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### 1AC

A diferentes países los

Certifican los gringos

No quieren que exista droga

Pues dicen que es un peligro

¿Díganme quien certifica

A los Estados Unidos?

Para agarrar a los narcos

México a sido derecho.

Los gringos compran la coca

La pagan a cualquier precio.

No quieren que exista droga

Pero se dan privilegios

Different countries are

Certified by the gringos

They do not want drugs there

For they say that is a danger

Tell me who certifies

The United States?

To catch the narcos

Mexico has been straight.

The Americans buy coke

They pay it at any price.

They do not want drugs to exist

But give themselves privileges.

(from “El General” by Los Tigres del Norte, translation in “Criminals and enemies? The Mexican drug trafficker in official discourse and in narcocorridos” by Alejandro Lajous)

US attitude toward drugs is captured here by Los Tigres del Norte. Foreign supply is a threat, but domestic demand is a lost cause; while little is done to curtail consumption, the centerpiece of US engagement toward Mexico is characterized by militarized surveillance and violent suppression to combat drug trafficking. Any deviance from the status quo is perceived as a threat – the only option is the perpetuation of Calderon’s “war”

Freidersdorf, 13

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Did you know that the U.S. has been operating surveillance drones in Mexico, providing air support for the Mexican military, tracking the movements of Mexican citizens, sharing state-of-the-art spy technology with Mexican officials, and sending CIA agents to help Mexico train drug informants? Did you know the DEA has more employees stationed in Mexico than any of its other foreign posts? That Mexican nationals trained and bankrolled by the CIA raid Mexican drug cartels? Or that the CIA runs high-tech "fusion centers" in Mexico City, Monterrey and elsewhere? "For the past seven years, Mexico and the United States have put aside their tension-filled history on security matters to forge an unparalleled alliance against Mexico's drug cartels, one based on sharing sensitive intelligence, U.S. training and joint operational planning," Dana Priest reports in the Washington Post. "But now, much of that hard-earned cooperation may be in jeopardy." Enrique Pena Nieto, Mexico's new leader, reportedly dislikes the status quo, and was shocked, on taking office this December, at the degree of United States involvement in his country. The article is worth reading in full. What I can't help but remark upon is the way that it handles the spectacular failure of the War on Drugs. It notes "mounting criticism" that any success fighting cartel leaders has also helped to incite "more violence than anyone had predicted, more than 60,000 deaths and 25,000 disappearances in the past seven years alone." Put another way, the period of maximum American involvement has coincided with a horrific spike in drug-related violence. "Meanwhile," Priest continues, "the drug flow into the United States continued unabated. Mexico remains the U.S. market's largest supplier of heroin, marijuana and methamphetamine and the transshipment point for 95 percent of its cocaine." So the strategy was high cost, low reward. It increased violence and did nothing to reduce the drug supply. Yet the fact that it completely failed plays basically no role in the rest of the article, in large part because everyone in the United States government apparently wants to preserve the failed status quo. American officials are very upset that Mexico's new leader has decided to go his own way. Look at the very next sentences: No one had come up with a quick, realistic alternative to Calderon's novel use of the Mexican military with U.S. support. But stopping the cartel violence had become Peña Nieto's top priority during the campaign. The U.S. administration didn't know what that meant. Some feared a scaling back of the bilateral efforts and a willingness to trade the relentless drive against cartel leaders for calmer streets. Does anyone else think that "a willingness to trade the relentless drive against cartel leaders for calmer streets" just might be "a quick, realistic alternative to Calderon's novel use of the Mexican military with U.S. support"? At the very least, it surely it doesn't make sense to presume, as the article seems to, that the obviously failed status quo is the most "realistic" way forward. Sticking with it is arguably delusional. But that angle is seemingly never pursued. As ever, the utter failure of American drug policy is taken by the establishment as evidence that persisting is of even more importance. The policies the United States pursued in Mexico as part of our increased role there coincided with a huge uptick in violence and no reduction in the supply of Mexican drugs? By God, let's hope that the Mexicans don't decide to try something completely different! It's the most irrational status-quo bias you're likely to find. Given that Mexicans are the ones dealing with the dead bodies in the current arrangement, little wonder that they're able to appreciate the irrationality more than America's mystifyingly persistent drug warriors. Drugs can have awful affects all on their own. What's even worse are black markets in drugs. There's only one way to end them in a free country. And policymakers aren't open to it, despite the fact that ending prohibition would weaken the cartels more than anything. So the carnage continues.

Since the 70s, the “war on drugs” has proven a failed initiative, yet it endures; the US-Mexico border has developed into a space of exception where law is suspended by the sovereign

Parker, 11 – master’s degree in cultural and political studies from Royal Holloway, University of London, written extensively in the academic arena on geopolitics, ‘radical’ politics and protest, and mass media (Lindsay, “The Making of a Space of Exception: the War on Drugs, Agamben, and Ciudad

Juarez,” Cultural Geography, August 2011, http://lindsayparkerdotnet.files.wordpress.com/2012/10/the-making-of-a-space-of-exception.pdf)//bghs-BI

The “war on drugs” was introduced into the American lexicon by Richard Nixon in 1971 (Cockburn & St. Clair 1998) as a continuation of the prohibitionist drug laws originating from 1914’s Harrison Narcotics Tax Act. The “war on drugs” was simultaneously enforced with Nixon’s “war on crime” that both emphasized “radical turn[s] from welfarist criminal justice approaches emphasizing rehabilitation and redistribution, towards coercive penal governance” (Corva 2008:178). Whereas a welfarist order understood illicit behaviour as symptomatic of an unjust socio-economic society and tried to rehabilitate users, the penal state adopted strict rules that would place offenders in prison for even small amounts of possession (Beckett & Sassoon 2000). Currently this “zero tolerance” policy emphasizes prohibition, halting production, distribution, and the consumption of drugs at the cost of $15 billion annually to the federal government, with state and local governments spending another $25 billion in 2010 alone (Office of National Drug Control Policy 2010). Yet the response nationally and internationally from civilians, lawyers, medical professionals, academics, and police enforcement alike is that the “war on drugs” is an overwhelming failure that has not reduced drug use, drug trafficking, or violent crime, but that has rather resulted in the growth of a multi-billion annual black market that promotes violence and results in harmful repercussions to society (Baum 1996; Bertram 1996). A major source of this violence stems from rival drug cartels throughout Central and South America fighting for trade routes and access to portals along the US/Mexican border across which they can smuggle narcotics for US consumption. The passing of NAFTA in 1994 made trafficking easier and more efficient than ever before (Andreas 1995; Campbell 2009) resulting in the competition for domination of border towns and cities, such as Ciudad Juarez, positioned a mere two miles away from the American border. This strategic location is crucial because of the United States’ insatiable demand for narcotics, especially cocaine. It is estimated that 80-90% of Central and South American cocaine ends up in the United States making border cities and towns incredibly valuable and vulnerable spaces of violent competition (United Nations 2010). As Mexico and the United States keep battling drug cartels in what seems an impossible war to win, narcotics are illegally exported into the United States where demand is still high. The war on drugs and resulting turf war in Juarez are indicative of a re-configuration of geographies of sovereignty and exceptional space along and beyond the border. Sovereign power is a key theme to Agamben’s Homo Sacer: Sovereign Power and Bare Life (1998). Translated from “Sacred Man, “homo sacer” refers to a bare life that is stripped of all citizens” rights that can be killed by anyone without punishment. Human life becomes politicized as it becomes dominated by the sovereign’s suspension of juridical order allowing for otherwise illegal crimes to become normalized because where there is no law, nothing can be illegal. This state of exception is a “point of indistinction between violence and law, the threshold on which violence passes over into law and law passes over into violence” (1998: 32). This threshold is at the core of what Agamben calls the paradox of sovereignty. If sovereign powers are able to declare spaces of exception or suspend the law, they are effectively placing themselves outside of the law. In his own work Agamben uses the example of Nazi concentration camps to exercise the tangibility and physicality of a space of exception, or where juridical order has been indefinitely suspended by sovereign actors. More recently, Agamben and others have identified Guantanamo Bay as such a space (Butler 2002; Gregory 2006). In these examples the sovereign powers, though acting within or outside of the law, were state actors. Agamben’s reading of sovereignty loosely follows Westphalian tenets including the principle of the sovereignty of states and fundamental right to self-determination, the principle of international law equality between states, and the principle of non-intervention of one state in the internal affairs of another state (Lyons & Mastanduno 1995). Traditional theorizations of sovereignty stemmed from Westphalia have increasingly come under scrutiny with some even posing the end of a traditional sovereignty in the political realm (Camilleri & Falk 1992; Hardt & Negri 2000; Ward 2003). These are important in considering how ideas of sovereignty have shifted through history and political landscapes including times of civil disobedience, terrorism, war, and globalization, which is especially intertwined (geo)politically and economically with the drug war. The drug war in Juarez is another example that is challenging traditional ideas of how sovereignty is practiced on the ground and how strict binaries of legal and illegal are being nullified and subverted as sovereign state actors are losing power to drug cartels.

The war metaphor remains dominant in official discourse surrounding drugs, collapsing the distinction between criminal and enemy – peace is impossible until the enemy is annihilated

Lajous, 12 – doctor of Law at Yale, professor and researcher at Centro de Investigación y Docencia Económica, a Mexican center of research and higher education specialized in social sciences (Alejandro Madrazo, “Criminals and enemies? The Mexican drug trafficker in official discourse and in narcocorridos,” translated by Fernanda Alonso)//bghs-BI

III. The criminal and the enemy in the official discourse On December 4th, 2006, just three days after assuming the presidency of the Mexican government, Felipe Calderon announced the first deployment of federal forces, Army included, so as to perform police functions in a state: his native state, Michoacan. "Be assured that my government is working hard to win the war against crime" (Calderón, 2011q). With this, the President defined his crime fighting strategy as a war; he justified the move on the fact that the number of drug-related killings in the region during the previous year exceeded 500.10 A few weeks later, on January 22, 2007, at the XXI Session of the National Security Council, the President went further: "To win the war against crime it is essential that we work together beyond our differences [...] beyond any political party’s flag and any private interest." (Calderon, 2007n) He presented the war as a reason to demand national unity in a country deeply divided by party likes and dislikes, after a competed and questioned election. Infancy is destiny; the use of war metaphors marked the official narrative surrounding crime and security throughout the his administration. Since then, the government does not pursue common criminals in the fulfillment of police functions or law enforcement, but instead confronts them in a war, for which there will be no truce until the enemy is defeated. The war jargon in the war on drugs has dominated the narrative, the political imaginary and the current government policy. The war metaphor in the government’s discourse has obvious practical and strategic functions. On the one hand, "(...) it is applied to keep justifying the use of the Armed Forces..." (Miguel Lopez Norzagaray David 2010; 172), one of the building blocks of the security policy for the administration. On the other hand, it functions as a rhetorical framework to call for national unity. However, it also has consequences that go beyond those that it seemingly seeks. On the one hand, it builds up crime and on the other it blurs the boundaries between different categories within the law. The government does not prosecute people who commit different types of crimes –kidnapping, drug trafficking, and murder– but crime itself. In this sense, "(...) drug trafficking was framed within a larger enemy, an enemy that is even more sparse than the very same drug trafficking, one ranging from common crime to the organized social structure needed to commit a crime." (Norzagaray Lopez 2010; 229) This section looks to explore how, in the official discourse dominated by the war metaphor, the distinction between criminal and enemy collapses. By labeling delinquents as enemies, President Calderon is not only establishing an identity between the terms, but also establishing in the political imaginary, on which he reflects and builds his discourse, that the criminal fulfills the function of the enemy (and not only shares his label).11

Politicizing the criminal as the enemy subjects them not to law but unlimited sovereignty, enabling the state to justify sacrifice of the political community and making civil war inevitable

Lajous, 12 – doctor of Law at Yale, professor and researcher at Centro de Investigación y Docencia Económica, a Mexican center of research and higher education specialized in social sciences (Alejandro Madrazo, “Criminals and enemies? The Mexican drug trafficker in official discourse and in narcocorridos,” translated by Fernanda Alonso)//bghs-BI

II. The criminal and the enemy in the political imaginary8 The temptation to label a criminal as an enemy and point him out as "public enemy number 1”, is enormous, especially when the threat he represents is perceived as overwhelming. But the distinction between a criminal and an enemy in the political imaginary is crucial: it reflects and supports the distinction between sovereignty and law, between political action –in its strictest sense— and legal action. Criminals and enemies may do the same violent acts, destroying property and persons. Nevertheless, the modern political imaginary carefully maintained the distinction as a matter of both formal law and informal representation. (Kahn, 2010; 1) In the modern political imaginary, the criminal and the enemy occupy different spaces: the criminal faces the law; the enemy faces sovereignty. Law is restricted, predetermined, it cannot overturn the rules that it is made up of; sovereignty is unlimited, unrestricted, subject only to its ability to affirm itself. The criminal is not the enemy; the enemy is not the criminal. The enemy can be killed but not punished. (…) On the other hand, the criminal can be punished but, in most of the West, he cannot be killed. (Kahn, 2010; 1)9 The distinction lies precisely on the difference between the criminal’s relationship to law and the enemy’s relationship to sovereignty. The criminal is a citizen, a part of the political community, and therefore enjoys the protection of the very laws which he infringes; the enemy is the opposite of a citizen, located outside the political community and posing a threat to it; consequently the enemy does not enjoy the protection of the law, nor is he under obligation to abide by it. Moreover, the enemy has the right to resist the violence of a political community to which he does not belong to; the criminal does not. Informally, warfare is imagined as a sort of duel: a reciprocal relationship of threat, of killing and being killed. (…) This is why every war is imagined as “self-defense” by both sides of the conflict. The confrontation with the criminal, on the other hand, is certainly not imagined as a duel. Criminals have no right of self-defense against the police. The force of law is asymmetrical. For this reason, we think of the violence of law – policing – as “depoliticized.” There is a corresponding depoliticalization of the violence of crime: it is not political threat, but personal pathology. Law enforcement aims to prevent the violence of the criminal from becoming a source of collective self-expression. Were it to become so, we would confront an enemy. (Kahn, 2010; 2) The law in a political community says nothing to its enemies, nor does it say anything about its enemies. The enemy does not operate in the restricted field of law, operating instead in the unrestricted space of sovereignty. Contrastingly, the criminal is determined by the law he infringes: Everything about the criminal is defined by law, from the elements of the crime, to the procedure of adjudication, to the character of punishment. His depoliticalization is accomplished through his complete juridification. The law, however, will not tell us who are our enemies. It will not define the conditions of victory or defeat. It will not tell us how seriously to take a threat or how devastating to make the response. The enemy, despite the efforts of international law, is not a juridical figure at all. (Kahn, 2010; 2) The enemy is located outside the political community and threatens it. Because of this, the enemy endows members of the community with an identity: they are ultimately identified in contrast to the person who is not a member of the political community: the enemy (who is in turn, identified in contrast to the first). The criminal does not fulfill that role in the political imaginary. His existence does not identify us, and he does not identify himself as opposed to the political community, but rather he participates in it. True, he participates from a marginal and stigmatized position, but he is part of the community that punishes him. Against the enemy, the state may legitimately require sacrifices from us –including our lives— so as to protect the continuity of the political community. Against the criminal, we require the State’s protection, not vice versa. We are presented then, with two very different categories, which must not be confused. The criminal is a member of the political community; the enemy is not. The criminal is subject to the law of the community and is simultaneously protected and bound by it; the enemy is not. The criminal should be punished; the enemy destroyed or subdued. The criminal is completely juridified (he is regulated and precisely constraint by the law) and, therefore, depoliticized; the enemy is necessarily a politicized subject (he defines the polis by opposing it) and cannot be understood through the law. But the distinction between criminal and enemy is not only important to them; the distinction is fundamental –foundational even– to the political community, i.e. to "us", all individuals belonging to it: At stake in the criminal/enemy distinction, I will argue, is the relationship of sovereignty to law. These are not just categories of theory, but the organizing principles of political and personal narrative. When we lose control of the categories, we can lose the sense of who we are. (Kahn, 2010; If we collapse the two categories, we lose our political identity. We no longer know who belongs to the "us" (the political community, which in principle, includes criminals) and who belongs to the "they" (the enemies). When the criminal becomes an enemy, the community’s action is no longer the application of law, but that of a civil war: Indeed, under some circumstances criminals do become enemies: the order of law becomes the disorder of civil war. (Kahn, 2010; 5) When the criminal is politicized, he is mistaken for the enemy; he becomes the enemy. He is no longer identified by the law (which signals him as an offender), but instead he is identified as that which opposes sovereignty, that is the political community; against which he is now "entitled" to confront. The community can no longer demand obedience from him. He goes from being in an asymmetrical relationship governed by the law to a symmetric relation (symbolically) analogous to a duel, in which the law disappears and all that remains is the contrast of two competing wills in the field of sovereignty. That is, in a space in which only a civil war can be deployed, no longer a normative system.

The biopolitical determination of the threshold beyond which life ceases to have juridical value creates the category of a “life devoid of value” which spills over to the biological body of every living being and nullifies value to death

Agamben, 98 – professor of philosophy at university of Verona (Giorgio, Homo Sacer: Sovereign Power and Bare Life, pg. 139-140)

It is not our intention here to take a position on the difficult ethical problem of euthanasia, which still today, in certain coun­tries, occupies a substantial position in medical debates and pro­vokes disagreement. Nor are we concerned with the radicaliry with which Binding declares himself in favor of the general admissibility of euthanasia. More interesting for our inquiry is the fact that the sovereignty of the living man over his own life has its immediate counterpart in the determination of a threshold beyond which life ceases to have any juridical value and can, therefore, be killed without the commission of a homicide. The new juridical category of “life devoid of value” (or “life unworthy of being lived”) corre­sponds exactly—even if in an apparently different direction—to the bare life of homo sacer and can easily be extended beyond the limits imagined by Binding. It is as if every valorization and every “politicization” of life (which, after all, is implicit in the sovereignty of the individual over his own existence) necessarily implies a new decision concerning the threshold beyond which life ceases to be politically relevant, becomes only “sacred life,” and can as such be eliminated without punishment. Every society sets this limit; every society—even the most modern—decides who its “sacred men” will be. It is even pos­sible that this limit, on which the politicization and the exceprio of natural life in the juridical order of the state depends, has done nothing but extend itself in the history of the West and has now— in the new biopolitical horizon of states with national sovereignty—moved inside every human life and every citizen. Bare life is no longer confined to a particular place or a definite category. It now dwells in the biological body of every living being.

When the legitimacy and existence of a population is in question, politics become murderous – the entirety of the world is reduced to bare life in an attempt to rid the public sphere of all risk. The only option becomes the extermination of all life

Duarte, 5 – professor of Philosophy at Universidade Federal do Paraná (André, “Biopolitics and the dissemination of violence: the Arendtian critique of the present,” April 2005, http://works.bepress.com/cgi/viewcontent.cgi?article=1017&context=andre\_duarte)//bghs-BI

These historic transformations have not only brought more violence to the core of the political but have also redefined its character by giving rise to biopolitical violence. As stated, what characterizes biopolitics is a dynamic of both protecting and abandoning life through its inclusion and exclusion from the political and economic community. In Arendtian terms, the biopolitical danger is best described as the risk of converting animal laborans into Agamben’s homo sacer, the human being who can be put to death by anyone and whose killing does not imply any crime whatsoever 13).  When politics is conceived of as biopolitics, as the task of increasing the life and happiness of the national *animal laborans*, the nation-state becomes ever more violent and murderous. If we link Arendt’s thesis from *The Human Condition* to those of The Origins of Totalitarianism, we can see the Nazi and Stalinist extermination camps as the most refined experiments in annihilating the “bare life” of *animal laborans* (although these are by no means the only instances in which the modern state has devoted itself to human slaughter). Arendt is not concerned only with the process of the extermination itself, but also the historical situation in which large-scale exterminations were made possible – above all, the emergence of ‘uprooted’ and ‘superfluous’ modern masses, what we might describe as *animal laborans* balanced on the knife-edge of ‘bare life.’ Compare her words in ‘Ideology and Terror’ (1953), which became the conclusion of later editions of The Origins of Totalitarianism: Isolation is that impasse into which men [humans] are driven when the political sphere of their lives… is destroyed… Isolated man who lost his place in the political realm of action is deserted by the world of things as well, if he is no longer recognized as homo faber but treated as an *animal laborans* whose necessary ‘metabolism with nature’ is of concern to no one. Isolation then become loneliness… Loneliness, the common ground for terror, the essence of totalitarian government, and for ideology or logicality, the preparation of its executioners and victims, is closely connected with uprootedness and superfluousness which have been the curse of modern masses since the beginning of the industrial revolution and have become acute with the rise of imperialism at the end of the last century and the break-down of political institutions and social traditions in our own time. To be uprooted means to have no place in the world, recognized and guaranteed by others; to be superfluous means not to belong to the world at all 14). The conversion of homo faber, the human being as creator of durable objects and institutions, into *animal laborans* and, later on, into homo sacer, can be traced in Arendt’s account of nineteenth century imperialism. As argued in the second volume of The Origins of Totalitarianism, European colonialism combined racism and bureaucracy to perpetrate the “most terrible massacres in recent history, the Boers’ extermination of Hottentot tribes, the wild murdering by Carl Peters in German Southeast Africa, the decimation of the peaceful Congo population – from 20 to 40 million reduced to 8 million people; and finally, perhaps worst of all, it resulted in the triumphant introduction of such means of pacification into ordinary, respectable foreign policies.” 15)  This simultaneous protection and destruction of life was also at the core of the two World Wars, as well as in many other more local conflicts, during which whole populations have become stateless or deprived of a public realm. In spite of all their political differences, the United States of Roosevelt, the Soviet Russia of Stalin, the Nazi Germany of Hitler and the Fascist Italy of Mussolini were all conceived of as states devoted to the needs of the national *animal laborans*. According to Agamben, since our contemporary politics recognizes no other value than life, Nazism and fascism, that is, regimes which have taken bare life as their supreme political criterion are bound to remain standing temptations 16).  Finally, it is obvious that this same logic of promoting and annihilating life persists both in post-industrial and in underdeveloped countries, inasmuch as economic growth depends on the increase of unemployment and on many forms of political exclusion. When politics is reduced to the tasks of administering, preserving and promoting the life and happiness of animal laborans it ceases to matter that those objectives require increasingly violent acts, both in national and international arenas. Therefore, we should not be surprised that the legality of state violence has become a secondary aspect in political discussions, since what really matters is to protect and stimulate the life of the national (or, as the case may be, Western) *animal laborans*. In order to maintain sacrosanct ideals of increased mass production and mass consumerism, developed countries ignore the finite character of natural reserves and refuse to sign International Protocols regarding natural resource conservation or pollution reduction, thereby jeopardising future humanity. They also launch preventive attacks and wars, disregard basic human rights, for instance in extra-legal detention camps such as Guantánamo,27)  and multiply refugee camps. Some countries have even imprisoned whole populations, physically isolating them from other communities, in a new form of social, political and economic apartheid. In short, states permit themselves to impose physical and structural violence against individuals and regimes (‘rogue states’ 18) ) that supposedly interfere with the security and growth of their national ‘life process.’ If, according to Arendt, the common world consists of an institutional in-between meant to outlast both human natality and mortality, in modern mass societies we find the progressive abolition of the institutional artifice that separates and protects our world from the forces of nature 19).  This explains the contemporary feeling of disorientation and unhappiness, likewise the political impossibility we find in combining stability and novelty 20).  In the context of a “waste economy, in which things must be almost as quickly devoured and discarded as they have appeared in the world, if the process itself is not to come to a sudden catastrophic end,” 21)  it is not only possible, but also necessary, that people themselves become raw material to be consumed, discarded, annihilated. In other words, when Arendt announces the “grave danger that eventually no object of the world will be safe from consumption and annihilation through consumption,” 22)  we should also remember that human annihilation, once elevated to the status of an ‘end-in-itself’ in totalitarian regimes, still continues to occur – albeit in different degrees and by different methods, in contemporary ‘holes of oblivion’ such as miserably poor Third World neighbourhoods 23)  and penitentiaries, underpaid and slave labour camps, in the name of protecting the vital interests of *animal laborans*. To talk about a process of human consumption is not to speak metaphorically but literally. Heidegger had realized this in his notes written during the late thirties, later published under the title of Overcoming Metaphysics. He claimed that the difference between war and peace had already been blurred in a society in which “metaphysical man [human], the animal rationale, gets fixed as the labouring animal,” so that “labour is now reaching the metaphysical rank of the unconditional objectification of everything present.” 24)  Heidegger argued that once the world becomes fully determined by the “circularity of consumption for the sake of consumption” it is at the brink of becoming an ‘unworld’ (Unwelt), since ‘man [human], who no longer conceals his character of being the most important raw material, is also drawn into the process. Man is “the most important raw material” because he remains the subject of all consumption.’ 25)  After the Second World War and the release of detailed information concerning the death factories Heidegger took his critique even further, acknowledging that to understand man as both subject and object of the consumption process would still not comprehend the process of deliberate mass extermination. He saw this, instead, in terms of the conversion of man into no more than an “item of the reserve fund for the fabrication of corpses” (Bestandestücke eines Bestandes der Fabrikation von Leichen). According to Heidegger, what happened in the extermination camps was that death became meaningless, and the existential importance of our anxiety in the face of death was lost; instead, people were robbed of the essential possibility of dying, so that they merely “passed away” in the process of being “inconspicuously liquidated” (unauffällig liquidiert). 26)  The human being as *animal laborans* (Arendt), as homo sacer (Agamben), as an ‘item of the reserve fund’ (Heidegger) – all describe the same process of dehumanisation whereby humankind is reduced to the bare fact of being alive, with no further qualifications. As argued by Agamben, when it becomes impossible to differentiate between biós and zóe, that is, when bare life is transformed into a qualified or specific ‘form of life,’ we face the emergence of a biopolitical epoch 27).  When states promote the animalisation of man by policies that aim at both protecting and destroying human life, we can interpret this in terms of the widespread presence of the homo sacer in our world: “If it is true that the figure proposed by our age is that of an unsacrificeable life that has nevertheless become capable of being killed to an unprecedented degree, then the bare life of homo sacer concerns us in a special way… If today there is no longer any one clear figure of the sacred man, it is perhaps because we are all virtually homines sacri.” 28) Investigating changes in the way power was conceived of and exercised at the turn of the nineteenth century, Foucault realized that when life turned out to be a constitutive political element, managed, calculated, and normalized by means of biopolitics, political strategies soon became murderous. Paradoxically, when the Sovereign’s prerogative ceased to be simply that of imposing violent death, and became a matter of promoting the growth of life, wars became more and more bloody, mass killing more frequent. Political conflicts now aimed at preserving and intensifying the life of the winners, so that enmity ceased to be political and came to be seen biologically: it is not enough to defeat the enemy; it must be exterminated as a danger to the health of the race, people or community. Thus Foucault on the formation of the modern biopolitical paradigm at the end of the nineteenth century:…death that was based on the right of the sovereign is now manifested as simply the reverse of the right of the social body to ensure, maintain or develop its life. Yet wars were never as bloody as they have been since the nineteenth century, and all things being equal, never before did regimes visit such holocausts on their own populations. But this formidable power of death… now presents itself as the counterpart of a power that exerts a positive influence on life that endeavours to administer, optimise, and multiply it, subjecting it to precise controls and comprehensive regulations. Wars are no longer waged in the name of a sovereign who must be defended; they are waged on behalf of the existence of everyone; entire populations are mobilized for the purpose of wholesale slaughter in the name of life necessity: massacres have become vital. It is as managers of life and survival, of bodies and the race, that so many regimes have been able to wage so many wars, causing so many men [humans] to be killed. And through a turn that closes the circle, as the technology of wars have caused them to tend increasingly toward all-out destruction, the decision that initiates them and the one that terminates them are in fact increasingly informed by the naked question of survival. The atomic situation is now at the end of point of this process: the power to expose a whole population to death is the underside of the power to guarantee an individual’s continued existence. The principle underlying the tactics of battle – that one has to be capable of killing in order to go on living – has become the principle that defines the strategy of states. But the existence in question is no longer the juridical existence of sovereignty; at stake is the biological existence of a population. If genocide is indeed the dream of modern powers, this is not because of a recent return of the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population. 29)  Arendt proposed no political utopias, but she remained convinced that our political dilemmas have no necessary outcome, that history has not and will not come to a tragic end. Neither a pessimist nor an optimist, she wanted only to understand the world in which she lived in and to stimulate our thinking and acting in the present. It is always possible that radically new political constellations will come into our world, and responsibility for them will always be ours. If we wish to remain faithful to the spirit of Arendt’s political thinking, then we must think and act politically without constraining our thinking and acting in terms of some pre-defined understanding of what politics ‘is’ or ‘should’ be. In other words, I believe that the political challenge of the present is to multiply the forms, possibilities and spaces in which we can act politically. These may be strategic actions destined to further the agendas of political parties concerned with social justice. They can also be discrete, subversive actions favoured by small groups at the margins of the bureaucratised party machines, promoting political interventions free of particular strategic intentions, since their goal is to invite radical politicisation of existence. Finally, there are also actions in which ethical openness towards otherness becomes political: small and rather inconspicuous actions of acknowledging and welcoming, of extending hospitality and solidarity towards others.

In the face of the hegemonic “war” discourse, an alternative has arisen in the public imaginary: the narcocorrido. Ambivalent but credible, epic but ordinary, it constitutes rebellion against a political system sustained on exceptionalism

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IV. The criminal and the enemy in the saga of the narcocorrido There is popular tradition, deeply rooted in our country, that through various means such as literature, popular press, oral tradition and music, highlights and records the events of criminal’s lives, opposing the official discourse (see eg Speckman, 2002). One of the best-known means that materialize this tradition is the popular music genre known as the corrido, popular music relating noteworthy events and the daily life of communities. Specifically, the narcocorrido, presents itself as a contemporary successor or subgenre of the corrido. The narcocorrido is of interest here because it offers an alternative view to the official stance on drug trafficking in our country. Faced with a hegemonic official discourse on drug trafficking, popular culture, and on occasions the drug traffickers themselves,13 offer their vision of the phenomenon, through narcocorridos. Luis Astorga points out that some narcocorridos are spontaneous products of popular culture, while others are deliberately sponsored by drug traffickers themselves to build their own image. The two variants break the state monopoly ub geberatubg of the discourse referring to drug trafficking (Astorga, 1997). With the dawn of the narcocorridos, "the identity of the group was no longer subject to the will, imaginary and interest of those who had hitherto managed to impose their classifications, and turn them into official discourse" (Astorga, 1997, 2). Astorga argues that the stories told in the narcocorridos focus on presenting facts, rather than justifying them: "There is no justification for their activities, only an affirmation of situations where the primacy of the ethical codes and rules of the game at play are often disputed through gun shots" (Astorga, 1997, 10-1). The stories reflected in the narcocorridos are in fact ambivalent: torn between telling the facts and even criticizing them, or praising and vindicating the protagonists. For some, the narcocorridos tend more towards the second pole of this spectrum (Benavides et al., 2009, 152). Regardless of whether the stories told in the narcocorridos are understood as "documentation" of the popular interpretation of the facts or as a ladatio of the patrons of the musicians who compose them, the truth is that in recounting the events from the perspective of those living surrounded by drug trafficking and its profits, narcocorridos express cultural counter-values to the official discourse and culture. The narcocorrido is presented as the popular voice that contrasts with the discourse of political power; at least that is what it intends (Lara, 2003) (Wald, 2008). This is not to say that the narcocorrido (fully) articulates a political or ethical discourse, but rather it outlines one, providing an epic, but not enough to articulate an ethic14. It is the epic that is offered by the narcocorrido what perhaps allows us a glimpse into the roles of the criminal, authority, the law and the enemy in the popular imaginary of communities living near or in contact with drug-related business and its prohibition. Both the corrido and the narcocorrido deal with the heroic deeds of cultural heroes or individuals who are considered to be exceptional or considered to have done exceptional deeds, usually with great bravery and courage in the face of danger: soldiers and revolutionary leaders in the early twentieth century; drug traffickers and smugglers at the end of the same century. One of the main functions that wields the corrido and which made it so popular during the twentieth century, was the broadcasting of events that occurred during the period of the Mexican Revolution of 1910, which were very difficult to transmit from mass media such as newspapers ... for the majority of the population that was submerged in appalling illiteracy ... there was no point in disseminating the news in print ... the corrido (...) has definitely served as an important form in broadcasting, that brings us closer to life in the communities ... [In the corridos,] the Mexican masses have seen their desires, passions, frustrations and sympathies reflected. (Lara, 2003; 213) "The history of the narcocorrido goes all the way back to the corridos of border smugglers in the nineteenth century. In those years it was not marijuana, cocaine or heroin that was being smuggled, but fabrics, spices and clothing, among other goods. The flow of contraband also wasn’t like it is today, from south to north, but rather the opposite; goods were transported from the U.S. to Mexico." (Ramírez-Pimienta, 2011; 22) Alcohol prohibition, established in 1920 in the United States, led to the creation of a smuggling business from Canada and Mexico. For Mexican bootleggers, alcohol smuggling was a task that: "Was extremely dangerous and difficult, as the smugglers sometimes had to travel hundreds of miles trying to bring the cargo to its destination, whilst confusing the hated rinches, the Texas Rangers, who were in charge, along with federal agencies, of combating them. (...) It is in this context that the most important precursor of drug trafficking corridos is produced in the nineteen twenties and early thirties… the corridos about tequila smugglers. " (Ramírez-Pimienta, 2011, 35-36) From the origins of the smuggler’s corrido15, an important feature for understanding the relationships between traffickers and officials can be identified: "(...) we have found several notions that are still paradigmatic in the current narcocorrido. Namely, we found a strong collusion and transposition between drug dealer, police officer and politician. In other words, we have politicians and police who are traffickers or are protecting traffickers." (Ramírez-Pimienta, 2011; 68) Specifically, in its origins, the smuggler’s corrido identifies the foreign U.S. authority, or the national authority subdued to it, as threats to the protagonist: "(...) virtually no one in the corridística community would object to representing the American Rangers (be they soldiers, customs police or border patrol agents) in a negative fashion. The Anglo-Saxon with power over the Mexican community (or the Mexican under the services of Anglo- Saxon law) is a target accepted by this community, which perceives itself as victimized." (Ramírez-Pimienta, 2011; 35) In addition to identifying the U.S. authority as the threat to the smuggler (or the Mexican authority under the US authority), the smuggler’s corrido outlines another feature imputed to authority figures: their corruption and, consequently, their participation (usually subordinate) in crime. One of the most famous examples of this type of ballad is the 'Corrido de Mier', also known as 'The Mier customs' and 'The Ward' (...) [what is] narrated makes it clear from the first verses how incredible it is that they managed to mock the entire guard, i.e. all the employees of the customs office, opening the possibility that customs play the part of accomplices rather than smugglers’ incompetent enemies.16 With the narcocorrido, as a subgenre distinguished from the general corrido and as its closest ancestor, the corrido that specifically addresses contraband, grows the propensity to move from a mere chronicle of events or deeds to the elation of heroic deeds (not necessarily an epistle) of the protagonists of the events: This new type of corrido approves and praises those outside the law. It celebrates the heroism of those who are able to pass to the world of crime. In general, the narcocorridos are chronicles of adventure, betrayal, misfortune, love and other acts of individuals involved in the "business", another of the many synonyms of drug trafficking. Be it either through the common language or through key words and phrases, a partial, but credible vision of what drug trafficking is, is being embodied. Some corridos deal with the origins of the drug dealer, and others express the economic causes that push the ordinary Mexican to become a drug dealer. (Massard, 2005) The vision they provide is a criticism to the general context in which the adventure of the drug dealer comes to be, and therefore, it diverges from the official discourse. In speaking of criminals, of the poverty from which they escape, of the crimes and acts corruption, a vision is reflected which cannot but constitute itself as a critique of the world reflected in the official discourse. The narcocorrido reflects the economic crisis and the gradual decline of the system inherited from the Revolution. If it is true that the land reform returned the land to the peasants, today the small farmer has no way out and prefers to replace corn with marijuana, evidently increasing the value of land cultivated and the crop itself. Sociologists agree that narcocorridos represent a sample of the rebellion against a political system that not only fails to provides outputs, but has made corruption and impunity the pillars of its survival, since the tentacles of the drug trafficking have reached the echelons of power... (Massard, 2005) What do the narcocorridos say? What do they tell us about the place that drug traffickers, as criminals, play in the popular political imaginary? Do we see a politicization of the drug trafficker, which corresponds to his politicization in official discourse of the war on drugs?

Representations and exposition are the organizing principles behind the debate which we can challenge to alter power

Agamben, 2000 – professor of philosophy at the College International de Philosophie in Paris (Giorgio, Means Without End: Notes on Politics, p. 93-95)

Exposition is the location of politics. If there is no ani­mal politics, that is perhaps because animals are always already in the open and do not try to take possession of their own exposition; they simply live in it without car­ing about it. That is why they are not interested in mir­rors, in the image as image. Human beings, on the other hand, separate images from things and give them a name precisely because they want to recognize themselves, that is, they want to take possession of their own very ap­pearance. Human beings thus transform the open into a world, that is, into the battlefield of a political struggle without quarter. This struggle, whose object is truth, goes by the name of History. It is happening more and more often that in porno­graphic photographs the portrayed subjects, by a calcu­lated stratagem, look into the camera, thereby exhibiting the awareness of being exposed to the gaze. This unex­pected gesture violently belies the fiction that is implicit in the consumption of such images, according to which the one who looks surprises the actors while remaining unseen by them: the latter, rather, knowingly challenge the voyeur’s gaze and force him to look them in the eyes. In that precise moment, the insubstantial nature of the human face suddenly comes to light. The fact that the actors look into the camera means that they show that they are simulating; nevertheless, they paradoxically ap­pear more real precisely to the extent to which they ex­hibit this falsification. The same procedure is used to­day in advertising: the image appears more convincing if it shows openly its own artifice. In both cases, the one who looks is confronted with something that concerns unequivocally the essence of the face, the very structure of truth. We may call tragicomedy of appearance the fact that the face uncovers only and precisely inasmuch as it hides, and hides to the extent to which it uncovers. In this way, the appearance that ought to have manifested human be­ings becomes for them instead a resemblance that be­trays them and in which they can no longer recognize themselves. Precisely because the face is solely the loca­tion of truth, it is also and immediately the location of simulation and of an irreducible impropriety. This does not mean, however, that appearance dissimulares what it uncovers by making it look like what in reality it is not: rather, what human beings truly are is nothing other than this dissimulation and this disquietude within the appearance. Because human beings neither are nor have to be any essence, any nature, or any specific destiny, their condition is the most empty and the most insubstantial of all: it is the truth. What remains hidden from them is not something behind appearance, but rather appearing itself, that is, their being nothing other than a face. The task of politics is to return appearance itself to appearance, to cause appearance itself to appear. The face, truth, and exposition are today the objects of a global civil war, whose battlefield is social life in its en­tirety, whose storm troopers are the media, whose victims are all the peoples of the Earth. Politicians, the media establishment, and the advertising industry have under­stood the insubstantial character of the face and of the community it opens up, and thus they transform it into a miserable secret that they must make sure to control at all costs. State power today is no longer founded on the monopoly of the legitimate use of violence — a mo­nopoly that states share increasingly willingly with other nonsovereign organizations such as the United Nations and terrorist organizations; rather, it is founded above all on the control of appearance (of doxa). The fact that politics constitutes itself as an autonomous sphere goes hand in hand with the separation of the face in the world of spectacle — a world in which human communication is being separated from itself. Exposition thus transforms itself into a value that is accumulated in images and in the media, while a new class of bureaucrats jealously watches over its management.

**The impact is the sovereign’s ability to exploit fundamental flaws in the legal system and continue the global biopolitical war—the ballot should side with the global countermovement against such violence**

**Gulli 13.** Bruno Gulli, professor of history, philosophy, and political science at Kingsborough College in New York, “For the critique of sovereignty and violence,” <http://academia.edu/2527260/For_the_Critique_of_Sovereignty_and_Violence>, pg. 1

We live in an unprecedented time of crisis. The violence that characterized the twentieth century, and virtually all known human history before that, seems to have entered the twenty-first century with exceptional force and singularity. True, this century opened with the terrible events of September 11. However, September 11 is not the beginning of history. Nor are the histories of more forgotten places and people, the events that shape those histories, less terrible and violent – though they may often be less spectacular. The singularity of this violence, this paradigm of terror, does not even simply lie in its globality, for that is something that our century shares with the whole history of capitalism and empire, of which it is a part. Rather, it must be seen in the fact that **terror as a global phenomenon** has now become **self-conscious**. Today, the struggle is for global dominance in a singularly new way, and war –regardless of where it happens—is also **always global.** Moreover, in its self-awareness, terror has become, more than it has ever been, an instrument of racism. Indeed, what is new in the singularity of this violent struggle, this racist and terrifying war, is that in the usual attempt to neutralize the enemy, **there is a cleansing of immense proportion going on**. To use a word which has become popular since Michel Foucault, it is a biopolitical cleansing. This is not the traditional ethnic cleansing, where one ethnic group is targeted by a state power – though that is also part of the general paradigm of racism and violence. It is rather **a global cleansing**, where the sovereign elites, the global sovereigns in the political and financial arenas (capital and the political institutions), in all kinds of ways target those who do not belong with them on account of their race, class, gender, and so on, but above all, **on account of their way of life and way of thinking**. These are the multitudes of people who, for one reason or the other, are **liable for scrutiny and surveillance, extortion** (typically, in the form of over- taxation and fines) and **arrest, brutality, torture, and violent death**. The sovereigns target anyone who, as Giorgio Agamben (1998) shows with the figure of homo sacer, **can be killed without being sacrificed** – anyone who can be reduced to the paradoxical and ultimately impossible condition of bare life, whose only horizon is death itself. In this sense, the biopolitical cleansing is also immediately a thanatopolitical instrument.¶ The biopolitical struggle for dominance is a fight to the death. Those who wage the struggle to begin with, those who want to dominate, will not rest until they have prevailed. Their fanatical and self-serving drive is also very much **the source of the crisis** investing all others. The point of this essay is to show that the present crisis, which is systemic and permanent and thus something more than a mere crisis, **cannot be solved** unless **the struggle for dominance is eliminated**. The elimination of such struggle implies the demise of the global sovereigns, the global elites – and this will not happen without a global revolution, **a “restructuring of the world”** (Fanon 1967: 82). This must be a revolution **against the paradigm of violence** and terror typical of the global sovereigns. It is not a movement that uses violence and terror, but rather one that counters the primordial terror and violence of the sovereign elites by **living up to the vision of a new world** already worked out and cherished by multitudes of people. This is the nature of **counter-violence**: not to use violence in one’s own turn, but **to deactivate and destroy its mechanism**. At the beginning of the modern era, Niccolò Machiavelli saw the main distinction is society in terms of dominance, the will to dominate, or the lack thereof. **Freedom**, Machiavelli says, is obviously on the side of those who reject the paradigm of domination:¶ [A]nd doubtless, if we consider the objects of the nobles and of the people, we must see that the first have a great desire to dominate, whilst the latter have only the wish not to be dominated, and consequently a greater desire to live in the enjoyment of liberty (Discourses, I, V).¶ Who can resist applying this amazing insight to the many situations of resistance and revolt that have been happening in the world for the last two years? From Tahrir Square to Bahrain, from Syntagma Square and Plaza Mayor to the streets of New York and Oakland, ‘**the people’ speak with one voice against ‘the nobles**;’ the 99% all face the same enemy: the same 1%; courage and freedom face the same police and military machine of cowardice and deceit, brutality and repression. Those who do not want to be dominated, and do not need to be governed, are **ontologically on the terrain of freedom**, always-already turned toward a poetic desire for the **common good**, the **ethics of a just world**. The point here is not to distinguish between good and evil, but rather to understand the twofold nature of power – as domination or as care.¶ The biopolitical (and thanatopolitical) struggle for dominance is unilateral, for there is only one side that wants to dominate. The other side –ontologically, if not circumstantially, free and certainly wiser—does not want to dominate; rather, it wants not to be dominated. This means that **it rejects domination as such**. The rejection of domination also implies the rejection of violence, and I have already spoken above of the meaning of counter-violence in this sense. To put it another way, with Melville’s (2012) Bartleby, this other side **“would prefer not to”** be dominated, and it “would prefer not to” be forced into the paradigm of violence. Yet, for this preference, this desire, to pass from potentiality into actuality, **action must be taken** – an action which is a return and **a going under, an uprising and a hurricane**. Revolution is to turn oneself away from the terror and violence of the sovereign elites toward the horizon of freedom and care, which is the pre- existing ontological ground of the difference mentioned by Machiavelli between the nobles and the people, the 1% (to use a terminology different from Machiavelli’s) and the 99%. What is important is that the sovereign elite and its war machine, its police apparatuses, its false sense of the law, **be done with**. It is important that the sovereigns be shown, as Agamben says, in **“their original proximity to the criminal”** (2000: 107) **and that they be dealt with accordingly**. For this to happen, a true sense of the law must be recuperated, one whereby **the law is also immediately ethics**. The sovereigns will be **brought to justice**. The process is long, but it is in many ways already underway. The recent news that a human rights lawyer will lead a UN investigation into the question of drone strikes and other forms of targeted killing (The New York Times, January 24, 2013) is an **indication of the fact that the movement of those who do not want to be dominated is not without effect**. An initiative such as this is perhaps necessarily timid at the outset and it may be sidetracked in many ways by powerful interests in its course. Yet, **even positing**, at that institutional level, **the possibility** that drone strikes be a form of unlawful killing and war crime is a clear indication of what common reason (one is tempted to say, the General Intellect) already understands and knows. The hope of those who **“would prefer not to”** be involved in a violent practice such as this, is that those responsible for it be held accountable and that the horizon of terror be canceled and overcome. Indeed, **the earth needs care**. And when instead of caring for it, resources are dangerously wasted and abused, **it is imperative** that those **who know and understand revolt** –and what they must revolt against is the squandering and irresponsible elites, the sovereign discourse, whose authority, beyond all nice rhetoric, ultimately rests on the threat of military violence and police brutality¶

Our affirmation is a form of play that liberates debate from rigid rules and detaches humanity from the sacred

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Giorgio Agamben considers play a most important element in culture, explaining that it is the only one that can profane what is considered sacred. It can liberate humanity from the “sacred”, without negating it. It can profane the “sacred” without destroying the myth behind; it does not simply politicise. And if play is to cause changes and form our lives in better ways, this would be through its capacity to be an act of profanation by itself. But, unfortunately, this tendency according to Agamben is in decline and the need to regain it is a political necessity (Agamben 2006 : 127). What are the conditions of play today? Can it seriously play a role in our everyday lives? Who could re-attribute its capability to profane? Defining play There have been many definitions of play from different disciplines and orientations. Sutton – Smith in his book The Ambiguity of Play refers frequently to Mihail Spariosu who had called play “amphibolous” describing a basic disagreement between the Western philosophers over whether play is an orderly and rule- governed affair according to the common western society norms, or a chaotic, violent and indeterminate interaction of forces, according to some more modern approaches (Sutton Smith 1997/2001: 80). Roger Caillois had also seen two poles in play, but as a continuum where diversified forms could be set. On one extreme we find “paidia”, an “indivisible principle”, common to diversion, turbulence, free improvisation and carefree gaiety which is manifested by uncontrolled fantasy. At the other end, we find “ludus”, bound with “arbitrary, imperative and purposely tedious conventions”. The more the “frolic and impulsive exuberance” of paidia is “disciplined by an inversed tendency to its anarchic and capricious nature”, the more play approaches ludus (Caillois 1958/2001: 13). The Western European thought mostly followed the rationalistic common pattern and embraced the politicized, ruled form of play surpassing its anarchic and vivid features. This can be easily seen by the well known definitions of Huizinga and Caillois who, although they described play as free and unproductive activity, still insist on its dependency on the rules and its separation from everyday life. (Caillois 1958/2001: 43, Huizinga 1955: 13) Is it play or game? The old scholars, Huizinga and Caillois, did not especially differentiate the two terms. It seems that the rules that institutionalised play gave form to games. Play appears to be the idea, the notion, the anarchic and spontaneous basis, the activity based on fantasy, what Caillois called paidia, as Plato and Aristotle first put it. Accordingly, games seem to be the expressions and the forms of play that are governed by rules, demand discipline and form hierarchies, need a constraint space and time, reflecting more the ludus element. Generally, one could assume that play as a notion precedes games – it is their presupposition; it is the play ‘instinct’ that inspires the formation of forms. (Huizinga in Wark 2007: 181) In our times, with the explosion of the video game industry, the two words seem to have enclosed different features and ideas. Edward Castronova highlights the difference as follows: “Play is an intense, survival- relevant action that is not serious… Play is make believe… Play is an easy- to- copy behaviour that brings joy… Games are not the same thing as play. Games are designed goal environments with uncertain outcomes. They are social institutions. Games are a perfect environment for creating play, but also they appear under other circumstances. Elections… stock markets… wars are games.” (Castronova 2007: 100,101) In the digital era, games in the form of video games distant themselves more from play. Games compared to play can be described, can be analysed; they become a product, a commodity; they can be copied, copyrighted and become a subject of control. As Alexander R. Galloway notes, the video game is a cultural object bound by history and materiality, consisting of an electronic computational device and a game simulated in software (Galloway, 2006: 1) Risks of play Mckenzie Wark writes in his recent book Gamer Theory that games are no longer a past time, outside or alongside of life. They are now the very form of life, and death, and time, itself (Wark 2007: 06) To a certain degree, every civilization can be described and characterised by its games but what happens today is that life itself has taken the form of a game; of game and not play. While gaming platforms today are being used widely for different disciplines we might need to wonder: What are the risks play runs in this context? How could they be faced? The risk of contamination According to the classic thinkers of play, there was one main threat for play, its “contamination” by the ordinary life. Play could only be considered as a “stepping out of real life, into a temporary sphere with a disposition of its own” (Huizinga 1955: 8). The world of play and that of everyday life were considered as two different universes, antagonistic to each other (Caillois, 1958/2001: 44, 53). This austere distinction was what the situationists tried to break and to transcend. “Play, radically broken from a confined ludic time and space, must invade the whole of life”, they stated in 1958. The situationists with their notions of the psychogeographies, the derive, the situation and the détournement had proposed a fusion of play into the cities, a total swift where the player is in reality the “liver”. In our days, a different fusion of play occurred. Our everyday life is a fusion in itself of the virtual and the real. As Edward Castronova mentions “the real world can be a terribly empty place.” Synthetic worlds may offer experiences and opportunities that one might not have in their real life. Of course, “reality remains reality, strongly sensated but unfiltered, raw. It will always command attention, but it has long since abandoned the claim to all of our attention. We already live partly in media. Games are just the latest improvement.” (Castronova 2007: 30, 69) The risk of productivity Play is longer by definition an occasion of pure waste; waste of time, energy, ingenuity and skill. Play’s second major risk is the one formed by productivity, by players who belong to the generation of the prosumers, as they are producers and consumers at the same time. Play nowadays becomes part of the immaterial labour, within which as Lazzarato notes ‘leisure time’ and ‘working time’ are increasingly fused, making play – in our case- inseparable from work (Lazzarato 1997). This affective labor of play produces the informational and cultural content of the commodity that at the end is defined as game. Within this content stand today’s synthetic worlds where the players contribute voluntarily with their work and behaviour to the formation of the gaming worlds and the augmentation of the virtual economy. Communication is continually improved as the power of this form is found in the collective process, in the users/prosumers social relations. People of course might as well make profit for themselves. This kind of play can be to their advantage. But one can not overlook the fact that this era of ludocapitalism, as Dibbel frames it, is “a curious new post-industrial revolution, driven by play as the first one was driven by steam”. (Dibbell in Shaviro 2007) The risk of being the alibi The risk of play being exploited and being used as an alibi for economical or political profit is not a new one. The ambiguous –in ethic terms - economy of the casinos, the lotteries and the hippodromes or even the economy of the sports industry are such phenomena that have given birth to discussions, problems and even scandals for most of the countries of the Western world. However, the highest risk for play today is found in the exploitation of play being made by the military entertainment complex. War as a game is an old metaphor. Chess and Go and especially the 19th century Kriegsspiel which was used to aid Prussian officers, could be considered as predecessors of the games that would be used for military entertaining purposes later on (Halter 2002). But what the media and especially the video games changed was the possibilities given for nationalistic propaganda. Games like America’s Army, are at the same time a recruiting tool, an edugame, a test bed and tool and a propaganda game. Such games can influence attitudes and behaviours and win a communication battle that would otherwise be lost. Creating falsifying images of super-clean pure war, as seen on the screens, the games succeed in “using sweet power to win a war on ideas” (Neiborg 2007: 79) Summarizing the risks above, the impression given is that we have “nowhere to hide outside the gamespace” (Wark 2007: 183). But, are we trapped within a total game or is play itself trapped as well at the end? The sovereignity of the game over play today is a fact. Having been institutionalized, play has been accredited with the seriousness of an academic, social, political and economic value and has become an issue of controversial discussion accordingly. But in reality, again, it is mostly games we are talking about, not play. Contemporary play is purposely sacralised and distant, used as an excuse for games’ abuses. Being considered sacred, play’s case reminds us of religion. Religion does not unify all; on the contrary it keeps the roles distinct and separated. It keeps people apart from the divine (Agamben 2006: 124). So it happens with play, keeping the players apart from play itself. Could this separation be broken? And could play become an important contributory factor to our lives’ amelioration? Setting play free “It was in fact from art that play broke free” Raoul Vaneigem wrote in reference to Dada (Vaneigem 1967). To transcend rigid and crystallized forms, rules need to be broken. One can play by rules, or play with the rules. Freedom can be regained by those who can play with today’s forms of play, who can appropriate them, see through and reverse them, by those who can profane what is considered sacred. Following the famous predecessors of the dada, Surrealism, Fluxus and Situationism, artists today turn again towards play and use it as a means to challenge stereotypes, to offer new ways of reading and understanding, to break the constraints and offer new perspectives. Art merged with new media, activism, philosophy, politics and social sciences takes the role of the animator, the hacker, the player – “liver” today. Artists working on these fields through projects that do not necessarily need to be game – based, reveal play’ s multifaceted original character and propose means for its use, liberation and expansion within different sides of life. Play as play… Play can not be doubted and its fundamental role, original features and continuous presence is what some artists highlight. Axel Stockburger’s Tokyo Arcade Warriors – Shibuya and William Wegman’ s Dog Duet (Two Dogs and a ball) showcase how play absorbs one in the most serious and utter way. Documenting only the figures of players and not the action itself, one can still not deny or doubt play even if it is hidden. Other artists working on the field, show how playfulness is kept intact, while common playgrounds are being transformed into new ones based on technology. Such are the cases of Himalaya’ s Head by Devart where a snow war takes place between physical and virtual players or Jumping Rope by Orna Portugaly, Daphna Talithman and Sharon Younger, where participants are invited to jump a rope which is being turned by two virtual projected characters. Play back in action… Artists like the Ludic Society and Gordan Savicic follow a neo – situationist approach of play; they bring action back to the real dimension and spread it in the cities. In their projects they create ludic ambiances and city walks where the notions of the “dérivé”, the “détournement” and the “psychogeographies” are being appropriated to raise questions about today’s everyday life and potentialities for playfulness. Objects of Desire by the Ludic Society is a playful metaphor where objects take the place of subjects, with obsessions and desires that they follow to find their home. Gordan Savicic’ s Constraint City / the pain of everyday life is based on a corset with high torque servo motors and a WIFI-enabled game-console, that when worn, can write and read the city codes while also being a fetish object causing pain according to the strength of signal it gets. Following a different direction, David Valentine and MediaShed, also re-invite play back to the ordinary life, as seen on their video The duellists that documents a CCTV parkour performance. Two free-runners run an acrobatic competition in a shopping mall of Manchester Arndale. The fluid, uninterrupted movement of them acting as players re - energizes the environment in the most vivid and spontaneous way. Play caught in between… Other artists look into limits between the virtual and the real in today’ s play. The work of Silver and True named Sell your Rolex comments on the virtual dimension lived by millions of people today. Taking the roles of the user and its avatar, players note that behaviours of the virtual world are odd, funny and embarrassing when brought back to real life. How accurate is simulation after all in realistic terms? The MIT Lab with Stiff People’ s League mingles the two dimensions through a mixed reality game of soccer, happening simultaneously in the real space and in the world of Second Life. The common relationship between physical and virtual world is inverted as physical players need to rely on the virtual ones to play the game. Play reclaimed… Different questions are being raised by artists regarding play’s exploitation for purposes of political, nationalistic and ideological propaganda. Is morality a question? Are people conscious enough about what they are playing? John Klima in his project The Great Game.Epilogue brings reality into a game context as he incorporates in a child’s arcade ride true information from the conflict in Afghanistan, which has been collected by the Department of Defense of the US. John Paul Bichard with the Art of War addresses the issue of the representation of violence and its ways of interpretation through the contemporary media. Through two video works with footages from the army, one cannot tell what is real and what is imaginary anymore. In a similar direction, Vladan Joler has created the Schengen Information System, Version 1.0.3, a game where the player takes on the role of the activist who should intrude the building of the Schengen Information System and destroy the archives. Making use of publicly accessible technology and information, the artist has managed to make a realistic reconstruction and reverse the common use of games for military training purposes. Derivart wishing to tackle a socio-economical issue -that of real estate in Spain - use play to situate a problem and raise people’s awareness. The Burbujometro, showing the prices of apartments in different Spanish cities in the form of bubbles, that the user can shoot, criticizes the building boom of the 2000s. Play 2.0… The Folded-in project, created by Personal Cinema and the Erasers is a different critique on today’s play. The project examines the notion of borders in the era of the web 2.0 social networks. In the form of an online game application which reverses and criticizes the platform of YouTube, the projects seeks to find if players in the digital spaces could be liberated from their common prejudices and beliefs and to what extent they are supporters of immaterial labour, being the ideal prosumers. Taking this problem more to its extremes, one meets the phenomenon of the gold farming. Ge Jin with his documentary The Gold Farmers examines how the growth of virtual economy has given birth to the phenomenon of the gaming sweatshops and aims to answer how it leads play to become real work and what facts are hidden behind it. Play re-discussed… But how far can games and their creators go when observing, reproducing and criticizing today’s real world? Danny Ledonne, a young artist from Colorado, polarised the audience when he made a videogame of the Columbine assassination in the 90’s. Wishing to express this controversy, he made a documentary about the game investigating the issues of games, violence, and ethics. A lot of answers regarding the strategies followed by artists today and the phenomenon of the play culture, are also given in the 8 bit documentary by Marcin Ramocki & Justin Strawhand where they examine the overall influence play has in our everyday culture. CONCLUSION Play in our times presents a paradox. Despite its wide use and continuous presence in different forms of cultures, it is distant and trapped in its own formations, the games. Games are being accused; play is being sacrilised and is placed on a pedestal. Running certain risks, within this structure, play’s influential role on our culture is questioned. If, following Giorgio Agamben, play’s significance lies on the fact that it can detach humanity from the “sacred”, play would need to liberate itself first from the constraints of the sacred. To achieve this, one should not deny play; because this would lead to its cancellation. What one should do is to profane, to neglect, to surpass the constraints and break the rules. And this again can happen only through play itself, through its anarchic and vivid features that are today being wept out. This is how the actions taken by the artists can be described: as actions of profanity where they appropriate the myth and reverse the ceremony of the sacred. This violation is also an act of play itself that is then set free from all constraints. But there is one last point to remember: According to Agamben, profanation gains its complete meaning only when what has been profaned, is then rendered back to the people, at their disposal to start all over again. So this act is not an act of cancellation or politicisation; it is an act about raising awareness and about re-assigning to play its capacity to become a passage for true life, as Vaneigem would describe it. Can art fulfill this? Let’s hope so and wait and see…

Truth and predictability are nihilistic illusions built upon a myth of sameness and unity grounded in a fear of the flux and movement which lie at the heart of life – embrace the ecstasy of risk and the glory of active interpretation which uses force to wrest meaning from the abyss of nihilism.

**Lotringer, 1** – Professor of Foreign Philosophy at the European Graduate School in Saas-Fee, Switzerland, Professor Emeritus of Comparative Literature at Columbia University, (Sylvere, “The Dance of Signs” in Hatred of Capitalism: A Semiotext(e) Reader ed. Kraus&Lotringer, Los Angeles:Semiotext(e), pg 174-176)

Freud is not blind to this: "The producer which the author makes his Zoe adopt for curing her childhood friend's delusion shows a far reaching similarity - no, a complete agreement in its essence - with the analytical method which consists, as applied to patients suffering from disorders analogous to Hanold's delusion, in bringing to their consciousness, to some extent forcibly, the unconscious whose repression led to their falling ill" (Standard Edition, IX, 88). Such is the powerful thrust of similitude. Freud has no more qualms to reduce "poetic creations" to real persons or the "Pompeian fancy" to a simple "psychiatric study." Beneath the trappings of truth, on the razor's edge of demonstration, forces are confronting each other in order to turn the process - the text -into a product. If Gradiva adheres so perfectly to the analytical mold, the analysis of the novel must serve as an absolute proof, in Freud's words, of the theory of the unconscious. Absolute proof - or absolute counter-proof... Even thought "absolute" is clearly too strong a word for such a circum-scribed operation, to counter Freud's interpretation and thus unsettle he theory of the unconscious is indeed the substance of the present attempt. Not to replace Freud's elaborate construct with another, more powerful, mode of evaluation would certainly prove the wisdom in the face of the illusion of truth. Although "nihilistic" at heart, such a perspective is not bound to be simply negative. It can attest to a growing force. I realize that I can overcome the temptation of total interpretations, whose values are universal (they are actually symptoms of fear and apathy). To destroy the belief in the law, to dissipate the fiction of predictability, to reject the sage recurrence of the "same," this is not just a "critical" stand. It is an act of force. But destruction must not open onto an absence of values, worthless or meaninglessness. It must lead to a new evaluation. Nietzsche sees in the wisdom of the East a principle of decadence, a weakening of the power of appropriation. Force of intention matters more than will to truth. To reject truth without intensifying the force of invention still participates in the ascetic ideal, thus in ressentiment. "To read off a text without interposing an interpretation" therefore is "hardly possible" (The Will to Power, 479). I must use my creative forces to create values without falling into the inertia of truth or an anemia of will. I must render the text, and the world, to their "disturbing and enigmatic character"; will them incomprehensible, elusive, "in flux," only indebted to perspective valuations: "The greater the impulse toward unity, the more firmly may one conclude that weakness is present; the greater the impulse toward variety, differentiation, inner decay, the more force is present" (WP, 655). Inner decay: to dance away over oneself. Motion, not emotions. Freud's interpretation resists the false neutrality of science. It only shows a sign of decline when it aims for the truth, when it succumbs to the temptation of unity, the sick security of monism, the illusion of a reconciliation. A reactive interpretation, it assumes powerful, but fabricated, weapons: the difference between objects and subjects, cause and effect, means and ends, etc. That Gradiva presents a certain order of succession in no way proves that individual moments are related to one another as cause and effect, that they obey a "law" and a calculus but rather that different factions abruptly confront each other in their attempt to draw their ultimate consequence at every moment. "As long as there is a structure, as long as there is a method, or better yet as long as structure and method exist through the mental, through intelligence, time is trapped - or else we imagine we have trapped it" (John Cage, Pour les Oiseaux. Belfond, 1976, 34). Structural analysis properly discerned that a narrative establishes | a confusion between time (succession) and logic (cause and effect). However, instead of "delogifying" time, it forced narrative time to sub-mit to narrative logic. Far from being dispelled, the confusion became the very springboard of analysis! It is high time to take advantage of this latency of the narrative, of the divorce between consequence and construction, in order to "rechronocize" succession. I will, here and now, stop wanting the story to go somewhere. I will forget what I know feebly, in advance, in order to gather the whole complexity of forces at play in a text. I will learn to resist the melody of casual relations and the torpor of narrative accumulations in order to reinvent the intensity of risks, ceaselessly menacing and forever being reborn.

## 2AC

### 2AC – SSD DA

#### You should be an informed citizen, not the government – they shut down critical thinking and deliberation

Steele, 10 – Associate Professor of Political Science at the University of Kansas

(Brent, Defacing Power: The Aesthetics of Insecurity in Global Politics pg 130-132, dml) [gender/ableist language modified with brackets]

When facing these dire warnings regarding the manner in which academic-intellectuals are seduced by power, what prospects exist for parrhesia? How can academic-intellectuals speak “truth to power”? It should be noted, first, that the academic-intellectual’s **primary purpose** should not be to re-create a program to replace power or even to develop a “research program that could be employed by students of world politics,” as Robert Keohane (1989: 173) once advised the legions of the International Studies Association. Because academics are denied the “full truth” from the powerful, Foucault states, we must **avoid a trap** into which governments would want intellectuals to fall (and often they do): “**Put yourself in our place and tell us what you would do**.” This is **not a question** in which one has to answer. To make a decision on any matter requires a knowledge of the facts **refused us**, an analysis of the situation we aren’t allowed to make. There’s the trap. (2001: 453) 27 This means that any alternative order we might provide, this hypothetical “research program of our own,” will also become imbued with authority and **used for mechanisms of control**, a matter I return to in the concluding chapter of this book. When linked to a theme of counterpower, academic-intellectual parrhesia suggests, **instead**, that the academic should use his or her pulpit, their position in society, to be a “friend” “who **plays the role** of a parrhesiastes, of a truth-teller” (2001: 134). 28 When speaking of then-president Lyndon Johnson, Morgenthau gave a bit more dramatic and less amiable take that contained the same sense of urgency. **What the President needs**, then, is an intellectual ~~father~~-confessor, who dares to remind him[/her] of **the brittleness of power**, of its arrogance and ~~blindness~~ [ignorance], of its **limits** and **pitfalls**; who tells him[/her] how empires rise, decline and fall, how power turns to folly, empires to ashes. He[/she] ought to **listen to that voice** and **tremble**. (1970: 28) The primary purpose of the academic-intellectual is therefore not to just effect a moment of counterpower through parrhesia, let alone stimulate that heroic process whereby power realizes the error of its ways. So those who are skeptical that academics ever really, regarding the social sciences, make “that big of a difference” **are missing the point**. As we bear witness to what unfolds in front of us and collectively analyze the testimony of that which happened before us, the purpose of the academic is to “**tell the story**” of what actually happens, to document and faithfully capture both history’s events and context. “The intellectuals of America,” Morgenthau wrote, “can do only one thing: live by the standard of truth that is their peculiar responsibility as intellectuals and by which men of power will ultimately be judged as well” (1970: 28). This will take time, 29 but if this happens, if we seek to uncover and practice telling the truth free from the “**tact**,” “**rules**,” and **seduction** that constrain its telling, then, as Arendt notes, “humanly speaking, no more is required, and **no more can reasonably be asked**, for this planet to remain a place **fit for human habitation**” ([1964] 2006: 233).

#### The entirety of Western politics rests on the state of exception – any action that begins with the State maintains the ability to determine life

Agamben 98 – professor of philosophy at the University of Verona (Giorgio, Homo Sacer, pg. 8-9)

The protagonist of this book is bare life, that is, the life of *homo sacer* (sacred man), who *may be killed and yet not sacrificed,* and whose essential function in modern politics we intend to assert. An obscure figure of archaic Roman law, in which human life is included in the juridical order || *ordinamento* || solely in the form of its exclusion (that is, of its capacity to be killed), has thus offered the key by which not only the sacred texts of sovereignty but also the very codes of political power will unveil their mysteries. At the same time, however, this ancient meaning of the term sacer presents us with the enigma of a figure of the sacred that, before or beyond the religious, constitutes the first paradigm of the political realm of the West. The Foucauldian thesis will then have to be corrected or, at least, completed, in the sense that what characterizes modern politics is not so much the inclusion of zo~in rhepo/is—which is, in itself, absolutely ancient—nor simply the fact that life as such be­comes a principal object of the projections and calculations of State power. Instead the decisive fact is that, together with the process by which the exception everywhere becomes the rule, the realm of bare life—which is originally situated at the margins of the political order—gradually begins to coincide with the political realm, and exclusion and inclusion, outside and inside, bios and zoe right and fact, enter into a zone of irreducible indistinction. At once exclud­ing bare life from and capturing it within the political order, the state of exception actually constituted, in its very separateness, the hidden foundation on which the entire political system rested. ‘When its borders begin to be blurred, the bare life that dwelt there frees itself in the city and becomes both subject and object of the conflicts of the political order, the one place for both the organiza­tion of State power and emancipation from it. Everything happens as if, along with the disciplinary process by which State power makes man as a living being into its own specific object, another process is set in motion that in large measure corresponds to the birth of modern democracy, in which man as a living being pres­ents himself no longer as an *object* but as the *subject* of political power. These processes—which in many ways oppose and (at least apparently) bitterly conflict with each other—nevertheless con­verge insofar as both concern the bare life of the citizen, the new biopolitical body of humanity.

#### Krause and Williams conclude aff – discourse is a prerequisite

**Krause and Williams 97** (Keith Krause, professor of political science at the Graduate Institute on International and Development Studies, Michael C Williams, professor of international relations at the Graduate School of Public and International Affairs, “From Strategy to Security: Foundations of Critical Security Studies,” chapter 2 of Critical Security Studies, p 49-50)

The challenges to the conventional understanding of security and the object to be secured also necessitate an epistemological shift in the way security is to be understood and studied. What is involved is a shift in focus from abstract individualism and contractual sovereignty to a stress on culture, civilization, and identity; the role of ideas, norms, and values in the constitution of that which is to be secured; and the historical context within which this process takes place. Epistemologically, this involves moving away from the objectivist, rationalist approach of both neorealism and neoliberalism, and toward more interpretive modes of analysis. While these issues have gained some prominence in debates over the nature of regime theory and the study of international organizations, they have made little impact on security studies.51 This is clearly illustrated by Helga Haftendorn’s attempts to broaden the ambit of security studies. On method, she concludes that the goal of security studies is “to construct an empirically testable paradigm,” which involves defining the “set of observational hypotheses,” the “hard core of irrefutable assumptions,” and the “‘set of scope conditions’ that…are required for a ‘progressive’ research program.” Although she admits that “we might do well to follow [Robert] Keohane’s counsel to apply somewhat ‘softer,’ more interpretive standards,” there is little room in this approach for studying norm change and the role of ideational elements in *constituting* the historical context within which actors take specific decisions.52 Despite Haftendorn’s goal of incorporating new issues that are normatively driven, the subordination of normative and reflexive conceptions of agency to objectivist visions of method remains largely undisturbed, and she remains committed to the fact value distinction. To understand security from a broader perspective means to look at the ways in which the objects to be secured, the perceptions of threats to them, and the available means of securing them (both intellectual and material) have shifted over time.53 New threats emerge; new enemies are created; erstwhile fellow citizens become objects of hatred and violence; former enemies can be transformed into members of the same community. The status of Others is uncertain, needing to be deciphered and determined.54 To comprehend these processes requires an understanding of the problematics of security as constituted by self-reflexive historical practices. The knightly code of honor, for example, was both a central structuring practice of latemedieval conflict and a central object that was to be secured. Honor was an integral part of conflict in its genesis as well as its practice. To view the military conflict of the late-medieval world as a competition between instrumentally rational actors in the modern sense is to misunderstand it in both form and content.55 The shift to interpretive models of understanding (broadly conceived) also yields a different vision of the transformation of practices. As historically grounded, the practices of security become capable of conscious transformation through the process of critical reflection. No longer objective in the sense of a fixed reality that the analyst can only mirror, reality as the realm of subjective practices and structures becomes self-reflexive. This is most emphatically not to say that security studies needs to move away from studying the role of ideas, institutions, and instruments of organized violence in political life. In this respect, the continuing defenders of traditional strategic/security studies are correct (although this formulation will probably leave them uncomfortable). But if we are to understand these realities, we must take them more seriously than the abstractions of neorealism allow. We must grasp the genesis and structure of particular security problems as grounded in concrete historical conditions and practices, rather than in abstract assertions of transcendental rational actors and scientific methods. We must understand the genesis of conflicts and the creation of the dilemmas of security as grounded in reflexive practices rather than as the outcome of timeless structures.56

### 2AC – Limits DA

#### Limits are bad

#### A) Prevents holistic education

Miller, 98 – Professor of Philosophy (George D, Negotiating toward truth: the extinction of teachers and students, Google Book )

Compartmentalization prevents students from seeing the whole. When students are given only a focalized view of reality, then they become more alienated . I would like to expand on this alienation. The alienation arises, on the one hand, from drawing solutions from this compartmentalized solutions that do not work. Education fails to develop holistic perspectives on issues. Secondly, compartmentalized education retards solidarity. We only see our neck of the woods. We don't see how our neck of the woods interacts with other necks of the woods and how the necks of the woods are similar. Compartmentalized learning narrows perspectives.

#### b) Critical thinking

Miller, 98 – Professor of Philosophy (George D, Negotiating toward truth: the extinction of teachers and students, Google Book )

The fact that the oppressed cannot perceive themes does not mean that themes are absent. It only means that the themes are deeply suppressed by the oppressors. The banking concept of education allows for only a fragmented perspective on reality. Critical thinking grasps interconnections and the whole. We know by understanding the relationship between the whole and the parts. This understanding illuminates limit-situations.

#### Their move is not benign – the rhetoric of limits creates a necessarily exclusionary and authoritarian politics

Kulynych 97 (Kulynych, Assistant Professor of Political Science at Winthrop University, 1997 [Jessica, “Performing Politics," Polity, Winter, v.XXX, n.2, p. 315-330)

II. Disciplining Habermas Political scientists have traditionally understood political participation as an activity that assures individual influence over the political system, protection of private interests, system legitimacy, and perhaps even selfdevelopment. Habermas and Foucault describe the impact of the conditions of postmodernity on the possibility for efficacious political action in remarkably similar ways. Habermas describes a world where the possibilities for efficacious political action are quite limited. The escalating interdependence of state and economy, the expansive increase in bureaucratization, the increasingly technical nature of political decisionmaking, and the subsequent colonization of a formerly sacred private sphere by a ubiquitous administrative state render traditional modes of political participation unable to provide influence, privacy, legitimacy, and self-development.' As the state is forced to take an ever larger role in directing a complex global, capitalist, welfare state economy, the scope of administration inevitably grows. In order to fulfill its function as the manager of the economy, the administrative state must also manage the details of our lives formerly considered private. Yet, as the state's role in our "private" lives continues to grow, the public has become less and less interested in government, focusing instead on personal and social mores, leisure, and consumption. Ironically, we have become less interested in politics at precisely the same moment when our lives are becoming increasingly "politicized" and administered. This siege of private life and the complicity of this ideology of "civil privatism" in the functioning of the modern administrative state makes a mockery of the idea that there exist private interests that can be protected from state intervention.4 Correlatively, the technical and instrumental rationality of modem policymaking significantly lessens the possibility for public influence on state policy.5 The difficulty of participation in Habermas's world is exacerbated by the added complexity of a political system structured by hierarchical gender and racial norms. Nancy Fraser uses Habermas's analysis of the contemporary situation to demonstrate how the infusion of these hierarchical gender and racial norms into the functioning of the state and economy ensures that political channels of communication between citizens and the state are unequally structured and therefore cannot function as mechanisms for the equal protection of interests.' Accordingly, theorists are much less optimistic about the possibilities for citizens to acquire or develop feelings of autonomy and efficacy from the attempt to communicate interests to a system that is **essentially impervious to citizen interests, eschews discussion of long-term goals, and requires exclusively technical and instrumental debate.** Similarly, Foucault's complex genealogical descriptions of disciplinary power networks challenge the traditional assumption that political power is located primarily in the formal apparatus of the state. The traditional understanding of political participation tells us nothing about what types of political action are appropriate in a world where power is typically and predominantly disciplinary, productive, and normalizing. As long as we define the purpose of participation only in terms of influence, privacy, legitimacy, and self-development, we will be unable to see how political action can be effective in the contemporary world. While separately both Habermas and Foucault challenge the traditional understanding of participation, their combined insights further and irrevocably extend that challenge. Theoretical focus on the distinctions between Habermas and Foucault has all too often obscured important parallels between these two theorists. Specifically, the HabermasFoucault debate has underemphasized the extent to which Habermas also describes a disciplinary society. In his descriptions of bureaucracy, technocracy, and system colonization, Habermas is also describing a world where power is productive and dispersed and where political action is constrained and normalized. Habermas, like Foucault, describes a type of power that cannot be adequately characterized in terms of the intentions of those who possess it. Colonization is not the result of conscious intention, but is rather the unintended consequence of a multitude of small adjustments. The gender and racial subtexts infusing the system are not the results of conscious intention, but rather of implicit gender and racial norms and expectations infecting the economy and the state. Bureaucratic power is not a power that is possessed by any individual or agency, but exists in the exercise of decisionmaking. As Iris Young points out, we must "analyze the exercise of power [in contemporary societies] as the effect of often liberal and humane practices of education, bureaucratic administration, production and distribution of consumer goods, medicine and so on."' The very practices that Habermas chronicles are exemplary of a power that has no definitive subject. As Young explains, "the conscious actions of many individuals daily contribute to maintaining and reproducing oppression, but those people are simply doing their jobs or living their lives, and do not understand themselves as agents of oppression."" Colonization and bureaucratization also fit the pattern of a power that is not primarily repressive but productive. Disciplinary technologies are, as Sawicki describes, not ... repressive mechanisms ... [that] operate primarily through violence ... or seizure ... but rather [they operate] by producing new objects and subjects of knowledge, by inciting and channeling desires, generating and focusing individual and group energies, and establishing bodily norms and techniques for observing, monitoring and controlling bodily movements, processes, and capacities. The very practices of administration, distribution, and decisionmaking on which Habermas focuses his attention can and must be analyzed as productive disciplinary practices. Although these practices can clearly be repressive, their most insidious effects are productive. Rather than simply holding people back, bureaucratization breaks up, categorizes, and systemizes projects and people. It creates new categories of knowledge and expertise. Bureaucratization and colonization also create new subjects as the objects of bureaucratic expertise. The social welfare client and the consumer citizen are the creation of bureaucratic power, not merely its target. The extension of lifeworld gender norms into the system creates the possibility for sexual harassment, job segregation, parental leave, and consensual corporate decisionmaking. Created as a part of these subjectivities are new gestures and norms of bodily behavior, such as the embarrassed shuffling of food stamps at the grocery checkout and the demeaning sexual reference at the office copier. Bodily movements are monitored and regularized by means of political opinion polls, welfare lists, sexual harassment protocols, flex-time work schedules, and so forth. Modern disciplinary power, as described by Foucault and implied by Habermas, does not merely prevent us from developing, but creates us differently as the effect of its functioning. These disciplinary techniques not only control us, but also enable us to be more efficient and more productive, and often more powerful. Focusing on the disciplinary elements of the Habermasian critique opens the door for exploring the postmodern character of Habermasian politics. Because Habermas does describe a disciplinary world, his prescription for contemporary democracy (discursive politics) ought to be sensitive to, and appropriate for, a disciplinary world. Foucault's sensitivity to the workings of disciplinary power is central to the articulation of a plausible, postmodern version of discursive politics. In the following discussion I will argue for a performative redefinition of participation that will reinvigorate the micro-politics demanded by Foucault, as well as provide a more nuanced version of the discursive politics demanded by Habermas. III. Habermas and Discursive Participation Habermas regards a public sphere of rational debate as the only possible foundation for democratic politics in the contemporary world. For Habermas, like Schumpeter, democracy is a method. Democracies are systems that achieve the formation of public opinion and public will through a correct process of public communication, and then "translate" that communicative power into administrative power via the procedurally regulated public spheres of parliaments and the judiciary. The extent to which this translation occurs is the measure of a healthy constitutional democracy. Thus, the "political public sphere" is the "fundamental concept of a theory of democracy." In this discursive definition of democracy, political participation takes on a new character. Participation equals discursive participation; it is communication governed by rational, communicatively achieved argument and negotiation. Habermas distinguishes two types of discursive participation: problem-solving or decision-oriented deliberation, which takes place primarily in formal democratic institutions such as parliaments and is regulated or governed by democratic procedures; and informal opinion-formation, which is opinion-formation "uncoupled from decisions ... [and] effected in an open and inclusive network of overlapping, subcultural publics having fluid temporal, social and substantive boundaries."" In many ways this two-tiered description of discursive participation is a radically different understanding of political participation, and one better suited to the sort of societies we currently inhabit. Habermas moves the focus of participation away from policymaking and toward redefining legitimate democratic processes that serve as the necessary background for subsequent policymaking. While only a limited number of specially trained individuals can reasonably engage in decisionmaking participation, the entire populous can and must participate in the informal deliberation that takes place outside of, or uncoupled from, formal decisionmaking structures. This informal participation is primarily about generating "public discourses that uncover topics of relevance to all of society, interpret values, contribute to the resolution of problems, generate good reasons, and debunk bad ones."" Informal participation has two main functions. First, it acts as a "warning system with sensors that, though unspecialized, are sensitive throughout society."" This system communicates problems "that must be processed by the political system."" Habermas labels this the "signal" function. Second, informal participation must not only indicate when problems need to be addressed, it must also provide an "effective problematization" of those issues; As Habermas argues, from the perspective of democratic theory, the public sphere must, in addition, amplify the pressure of problems, that is, not only detect and identify problems but also convincingly and influentially thematize them, furnish them with possible solutions, and dramatize them in such a way that they are taken up and dealt with by parliamentary complexes." Informal participation is crucial because it is the source of both legitimacy and innovation in formal decisionmaking. As long as decisionmaking is open to the influence of informal opinion-formation, then state policies are legitimate because they are grounded in free and equal communication that meets the democratic requirement of equal participation. Informal participation originating in the public sphere is also the resource for innovative descriptions and presentations of interests, preferences, and issues. If they ignore informal participation, state decisionmakers have no connection to the center of democracy: the political public sphere. Habermas's description of discursive participation is also novel and effective due to its broad construal of the participatory act. Participation is defined very broadly because the concept of the public sphere remains quite abstract. The public sphere is a "linguistically constituted public space." 16 It is neither an institution nor an organization. Rather, it is a "network for communicating information and points of view [which are] ... filtered and synthesized in such a way that they coalesce into bundles of topically specified public opinions." ''' Public spheres are defined not by a physical presence but rather by a "communication structure." According to Habermas, "the more they detach themselves from the public's physical presence and extend to the virtual presence of scattered readers, listeners, or viewers linked by public media, the clearer becomes the abstraction that enters when the spatial structure of simple interactions is expanded into a public sphere." 'I In other words, actually being present in a "concrete locale" is unnecessary for the existence of a public sphere, and hence unnecessary for active participation. Participation is not limited to large, organized discussions in formal settings; it also includes "simple and episodic encounters" in which actors "reciprocally [attribute] communicative freedom to each other."19 This abstraction makes participation easier and extremely inclusive. As Habermas describes, "every encounter in which actors do not just observe each other but take a second-person attitude, reciprocally attributing communicative freedom to each other, unfolds in a linguistically constituted public space." 20 Thus, the concerns that political scientists have had about unequal resource distribution and its effect on one's capability to act are mitigated in Habermas's broad definition of discursive participation. Even though limited resources may prevent active interventions in decisionmaking and policymaking processes, for Habermas the "communicative structures of the public sphere relieve the public of the burden of decision-making."" In a similar vein, Habermas does not limit participation to a specific set of activities, but defines it procedurally or contextually. Participation is not limited to traditional activities such as voting, campaigning, or letter-writing, but is instead designated by the discursive quality of the activity. In other words, it is not the intent to influence policy that defines participation, but rather the communication structure in which the activity takes place. That communication structure must be equitable and inclusive, social problems must be openly and rationally deliberated, and they must be thematized by people potentially affected. However, Habermas's discursive formulation is inadequate primarily because it does not explicitly and rigorously attend to the disciplinary effects of contemporary societies explained so creatively by Foucault. Habermas has been routinely criticized for ignoring the productive nature of contemporary power. His juxtaposition of system and lifeworld in The Theory of Communicative Action relies on a separation of good power from bad (communicative power v. steering media), and posits an ideal speech situation freed from the distortions of power." More importantly, Habermas's theorization of discursive participation is exceedingly abstract and does not adequately attend to the ways in which power informs discourse. A number of theorists have effectively argued that women and men do not stand in equal relationship to language. For example, Linda Zerilli argues that discursive space is a "fraternal community of unique and symbolic dimensions."23 Women utilize language in this discursive world "whose `common' and symbolic language ... enables one user to understand what another is saying; just as it compels each speaker **to constrain [themselves] within the limits of an existing political vocabulary.**"24 In this case **the content of speech is systematically limited in direct violation of the** required conditions for the **ideal speech situation.** The foundations of communication are not the ideal equal relationships that Habermas imagines, but are instead **an exclusive, learned, and gendered, symbolic heritage.** As Carole Pateman points out, women enter into public discussion on a very tenuous plane. The symbolic heritage that defines the meaning of key communicative concepts such as **consent** systematically excludes women from the category of individuals capable of consenting. 11 The mere existence of a debate over whether "no means no" with regard to consensual sexual relations and rape is a manifestation of this heritage. Women can hardly be seen as equal participants when they do not have the same opportunity to express their intent. Certainly, one might suggest that the above cases are really just failures of speech, and, therefore, not a critique of ideal speech as it is formulated by Habermas. Indeed Seyla Benhabib reformulates Habermas's speech act perspective to make it sensitive to the above critique. She argues that feminists concerned with the discourse model of democracy have often confused the historically biased practices of deliberative assemblies with the normative ideal of rational deliberation." She suggests that feminists concerned with inequities and imbalances in communication can actually benefit from the Habermasian requirement that all positions and issues be made " `public' in the sense of making [them] accessible to debate, reflection, action and moral-political transformation."" The "radical proceduralism of the discourse model makes it ideally suited to identify inequities in communication because it precludes our accepting unexamined and unjustified positions." Even such a sophisticated and sensitive approach to ideal speech as Benhabib's cannot cleanse communicative action of its exclusivity. It is not only that acquiring language is a process of mastering a symbolic heritage that is systematically gendered, **but the entire attempt to set conditions for "ideal speech" is inevitably exclusive.** The model of an ideal speech situation **establishes a norm of rational interaction that is defined by the very types of interaction it excludes.** The norm of rational debate favors critical argument and reasoned debate over other forms of communication.29 **Defining ideal speech inevitably entails defining unacceptable speech.** What has been defined as unacceptable in Habermas's formulation is any speech that is not intended to convey an idea. Speech evocative of identity, culture, or emotion has no necessary place in the ideal speech situation, and hence persons whose speech is richly colored with rhetoric, gesture, humor, spirit, or affectation could be defined as deviant or immature communicators. Therefore, a definition of citizenship based on participation in an ideal form of interaction **can easily become a tool for the exclusion of deviant communicators** from the category of citizens. This sort of normalization creates citizens as subjects of rational debate. Correlatively, as Fraser explains, because the communicative action approach is procedural it is particularly unsuited to address issues of speech content." Therefore, by definition, it **misses the relationship between procedure and content** that is at the core of feminist and deconstructive critiques of language. A procedural approach can require that we accommodate all utterances and that we not marginalize speaking subjects. It cannot require that we take seriously or be convinced by the statements of such interlocutors. In other words, **a procedural approach does not address the cultural context that makes some statements convincing and others not.** I would suggest that Habermas recognizes this problem, but has yet to explicitly theorize it. As I noted above, Habermas requires that informal discursive participation not only identify problems but also "convincingly and influentially thematize them." A thematization is legitimate, Habermas argues, only when it stems from a communicative process that "develops out of communication taking place among those who are potentially affected."" Thus, the extent to which a position is convincing seems to rely primarily on whether the affected parties have had a say in its articulation (a procedural requirement). What Habermas does not explicitly recognize is that whether a problem is convincingly thematized is not just a matter of utilizing correct procedure.

#### **Utilitarian calculability justifies mass atrocity and turns its own end**

Weizman 11 (Eyal Weizman, professor of visual and spatial cultures at Goldsmiths, University of London, 2011, “The Least of All Possible Evils: Humanitarian Violence from Arendt to Gaza,” pp 8-10)

The theological origins of the lesser evil argument cast a long shadow on the present. In fact the idiom has become so deeply ingrained, and is invoked in such a staggeringly diverse set of contexts – from individual situational ethics and international relations, to attempts to govern the economics of violence in the context of the ‘war on terror’ and the efforts of human rights and humanitarian activists to manoeuvre through the paradoxes of aid – that it seems to have altogether taken the place previously reserved for the ‘good’. Moreover, the very evocation of the ‘good’ seems to everywhere invoke the utopian tragedies of modernity, in which evil seemed lurking in a horrible manichaeistic inversion. If no hope is offered in the future, all that remains is to insure ourselves against the risks that it poses, to moderate and lessen the collateral effects of necessary acts, and tend to those who have suffered as a result. In relation to the ‘war on terror,’ the terms of the lesser evil were most clearly and prominently articulated by former human rights scholar and leader of Canada’s Liberal Party Michael Ignatieff. In his book *The Lesser Evil*, Ignatieff suggested that in ‘balancing liberty against security’ liberal states establish mechanisms to regulate the breach of some human rights and legal norms, and allow their security services to engage in forms of extrajudicial violence – which he saw as lesser evils – in order to fend off or minimize potential greater evils, such as terror attacks on civilians of western states.11 If governments need to violate rights in a terrorist emergency, this should be done, he thought, only as an exception and according to a process of adversarial scrutiny. ‘Exceptions’, Ignatieff states, ‘do not destroy the rule but save it, provided that they are temporary, publicly justified, and deployed as a last resort.’12 The lesser evil emerges here as a pragmatist compromise, a ‘tolerated sin’ that functions as the very justification for the notion of exception. State violence in this model takes part in a necro-economy in which various types of destructive measure are weighed in a utilitarian fashion, not only in relation to the damage they produce, but to the harm they purportedly prevent and even in relation to the more brutal measures they may help restrain. In this logic, the problem of contemporary state violence resembles indeed an all-too-human version of the mathematical minimum problem of the divine calculations previously mentioned, one tasked with determining the smallest level of violence necessary to avert the greater harm. For the architects of contemporary war this balance is trapped between two poles: keeping violence at a low enough level to limit civilian suffering, and at a level high enough to bring a decisive end to the war and bring peace.13 More recent works by legal scholars and legal advisers to states and militaries have sought to extend the inherent elasticity of the system of legal exception proposed by Ignatieff into ways of rewriting the laws of armed conflict themselves.14 Lesser evil arguments are now used to defend anything from targeted assassinations and mercy killings, house demolitions, deportation, torture,15 to the use of (sometimes) non-lethal chemical weapons, the use of human shields, and even ‘the intentional targeting of some civilians if it could save more innocent lives than they cost.’16 In one of its more macabre moments it was suggested that the atomic bombings of Hiroshima might also be tolerated under the defence of the lesser evil. Faced with a humanitarian A-bomb, one might wonder what, in fact, might come under the definition of a greater evil. Perhaps it is time for the differential accounting of the lesser evil to replace the mechanical bureaucracy of the ‘banality of evil’ as the idiom to describe the most extreme manifestations of violence. Indeed, it is through this use of the lesser evil that societies that see themselves as democratic can maintain regimes of occupation and neo-colonization. Beyond state agents, those practitioners of lesser evils, as this book claims, must also include the members of independent nongovernmental organizations that make up the ecology of contemporary war and crisis zones. The lesser evil is the argument of the humanitarian agent that seeks military permission to provide medicines and aid in places where it is in fact the duty of the occupying military power to do so, thus saving the military limited resources. The lesser evil is often the justification of the military officer who attempts to administer life (and death) in an ‘enlightened’ manner; it is sometimes, too, the brief of the security contractor who introduces new and more efficient weapons and spatio-technological means of domination, and advertises them as ‘humanitarian technology’. In these cases the logic of the lesser evil opens up a thick political field of participation belonging together otherwise opposing fields of action, to the extent that it might obscure the fundamental moral differences between these various groups. But, even according to the terms of an economy of losses and gains, the conception of the lesser evil risks becoming counterproductive: less brutal measures are also those that may be more easily naturalized, accepted and tolerated – and hence more frequently used, with the result that a greater evil may be reached cumulatively, Such observations amongst other paradoxes are unpacked in one of the most powerful challenges to ideas such as Ignatieff’s – Adi Ophir’s philosophical essay *The Order of Evils*. In this book Ophir developed an ethical system that is similarly not grounded in a search for the ‘good’ but the systemic logic of an economy of violence – the possibility of a lesser means and the risk of more damage – but insists that questions of violence are forever unpredictable and will always escape the capacity to calculate them. Inherent in Ophir’s insistence on the necessity of calculating is, he posits, the impossibility of doing so. The demand of his ethics are grounded in this impossibility.17

#### Limits are impossible

De Cock 1 (Christian De Cock, Professor of Organizational behaviour, change management, creative problem solving, 2001, “Of Philip K. Dick, reflexivity and shifting realities Organizing (writing) in our post-industrial society” in the book “Science Fiction and Organization”)

'As Marx might have said more generally, 'all that is built or all that is "natural" melts into image' in the contemporary global economies of signs and space' (Lash and Urry, 1994, p. 326). **The opinion seems to be broadly shared among both academics and practitioners that traditional conceptions of effective organizing and decision-making are no longer viable** because we live in a time of irredeemable turbulence and ambiguity (Gergen, 1995). The emerging digital or 'new' economy seems to be a technologically driven vision of new forms of organizing, relying heavily on notions of flexibility as a response this turbulence. Corporate dinosaurs must be replaced with smart networks that add value. Words such as 'cyberspace' 3 and 'cyborganization' drip easily from tongues (e.g. Parker and Cooper, 1998) and 'the organization' becomes more difficult to conceptualize as it 'dissipates into cyberspace' and 'permeates its own boundaries' (Hardy and Clegg 1997: S6). Organizations are losing important elements of permanence as two central features of the modern organization, namely the assumption of self-contained units and its structural solidity, are undermined (March, 1995). Even the concept of place becomes increasingly phantasmagoric as locales get thoroughly penetrated by social influences quite distant from them (Giddens, 1990). In this new organizational world 'reality' seems to have become only a contract, the fabrication of a consensus that can be modified or can break down at any time (Kallinikos, 1997) and the witnessing point - the natural datum or physical reference point - seems to be in danger of being scrapped (Brown, 1997). This notion that reality is dissolving from the inside cannot but be related with feelings of disorientation and anxiety. Casey (1995, pp. 70-1), for example, provides a vivid description of the position of 'the self' within these new organizational realities. **This is a world where everyone has lost a sense of everyday competence and is dependent upon experts**, where people become dependent on corporate bureaucracy and mass culture to know what to do. The solidity (or absence of it) of reality has of course been debated at great length in the fields of philosophy and social theory, but it remains an interesting fact that organizational scholars have become preoccupied with this issue in recent years. Hassard and Holliday (1998), for example, talk about **the theoretical imperative to explore the linkages between fact/fiction and illusion/reality**. It is as if some fundamental metaphysical questions have finally descended into the metaphorical organizational street. Over the past decade or so, many academics who label themselves critical management theorists and/or postmodernists (for once, let's not name any names) have taken issue with traditional modes of organizing (and ways of theorizing about this organizing) by highlighting many irrationalities and hidden power issues. These academics have taken on board the idea that language has a role in the constitution of reality and their work is marked by a questioning of the nature of reality, of our conception of knowledge, cognition, perception and observation (e.g. Chia, 1996a; Cooper and Law, 1995; Czarniawska, 1997). Notwithstanding the importance of their contributions, these authors face the problem that in order to condemn a mode of organizing or theorizing they need to occupy an elevated position, a sort of God's eye view of the world; a position which they persuasively challenge when they deconstruct the claims of orthodox/modern organizational analyses (Parker, 2000; Weiskopf and Willmott, 1997). Chia, for example, writes about the radically untidy, ill-adjusted character of the fields of actual experience - 'It is only by … giving ourselves over to the powers of "chaos", ambiguity, and confusion that new and deeper insights and understanding can be attained' (Chia, 1996b, p. 423) - using arguments which could not be more tidy, analytical and precise. This of course raises the issue of reflexivity: if reality can never be stabilized and the research/theorizing process 'is always necessarily precarious, incomplete and fragmented' (Chia, 1996a, p. 54), then Chia's writing clearly sits rather uncomfortably with his ontological and epistemological beliefs. In this he is, of course, not alone (see, e.g., Gephart et al.., 1996; Cooper and Law, 1995). **This schizophrenia is evidence of rather peculiar discursive rules where certain ontological and epistemological statements are allowed and even encouraged, but the reciprocate communicational practices are disallowed**. Even the people who are most adventurous in their ideas or statements (such as Chia) are still caught within rather confined communicational practices. To use Vickers' (1995) terminology: there is a disjunction between the ways in which organization theorists are ready to see and value the organizational world (their appreciative setting) and the ways in which they are ready to respond to it (their instrumental system). When we write about reflexivity, paradox and postmodernism in organizational analysis, it is expected that we do this unambiguously. 4 And yet, the notion that 'if not consistency, then chaos' is not admitted even by all logicians, and is rejected by many at the frontiers of natural science research - 'a contradiction causes only some hell to break loose' (McCloskey, 1994, p. 166). contradiction causes only some hell to break loose' (McCloskey, 1994, p. 166).

### 2AC – Counter Advocacy

#### Bracketing off of our protest is enabled by the state of exception and legitimizes brutal cycles of governmentality – turns switch-side

Elmer and Opel, 8 (Greg Elmer, associate professor of communication and culture at Ryerson University, PhD in communication from the University of Massachusetts at Amherst, director of the Infoscape Research Lab at Ryerson University, Andy Opel, associate professor of communication at Florida State University, PhD in mass communication from the University of North Carolina, member of the International Communication Association, November 2008, “Preempting Dissent: The Politics of an Inevitable Future,” pages 29-41)

SHORTLY AFTER THE LARGE-SCALE PROTESTS against the World Trade Organization in Seattle in late November 1999, police, law enforcement agencies, the military, and global weapons manufacturers began to rethink their responses to public protests. Since the Seattle protests, similar semi—annual gatherings of government officials and corporate trade lawyers have consistently attracted large public protests, organized by public-interests groups denied participation in the decision-making process of trade agreements such as the Global Agreement on Trade and Tariffs (GATT), the North American Free Trade Agreement (NAFTA), and the Free Trade Area of the Americas (FTAA). Wide—scale protests were seen in Prague, Genoa, Cancun, Quebec City, Miami, and, most recently, Mar Del Plata, Argentina. Moreover, as we will see in this chapter, as the size and sophistication of resistance grew, so too did political and legal responses to that resistance. Responses to such protests have been greatly influenced by military and so—called ‘homeland’ security strategies enacted after the terrorist attacks of 9/11 and the initiation of the controversial second Gulf War. As we see in this chapter, the combination of a changing political climate in response to war and terrorism, particularly the expansion of preemptive forms of social control and political containment, has resulted in a new set of practices that have reconfigured public space and criminalized multiple aspects of free speech and public assembly in the United States. This chapter argues that in the shadow of 9/11, the war in Iraq, and the ongoing “War on Terror,” a disturbing form of geopolitical apartheid has emerged in the United States. At the core of this trend is a set of micro-political strategies and technologies that attempt to contain spaces of dissent and detain protestors (Boghosian, 2004). Some activists and critics have labeled these anti-democratic tendencies the “Miami Model,” after the strategies deployed in November 2003 against Free Trade of the Americas protestors by federal, state, and local law enforcement agencies stationed in Miami. The Miami model of law enforcement was characterized by 1) the deployment of overwhelming numbers of law enforcement officers, 2) preemptive arrests of peaceful and law—abiding protestors, and 3) widespread police surveillance techniques before, during, and after protests (Getzan, 2004). And while these three pillars—overwhelming force, preemptive arrests, and surveillance—-provide a good overview of police and law enforcement strategies, in this chapter we focus on the manner in which spaces of dissent, debate, and democracy are being regulated and policed through the courts, going into more depth in the next chapter, through a study of the introduction of weapons meant to easily contain and detain protestors and, more broadly, immobilize dissent. Of greater concern is the degree to which such strategies systematically marginalize dissent, spatially and politically speaking. From the creation of “free speech zones” and the proposal for protest free “Pedestrian Safety Zones”2° to the political screening of participants in political “town hall meetings,” space has increasingly become a tool to limit open debate, freedom of speech, and political dissent in the US. Part of our interest in exposing the strategies of political segregation, first through the containment of protest spaces, and second, through the deployment of preemptive hand-held weapons, is theoretical. The segregation of deviance has often been influenced by Foucaultian theories of panopticism and social control. An increasing number of scholars, however, are arguing that Foucault’s panoptic prison, even deployed in metaphorical terms, has been overextended, particularly when considering broader geographic perspectives (Haggerty & Ericson, 2000; Elmer, 2004). Many scholars arguing that panopticism must move beyond architectures or institutions of social control, do so in large part to theorize emerging technological, “virtual,” or simulated forms of surveillance and discipline (e.g., Bogard; Gandy). While we find such arguments to be productive, they typically juxtapose their ideas against corporeal surveillance and monitoring of the past. Human surveillance and policing factors, conversely, play a key role in monitoring political organizing activities and training, peaceful protests, and acts of civil disobedience (Boghosian, 2004, p. 29). Moreover, Foucault’s metaphorical use of a penitentiary as the historical trope or dispositif for social discipline, reformation, and self-actualization, while providing a broad conceptual framework for a dispersed theory of self-discipline, control, and conformity, has little to say about that which escapes conformity, namely public protest, civil disobedience, and other forms of social and political dissent. Under the constant gaze of social mores and values, Foucault’s subjects are implored to change and police their own behaviour. The proliferation of surveillance technologies (such as closed-circuit TV, CCTV), preemptive policing, programs that attempt to anticipate future social and geopolitical risks (Elmer Opel, 2006), and the presumption of guilt instead of innocence, are in part a response to past intelligence failures. The inability to gain adequate and up-to-date intelligence on domestic and international risks in the US, UK, Iraq, Pakistan, North Korea, Iran, etc., continues to highlight the limits and shortcomings of surveillance programs and intelligence—gathering techniques. The recognition of decentred and distributed network infrastructures and relationships among protesters, migrants, and terrorists in the US and elsewhere, has similarly stretched conventional thinking about the structure and deployment of surveillance programs and technologies. In short, members of such feared networks are not typically considered panoptic subjects, that is to say, they are not clients, candidates, or inmates in need of reform, or self-discipline. Rather, it is argued that such networked subjects have become increasingly influenced by strategic and indefinite forms of containment and detainment. Didier Bigo’s (2006) extension of Foucault’s theories of social control provides a helpful point of departure. While Bigo shares the goal of extending theories of social and political control outside of the prison and other social institutions, he maintains an interest in the social control of populations, specifically through the mobility, capture, and detainment of specific populations. By introducing the concept of the “ban-opticon,” Bigo succeeds in moving outside the panoptic walls of punishment, to question the optics and governmentality of indefinite detainment, a questionable spatial and legal tactic used in the “War on Terror” and with migrant communities. Such detainees, be they in Guantanamo Bay or in immigrant holding centres in the EU and elsewhere, have no intention of turning their subjects into law-abiding, productive citizens (Miller, 1993), rather their goal is both to remove individuals from war, or to merely return them to their previous location—to ban them. In both cases, individuals are immobilized and excluded from participating in war and/ or entering Western societies. Although political protestors produce a different set of challenges from domestic law enforcement and forces of political control in the US—primarily their visibility in the media as increased evidence of opposition to the political status quo—they are similarly immobilized, contained, and in some cases detained without charge. Such detainments, further, in many instances are not subject to punishment (fines, etc.); rather, they are increasingly used to preemptively, and temporarily remove protestors from public spaces until the conclusion of protests (Boghosian, 2004, p. 29). The operationalization of preemptive tactics in the US further highlights the limitations of Foucault’s decentred model of power, in which sovereignty is manifest through dispersed disciplinary technologies. Strategies of political containment and detainment, spatially and individually speaking, are in large part enabled by what Gieorgio Agamben (2005) refers to as the “state of exception,” the “no man’s land between public law and political fact” (p. 1). Ironically, while conservatives in the US continue to argue against a “living constitution,” where interpretations over the nation’s law change over time,21 the Bush administration actively sought to reinterpret executive powers during the so-called War on Terror. Following Agamben, Didier Bigo (2006) argues that such interpretations are enacted through explicit declarations by political rulers, a declaration that invokes an exception to the rule of law. Broadly construed, the US administration continues to invoke the War on Terror to blur the line between law and politics. In defence of the secret wiretapping program, the Bush administration has argued that an exception to the rule of law was enacted by the legislation, giving the president preemptive powers to carry out surveillance. Similar arguments have been made in the UK, Canada, and France. The Boston Globe and other media in the US also reported about the growing use of “signing statements” by the US president, as a means to state his exception to the new law. For example, after the signing of US Senator John McCain’s anti—torture bill in the January 2006, the president declared that “The executive branch shall construe [the law] in a manner consistent with the constitutional authority of the President as Commander in Chief.” He also added that this interpretation “will assist in achieving the shared objective of the Congress and the President ... of protecting the American people from further terrorist attacks” (Savage, 2004). Of course, many American laws that govern executive power, public debate, and, as we see next, dissent and protest in public space, are so broadly written that they practically cultivate political exceptionalism. For example, as an adjunct to debates over the US Patriot Act, the “spatial tactics” of law enforcement have recently produced a series of controversial rulings about the accessibility of public spaces for the purposes of political protest. Thus, at a time when public advocates and intellectuals have reinforced the importance of understanding the democratic and political aspects of various geographies——most notably innovative and tolerant ones (Florida, 2003) and environmentally sustainable ones (Gore, 2007)—the American legal system continues to downplay or altogether avoid spatial considerations in First Amendment cases. Timothy Zick (2005), for example, argues that “The reason courts fail to properly scrutinize spatial tactics is that they have accepted the common conception of place as mere res—a neutral thing, an undifferentiated mass, a backdrop for expressive scenes” (p. 3). Results of this legal conception of place as a “neutral thing” include the protest zones (some resembling cages”) established at both the Democratic and Republican national conventions during the summer of 2004 as well as the now routine practice of keeping protestors many blocks and often miles away from free trade, WTO, or GATT meetings. Later in the same year the G8 summit was held on the tiny (private) Sea Island, just off the coast near Savannah, Georgia, a choice that made it nearly impossible——given the security noose around the island——to stage a meaningful and visible protest. In South Carolina, the well-known activist Brett Bursey gained nationwide attention for a series of attempts to protest against President Bush at Republican Party organized rallies, the last of which, in 2004, resulted in his arrest and conviction under a statute that enables the Secret Security to establish a security perimeter or zone around the president. Mirroring Zick’s argument about the court’s treatment of space as an objective or neutral equation in contemporary politics, an aide to the former South Carolina Senator Strom Thurmond, was quoted on National Public Radio as saying that: The statute under which Mr. Bursey’s been charged alleges that he failed to vacate an area that had been cordoned off for a visit by the president of the United States. It is a content—neutral statute, and Mr. Bursey is charged not because of what he was doing but because of where he was doing it. The US statute in question—-USC 18: 1 752(a)(l)(ii), “Temporary residences and offices of the President and others”—while not a new, post-9/11 law, nevertheless raises obvious questions and concerns about its use as a political tool for spatially and politically marginalizing dissent. The law in effect establishes a temporary “residence” for the president as he goes about his business across the country. The law forbids groups or individuals from entering or remaining with an area (defined as “building,” “grounds,” or “any posted, cordoned off. . .” area where the president is visiting).24 Moreover, the law does not apply universally, only to those who intend “to impede or disrupt the orderly conduct of Government business or official functions.” Interestingly, in the course of preparing Bursey’s defence, lawyers were able to gain access to the Secret Service’s policy manual on protests. The South Carolina Progressive Network subsequently used the document to highlight the means by which the Bush administration was interpreting the above mentioned law to segregate protestors away from the president’s supporters and the media. Moreover, The Progressive Network also maintained that while the law did give the Secret Service the power to cordon off access to the president, “There is no limitation to the size of the restricted area.” Furthermore, “In the Bursey case, the restricted area was approximately 70 acres and stretched for a mile.”25 With no spatial limits on the separation of protestors from the US president, political marginalization becomes a distinct possibility. The spatial segregation of speakers according to the content of their messages all too easily bifurcates voices and perspectives into “two sides,” mirroring the dominant red/ blue political culture of the US. Thus in the absence of political leaders, protests, and, perhaps more importantly, acts of civil disobedience, lose their publicity, all too often becoming marginalized spectacles distanced from the machinations of political parties, candidates, and government. Zick put it this way: “In these places, protests and demonstrations become staged events, bland and neutered substitutions for the passionate and, yes, sometimes chaotic face-to—face confrontations that have characterized our country’s past” (Zick, 2005, p. 45). The process of segregating public space according to political message and turning public gatherings into “staged events” is contrasted with the actual political strategy of the staged event or “town hall meeting,” where pre-screened publics appear to ask government officials “authentic” questions, a practice that has many online examples as well.26 This illusion of public participation is another quality of the spatial turn in free speech politics where city streets are cordoned off to become de facto “stages” for media cameras. By literally separating the demonstrators from the object of their demonstration, the protest zone becomes “a way of controlling the content of the debate without really acknowledging that is what is being done” (Mitchell, 2003, p. 39). In addition to creating media frames and stages, protest zoning also facilitates preemptive police tactics, placing all potential protestors in one location in the name of security. Fencing in protestors or zoning them away from a given site implies a threat or danger that requires preemptive zoning, thus “assuming guilt until innocence is proven” (Mitchell, 2003, p. 39). Mitchell refers to this zoning as the “ghettoization” of protest; we prefer the South African analogy of an apartheid as more accurate. Whereas a ghetto is often viewed as the result of low-income people clustered together out of necessity and a lack of resources, apartheid was an explicit legal and spatial strategy that segregated settlements and produced a second-class citizenry. Parallels can be drawn to the state of liberal democracy in the United States, where protestors and political dissidents are legally restrained and contained outside of the so-called mainstream political stage. Yet, as we will see in the next chapter, preemptive arrests, facilitated by segregationist spatial tactics and exceptionalist forms of governmentality, often move beyond the realm of the panoptic to the violent repressive use of weaponry, what are creatively termed “less-lethal technologies.” As we shall see, many new crowd control technologies have incorporated decidedly preemptive logics that explicitly reinforce our belief that the preemptive doctrine is as much about controlling behaviours and seeking broader political compliance as it is a technique for reducing actual risks and dangers.

#### Wrong forum claim is wrong – discussing debate’s structural issues within the rounds can generate controversy that forces the issues onto the community’s agenda

DSRB 8 (Dr. Shanara Reid-Brinkley, first black woman director of debate in the country, a professor of communications at Pitt, and a general goddess of knowledge; “THE HARSH REALITIES OF ‘ACTING BLACK’: HOW AFRICAN-AMERICAN POLICY DEBATERS NEGOTIATE REPRESENTATION THROUGH RACIAL PERFORMANCE AND STYLE,” 2008, pg. 128)

Zompetti’s fears are fairly reasonable. The Louisville Project has not convinced the debate community to change its normative practice. Given the adversarial nature of tournament competition, opposing teams seem most concerned with developing viable strategies to beat Louisville inside the tournament round. Such a competitive atmosphere may not allow a resolution of conflict between the Louisville team and other community members. Yet, it seems that attempts to engage the structural barriers that maintain the lack of community diversity seems to not have substantially increased racial and ethnic inclusion. That the Louisville team shifts the discussion on racial inclusion into actual debate competition forces the broader debate community to significantly increase its discussion of the problem. In other words, the Project may not directly result in sweeping changes in the policy debate community, it did create a rhetorical controversy that forced the issue of racial exclusion and privilege onto the community’s agenda. Thus, I argue that the tournament round is **a critical plateau** from which to force a reflexive conversation about the normative practices of debate that might operate to maintain racial exclusion and privilege.