makes that are relevant to judicial review of American national security presiprudence are three key considerations. First, a "conception of the overall form of the whole of a functional [legal] unit is needed to serve the founding purpose of defining, specifying, and organizing the makeup of such a unit so that it can be brought into being and can fulfill its own distinctive role" n18 in synergy with other legal units to serve overarching sovereign purposes for a polity. The American constitutional system of national security law and policy should be appreciated for its genius in making the POTUS the national security sentinel with vast, but not unlimited, powers to protect the Nation from hostile, potentially catastrophic, threats. Second, "a conception of the overall form of the whole is needed for the purpose of organizing the internal unity of relations between various formal features of a functional [legal] unit and between each formal feature and the complementary components of the whole unit." n19 Thus, Supreme Court Justices should have a thick understanding of the form of national security decision-making conceived by the Founders to center in the POTUS; the ways the POTUS and Congress historically organized the processing of national security through institutions like the National Security Council and the House and Senate intelligence committees; and the ways the POTUS has structured national security process through such specific legal forms as Presidential Directives, National Security Decision Directives, National Security Presidential Decision Directives, Presidential Decision Directives, and National Security Policy Directives in classified, secret documents along with typically public Executive Orders. n20 Third, according to Summers, "a conception of the overall form of the whole functional [legal] unit is needed to organize further the mode of operation and the instrumental capacity of the [legal] unit." n21 So, the Supreme Court should be aware that tinkering with national security decisions of the POTUS--unless clearly necessary to counterbalance an indubitable violation of the text of the Constitution--may lead to **unforeseen negative second-order consequences** in the ability of the POTUS (with or without the help of Congress) to preserve, protect, and defend the Nation. n22

[\*886] B. Geopolitical Strategic Considerations Bearing on Judicial Interpretation

Before the United States Supreme Court Justices form an opinion on the legality of national security decisions by the POTUS, they should immerse themselves in judicially-noticeable facts concerning what national security expert, Bruce Berkowitz, in the subtitle of his recent book, calls the "challengers, competitors, and threats to America's future." n23 Not that the Justices need to become experts in national security affairs, n24 but every Supreme Court Justice should be aware of the following five basic national security facts and conceptions before sitting in judgment on presiprudential national security determinations.

(1) "National security policy . . . is harder today because the issues that are involved are more numerous and varied. The problem of the day can change at a moment's notice." n25 While "[y]esterday, it might have been **proliferation**; today, **terrorism**; tomorrow, **hostile regional powers**" n26, the twenty-first century reality is that "[t]hreats are also more likely to be intertwined--proliferators use the same networks as narco-traffickers, narco-traffickers support terrorists, and terrorists align themselves with regional powers." n27

(2) "Yet, as worrisome as these immediate concerns may be, the long-term challenges are even harder to deal with, and the stakes are higher. Whereas the main Cold War threat--the Soviet Union--was brittle, most of the potential adversaries and challengers America now faces are resilient." n28

(3) "The most important task for U.S. national security today is simply to retain the strategic advantage. This term, from the world of military doctrine, refers to the overall ability of a nation to control, or at least influence, the course of events." n29 Importantly, "[w]hen you hold [\*887] the strategic advantage, situations unfold in your favor, and each round ends so that you are in an advantageous position for the next. When you do not hold the strategic advantage, they do not." n30

(4) While "keeping the strategic advantage may not have the idealistic ring of making the world safe for democracy and does not sound as decisively macho as maintaining American hegemony," n31 maintaining the American "strategic advantage is critical, because it is essential for just about everything else America hopes to achieve--promoting freedom, protecting the homeland, defending its values, preserving peace, and so on." n32

(5) The United States requires national security "**agility**." n33 It not only needs "to refocus its resources repeatedly; it needs to do this faster than an adversary can focus its own resources." n34

[\*888] As further serious preparation for engaging in the jurisprudence of American national security presiprudence in hotly contested cases and controversies that may end up on their docket, our Supreme Court Justices should understand that, as Walter Russell Mead pointed out in an important essay a few years ago, n35 the average American can be understood as a Jacksonian pragmatist on national security issues. n36 "Americans are determined to keep the world at a distance, while not isolating ourselves from it completely. If we need to take action abroad, we want to do it on our terms." n37 Thus, recent social science survey data paints "a picture of a country whose practical people take a practical approach to knowledge about national security. Americans do not bother with the details most of the time because, for most Americans, the details do not matter most the time." n38 Indeed, since the American people "do know the outlines of the big picture and what we need to worry about [in national security affairs] so we know when we need to pay greater attention and what is at stake. This is the kind of knowledge suited to a Jacksonian." n39

Turning to how the Supreme Court should view and interpret American presidential measures to oversee national security law and policy, our Justices should consider a number of important points. First, given the robust text, tradition, intellectual history, and evolution of the institution of the POTUS as the American national security sentinel, n40 and the unprecedented dangers to the United States national security after 9/11, n41 national security presiprudence should be accorded **wide latitude** by the Court in the adjustment (and tradeoffs) of trading liberty and security. n42 Second, Justices should be aware that different presidents [\*889] institute changes in national security presiprudence given their unique perspective and knowledge of threats to the Nation. n43 Third, Justices should be restrained in second-guessing the POTUS and his subordinate national security experts concerning both the existence and duration of national security emergencies and necessary measures to rectify them. "During emergencies, the institutional advantages of the executive are enhanced", n44 moreover, "[b]ecause of the importance of secrecy, speed, and flexibility, courts, which are slow, open, and rigid, have less to contribute to the formulation of national policy than they do during normal times." n45 Fourth, Supreme Court Justices, of course, should not give the POTUS a blank check--even during times of claimed national emergency; but, how much deference to be accorded by the Court is "always a hard question" and should be a function of "the scale and type of the emergency." n46 Fifth, the Court should be **extraordinarily deferential** to the POTUS and his executive subordinates regarding questions of executive determinations of the international laws of war and military tactics. As cogently explained by Professors Eric Posner and Adrian Vermeule, n47 "the United States should comply with the laws of war in its battle against Al Qaeda"--and I would argue, other lawless terrorist groups like the Taliban--"only to the extent these laws are beneficial to the United States, taking into account the likely response of [\*890] other states and of al Qaeda and other terrorist organizations," n48 as determined by the POTUS and his national security executive subordinates.

### 4

#### Security is a psychological construct—the aff’s scenarios for conflict are products of paranoia that project our violent impulses onto the other

Mack 91

– Doctor of Psychiatry and a professor at Harvard University (John, “The Enemy System” http://www.johnemackinstitute.org/eJournal/article.asp?id=23 \*Gender modified)

The threat of nuclear annihilation has stimulated us to try to understand what it is about (hu)mankind that has led to such self-destroying behavior. Central to this inquiry is an exploration of the adversarial relationships between ethnic or national groups. It is out of such enmities that war, including nuclear war should it occur, has always arisen. Enmity between groups of people stems from the interaction of psychological, economic, and cultural elements. These include fear and hostility (which are often closely related), competition over perceived scarce resources,[3] the need for individuals to identify with a large group or cause,[4] a tendency to disclaim and assign elsewhere responsibility for unwelcome impulses and intentions, and a peculiar susceptibility to emotional manipulation by leaders who play upon our more savage inclinations in the name of national security or the national interest. A full understanding of the "enemy system"[3] requires insights from many specialities, including psychology, anthropology, history, political science, and the humanities. In their statement on violence[5] twenty social and behavioral scientists, who met in Seville, Spain, to examine the roots of war, declared that there was no scientific basis for regarding (hu)man(s) as an innately aggressive animal, inevitably committed to war. The Seville statement implies that we have real choices. It also points to a hopeful paradox of the nuclear age: threat of nuclear war may have provoked our capacity for fear-driven polarization but at the same time it has inspired unprecedented efforts towards cooperation and settlement of differences without violence. The Real and the Created Enemy Attempts to explore the psychological roots of enmity are frequently met with responses on the following lines: "I can accept psychological explanations of things, but my enemy is real. The Russians [or Germans, Arabs, Israelis, Americans] are armed, threaten us, and intend us harm. Furthermore, there are real differences between us and our national interests, such as competition over oil, land, or other scarce resources, and genuine conflicts of values between our two nations. It is essential that we be strong and maintain a balance or superiority of military and political power, lest the other side take advantage of our weakness". This argument does not address the distinction between the enemy threat and one's own contribution to that threat-**by distortions of perception**, provocative words, and actions. In short, the enemy is real, but we have not learned to understand how we have created that enemy, or how the threatening image we hold of the enemy relates to its actual intentions. "We never see our enemy's motives and we never labor to assess his will, with anything approaching objectivity".[6] Individuals may have little to do with the choice of national enemies. Most Americans, for example, know only what has been reported in the mass media about the Soviet Union. We are largely unaware of the forces that operate within our institutions, affecting the thinking of our leaders and ourselves, and which determine how the Soviet Union will be represented to us. Ill-will and a desire for revenge are transmitted from one generation to another, and we are not taught to think critically about how our assigned enemies are selected for us. In the relations between potential adversarial nations there will have been, inevitably, real grievances that are grounds for enmity. But the attitude of one people towards another is usually determined by leaders who manipulate the minds of citizens for domestic political reasons which are generally unknown to the public. As Israeli sociologist Alouph Haveran has said, in times of conflict between nations historical accuracy is the first victim.[8] The Image of the Enemy and How We Sustain It Vietnam veteran William Broyles wrote: "War begins in the mind, with the idea of the enemy."[9] But to sustain that idea in war and peacetime a nation's leaders must maintain public support for the massive expenditures that are required. Studies of enmity have revealed susceptibilities, though not necessarily recognized as such by the governing elites that provide raw material upon which the leaders may draw to sustain the image of an enemy.[7,10] Freud[11] in his examination of mass psychology identified the proclivity of individuals to surrender personal responsibility to the leaders of large groups. This surrender takes place in both totalitarian and democratic societies, and without coercion. Leaders can therefore designate outside enemies and take actions against them with little opposition. Much further research is needed to understand the psychological mechanisms that impel individuals to kill or allow killing in their name, often with little questioning of the morality or consequences of such actions. Philosopher and psychologist Sam Keen asks why it is that in virtually every war "The enemy is seen as less than human? He's faceless. He's an animal"." Keen tries to answer his question: "The image of the enemy is not only the soldier's most powerful weapon; it is society's most powerful weapon. It enables people en masse to participate in acts of violence they would never consider doing as individuals".[12] National leaders become skilled in presenting the adversary in dehumanized images. The mass media, taking their cues from the leadership, contribute powerfully to the process.

#### INTERNATIONAL LAW MASKS THE HEGEMONY OF GLOBAL POWER POLITICS, DICHOTOMIZING THE PLANET AND SUBORDINATING IT TO THE U.S.’s WILL

Mutua 2002

[Makau, Prof. Law @ Dir. HR Center, State U. of NY @ Buffalo, “Terrorism and Human Rights: Power, Culture, and Subordination,” 8 Buffalo Human Rights Law Review 1, LN//uwyo-ajl]

The effects of the September 11 attacks on the United States on human rights and the international legal regimes are best understood as a historical continuum. The unilateral actions taken by the United States under the veil of an allied coalition expose international law as a system of "insider" groups and dominant global interests. The invocation of self-defense as a justification for U.S. military actions in Afghanistan -- and the inability of any state or international institution to question or challenge them -- underscore the biases of international law. Those biases, on which international law is founded, treat the universe as a theater for European and North American military, political, economic, and cultural interests. n2 This global white European supremacy over non-European peoples is premised on the notion of Europe as the center of the universe, Christianity as the fountain of civilization, the innateness of capitalist economics, and political imperialism as a necessity. n3 In this scheme of international law, the West is the point of reference for the world, and every other country or region is incidental to the [\*4] European West. In the current global terror-driven crisis, public discourse implies that the Judeo-Christian tradition is the moral and naturalist foundation of civilization and reason, without which full humanity is unattainable. In historical terms, Christianity was coupled with the colonial project, fusing the church, state, and empire. Capitalism was constructed as innate in humans, and therefore the basis for the regimes of the ownership, protection, and distribution of global resources. Political imperialism -- defined today as global American leadership -- is an indispensable paradigm in the ordering of the relationship between Europeans and non-European peoples, with the manifest duty of European peoples to convey the gifts of civilization to backward and uncivilized races.¶ Thus international law orders the world into the European and the non-European, and gives primacy to the former. This is done by creating the notion of the hierarchy of cultures and peoples. The fundamental principles of international law evidence this inflexible view of the discipline. Sovereignty and statehood are defined in such a way as to exclude or subordinate non-European societies. n4 Membership in international society is a prerogative of American and European powers, which alone decide who -- and on what terms -- belongs to this international society and can benefit from the privileges of international law. Nowhere has this been more evident than in Afghanistan where the United States has arrogated to itself the right to dismantle the state, and to recreate it. The current crisis leaves no doubt about the identity of the masters of the universe. The international legal order erects, preserves, and advances the European and American domination of the globe.

#### Alternative: Vote negative to embrace the inevitable vulnerability of life.

Butler, 2004

[Judith Butler, is an [American](http://en.wikipedia.org/wiki/United_States) [post-structuralist](http://en.wikipedia.org/wiki/Post-structuralist) philosopher, who has contributed to the fields of [feminism](http://en.wikipedia.org/wiki/Feminism), [queer theory](http://en.wikipedia.org/wiki/Queer_theory), [political philosophy](http://en.wikipedia.org/wiki/Political_philosophy), and [ethics](http://en.wikipedia.org/wiki/Ethics). She is the Maxine Elliot professor in the Departments of [Rhetoric](http://en.wikipedia.org/wiki/Rhetoric) and [Comparative Literature](http://en.wikipedia.org/wiki/Comparative_Literature) at the [University of California, Berkeley](http://en.wikipedia.org/wiki/University_of_California,_Berkeley).) Precarious Life: The Powers of Mourning and Violence. Pg. 28-30]

Mourning, fear, anxiety, rage. In the United States, we have been surrounded with violence, having perpetrated it and perpetrating it still, having suffered it, living in fear of it, planning more of it, if not an open future of infinite war in the name of a "war on terrorism." Violence is surely a touch of the worst order, a way a primary human vulnerability to other humans is exposed in its most terrifying way, a way in which we are given over, without control, to the will ofanother, a way in which life itself can be expunged by the willful action of another. To the extent that we commit violence, we are acting on another, putting the other at risk, causing the other damage, threatening to expunge the other. In a way, we all live with this particular vulnerability, a vulnerability to the other that is part of bodily life, a vulnerability to a sudden address from elsewhere that we cannot preempt**.** This vulnerability**, however,** becomes highly exacerbated under certain social and political conditions, especially those in which violence is a way of life and the means to secure self-defense are limited. Mindfulness of this vulnerability can become the basis of claims for non-military political solutions, just as denial of this vulnerability through a fantasy of mastery (an institutionalized fantasy of mastery) can fuel the instruments of war**.** We cannot, however, will away this vulnerability**.** We must attend to it, even abide by it, as we begin to think about what politics might be implied by staying with the thought of corporeal vulnerability itself, a situation in which we can be vanquished or lose others.Is there something to be learned about the geopolitical distribution of corporeal vulnerability from our own brief and devastating exposure to this condition? I think, for instance, that we have seen, are seeing, various ways of dealing with vulnerability and grief, so that, for instance, William Safire citing Milton writes we must "banish melancholy," 5 as if the repudiation of melancholy ever did anything other than fortify its affective structure under another name, since melancholy is already the repudiation of mourning; so that, for instance, President Bush announced on September 21 that we have finished grieving and that now it is time for resolute action to take the place of grief.' When grieving is something to be feared, our fears can give rise to the impulse to resolve it quickly, to banish it in the name of an action invested with the power to restore the loss or return the world to a former order, or to reinvigorate a fantasy that the world formerly was orderly. Is there something to be gained from grieving, from tarrying with grief, from remaining exposed to its unbearability and not endeav­oring to seek a resolution for grief through violence? Is there something to be gained in the political domain by maintaining grief as part of the framework within which we think our international ties? If we stay with the sense of loss, are we left feeling only passive and powerless, as some might fear? Or are we, rather, returned to a sense of human vulnerability, to our collective responsibility for the physical lives of one another? Could the experience of a dislocation of First World safety not condition the insight into the radically inequitable ways that corporeal vulnerability is distributed globally? To foreclose that vulnerability, to banish it, to make ourselves secure at the expense of every other human consideration is to eradicate one of the most important resources from which we must take our bearings and find our way.

### 5

#### Usono Federacia Judiciary devus sxangxi Al-Bihani kaj aserti per aplikado de la Ĉarma Betsy kanono ke traktatoj ratifita de Usono estas limigoj pri la milito potenco aŭtoritato de la prezidanto.

#### FIRST, THE COUNTERPLAN SPILLS OVER – EACH USE OF ESPERANTO PROVIDES A SITE FOR JUSTIFICATION OF FUTURE USE. INDEPENDENTLY – THE CP AVOIDS LINGUISTIC HEGEMONY THAT RELIES ON DOMINATION OF THE FEW OVER THE MANY – FLIPS THE AFF

Janton 93

Pierre Janton (Prof. of English language and literature at the University of Clermont-Ferrand, in France) 1993

[Esperanto: Language, Literature, and Community, p. 131-2, loghry]

Outside the movement, Esperanto may profit from circumstances favoring an international language. The need for rapid and frequent worldwide communication reflects a growing trend toward unity and cooperation. Esperantists must bring pressure to bear, in every possible way, on the European Parliament, since as the European Community is transformed into an authentic political federation, with ten or a dozen major languages, Esperanto will be afforded a unique chance unavailable in other parts of the world. For the same reason they should join the battle, alongside the countries of the third world, for those countries' linguistic independence. The linguistic imperialism of a few major powers has denied most nations their own adequate means of expression, forcing English and French on them, along with their respective cultures. If the third world wishes to acquire linguistic independence and also communicate with the world, it needs a language at least as international in character as the languages of the former colonists. That language could be Esperanto. The essential message of Esperanto is that an international language should belong to everyone, and not only a few privileged people, nations, or sections of the population. Its very conception implies the denial of elitism, hegemony, and all forms of dominance by the few over the many. Esperanto has been called the Latin of modern democracy because people need a common language to become and remain free. It is already apparent, wherever Esperanto is used, that it serves not only as a means of communication, but also as a means of opening new avenues for information, contacts, exchanges-in short, as a way of achieving a more rational, aware and comprehensive culture and society. Herein lies its unique educational value. The fact that, among all previous and subsequent projects, Esperanto alone became a living language, spoken by more people than 95 percent of the known languages of the world, is an arresting linguistic fact, making Esperanto unique among planned languages. 1 On the other hand, Esperanto stands apart from the ethnic languages in that it alone is capable of fully performing the role of an international language: a given national language will not lose its specifically national characteristics (phonology, structure, logic) just because it is used as an interlanguage among people of different nationalities. If we understand that internationality is not limited to contacts among the few (for example, in professional or business circles, or among a few peoples or areas), and if we define internationality in its universal sense, then we are forced to acknowledge that all ethnic languages remain essentially national, based on national cultures, while Esperanto is essentially universal.

#### THE LANGUAGE OF International politics MUST BE ESPERANTO

Daniele Archibugi (Italian National Research Council) 1/1/2005

[“The Language of Democracy: Vernacular or Esperanto? A Comparison between the Multiculturalist and Cosmopolitan Perspectives” *Political Studies*, vol.53, 537-555, loghry]

For these reasons, I oppose the idea that democratic politics is politics in the vernacular with the contrasting thesis that democratic politics must be in Esperanto. I argue against the descriptive thesis whereby democratic politics is carried on in the vernacular by adopting the normative principle: democratic politics is not in Esperanto but, where necessary, it can and must be in Esperanto. Of course, I do not advocate the use of Esperanto, but rather the idea that it is the responsibility of individuals and governments to remove the language barriers that obstruct communication Very regular with a limited number of words, Esperanto was one of the sources of inspiration for the newspeak of George Orwell’s 1984. It was invented by Lejzer Ludwig Zamenhof (1889) towards the end of the nineteenth century for instrumental reasons, namely to allow communication in multilingual communities. Zamenhof grew up in the city of Byelostok, in present-day Poland, then part of Tsarist Russia, where four different languages were spoken. Not surprisingly, practical misunderstandings arose among the four communities, and Zamenhof optimistically had the idea of solving them by creating a language that each community would be able to learn easily as a second language. His ambition for this newspeak was, obviously, much greater than that: if it worked for a small town in Eastern Europe, it might have universal value. Note that the aim of Esperanto was not to replace existing languages but to supplement them. Since then, Esperanto has attracted few but fervent acolytes in every country. However, it has been supplanted as an international lingua franca, ﬁrst by French, then by English. Other idioms – Mandarin Chinese, Hindi, Spanish, Russian – have become linguae francae in various regions of the world. Esperanto can be seen as a positive Utopia, perfectly symmetrical to the negative Utopia of Orwell’s newspeak: whereas the ultimate aim of newspeak was to repress thoughts against authority, the aim of Esperanto is to facilitate communication between individuals in the remote areas of the world. Just as the introduction of universal weights and measures sought to make economic and social life transparent by breaking down informational asymmetries among individuals and social classes, Esperanto was meant to make communication accessible to everyone. When a linguistic medium is lacking, the prerequisite for institutions and individuals to take part in democratic life is to create one – if need be artiﬁcially. The universal language is thus the key to cosmopolitan citizenship.

### Case

#### Hegemony is super violent discipline and management through security (green)

Morgareidge, 2001 (Clayton, Prof. Emeritus @ Lewis and Clark College, “The Global Panopticon” Online, Feb 21, 2001 MB)

As the world’s only remaining superpower, the United States is a super state. It does not directly govern the world, but it sure exercises hegemony over it. It establishes alliances and forms of cooperation wherever possible, and uses threats, intimidation and violence wherever it must. Its mission is to manage the process of globalization -- no small task. Globalization is an immense transformation, and it requires increasingly sophisticated forms of information and control. In the 1970s, the French philosopher Michele Foucault elaborated a conception of power/knowledge which I think helps us understand what current US foreign and military policies are about. One of the techniques of power/knowledge is the Panopticon, a design for prisons recommended by Jeremy Bentham in the mid 19th Century. According to this model, a guard tower stands in the center of a circular bank of cells many tiers high. The cells have windows on both sides -- on the side facing the guard tower and on the opposite side letting in light from outside. "All that is needed, then," writes Foucault, "is to place a supervisor in a central tower and to shut up in each cell a madman, a patient, a condemned man, a worker or a school boy." (200). "The cells are like so many cages, so many small theatres, in which each actor is alone, perfectly individualized and constantly visible." Hence the major effect of the Panopticon is "to induce in the inmate a state of consciousness and permanent visibility that assures the automatic functioning of power. So to arrange things that the surveillance is permanent in its effects, even if it is discontinuous in its actions; that the perfection of power should tend to render its actual exercise unnecessary…." (201) Although the panopticon was never actually constructed as a prison, this ideal of perfect information and control, or power/knowledge, showed up in a variety of schemes for public administration as early as the end of the 17th Century -- for example, in the control of a population facing an outbreak of plague. Foucault writes, "…[T]he image of the plague stands for all forms of confusion and disorder…" (199). The invisibility of the controlling authority in the Panopticon model is "a guarantee of order."  If the inmates are convicts, there is no danger of a plot, an attempt at collective escape, the planning of new crimes for the future, bad reciprocal influences; if they are patients, there is no danger of contagion; if they are madmen there is no risk of their committing violence upon one another; if they are schoolchildren, there is no copying, no noise, no chatter, no waste of time; if they are workers, there are no disorders, no theft, no coalitions, none of those distractions that slow down the rate of work, make it less perfect or cause accidents.(201) The Panopticon… must be understood as a generalizable model of functioning; a way of defining power relations in terms of…everyday life.… The Panopticon must not be understood as a dream building: it is the diagram of a mechanism of power reduced to its ideal form; it … [is] a pure architectural and optical system; it is in fact a figure of political technology that may and must be detached from any specific use." (205) So what is the plague, the disorder that the American super-state, the administrator and orchestrator of global order must contend with? One authoritative list of America's tasks in the world comes from Samuel Huntington writing in Foreign Affairs:  In the past few years the United States has, among other things, attempted or been perceived as attempting more or less unilaterally to do the following: pressure other countries to adopt American values and practices regarding human rights and democracy; prevent other countries from acquiring military capabilities that could counter American conventional superiority; enforce American law extraterritorially in other societies; grade countries according to their adherence to American standards on human rights, drugs, terrorism, nuclear proliferation, and now religious freedom; apply sanctions against countries that do not meet American standards on these issues; promote American corporate interests under the slogans of free trade and open markets; shape World Bank and International Monetary Fund policies to serve those same corporate interests; intervene in local conflicts in which it has relatively little direct interest; bludgeon other counties to adopt economic policies and social policies that will benefit American economic interests; promote American arms sales abroad while attempting to prevent comparable sales by other countries; …expand NATO…; undertake military action against Iraq and later maintain harsh economic sanctions against the regime; and categorize certain countries as 'rogue states,' excluding them from global institutions because they refuse to kowtow to American wishes. The Panopticon in the 21st Century model, does not accomplish these goals perfectly and without violence. Thus, for example, what our President calls the "routine" bombing of Iraq, which the British prime minister Tony Blair recently acknowledged serves the need for the West to keep a tight grip on 'vital oil supplies." But this bombing is coordinated by intensive aerial surveillance of Iraq: again, power/knowledge at work. To go with the intense observation of the Panopticon, the superstate requires precise and immediate means of punishment and destruction. This is clearly what today's military planners have in mind, as is all too obvious in these recent remarks of George W. Bush. First, listen to how he identifies the dangers, the plagues that face us:  The grave threat from nuclear, biological and chemical weapons has not gone away with the cold war, it has evolved into many separate threats, some of them harder to see and harder to answer, and the adversaries seeking these tools of terror are less predictable, more diverse. With shared intelligence and enforcement, we must confront the threats that come in a shipping container or in a suitcase. And here is his description of the kind of power needed to counter these threats. Notice how information is woven into this power.  Power is increasingly defined not by size, but by mobility and swiftness. Advantage increasingly comes from information, such as the three-dimensional images of simulated battle that I have just seen. Safety is gained in stealth and forces projected on the long arc of precision-guided weapons. The best way to keep the peace is to redefine war on our terms.… On land, our heavy forces will be lighter. Our light forces will be more lethal. All will be easier to deploy and to sustain. In the air, we'll be able to strike across the world with pinpoint accuracy, using both aircraft and unmanned systems. On the oceans, we'll connect information and weapons in new ways, maximizing our ability to project power over land. In space, we'll protect our network of satellites, essential to the flow of our commerce and the defense of our common interests. This project of total remote control of nations and peoples is mind-boggling. It's the globalization of the Panopticon, the ideal of complete information coming into the center from every point on the globe, knowledge of the movements and intentions of every group and individual, together with the ability to punish or destroy at will whatever elements the superstate determines stand in the way of its objectives. The panoptical dream, taken to the global level, is to instill among all nations and peoples a sense that they are being watched by a supreme power, exactly like the biblical eye of God, with the power to punish instantaneously. Once achieved, this state of consciousness would mean that actual violence could be used very rarely -- just enough to keep the fear of it alive. What is more important is the constant consciousness of surveillance.

#### TREATIES DON’T HOLD THE NATION ACCOUNTABLE. COUNTRIES WITHDRAW BECAUSE OF JUS COGNES NORMS WITHOUT TRULY WITHDRAWING.

Posner et al 11

[Eric A. Posner, Kirkland & Ellis Distinguished Service Professor of Law and Aaron

Director Research Scholar at the University of Chicago, and Adrian Vermeule,

John H. Watson, Jr. Professor of Law at Harvard Law School, The Executive

Unbound: After the Madisonian Republic, Oxford: Oxford University Press, USA, 2011, Book, \\wyo-bb]

The frailty of the treaty regime has led some scholars to argue that human rights norms exist not only in treaties but also in an area of non-derogable customary international law known as jus cogens.¶ Customary international law consists of nontreaty norms that states observe out of a sense of legal¶ obligation. Most international legal scholars believe that states cannot merely withdraw from¶ customary international law and thus are bound to it.7 However, it is clear that customary¶ international law changes as state practice changes, which means that violations must be acceptable¶ as long as they are sufficiently widespread. Be that as it may, jus cogens norms are said to be¶ specifically non-derogable. States may not withdraw from or change them; nor may they agree by¶ treaty that those norms do not apply to their relationship. Jus cogens norms are thought to prohibit¶ aggressive war, genocide, torture, and perhaps to protect certain other personal and political rights.¶ Yet jus cogens is a foggy idea, even by the standards of international law. States have agreed on¶ a number of occasions that jus cogens norms exist, but if they rest on the consent of states, then states¶ can withdraw their consent, in which case jus cogens norms cannot be non-derogable. If jus cogens¶ norms do not rest on consent, where do they come from? How does one determine what they are? The¶ unavoidable conclusion is that they rest on natural law—international morality. But natural law ideas¶ lost their influence in international law in the first place because states could not agree on what¶ natural law required, and so natural law norms could not provide a stable basis on which to conduct¶ international relations. Indeed, while states agree that jus cogens norms exist, they have had a great¶ deal of trouble agreeing on what they are. Torture perhaps. Genocide, but genocide is defined in many¶ different ways. Aggressive war, but states cannot agree on what aggressive war means. Numerous¶ other jus cogens norms have been proposed, but the debates seem irrelevant to state action.¶ For all its defects, jus cogens provides the springboard to a more aggressive type of global¶ liberal legalism, which goes under the name of world constitutionalism.8 This view releases human¶ rights norms from the dungeon of treaty law, and claims that they bind all states regardless of their¶ positions on the treaties or customary international law. Advocates of world constitutionalism have¶ cobbled it together from wisps of doctrine; the idea has no basis in law but is an aspiration.9¶ Nonetheless, it has a following among some European and American academics who see it as the only¶ logical basis of a ”rule of law” at the international level.¶ These academics argue that states must complywith the world constitution, for example, that¶ international trade law must be interpreted so as to comply with human rights law—an argument that¶ states and international institutions so far have resisted. The argument was also considered by the¶ European Court of Justice in the Kadi case.10 In that case, an individual whose assets were frozen by¶ order of the Sanctions Committee of the Security Council brought a lawsuit arguing that the order¶ violated human rights norms. The ECJ held for the petitioner on the ground that EU member states had¶ to give European human rights law priority over international law. It declined to hold, to the¶ disappointment of many, that the Security Council had acted illegally by violating international (as¶ opposed to European) human rights norms.¶ So we are left with two alternative conceptions of international law: a more limited and not¶ particularly liberal version centered around the United Nations; and a more ambitious and¶ authentically liberal version centered around the human rights treaties. Neither system has much¶ coercive force. The Security Council has never shown interest in advancing liberal rights, and even if¶ it were to do so, the United States, operating through the executive branch as always, can simply veto¶ Security Council resolutions that do not serve its interests. And, as we have seen, foreign nations have¶ little interest in compelling other nations to live up to their human rights obligations—and with¶ respect to the United States, no capacity for doing so even if they have an interest.

#### 1. Can’t solve – States don’t follow international law because self-interest comes first.

Tsutsui and Hafner Burton 05 Emilie M. Hafner-Burton, Oxford University, and Kiyoteru Tsutsui, State University of New York, Stony Brook, “Human Rights in a Globalizing World: The Paradox of Empty Promises” http://www.princeton.edu/~ehafner/pdfs/paradox\_promises.pdf

For others, international legal regimes can influence state behavior in important ways: regimes facilitate cooperation among sovereign states by providing coordination and commitment mechanisms that identify state obligations and provide a means of enforcement. Nevertheless, states join and comply with regimes only when it is in their rational self-interest to do so (Keohane 1984; Downs et al. 1996). Thus, although the international human rights regime may encourage state cooperation and circumscribe government repression of human rights, the pool of states that commit to these institutions should be rather limited in the first place, and compliance will heavily depend on the design of the regime.

#### 2. International law doesn’t solve war.

Robert J. Lieber 05, Georgetown University, 2005, The American Era: power and strategy for the 21st century, p. 4-6

Second, as much as we might wish for more effective means of cooperation in addressing common problems, the reality of the United Nations and of other international institutions is that on the most urgent and deadly problems, they are mostly incapable of acting or inadequate to the task. The UN’s decision-making structure and institutional weaknesses, the makeup of the Security Council, failures in Bosnia (1991-95) and Rwanda (1994), the massive corruption of the oil-for-food program, the ability of terrorists to drive the organization out of Iraq with one blow, and the feckless response to crimes against humanity in the Darfur region of Sudan are evidence of these grave shortcomings. Nor does the European Union, let alone weaker regional bodies such as the Arab League, African Union, or Organization of American States, have much capacity to deal with the deadliest threats. The UN has a significant role to play, not least to burden-sharing and in contributing to the perceived legitimacy of collective action, but its weaknesses remain a fundamental constraint. As Stanley Hoffman, of Harvard’s Center for European Studies, has observed, the UN and other international organizations “are increasingly important as sources of legitimacy and stabilizing forces, but often mismanaged and devoid of adequate means.”

#### 3. Any attempts to promote international law backfire – Perceived as arrogant and hypocritical.

Interpress News Agency 05 “IS U.S. OF PRESIDENT BUSH THE GULAG OF OUR TIMES?” http://ipsnews.net/news.asp?idnews=29180

The outrage expressed by senior U.S. officials - including the President, the Vice President and the Secretary of Defense - to AI's condemnation of U.S. policies and practices is therefore not merely hypocritical but also a diversionary tactic to deflect attention from some hard truths. The Bush Administration must stop attacking the messenger and begin dealing with the message which is simple. Close Guantánamo detention camp and charge the detainees under U.S. law in U.S. courts or release them. Disclose the rest and carry out a full, independent investigation into U.S. policies and practices on detention and interrogation including torture and ill-treatment. The United States can be a powerful force for ensuring respect for human rights worldwide. However, the U.S. government will be drained of moral power to criticise others until it begins to uphold human rights and the rule of international law itself.

#### 4. U.S. destroyed international law beyond repair – This also makes their impacts non-unique.

UPI 05 “Outside View: Braving new world disorder” 12/19, Lexis

More to the point, what exactly is the likely outcome of this intense U.S. push to backdoor state sovereignty and legal frameworks the world over? As we have seen in Iraq, democracy is not something that can easily be "brought," to put it lightly, and it surely cannot be "bought" either. With recent revelations such as secret CIA prisons, use of white phosphorous incendiary bombs in Falluja, and torture and degrading treatment at Abu Ghraib and Guantanamo, the democracy flag that the US is waving increasingly looks to have a very ugly face. Furthermore, the U.S.' utter disdain for multilateralism, as evidenced in the rejection of Kyoto, and the International Criminal Court, as well as its failure to respect its own existing international treaty obligations such as the Geneva Conventions with respect to captured combatants, is torpedoing the concept of international law itself. In the midst of all this maneuvering, such questions must be posed. What is the world image the U.S. is trying to shape through the United Nations and other tools? 2 The U.N.'s original objective of ensuring world peace, security and human rights rose out of the ashes of the Second World War. It is based on the supremacy of state sovereignty and a respect for international law and multilateralism. Is the U.S. trying to revamp the U.N. to take on a new role, one in which state sovereignty and international law now take a back seat to US concepts of democratic design in the U.S. image? The reality is that the U.S. is approaching democracy as though it is an acquired taste, one which only the U.S. appreciates and that it must be "forced" upon states.

#### 5. International law is too fragmented – Treaties are a shoddy patchwork system with no enforcement.

Stark 02, Visiting Professor of Law at Hofstra Law School, 2002 [Barbara, Violations of Human Dignity' and Postmodern International Law, 27 Yale J. Int'l L. 315, Summer]

Unlike domestic law, international law remains fragmentary: there is no Supreme Court to reconcile warring districts, no legislature to fill in doctrinal gaps. Indeed, international "law -making" is often so contentious that no law is made at all; in many areas there are more gaps than law. International law is unapologetically "discontinuous"; the decisions of the International Court of Justice have no precedential value, and those of the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) are similarly ad hoc. Treaty law applies only to the specific subject the particular treaty addresses and is binding only on the parties to the treaty. While customary international law ("CIL") applies more broadly, states may persistently dissent from CIL and exempt themselves from its coverage. Many of the broad general principals that comprise CIL, moreover, such as the duty to avoid harm to neighboring states, prove difficult to apply in specific cases.

#### No ozone impact

Ridley 12 [Matt Ridley, columnist for The Wall Street Journal and author of *The Rational Optimist: How Prosperity Evolves,* 8/17, “Apocalypse Not: Here’s Why You Shouldn’t Worry About End Times”, http://www.wired.com/wiredscience/2012/08/ff\_apocalypsenot/all/]

The threat to the ozone layer came next. In the 1970s scientists discovered a decline in the concentration of ozone over Antarctica during several springs, and the Armageddon megaphone was dusted off yet again. The blame was pinned on chlorofluorocarbons, used in refrigerators and aerosol cans, reacting with sunlight. The disappearance of frogs and an alleged rise of melanoma in people were both attributed to ozone depletion. So too was a supposed rash of blindness in animals: Al Gore wrote in 1992 about blind salmon and rabbits, while The New York Times reported “an increase in Twilight Zone-type reports of sheep and rabbits with cataracts” in Patagonia. But all these accounts proved incorrect. The frogs were dying of a fungal disease spread by people; the sheep had viral pinkeye; the mortality rate from melanoma actually leveled off during the growth of the ozone hole; and as for the blind salmon and rabbits, they were never heard of again.¶ There was an international agreement to cease using CFCs by 1996. But the predicted recovery of the ozone layer never happened: The hole stopped growing before the ban took effect, then failed to shrink afterward. The ozone hole still grows every Antarctic spring, to roughly the same extent each year. Nobody quite knows why. Some scientists think it is simply taking longer than expected for the chemicals to disintegrate; a few believe that the cause of the hole was misdiagnosed in the first place. Either way, the ozone hole cannot yet be claimed as a looming catastrophe, let alone one averted by political action.

#### your theory on ozone depletion is out of date- cosmic ray cycles, not cfc’s or emissions account for depletion.

Exchange, 09

Exchange, Magazine for Business/Economic Development/Entrepreneurs, March 24, 2009, “UW Prof Says Cyclic Ozone Hole Proves Cosmis Ray Theory,” http://www.exchangemagazine.com/morningpost/2009/week13/Tuesday/032409.htm

A University of Waterloo scientist says that an observed cyclic hole in the ozone layer provides proof of a new ozone depletion theory involving cosmic rays, a theory outlined in his new study, just published in Physical Review Letters. Qing-Bin Lu, a professor of physics and astronomy and an ozone depletion expert, said it was generally accepted for more than two decades that the Earth's ozone layer is depleted by chlorine atoms produced by the sun's ultraviolet light-induced destruction of chlorofluorocarbons (CFCs) in the atmosphere. But mounting evidence supports a new theory that says cosmic rays, rather than the sun's UV light, play the dominant role in breaking down ozone-depleting molecules and then ozone. Cosmic rays are energy particles originating in space. Ozone is a gas mostly concentrated in the ozone layer, a region located in the stratosphere several miles above the Earth's surface. It absorbs almost all of the sun's high-frequency ultraviolet light, which is potentially damaging to life and causes such diseases as skin cancer and cataracts. The Antarctic ozone hole is larger than the size of North America. In his study, Lu analyzes reliable cosmic ray and ozone data in the period of 1980-2007, which cover two full 11-year solar cycles. The data unambiguously show the time correlations between cosmic ray intensity and global ozone depletion, as well as between cosmic ray intensity and the ozone hole over the South Pole.

#### ozone holes shrink and your impact is empirically denied

Exchange, 09

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"The total ozone values in the ozone hole in November and December nearly reached the minimum values in the months on record," Lu said. "The 2008 ozone hole shrank quite slowly and persisted until the end of December, making it one of the longest lasting ozone holes on record." He added that in earlier studies he and former colleagues found a strong spatial correlation between cosmic ray intensity and ozone depletion, based on the data from several sources, including NASA satellites. "Lab measurements demonstrated a mechanism by which cosmic rays can cause drastic reactions of ozone-depleting halogens inside polar clouds." Cosmic rays are concentrated over the North and South Poles due to Earth's magnetic field, and have the highest electron-production rate at the height of 15 to 18 km above the ground -- where the ozone layer has been most depleted. Lu says that years ago atmospheric scientists expressed doubts about the cosmic ray mechanism, but now observed data shows which theory is the correct one. For instance, the most recent scientific assessments of ozone depletion by the World Meteorological Organization and the United Nations Environment Program -- using photochemical models -- predicted that global ozone will recover (or increase) by one to 2.5 per cent between 2000 and 2020 and that the Antarctic springtime ozone hole will shrink by five to 10 per cent between 2000 and 2020. In sharp contrast, the cosmic ray theory predicted one of the severest ozone losses over the South Pole in 2008-2009 and another large hole around 2019-2020. "It is interesting to examine these predictions," Lu writes in his article for Physical Review Letter.

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#### COHERENCE – ONLY INCORPORATION OF REPRESENTATIONS CAN MAKE SENSE OF POLITICAL REALITY

Jourde 6 – Cedric Jourde \* Ph.D., Political Science, University of Wisconsin-Madison, Madison, 2002 \* M.A., Political Science, University of Wisconsin-Madison, Madison, 1996 \* B.Sc., Political Science, Université de Montréal, Montréal, 1995 Hegemony or Empire?: The redefinition of US Power under George W Bush Ed. David and Grondin p. 182-3 2006

Relations between states are, at least in part, constructed upon representations. Representations are interpretative prisms through which decision-makers make sense of a political reality, through which they define and assign a subjective value to the other states and non-state actors of the international system, and through which they determine what are significant international political issues.2 For instance, officials of a given state will represent other states as 'allies', 'rivals', or simply 'insignificant', thus assigning a subjective value to these states. Such subjective categorizations often derive from representations of these states' domestic politics, which can for instance be perceived as 'unstable\*, 'prosperous', or 'ethnically divided'. It must be clear that representations are not objective or truthful depictions of reality; rather they are subjective and political ways of seeing the world, making certain things 'seen' by and significant for an actor while making other things 'unseen' and 'insignificant'.3 In other words, they are founded on each actor's and group of actors' cognitive, cultural-social, and emotional standpoints. Being fundamentally political, representations are the object of tense struggles and tensions, as some actors or groups of actors can impose on others their own representations of the world, of what they consider to be appropriate political orders, or appropriate economic relations, while others may in turn accept, subvert or contest these representations. Representations of a foreign political reality influence how decision-making actors will act upon that reality. In other words, as subjective and politically infused interpretations of reality, representations constrain and enable the policies that decision-makers will adopt vis-a-vis other states; they limit the courses of action that are politically thinkable and imaginable, making certain policies conceivable while relegating other policies to the realm of the unthinkable.4 Accordingly, identifying how a state represents another state or non-state actor helps to understand how and why certain foreign policies have been adopted while other policies have been excluded. To take a now famous example, if a transnational organization is represented as a group of 'freedom fighters', such as the multi-national mujahideen in Afghanistan in the 1980s, then military cooperation is conceivable with that organization; if on the other hand the same organization is represented as a 'terrorist network', such as Al-Qaida, then military cooperation as a policy is simply not an option. In sum. the way in which one sees, interprets and imagines the 'other\* delineates the course of action one will adopt in order to deal with this 'other'.

#### Representations are key to policy making

Doty ‘96

(Roxanne Lynn. Imperial Encounters: The Politics of Representations in North-South Relations. 1996. Pg 170-171)

The political stakes raised by this analysis revolve around the question of being able to “get beyond” the representations or speak outside of the discourses that historically have constructed the North and the South. I do not believe that there are any pure alternatives by which we can escape the infinity of traces to which Gramsci refers. Nor do I wish to suggest that we are always hopelessly imprisoned in a dominant and all-pervasive discourse. Before this question can be answered – indeed, before we can even proceed to attempt an answer – attention must be given to the politics of representation. The price that international relations scholarship pays for its inattention to the issue of representation is perpetuation of the dominant modes of making meaning and deferral of its responsibility and complicity in dominant representations.

#### **THEIR FRAMEWORK CAUSES SERIAL POLICY FAILURE**

Biswas 7 (Shampa, Professor of Politics – Whitman College, “Empire and Global Public Intellectuals: Reading Edward Said as an International Relations Theorist”, Millennium, 36(1), p. 117-125)

**The most serious threat to the ‘intellectual vocation’**, he argues, **is** ‘professionalism’ and mounts a pointed attack on the proliferation of ‘specializations’ and **the ‘cult of expertise’ with their focus on** ‘relatively narrow areas of knowledge’, ‘technical formalism’, ‘**impersonal** theories and **methodologies’, and** most worrisome of all, their ability and **willingness to be** **seduced by power**.17 Said mentions in this context the funding of academic programmes and research which came out of the exigencies of the Cold War18, an area in which there was considerable traffic of political scientists (largely trained as IR and comparative politics scholars) with institutions of policy-making. Looking at various influential US academics as ‘organic intellectuals’ involved in a dialectical relationship with foreign policy-makers and examining the institutional relationships at and among numerous think tanks and universities that create convergent perspectives and interests, Christopher Clement has studied US intervention in the Third World both during and after the Cold War made possible and justified through various forms of ‘intellectual articulation’.19 **This is** not simply a matter of scholars working for the state, but indeed a larger **question of** intellectual orientation. It is not uncommon for IR **scholars** to **feel the need to formulate their** scholarly **conclusions** in terms of its relevance for global politics, where ‘relevance’ is measured **entirely in terms of policy wisdom**. Edward Said’s searing indictment of US intellectuals – policy-experts and Middle East experts - in the context of the first Gulf War20 is certainly even more resonant in the contemporary context preceding and following the 2003 invasion of Iraq. The space for a critical appraisal of the motivations and conduct of this war has been considerably diminished by the expertise-framed national debate wherein certain kinds **of ethical questions** irreducible **to formulaic ‘for or against’ and** ‘costs and benefits’ analysis **can** simply **not be raised**. In effect, what Said argues for, and IR scholars need to pay particular heed to, is an understanding of ‘**intellectual relevance’** that is larger and more worthwhile, that **is about the posing of critical, historical, ethical** and perhaps unanswerable **questions rather than** the **offering** of recipes and **solutions**, that **is about** politics**(rather than techno-expertise**) in the most fundamental and important senses of the vocation.21

#### consequentalism necessitates the calculation of life and bodies, life that is uncalculable or is destroyed

Dillon, 2008

(Michael, “Revisiting Franco’s Death” Foucault on Politics, Security and War. Pg 172-173, mb)

In the late seventeenth, and throughout the course of the eighteenth, century, liberal biopolitics began to find its warrant, instead, in the biological understanding of life as species being. It enacted that warrant, especially against the sovereign claims of absolute monarchy, by seeking to align government with the limits set by what were increasingly said to be the independent dynamics of life processes; such as those exhibited, for example, by 'population'. Good government then became government which not only respected the limits within which it should govern, but artfully sought to manipulate and manage those limits for the good governance of species life. 'Life' thus came to teach liberal biopolitics what it needed to know if it was to promote, regulate and govern life effectively according to the 'natural' limits set by the exigencies of species existence itself. Crucially those limits, and the life processes which they demarcate, had, in addition, to be amenable to calculation - to their own specific forms of power/knowledge. If they were not, then liberal biopolitics would quite literally not know how to govern. Where bodies and populations nonetheless appear to exceed or escape calculation in some way or other, however, there monstrosity lies for the biopolitical technician and for the biopolitician. This fear was regularly expressed in racial terms. It found expression in the early political arithmetic of seventeenth and eighteenth-century biopolitics, just as it now finds expression today in the biometrics and risk calculations which enact twenty-first century biopolitics; especially in the allied campaigns of 'homeland security', 'national resilience' and the 'war on terror' as well as throughout immigration and asylum policies.

### Links

#### Hegemony is super violent discipline and management through security (green)

Morgareidge, 2001 (Clayton, Prof. Emeritus @ Lewis and Clark College, “The Global Panopticon” Online, Feb 21, 2001 MB)

As the world’s only remaining superpower, the United States is a super state. It does not directly govern the world, but it sure exercises hegemony over it. It establishes alliances and forms of cooperation wherever possible, and uses threats, intimidation and violence wherever it must. Its mission is to manage the process of globalization -- no small task. Globalization is an immense transformation, and it requires increasingly sophisticated forms of information and control. In the 1970s, the French philosopher Michele Foucault elaborated a conception of power/knowledge which I think helps us understand what current US foreign and military policies are about. One of the techniques of power/knowledge is the Panopticon, a design for prisons recommended by Jeremy Bentham in the mid 19th Century. According to this model, a guard tower stands in the center of a circular bank of cells many tiers high. The cells have windows on both sides -- on the side facing the guard tower and on the opposite side letting in light from outside. "All that is needed, then," writes Foucault, "is to place a supervisor in a central tower and to shut up in each cell a madman, a patient, a condemned man, a worker or a school boy." (200). "The cells are like so many cages, so many small theatres, in which each actor is alone, perfectly individualized and constantly visible." Hence the major effect of the Panopticon is "to induce in the inmate a state of consciousness and permanent visibility that assures the automatic functioning of power. So to arrange things that the surveillance is permanent in its effects, even if it is discontinuous in its actions; that the perfection of power should tend to render its actual exercise unnecessary…." (201) Although the panopticon was never actually constructed as a prison, this ideal of perfect information and control, or power/knowledge, showed up in a variety of schemes for public administration as early as the end of the 17th Century -- for example, in the control of a population facing an outbreak of plague. Foucault writes, "…[T]he image of the plague stands for all forms of confusion and disorder…" (199). The invisibility of the controlling authority in the Panopticon model is "a guarantee of order."  If the inmates are convicts, there is no danger of a plot, an attempt at collective escape, the planning of new crimes for the future, bad reciprocal influences; if they are patients, there is no danger of contagion; if they are madmen there is no risk of their committing violence upon one another; if they are schoolchildren, there is no copying, no noise, no chatter, no waste of time; if they are workers, there are no disorders, no theft, no coalitions, none of those distractions that slow down the rate of work, make it less perfect or cause accidents.(201) The Panopticon… must be understood as a generalizable model of functioning; a way of defining power relations in terms of…everyday life.… The Panopticon must not be understood as a dream building: it is the diagram of a mechanism of power reduced to its ideal form; it … [is] a pure architectural and optical system; it is in fact a figure of political technology that may and must be detached from any specific use." (205) So what is the plague, the disorder that the American super-state, the administrator and orchestrator of global order must contend with? One authoritative list of America's tasks in the world comes from Samuel Huntington writing in Foreign Affairs:  In the past few years the United States has, among other things, attempted or been perceived as attempting more or less unilaterally to do the following: pressure other countries to adopt American values and practices regarding human rights and democracy; prevent other countries from acquiring military capabilities that could counter American conventional superiority; enforce American law extraterritorially in other societies; grade countries according to their adherence to American standards on human rights, drugs, terrorism, nuclear proliferation, and now religious freedom; apply sanctions against countries that do not meet American standards on these issues; promote American corporate interests under the slogans of free trade and open markets; shape World Bank and International Monetary Fund policies to serve those same corporate interests; intervene in local conflicts in which it has relatively little direct interest; bludgeon other counties to adopt economic policies and social policies that will benefit American economic interests; promote American arms sales abroad while attempting to prevent comparable sales by other countries; …expand NATO…; undertake military action against Iraq and later maintain harsh economic sanctions against the regime; and categorize certain countries as 'rogue states,' excluding them from global institutions because they refuse to kowtow to American wishes. The Panopticon in the 21st Century model, does not accomplish these goals perfectly and without violence. Thus, for example, what our President calls the "routine" bombing of Iraq, which the British prime minister Tony Blair recently acknowledged serves the need for the West to keep a tight grip on 'vital oil supplies." But this bombing is coordinated by intensive aerial surveillance of Iraq: again, power/knowledge at work. To go with the intense observation of the Panopticon, the superstate requires precise and immediate means of punishment and destruction. This is clearly what today's military planners have in mind, as is all too obvious in these recent remarks of George W. Bush. First, listen to how he identifies the dangers, the plagues that face us:  The grave threat from nuclear, biological and chemical weapons has not gone away with the cold war, it has evolved into many separate threats, some of them harder to see and harder to answer, and the adversaries seeking these tools of terror are less predictable, more diverse. With shared intelligence and enforcement, we must confront the threats that come in a shipping container or in a suitcase. And here is his description of the kind of power needed to counter these threats. Notice how information is woven into this power.  Power is increasingly defined not by size, but by mobility and swiftness. Advantage increasingly comes from information, such as the three-dimensional images of simulated battle that I have just seen. Safety is gained in stealth and forces projected on the long arc of precision-guided weapons. The best way to keep the peace is to redefine war on our terms.… On land, our heavy forces will be lighter. Our light forces will be more lethal. All will be easier to deploy and to sustain. In the air, we'll be able to strike across the world with pinpoint accuracy, using both aircraft and unmanned systems. On the oceans, we'll connect information and weapons in new ways, maximizing our ability to project power over land. In space, we'll protect our network of satellites, essential to the flow of our commerce and the defense of our common interests. This project of total remote control of nations and peoples is mind-boggling. It's the globalization of the Panopticon, the ideal of complete information coming into the center from every point on the globe, knowledge of the movements and intentions of every group and individual, together with the ability to punish or destroy at will whatever elements the superstate determines stand in the way of its objectives. The panoptical dream, taken to the global level, is to instill among all nations and peoples a sense that they are being watched by a supreme power, exactly like the biblical eye of God, with the power to punish instantaneously. Once achieved, this state of consciousness would mean that actual violence could be used very rarely -- just enough to keep the fear of it alive. What is more important is the constant consciousness of surveillance.

#### Foreign policy doctrine create an epistemology of violence that is coercive; national existence, security and order are used to justify military and geopolitical action, ontologizing violence as being.

Burke in 2007

(Anthony, Senior Lecturer in Politics and International Relations at UNSW, Sydney, “Ontologies of War: Violence, Existence and Reason”, Theory & Event, Volume 10, Issue 2, 2007, pMUSE, cheek)

The epistemology of violence I describe here (strategic science and foreign policy doctrine) claims positivistic clarity about techniques of military and geopolitical action which use force and coercion to achieve a desired end, an end that is supplied by the ontological claim to national existence, security, or order. However in practice, technique quickly passes into ontology. This it does in two ways. First, instrumental violence is married to an ontology of insecure national existence which itself admits no questioning. The nation and its identity are known and essential, prior to any conflict, and the resort to violence becomes an equally essential predicate of its perpetuation. In this way knowledge-as-strategy claims, in a positivistic fashion, to achieve a calculability of effects (power) for an ultimate purpose (securing being) that it must always assume. Second, strategy as a technique not merely becomes an instrument of state power but ontologises itself in a technological image of 'man' as a maker and user of things, including other humans, which have no essence or integrity outside their value as objects. In Heidegger's terms, technology becomes being; epistemology immediately becomes technique, immediately being. This combination could be seen in the aftermath of the 2006 Lebanon war, whose obvious strategic failure for Israelis generated fierce attacks on the army and political leadership and forced the resignation of the IDF chief of staff. Yet in its wake neither ontology was rethought. Consider how a reserve soldier, while on brigade-sized manoeuvres in the Golan Heights in early 2007, was quoted as saying: 'we are ready for the next war'. Uri Avnery quoted Israeli commentators explaining the rationale for such a war as being to 'eradicate the shame and restore to the army the "deterrent power" that was lost on the battlefields of that unfortunate war'. In 'Israeli public discourse', he remarked, 'the next war is seen as a natural phenomenon, like tomorrow's sunrise.' 22 ]

**The apocalyptic imagining of climate change produces technological or treaty fixes which leave root cause of environment destruction intact**

**Crist, 2k7**

Eileen Crist, Associate Professor of Science and Technology Studies in the Center for Interdisciplinary Studies at Virginia Tech “Beyond the Climate Crisis: A Critique of Climate Change Discourse” Telos 141 Winter 2007

While the dangers of climate change are real, I argue that there are even greater dangers in representing it as the most urgent problem we face. Framing climate change in such a manner deserves to be challenged for two reasons: it encourages the restriction of proposed solutions to the technical realm, by powerfully insinuating that the needed approaches are those that directly address the problem; and it detracts attention from the planet’s ecological predicament as a whole, by virtue of claiming the limelight for the one issue that trumps all others. Identifying climate change as the biggest threat to civilization, and ushering it into center stage as the highest priority problem, has bolstered the proliferation of technical proposals that address the specific challenge. The race is on for figuring out what technologies, or portfolio thereof, will solve “the problem.” Whether the call is for reviving nuclear power, boosting the installation of wind turbines, using a variety of renewable energy sources, increasing the efficiency of fossil-fuel use, developing carbon-sequestering technologies, or placing mirrors in space to deflect the sun’s rays, the narrow character of such proposals is evident: confront the problem of greenhouse gas emissions by technologically phasing them out, superseding them, capturing them, or mitigating their heating effects. In his *The Revenge of Gaia*, for example, Lovelock briefly mentions the need to face climate change by “changing our whole style of living.”16 But the thrust of this work, what readers and policy-makers come away with, is his repeated and strident call for investing in nuclear energy as, in his words, “the one lifeline we can use immediately.”17 In the policy realm, the first step toward the technological fix for global warming is often identified with implementing the Kyoto protocol. Biologist Tim Flannery agitates for the treaty, comparing the need for its successful endorsement to that of the Montreal protocol that phased out the ozone-depleting CFCs. “The Montreal protocol,” he submits, “marks a signal moment in human societal development, representing the first ever victory by humanity over a global pollution problem.”18 He hopes for a similar victory for the global climate-change problem. Yet the deepening realization of the threat of climate change, virtually in the wake of stratospheric ozone depletion, also **suggests that dealing with global problems treaty-by-treaty is no solution to the planet’s predicament**. **Just as** the risks of unanticipated ozone depletion have been followed by the dangers of a long underappreciated climate crisis, so it would be naïve not to anticipate another (perhaps even entirely unforeseeable) catastrophe arising after the (hoped-for) resolution of the above two. Furthermore, if greenhouse gases were restricted successfully by means of technological shifts and innovations, the root cause of the ecological crisis as a whole would remain unaddressed. The destructive patterns of production, trade, extraction, land-use, waste proliferation, and consumption, coupled with population growth, would go unchallenged, continuing to run down the integrity, beauty, and biological richness of the Earth. Industrial-consumer civilization has entrenched a form of life that admits virtually no limits to its expansiveness within, and perceived entitlement to, the entire planet.19 But questioning this civilization is by and large sidestepped in climate-change discourse, with its single-minded quest for a global-warming techno-fix.20 Instead of confronting the forms of social organization that are causing the climate crisis—among numerous other catastrophes—climate-change literature often focuses on how global warming is endangering the culprit, and agonizes over what technological means can save itfrom impending tipping points.21 The dominant frame of climate change funnels cognitive and pragmatic work toward specifically addressing global warming, while muting a host of equally monumental issues. Climate change looms so huge on the environmental and political agenda today that it has contributed to downplaying other facets of the ecological crisis: mass extinction of species, the devastation of the oceans by industrial fishing, continued old-growth deforestation, topsoil losses and desertification, endocrine disruption, incessant development, and so on, are made to appear secondary and more forgiving by comparison with “dangerous anthropogenic interference” with the climate system. In what follows, I will focus specifically on how climate-change discourse encourages the continued marginalization of the biodiversity crisis—a **crisis** that has been soberly described as a holocaust,22 and which despite decades of scientific and environmentalist pleas remains a virtual non-topic in society, the mass media, and humanistic and other academic literatures. Several works on climate change (though by no means all) extensively examine the consequences of global warming for biodiversity, 23 but rarely is it mentioned that biodepletion predates dangerous greenhouse-gas buildup by decades, centuries, or longer, and will not be stopped by a technological resolution of global warming. Climate change is poised to exacerbate species and ecosystem losses—indeed, is doing so already. But while technologically preempting the worst of climate change may temporarily avert some of those losses, such a resolution of the climate quandary will not put an end to—will barely address—the ongoing destruction of life on Earth.

#### EXCEPTIONALISM IS BASED ON THE IDEALS OF THE MANIFEST DESTINY. THIS NEED TO CHANGE THE WORLD PERPETUATES THE PROBLEMS OF HUMAN RIGHTS IN THE US AS WELL AS OTHER COUNTRIES.

SINHA, 2003

[Radha, Emeritus Professor, Glasgow University, Sino-American Relations Mutual Paranoia, 2003. p. 8-9 //accessed on 08-9-05/wyo-jw]

American ‘exceptionalism’ is rooted in the belief that it ‘is not only different in kind from other countries but superior in its morality and institutions.’ [21] This exceptionalism, from the birth of the republic to the present, is seen in the American somewhat naïve belief that ‘the salvation of the world depended on them.’ [22] Also, that salvation can come only if ‘the other regions of the world look more like America – if not always the imperfect America of the present, then the ideal America of their dreams.’ [23] To some, called exemplarists by Brands, this conversion of other countries into the American image can come about by the sheer setting of example – by perfecting America from within so as to make it attractive for others emulate. Yet there are others – Brand’s vindicators or ‘realists’ in the international relations jargon – who would not hesitate to use American military might to convert others to the American image. American foreign policy, largely rooted in this brand of exceptionalism, that has proved disastrous for much of the world might, to a considerable extent, answer the question, ‘why do they hates us so much,’ raised so often in America in the aftermath of September 11.

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### Links

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### Impacts

#### Focus on security denies value to life—replacing it with ordered safety and control

Der Derian, 1995

(James, IR theorist and Philosopher, On Security “The Value of Security: Hobbes, Marx, Nietzsche and Baudrillard. Ed Ronnie Lipshutz” Online

Nietzsche transvalues both Hobbes's and Marx's interpretations of security through a genealogy of modes of being. His method is not to uncover some deep meaning or value for security, but to destabilize the intolerable fictional identities of the past which have been created out of fear, and to affirm the creative differences which might yield new values for the future. 33 Originating in the paradoxical relationship of a contingent life and a certain death, the history of security reads for Nietzsche as an abnegation, a resentment and, finally, a transcendence of this paradox. In brief, the history is one of individuals seeking an impossible security from the most radical "other" of life, the terror of death which, once generalized and nationalized, triggers a futile cycle of collective identities seeking security from alien others--who are seeking similarly impossible guarantees. It is a story of differences taking on the otherness of death, and identities calcifying into a fearful sameness. Since Nietzsche has suffered the greatest neglect in international theory, his reinterpretation of security will receive a more extensive treatment here. One must begin with Nietzsche's idea of the will to power, which he clearly believed to be prior to and generative of all considerations of security. In Beyond Good and Evil , he emphatically establishes the primacy of the will to power: "Physiologists should think before putting down the instinct of self-preservation as the cardinal instinct of an organic being. A living thing seeks above all to discharge its strength--life itself is will to power; self-preservation is only one of the most frequent results." 34 The will to power, then, should not be confused with a Hobbesian perpetual desire for power. It can, in its negative form, produce a reactive and resentful longing for only power, leading, in Nietzsche's view, to a triumph of nihilism. But Nietzsche refers to a positive will to power, an active and affective force of becoming, from which values and meanings--including self-preservation--are produced which affirm life. Conventions of security act to suppress rather than confront the fears endemic to life, for ". . . life itself is essentially appropriation, injury, overpowering of what is alien and weaker; suppression, hardness, imposition of one's own forms, incorporation and at least, at its mildest, exploitation--but why should one always use those words in which slanderous intent has been imprinted for ages." 35 Elsewhere Nietzsche establishes the pervasiveness of agonism in life: "life is a consequence of war, society itself a means to war." 36 But the denial of this permanent condition, the effort to disguise it with a consensual rationality or to hide from it with a fictional sovereignty, are all effects of this suppression of fear. The desire for security is manifested as a collective resentment of difference--that which is not us, not certain, not predictable. Complicit with a negative will to power is the fear-driven desire for protection from the unknown. Unlike the positive will to power, which produces an aesthetic affirmation of difference, the search for truth produces a truncated life which conforms to the rationally knowable, to the causally sustainable. In The Gay Science , Nietzsche asks of the reader: "Look, isn't our need for knowledge precisely this need for the familiar, the will to uncover everything strange, unusual, and questionable, something that no longer disturbs us? Is it not the instinct of fear that bids us to know? And is the jubilation of those who obtain knowledge not the jubilation over the restoration of a sense of security?" 37 The fear of the unknown and the desire for certainty combine to produce a domesticated life, in which causality and rationality become the highest sign of a sovereign self, the surest protection against contingent forces. The fear of fate assures a belief that everything reasonable is true, and everything true, reasonable. In short, the security imperative produces, and is sustained by, the strategies of knowledge which seek to explain it. Nietzsche elucidates the nature of this generative relationship in The Twilight of the Idols : The causal instinct is thus conditional upon, and excited by, the feeling of fear. The "why?" shall, if at all possible, not give the cause for its own sake so much as for a particular kind of cause --a cause that is comforting, liberating and relieving. . . . That which is new and strange and has not been experienced before, is excluded as a cause. Thus one not only searches for some kind of explanation, to serve as a cause, but for a particularly selected and preferred kind of explanation--that which most quickly and frequently abolished the feeling of the strange, new and hitherto unexperienced: the most habitual explanations. 38 A safe life requires safe truths. The strange and the alien remain unexamined, the unknown becomes identified as evil, and evil provokes hostility--recycling the desire for security. The "influence of timidity," as Nietzsche puts it, creates a people who are willing to subordinate affirmative values to the "necessities" of security: "they fear change, transitoriness: this expresses a straitened soul, full of mistrust and evil experiences." 39 The unknowable which cannot be contained by force or explained by reason is relegated to the off-world. "Trust," the "good," and other common values come to rely upon an "artificial strength": "the feeling of security such as the Christian possesses; he feels strong in being able to trust, to be patient and composed: he owes this artificial strength to the illusion of being protected by a god." 40 For Nietzsche, of course, only a false sense of security can come from false gods: "Morality and religion belong altogether to the psychology of error : in every single case, cause and effect are confused; or truth is confused with the effects of believing something to be true; or a state of consciousness is confused with its causes." 41 Nietzsche's interpretation of the origins of religion can shed some light on this paradoxical origin and transvaluation of security. In The Genealogy of Morals , Nietzsche sees religion arising from a sense of fear and indebtedness to one's ancestors: The conviction reigns that it is only through the sacrifices and accomplishments of the ancestors that the tribe exists --and that one has to pay them back with sacrifices and accomplishments: one thus recognizes a debt that constantly grows greater, since these forebears never cease, in their continued existence as powerful spirits, to accord the tribe new advantages and new strength. 42 Sacrifices, honors, obedience are given but it is never enough, for The ancestors of the most powerful tribes are bound eventually to grow to monstrous dimensions through the imagination of growing fear and to recede into the darkness of the divinely uncanny and unimaginable: in the end the ancestor must necessarily be transfigured into a god . 43 As the ancestor's debt becomes embedded in institutions, the community takes on the role of creditor. Nietzsche mocks this originary, Hobbesian moment: to rely upon an "artificial strength": "the feeling One lives in a community, one enjoys the advantages of communality (oh what advantages! we sometimes underrate them today), one dwells protected, cared for, in peace and trustfulness, without fear of certain injuries and hostile acts to which the man outside , the "man without peace," is exposed . . . since one has bound and pledged oneself to the community precisely with a view to injury and hostile acts. 44 The establishment of the community is dependent upon, indeed it feeds upon, this fear of being left outside. As the castle wall is replaced by written treaty, however, and distant gods by temporal sovereigns, the martial skills and spiritual virtues of the noble warrior are slowly debased and dissimulated. The subject of the individual will to power becomes the object of a collective resentment. The result? The fear of the external other is transvalued into the "love of the neighbor" quoted in the opening of this section, and the perpetuation of community is assured through the internalization and legitimation of a fear that lost its original source long ago. This powerful nexus of fear, of external and internal otherness, generates the values which uphold the security imperative. Indeed, Nietzsche locates the genealogy of even individual rights, such as freedom, in the calculus of maintaining security: - My rights - are that part of my power which others not merely conceded me, but which they wish me to preserve. How do these others arrive at that? First: through their prudence and fear and caution: whether in that they expect something similar from us in return (protection of their rights); or in that they consider that a struggle with us would be perilous or to no purpose; or in that they see in any diminution of our force a disadvantage to themselves, since we would then be unsuited to forming an alliance with them in opposition to a hostile third power. Then : by donation and cession. 45 The point of Nietzsche's critical genealogy is to show that the perilous conditions that created the security imperative--and the western metaphysics that perpetuate it--have diminished if not disappeared; yet, the fear of life persists: "Our century denies this perilousness, and does so with a good conscience: and yet it continues to drag along with it the old habits of Christian security, Christian enjoyment, recreation and evaluation." 46 Nietzsche's worry is that the collective reaction against older, more primal fears has created an even worse danger: the tyranny of the herd, the lowering of man, the apathy of the last man which controls through conformity and rules through passivity. The security of the sovereign, rational self and state comes at the cost of ambiguity, uncertainty, paradox--all that makes a free life worthwhile. Nietzsche's lament for this lost life is captured at the end of Daybreak in a series of rhetorical questions: Of future virtues--How comes it that the more comprehensible the world has grown the more solemnities of every kind have decreased? Is it that fear was so much the basic element of that reverence which overcame us in the presence of everything unknown and mysterious and taught us to fall down before the incomprehensible and plead for mercy? And has the world not lost some of its charm for us because we have grown less fearful? With the diminution of our fearfulness has our own dignity and solemnity, our own fearsomeness , not also diminished? 47 It is of course in Nietzsche's lament, in his deepest pessimism for the last man, that one finds the celebration of the overman as both symptom and harbinger of a more free-spirited yet fearsome age. Dismissive of utopian engineering, Nietzsche never suggests how he would restructure society; he looks forward only so far as to sight the emergence of "new philosophers" (such as himself?) who would restore a reverence for fear and reevaluate the security imperative. Nietzsche does, however, go back to a pre-Christian, pre-Socratic era to find the exemplars for a new kind of security. In The Genealogy of Morals , he holds up Pericles as an example, for lauding the Athenians for their "rhathymia "--a term that incorporates the notion of "indifference to and contempt for security." 48 It is perhaps too much to expect Nietzsche's message to resonate in late modern times, to expect, at the very time when conditions seem most uncertain and unpredictable, that people would treat fear as a stimulus for improvement rather than cause for retrenchment. Yet Nietzsche would clearly see these as opportune times, when fear could be willfully asserted as a force for the affirmation of difference, rather than canalized into a cautious identity constructed from the calculation of risks and benefits.

**Exterminate Unkown !**

**K of Causality:**

Turn Strange to Familiar

**Negative vs Postive W2P**

Negative Will to Pwr:

Supress Fear

Sovereignty

Rational Consensus

Positive Will to Pwr:

Embrace Fear

Becoming

Aesthetic Affirm of Difference

Security Bad

🡪 ficiontal ID from fear

History of security is resentment

Generalize the fear of death into the fear of difference

**K of Transcend:**

Causality wrong – never answer cause-effect question. All things are effect of discourse

No bounded truth

**Geneology of Security**

State has taken the place of God

Communities bounded by fear: external and internal threats.

War no longer beautiful.

**NV2L !**

**Herd outweighs:**

Fear controls through conformity and rules through docile subjects.

Security at the cost of meaningful life

**Now key:**

Conditions uncertain and predicable.

### AT: Perm

#### K IS A PREREQUISITE- BEFORE HAVING THE CORRECT POLICY YOU HAVE TO CHECK YOUR ASSUMPTIONS AT THE DOOR. THE PERM WOULD RAM ROD THEIR FLAWED ONTOLOGY LEADING TO THE IMPACTS OF THE K- THAT’S BRUCE 96

#### PERM IS SEVERANCE- CUTS THE LINKS OF THE 1AC. YOU MUST OLD THE 1AC TO THEIR DISCOURSE OTHERWISE THEIR A MOVING TARGET. REJECT THE TEAM FOR FAIRNESS.

#### BEGS THE QUESTION OF A LINK- ANY PERMUTATION WOULD JUST FURTHER THAT FLAWED ONTOLOGY AND CAUSE THE SAME IMPACTS [EXPLAIN LINKS]

#### NO REFORM - THE PLAN CANNOT BE DETACHED FROM IT’S DISCURSIVE UNDERPINNINGS

Burke 07

Anthony Burke, Senior Lecturer @ School of Politics & IR @ Univ. of New South Wales, ‘7 [Beyond Security, Ethics and Violence, p. 3-4]

These frameworks are interrogated at the level both of their theoretical conceptualisation and their practice: in their influence and implementation in specific policy contexts and conflicts in East and Central Asia, the Middle East and the 'war on terror', where their meaning and impact take on greater clarity. This approach is based on a conviction that the meaning of powerful political concepts cannot be abstract or easily universalised: they all have histories, often complex and conflictual; their forms and meanings change over time; and they are developed, refined and deployed in concrete struggles over power, wealth and societal form. While this should not preclude normative debate over how political or ethical concepts should be defined and used, and thus be beneficial or destructive to humanity, it embodies a caution that the meaning of concepts can never be stabilised or unproblematic in practice. Their normative potential must always be considered in relation to their utilisation in systems of political, social and economic power and their consequent worldly effects. Hence this book embodies a caution by Michel Foucault, who warned us about the 'politics of truth . . the battle about the status of truth and the economic and political role it plays', and it is inspired by his call to 'detach the power of truth from the forms of hegemony, social, economic and cultural, within which it operates at the present time'.1 It is clear that traditionally coercive and violent approaches to security and strategy are both still culturally dominant, and politically and ethically suspect. However, the reasons for pursuing a critical analysis relate not only to the most destructive or controversial approaches, such as the war in Iraq, but also to their available (and generally preferable) alternatives. There is a necessity to question not merely extremist versions such as the Bush doctrine, Indonesian militarism or Israeli expansionism, but also their mainstream critiques - whether they take the form of liberal policy approaches in international relations (IR), just war theory, US realism, optimistic accounts of globalisation, rhetorics of sensitivity to cultural difference, or centrist Israeli security discourses based on territorial compromise with the Palestinians. The surface appearance of lively (and often significant) debate masks a deeper agreement about major concepts, forms of political identity and the imperative to secure them. Debates about when and how it may be effective and legitimate to use military force in tandem with other policy options, for example, mask a more fundamental discursive consensus about the meaning of security, the effectiveness of strategic power, the nature of progress, the value of freedom or the promises of national and cultural identity. As a result, political and intellectual debate about insecurity, violent conflict and global injustice can become hostage to a claustrophic structure of political and ethical possibility that systematically wards off critique.

#### Alt comes first and is key to better policy making that doesn’t fall symptom to the self-fulfilling prophecies. You must reject State action [Green]

Ahmed 2011

[Nafeez Mosaddeq Ahmed, international security analyst specialising in the historical sociology and political ecology of mass violence. He is Executive Director at the Institute for Policy Research and Development, and Associate Tutor at the Department of International Relations, University of Sussex, where he obtained his DPhil in 2009., (2011): “The international relations of crisis and the crisis of international relations: from the securitisation of scarcity to the militarisation of society”, Global Change, Peace & Security: formerly Pacifica Review: Peace, Security & Global Change, 23:3, 335-355, \\wyo-bb]

This analysis thus calls for a broader approach to environmental security based on retrieving the manner in which political actors construct discourses of ‘scarcity’ in response to ecological, energy and economic crises (critical security studies) in the context of the historically-specific socio-political and geopolitical relations of domination by which their power is constituted, and which are often implicated in the acceleration of these very crises (historical sociology and historical materialism). Instead, both realist and liberal orthodox IR approaches focus on different aspects of interstate behaviour, conflictual and cooperative respectively, but each lacks the capacity to grasp that the unsustainable trajectory of state and inter-state behaviour is only explicable in the context of a wider global system concurrently over-exploiting the biophysical environment in which it is embedded. They are, in other words, unable to address the relationship of the inter-state system itself to the biophysical environment as a key analytical category for understanding the acceleration of global crises. They simultaneously therefore cannot recognise the embeddedness of the economy in society and the concomitant politically-constituted nature of economics.84 Hence, they neglect the profound irrationality of collective state behaviour, which systematically erodes this relationship, globalising insecurity on a massive scale – in the very process of seeking security.85 In Cox’s words, because positivist IR theory ‘does not question the present order [it instead] has the effect of legitimising and reifying it’.86 Orthodox IR sanitises globally destructive collective inter-state behaviour as a normal function of instrumental reason – thus rationalising what are clearly deeply irrational collective human actions that threaten to permanently erode state power and security by destroying the very conditions of human existence. Indeed, the prevalence of orthodox IR as a body of disciplinary beliefs, norms and prescriptions organically conjoined with actual policy-making in the international system highlights the extent to which both realism and liberalism are ideologically implicated in the acceleration of global systemic crises.87 By the same token, the incapacity to recognise and critically interrogate how prevailing social, political and economic structures are driving global crisis acceleration has led to the proliferation of symptom-led solutions focused on the expansion of state/regime military–political power rather than any attempt to transform root structural causes.88 It is in this context that, as the prospects for meaningful reform through inter-state cooperation appear increasingly nullified under the pressure of actors with a vested interest in sustaining prevailing geopolitical and economic structures, states have resorted progressively more to militarised responses designed to protect the concurrent structure of the international system from dangerous new threats. In effect, the failure of orthodox approaches to accurately diagnose global crises, directly accentuates a tendency to ‘securitise’ them – and this, ironically, fuels the proliferation of violent conflict and militarisation responsible for magnified global insecurity.

### Group state first claims

#### Focus on the state ignores the fascism hidden in the every day. Only a focus on the self and our relation towards repression can begin to account for the operations of desire – independent DA to your framework

D&G 80

Deleuze & Guattari, A Thousand Plateaus (1980. p214-5.)

Doubtless, fascism invented the concept of the totalitarian State, but there is no reason to define fascism by a concept of its own devising: there are totalitarian States, of the Stalinist or military dictatorship type, that are not fascist. The concept of the totalitarian State applies only at the macrophysical level, to a rigid segmentarity and a particular mode of totalization and centralization. But fascism is inseparable from a proliferation of molecular forces in interaction, which skip from point to point, before beginning to resonate together in the National Socialist State. Rural fascism and city or neighborhood fascism, youth fascism and war veteran's fascism, fascism of the Left and fascism of the Right, fascism of the couple, family, school, and office: every fascism is defined by a micro-black hole that stands on its own and communicates with the others, before resonating in a great, generalized central black hole. There is fascism when a *war machine* is installed in each hole, in every niche. Even after the National Socialist State had been established, microfascisms persisted that gave it unequaled ability to act upon the "masses." Daniel Guerin is correct to say that if Hitler took power, rather then taking over the German State administration, it was because from the beginning he had at his disposal microorganizations giving him "an unequaled, irreplaceable ability to penetrate every cell of society," in other words, a molecular and supple segementarity, flows capable of suffusing every kind of cell. Conversely, if capitalism came to consider the fascist experience as catastrophic, if it preferred to ally itself with Stalinist totalitarianism, which from its point of view was much more sensible and manageable, it was because the segementarity and centralization of the latter was more classical and less fluid. What makes fascism dangerous is its molecular or micropolitical power, for it is a mass movement: a cancerous body rather than a totalitarian organism. American film has often depicted these molecular focal points; band, gang, sect, family, town, neighborhood, vehicle fascisms spare no one. Only microfascism provides an answer to the global question: Why does desire desire its own repression, how can it desire its own repression? The masses certainly do not passively submit to power; nor do they "want" to be repressed, in a kind of masochistic hysteria; nor are they tricked by an ideological lure. Desire is never separable from complex assemblages that necessarily tie into molecular levels, from microformations already shaping postures, attitudes, perceptions, expectations, semiotic systems, etc. Desire is never an undifferentiated instinctual energy, but itself results from a highly developed, engineered setup rich in interactions: a whole supple segmentarity that processes molecular energies and potentially gives desire a fascist determination. Leftist organizations will not be the last to secrete microfascisms. It's too easy to be antifascist on the molar level, and not even see the fascist inside you, the fascist you yourself sustain and nourish and cherish with molecules both personal and collective.

#### Instead of playing a game of the state, with fixed positions and strategies, we should play go, and affirm more tactical forms of resistance

Deleuze and Guattari, 1987

(Gilles and Felix, “a thousand plateaus: capitalism and schizophrenia.” 352-353, MB.

Let us take a limited example and compare the war machine and the State apparatus in the context of the theory of games. Let us take chess and Go, from the standpoint of the game pieces, the relations between the pieces and the space involved. Chess is a game of State, or of the court: the emperor of China played it. Chess pieces are coded; they have an internal nature and intrinsic properties from which their movements, situations, and confrontations derive. They have qualities; a knight remains a knight, a pawn a pawn, a bishop a bishop. Each is like a subject of the statement endowed with a relative power, and these relative powers combine in a subject of enunciation, that is, the chess player or the game's form of interiority. Go pieces, in contrast, are pellets, disks, simple arithmetic units, and have only an anonymous, collective, or third-person function: "It" makes a move. "It" could be a man, a woman, a louse, an elephant. Go pieces are elements of a nonsubjectified machine assemblage with no intrinsic properties, only situational ones. Thus the relations are very different in the two cases. Within their milieu of interiority, chess pieces entertain biunivocal relations with one another, and with the adversary's pieces: their functioning is structural. On the other hand, a Go piece has only a milieu of exteriority, or extrinsic relations with nebulas or constellations, according to which it fulfills functions of insertion or situation, such as bordering, encircling, shattering. All by itself, a Go piece can destroy an entire constellation synchronically; a chess piece cannot (or can do so diachronically only). Chess is indeed a war, but an institutionalized, regulated, coded war, with a front, a rear, battles. But what is proper to Go is war without battle lines, with neither confrontation nor retreat, without battles even: pure strategy, whereas chess is a semiology. Finally, the space is not at all the same: in chess, it is a question of arranging a closed space for oneself, thus of going from one point to another, of occupying the maximum number of squares with the minimum number of pieces. In Go, it is a question of arraying oneself in an open space, of holding space, of maintaining the possibility of springing up at any point: the movement is not from one point to another, but becomes perpetual, without aim or destination, without departure or arrival. The "smooth" space of Go, as against the "striated" space of chess. The *nomos* of Go against the State of chess, *nomos* against *polis.* The difference is that chess codes and decodes space, whereas Go proceeds altogether differently, territorializing or deterritorializing it (make the outside a territory in space; consolidate that territory by the construction of a second, adjacent territory; deterritorialize the enemy by shattering his territory from within; deterritorialize oneself by renouncing, by going elsewhere . ..). Another justice, another movement, another space-time.

#### Links swamp the permutation---it instrumentalizes the alternative which only masks the plan’s violent governmentality---internal contradictions means it inevitably fails

Laura Sjoberg 13, Department of Political Science, University of Florida , Gainesville The paradox of security cosmopolitanism?, Critical Studies on Security, 1:1, 29-34

Particularly, Burke suggests that security cosmopolitanism ‘rejects a procedural faith in strongly post-Westphalian forms of government and democracy’ (p. 17) and reiterates that such an approach includes ‘no automatic faith in any one institutional design’ (p. 24). This seems to move away from one of the prominent critiques of, in Anna Agathangelou and Ling’s (2009) words, the ‘neoliberal imperium,’ as reliant on Western, liberal notions of governance to the detriment of those on whom such a form of government is imposed. Burke clearly problematizes this imposition, framing many of the serious problems in global politics as a result of ‘choices that create destructive dynamics and constraints’ (p. 15) at least in part by Western, liberal governments – characterizing modernity as culpable for insecurity. At the same time, the solution seems to be clearly situated within the discursive framework of the problem. Burke suggests that there should be a primary concern for ‘effectiveness, equality, fairness, and justice – not for states, per se, but for human beings, and the global biosphere’ (p. 24). Unless the only problem with modernity is the post- Westphalian structure of the state (which this approach does not eschew, but claims not to privilege), then this statement of values might entrench the problem. Many of the ideas of equality, fairness, and justice that come to mind with the (somewhat rehearsed) use of those words in progressive politics are inseparable from an ethos of enlightenment modernity.

This may be problematic on a number of levels. First, it may fail to interrupt the series of choices that Burke suggests produce a cycle of insecurity. Second, it may fold back onto itself in the recommendations that security cosmopolitanism produces. This especially concerned me in Burke’s discussion of how to end ‘dangerous processes,’ where he places ‘greater faith in the ethical, normative, and legal suppression of dangerous processes and actions than in formalistic or procedural solutions’ (p. 24). It seems to me that there is a good argument that ‘suppression’ is itself a ‘dangerous process,’ yet Burke’s framework does not really include a mechanism for internal critique.

Another problem that seems to confound security cosmopolitanism is evaluating the relationships between power, governance, and governmentality. There are certainly several ways in which Burke uses a notion of the state that distinguishes security cosmopolitanism from the mainstream neoliberal literature. For example, he characterizes the ‘state as an entity whose national survival depends on its global participation, obligations, and depen- dencies,’ (citing Burke 2013a, 5). This view of the state sees it as not only survival-seeking (in the neo-neo synthesis sense) but also dependent on its positive interactions with other states for survival. Burke’s approach to government/governance initially appears to be global rather than state-based, another potentially transformative move. For example, he sees the job of security cosmopolitanism as to ‘theorize and defend norms for the respon- sible conduct and conceptualization of global security governance’ (p. 21). At the same time, later in the article, Burke suggests entrenching the current structure of the state. His practical approach of looking for the ‘solidarity of the governing with the governed’ seems to simultaneously interrogate the current power structures and reify them. Burke says:

Such a ‘solidarity of the governed’ that engages in a ‘practical interrogation of power’ ought to be a significant feature of security cosmopolitanism. At the same time, however, security cosmopolitanism must be concerned with improving the global governance of security by elites and experts. (p. 21)

This attachment to the improvement of existing structures of governance seems to be at the heart of what I see as the failure of the radical potential in the idea of security cosmopolitanism. When discussing how the power dynamics between the elite and the subordinated might change, Burke suggests that ‘voluntary renunciation of the privileges and powers of both state and corporate sovereignty will no doubt be a necessary feature of such an order’ (p. 25). Relying on the voluntary renunciation of power by the powerful seems both unrealistic and not particularly theoretically innovative.

This seems to be at the center of a paradox inherent in security cosmopolitanism: Faith in the Western liberal state is insidious, but the Western liberal state does not have to be. Modernity causes insecurity, but need not be discarded fully. Some universalizations are dangerous, others are benign. Dangerous processes must be stopped, even if by dangerous processes. Moral entrepreneurship is the key, but ther e is no clear foundation for what counts as moral. The security cosmopolitanism critique is inspired by consequentialism, but lacks deontological foundations despite deontological implications. Burke calls for (and indeed demands) to ‘take responsibility for it’ (p. 23) in terms of ‘both formal and moral accountability’ (p. 24). In so doing, he endorses (Booth’s vision of) ‘moral progress’ (p. 25), despite understanding the insidious deployment of various notions of moral progress by others.

Security cosmopolitanism, then, is a proclamation for radical change that is initially stalled by its internal contradictions and further handicapped by its lack of capacity to enact the very sort of radical change Burke sees it as fundamental to righting the wrongs he sees in the world. The result seems to be the (potential) reification of existing governments/governmentality through what essentially appears to be a non-anthropocentric ‘human security’ which cannot be clearly distinguished from current notions of human security (p. 15). It appears to remain top-down and without clear moral foundation while claiming significant improvement over existing approaches. This appearance/seduction of improvement without real promise for change might be more insidious than the nihilism of which many post-structuralists are accused, as it seductively appears to solve a problem it does not solve.

### Risk

#### Death is an inevitable part of life we must embrace to affirm a life affirming world order

Barshack, 2003 (Lior, Radzyner school of law, “Nietzsche and legal theory (part two): Notes on the clerical body of the law” Lexis, MB)

These psychoanalytic insights are implicit in Nietzsche's portrayals of the priest's moral masochism. Nietzsche described clerical masochism as the struggle for survival of the weak under the most unfavorable of conditions through the assertion of a totally reversed notion of life. Ascetic practices and ideals respond to the need to institute permanent humiliation and submission as a feasible form of life in order to appease an internalized persecutor. [n64](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n64) Through the ascetic ideal, the clerical body  [\*1180]  disciplines and keeps intact its own unintegrated self, violently adapts itself to its disadvantaged condition, purifies itself by releasing its ressentiment in a reversed manner, while at the same time producing an idealized self-image and finally subordinating all human beings out of envy and revenge. [n65](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n65) In line with the psychoanalytic identification of fusion, death and the Sacred, Nietzsche sees the clerical body as an agent of death. [n66](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n66) In fact, it is to the corporate body as a whole, rather than death alone, that the clerical body is ordinarily consecrated. The clerical body enacts death in its capacity as the agent of the corporate body as a whole. With the sacred communal body, death is projected outside of the social and contained in the corporate body of the group. By being integrated into the human corporate order personified by the group's ancestors, death is tamed. [n67](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n67) Through projection, death is removed from the immediate social environment, integrated into a monistic, all-inclusive, life-asserting, human world-order and prevented from constituting an unmanageable external threat within a dualistic cosmos. [n68](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n68) Since ancestral figures and the corporate person of the group are immortal, they are invulnerable to death and can safely contain and control it. Moreover, they appropriate the power and authority of death and recruit them to the service of the human  [\*1181]  order. Authority, religious or political, rests on the fiction of having subordinated, incorporated and domesticated death. It must display its easy seizure and disposal of death. Through diverse representations of Power, the corporate order in its entirety emerges as invincible to death manipulating and utilizing it. The viability of political associations depends as much on their symbolic capacity to domesticate death as it does on their economic, military and administrative resources. The clerical body encapsulates the monistic corporate order within which death is contained, sublated and disarmed. [n69](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n69) Representing death in its culturally assimilated form, it plays a crucial role in humanity's effort to accommodate death and the Sacred. Through self-sacrifice, the clerical body bridges and reconciles the world of the living with the world of the dead and satisfies the demands of the latter. The administration of death, during its periodic pacifications and times of crisis, is handed over to the clerical body in the belief than it can integrate death, sometimes at the cost of its enactment, in a way that will secure the endurance of the life-asserting human-corporate order. As Nietzsche saw, the clergy, while instituting the negative, makes life possible. [n70](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n70) In the name of civilization and for its sake, the modern clerical body exercises the highest authority within the corporate order: jurisdiction as power over the life and death of the subject. [n71](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.689399.1619410778&target=results_DocumentContent&reloadEntirePage=true&rand=1219345406360&returnToKey=20_T4403572633&parent=docview#n71)

#### If impacts are calculated by multiplying probability times magnitude, then every absurd probability of an infinite impact register as infinite – breaking down rational risk calculus

**Kessler ‘8**  [Oliver Kessler, Sociology at University of Bielefeld, “From Insecurity to Uncertainty: Risk and the Paradox of Security Politics” *Alternatives*  33 (2008), 211-232]

***If the risk of terrorism is  defined in traditional terms by probability and potential loss, then  the focus on dramatic terror attacks leads to the marginalization of  probabilities. The reason is that even the highest degree of improb-  ability becomes irrelevant as the measure of loss goes to infinity.^o  The mathematical calculation of the risk of terrorism thus tends to  overestimate and to dramatize the danger. This has consequences  beyond the actual risk assessment for the formulation and execution  of "risk policies": If one factor of the risk calculation approaches  infinity (e.g., if a case of nuclear terrorism is envisaged), then there  is no balanced measure for antiterrorist efforts, and risk manage-  ment as a rational endeavor breaks down\*.*** Under the historical con-  dition of bipolarity, the "ultimate" threat with nuclear weapons could  be balanced by a similar counterthreat, and new equilibria could be  achieved, albeit on higher levels of nuclear overkill. Under the new  condition of uncertainty, no such rational balancing is possible since  knowledge about actors, their motives and capabilities, is largely  absent.  The second form of security policy that emerges when the deter-  rence model collapses mirrors the "social probability" approach. It  represents a logic of catastrophe. In contrast to risk management  framed in line with logical probability theory, the logic of catastro- phe does not attempt to provide means of absorbing uncertainty.  Rather, it takes uncertainty as constitutive for the logic itself;

uncer-  tainty is a crucial precondition for catastrophies. In particular, cata-  strophes happen at once, without a warning, but with major impli-  cations for the world polity. In this category, we find the impact of  meteorites. Mars attacks, the tsunami in South East Asia, and 9/11.  To conceive of terrorism as catastrophe has consequences for the  formulation of an adequate security policy. Since catastrophes hap-  pen irrespectively of human activity or inactivity, no political action  could possibly prevent them. Of course, there are precautions that  can be taken, but the framing of terrorist attack as a catastrophe  points to spatial and temporal characteristics that are beyond "ratio-  nality." Thus, political decision makers are exempted from the  responsibility to provide security—as long as they at least try to pre-  empt an attack. Interestingly enough, 9/11 was framed as catastro-  phe in various commissions dealing with the question of who was  responsible and whether it could have been prevented.  This makes clear that under the condition of uncertainty, there  are no objective criteria that could serve as an anchor for measur-  ing dangers and assessing the quality of political responses. For ex-  ample, as much as one might object to certain measures by the US  administration, it is almost impossible to "measure" the success of  countermeasures. Of course, there might be a subjective assessment  of specific shortcomings or failures, but there is no "common" cur-  rency to evaluate them. As a consequence, the framework of the  security dilemma fails to capture the basic uncertainties.  Pushing the door open for the security paradox, the main prob-  lem of security analysis then becomes the question how to integrate  dangers in risk assessments and security policies about which simply  nothing is known. In the mid 1990s, a Rand study entitled "New  Challenges for Defense Planning" addressed this issue arguing that  "most striking is the fact that

we do not even know who or what will  constitute the most serious future threat, "^i In order to cope with  this challenge it would be essential, another Rand researcher wrote,  to break free from the "tyranny" of plausible scenario planning. The  decisive step would be to create "discontinuous scenarios ... in  which there is no plausible audit trail or storyline from current  events"52 These nonstandard scenarios were later called "wild cards"  and became important in the current US strategic discourse. They  justified the transformation from a threat-based toward a capability-  based defense planning strategy.53  The problem with this kind of risk assessment is, however, that

**even the most absurd scenarios can gain plausibility. By construct-  ing a chain of potentialities, improbable events are linked** and brought into the realm of the possible, if not even the probable.  "Although the likelihood of the scenario dwindles with each step,  the residual impression is one of plausibility. "54 This so-called Oth-  ello effect has been effective in the dawn of the recent war in Iraq.

The connection between Saddam Hussein and Al Qaeda that the  US government tried to prove was disputed from the very begin-  ning. False evidence was again and again presented and refuted,  but this did not prevent the administration from presenting as the  main rationale for war the improbable yet possible connection  between Iraq and the terrorist network and the improbable yet  possible proliferation of an improbable yet possible nuclear  weapon into the hands of Bin Laden. As Donald

***Rumsfeld  famously said: "Absence of evidence is not evidence of absence."\****  This sentence indicates that under the condition of genuine uncer-  tainty, different evidence criteria prevail than in situations where  security problems can be assessed with relative certainty.