## 1ac

### Plan

Text: The United States Federal Government should establish a limited ex parte and ex ante judicial review process for targeted killing by drones.

### Norms

Contention 1 – Accountability

#### Drone prolif makes multiple scenarios for conflict more likely – US restraint sets global norms for use that solve.

Kreps, Stanton Nuclear Security Fellow at the Council on Foreign Relations, and Zenko, Douglas Dillon Fellow in the Center for Preventive Action at the Council on Foreign Relations, 14

(Sarah, Assistant Professor of Government at Cornell University, and Micah, March/April, “The Next Drone Wars,” http://www.foreignaffairs.com/articles/140746/sarah-kreps-and-micah-zenko/the-next-drone-wars?nocache=1, accessed 2-18-14, CMM)

Nearly seven decades later, Arnold’s prophecy is slowly being realized: armed drones are

AND

as militants and criminals -- the most common and the most dangerous scenarios.

#### Senkaku drone conflict is highly probable – diplomacy and interdependence don’t check – also triggers cascading conflicts.

Auslin, resident scholar at the American Enterprise Institute, 11-5-13

(Michael, “Tensions Are Escalating in The East China Sea,” http://online.wsj.com/news/articles/SB10001424052702303482504579178850122997242, accessed 11-9-13, CMM)

The East China Sea may see the world's first war started by aerial drones.

AND

and advanced aircraft is also certain to drive Asia's arms spending even higher.

#### Asian instability escalates to nuclear war.

Landay, National Security and Intelligence Correspondent, 2K

(Jonathan S., “Top administration officials warn stakes for U.S. are high in Asian conflicts”, 3-10, Knight Ridder/Tribune News) Accessed on LexisNexis 12-29-09

Few if any experts think China and Taiwan, North Korea and South Korea,

AND

that totaled $600 billion last year, according to the Commerce Department.

### Saudi

Contention 2 – Saudi Arabia

#### Wide-scale restriction of drone use coming – only increasing accountability solves.

Zenko, CFR Center for Preventive Action Douglas Dillon fellow, 13

[Micah, Council Special Report No. 65, January 2013, “Reforming U.S. Drone Strike Policies”<http://www.foreignpolicy.com/articles/2013/04/16/clip_the_agencys_wings_cia_drones?page=full> p.22, accessed 6-20-13, TAP]

In his Nobel Peace Prize acceptance speech, President Obama declared:¶ “Where force

AND

the¶ United States modified its drone policy in the ways suggested below.

#### Public backlash culminates in a legal crackdown that hemorrhages the targeted killing program.

Goldsmith, Harvard University law professor, 12

[Jack, “Power and Constraint” [google books](http://books.google.com/books?id=Yi5-9bVd3YEC&pg=PA201&lpg=PA201&dq=power+and+constraint,+And+it+is+only+a+matter+of+time,+if+it+has+not+happened+already,+before+they+lead+the+U.S.+government+to+forgo+lawful+targeted+killing+actions+otherwise+deemed+to+be+in+the+interest+of+U.S.+national+security&source=bl&ots=7g6173TJSO&sig=mhMTjOq3Q0gzLibX9Hmtcr7snQs&hl=en&sa=X&ei=vmdLUrWtEJDs9ASQyIGIBg&ved=0CCsQ6AEwAA#v=onepage&q=power%20and%20constraint%2C%20And%20it%20is%20only%20a%20matter%20of%20time%2C%20if%20it%20has%20not%20happened%20already%2C%20before%20they%20lead%20the%20U.S.%20government%20to%20forgo%20lawful%20targeted%20killing%20actions%20otherwise%20de), p.199-201, accessed 9-30-13, TAP]

For the GTMO Bar and its cousin NGOs and activists, however, the al

AND

deemed to be in the interest of U.S. national security.

#### Unchecked executive power causes groupthink – that triggers massive policy errors.

Chehab, Georgetown Law Center, 2012

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.30-3, accessed 9-15-13, TAP]

The practical, pragmatic justification for the COAACC derives largely from considering social psychological findings

AND

irrational persistence in pursuing ideological positions divorced from concern of alternative viewpoints.147

Professor Cass Sunstein has described situations in which groupthink produced poor results precisely because consensus

AND

1960’s,152 and the controversial decision to wage war against Vietnam.153

Professor Sunstein also has described the related phenomenon of “group polarization,” which includes

AND

and other associated deficiencies are inevitable features in Executive Branch decision-making.

[Tom note – Sunstein, University of Chicago and Harvard University law professor]

#### US-Saudi rift now – sustaining credible security ties is key to prevent total collapse.

Brown, PBS Newshour, 10-22-13

[Jeffrey, interviewing Margaret Warner, PBS chief foreign affairs correspondent, and Graeme Bannerman, Middle East Institute scholar and State Department analyst, “Changing relations with Mideast allies may affect U.S. position in the region” <http://www.pbs.org/newshour/bb/world/july-dec13/saudi2_10-22.html?print>, accessed 11-12-13, TAP]

JEFFREY BROWN: And to find out more on how the U.S.-

AND

not paying enough attention to the feelings of our allies in the region.

#### Drones are key.

Eakin, International Reporting Project Gatekeepers editor trip recipient and author, 12

[Hugh, “Saudi Arabia and the New US War in Yemen” <http://www.nybooks.com/blogs/nyrblog/2012/may/21/saudi-arabia-and-new-us-war-yemen/>, accessed 11-12-13, TAP]

The United States is quietly being drawn into an escalating conflict in Yemen. Following

AND

that argument will continue to assuage the country’s youth remains an open question.

#### US-Saudi relations collapse bad – causes oil price spikes.

HENDERSON, Baker fellow and director of the Gulf and Energy Policy Program at the Washington Institute for Near East Policy, 11-1-13

(Simon, “The U.S.-Saudi Royal Rumble,” http://www.foreignpolicy.com/articles/2013/11/01/the\_us\_saudi\_royal\_rumble?page=full, accessed 11-2-13, CMM)

Assuming that the Saudi-U.S. relationship is really heading off course

AND

is way down near the bottom of the Obama administration's list of concerns.

#### Collapses the economy.

Luft, executive director of the Institute for the Analysis of Global Security, 11

(Gal, 2-6-11, “What if Saudi Arabia Erupts?,” http://www.thecuttingedgenews.com/index.php?article=31896pageid=16pagename=Opinion, accessed 11-7-11, CMM)

Egypt is relevant to the oil market because it may be a bellwether for the

AND

Middle East is to expedite our effort to wean our economy from oil.

#### Economic collapse leads to global war.

Lind**, New America Foundation Economic Growth Program Policy Director**, 5/11/2010

[Michael, "Will the great recession lead to World War IV?," http://www.salon.com/news/economics/index.html?story=/opinion/feature/2010/05/11/great\_recession\_world\_war\_iv]

If history is any guide, an era of global economic stagnation will help the

AND

Eurasia, Eastasia and Oceania in 1984 is all too easy to imagine.

#### Saudi Arabia will dump the dollar and collapse US leadership

Nyquist, Financial Sense geopolitical analyst, 11-4-13

[JR, “America, Saudi Arabia, and the Dollar” <http://www.financialsense.com/contributors/jr-nyquist/america-saudi-arabia-dollar>, accessed 1-22-14, TAP]

The alliance between the United States and Saudi Arabia has been strategically important for both

AND

privileged financial position. There does not appear to be a third choice.

#### That triggers a transition to multipolarity, causing multiple wars

Khalilzad, former U.S. ambassador to Afghanistan, Iraq, and the UN, 2-8-11

(Zalmay, United States ambassador to Afghanistan, Iraq, and the United Nations during the presidency of George W. Bush and the director of policy planning at the Defense Department from 1990 to 1992, National Review Online, “The Economy and National Security,” http://www.nationalreview.com/articles/259024/economy-and-national-security-zalmay-khalilzad, accessed 2-8-11, CMM)

Today, economic and fiscal trends pose the most severe long-term threat to

AND

to work our way through the kind of crisis that we face today.

### Solvency

#### Contention 3: Solvency

#### Ex ante review by a drone court solves group think.

Chehab, Georgetown Law Center, 12

[Ahmad, 3-30-12, “Retrieving the Role of Accountability in the Targeted Killings Context: A Proposal for Judicial Review” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2031572, p.33-4, accessed 9-15-13, TAP]

To check the vices of groupthink and shortcomings of human judgment, the psychology literature

AND

choices and evaluate available alternatives than when subject to little to no review.

#### Executive secrecy guts support for drones – a drone court garners legitimacy for the drone program.

Johnson, former Pentagon general counsel, 3-18-13

[Jeh Charles, “Keynote address at the Center on National Security at Fordham Law School: A “Drone Court”: Some Pros and Cons” <http://www.lawfareblog.com/2013/03/jeh-johnson-speech-on-a-drone-court-some-pros-and-cons/>, accessed 9-3-13, TAP]

Thank you for this invitation. Today I want to join the current public debate

AND

who actually wouldn’t mind the added comfort of judicial imprimatur on their decisions.

#### Congress can establish an effective drone court – Congressional involvement creates credibility of drone strikes with the public.

McKelvey, Vanderbilt University JD Candidate, 11

[Benjamin, Vanderbilt journal of transnational law editorial board executive development editor, Vol 44, “Due Process Rights and the Targeted Killing of Suspected Terrorists: The Unconstitutional Scope of Executive Killing Power” http://www.vanderbilt.edu/jotl/manage/wp-content/uploads/mckelvey-pdf.pdf, p.1378-9, accessed 9-15-13, TAP]

As the Aulaqi case demonstrates, any resolution to the problem ¶ of targeted killing

AND

the use of all ¶ peaceful measures before lethal force is pursued.212

### New Card

#### The world is getting better – all measures proves.

Beauchamp, Think Progress, 12-11-13

[Zack, “5 Reasons Why 2013 Was The Best Year In Human” <http://thinkprogress.org/security/2013/12/11/3036671/2013-certainly-year-human-history/>, accessed 1-20-14, TAP]

Between the brutal civil war in Syria, the government shutdown and all of the

AND

we’re better off.¶ 3. War is becoming rarer and less deadly.¶

APTOPIX Mideast Libya¶ CREDIT: AP PHOTO/ MANU BRABO¶ Another massive conflict

AND

paid off. It’s up to us to make sure they continue to.

## 2ac

### Disclosure Good

#### 1. Argument quality – our interpretation increases it substantially – rigorous testing is key to argument improvement – disclosure is key

Torvalds, Linux creator, and Diamond, New York Times contributor, 1

[Linus (Creator of Linux) and David (freelance contributor to the New York Times and Business Week); November/December; Educause Review; “Why Open Source Makes Sense”; <http://net.educause.edu/ir/library/pdf/erm01613.pdf>, p. 71-2, accessed 2-6-14, AFB]

It's the best illustration of the limitless benefits to be derived from the open

AND

an operating system for web servers, and in its unexpectedly generous IPOs.

What was inspired by ideology has proved itself as technology and is working in the

AND

another context: With a million eyes, all software bugs will vanish.)

It's a wrinkle on how academic research has been conducted for years, but one

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available, people realise the tight-fisted approach is becoming increasingly outmoded.

The theory behind open source is simple. In the case of an operating system

AND

speedily and successfully than if the work were being conducted behind closed doors.

That's what we experienced with Linux. Imagine: Instead of a tiny cloistered development

AND

a technology popular. When the money rolls in, people get convinced.

One of the least understood pieces of the open source puzzle is how so many

AND

earn the esteem of their peers. That's got to be highly motivating.

#### 3. Fairness—open source reduces entry barriers and solves resource disparities

Antonucci, debate coach, 5

[Michael, 12-8-5, Edebate, “[eDebate] open source? resp to Morris”; December 8; <http://cedadebate.org/pipermail/mailman/2005-December/060990.html>, accessed 2-6-14, AFB]

a. Open source systems are preferable to the various punishment proposals in circulation.

AND

-cutter's work than send the KGB after specific counter-revolutionary teams.

### 2ac – Framework – Short

#### 6. The absolutism of their alternative results in tunnel vision – evaluate consequences.

Isaac, Indiana University James H. Rudy Professor of Political Science and Center for the Study of Democracy and Public Life director, Spring 2002

(Jeffrey C. “Ends, Means, and Politics,” Dissent Magazine Vol. 49 Issue 2, p32)

Power is not a dirty word or an unfortunate feature of the world. It

AND

not true believers. It promotes arrogance. And it undermines political effectiveness.

#### Constructing prior questions doesn’t disprove the aff – it results in generalizations and inaction.

Owen, University of Southampton political theory professor, 2002

[David, Millennium Journal of International Studies, Vol 31 No 3, “Re-orienting International Relations: On Pragmatism, Pluralism, and Practical Reason” Sagepub, accessed 9-30-13, TAP]

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a]¶

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helped to promote the IR theory wars by motivating this¶ philosophical turn.

The first danger with the philosophical turn is that it has an inbuilt tendency to

AND

it¶ is not the only or even necessarily the most important kind.

The second danger run by the philosophical turn is that because prioritisation of ontology and

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the promotion of the pursuit of generality over that of empirical¶ validity.

The third danger is that the preceding two combine to encourage the¶ formation of

AND

first¶ and second dangers, and so a potentially vicious circle arises.

#### C. Whiteness not the root cause of the aff – it’s too sweeping.

Shelby, Harvard University African and African American Studies professor, 2005

[Tommie, also a philosophy professor at Harvard, “We Who Are Dark: The Philosophical Foundations of Black Solidarity” <http://books.google.com/books?id=8W7W6F3fCPkC&q=others+might+challenge#v=snippet&q=others%20might%20challenge&f=false>, p.147-8, accessed 10-23-13, TAP]

Others might challenge the distinction between ideological and structural causes of black disadvantage, on

AND

racism or when such policies are unfairly applied by racially biased public officials.

There are very real empirical difficulties in determining the specific causal significance of the factors

AND

legislators and those they represent cannot simply defer to social-scientific experts.

We must instead rely on open public debate—among politicians, scholars, policy

AND

developments (such as immigration policy or reduced federal funding for higher education).

#### Alt doesn’t solve – legal discourse and implementation are key.

Mellor, European University Institute Graduate Student, 13

(Ewan E. Mellor, “Why policy relevance is a moral necessity: Just war theory, impact, and UAVs,” Paper Prepared for BISA Conference 2013, http://www.academia.edu/4175480/Why\_policy\_relevance\_is\_a\_moral\_necessity\_Just\_war\_theory\_impact\_and\_UAVs, accessed 10-20-13, CMM)

This section of the paper considers more generally the need for just war theorists to

AND

the public engagement and political activism that are necessary for democratic politics.52

#### AND The alt is vague – that’s a reason to reject the team because it makes them a moving target that we can’t test to determine if it is true, and vague alts fail – utopianism doesn’t hit the ground.

Farber, City University of New York Brooklyn College political science professor, 9-13-12

[Samuel, “Occupy Wall Street and the Art of Demanding” <http://truth-out.org/opinion/item/11507-occupy-wall-street-and-the-art-of-demanding>, accessed 9-15-12, TAP]

The OWS reluctance to formulate demands might have been beneficial initially in that it might

AND

where they are – to point B – where they want to be.

#### Don’t prioritize certain knowledge.

Conway, Penn State University philosophy professor, 1997

[Daniel, “Nietzsche and the political” <http://www.amazon.com/Nietzsche-Political-Thinking-Daniel-Conway/dp/0415100682>, p.135-6, accessed 1-6-14, TAP]

This preference is clearly political in nature, and Haraway makes no pretense of aspiring

AND

at the expense of the greater objectivity that they might otherwise have gained.

#### 5. Case turns the K, not the other way around

Joshua Goldstein, American University International Relations Professor, 2001, “War and Gender: How Gender Shapes the War System and Vice Versa,” p.411-412

I began this book hoping to contribute in some way to a deeper understanding of

AND

on injustice as the main cause of war seems to be empirically inadequate.

#### 6. Structural violence doesn’t escalate – prefer proximate causes

Hinde and Pulkkinnen, Cambridge psychology professor and University of Jyväskylä psychology professor, 2000

[Robert and Lea,  [DRAFT Background Paper for Working Group 1: HUMAN AGGRESSIVENESS AND WAR, 50th Pugwash Conference On Science and World Affairs: "Eliminating the Causes of War" Queens' College, Cambridge , UK, 3-8 August <http://www.pugwash.org/reports/pac/pac256/WG1draft1.htm>](http://www.pugwash.org/reports/pac/pac256/WG1draft1.htm)]

People are capable of perpetrating the most terrible acts of violence on their fellows.

AND

multiple causes, and the interactions between the causal factors remain largely unexplored.

### 2ac – Natives

#### Focus on space juxtaposes Indigenous sovereignty to the West – this devalues the fundamental basis of Indigenous sovereignty.

Calderón, UCLA School of Education and Information Studies PhD candidate, 2006

[Dolores, J.D., UCLA Journal of Education and Information Studies, 2(1), “Review: Red Pedagogy: Native American Social and Political Thought by Sandy Grande” <http://escholarship.org/uc/item/3qp8c635>, p.3, accessed 2-5-13, TAP]

To illustrate, Grande’s indigenous theory of subjectivity presented in¶ Chapter Four is both

AND

observation, and¶ thus the best and primary foundations for tribal sovereignty.

#### You are rendering Natives knowable objects – that just allows for colonial power to reassert itself.

Smith, University of California Riverside cultural studies professor, 12-13-13

[Andrea, “The Problem with Privilege” http://andrea366.wordpress.com/author/andrea366/, accessed 3-18-14, TAP]

The presupposition is that Indigenous peoples are oppressed because they are not sufficiently known or

AND

and analyses that speak to a beyond settler colonialism and are hence unknowable.

#### Voting neg is the equivalent to reparations – that doesn’t serve justice to Natives.

Tillotson, Old Dominion University, 2002

[Tammy, “Reparation for Native Americans: Another Trail of Tears” <http://bolesblogs.com/2002/01/16/reparation-for-native-americans-another-trail-of-tears/#more-1515>, accessed 3-19-14, TAP]

Native Americans were here first. We took their land while generously doling out reservations

AND

they should have nothing else to complain about, when indeed they do.

#### No terminal uniqueness – living conditions are improving.

Adamson, First Peoples Worldwide founder and president, 2009

[Rebecca, “Challenges to Native American Advancement: The Recession and Native America” [https://www.google.com/search?q=native+american+poverty%2C+decreasing&aq=f&oq=native+american+poverty%2C+decreasing&aqs=chrome.0.57.4413&sourceid=chrome&ie=UTF-8#hl=en&safe=off&sclient=psy-ab&q=%22native+american+lives+are+improving%22+twenty-first+century&oq=%22native+american+lives+are+improving%22+twenty-first+century&gs\_l=serp.3...84617.103587.0.103881.53.43.9.0.0.0.238.4248.26j14j3.43.0...5.0...1c.1.7.psy-ab.yhXfw9o1HOE&pbx=1&bav=on.2,or.r\_cp.r\_qf.&fp=ee43abfe2c3d4bbc&biw=1304&bih=683](https://www.google.com/search?q=native+american+poverty%2C+decreasing&aq=f&oq=native+american+poverty%2C+decreasing&aqs=chrome.0.57.4413&sourceid=chrome&ie=UTF-8#hl=en&safe=off&sclient=psy-ab&q=%22native+american+lives+are+improving%22+twenty-first+century&oq=%22native+american+lives+are+improving%22+twenty-first+century&gs_l=serp.3...84617.103587.0.103881.53.43.9.0.0.0.238.4248.26j14j3.43.0...5.0...1c.1.7.psy-ab.), p.5, accessed 3-31-13, TAP]

These are exciting times to be a Native American.¶ The century-old movement

AND

that harness the power of the sun and¶ wind to produce electricity.

#### Corporations fill in – that’s uniquely worse

Mary Christina **Wood**, **Oregon Law Professor**, **1994**

(“Protecting the Attributes of Native Sovereignty” Utah Law Review, p. L/N)

A barrage of recent development proposals directed to tribes starkly demonstrates an intense modern pressure

AND

dynamics and deference to tribes ushered in by the Self-Determination era.

#### The aff leads to transition wars and collapses heg.

James **Aune**, Texas A&M Communications Professor**, 2000**

[Selling the Free Market: the Rhetoric of Economic Correctness]

Strangely enough, if taken seriously as a prescription for policy, the essay contradicts

AND

the bourgeoisie – to implement its proposals in the teeth of popular resistance.

#### They’ve called us "settlers". That term offends many Native People because of what it implies about their Native ancestors. Means we can win a net turn within the Neg Framework.

Johansen, University of Nebraska Omaha communication professor, 2007

[Bruce Elliott, “The Praeger Handbook on Contemporary Issues in Native America: Linguistic, Ethnic, and Economic Revival” <http://books.google.com/books?id=zl8b2Pt0hdIC&pg=PR12&lpg=PR12&dq=bruce+elliott+johansen,+%22Language+has+meaning%22&source=bl&ots=_MCE5hIrtG&sig=LWDsr9v9mVsfpgsZcJeCGZdbAjA&hl=en&sa=X&ei=oTAqU879AefI0AG-mIGgCg&ved=0CCcQ6AEwAA#v=onepage&q=bruce%20elliott%20johansen%2C%20%22Language%20has%20meaning%22&f=false>, p.xii, accessed 3-19-14, TAP]

Language has meaning, although we often speak as a matter of assumption without forethought

AND

often fits, however, and I use the term under those conditions.

### 2ac – Afro-Pessimism K

#### Reject the totalizing pessimism of the alt – optimism is the only starting point that solves.

Hooks, City Univeristy New York English professor, 1996

[bell, “Killing Rage: Ending Racism” <http://books.google.com/books?id=3JlNFYKLheUC&q=unitary+representations#v=snippet&q=unitary%20representations&f=false>, p.249-50, accessed 3-21-14, TAP]

269More than ever before in our history, black Americans are succumbing to and internalizing

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tance will emerge everywhere. That is where we must go from here.

#### Slavery doesn’t prove social death – generations of data disprove their argument.

Brown, Harvard University African American studies professor, 2009

[Vincent, American Historical Review, “Social Death and Political Life in the Study of Slavery” <http://history.fas.harvard.edu/people/faculty/documents/brown-socialdeath.pdf>, p.1235-41, accessed 1-4-13, TAP]

1235-1241¶ Specters of the Atlantic is a compellingly sophisticated study of the

AND

actually generate culture, politics, and consequential action by the enslaved.26

#### Trends all point toward equality – the world is getting better even if it isn’t getting perfect.

Currie, American Enterprise Institute The American Magazine managing editor, 2008

[Duncan, “The Long March of Racial Progress” <http://www.american.com/archive/2008/november-11-08/the-long-march-of-racial-progress/>, accessed 10-23-13, TAP]

The story of race relations in America is one of extraordinary change and transformation.¶

AND

, about 14 percent of young black husbands were married to white women.”

### 2ac – State Good

#### The state can be used strategically to fight racism – it is a DA to the alt.

Smith, Associate Professor of Media and Cultural Studies at UC Riverside, 12

(Andrea, “The Moral Limits of the Law: Settler Colonialism and the Anti-Violence Movement,” settler colonial studies 2, 2 (2012) Special Issue: Karangatia: Calling Out Gender and Sexuality in Settler Societies, http://www.tandfonline.com/doi/pdf/10.1080/2201473X.2012.10648842, accessed 10-18-13, CMM)

**Given the logics of settler colonialism, it may seem to be a hopeless contradiction**

**AND**

strategic effects rather than based on the moral statements **they propose to make?**

### 2ac – Wounded Attachments K [:40]

#### DA to the alt – identity politics perpetuates oppression.

Bhambra, University of Warwick sociology professor, and Margree, University of Brighton cultural studies professor, 2010

[Gurminder and Victoria, “Identity Politics and the Need for a ‘Tomorrow’” <http://www.academia.edu/471824/Identity_Politics_and_the_Need_for_a_Tomorrow_>, p.62-4, accessed 11-11-13, TAP]

2 The Reification of Identity We wish to turn now to a related problem within

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cases, group activity operates to maintain and reproduce the identity created by injury

(exclusion) rather than– and indeed, often in opposition to – resolving

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to the identity being foreclosed through its attention to past-based grievances.

## 1ar

### Util

#### Use util

Schell, 2K (policy analyst and proliferation expert, Jonathan, “The Fate of the Earth”, p. 94-5 \*This card has been gender-modified)

To say that human extinction is a certainty would, of course, be a misrepresentation—just as it would be a misrepresentation to say that extinction can be ruled out. To begin with, we know that a holocaust may not occur at all. If one does occur, the adversaries may not use all their weapons. If they do use all their weapons, the global effects, in the ozone and elsewhere, may be moderate. And if the effects are not moderate but extreme, the ecosphere may prove resilient enough to withstand them without breaking down catastrophically. These are all substantial reasons for supposing that mankind will not be extinguished in a nuclear holocaust, or even that extinction in a holocaust is unlikely, and they tend to calm our fear and reduce our sense of urgency. Yet at the same time we are compelled to admit that there may be a holocaust, that the adversaries may use all their weapons, that the global effects, including effects of which we are as yet unaware, may be severe, that the ecosphere may suffer catastrophic breakdown, and that our species may be extinguished. We are left with uncertainty, and are forced to make our decisions in a state of uncertainty. If we wish to act to save our species, we have to muster our resolve in spite of our awareness that the life of the species may not now in fact be jeopardized. On the other hand, if we wish to ignore the peril, we have to admit that we do so in the knowledge that the species may be in danger of imminent self-destruction. When the existence of nuclear weapons was made known, thoughtful people everywhere in the world realized that if the great powers entered into a nuclear-arms race the human species would sooner or later face the possibility of extinction. They also realized that in the absence of international agreements preventing it an arms race would probably occur. They knew that the path of nuclear armament was a dead end for mankind. The discovery of the energy in mass—of “the basic power of the universe”—and of a means by which man could release that energy altered the relationship between [humans] and the source of [their] life, the earth. In the shadow of this power, the earth became small and the life of the human species doubtful. In that sense, the question of human extinction has been on the political agenda of the world ever since the first nuclear weapon was detonated, and there was no need for the world to build up its present tremendous arsenals before starting to worry about it. At just what point the species crossed, or will have crossed, the boundary between merely having the technical knowledge to destroy itself and actually having the arsenals at hand, ready to be used at any second, is not precisely knowable. But it is clear that at present, with some twenty thousand megatons of nuclear explosive power in existence, and with more being added every day, we have entered into the zone of uncertainty, which is to say the zone of risk of extinction. But the mere risk of extinction has a significance that is categorically different from, and immeasurably greater than, that of any other risk, and as we make our decisions we have to take that significance into account. Up to now, every risk has been contained within the frame of life; extinction would shatter the frame. It represents not the defeat of some purpose but an abyss in which all human purposes would be drowned for all time. We have no right to place the possibility of this limitless, eternal defeat on the same footing as risks that we run in the ordinary conduct of our affairs in our particular transient moment of human history. To employ a mathematical analogy, we can say that although the risk of extinction may be fractional, the stake is, humanly speaking, infinite, and a fraction of infinity is still infinity. In other words, once we learn that a holocaust might lead to extinction we have no right to gamble, because if we lose, the game will be over, and neither we nor anyone else will ever get another chance. Therefore, although, scientifically speaking, there is all the difference in the world between the mere possibility that a holocaust will bring about extinction and the certainty of it, morally they are the same, and we have no choice but to address the issue of nuclear weapons as though we knew for a certainty that their use would put an end to our species. In weighing the fate of the earth and, with it, our own fate, we stand before a mystery, and in tampering with the earth we tamper with a mystery. We are in deep ignorance.

### State Good

#### Disavowing the morality of the state while pushing for legal reforms solves best.

Smith, Associate Professor of Media and Cultural Studies at UC Riverside, 12

(Andrea, “The Moral Limits of the Law: Settler Colonialism and the Anti-Violence Movement,” settler colonial studies 2, 2 (2012) Special Issue: Karangatia: Calling Out Gender and Sexuality in Settler Societies, http://www.tandfonline.com/doi/pdf/10.1080/2201473X.2012.10648842, accessed 10-18-13, CMM)

In the debates prevalent **within Native sovereignty and racial justice movements, we are often**

**AND**

**an alternative system to the heteropatriarchal, white supremacist, settler colonial state.**