I affirm and value morality as per ought, which means moral obligation. Obligation is the converse of impermissibility, so showing that not doing the resolutional action is impermissible is sufficient to affirm.

[Logical, non-theoretical, analytical preempts to anticipated negative positions; depends on the round.]

**The sovereign has the implicit power to declare itself outside the law, to create an exception that cannot be subsumed by any other. This gives them the freedom to create or break any law they desire.** *When the state condemns actions by rule of law but claims exemption from them, it enters the state of exception.*

**Giorgio Agamben**[[1]](#footnote-1) **explains,**

The paradox of sovereignty . . . paradox is grasped.

It has often . . . through its exclusion.

With this in mind, the criterion is **minimizing the state of exception** for three reasons:

**First, the state of exception devalues life.**

**Agamben 2**[[2]](#footnote-2)

We have already . . .  *in this sphere.*

It is therefore . . . relation of abandonment.

**Second, the state of exception is the logic of the camp.**

**Agamben 3**[[3]](#footnote-3)

The importance of . . . they were there [sie waren nicht gegründet, sie waren eines Tages da] “ (quoted ibid., p. 30).

**Third, the nature of social actors, their capabilities, and practices must be discussed before an action is justified.**

**Doty writes**[[4]](#footnote-4)**,**

Moving from why-questions . . . why-questions neglect.

**Krause**[[5]](#footnote-5) **furthers Doty’s argument:**

These claims have . . . issues as givens.

I contend that the resolutional action minimizes the state of exception.

**First, the juridical order requires due process, a feature of the state which not extending due process rights rejects.**

**Kisner**[[6]](#footnote-6) **articulates,**

Giorgio Agamben’s recently . . . state of exception’ (SE 5).

**Second, the S.O.E. perpetuates in Gitmo and the black sites because it has become politically impossible to release this bare life. This information-gathering machine dilutes counterterrorist resources and discredits their efforts.**

**As Danner**[[7]](#footnote-7) **puts it,**

But the sweeping . . . that they were.”17

Analytics about how this increases terrorism, sux for util.

Thus, I affirm.

1. Presume aff

equality/rights/structural skew

2. Only aff gets RVIs

checks bad theory proliferation/no risk issue for neg/structural skew

1. Giorgio Agamben, Professor of Philosophy at the University of Verona, “Homo Sacer: Sovereign Power and Bare Life”, translated by Daniel Heller-Roazen, Stanford University Press), The Paradox of Sovereignty, p. 17, p. 18-19 [↑](#footnote-ref-1)
2. Ibid, Part Two: Homo Sacer, Sacred Life, p. 53 [↑](#footnote-ref-2)
3. The Camp as the ‘Nomos’ of the Modern, pg. 108-109 [↑](#footnote-ref-3)
4. Foreign Policy as Social Construction: A Post-Positivist Analysis of U.S. Counterinsurgency Policy in the Philippines, Roxanne Lynn Doty International Studies Quarterly, Vol. 37, No. 3 (Sep., 1993), pp. 297-320, published by: Wiley-Blackwell on behalf of The International Studies Association; Article Stable URL: http://www.jstor.org/stable/2600810 [↑](#footnote-ref-4)
5. (Keith Krause, 1996, Graduate Institute of International Studies at University of Geneva. “Critical Theory and Security Studies” YCISS Occasional Paper Number 33 February 1996 http://www.yorku.ca/yciss/publications/OP33-Krause.pdf) [↑](#footnote-ref-5)
6. Dr. Wendell Kisner, Associate Professor, Master of Arts—Integrated Studies, at Athabasca University, “Agamben, Hegel and The State of Exception” in Cosmos and History: The Journal of Natural and Social Philosophy, vol. 3, no. 2-3, 2007, published also in the edited collection, The Spirit of the Age: Hegel and the Fate of Thinking, Melbourne, 2008 [↑](#footnote-ref-6)
7. Mark Danner, he has written about foreign affairs and American politics for more than two decades, covering Latin America, Haiti, the Balkans and the Middle East among other stories. He was for many years a staff writer at The New Yorker and contributes frequently to The New York Review of Books, The New York Times Magazine and other publications. He teaches at the University of California and at Bard College and speaks and debates widely about America's role in the world. “After September 11: Our State of Exception”, The New York Review of Books, October 13, 2011 [↑](#footnote-ref-7)