# r2 neg v. arizona state cr

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#### The aff isn't topical:

#### A. Increase is net increase

**Rogers, 5** (Judge, STATE OF NEW YORK, ET AL., PETITIONERS v. U.S. ENVIRONMENTAL PROTECTION AGENCY, RESPONDENT, NSR MANUFACTURERS ROUNDTABLE, ET AL., INTERVENORS, 2005 U.S. App. LEXIS 12378, \*\*; 60 ERC (BNA) 1791, 6/24, lexis)

 [\*\*48]  Statutory Interpretation. HN16While the CAA defines a "modification" as any physical or operational change that "increases" emissions, it is silent on how to calculate such "increases" in emissions. 42 U.S.C. § 7411(a)(4). According to government petitioners, the lack of a statutory definition does not render the term "increases" ambiguous, but merely compels the court to give the term its "ordinary meaning." See Engine Mfrs.Ass'nv.S.Coast AirQualityMgmt.Dist., 541 U.S. 246, 124 S. Ct. 1756, 1761, 158 L. Ed. 2d 529(2004); Bluewater Network, 370 F.3d at 13; Am. Fed'n of Gov't Employees v. Glickman, 342 U.S. App. D.C. 7, 215 F.3d 7, 10 [\*23]  (D.C. Cir. 2000). Relying on two "real world" analogies, government petitioners contend that the ordinary meaning of "increases" requires the baseline to be calculated from a period immediately preceding the change. They maintain, for example, that in determining whether a high-pressure weather system "increases" the local temperature, the relevant baseline is the temperature immediately preceding the arrival of the weather system, not the temperature five or ten years ago. Similarly,  [\*\*49]  in determining whether a new engine "increases" the value of a car, the relevant baseline is the value of the car immediately preceding the replacement of the engine, not the value of the car five or ten years ago when the engine was in perfect condition.

#### B. Detention takes the forms of criminal, preventative, and interrogative detention—vagueness causes misunderstanding and advocacy failure

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(Monica, “REALITY CHECK: DETENTION IN THE WAR ON TERROR”, 62 Cath. U.L. Rev. 325, Winter 2013, lexis, dml)

Our conceptual vocabulary has not kept pace with experience. Although legal experts, the press, and the public rely on one generic term, "detention," [\*328] the U.S. executive branch has actually practiced **at least three different modes of detention** in the "war on terror": criminal detention, national security detention for the purpose of prevention (preventive detention), and national security detention for the purpose of interrogation (interrogative detention). **Reliance on an overgeneralized term glosses over important distinctions with serious practical effects**. When the general term "detention" in current usage is taken to mean only "criminal detention," it reflects a misunderstanding of what national security experts are actually working on. Framing the issue so narrowly leads to limited effectiveness in persuasion or diagnosis, insofar as it fails to take into account some of the organizational and ethical features of the domain of national security or results in misrecognitionof some kinds of executive branch conduct. Reconceiving detention based on observation of its actual practice should **yield clarity and specificity that will serve** future advocacy efforts.

#### C. Restrictions must refer to a specific statutory source on which to base prohibitions—asserting illegitimacy isn't the same

**Bradley, 10** - \* Richard A. Horvitz Professor of Law and Professor of Public Policy Studies, Duke Law School (Curtis, “CLEAR STATEMENT RULES AND EXECUTIVE WAR POWERS” <http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=2730&context=faculty_scholarship>)

The scope of the President’s independent war powers is **notoriously unclear**, and courts are understandably reluctant to issue constitutional rulings that might deprive the federal government as a whole of the flexibility needed to respond to crises. As a result, courts often look for signs that Congress has either supported or opposed the President’s actions and rest their decisions on statutory grounds. This is essentially the approach outlined by Justice Jackson in his concurrence in Youngstown.1 For the most part, the Supreme Court has also followed this approach in deciding executive power issues relating to the war on terror. In Hamdi v. Rumsfeld, for example, Justice O’Connor based her plurality decision, which allowed for military detention of a U.S. citizen captured in Afghanistan, on Congress’s September 18, 2001, Authorization for Use of Military Force (AUMF).2 Similarly, in Hamdan v. Rumsfeld, the Court grounded its disallowance of the Bush Administration’s military commission system on what it found to be congressionally imposed restrictions.3 The Court’s decision in Boumediene v. Bush4 might seem an aberration in this regard, but it is not. Although the Court in Boumediene did rely on the Constitution in holding that the detainees at Guantanamo have a right to seek habeas corpus re‐ view in U.S. courts, it did not impose any specific restrictions on the executive’s detention, treatment, or trial of the detainees.5 In other words, Boumediene was more about preserving a role for the courts than about prohibiting the executive from exercising statutorily conferred authority.

#### D. Authority is distinct from power—action must target the permission delegated by a principal

**Taylor, 96** – professor of law at Georgia State (Ellen, “New and Unjustified Restrictions on Delaware Directors' Authority” 21 Del. J. Corp. L. 870 (1996), Hein Online)

The term authority is commonly thought of in the context of the law of agency, and the Restatement (Second) of Agency defines both power and authority.'89 Power refers to an agent's ability or capacity to produce a change in a legal relation (whether or not the principal approves of the change), and authority refers to the power given (permission granted) to the agent by the principal to affect the legal relations of the principal; the distinction is between what the agent can do and what the agent may do.

#### Vote neg:

#### 1. It’s the basis for neg prep which is key to engage affs without unreasonable demands on 2Ns—educational debates with viable workloads are key to any vision for the activity—also directly key to participation.

#### 2. War powers debates are good—without topicality, there’s a competitive incentive to avoid them and the neg ground associated—

**Kurr 2013** – Ph.D. student in the Communication Arts & Sciences program at Pennsylvania State University and a coach for the Penn State Debate Society (9/5, UVA Miller Center & CEDA Public Debate Series, “Bridging Competitive Debate and Public Deliberation on Presidential War Powers”, http://public.cedadebate.org/node/14)

Taken together, the connection between tournament competition and a public collaboration reorients the pedagogical function of debate. Gordon Mitchell and his colleagues comment on this possibility, “The debate tournament site’s potential to work as a translational pipeline for scholarly research presents unique opportunities for colleges and universities seeking to bolster their institutional infrastructure for undergraduate research” (Mitchell et al, 2010, p. 15). Indeed, the debate series affords competitors the opportunity to become part of the discussion and inform policymakers about potential positions, as opposed to the traditional reactionary format of hosting public debates at the season’s end. Empirically, these events had the effect of “giv[ing] voice to previously buried arguments” that “subject matter experts felt reticent to elucidate because of their institutional affiliations” (Mitchell, 2010, p. 107). Given the timeliness of the topic, these debates provide a new voice into the ongoing deliberation over war powers and help make the fruits of competitive research have a public purpose.

The second major function concerns the specific nature of deliberation over war powers. Given the connectedness between presidential war powers and the preservation of national security, deliberation is often difficult. Mark Neocleous describes that when political issues become securitized; it “helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms.” (2008, p. 71). Collegiate debaters, through research and competitive debate, serve as a bulwark against this “short-circuiting” and help preserve democratic deliberation. This is especially true when considering national security issues. Eric English contends, “The success … in challenging the dominant dialogue on homeland security politics points to efficacy of academic debate as a training ground.” Part of this training requires a “robust understanding of the switch-side technique” which “helps prevent misappropriation of the technique to bolster suspect homeland security policies” (English et. al, 2007, p. 224). Hence, competitive debate training provides foundation for interrogating these policies in public.

Alarmism on the issues of war powers is easily demonstrated by Obama’s repeated attempts to transfer detainees from Guantanamo Bay. Republicans were able to launch a campaign featuring the slogan, “not in my backyard” (Schor, 2009). By locating the nexus of insecurity as close as geographically possible, the GOP were able to instill a fear of national insecurity that made deliberation in the public sphere not possible. When collegiate debaters translate their knowledge of the policy wonkery on such issues into public deliberation, it serves to cut against the alarmist rhetoric purported by opponents.

In addition to combating misperceptions concerning detainee transfers, the investigative capacity of collegiate debate provides a constant check on governmental policies. A new trend concerning national security policies has been for the government to provide “status updates” to the public. On March 28, 2011, Obama gave a speech concerning Operation Odyssey Dawn in Libya and the purpose of the bombings. Jeremy Engels and William Saas describe this “post facto discourse” as a “new norm” where “Americans are called to acquiesce to decisions already made” (2013, p. 230). Contra to the alarmist strategy that made policy deliberation impossible, this rhetorical strategy posits that deliberation is not necessary. Collegiate debaters researching war powers are able to interrogate whether deliberation is actually needed. Given the technical knowledge base needed to comprehend the mechanism of how war powers operate, debate programs serve as a constant investigation into whether deliberation is necessary not only for prior action but also future action. By raising public awareness, there is a greater potential that “the public’s inquiry into potential illegal action abroad” could “create real incentives to enforce the WPR” (Druck, 2010, p. 236). While this line of interrogation could be fulfilled by another organization, collegiate debaters who translate their competitive knowledge into public awareness create a “space for talk” where the public has “previously been content to remain silent” (Engels & Saas, 2013, p. 231).

Given the importance of presidential war powers and the strategies used by both sides of the aisle to stifle deliberation, the import of competitive debate research into the public realm should provide an additional check of being subdued by alarmism or acquiescent rhetorics. After creating that space for deliberation, debaters are apt to influence the policies themselves. Mitchell furthers, “Intercollegiate debaters can play key roles in retrieving and amplifying positions that might otherwise remain sedimented in the policy process” (2010, p. 107). With the timeliness of the war powers controversy and the need for competitive debate to reorient publicly, the CEDA/Miller Center series represents a symbiotic relationship that ought to continue into the future. Not only will collegiate debaters become better public advocates by shifting from competition to collaboration, the public becomes more informed on a technical issue where deliberation was being stifled. As a result, debaters reinvigorate debate.

#### 3. Process education—this isn't a framework argument, it’s a call for specificity on debating the presidency—it’s a prior question to informed criticism

Mucher, 12 [“Malaise in the Classroom: Teaching Secondary Students about the Presidency” [Stephen Mucher](http://www.bard.edu/academics/faculty/faculty.php?action=details&id=1969) is assistant professor of history education in the Master of Arts in Teaching Program at Bard College, <http://www.hannaharendtcenter.org/?p=7741>]

Contemporary observers of secondary education have appropriately decried the startling lack of understanding most students possess of the American presidency. This critique should not be surprising. In textbooks and classrooms across the country, curriculum writers and teachers offer an abundance of disconnected facts about the nation’s distinct presidencies—the personalities, idiosyncrasies, and unique time-bound crises that give character and a simple narrative arc to each individual president. Some of these descriptions contain vital historical knowledge. Students should learn, for example, how a conflicted Lyndon Johnson pushed Congress for sweeping domestic programs against the backdrop of Vietnam or how a charismatic and effective communicator like Ronald Reagan found Cold War collaboration with Margaret Thatcher and Mikhail Gorbachev. But what might it mean to ask high school students to look across these and other presidencies to encourage more sophisticated forms of historical thinking? More specifically, what might teachers begin to do to promote thoughtful writing and reflection that goes beyond the respective presidencies and questions the nature of the executive office itself? And how might one teach the presidency, in Arendtian fashion, encouraging open dialogue around common texts, acknowledging the necessary uncertainty in any evolving classroom interpretation of the past, and encouraging flexibility of thought for an unpredictable future? By provocatively asking whether the president “matters,” the [2012 Hannah Arendt Conference](http://www.bard.edu/hannaharendtcenter/conference9-12/) provided an ideal setting for New York secondary teachers to explore this central pedagogical challenge in teaching the presidency. Participants in this special writing workshop, scheduled concurrently with the conference, attended conference panels and also retreated to consider innovative and focused approaches to teaching the presidency. Conference panels promoted a broader examination of the presidency than typically found in secondary curricula. A diverse and notable group of scholars urged us to consider the events and historical trends, across multiple presidencies, constraining or empowering any particular chief executive. These ideas, explored more thoroughly in the intervening writing workshops, provoked productive argument on what characteristics might define the modern American presidency. In ways both explicit and implicit, sessions pointed participants to numerous and complicated ways Congress, the judiciary, mass media, U.S. citizens, and the president relate to one another. This sweeping view of the presidency contains pedagogical potency and has a place in secondary classrooms. Thoughtful history educators should ask big questions, encourage open student inquiry, and promote civic discourse around the nature of power and the purposes of human institutions. But as educators, we also know that the aim and value of our discipline resides in place-and time-bound particulars that beg for our interpretation and ultimately build an evolving understanding of the past. Good history teaching combines big ambitious questions with careful attention to events, people, and specific contingencies. Such specifics are the building blocks of storytelling and shape the analogies students need to think through an uncertain future. Jimmy Carter’s oval office speech on July 15, 1979, describing a national “crisis of confidence” presented a unique case study for thinking about the interaction between American presidents and the populations the office is constitutionally obliged to serve. Workshop participants prepared for the conference by watching the [video footage](http://www.youtube.com/watch?v=KCOd-qWZB_g) from this address and reading parts of Kevin Mattson’s [history of the speech](http://www.nytimes.com/2009/07/15/books/excerpt-what-the-heck-mr-president.html). In what quickly became known as the “Malaise Speech,” Carter attempted a more direct and personal appeal to the American people, calling for personal sacrifice and soul searching, while warning of dire consequences if the nation did not own up to its energy dependencies. After Vietnam and Watergate, Carter believed, America needed a revival that went beyond policy recommendations. His television address, after a mysterious 10-day sequestration at Camp David, took viewers through Carter’s own spiritual journey and promoted the conclsions he drew from it. Today, the Malaise Speech has come to symbolize a failed Carter presidency. He has been lampooned, for example, on The Simpsons as our most sympathetically honest and humorously ineffectual former president. In one [episode](http://www.youtube.com/watch?v=D91IlKLtIH8), residents of Springfield cheer the unveiling of his presidential statue, emblazoned with “Malaise Forever” on the pedestal. Schools give the historical Carter even less respect. Standardized tests such as the NY Regents exam ask little if anything about his presidency. The Malaise speech is rarely mentioned in classrooms—at either the secondary or post-secondary levels. Similarly, few historians identify Carter as particularly influential, especially when compared to the leaders elected before and after him. Observers who mention his 1979 speeches are most likely footnoting a transitional narrative for an America still recovering from a turbulent Sixties and heading into a decisive conservative reaction. Indeed, workshop participants used writing to question and debate Carter’s place in history and the limited impact of the speech. But we also identified, through [primary sources](http://www.livingroomcandidate.org/commercials/1976) on the 1976 election and documents around the speech, ways for students to think expansively about the evolving relationship between a president and the people. A quick analysis of the [electoral map](http://en.wikipedia.org/wiki/File:1976prescountymap2.PNG) that brought Carter into office reminded us that Carter was attempting to convince a nation that looks and behaves quite differently than today. The vast swaths of blue throughout the South and red coastal counties in New York and California are striking. Carter’s victory map can resemble an electoral photo negative to what has now become a familiar and predictable image of specific [regional alignments](http://www.washingtonpost.com/wp-srv/politics/interactives/campaign08/election/uscounties.html) in the Bush/Obama era. The president who was elected in 1976, thanks in large part to an electorate still largely undefined by the later rise of the Christian Right, remains an historical enigma. As an Evangelical Democrat from Georgia, with roots in both farming and nuclear physics, comfortable admitting his sins in both Sunday School and Playboy, and neither energized by or defensive about abortion or school prayer, Carter is as difficult to image today as the audience he addressed in 1979. It is similarly difficult for us to imagine the Malaise Speech ever finding a positive reception. However, this is precisely what [Mattson](http://www.nytimes.com/2009/08/02/books/review/Bai-t.html) argues. Post-speech weekend polls gave Carter’s modest popularity rating a surprisingly respectable 11-point bump. Similarly, in a year when most of the president’s earlier speeches were ignored, the White House found itself flooded with phone calls and letters, almost universally positive. The national press was mixed and several prominent columnists praised the speech. This reaction to such an unconventional address, Mattson goes on to argue, suggests that the presidency can matter. Workshop participants who attended later sessions heard Walter Russell Mead reference the ways presidents can be seen as either transformative or transactional. In many ways, the “malaise moment” could be viewed as a late term attempt by a transactional president to forge a transformational presidency. In the days leading up to the speech, Carter went into self-imposed exile, summoning spiritual advisors to his side, and encouraging administration-wide soul searching. Such an approach to leadership, admirable to some and an act of desperation to others, defies conventions and presents an odd image of presidential behavior (an idea elaborated on by conference presenter Wyatt Mason). “Malaise” was never mentioned in Carter’s speech. But his transformational aspirations are hard to miss. In a nation that was proud of hard work, strong families, close-knit communities, and our faith in God, too many of us now tend to worship self-indulgence and consumption. Human identity is no longer defined by what one does, but by what one owns. But we've discovered that owning things and consuming things does not satisfy our longing for meaning. We've learned that piling up material goods cannot fill the emptiness of lives which have no confidence or purpose. It is this process—the intellectual act of interpreting Carter and his [in]famous speech as aberrant presidential behavior—that allows teachers and their students to explore together the larger question of defining the modern presidency. And it is precisely this purposeful use of a small number of primary sources that forces students to rethink, through writing and reflection, the parameters that shape how presidents relate to their electorate. In our workshop we saw how case studies, in-depth explorations of the particulars of history, precede productive debate on whether the presidency matters. The forgotten Carter presidency can play a disproportionately impactful pedagogical role for teachers interested in exploring the modern presidency. As any high school teacher knows, students rarely bring an open interpretive lens to Clinton, Bush, or Obama. Ronald Reagan, as the first political memory for many of their parents, remains a polarizing a figure. However, few students or their parents hold strong politically consequential opinions about Carter. Most Americans, at best, continue to view him as a likable, honest, ethical man who is much more effective as an ex-president than he was as president. Workshop participants learned that the initial support Carter received after the Malaise Speech faded quickly. Mattson and some members of the administration now argue that the President lacked a plan to follow up on the goodwill he received from a nation desiring leadership. Reading [Ezra Klein](http://m.newyorker.com/reporting/2012/03/19/120319fa_fact_klein), we also considered the possibility that, despite all the attention educators give to presidential speeches (as primary sources that quickly encapsulate presidential visions), there is little empirical evidence that any public address really makes much of a difference. In either case, Carter’s loss 16 months later suggests that his failures of leadership both transformational and transactional. Did Carter’s speech matter? The teachers in the workshop concluded their participation by attempting to answer this question, working collaboratively to draft a brief historical account contextualizing the 1979 malaise moment. In doing so, we engaged in precisely the type of activity missing in too many secondary school classrooms today: interrogating sources, corroborating evidence, debating conflicting interpretations, paying close attention to language, and doing our best to examine our underlying assumptions about the human condition. These efforts produced some clarity, but also added complexity to our understanding of the past and led to many additional questions, both pedagogical and historical. In short, our writing and thinking during the Arendt Conference produced greater uncertainty. And that reality alone suggests that study of the presidency does indeed matter.

#### Ignorance of strategic and tactical ends merely entrenches the status quo and denies other more progressive strategies – tactical disruptions are preferable to moral ones

Smith 2012 (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)

Aside from Derrick Bell, because racial and gender justice legal advocates are so invested in the morality of the law, there has not been sustained strategising on what other possible frameworks may be used. Bell provides some possibilities, but does not specifically engage alternative strategies in a sustained fashion. Thus, it may be helpful to look for new possibilities in an unexpected place, the work of anti-trust legal scholar Christopher Leslie. Again, the work of Leslie may seem quite remote from scholars and activists organizing against the logics of settler colonialism. But it may be the fact that Leslie is not directly engaging in social justice work that allows him to disinvest in the morality of the law in a manner which is often difficult for those who are directly engaged in social justice work to do. This disinvestment, I contend is critical for those who wish to dismantle settler colonialism to rethink their legal strategies. In ‘Trust, Distrust, and Anti-Trust’, Christopher Leslie explains that while the economic impact of cartels is incalculable, cartels are also unstable.18 Because cartel members cannot develop formal relationships with each other, they must develop partnerships based on informal trust mechanisms in order to overcome the famous ‘prisoners’ dilemma’. The prisoner’s dilemma, as described by Leslie, is one in which two prisoners are arrested and questioned separately with no opportunity for communication between them. There is enough evidence to convict both of minor crimes for a one year sentence but not enough for a more substantive sentence. The police offer both prisoners the following deal: if you confess and implicate your partner, and your partner does not confess, you will be set free and your partner will receive a ten-year sentence. If you confess, and he does as well, then you will both receive a five-year sentence. In this scenario, it becomes the rational choice for both to confess because if the first person does not confess and the second person does, the first person will receive a ten-year sentence. Ironically, however, while both will confess, it would have been in both of their interests not to confess. Similarly, Leslie argues, cartels face the prisoners’ dilemma. If all cartel members agree to fix a price, and abide by this price fixing, then all will benefit. However, individual cartel members are faced with the dilemma of whether or not they should join the cartel and then cheat by lowering prices. They fear that if they do not cheat, someone else will and drive them out of business. At the same time, by cheating, they disrupt the cartel that would have enabled them to all profit with higher prices. In addition, they face a second dilemma when faced with anti-trust legislation. Should they confess in exchange for immunity or take the chance that no one else will confess and implicate them? Cartel members can develop mechanisms to circumvent pressures. Such mechanisms include the development of personal relationships, frequent communication, goodwill gestures, etc. In the absence of trust, cartels may employ trust substitutes such as informal contracts and monitoring mechanisms. When these trust and trust substitute mechanisms break down, the cartel members will start to cheat, thus causing the cartel to disintegrate. Thus, Leslie proposes, anti-trust legislation should focus on laws that will strategically disrupt trust mechanisms. Unlike racial or gender justice advocates who focus on making moral statements through the law, Leslie proposes using the law for strategic ends, **even if the law makes a morally suspect statement.** For instance, in his article, ‘Anti-Trust Amnesty, Game Theory, and Cartel Stability’, Leslie critiques the federal Anti-Trust’s 1993 Corporate Lenience Policy that provided greater incentives for cartel partners to report on cartel activity. This policy provided ‘automatic’ amnesty for the first cartel member to confess, and decreasing leniency for subsequent confessors in the order to which they confessed. Leslie notes that this amnesty led to an increase of amnesty applications.19 However, Leslie notes that the effectiveness of this reform is hindered by the fact that the ringleader of the cartel is not eligible for amnesty. This policy seems morally sound. Why would we want the ringleader, the person who most profited from the cartel, to be eligible for amnesty? The problem, however, with attempting to make a moral statement through the law is that it is counter-productive if the goal is to actually break up cartels. If the ringleader is never eligible for amnesty, the ringleader becomes inherently trustworthy because he has no incentive to ever report on his partners. Through his inherent trustworthiness, the cartel can build its trust mechanisms. Thus, argues Leslie, the most effective way to destroy cartels is to render all members untrustworthy by granting all the possibility of immunity. While Leslie’s analysis is directed towards policy, it also suggests an alternative framework for pursuing social justice through the law, to employ it for its strategic effects rather than through the moral statements it purports to make. It is ironic that an anti-trust scholar such as Leslie displays less ‘trust’ in the law than do many anti-racist/anti-colonial activists and scholars who work through legal reform.20 It also indicates that it is possible to engage legal reform more strategically if one no longer trusts it. As Beth Richie notes, the anti-violence movement’s primary strategy for addressing gender violence was to articulate it as a crime.21 because it is presumed that the best way to address a social ill is to call it a ‘crime’, this strategy is then deemed the correct moral strategy. When this strategy backfires and does not end violence, and in many cases increases violence against women, it becomes difficult to argue against this strategy because it has been articulated in moral terms. If, however, we were to focus on legal reforms chosen for their strategic effects, it would be easier to change the strategy should our calculus of its strategic effects suggest so. **We would** also **be less complacent about the** legal **reforms we advocate** as has happened with most of the laws that have been passed on gender violence. Advocates presume that because they helped pass a ‘moral’ law, then their job is done. If, however, the criteria for legal reforms are their strategic effects, we would then be continually monitoring the operation of these laws to see if they were having the desired effects. For instance, since the primary reason women do not leave battering relationships is because they do not have another home to go, what if our legal strategies shifted from criminalising domestic violence to advocating affordable housing? While the shift from criminalisation may seem immoral, women are often removed from public housing under one strike laws in which they lose access to public housing if a ‘crime’ (including domestic violence) happens in their residence, whether or not they are the perpetrator. If our goal was actually to keep women safe, we might need to creatively rethink what legal reforms would actually increase safety.

### Framework

#### The aff should simulate government action—it’s the only predictable standard

**Ericson 3** (Jon M., Dean Emeritus of the College of Liberal Arts – California Polytechnic U., et al., The Debater’s Guide, Third Edition, p. 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow should in the should-verb combination. For example, should adopt here means to put a program or policy into action though governmental means. 4. A specification of directions or a limitation of the action desired. The phrase free trade, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

#### Switch side policy simulation is key to effective advocacy practice and critical thinking

Keller, et. al, 01 – Asst. professor School of Social Service Administration U. of Chicago (Thomas E., James K., and Tracly K., Asst. professor School of Social Service Administration U. of Chicago, professor of Social Work, and doctoral student School of Social Work, “Student debates in policy courses: promoting policy practice skills and knowledge through active learning,” Journal of Social Work Education, Spr/Summer 2001, EBSCOhost)

SOCIAL WORKERS HAVE a professional responsibility to shape social policy and legislation (National Association of Social Workers, 1996). In recent decades, the concept of policy practice has encouraged social workers to consider the ways in which their work can be advanced through active participation in the policy arena (Jansson, 1984, 1994; Wyers, 1991). The emergence of the policy practice framework has focused greater attention on the competencies required for social workers to influence social policy and placed greater emphasis on preparing social work students for policy intervention (Dear & Patti, 1981; Jansson, 1984, 1994; Mahaffey & Hanks, 1982; McInnis-Dittrich, 1994). The curriculum standards of the Council on Social Work Education (CSWE) require the teaching of knowledge and skills in the political process (CSWE, 1994). With this formal expectation of policy education in schools of social work, the best instructional methods must be employed to ensure students acquire the requisite policy practice skills and perspectives. The authors believe that structured student debates have great potential for promoting competence in policy practice and in-depth knowledge of substantive topics relevant to social policy. Like other interactive assignments designed to more closely resemble "real-world" activities, issue-oriented debates actively engage students in course content. Debates also allow students to develop and exercise skills that may translate to political activities, such as testifying before legislative committees. Finally, and perhaps most importantly, debates may help to stimulate critical thinking by shaking students free from established opinions and helping them to appreciate the complexities involved in policy dilemmas. Relationships between Policy Practice Skills, Critical Thinking, and Learning Policy practice encompasses social workers' "efforts to influence the development, enactment, implementation, or assessment of social policies" (Jansson, 1994, p. 8). Effective policy practice involves analytic activities, such as defining issues, gathering data, conducting research, identifying and prioritizing policy options, and creating policy proposals (Jansson, 1994). It also involves persuasive activities intended to influence opinions and outcomes, such as discussing and debating issues, organizing coalitions and task forces, and providing testimony. According to Jansson (1984,pp. 57-58), social workers rely upon five fundamental skills when pursuing policy practice activities: value-clarification skills for identifying and assessing the underlying values inherent in policy positions; conceptual skills for identifying and evaluating the relative merits of different policy options; interactional skills for interpreting the values and positions of others and conveying one's own point of view in a convincing manner; political skills for developing coalitions and developing effective strategies; and position-taking skills for recommending, advocating, and defending a particular policy. These policy practice skills reflect the hallmarks of critical thinking (see Brookfield, 1987; Gambrill, 1997). The central activities of critical thinking are identifying and challenging underlying assumptions, exploring alternative ways of thinking and acting, and arriving at commitments after a period of questioning, analysis, and reflection (Brookfield, 1987). Significant parallels exist with the policy-making process--identifying the values underlying policy choices, recognizing and evaluating multiple alternatives, and taking a position and advocating for its adoption. Developing policy practice skills seems to share much in common with developing capacities for critical thinking. R.W. Paul (as cited in Gambrill, 1997) states that critical thinkers acknowledge the imperative to argue from opposing points of view and to seek to identify weakness and limitations in one's own position. Critical thinkers are aware that there are many legitimate points of view, each of which (when thought through) may yield some level of insight. (p. 126) John Dewey, the philosopher and educational reformer, suggested that the initial advance in the development of reflective thought occurs in the transition from holding fixed, static ideas to an attitude of doubt and questioning engendered by exposure to alternative views in social discourse (Baker, 1955, pp. 36-40). Doubt, confusion, and conflict resulting from discussion of diverse perspectives "force comparison, selection, and reformulation of ideas and meanings" (Baker, 1955, p. 45). Subsequent educational theorists have contended that learning requires openness to divergent ideas in combination with the ability to synthesize disparate views into a purposeful resolution (Kolb, 1984; Perry, 1970). On the one hand, clinging to the certainty of one's beliefs risks dogmatism, rigidity, and the inability to learn from new experiences. On the other hand, if one's opinion is altered by every new experience, the result is insecurity, paralysis, and the inability to take effective action. The educator's role is to help students develop the capacity to incorporate new and sometimes conflicting ideas and experiences into a coherent cognitive framework. Kolb suggests that, "if the education process begins by bringing out the learner's beliefs and theories, examining and testing them, and then integrating the new, more refined ideas in the person's belief systems, the learning process will be facilitated" (p. 28). The authors believe that involving students in substantive debates challenges them to learn and grow in the fashion described by Dewey and Kolb. Participation in a debate stimulates clarification and critical evaluation of the evidence, logic, and values underlying one's own policy position. In addition, to debate effectively students must understand and accurately evaluate the opposing perspective. The ensuing tension between two distinct but legitimate views is designed to yield a reevaluation and reconstruction of knowledge and beliefs pertaining to the issue.

#### Those deliberative skills outweigh and turn the aff

Christian O. **Lundberg 10** Professor of Communications @ University of North Carolina, Chapel Hill, “Tradition of Debate in North Carolina” in Navigating Opportunity: Policy Debate in the 21st Century By Allan D. Louden, p. 311

The second major problem with the critique that identifies a naivety in articulating debate and democracy is that it presumes that the primary pedagogical outcome of debate is speech capacities. But the democratic capacities built by debate are not limited to speech—as indicated earlier, debate builds capacity for critical thinking, analysis of public claims, informed decision making, and better public judgment. If the picture of modem political life that underwrites this critique of debate is a pessimistic view of increasingly labyrinthine and bureaucratic administrative politics, rapid scientific and technological change outpacing the capacities of the citizenry to comprehend them, and ever-expanding insular special-interest- and money-driven politics, it is a puzzling solution, at best, to argue that these conditions warrant giving up on debate. If democracy is open to rearticulation, it is open to rearticulation precisely because as the challenges of modern political life proliferate, the citizenry's capacities can change, which is one of the primary reasons that theorists of democracy such as Ocwey in The Public awl Its Problems place such a high premium on education (Dewey 1988,63, 154). Debate provides an indispensible form of education in the modem articulation of democracy because it builds precisely the skills that allow the citizenry to research and be informed about policy decisions that impact them, to son rhroueh and evaluate the evidence for and relative merits of arguments for and against a policy in an increasingly infonnation-rich environment, and to prioritize their time and political energies toward policies that matter the most to them.

The merits of debate as a tool for building democratic capacity-building take on a special significance in the context of information literacy. John Larkin (2005, HO) argues that one of the primary failings of modern colleges and universities is that they have not changed curriculum to match with the challenges of a new information environment. This is a problem for the course of academic study in our current context, but perhaps more important, argues Larkin, for the future of a citizenry that will need to make evaluative choices against an increasingly complex and multimediatcd information environment (ibid-). Larkin's study tested the benefits of debate participation on information-literacy skills and concluded that in-class debate participants reported significantly higher self-efficacy ratings of their ability to navigate academic search databases and to effectively search and use other Web resources:

To analyze the self-report ratings of the instructional and control group students, we first conducted a multivariate analysis of variance on all of the ratings, looking jointly at the effect of instmction/no instruction and debate topic . . . that it did not matter which topic students had been assigned . . . students in the Instnictional [debate) group were significantly more confident in their ability to access information and less likely to feel that they needed help to do so----These findings clearly indicate greater self-efficacy for online searching among students who participated in (debate).... These results constitute strong support for the effectiveness of the project on students' self-efficacy for online searching in the academic databases. There was an unintended effect, however: After doing ... the project, instructional group students also felt more confident than the other students in their ability to get good information from Yahoo and Google. It may be that the library research experience increased self-efficacy for any searching, not just in academic databases. (Larkin 2005, 144)

Larkin's study substantiates Thomas Worthcn and Gaylcn Pack's (1992, 3) claim that debate in the college classroom plays a critical role in fostering the kind of problem-solving skills demanded by the increasingly rich media and information environment of modernity. Though their essay was written in 1992 on the cusp of the eventual explosion of the Internet as a medium, Worthcn and Pack's framing of the issue was prescient: the primary question facing today's student has changed from how to best research a topic to the crucial question of learning how to best evaluate which arguments to cite and rely upon from an easily accessible and veritable cornucopia of materials.

There are, without a doubt, a number of important criticisms of employing debate as a model for democratic deliberation. But cumulatively, the evidence presented here warrants strong support for expanding debate practice in the classroom as a technology for enhancing democratic deliberative capacities. The unique combination of critical thinking skills, research and information processing skills, oral communication skills, and capacities for listening and thoughtful, open engagement with hotly contested issues argues for debate as a crucial component of a rich and vital democratic life. In-class debate practice both aids students in achieving the best goals of college and university education, and serves as an unmatched practice for creating thoughtful, engaged, open-minded and self-critical students who are open to the possibilities of meaningful political engagement and new articulations of democratic life.

Expanding this practice is crucial, if only because the more we produce citizens that can actively and effectively engage the political process, the more likely we are to produce revisions of democratic life that are necessary if democracy is not only to survive, but to thrive. Democracy faces a myriad of challenges, including: domestic and international issues of class, gender, and racial justice; wholesale environmental destruction and the potential for rapid climate change; emerging threats to international stability in the form of terrorism, intervention and new possibilities for great power conflict; and increasing challenges of rapid globalization including an increasingly volatile global economic structure. More than any specific policy or proposal, an informed and active citizenry that deliberates with greater skill and sensitivity provides one of the best hopes for responsive and effective democratic governance, and by extension, one of the last best hopes for dealing with the existential challenges to democracy [in an] increasingly complex world.

#### Defending the topic is hard because it requires you to admit you could be wrong—that generates competitive respect and dialogue. Voting aff reinforces group polarization and choir preaching

**Talisse 2005** – philosophy professor at Vanderbilt (Robert, Philosophy & Social Criticism, 31.4, “Deliberativist responses to activist challenges”) \*note: gendered language in this article refers to arguments made by two specific individuals in an article by Iris Young

Nonetheless, the deliberativist conception of reasonableness differs from the activist’s in at least one crucial respect. On the deliberativist view, a necessary condition for reasonableness is the willingness not only to offer justifications for one’s own views and actions, but also to listen to criticisms, objections, and the justificatory reasons that can be given in favor of alternative proposals.

In light of this further stipulation, we may say that, on the deliberative democrat’s view, reasonable citizens are responsive to reasons, their views are ‘reason tracking’. Reasonableness, then, entails an acknowledgement on the part of the citizen that her current views are possibly mistaken, incomplete, and in need of revision. Reasonableness is hence a two-way street: the reasonable citizen is able and willing to offer justifications for her views and actions, but is also prepared to consider alternate views, respond to criticism, answer objections, and, if necessary, revise or abandon her views. In short, reasonable citizens do not only believe and act for reasons, they aspire to believe and act according to the best reasons; consequently, they recognize their own fallibility in weighing reasons and hence engage in public deliberation in part for the sake of improving their views.15 ‘Reasonableness’ as the deliberative democrat understands it is constituted by a willingness to participate in an ongoing public discussion that inevitably involves processes of self-examination by which one at various moments rethinks and revises one’s views in light of encounters with new arguments and new considerations offered by one’s fellow deliberators. Hence Gutmann and Thompson write:

Citizens who owe one another justifications for the laws that they seek to impose must take seriously the reasons their opponents give. Taking seriously the reasons one’s opponents give means that, at least for a certain range of views that one opposes, one must acknowledge the possibility that an opposing view may be shown to be correct in the future. This acknowledgement has implications not only for the way they regard their own views. It imposes an obligation to continue to test their own views, seeking forums in which the views can be challenged, and keeping open the possibility of their revision or even rejection.16 (2000: 172)

That Young’s activist is not reasonable in this sense is clear from the ways in which he characterizes his activism. He claims that ‘Activities of protest, boycott, and disruption are more appropriate means for getting citizens to think seriously about what until then they have found normal and acceptable’ (106); activist tactics are employed for the sake of ‘bringing attention’ to injustice and making ‘a wider public aware of institutional wrongs’ (107). These characterizations suggest the presumption that questions of justice are essentially settled; the activist takes himself to know what justice is and what its implementation requires. He also believes he knows that those who oppose him are either the power-hungry beneficiaries of the unjust status quo or the inattentive and unaware masses who do not ‘think seriously’ about the injustice of the institutions that govern their lives and so unwittingly accept them. Hence his political activity is aimed exclusively at enlisting other citizens in support of the cause to which he is tenaciously committed.

The activist implicitly holds that there could be no reasoned objection to his views concerning justice, and no good reason to endorse those institutions he deems unjust. The activist presumes to know that no deliberative encounter could lead him to reconsider his position or adopt a different method of social action; he ‘declines’ to ‘engage persons he disagrees with’ (107) in discourse because he has judged on a priori grounds that all opponents are either pathetically benighted or balefully corrupt. When one holds one’s view as the only responsible or just option, there is no need for reasoning with those who disagree, and hence no need to be reasonable.

According to the deliberativist, this is the respect in which the activist is unreasonable. The deliberativist recognizes that questions of justice are difficult and complex. This is the case not only because justice is a notoriously tricky philosophical concept, but also because, even supposing we had a philosophically sound theory of justice, questions of implementation are especially thorny. Accordingly, political philosophers, social scientists, economists, and legal theorists continue to work on these questions. In light of much of this literature, it is difficult to maintain the level of epistemic confidence in one’s own views that the activist seems to muster; thus the deliberativist sees the activist’s confidence as evidence of a lack of honest engagement with the issues. A possible outcome of the kind of encounter the activist ‘declines’ (107) is the realization that the activist’s image of himself as a ‘David to the Goliath of power wielded by the state and corporate actors’ (106) is naïve. That is, the deliberativist comes to see, through processes of public deliberation, that there are often good arguments to be found on all sides of an important social issue; reasonableness hence demands that one must especially engage the reasons of those with whom one most vehemently disagrees and be ready to revise one’s own views if necessary. Insofar as the activist holds a view of justice that he is unwilling to put to the test of public criticism, he is unreasonable. Furthermore, insofar as the activist’s conception commits him to the view that there could be no rational opposition to his views, he is literally unable to be reasonable. Hence the deliberative democrat concludes that activism, as presented by Young’s activist, is an unreasonable model of political engagement.

The dialogical conception of reasonableness adopted by the deliberativist also provides a response to the activist’s reply to the charge that he is engaged in interest group or adversarial politics. Recall that the activist denied this charge on the grounds that activism is aimed not at private or individual interests, but at the universal good of justice. But this reply also misses the force of the posed objection. On the deliberativist view, the problem with interest-based politics does not derive simply from the source (self or group), scope (particular or universal), or quality (admirable or deplorable) of the interest, but with the concept of interests as such. Not unlike ‘preferences’, ‘interests’ typically function in democratic theory as fixed dispositions that are non-cognitive and hence unresponsive to reasons. Insofar as the activist sees his view of justice as ‘given’ and not open to rational scrutiny, he is engaged in the kind of adversarial politics the deliberativist rejects.

The argument thus far might appear to turn exclusively upon different conceptions of what reasonableness entails. The deliberativist view I have sketched holds that reasonableness involves some degree of what we may call epistemic modesty. On this view, the reasonable citizen seeks to have her beliefs reflect the best available reasons, and so she enters into public discourse as a way of testing her views against the objections and questions of those who disagree; hence she implicitly holds that her present view is open to reasonable critique and that others who hold opposing views may be able to offer justifications for their views that are at least as strong as her reasons for her own. Thus any mode of politics that presumes that discourse is extraneous to questions of justice and justification is unreasonable. The activist sees no reason to accept this. Reasonableness for the activist consists in the ability to act on reasons that upon due reflection seem adequate to underwrite action; discussion with those who disagree need not be involved. According to the activist, there are certain cases in which he does in fact know the truth about what justice requires and in which there is no room for reasoned objection. Under such conditions, the deliberativist’s demand for discussion can only obstruct justice; it is therefore irrational.

It may seem that we have reached an impasse. However, there is a further line of criticism that the activist must face. To the activist’s view that at least in certain situations he may reasonably decline to engage with persons he disagrees with (107), the deliberative democrat can raise the phenomenon that Cass Sunstein has called ‘group polarization’ (Sunstein, 2003; 2001a: ch. 3; 2001b: ch. 1). To explain: consider that political activists cannot eschew deliberation altogether; they often engage in rallies, demonstrations, teach-ins, workshops, and other activities in which they are called to make public the case for their views. Activists also must engage in deliberation among themselves when deciding strategy. Political movements must be organized, hence those involved must decide upon targets, methods, and tactics; they must also decide upon the content of their pamphlets and the precise messages they most wish to convey to the press. Often the audience in both of these deliberative contexts will be a self-selected and sympathetic group of like-minded activists.

Group polarization is a well-documented phenomenon that has ‘been found all over the world and in many diverse tasks’; it means that ‘members of a deliberating group predictably move towards a more extreme point in the direction indicated by the members’ predeliberation tendencies’ (Sunstein, 2003: 81–2). Importantly, in groups that ‘engage in repeated discussions’ over time, the polarization is even more pronounced (2003: 86). Hence discussion in a small but devoted activist enclave that meets regularly to strategize and protest ‘should produce a situation in which individuals hold positions more extreme than those of any individual member before the series of deliberations began’ (ibid.).17

The fact of group polarization is relevant to our discussion because the activist has proposed that he may reasonably decline to engage in discussion with those with whom he disagrees in cases in which the requirements of justice are so clear that he can be confident that he has the truth. Group polarization suggests that deliberatively confronting those with whom we disagree is essential even when we have the truth. For even if we have the truth, if we do not engage opposing views, but instead deliberate only with those with whom we agree, our view will shift progressively to a more extreme point, and thus we lose the truth. In order to avoid polarization, deliberation must take place within heterogeneous ‘argument pools’ (Sunstein, 2003: 93). This of course does not mean that there should be no groups devoted to the achievement of some common political goal; it rather suggests that engagement with those with whom one disagrees is essential to the proper pursuit of justice. Insofar as the activist denies this, he is unreasonable.

### DA

#### A violent war on terror is the only way to solve – the plan undermines that

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Victory has usually been defined throughout the ages as forcing the enemy to accept certain political objectives. “Forcing” usually meant killing, capturing, or wounding men at arms. In today’s polite and politically correct society we seem to have forgotten that nasty but eternal truth in the confusing struggle to defeat radical Islamic terrorism. What stopped the imperial German army from absorbing France in World War I and eventually made the Kaiser abdicate was the destruction of a once magnificent army on the Western front — superb soldiers and expertise that could not easily be replaced. Saddam Hussein left Kuwait in 1991 when he realized that the U.S. military was destroying his very army. Even the North Vietnamese agreed to a peace settlement in 1973, given their past horrific losses on the ground and the promise that American air power could continue indefinitely inflicting its damage on the North. When an enemy finally gives up, it is for a combination of reasons — material losses, economic hardship, loss of territory, erosion of civilian morale, fright, mental exhaustion, internal strife. But we forget that central to a concession of defeat is often the loss of the nation’s soldiers — or even the threat of such deaths. A central theme in most of the memoirs of high-ranking officers of the Third Reich is the attrition of their best warriors. In other words, among all the multifarious reasons why Nazi Germany was defeated, perhaps the key was that hundreds of thousands of its best aviators, U-boaters, panzers, infantrymen, and officers, who swept to victory throughout 1939–41, simply perished in the fighting and were no longer around to stop the allies from doing pretty much what they wanted by 1944–45. After Stalingrad and Kursk, there were not enough good German soldiers to stop the Red Army. Even the introduction of jets could not save Hitler in 1945 — given that British and American airmen had killed thousands of Luftwaffe pilots between 1939 and 1943. After the near destruction of the Grand Army in Russia in 1812, even Napoleon’s genius could not restore his European empire. Serial and massive Communist offensives between November 1950 and April 1951 in Korea cost Red China hundreds of thousands of its crack infantry — and ensured that, for all its aggressive talk, it would never retake Seoul in 1952–53. But aren’t these cherry-picked examples from conventional wars of the past that have no relevance to the present age of limited conflict, terrorism, and insurgency where ideology reigns? Not really. We don’t quite know all the factors that contributed to the amazing success of the American “surge” in Iraq in 2007–08. Surely a number of considerations played a part: Iraqi anger at the brutish nature of al-Qaeda terrorists in their midst; increased oil prices that brought massive new revenues into the country; General Petraeus’s inspired counterinsurgency tactics that helped win over Iraqis to our side by providing them with jobs and security; much-improved American equipment; and the addition of 30,000 more American troops. But what is unspoken is also the sheer cumulative number of al Qaeda and other Islamic terrorists that the U.S. military killed or wounded between 2003 and 2008 in firefights from Fallujah to Basra. There has never been reported an approximate figure of such enemy dead — perhaps wisely, in the post-Vietnam age of repugnance at “body counts” and the need to create a positive media image. Nevertheless, in those combat operations, the marines and army not only proved that to meet them in battle was a near death sentence, but also killed thousands of low-level terrorists and hundreds of top-ranking operatives who otherwise would have continued to harm Iraqi civilians and American soldiers. Is Iraq relatively quiet today because many who made it so violent are no longer around? Contemporary conventional wisdom tries to persuade us that there is no such thing as a finite number of the enemy. Instead, killing them supposedly only incites others to step up from the shadows to take their places. Violence begets violence. It is counterproductive, and creates an endless succession of the enemy. Or so we are told. We may wish that were true. But military history suggests it is not quite accurate. In fact, there was a finite number of SS diehards and kamikaze suicide bombers even in fanatical Nazi Germany and imperial Japan. When they were attrited, not only were their acts of terror curtailed, but it turned out that far fewer than expected wanted to follow the dead to martyrdom. The Israeli war in Gaza is considered by the global community to be a terrible failure — even though the number of rocket attacks against Israeli border towns is way down. That reduction may be due to international pressure, diplomacy, and Israeli goodwill shipments of food and fuel to Gaza — or it may be due to the hundreds of Hamas killers and rocketeers who died, and the thousands who do not wish to follow them, despite their frequently loud rhetoric about a desire for martyrdom. Insurgencies, of course, are complex operations, but in general even they are not immune from eternal rules of war. Winning hearts and minds is essential; providing security for the populace is crucial; improving the economy is critical to securing the peace. But all that said, we cannot avoid the pesky truth that in war — any sort of war — killing enemy soldiers stops the violence. For all the much-celebrated counterinsurgency tactics in Afghanistan, note that we are currently in an offensive in Helmand province to “secure the area.” That means killing the Taliban and their supporters, and convincing others that they will meet a violent fate if they continue their opposition. Perhaps the most politically incorrect and Neanderthal of all thoughts would be that the American military’s long efforts in both Afghanistan and Iraq to kill or capture radical Islamists has contributed to the general safety inside the United States. Modern dogma insists that our presence in those two Muslim countries incited otherwise non-bellicose young Muslims to suddenly prefer violence and leave Saudi Arabia, Yemen, or Egypt to flock to kill the infidel invader. A more tragic view would counter that there was always a large (though largely finite) number of radical jihadists who, even before 9/11, wished to kill Americans. They went to those two theaters, fought, died, and were therefore not able to conduct as many terrorist operations as they otherwise would have, and also provided a clear example to would-be followers not to emulate their various short careers. That may explain why in global polls the popularity both of bin Laden and of the tactic of suicide bombing plummeted in the Middle Eastern street — at precisely the time America was being battered in the elite international press for the Iraq War. Even the most utopian and idealistic do not escape these tragic eternal laws of war. Barack Obama may think he can win over the radical Islamic world — or at least convince the more moderate Muslim community to reject jihadism — by means such as his Cairo speech, closing Guantanamo, trying Khalid Sheikh Mohammed in New York, or having General McChrystal emphatically assure the world that killing Taliban and al-Qaeda terrorists will not secure Afghanistan. Of course, such soft- and smart-power approaches have utility in a war so laden with symbolism in an age of globalized communications. But note that Obama has upped the number of combat troops in Afghanistan, and he vastly increased the frequency of Predator-drone assassination missions on the Pakistani border. Indeed, even as Obama damns Guantanamo and tribunals, he has massively increased the number of targeted assassinations of suspected terrorists — the rationale presumably being either that we are safer with fewer jihadists alive, or that we are warning would-be jihadists that they will end up buried amid the debris of a mud-brick compound, or that it is much easier to kill a suspected terrorist abroad than detain, question, and try a known one in the United States. In any case, the president — immune from criticism from the hard Left, which is angrier about conservative presidents waterboarding known terrorists than liberal ones executing suspected ones — has concluded that one way to win in Afghanistan is to kill as many terrorists and insurgents as possible. And while the global public will praise his kinder, gentler outreach, privately he evidently thinks that we will be safer the more the U.S. marines shoot Taliban terrorists and the more Hellfire missiles blow up al-Qaeda planners. Why otherwise would a Nobel Peace Prize laureate order such continued offensive missions? Victory is most easily obtained by ending the enemy’s ability to resist — and by offering him an alternative future that might appear better than the past. We may not like to think all of that entails killing those who wish to kill us, but it does, always has, and tragically always will — until the nature of man himself changes.

#### Risk is high now

Matthew, et al, 10/2/13 [ Bunn, Matthew, Valentin Kuznetsov, Martin B. Malin, Yuri Morozov, Simon Saradzhyan, William H. Tobey, Viktor I. Yesin, and Pavel S. Zolotarev. "Steps to Prevent Nuclear Terrorism." Paper, Belfer Center for Science and International Affairs, Harvard Kennedy School, October 2, 2013, Matthew Bunn. Professor of the Practice of Public Policy at Harvard Kennedy School andCo-Principal Investigator of Project on Managing the Atom at Harvard University’s Belfer Center for Science and International Affairs. • Vice Admiral Valentin Kuznetsov (retired Russian Navy). Senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, Senior Military Representative of the Russian Ministry of Defense to NATO from 2002 to 2008. • Martin Malin. Executive Director of the Project on Managing the Atom at the Belfer Center for Science and International Affairs. • Colonel Yuri Morozov (retired Russian Armed Forces). Professor of the Russian Academy of Military Sciences and senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, chief of department at the Center for Military-Strategic Studies at the General Staff of the Russian Armed Forces from 1995 to 2000. • Simon Saradzhyan. Fellow at Harvard University’s Belfer Center for Science and International Affairs, Moscow-based defense and security expert and writer from 1993 to 2008. • William Tobey. Senior fellow at Harvard University’s Belfer Center for Science and International Affairs and director of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, deputy administrator for Defense Nuclear Nonproliferation at the U.S. National Nuclear Security Administration from 2006 to 2009. • Colonel General Viktor Yesin (retired Russian Armed Forces). Leading research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences and advisor to commander of the Strategic Missile Forces of Russia, chief of staff of the Strategic Missile Forces from 1994 to 1996. • Major General Pavel Zolotarev (retired Russian Armed Forces). Deputy director of the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, head of the Information and Analysis Center of the Russian Ministry of Defense from1993 to 1997, section head - deputy chief of staff of the Defense Council of Russia from 1997 to 1998.<http://belfercenter.ksg.harvard.edu/publication/23430/steps_to_prevent_nuclear_terrorism.html>]

I. Introduction In 2011, Harvard’s Belfer Center for Science and International Affairs and the Russian Academy of Sciences’ Institute for U.S. and Canadian Studies published “The U.S. – Russia Joint Threat Assessment on Nuclear Terrorism.” The assessment analyzed the means, motives, and access of would-be nuclear terrorists, and concluded that the threat of nuclear terrorism is urgent and real. The Washington and Seoul Nuclear Security Summits in 2010 and 2012 established and demonstrated a consensus among political leaders from around the world that nuclear terrorism poses a serious threat to the peace, security, and prosperity of our planet. For any country, a terrorist attack with a nuclear device would be an immediate and catastrophic disaster, and the negative effects would reverberate around the world far beyond the location and moment of the detonation. Preventing a nuclear terrorist attack requires international cooperation to secure nuclear materials, especially among those states producing nuclear materials and weapons. As the world’s two greatest nuclear powers, the United States and Russia have the greatest experience and capabilities in securing nuclear materials and plants and, therefore, share a special responsibility to lead international efforts to prevent terrorists from seizing such materials and plants. The depth of convergence between U.S. and Russian vital national interests on the issue of nuclear security is best illustrated by the fact that bilateral cooperation on this issue has continued uninterrupted for more than two decades, even when relations between the two countries occasionally became frosty, as in the aftermath of the August 2008 war in Georgia. Russia and the United States have strong incentives to forge a close and trusting partnership to prevent nuclear terrorism and have made enormous progress in securing fissile material both at home and in partnership with other countries. However, to meet the evolving threat posed by those individuals intent upon using nuclear weapons for terrorist purposes, the United States and Russia need to deepen and broaden their cooperation. The 2011 “U.S. - Russia Joint Threat Assessment” offered both specific conclusions about the nature of the threat and general observations about how it might be addressed. This report builds on that foundation and analyzes the existing framework for action, cites gaps and deficiencies, and makes specific recommendations for improvement. “The U.S. – Russia Joint Threat Assessment on Nuclear Terrorism” (The 2011 report executive summary): • Nuclear terrorism is a real and urgent threat. Urgent actions are required to reduce the risk. The risk is driven by the rise of terrorists who seek to inflict unlimited damage, many of whom have sought justification for their plans in **radical interpretations of Islam;** by the spread of information about the decades-old technology of nuclear weapons; by the increased availability of weapons-usable nuclear materials; and by globalization, which makes it easier to move people, technologies, and materials across the world. • Making a crude nuclear bomb would not be easy, but is potentially within the capabilities of a technically sophisticated terrorist group, as numerous government studies have confirmed. Detonating a stolen nuclear weapon would likely be difficult for terrorists to accomplish, if the weapon was equipped with modern technical safeguards (such as the electronic locks known as Permissive Action Links, or PALs). Terrorists could, however, cut open a stolen nuclear weapon and make use of its nuclear material for a bomb of their own. • The nuclear material for a bomb is small and difficult to detect, making it a major challenge to stop nuclear smuggling or to recover nuclear material after it has been stolen. Hence, a primary focus in reducing the risk must be to keep nuclear material and nuclear weapons from being stolen by continually improving their security, as agreed at the Nuclear Security Summit in Washington in April 2010. • Al-Qaeda has sought nuclear weapons for almost two decades. The group has repeatedly attempted to purchase stolen nuclear material or nuclear weapons, and has repeatedly attempted to recruit nuclear expertise. Al-Qaeda reportedly conducted tests of conventional explosives for its nuclear program in the desert in Afghanistan. The group’s nuclear ambitions continued after its dispersal following the fall of the Taliban regime in Afghanistan. Recent writings from top al-Qaeda leadership are focused on justifying the mass slaughter of civilians, including the use of weapons of mass destruction, and are in all likelihood intended to provide a formal religious justification for nuclear use. While there are significant gaps in coverage of the group’s activities, al-Qaeda appears to have been frustrated thus far in acquiring a nuclear capability; it is unclear whether the the group has acquired weapons-usable nuclear material or the expertise needed to make such material into a bomb. Furthermore, pressure from a broad range of counter-terrorist actions probably has reduced the group’s ability to manage large, complex projects, but has not eliminated the danger. However, there is no sign the group has abandoned its nuclear ambitions. On the contrary, leadership statements as recently as 2008 indicate that the intention to acquire and use nuclear weapons is as strong as ever.

#### Extinction

Owen B. Toon 7, chair of the Department of Atmospheric and Oceanic Sciences at CU-Boulder, et al., April 19, 2007, “Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism,” online: http://climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf

To an increasing extent, people are congregating in the world’s great urban centers, creating megacities with populations exceeding 10 million individuals. At the same time, advanced technology has designed nuclear explosives of such small size they can be easily transported in a car, small plane or boat to the heart of a city. We demonstrate here that a single detonation in the 15 kiloton range can produce urban fatalities approaching one million in some cases, and casualties exceeding one million. Thousands of small weapons still exist in the arsenals of the U.S. and Russia, and there are at least six other countries with substantial nuclear weapons inventories. In all, thirty-three countries control sufficient amounts of highly enriched uranium or plutonium to assemble nuclear explosives. A conflict between any of these countries involving 50-100 weapons with yields of 15 kt has the potential to create fatalities rivaling those of the Second World War. Moreover, even a single surface nuclear explosion, or an air burst in rainy conditions, in a city center is likely to cause the entire metropolitan area to be abandoned at least for decades owing to infrastructure damage and radioactive contamination. As the aftermath of hurricane Katrina in Louisiana suggests, the economic consequences of even a localized nuclear catastrophe would most likely have severe national and international economic consequences. Striking effects result even from relatively small nuclear attacks because low yield detonations are most effective against city centers where business and social activity as well as population are concentrated. Rogue nations and terrorists would be most likely to strike there. Accordingly, an organized attack on the U.S. by a small nuclear state, or terrorists supported by such a state, could generate casualties comparable to those once predicted for a full-scale nuclear “counterforce” exchange in a superpower conflict. Remarkably, the estimated quantities of smoke generated by attacks totaling about one megaton of nuclear explosives could lead to significant global climate perturbations (Robock et al., 2007). While we did not extend our casualty and damage predictions to include potential medical, social or economic impacts following the initial explosions, such analyses have been performed in the past for large-scale nuclear war scenarios (Harwell and Hutchinson, 1985). Such a study should be carried out as well for the present scenarios and physical outcomes.

#### Terrorism studies are epistemologically valid---our authors are self-reflexive

Boyle, 08 – Michael J. Boyle, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

Jackson (2007c) calls for the development of an explicitly CTS on the basis of what he argues preceded it, dubbed ‘Orthodox Terrorism Studies’. The latter, he suggests, is characterized by: (1) its poor methods and theories, (2) its state centricity, (3) its problem-solving orientation, and (4) its institutional and intellectual links to state security projects. Jackson argues that the major defining characteristic of CTS, on the other hand, should be ‘a skeptical attitude towards accepted terrorism “knowledge”’. An implicit presumption from this is that terrorism scholars have laboured for all of these years without being aware that their area of study has an implicit bias, as well as definitional and methodological problems. In fact, terrorism scholars are not only well aware of these problems, but also have provided their own searching critiques of the field at various points during the last few decades (e.g. Silke 1996, Crenshaw 1998, Gordon 1999, Horgan 2005, esp. ch. 2, ‘Understanding Terrorism’). Some of those scholars most associated with the critique of empiricism implied in ‘Orthodox Terrorism Studies’ have also engaged in deeply critical examinations of the nature of sources, methods, and data in the study of terrorism. For example, Jackson (2007a) regularly cites the handbook produced by Schmid and Jongman (1988) to support his claims that theoretical progress has been limited. But this fact was well recognized by the authors; indeed, in the introduction of the second edition they point out that they have not revised their chapter on theories of terrorism from the first edition, because the failure to address persistent conceptual and data problems has undermined progress in the field. The point of their handbook was to sharpen and make more comprehensive the result of research on terrorism, not to glide over its methodological and definitional failings (Schmid and Jongman 1988, p. xiv). Similarly, Silke's (2004) volume on the state of the field of terrorism research performed a similar function, highlighting the shortcomings of the field, in particular the lack of rigorous primary data collection. A non-reflective community of scholars does not produce such scathing indictments of its own work.

### CP

#### The Executive branch should adopt the recommendations of 1nc Pickler below.

#### take all necessary measures to expedite the Guantanamo Bay Periodic Review Board's formation and review of indefinitely detained prisoners' cases.

#### issue national security waivers for the transfer or repatriation of the eighty-six Guantanamo prisoners currently cleared for release and any prisoners who successfully challenge their status as indefinite detainees

#### direct the Attorney General to inform the D.C. Circuit Court of Appeals that the Department of Justice no longer considers the cleared detainees to be detainable. Any necessary funds that the Executive cannot obtain from the Defense Department should be taken from the Departments of Justice or Homeland Security.

#### Solves the case – terror is a net benefit

Nedra Pickler 13, Real Clear Politics writer, Gitmo Closure Elusive, Obama Looks at Other Steps, http://www.realclearpolitics.com/articles/2013/05/02/gitmo\_closure\_elusive\_obama\_looks\_at\_other\_steps\_118219.html#ixzz2dJmceB4s - \* [y] added

Despite President Barack Obama's new vow, closing the Guantanamo Bay prison is still a tough sell in Congress. So the White House may look instead toward smaller steps like transferring some terror suspects back overseas.

Shutting down the prison at the U.S. naval base in Cuba is a goal that has eluded Obama since he took office. In his first week, he signed an executive order for its closure, but Congress has used its budgetary power to block detainees from being moved to the United States.

Now, with 100 of the 166 prisoners on a hunger strike in protest of their indefinite detention and prison conditions, Obama is promising a renewed push before Congress and has ordered a review of his administrative options. The White House is acknowledging its process to review prisoner cases for possible release has not been implemented quickly enough and says the president is considering reappointing a senior official at the State Department to focus on transfers out of the prison.

Guantanamo had slipped down the agenda of the president who promised to close it during his campaign five years ago but has transferred few prisoners out in recent years. Conditions at the camp are tense, with 23 prisoners who are in danger of starving themselves now being force-fed through nasal tubes and some 40 naval medical personnel arriving over the weekend to deal with the strike that shows no sign of ending. While the global community has pressured the United States to shut Guantanamo, most of the American public and their representatives in Congress have been opposed to removing the terror suspects from their isolated captivity.

"Guantanamo is not necessary to keep America safe," the president argued at a White House news conference Tuesday. "It is expensive. It is inefficient. It hurts us in terms of our international standing. It lessens cooperation with our allies on counterterrorism efforts. It is a recruitment tool for extremists. It needs to be closed."

Obama's comments revived an issue that hasn't been prominent in recent political debate, with some of the most recent national polling more than a year old. An ABC News/Washington Post survey in February 2012 found 70 percent of the public approving of keeping the prison open and a quarter disapproving. Five percent had no opinion.

Sen. Lindsey Graham, R-S.C., a leading opponent of closure, responded to Obama's latest call by citing last year's administration report that 28 percent of the roughly 600 released detainees were either confirmed or suspected of later engaging in militant activity.

"They're individuals hell-bent on our destruction and destroying our way of life," Graham said in a statement. "There is bipartisan opposition to closing Gitmo."

Republicans and several Democrats have repeatedly blocked efforts by Obama to take the initial steps toward closure. The law that Congress passed and Obama signed in March to keep the government running includes a longstanding provision that prohibits any money for the transfer of Guantanamo detainees to the United States or its territories. It also bars spending to overhaul any U.S. facility in the U.S. to house detainees.

That makes it essentially illegal for the government to transfer the men it wants to continue holding, including five who were charged before a military tribunal with orchestrating the Sept. 11 attacks. But that doesn't mean the administration's hands are completely tied.

Eight[y]-six prisoners at Guantanamo have been cleared for transfer to other countries. Such transfers were common under President George W. Bush and at the beginning of the Obama administration. They stopped after Congress imposed new security restrictions over concerns that some prisoners might be released by foreign governments and return to the battlefield.

The administration could get around the restriction by issuing a national security waiver through the Pentagon, something it hasn't done so far.

Obama signed an executive order two years ago establishing review procedures for detainees to determine if continued detention was warranted, beginning with hearings before an interagency Periodic Review Board. The order required the reviews to begin by March 2012, but the administration has yet to announce any hearings.

Obama spokesman Jay Carney said Wednesday that the administration plans to get the board running, "which has not moved forward quickly enough." He also said Obama is considering the reappointment of a special envoy for closing Guantanamo at the State Department, responsible for trying to persuade countries to accept inmates approved for release. The former envoy, Ambassador Daniel Fried, was reassigned earlier this year and not replaced.

But Carney said help from Congress is needed to close the prison. "We have to work with Congress and try to convince members of Congress that the overriding interest here, in terms of our national security as well as our budget, is to close Guantanamo Bay," Carney said.

House Armed Services Chairman Howard "Buck" McKeon, R-Calif., objected to Obama blaming Congress. "The president faces bipartisan opposition to closing Guantanamo Bay's detention center because he has offered no alternative plan regarding the detainees there, nor a plan for future terrorist captures," McKeon said in a statement.

A tough issue is where to send detainees cleared for transfer, particularly the majority who are Yemeni nationals. Obama has banned the transfer of Guantanamo detainees to Yemen since January 2010 because of security concerns after a would-be bomber attempted to blow up a U.S.-bound flight on instructions from al-Qaida operatives in Yemen.

Senate Intelligence Chairwoman Dianne Feinstein, D-Calif., who initially supported the suspension of transfers to Yemen, wrote the White House last week urging reconsideration of that policy as part of a renewed effort to transfer all 86 of the cleared detainees. Obama spokesman Carney said Wednesday the Yemen moratorium was among the Guantanamo policies under review.

Vijay Padmanabhan, who was a State Department lawyer responsible for Guantanamo-related cases in the Bush administration, said Obama faces three major questions to achieve his goal of shutting Guantanamo. Padmanabhan said Obama needs to figure out what level of risk he's willing to accept in Yemen, come up with a strategy for prosecuting detainees and determine how to handle those who are considered dangerous but for whom there isn't sufficient evidence for prosecution.

Obama said Tuesday, "The idea that we would still maintain forever a group of individuals who have not been tried, that is contrary to who we are, it is contrary to our interests, and it needs to stop." Padmanabhan saw that as a potential shift in Obama's thinking.

"He's always supported the idea that you should be able to nevertheless detain people indefinitely as combatants," said Padmanabhan, now a professor at Vanderbilt Law School. "For the first time, he's challenging a little bit that later proposition. He's suggesting that maybe it's the case we should be thinking about whether we should be detaining anyone that we aren't capable of prosecuting for the rest of their life."

Resuming transfers through the waivers could help ease some of the despair among the men held at the U.S. base in Cuba, said Jennifer Daskal, a fellow and adjunct law professor at Georgetown University who worked on an Obama administration task force addressing detainee policy issues. The administration could also increase its efforts to find other countries willing to accept Guantanamo prisoners and begin reevaluating whether it's possible now to release any of the 46 men who are slated for indefinite detention, Daskal said.

"The idea that it could be closed tomorrow is completely unrealistic," she said. "But there certainly are things that the administration can do even without congressional action that would begin the process of at least winnowing down the numbers at Guantanamo and hopefully alleviating some of the tension."

### Case

#### Islamophobia has zero causal explanatory power as a method and you can’t solve it because it’s so nebulous

Bleich, professor of political science – Middlebury, ‘11

(Erik, “What Is Islamophobia and How Much Is There? Theorizing and Measuring an Emerging Comparative Concept,” American Behavioral Scientist, 55(12) p. 1581-1600)

Islamophobia is a widely used concept in public and scholarly circles. It was originally developed in the late 1990s and early 2000s by political activists, nongovernmental organizations (NGOs), public commentators, and international organizations to draw attention to harmful rhetoric and actions directed at Islam and Muslims in Western liberal democracies. For actors like these, the term not only identifies anti- Islamic and anti-Muslim sentiments, it also provides a language for denouncing them. In recent years, Islamophobia has evolved from a primarily political concept toward one increasingly deployed for analytical purposes. Researchers have begun using the term to identify the history, presence, dimensions, intensity, causes, and consequences of anti-Islamic and anti-Muslim sentiments. In short, Islamophobia is an emerging comparative concept in the social sciences. Yet, there is no widely accepted definition of the term. As a result, it is extremely difficult to compare levels of Islamophobia across time, location, or social group, or to levels of analogous categories such as racism, anti-Semitism, or xenophobia. Without a concept that applies across these comparative dimensions, it is also virtually impossible to identify the causes and consequences of Islamophobia with any precision.

#### Not the root cause

Joppke, professor of politics – American University of Paris, PhD Sociology – Berkeley, ‘9

(Christian, “Limits of Integration Policy: Britain and Her Muslims,” Journal of Ethnic and Migration Studies, Volume 35, Issue 3)

The Runnymede report defines Islamophobia as certain ‘closed’ views of Islam, which are distinguished from ‘open views’ in terms of eight binary oppositions, such as ‘monolithic/diverse’, ‘separate/interacting’, or ‘inferior/different’ (the first adjective always marking a ‘closed’, the second an ‘open’ view). This makes for an elastic definition of Islamophobia, with little that could not be packed into it. Consider the eighth binary opposition, ‘Criticism of West rejected/considered’. If ‘criticisms made by Islam of “The West” (are) rejected out of hand’, there is an instance of Islamophobia, the non-biased attitude being that ‘criticisms of “the West” and other cultures are considered and debated’. Is it reasonable to assume that people enter debate by putting their point of view to disposition? Under such demanding standards, only an advocate of Habermasian communicative rationality would go free of the charge of Islamophobia. However, the real problem is to leave unquestioned the exit position, ‘criticism of the West’. In being sweeping and undifferentiated, such a stance seems to be no less phobic than the incriminated opposite. If the point of the Runnymede report is to ‘counter Islamophobic assumptions that Islam is a single monolithic system’, it seems inconsistent to take for granted a similarly monolithic ‘criticism of “the West”’, which the ‘West’ is asked to ‘consider and debate’. There is a double standard here, in that ‘the West’ is asked to swallow what on the other side would qualify as phobia.

#### Ethical obligations are tautological—the only coherent rubric is to maximize number of lives saved

**Greene 2010** – Associate Professor of the Social Sciences Department of Psychology Harvard University (Joshua, Moral Psychology: Historical and Contemporary Readings, “The Secret Joke of Kant’s Soul”, [www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf](http://www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf), WEA)

What turn-of-the-millennium science is telling us is that human moral judgment is not a pristine rational enterprise, that our moral judgments are driven by a hodgepodge of emotional dispositions, which themselves were shaped by a hodgepodge of evolutionary forces, both biological and cultural. Because of this, it is exceedingly unlikely that there is any rationally coherent normative moral theory that can accommodate our moral intuitions. Moreover, anyone who claims to have such a theory, or even part of one, almost certainly doesn't. Instead, what that person probably has is a moral rationalization.

It seems then, that we have somehow crossed the infamous "is"-"ought" divide.  How did this happen? Didn't Hume (Hume, 1978) and Moore (Moore, 1966) warn us against trying to derive an "ought" from and "is?" How did we go from descriptive scientific theories concerning moral psychology to skepticism about a whole class of normative moral theories? The answer is that we did not, as Hume and Moore anticipated, attempt to derive an "ought" from and "is." That is, our method has been inductive rather than deductive. We have inferred on the basis of the available evidence that the phenomenon of rationalist deontological philosophy is best explained as a rationalization of evolved emotional intuition (Harman, 1977).

Missing the Deontological Point  
I suspect that rationalist deontologists will remain unmoved by the arguments presented here. Instead, I suspect, they will insist that I have simply misunderstood whatKant and like-minded deontologists are all about. Deontology, they will say, isn't about this intuition or that intuition. It's not defined by its normative differences with consequentialism. Rather, deontology is about taking humanity seriously. Above all else, it's about respect for persons. It's about treating others as fellow rational creatures rather than as mere objects, about acting for reasons rational beings can share. And so on (Korsgaard, 1996a; Korsgaard, 1996b).This is, no doubt, how many deontologists see deontology. But this insider's view, as I've suggested, may be misleading. The problem, more specifically, is that it defines deontology in terms of values that are not distinctively deontological, though they may appear to be from the inside. Consider the following analogy with religion. When one asks a religious person to explain the essence of his religion, one often gets an answer like this: "It's about love, really. It's about looking out for other people, looking beyond oneself. It's about community, being part of something larger than oneself." This sort of answer accurately captures the phenomenology of many people's religion, but it's nevertheless inadequate for distinguishing religion from other things. This is because many, if not most, non-religious people aspire to love deeply, look out for other people, avoid self-absorption, have a sense of a community, and be connected to things larger than themselves. In other words, secular humanists and atheists can assent to most of what many religious people think religion is all about. From a secular humanist's point of view, in contrast, what's distinctive about religion is its commitment to the existence of supernatural entities as well as formal religious institutions and doctrines. And they're right. These things really do distinguish religious from non-religious practices, though they may appear to be secondary to many people operating from within a religious point of view.  
In the same way, I believe that most of the standard deontological/Kantian self-characterizatons fail to distinguish deontology from other approaches to ethics. (See also Kagan (Kagan, 1997, pp. 70-78.) on the difficulty of defining deontology.) It seems to me that consequentialists, as much as anyone else, have respect for persons, are against treating people as mere objects, wish to act for reasons that rational creatures can share, etc. A consequentialist respects other persons, and refrains from treating them as mere objects, by counting every person's well-being in the decision-making process. Likewise, a consequentialist attempts to act according to reasons that rational creatures can share by acting according to principles that give equal weight to everyone's interests, i.e. that are impartial. This is not to say that consequentialists and deontologists don't differ. They do. It's just that the real differences may not be what deontologists often take them to be.  
What, then, distinguishes deontology from other kinds of moral thought? A good strategy for answering this question is to start with concrete disagreements between deontologists and others (such as consequentialists) and then work backward in search of deeper principles. This is what I've attempted to do with the trolley and footbridge cases, and other instances in which deontologists and consequentialists disagree. If you ask a deontologically-minded person why it's wrong to push someone in front of speeding trolley in order to save five others, you will getcharacteristically deontological answers. Some will be tautological: "Because it's murder!"Others will be more sophisticated: "The ends don't justify the means." "You have to respect people's rights." But, as we know, these answers don't really explain anything, because if you give the same people (on different occasions) the trolley case or the loop case (See above), they'll make the opposite judgment, even though their initial explanation concerning the footbridge case applies equally well to one or both of these cases. Talk about rights, respect for persons, and reasons we can share are natural attempts to explain, in "cognitive" terms, what we feel when we find ourselves having emotionally driven intuitions that are odds with the cold calculus of consequentialism. Although these explanations are inevitably incomplete, there seems to be "something deeply right" about them because they give voice to powerful moral emotions. But, as with many religious people's accounts of what's essential to religion, they don't really explain what's distinctive about the philosophy in question.

#### The term ‘Islamophobia’ is the wrong frame for evaluating anti-Muslim racism:

#### 1. Essentialism. ‘Islamophobia’ portrays all Muslims as defined by Islam—locks in discrimination and anti-Muslim alarmism

Halliday, professor of international relations – London School of Economics, ‘99

(Fred, “`Islamophobia’ reconsidered,” *Ethnic and Racial Studies* Volume 22, Number 5, p. 892-902, September)

No subject in contemporary public discussion has attracted more confused discussion than that of relations between ‘Islam’ and the West. Whether it be the discussion of relations between Muslim states and non- Muslim countries, or that of the relations between non-Muslims and Muslims within Western countries, the tendency has on both sides been, with some exceptions , towards alarmism and simplification. Alarmism has concerned the ‘threat’ which, from one side, ‘Islam’ poses to the non- Muslim world, and on the other, which ‘the West’ poses to Muslims. Non- Muslim simplification involves many obvious issues: terrorism – as if most Muslims are terrorists or most terrorists are Muslims; the degree of aggressiveness found in the Muslim world and the responsibility of Muslims for this; the willingness of Muslims to allow for diversity, debate, respect for human rights. It is not only the sensationalist media, but also writers with an eye to current anxieties of the reading public, such as V. S. Naipaul and Samuel Huntington, who reinforce such misrepresentation. Muslim simplification is itself two-sided: on the one hand, a stereotyping of the ‘West’; on the other, the assertion of a unitary identity for all Muslims, and of a unitary interpretation of text and culture. The core simplification involves these very terms themselves: ‘the West’ is not a valid aggregation of the modern world and lends itself far too easily to monist, conspiratorial presentations of political and social interaction. But nor is the term ‘Islam’ a valid shorthand for summarizing how a billion Muslims, divided into over éfty states, and into myriad ethnicities and social groups, relate to the contemporary world, to each other or to the non-Muslim world. To get away from such simpliécations is, however, virtually impossible, since both those opposed to ‘Islam’ and those invoking it adhere to such labels. Moreover, as much of this literature shows, those who are most intent on critiquing standard Western prejudices about the Muslim world themselves fall back on another set of simplifcations. Instead of fearing or hating anti-Muslim stereotypes, we are now invited to respect, understand, study ‘Islam’. Islamophobia, Eurocentrism, stereotyping The literature under review here ranges across several aspects of this question. The Runnymede and Wilton Park reports identify misinterpretations, above all in the West, of the Muslim world and advocate a more tolerant, informed, relation to the Muslim world. They reèect an approach derived, on the one hand, from race relations and, on the other, from inter-faith dialogue. They both set current frictions in the context of the long historical relations between Muslims and the Christian world, both identify the role of the media in reinforcing stereotypes, both advocate greater discussion between communities. Most signiécantly, perhaps, they accept the term ‘Islam’ as a denomination of the primary identity of those who are Muslims; they avoid discussion of the diversities within Muslim societies, on ethnic grounds or on the interpretation of the Muslim tradition and on its application to the contemporary world.

#### 2. Islamophobia discourse is backdoor censorship—crowds out legitimate discussion of Islam by conflating the religion with the people

Malik, Fellow – Royal Society of Arts, history and philosophy of science – Imperial College, writer, lecturer, broadcaster – BBC, ‘5

(Kenan, “The Islamophobia Myth,” *Prospect*, February, <http://www.kenanmalik.com/essays/prospect_islamophobia.html>)

Pretending that Muslims have never had it so bad might bolster community leaders and gain votes for politicians, but it does the rest of us, whether Muslim or non-Muslim, no favours at all. The more that the threat of Islamophobia is exaggerated, the more that ordinary Muslims come to accept that theirs is a community under constant attack. It helps create a siege mentality, stoking up anger and resentment, and making Muslim communities more inward looking and more open to religious extremism. Muslim leaders constantly warn that Islamophobia is alienating Muslims and pushing many into the hands of extremists. However, it's not Islamophobia, but the perception that it blights lives, that is often the bigger problem. In making my Channel 4 documentary I asked dozens of ordinary Muslims across the country about their experience of Islamophobia. Everyone believed that police harassment was common though no one had been stopped and searched. Everyone insisted that physical attacks were rife, though few had been attacked or knew anyone who had.

What is being created here is a culture of victimhood in which 'Islamophobia' has become one-stop cause of the myriad of problems facing Muslims. Take, for instance, the social problems which beset Muslim communities. The figures are truly appalling. Bangladeshis and Pakistanis (who comprise most of Muslims in this country) are two and a half times more likely to be unemployed than are whites. Average earnings among Muslim men are 68 per cent that of non-Muslim men. 65 per cent of Bangladeshis are semi-skilled manual workers compared with 23 per cent among other ethnic minorities and 15 per cent among white Britons. Fifty four per cent of Pakistani and Bangladeshi homes receive income support. In 2000, 30 per cent of Pakistani students gained five or more good GCSEs, compared with 50 per cent in the population as a whole.

It has become common to blame all of this on Islamophobia. According to the Muslim News, 'media reportage and public discourse on Islam and Muslims have a huge impact on Muslim labour market performance'. Islamophobia shapes 'how Muslim children are treated in schools', the 'self-esteem on Muslim children' as well as 'their educational achievements'. Unemployment, poverty and poor educational standards is not, however, a new phenomenon in Muslim communities in this country. And the causes are myriad. Racism certainly plays a part. So does class. The social profile of Pakistanis and Bangladeshis is closer to that of Afro-Caribbeans than it is to Indians or Chinese. That is because while the latter are often from middle class backgrounds, most Banglandeshis, Pakistanis and Afro-Caribebans originally came from poor working class or rural, with few resources, especially to combat the intense racism they faced in this country. Class plays as important a role as race or religion in explaining the poor performance of Muslims. Indeed, Indian Muslims tend to be far better of than those from Bangladesh or Pakistan - and conversely Bangladeshi and Pakistani non-Muslims tend to be worse off.

Some also point the finger at cultural practices within some Muslim communities. 'By and large', the journalist Yasmin Alibhai Brown acknowledges, 'the lowest achieving communities in this country are Muslim. When you talk to people about why this is happening the one reason they give you, the only reason they give you, is Islamophobia.' It's not an argument that Alibhai Brown accepts. 'It is not Islamophobia that makes parents take 14 year old bright girls out of school to marry illiterate men, and the girl has again to bring up the next generation who will again be denied not just education but the value of education.'

Alibhai Brown disagrees with me about the extent of Islamophobia, believing that it is a major force shaping Muslim lives. But, she adds, it has also become 'a convenient label, a figleaf, a reason that is so comfortable for Muslims whenever they have to look at why they aren't in the places that they have to be. All too often Islamophobia is used as an excuse in a way to kind of blackmail society.'

What all this suggests is the need for an open, frank debate about Muslims and their relationship to wider British society. There is clearly prejudice and fear of Islam in this country. Muslims do get harassed and attacked because of their faith. At the same time the degree of hatred and discrimination is being exaggerated to suit particular political agendas, stoking up resentment and creating a victim culture.

The likelihood of such a frank, open debate is, however, not very high. 'Islamophobia' has become not just a description of anti-Muslim prejudice but also a prescription for what may or may not be said about Islam. Every year, the Islamic Human Rights Commission organises a mock awards ceremony for its 'Islamophobe of the Year'. Last year there were two British winners. One was the BNP's Nick Griffin. The other? Guardian columnist Polly Toynbee. Toynbee’s defence of secularism and women’s rights, and criticism of Islam, was, it declared, unacceptable. Isn't it absurd, I asked the IHRC's Massoud Shadjareh, to equate a liberal anti-racist like Polly Toynbee with the leader of a neo-fascist party. Not at all, he suggested. 'There is a difference between disagreeing and actually dismissing certain ideologies and certain principles. We need to engage and discuss. But there’s a limit to that.' It is difficult to know what engagement and discussion could mean when leading Muslim figures seem unable to distinguish between liberal criticism and neo-fascist attacks.

It would be tempting to dismiss the IHRC as a fringe organisation. It's not. It is a consultant body to the UN. Its work has been praised by the CRE. More importantly its principal argument - that in a plural society, free speech is limited by the need not to give offence to particular religious or cultural groups - has become widely accepted. So, for instance, the government is proposing new legislation to outlaw incitement to religious hatred. The Serious and Organised Crime and Police Bill will make it an offence ‘to knowingly use words, behaviour or material that is threatening, abusive or insulting with the intention or likely effect that hatred will be stirred up against a group of people targeted because of their religious beliefs’ Supporters of the law claim that it will extend to Muslims, and other faith groups, the same protection that racial groups already possess. Sikhs and Jews are already by the Race Relations Act. The new law is aimed squarely at meeting Muslim concerns that they seem to have been left out.

#### The alternative is to adopt the term “anti-Muslimism”—that’s a better way to situate our ideological relationship with the Middle East

Saeed, Senior Lecturer in Media and Cultural Studies – University of Sunderland, ‘7

(Amir, “Media, Racism and Islamophobia: The Representation of Islam and Muslims in the Media,” Sociology Compass Volume 1, Issue 2, p. 443-462, November)

Halliday (1996, 160), however, notes that a distinction must be made between Islamophobia and anti-Muslimism

The tone of this rhetoric is often alarmist, and encompasses racist, xenophobic and stereotyping elements. The term ‘anti-Muslimism’ is used here to signify such a diffuse ideology, one rarely expressed in purely religious terms but usually mixed in with other rhetoric's and ideologies ... It involves not so much hostility to Islam as a religion ... But hostility to Muslims, to communities of peoples whose sole or main religion is Islam and whose Islamic character, real or invented, forms one of the objects of prejudice. In this sense anti-Muslimism often overlaps with forms of ethnic prejudice, covering peoples within which there may be well a significant non-Muslim element, such as Albanians, Palestinians or even Caucasians.

In short, it appears that what Halliday is arguing is that ‘anti-Muslimism’ is almost a new form of racism that discriminates not only on physical traits but also religious characteristics. For Halliday, the term ‘Islamophobia’ is inaccurate because it is too uniform. Halliday (1999) points out that usage of this term implies that there is only one Islam and that all Muslims are homogenous. In short, Halliday (1999, 898) is proposing that Islamophobia as a term suggests fear of Islam as a religion not fear of the people who follow Islam

## 2nc

### condo good

#### Argumentative uncertainty is key to social change—embracing that is necessary for any coalitional effectiveness

**Sholock 12** – Chatham University

(Adale, “Methodology of the Privileged: White Anti-racist Feminism, Systematic Ignorance, and Epistemic Uncertainty”, Hypatia Volume 27, Issue 4, pages 701–714, November 2012, dml)

However, something profound happens in The Color of Fear that troubles the epistemological arrogance and self-deception that epitomize normative whiteness. David frustrates everyone to the point where Victor Lewis, an African American man in the group, finally loses his patience and lashes out in anger at David's willful ignorance. This is a climactic moment in the film and one that I find instructive to white anti-racist efforts both feminist and otherwise. Lee Mun Wah, the filmmaker and facilitator of the discussion, gently but skillfully asks David what is keeping him from believing Victor's claims about pervasive racism: “So what would it mean David, then, if life really was that harsh? What if the world was not as you thought, that [racial injustice] is actually happening to lots of human beings on this earth?” He continues, “What if he knew his reality better than you?” What then occurs is best described as a “lightbulb moment”: David says with uncharacteristic thoughtfulness, “Oh, that's very saddening. You don't want to believe that man can be so cruel to himself and his own kind.” David's comment startlingly echoes what James Baldwin has described as the double-bind of white folk: “White America remains unable to believe that Black America's grievances are real; they are unable to believe this because they cannot face what this fact says about themselves and their country” (Baldwin 1985, 536). David's newfound awareness not only challenges his self-assuredness—as Baldwin suggests—but also his very authority as a knower. In other words, David shifts from the cognitive comforts of not knowing that he doesn't know to the epistemic uncertainties of knowing that he doesn't know.

I admit that The Color of Fear has sometimes made me feel a depressing lack of confidence in the ability of the privileged (myself included) to achieve any kind of mutually reciprocal relationship with the racially and geopolitically oppressed. Yet I believe that it is more accurate to view The Color of Fear as an allegory of hope and possibility for the future of feminism without borders. Of course, it is still uncomfortable to watch The Color of Fear and recognize that I might think and act more like David than I can fully comprehend, that his ignorance is structurally related to my own, and that I will not always know better. Nevertheless, I remind myself that it is the very moment when David admits his ignorance that Victor extends the offer, “from here I can work with you.”

David and Victor's breakthrough indicates that effective coalition across racial and other power inequities might actually benefit from epistemic uncertainty among the privileged. Of course, this observation will likely unsettle whites who are conditioned to assert epistemic mastery and authority. As Pratt admits, “to acknowledge … that there are things that I do not know … [is] an admission hard on my pride, and harder to do than it sounds” (Pratt 1984, 42). However, Bernice Johnson Reagon sagely reminds us that comfort is rarely part of coalition-building, as verified by the contentious conversations in The Color of Fear. Coalition work is “some of the most dangerous work you can do. And you shouldn't look for comfort. Some people will come to a coalition and they rate the success of the coalition on whether or not they feel good when they get there” (Reagon 1983, 359). Accordingly, a methodology of the privileged might embrace the discomforts of epistemic uncertainty as an indication of effectiveness rather than failure within coalitional politics.

Perhaps more than self-reflexivity or racial sedition, epistemic uncertainty is a methodology that highlights the necessary interdependence of the privileged and the oppressed in struggles to eliminate injustice.12 For instance, when David's intellectual confidence finally wavers, he must rely upon the knowledge claims of non-whites in the group. In other words, it is only through Victor's keen understanding of racial oppression and white privilege that David recognizes his ignorance. According to Harding, in order for anti-racist and transnational solidarity to flourish, white women's reliance on insights developed by women of color feminists is “not a luxury but a necessity” (Harding 1991, 282). This methodological directive is itself evidence of the instruction Harding takes from women of color who assert that the epistemic accomplishments of the oppressed hold the key to the eradication of ignorance within feminist theory and praxis (Collins 1986; Narayan 1989; Anzaldúa, 1987; Sandoval 2000).

### pres flex da

#### Maximum executive authority is key to fourth-generation warfare – prevents new WMD use

**Li, 9** - J.D. candidate, Georgetown University Law Center, 2009; B.A., political science and history, Yale University, 2006 (Zheyao, “War Powers for the Fourth Generation: Constitutional Interpretation in the Age of Asymmetric Warfare” 7 Geo. J.L. & Pub. Pol'y 373, Winter, lexis)

Even as the quantity of nation-states in the world has increased dramatically since the end of World War II, the institution of the nation-state has been in decline over the past few decades. Much of this decline is the direct result of the waning of major interstate war, which primarily resulted from the introduction of nuclear weapons. n122 The proliferation of nuclear weapons, and their immense capacity for absolute destruction, has ensured that conventional wars remain limited in scope and duration. Hence, "both the size of the armed forces and the quantity of weapons at their disposal has declined quite sharply" since 1945. n123 At the same time, concurrent with the decline of the nation-state in the second half of the twentieth century, non-state actors have increasingly been willing and able to use force to advance their causes. In contrast to nation-states, who adhere to the Clausewitzian distinction between the ends of policy and the means of war to achieve those ends, non-state actors do not necessarily fight as a mere means of advancing any coherent policy. Rather, they see their fight as a life-and-death struggle, wherein the ordinary terminology of war as an instrument of policy breaks down because of this blending of means and ends. n124 It is the existential nature of this struggle and the disappearance of the Clausewitzian distinction between war and policy that has given rise to a new generation of warfare. The concept of fourth-generational warfare was first articulated in an influential article in the Marine Corps Gazette in 1989, which has proven highly prescient. In describing what they saw as the modern trend toward a new phase of warfighting, the authors argued that: [\*395] In broad terms, fourth generation warfare seems likely to be widely dispersed and largely undefined; the distinction between war and peace will be blurred to the vanishing point. It will be nonlinear, possibly to the point of having no definable battlefields or fronts. The distinction between "civilian" and "military" may disappear. Actions will occur concurrently throughout all participants' depth, including their society as a cultural, not just a physical, entity. Major military facilities, such as airfields, fixed communications sites, and large headquarters will become rarities because of their vulnerability; the same may be true of civilian equivalents, such as seats of government, power plants, and industrial sites (including knowledge as well as manufacturing industries). n125 It is precisely this blurring of peace and war and the demise of traditionally definable battlefields that provides the impetus for the formulation of a new theory of war powers. As evidenced by Part III, supra, the constitutional allocation of war powers, and the Framers' commitment of the war power to two co-equal branches, was **not designed to cope** with the current international system, one that is characterized by the persistent machinations of international terrorist organizations, the rise of multilateral alliances, the emergence of rogue states, and the potentially wide proliferation of easily deployable weapons of mass destruction, nuclear and otherwise. B. The Framers' World vs. Today's World The Framers crafted the Constitution, and the people ratified it, in a time when everyone understood that the state controlled both the raising of armies and their use. Today, however, the threat of terrorism is bringing an end to the era of the nation-state's legal monopoly on violence, and the kind of war that existed before--based on a clear division between government, armed forces, and the people--is on the decline. n126 As states are caught between their decreasing ability to fight each other due to the existence of nuclear weapons and the increasing threat from non-state actors, it is clear that the Westphalian system of nation-states that informed the Framers' allocation of war powers is no longer the order of the day. n127 As seen in Part III, supra, the rise of the modern nation-state occurred as a result of its military effectiveness and ability to defend its citizens. If nation-states such as the United States are unable to adapt [\*396] to the changing circumstances of **fourth-generational** warfare--that is, if they are unable to adequately defend against low-intensity conflict conducted by non-state actors--"then clearly [the modern state] does not have a future in front of it." n128 The challenge in formulating a new theory of war powers for fourth-generational warfare that remains legally justifiable lies in the difficulty of adapting to changed circumstances while remaining faithful to the constitutional text and the original meaning. n129 To that end, it is crucial to remember that the Framers crafted the Constitution in the context of the Westphalian system of nation-states. The three centuries following the Peace of Westphalia of 1648 witnessed an international system characterized by wars, which, "through the efforts of governments, assumed a more regular, interconnected character." n130 That period saw the rise of an independent military class and the stabilization of military institutions. Consequently, "warfare became more regular, better organized, and more attuned to the purpose of war--that is, to its political objective." n131 That era is now over. Today, the stability of the long-existing Westphalian international order has been greatly eroded in recent years with the advent of international terrorist organizations, which care nothing for the traditional norms of the laws of war. [\*397] This new global environment exposes the limitations inherent in the interpretational methods of originalism and textualism and necessitates the adoption of a new method of constitutional interpretation. While one must always be aware of the text of the Constitution and the original understanding of that text, that very awareness identifies the extent to which fourth-generational warfare epitomizes a phenomenon unforeseen by the Framers, a problem the constitutional resolution of which must rely on the good judgment of the present generation. n132 Now, to adapt the constitutional warmarking scheme to the new international order characterized by fourth-generational warfare, one must understand the threat it is being adapted to confront. C. The Jihadist Threat The erosion of the Westphalian and Clausewitzian model of warfare and the blurring of the distinction between the means of warfare and the ends of policy, which is one characteristic of fourth-generational warfare, apply to al-Qaeda and other adherents of jihadist ideology who view the United States as an enemy. An excellent analysis of jihadist ideology and its implications for the rest of the world are presented by Professor Mary Habeck. n133 Professor Habeck identifies the centrality of the Qur'an, specifically a particular reading of the Qur'an and hadith (traditions about the life of Muhammad), to the jihadist terrorists. n134 The jihadis believe that the scope of the Qur'an is universal, and "that their interpretation of Islam is also intended for the entire world, which must be brought to recognize this fact peacefully if possible and through violence if not." n135 Along these lines, the jihadis view the United States and her allies as among the greatest enemies of Islam: they believe "that every element of modern Western liberalism is flawed, wrong, and evil" because the basis of liberalism is secularism. n136 The jihadis emphasize the superiority of Islam to all other religions, and they believe that "God does not want differing belief systems to coexist." n137 For this reason, jihadist groups such as al-Qaeda "recognize that the West will not submit without a fight and believe in fact that the Christians, Jews, and liberals have united against Islam in a war that will end in the complete destruction of the unbelievers." n138 Thus, the adherents of this jihadist ideology, be it al-Qaeda or other groups, will continue to target the United States until she is destroyed. Their ideology demands it. n139 [\*398] To effectively combat terrorist groups such as al-Qaeda, it is necessary to understand not only how they think, but also how they operate. Al-Qaeda is a transnational organization capable of simultaneously managing multiple operations all over the world. n140 It is both centralized and decentralized: al-Qaeda is centralized in the sense that Osama bin Laden is the unquestioned leader, but it is decentralized in that its operations are carried out locally, by distinct cells. n141 Al-Qaeda benefits immensely from this arrangement because it can exercise direct control over high-probability operations, while maintaining a distance from low-probability attacks, only taking the credit for those that succeed. The local terrorist cells benefit by gaining access to al-Qaeda's "worldwide network of assets, people, and expertise." n142 Post-September 11 events have highlighted al-Qaeda's resilience. Even as the United States and her allies fought back, inflicting heavy casualties on al-Qaeda in Afghanistan and destroying dozens of cells worldwide, "al-Qaeda's networked nature allowed it to absorb the damage and remain a threat." n143 This is a far cry from earlier generations of warfare, where the decimation of the enemy's military forces would generally bring an end to the conflict. D. The Need for Rapid Reaction and Expanded Presidential War Power By now it should be clear just how different this conflict against the extremist terrorists is from the type of warfare that occupied the minds of the Framers at the time of the Founding. Rather than maintaining the geographical and political isolation desired by the Framers for the new country, today's United States is an international power targeted by individuals and groups that will not rest until seeing her demise. The Global War on Terrorism is not truly a war within the Framers' eighteenth-century conception of the term, and the normal constitutional provisions regulating the division of war powers between Congress and the President do not apply. Instead, this "war" is a struggle for survival and dominance against forces that threaten to destroy the United States and her allies, and the fourth-generational nature of the conflict, highlighted by an indiscernible distinction between wartime and peacetime, necessitates an evolution of America's traditional constitutional warmaking scheme. As first illustrated by the military strategist Colonel John Boyd, constitutional decision-making in the realm of war powers in the fourth generation should [\*399] consider the implications of the OODA Loop: Observe, Orient, Decide, and Act. n144 In the era of fourth-generational warfare, quick reactions, proceeding through the OODA Loop rapidly, and disrupting the enemy's OODA loop are the keys to victory. "In order to win," Colonel Boyd suggested, "we should operate at a faster tempo or rhythm than our adversaries." n145 In the words of Professor Creveld, "[b]oth organizationally and in terms of the equipment at their disposal, the armed forces of the world will have to adjust themselves to this situation by changing their doctrine, doing away with much of their heavy equipment and becoming more like police." n146 Unfortunately, the existing constitutional understanding, which diffuses war power between two branches of government, necessarily (by the Framers' design) slows down decision-making. [\*400] In circumstances where war is undesirable (which is, admittedly, most of the time, especially against other nation-states), the deliberativeness of the existing decision-making process is a positive attribute. In America's current situation, however, in the midst of the conflict with al-Qaeda and other international terrorist organizations, the existing process of constitutional decision-making in warfare may prove a **fatal hindrance** to achieving the initiative necessary for victory. As a slow-acting, deliberative body, Congress does not have the ability to adequately deal with fast-emerging situations in fourth-generational warfare. Thus, in order to combat transnational threats such as al-Qaeda, the executive branch must have the ability to operate by taking offensive military action even without congressional authorization, because only the executive branch is capable of the swift decision-making and action necessary to prevail in fourth-generational conflicts against fourth-generational opponents.

### at: threatcon

#### Threatcon is completely backwards—risk we under-react is far greater

**Posner and Vermeule, 7** – \*Kirkland and Ellis Professor of Law at the University of Chicago Law School AND \*\*professor at Harvard Law School (Eric and Adrian,Terror in the Balance: Security, Liberty, and the Courts p. 65)

While, as we have noted, there is psychological research suggesting that normal cognition partly shuts down in response to an immediate threat, we are aware of no research suggesting that people who feel anxious about a medium-term or long-term threat are incapable of thinking, or thinking properly, or that they systematically overweight the threat relative to other values. Indeed, it would be surprising to find research that clearly distinguished “anxious thinking” and “calm thinking,” given that anxiety is a pervasive aspect of life. People are anxious about their children, about their health, about their job prospects, about their vacation arrangements, about walking home at night.16 So it is hard to see why anxiety about more remote threats, from terrorists or unfriendly countries with nuclear weapons, should cause the public or elected officials to place more emphasis on security than is justified and to sacrifice civil liberties unnecessarily. Quite the contrary, a standard view is that people ignore low-probability risks and that elected officials with short time horizons ignore remote ones; on this account, government will probably do too little to prevent terrorist threats, not too much.

#### Their arguments about minorities being scapegoated is an indict of normal politics, not of war powers – in fact, minorities are more likely to see gains in emergency politics

**Posner and Vermeule, 7** – \*Kirkland and Ellis Professor of Law at the University of Chicago Law School AND \*\*professor at Harvard Law School (Eric and Adrian,Terror in the Balance: Security, Liberty, and the Courts p. 88)

On several counts, however, the democratic failure theory is puzzling, and our aim here is to express skepticism about it. First, it is not clear what the account has to do with emergencies. The structures of voting and representation that are said to produce democratic failure are the same in both emergencies and normal times. Perhaps an emergency causes a loss for society as a whole. But it is still unclear why the new, post-emergency equilibrium will be relatively worse for the minority than was the old, pre-emergency equilibrium; the minority should get the same proportional slice of the social product it had before, albeit from a smaller pie. The possibility that a majority will externalize costs onto nonvoters or other minorities is just a general structural charge against democratic decisionmaking, one that can apply at any time, not merely in times of emergency or terrorist threat. There is little evidence, and no theoretical reason to believe, that democratic failure is more likely in emergencies. Indeed, there is some evidence that minorities fare especially well in times of emergency, because government has more need of their contributions. Emergencies have often been an engine of progressive government and policy reform.

### at: root cause

#### Life is getting better—uniqueness disproves critique

#### Goklany 2004 (Indur, Property and Environment Research Center Julian Simon Fellow and PhD in Electrical Engineering, Former Chief of the Technical Assessment Division @ National commission on Air Quality, in “It’s Getting Better”, Ed. Terry Anderson, http://members.cox.net/igoklany/Economic%20Growth%20Tech%20Change%20and%20Human%20Well-being%202004.pdf)

With this Neo-Malthusian vision of the future, the Global 2000 Report to the President1 began a chilling description of the problems that lay ahead for the world unless radical changes were made. Fifteen years later, Julian Simon2 quoted these words in his introduction to the monumental collection of essays, The State of Humanity. The point of that book, which Simon also edited, was to determine whether trends in human well-being and environmental quality were in accord with a Neo-Malthusian world view. The State of Humanity, in fifty-eight chapters by more than fifty scholars, documented the tremendous strides in human well-being over the centuries, as well as trends in natural resource use and environmental quality. Based on these discussions, Simon wrote: “Our species is better off in just about every measurable material way.” 3

Yet today **anxiety about the future continues. Calls to restructure our economy to avoid the pending insurmountable problems are typical**. “The challenge facing the entire world is to design an economy that can satisfy the basic needs of people everywhere without self-destructing,” said Lester Brown, president of World Watch Institute, in 1998. 4

This chapter is a conscious effort to emulate, build upon, and update the work of Julian Simon and to provide empirical data to help evaluate the heated rhetoric of Lester Brown and other Neo-Malthusian alarmists. While no one can confidently predict the future, it is possible to scrutinize the past and present to determine the current state of humanity and identify which factors have helped, and which hindered, progress.

Thus, the goal of this much smaller chapter is to collect in a convenient and portable volume the historical trends for indicators that are widely used to illustrate human welfare. These trends are presented not only across time, but, where data are available, across countries with different levels of economic development. In some cases, **the data go back to when modern economic growth began**—around 1800.5 This chapter will address whether and to what extent modern economic growth has improved humanity’s lot, using the following indicators.

􏰅 Available food supplies per capita. Having sufficient food is the first step to a healthy society. It enables the average person to live a productive life, while hunger and undernourishment retard education and the development of human capital, slowing down technological change and economic growth. 􏰅 Life expectancy. To most people, this is the single most valuable indicator of human well- being. Longer life expectancy is also generally accompanied by an increase in disability-free years. 􏰅 Infant mortality. Throughout history, high levels of death in early childhood have produced enormous sorrow, reduced population growth, and lengthened the time spent by women in child-bearing. 􏰅 Economic development. Gross domestic product (GDP) per capita is a measure of people’s income. Thus, it measures the wealth or level of economic development of a country. While wealth is not an end in itself, it indicates how well a nation can achieve the ends its people desire, from greater availability of food, safe water, and sanitation to higher levels of education and health care.

􏰅 Education. While education is an end in itself, it also adds to human capital and can accelerate the creation and diffusion of technology. Education (particularly of women) helps to spread knowledge about nutrition and public health practices.

Political rights and **economic freedom**. The ability to conduct one’s life creatively and productively usually depends on having political rights and economic freedom. They are critical to maintaining liberty and the pursuit of happiness, which are among the inalienable rights of human beings. 􏰅 A composite human development index. Using an approach similar to that employed in the United Nations Development Program (UNDP), this index combines indicators for life expectancy, education, and per capita income.6

After examining trends in the above indicators, this chapter will address whether differences in human well- being have widened between developed and developing countries and whether urban residents fare worse than rural residents. Finally, it will discuss the factors that appear to be responsible for the remarkable cycle of progress that has accompanied modern economic growth.

#### Focusing on the root cause of terrorism does nothing to prevent it

**Elshtain, 3**

Jean Bethke Elshtain, Professor of Social and Politics Ethics @ U of Chicago-Divinity School, 2003 (Just War Against Terror: The Burden of American Power in a Violent World) p. 3

Certain critical events in the past remind us of this mordant fact. Looking back on twentieth-century fascism, we do not wring our hands and blame everyone but the Nazis for their murderous policies. Of course, it is important for historians and political analysts to take account of the political, social, and economic milieu out of which National Socialism emerged. But the difficulty and desperation of post-World War I conditions-runaway inflation, a war-torn econ­omy, and war reparations, all of which Germany faced-do not add up to the inevitability of the evil that was Nazism. To claim such is to set in motion an exculpatory strategy that, whether intentionally or inadvertently, rationalizes political pathology. The overriding truth and most salient fact of National Socialism is simply stated: A group of people took over state power, aimed to expand an Aryan Empire through ruthless force, and, as dictated by their ideology of biologi­cal racism, murdered whole categories of people not because of any­thing they had done but because of who they were. Why, then, in the context of America's war against terrorism, do so many tick off a list of American "failures" or even insist that America brought the horrors of September 11, 2001, on herself? Let me be clear that I exempt from this mode of argument the ludicrous claims that have arisen since that day, such as the slander that Israel carried out the attacks after having first warned Jews who worked in New York's World Trade Center towers to stay home that day, or the preposterous charge that American officials, up to and including the president of the United States, engineered the attacks to bolster their popularity. This sort of in­flammatory madness exists outside the boundary of political debate and festers instead in the fever swamps of conspiracy theory. Conducted within the boundary of reasonable political debate, how­ever, are those arguments that an international "war on poverty and de­spair," or a change in the direction of U.S. Middle Eastern policy, or a different U.S. policy toward Iraq will stay the hands of murderous terror­ists in the future. Certainly these arguments deserve a hearing. Pushing more programs that deal with poverty and despair or rethinking Ameri­can foreign policy, including our approach to Iraq, may have desirable outcomes. But no such change, either singly or together, will deter Osama bin Laden and those like him. To believe such is to plunge head­first into the strategy of denial characteristic of the citizens of Oran in Camus's novel. We could do everything demanded of us by those who are critical of America, both inside and outside our boundaries, but Islamist fundamentalism and the threat it poses would not be deterred.

#### Violence is proximately caused – root cause logic is poor scholarship

**Sharpe**, lecturer, philosophy and psychoanalytic studies, and Goucher, senior lecturer, literary and psychoanalytic studies – Deakin University, **‘10**

(Matthew and Geoff, Žižek and Politics: An Introduction, p. 231 – 233)

We realise that this argument, which we propose as a new ‘quilting’ framework to explain Žižek’s theoretical oscillations and political prescriptions, raises some large issues of its own. While this is not the place to further that discussion, we think its analytic force leads into a much wider critique of ‘Theory’ in parts of the latertwentieth- century academy, which emerged following the ‘cultural turn’ of the 1960s and 1970s in the wake of the collapse of Marxism. Žižek’s paradigm to try to generate all his theory of culture, subjectivity, ideology, politics and religion is psychoanalysis. But a similar criticism would apply, for instance, to theorists who feel that the method Jacques Derrida developed for criticising philosophical texts can meaningfully supplant the methodologies of political science, philosophy, economics, sociology and so forth, when it comes to thinking about ‘the political’. Or, differently, thinkers who opt for Deleuze (or Deleuze’s and Guattari’s) Nietzschean Spinozism as a new metaphysics to explain ethics, politics, aesthetics, ontology and so forth, seem to us candidates for the same type of **criticism, as a reductive passing over** the **empirical and analytic distinctness of** the **different** object **fields in complex societies.**

In truth, we feel that Theory, and the continuing line of ‘master thinkers’ who regularly appear particularly in the English- speaking world, is the last gasp of what used to be called First Philosophy. The philosopher ascends out of the city, Plato tells us, from whence she can espie the Higher Truth, which she must then bring back down to political earth. From outside the city, we can well imagine that she can see much more widely than her benighted political contemporaries. But from these philosophical heights, we can equally suspect that the ‘master thinker’ is also **always in danger of passing over** the **salient differences** and features of political life – differences only too evident to people ‘on the ground’. Political life, after all, is always a more complex affair than a bunch of ideologically duped fools staring at and enacting a wall (or ‘politically correct screen’) of ideologically produced illusions, from Plato’s timeless cave allegory to Žižek’s theory of ideology.

### giroux indict

#### Giroux is just bitter because nobody likes his crappy books—here’s his embarrassingly self-praising biography:

**Giroux no date** – makes sad faces when he doesn’t get tenure (Henry, http://www.henryagiroux.com/bio.html, props to Max and Layne)

After getting my teaching certificate, I became a community organizer and a high school teacher. Worn thin after six years of teaching high school social studies, I applied for and received another scholarship, this one to attend Carnegie-Mellon University. I finished my course work early and spent a year unemployed while writing my dissertation. I finally got a job at Boston University. Again politics and culture worked their strange magic as I taught, published, and prepared for tenure. My tenure experience changed my perception of liberalism forever. Thinking that is I worked hard at teaching and publishing I would easily get tenure, I did my best to follow the rules. I was dead wrong about the rules and the alleged integrity of the tenure process.   
Having published fifty articles, two books, and given numerous talks, I went through the tenure process unanimously at every level of the university. I was finally denied tenure by John Silber, President of Boston University, who not only ignored the various unanimous tenure committee recommendations but solicited letters supporting denial of my tenure from notable conservatives such as Nathan Glazer and Chester Finn. Glazer’s review was embarrassing in that it began with the comment, “I have read all of the work of Robert Giroux.” The Dean of Education had threatened to resign if I did not receive tenure. Of course, he didn’t. Silber’s actions had a chilling effect on many faculty who had initially rallied to my support. Slowly, realizing that the tenure process was a rigged affair and that anyone who complained about it might compromise their own academic career. One faculty member apologized to me for his refusal to meet with Silber to protest my tenure decision. Arguing that he owned two condos in the city, he explained that he couldn’t afford to act on his conscience since he would be risking his investments. Of course, his conscience took a back seat in his list of assets.   
By the time I met Silber to discuss my case, I was convinced that my fate had already been decided. Silber met me in his office, asked me why I wrote such “shit,” and made me an offer. He suggested that if I studied the philosophy of sience and logic with him as my personal tutor, I could maintain my current salary and would be reconsidered for tenure in two years. The only other catch was that I had to agree not to write or publish anything during that time. I was taken aback, and responded with a joke by asking him if he wanted to turn me into George Will. He missed the humor, and I left. I declined the offer, was denied tenure, and after sending off numerous job applications finally landed a job at Miami University. Working-class intellectuals do not fare well in the culture of higher education, especially when they are on the left. I have been asked many times since this incident whether I would have continued the critical writing that has marked my career if I had known that I was going to be fired because of the ideological orientation of my work.  Needless to say, for me, it is better to live standing up than on one’s knees. Maybe the lesson here is that the success that many working-class kids achieve in this culture may be more accidental than the result of an unswerving commitment to the ethic of hard work and individual responsibility.

### at: police state

#### This is hardly the stuff of police states – your overblown rhetoric stops intelligent debate and makes it harder to responsibly monitor the government

**Elshtain, 2003**

Jean Bethke, Laura Spelman Rockefeller Professor of Social and Political Ethics at the University of Chicago Divinity School, and is a contributing editor for The New Republic. “Just War Against Terror”

The Patriot Act requires a review of cases of aliens held as suspected terrorists every six months. This requirement is scarcely the stuff out of which police states are made. The Palmer Raids and World War II detentions of entire families of Japanese and Japanese Americans bear no similarity to the carefully targeted and delimited detentions, with built-in safeguards, of today. To reiterate: It is not only appropriate but necessary for vigilant citizens and watchdog civil liberties groups to raise questions about these matters. There is real danger, however, in hyperbolic accusations that the government has run amok. When the hysteria charged to government is instead to be found in words of accusation that are demonstrably false, our confidence in responsible criticism and careful examination of what is happening to civil liberties may be undermined. Alarmist accusations based on flawed analogies do not—as their defenders sometimes claim—“open up” debate. Instead, they have the opposite effect. These accusations push subtlety into the shadows and lead persons who may have qualms about the government’s actions to defend the government against outlandish charges. Whether charges of government abuse come from the left, the right, or the middle, it is vital to politics that concrete and accurate evidence lie at the heart of any argument. At present, the overheated distortion emanate primarily from the far left. Michael Walzer describes these efforts as a search for “the moral purism of blaming America first,” rather than assessing with the seriousness it deserves what can be laid at the doorstep of America, or of a particular administration, and what cannot.

### terrorism outweighs

#### Terrorism turns preemption—Al Qaeda seeks to preempt the entire future of the globe

Derrida 3 - Jacques Derrida, Directeur d’Etudes at the Ecole des Hautes Etudes en Sciences Sociales in Paris, and Professor of Philosophy, French and Comparative Literature at the University of California, Irvine, 2003, Philosophy in a Time of Terror, interviewed by Giovanni Borradori, p. 98-99

Borradori: Earlier you emphasized the essential role of international organizations and the need to cultivate a respect for international law. Do you think that the kind of terrorism linked to the al Qaeda organization and to bin Laden **harbors international political ambitions?**

Derrida: What appears to me **unacceptable** in the "strategy" (in terms of weapons, practices, ideology, rhetoric, discourse, and so on) of the "bin Laden effect" is not only the cruelty, the **disregard for human life**, the disrespect for law, for women, the use of what is worst in technocapitalist modernity for the purposes of religious fanaticism. No, it is, above all, the fact that such actions and such discourse **open onto no future** and, in my view, have no future. If we are to put any faith in the perfectibility of public space and of the world juridico-political scene, of the "world" itself, then there is, it seems to me, nothing good to be hoped for from that quarter. What is being proposed, at least implicitly, is that all capitalist and modern techno scientific forces be put in the service of an interpretation, itself dogmatic, of the Islamic revelation of the One. Nothing of what has been so laboriously secularized in the forms of the "political," of "democracy," of "international law," and even in the nontheological form of sovereignty (assuming, again, that the value of sovereignty can be completely secularized or detheologized, a hypothesis about which I have my doubts), none of this seems to have any place whatsoever in the discourse "bin Laden." That is why, in this unleashing of violence without name, **if I had to take one of the two sides and choose in a binary situation**, well, **I would**. Despite my very strong **reservations about the American**, indeed European, political **posture**, about the "international antiterrorist" coalition, despite all the de facto betrayals, all the failures to live up to democracy, international law, and the very international institutions that the states of this "coalition" themselves founded and supported up to a certain point, I would take the side of the camp that, in principle, by right of law, **leaves a perspective open to perfectibility** in the name of the "political," democracy, international law, international institutions, and so on. Even if this "in the name of" is still merely an assertion and a purely verbal commitment. Even in its most cynical mode, **such an assertion still lets resonate within it an invincible promise**. **I don't hear any such promise coming from "bin Laden**," at least not one for this world.

#### Not only is this a solvency takeout but it’s a turns case claim—any attack makes people dig in their heels

McDonough 9 (David. S. McDonough, Fellow at the Centre for Foreign Policy Studies at Dalhousie University, “Beyond Primacy: Hegemony and ‘Security Addiction’ in U.S. Grand Strategy”, Winter 2009, Orbis, ScienceDirect)

The reason that the current debate is currently mired in second-order issues of multilateral versus unilateral legitimacy can be attributed to the post 9/11 security environment. A grand strategy is, after all, ‘‘a state’s theory about how it can best cause security for itself.’’ 35 It would be prudent to examine why the neoconservative ‘‘theory’’ proved to be so attractive to American decision-makers after the 9/11 attacks, and why the Democrats have begun to rely on an equally primacist ‘‘theory’’ of their own. As Charles Kupchan has demonstrated, a sense of vulnerability is often directly associated with dramatic shifts in a state’s grand strategy. Kupchan is, of course, largely concerned with vulnerability to changes in the global distribution of power. 36 Even so, the 9/11 terrorist attacks have dramatically increased the U.S. sense of strategic vulnerability to both global terrorist organizations like Al Qaeda and even to more traditional threats that are seen, as Donald Rumsfeld said, ‘‘in a dramatic new light–through the prism of our experience on 9/11.’’ 37 Perhaps more than any previous terrorist action, these attacks demonstrated the potential inﬂuence of non-state terrorist groups like Al Qaeda. U.S. strategic primacy makes conventional responses unattractive and ultimately futile to potential adversaries. The country’s societal vulnerability to terrorist attacks will likewise lead to extremely costly defensive reactions against otherwise limited attacks. For both the United States and its asymmetrical adversaries, the advantage clearly favors the offense over the defense. With the innumerable list of potential targets, ‘‘preemptive and preventive attacks will accomplish more against. . .[terrorists or their support structures], dollar for dollar, than the investment in passive defenses.’’ 38 As former Undersecretary of Defense for Policy Douglas Feith has argued, a primary reliance on defense requires instrusive security measures that would inevitably endanger American civil liberties and curtail its free and open society. 39 Strategic preponderance ensures that the United States will continue to face adversaries eager to implement asymmetrical tactics, even as it offers the very resources necessary to implement both offensive and less effective defensive measures. Unfortunately, terrorist groups with strategic reach (i.e., capable of inﬂuencing the actions of states) will likely increase in the coming years due to a combination of factors, including the ‘‘democractization of technology,’’ the ‘‘privatization of war’’ and the ‘‘miniaturization of weaponry.’’ As more groups are imbued with sophisticated technological capabilities and are able to employ increasingly lethal weapons, the United States will be forced to rely even further on its unprecedented global military capabilities to eliminate this threat. The global war on terror, even with tactical successes against al Qaeda, will likely result in an inconclusive ending marked by the fragmentation and proliferation of terrorist spoiler groups. The ‘‘Israelization’’ of the United States, in which ‘‘security trumps everything,’’ will be no temporary phenomenon. 40 Realism provides an insufﬁcient means for understanding the current post-9/11 strategic threat environment and underestimates the potential impact of the terrorist threat on the American sense of vulnerability. Globalized terrorism must be confronted by proactive measures to reduce the domestic vulnerability to attack and to eliminate these organizations in their external sanctuaries. Even then, these measures will never be able to ensure ‘‘perfect security.’’ As a result, signiﬁcant public pressure for expanded security measures will arise after any attack. The United States will be consumed with what Frank Harvey has termed security addiction: ‘‘As expectations for acceptable levels of pain decrease, billions of dollars will continue to be spent by both parties in a never-ending competition to convince the American public that their party’s programs are different and more likely to succeed.’’ 41 This addiction has an important impact on the dramatically rising levels of homeland security spending. Indeed, while this increased spending is an inevitable and prudent reaction to the terrorist threat, it also creates high public expectations that will only amplify outrage in a security failure. 42 Relatedly, American strategic preponderance plays an important role in facilitating a vigorous international response to globalized terrorism, including the use of coercive military options and interventions. A primacist strategy has the dual attraction of both maximizing U.S. strategic dominance and convincing the public of a party’s national security credentials. Indeed, the Republicans had developed a strong advantage in electoral politics by its adherence to a strong military and aggressive strategy, and the Democrats in turn ‘‘learned the lesson of its vulnerability on the issue and [...] explicitly declared its devotion to national security and support for the military.’’ 43 The 9/11 attacks may not have altered the distribution of power amongst major states, but it has directly created a domestic political situation marked by an addiction to expansive security measures that are needed to satisfy increasingly high public expectations. In such a climate, it is easy to see why the neo-conservatives were so successful in selling their strategic vision. The fact that the United States has effectively settled on a grand strategy of primacy in the post-9/11 period should come as no surprise. **It is simply inconceivable that a political party could successfully advocate a grand strategy that does not embrace military preeminence and interventionism**, two factors that are seen to provide a deﬁnite advantage in the pursuit of a ‘‘global war on terror.’’ Political parties may disagree on the necessary tactics to eliminate the terrorist threat. But with increased vulnerability and security addiction, the United States will continue to embrace strategies of primacy– rather than going ‘‘beyond primacy’’–for much of the Long War.

### hardline good

**Empirically proven**

**Hawks 1**—AA from Santa Monica College and BS from the University of Oregon (Chuck, How To Defeat Terrorism, http://www.chuckhawks.com/defeat\_terrorism.htm, AMiles)

But do the conditions that made non-violence a successful strategy in these three historical cases pertain to the present confrontation between the civilized world and international terrorism? In particular, do such conditions exist in the present confrontation between, on one side, the fundamentalist Muslim terrorist organization al Qaeda and their allies in the Taliban government of Afghanistan and, on the other side, the United States, the United Kingdom, and their allies in the civilized world? This is a question worth considerable thought and analysis, and I do not pretend to have all the answers. My formal degrees are in the field of political science (I particularly studied international affairs), and I have a modest reputation as an amateur historian, especially as regards 20th Century military history. I like to think that I also have a smidgen of intelligence, and some small talent for logical analysis. Whether I do, here are my observations about pacifism and the current war on terrorism. After some thought I have concluded that for pacifist tactics to succeed, at the minimum, the following conditions must pertain. One, the pacifist's opponents must be rational (capable of understanding the logic of the pacifist's position). Two, the opponents must have moral values and ideals that are not inimical to the pacifist's. Three, the opponents must respect basic human rights. And four, the pacifist's opponents must not necessarily equate non-violence with weakness. Looking at our historical pacifist models, Jesus was a rabbi saving souls and teaching people in the (Jewish) culture in which he was raised. Dr. King was a Christian minister leading a movement for the rights of his people in the (American) culture in which he was raised. And Gandhi was leading his people in their struggle for independence from the British (a rational and moral people with a long democratic tradition of self-rule). The fundamental ingredients for successful pacifism were in place in all three instances. Of the three historical examples, I am most familiar with the American Civil Rights movement of the 1950's and early 1960's, because it took place during my lifetime, and because I gave it my support. In that case, the American population was literate and well educated, basically rational, and had a long democratic tradition. Furthermore, all of the participants were Americans and were raised in the same culture, there was widespread respect for human rights, the Judeo/Christian ethic was the cultural norm, and virtually no one wanted violence. Also, in that case, the vast majority of Caucasian Americans had (and have) no desire to oppress Negro Americans. All of the conditions required for successful pacifism were indeed fulfilled. Unfortunately, at least one (and usually more) of the required conditions are always missing when opposing totaliarian regimes (due to the nature of totaliarian regimes). Nor can they be present in any struggle against international terrorism (the fundamental tenents of terrorism preclude points two and three). In fact, **none of the requisite conditions for successful pacifism are fufilled in the present struggle against** Islamic **terrorists**. Throughout history, pacifism and non-violence has encouraged those with a totalitarian bent (whether religious or secular) to ever-greater crimes against their own people, their neighbors, and the rest of humanity. They have historically interpreted it as weakness, which they invariably attempt to exploit for their own demented purposes. This is clear from the writings and statements of modern totalitarian leaders. For example: The vast majority of European Jews responded non-violently to the Nazi pogrom. They went peacefully to the concentration camps, and ultimately to their deaths, a fact that has puzzled historians for years. This pacifistic approach did nothing to slow down the "Final Solution," and in fact increased its efficiency. Which is the history behind the slogan popular in modern Israel: "Never again!" Another example: Non-violence was simply not a viable option when the forces of the Imperial Japanese Empire attacked the US, the UK, and their allies in December of 1941. Had the Western Allies not resisted with armed force, the Japanese would clearly have gone on to occupy, and exploit by force, all of Southeast Asia and the entire Pacific basin, as well as China. Had they not been opposed by armed force Germany, Japan, and the other Axis nations would have eventually built a power base that made them literally unstoppable. War was the only viable way to prevent this and, with 20-20 hindsight, clearly the correct decision. (Paradoxically, had the Axis succeeded in world domination, international terrorism would probably not be a problem today. Axis [state] terrorism would have systematically executed all of the dissidents in the occupied territories, and long since crushed the independent states of the Middle East. The entire region would be under the boot heel of the Axis, and the people there would be slaves. Terrorism is effective only where there are moral and innocent people to terrorize.) The United States of America had, until the events of 11 September 2001, largely ignored terrorism. This was especially true during the 8 years of the Clinton Administration. You could even make the argument that the terrorist acts of 11 September 2001 were, at least in part, the result of President Clinton's legacy of inaction. The Clinton Administration took no effective action when the al Qaeda terrorist organization attacked the American embassies in Kenya and Tanzania, killing 224 people, and again did nothing when al Qaeda attacked the United States Ship Cole. Both of those assaults were ipso-facto declarations of war, acts that historically require a declaration of war from the aggrieved state. But the Clinton Administration chose not to take decisive action. At the end of his administration, in a move cynically designed to garner Puerto Rican votes for Hillary Clinton's senate bid, President Clinton pardoned 16 terrorists convicted of bombing attacks against New York city, over the vociferous objections of the entire law enforcement community. President Clinton evidently believed that terrorists would leave America alone if America did not respond to, even forgave, terrorist provocation. Clearly, American restraint did not convince the al Qaeda terrorists to leave America alone. (Neither, for that matter, did America's repeated attempts to save Moslem people from violence and starvation in various parts of the world.) The leaders and members of al Qaeda did not become more amenable to reason, their ethics and morality did not improve, they steadfastly rejected the concept of human rights, and they did not abandon violence. (Unlikely in any case, as **their "culture" views** **pacifism as weakness**.) Instead, they were emboldened to greater acts of terrorism, which resulted in the suicide attacks on the World Trade Center and the Pentagon. These fanatics have stated that, If they could, they would kill everyone in America and every American anywhere in the world to achieve their goals. (Interestingly, this would include almost all American Muslims, who are not proper "fundamentalists" by al Qaeda standards.) The notorious al Qaeda leader Osama bin Laden, among others, has made this clear in his speeches and recent statements. So have the leaders of the totalitarian theocracy in Afghanistan known as the Taliban, who support al Qaeda and international terrorism. Personally, I have serious reservations about the practicality of any "war" against intangibles, whether poverty, drugs, or terrorism. But, one way or another, I am convinced that international terrorists and the regimes that support them must be rooted out and brought to justice--which means killed--because they will not stop killing us. (As I understand it, the theology of the Islamic terrorists promises them rewards in heaven for killing us.) I have reluctantly accepted the necessity for a broad based campaign on the economic, political, and military fronts against the terrorists themselves and the nation states that support them, as outlined by President Bush. No citizen of the civilized world should expect a quick victory over international terrorism. Understand that the terrorists who attacked the United States on 11 September 2001 have drawn us into a long series of wars. We have embarked on a process that will take many years to bring to a successful conclusion. Want it or not, the United States in particular and the Western democracies in general, are involved in a war to the death with these terrorists and their supporters. A war in which there are no real front lines, and in which the terrorist "fighters" would much rather attack defenseless civilians than engage our troops. Since terrorists have forced civilized people everywhere to be on the "front lines" of this battle, my first suggestion to decent people on the home front is to arm themselves. In the United States, federal and state governments should encourage those Americans who so desire to arm themselves, in accordance with our individual Constitutional right "to keep and bear arms." (That means to own and carry guns, without superfluous government restrictions on law-abiding citizens.) And I would suggest that the governments of the other democratic nations of the world ease their draconian restrictions on the private ownership of firearms (especially handguns). It is time for the leaders of democratic governments worldwide to trust their own citizens. Permit those people of the civilized world, who are willing to do so, to accept responsibility for their own safety, on the Israeli model. Islamic terrorists claim that they are willing to die to the last man for their cause; unfortunately, we must be ready and willing to help them do just that. On the home front, this has become a battle between fanatical terrorists fighting to die and decent people fighting to live. To paraphrase General Patton: Our job is not to die for our beliefs, it is to make the other poor bastard die for his.

### not islamophobic

#### Challenging Muslim groups that target civilians is not Islamophobic. Islamophobia instead results from conflating cultural characteristics and violence

**Ramadan ‘10** – Tariq, professor of Islamic Studies at the Faculty of Theology at Oxford (Good Muslim, Bad Muslim”, Middle East Online, First Published: 2010-03-17, http://www.middle-east-online.com/english/?id=37897)

There are those in the west today who are keen to define moderate Muslims as those who are invisible, or look just like us, who support us, or even as those who have accepted the terms of their subjection. In turn, they want to declare all the rest as fundamentalists or extremists. Such self-serving judgements are ideological in nature and lead only to an intellectual confusion that prevents us from grasping the essentially political and economic nature of the debate. They cannot help us to understand the complex dynamics at work in Muslim societies. Once we have condemned the violent -- extremist groups that murder innocent civilians supposedly in the name of Islam, we must move forward and place their political positions in context.

There exists a strictly religious debate, couched in the language of Islamic jurisprudence

and the fundamentals of faith, over the notion of moderation. If this is grasped - as it must be - it becomes possible to approach the more relevant political questions with far less prejudice and naivety. We should never forget that religious moderation, however it is defined, is perfectly compatible with a radical, non-violent, democratic political stance that rejects all forms of domination, exploitation and oppression.

### terrorism studies

#### Critical terrorism studies lacks evidence for its assertions and lacks a coherent method for generating its own truth claims – their authors are blinded by their anti-Western ideology and unconcerned with showing supporting data – this prevents generating any useful alternative

**Jones and Smith, 9** - \*University of Queensland, Queensland, Australia and \*\*King's College, University of London, London, UK (David and M.L.R., “We're All Terrorists Now: Critical—or Hypocritical—Studies “on” Terrorism?,” Studies in Conflict & Terrorism, Volume 32, Issue 4 April 2009 , pages 292 **–** 302**,** Taylor and Francis)

The journal, in other words, is not intended, as one might assume, to evaluate critically those state or non-state actors that might have recourse to terrorism as a strategy. Instead, the journal's ambition is to deconstruct what it views as the ambiguity of the word “terror,” its manipulation by ostensibly liberal democratic state actors, and the complicity of “orthodox” terrorism studies in this authoritarian enterprise. Exposing the deficiencies in any field of study is, of course, a legitimate scholarly exercise, but what the symposium introducing the new volume announces questions both the research agenda and academic integrity of journals like *Studies in Conflict and Terrorism* and those who contribute to them. Do these claims, one might wonder, have any substance?

Significantly, the original proposal circulated by the publisher Routledge and one of the editors, Richard Jackson, suggested some uncertainty concerning the preferred title of the journal. *Critical Studies on Terrorism* appeared last on a list where the first choice was *Review of Terror Studies*. Evidently, the concision of a review fails to capture the critical perspective the journal promotes. Criticism, then, is central to the new journal's philosophy and the adjective connotes a distinct ideological and, as shall be seen, far from pluralist and inclusive purpose. So, one might ask, what exactly does a critical approach to terrorism involve?

What it Means to be Critical

The editors and contributors explore what it means to be “critical” in detail, repetition, and opacity, along with an excessive fondness for italics, in the editorial symposium that introduces the first issue, and in a number of subsequent articles. The editors inform us that the study of terrorism is “a growth industry,” observing with a mixture of envy and disapproval that “literally thousands of new books and articles on terrorism are published every year” (pp. l-2). In adding to this literature the editors premise the need for yet another journal on their resistance to what currently constitutes scholarship in the field of terrorism study and its allegedly uncritical acceptance of the Western democratic state's security perspective.

Indeed, to be critical requires a radical reversal of what the journal assumes to be the typical perception of terrorism and the methodology of terrorism research. To focus on the strategies practiced by non-state actors that feature under the conventional denotation “terror” is, for the critical theorist, misplaced. As the symposium explains, “acts of clandestine non-state terrorism are committed by a tiny number of individuals and result in between a few hundred and a few thousand casualties *per year over the entire world*” (original italics) (p. 1). The United States's and its allies' preoccupation with terrorism is, therefore, out of proportion to its effects.1 At the same time, the more pervasive and repressive terror practiced by the state has been “silenced from public and … academic discourse” (p. 1).

The complicity of terrorism studies with the increasingly authoritarian demands of Western, liberal state and media practice, together with the moral and political blindness of established terrorism analysts to this relationship forms the journal's overriding assumption and one that its core contributors repeat ad nauseam. Thus, Michael Stohl, in his contribution “Old Myths, New Fantasies and the Enduring Realities of Terrorism” (pp. 5-16), not only discovers ten “myths” informing the understanding of terrorism, but also finds that these myths reflect a “state centric security focus,” where analysts rarely consider “the violence perpetrated by the state” (p. 5). He complains that the press have become too close to government over the matter. Somewhat contradictorily Stohl subsequently asserts that media reporting is “central to terrorism and counter-terrorism as political action,” that media reportage provides the oxygen of terrorism, and that politicians consider journalists to be “the terrorist's best friend” (p. 7).

Stohl further compounds this incoherence, claiming that “the media are far more likely to focus on the destructive actions, rather than on … grievances or the social conditions that breed [terrorism]—to present episodic rather than thematic stories” (p. 7). He argues that terror attacks between 1968 and 1980 were scarcely reported in the United States, and that reporters do not delve deeply into the sources of conflict (p. 8). All of this is quite contentious, with no direct evidence produced to support such statements. The “media” is after all a very broad term, and to assume that it is monolithic is to replace criticism with conspiracy theory. Moreover, even if it were true that the media always serves as a government propaganda agency, then by Stohl's own logic, terrorism as a method of political communication is clearly futile as no rational actor would engage in a campaign doomed to be endlessly misreported.

Nevertheless, the notion that an inherent pro-state bias vitiates terrorism studies pervades the critical position. Anthony Burke, in “The End of Terrorism Studies” (pp. 37-49), asserts that established analysts like Bruce Hoffman “specifically exclude states as possible perpetrators” of terror. Consequently, the emergence of “critical terrorism studies” “may signal the end of a particular kind of traditionally state-focused and directed 'problem-solving' terrorism studies—at least in terms of its ability to assume that its categories and commitments are immune from challenge and correspond to a stable picture of reality” (p. 42).

Elsewhere, Adrian Guelke, in “Great Whites, Paedophiles and Terrorists: The Need for Critical Thinking in a New Era of Terror” (pp. 17-25), considers British government-induced media “scare-mongering” to have legitimated an “authoritarian approach” to the purported new era of terror (pp. 22-23). Meanwhile, Joseba Zulaika and William A. Douglass, in “The Terrorist Subject: Terrorist Studies and the Absent Subjectivity” (pp. 27-36), find the War on Terror constitutes “*the* single,” all embracing paradigm of analysis where the critical voice is “not allowed to ask: what is the reality itself?” (original italics) (pp. 28-29). The construction of this condition, they further reveal, if somewhat abstrusely, reflects an abstract “desire” that demands terror as “an ever-present threat” (p. 31). In order to sustain this fabrication: “Terrorism experts and commentators” function as “realist policemen”; and not very smart ones at that, who while “gazing at the evidence” are “unable to read the paradoxical logic of the desire that fuels it, whereby *lack* turns to*excess*” (original italics) (p. 32). Finally, Ken Booth, in “The Human Faces of Terror: Reflections in a Cracked Looking Glass” (pp. 65-79), reiterates Richard Jackson's contention that state terrorism “is a much more serious problem than non-state terrorism” (p. 76).

Yet, one searches in vain in these articles for evidence to support the ubiquitous assertion of state bias: assuming this bias in conventional terrorism analysis as a fact seemingly does not require a corresponding concern with evidence of this fact, merely its continual reiteration by conceptual fiat. A critical perspective dispenses not only with terrorism studies but also with the norms of accepted scholarship. Asserting what needs to be demonstrated commits, of course, the elementary logical fallacy *petitio principii*. But critical theory apparently emancipates (to use its favorite verb) its practitioners from the confines of logic, reason, and the usual standards of academic inquiry.

Alleging a constitutive weakness in established scholarship without the necessity of providing proof to support it, therefore, appears to define the critical posture. The unproved “state centricity” of terrorism studies serves as a platform for further unsubstantiated accusations about the state of the discipline. Jackson and his fellow editors, along with later claims by Zulaika and Douglass, and Booth, again assert that “orthodox” analysts rarely bother “to interview or engage with those involved in 'terrorist' activity” (p. 2) or spend any time “on the ground in the areas most affected by conflict” (p. 74). Given that Booth and Jackson spend most of their time on the ground in Aberystwyth, Ceredigion, not a notably terror rich environment if we discount the operations of *Meibion Glyndwr* who would as a matter of principle avoid *pob sais* like Jackson and Booth, this seems a bit like the pot calling the kettle black. It also overlooks the fact that *Studies in Conflict and Terrorism* first advertised the problem of “talking to terrorists” in 2001 and has gone to great lengths to rectify this lacuna, if it is one, regularly publishing articles by analysts with first-hand experience of groups like the Taliban, Al Qaeda and *Jemaah Islamiyah*.

A consequence of avoiding primary research, it is further alleged, leads conventional analysts uncritically to apply psychological and problem-solving approaches to their object of study. This propensity, Booth maintains, occasions another unrecognized weakness in traditional terrorism research, namely, an inability to engage with “the particular dynamics of the political world” (p. 70). Analogously, Stohl claims that “the US and English [sic] media” exhibit a tendency to psychologize terrorist acts, which reduces “structural and political problems” into issues of individual pathology (p. 7). Preoccupied with this problem-solving, psychopathologizing methodology, terrorism analysts have lost the capacity to reflect on both their practice and their research ethics.

By contrast, the critical approach is not only self-reflective, but also and, for good measure, self-reflexive. In fact, the editors and a number of the journal's contributors use these terms interchangeably, treating a reflection and a reflex as synonyms (p. 2). A cursory encounter with the *Shorter Oxford Dictionary* would reveal that they are not. Despite this linguistically challenged misidentification, “reflexivity” is made to do a lot of work in the critical idiom. Reflexivity, the editors inform us, requires a capacity “to challenge dominant knowledge and understandings, is sensitive to the politics of labelling … is transparent about its own values and political standpoints, adheres to a set of responsible research ethics, and is committed to a broadly defined notion of emancipation” (p. 2). This covers a range of not very obviously related but critically approved virtues. Let us examine what reflexivity involves as Stohl, Guelke, Zulaika and Douglass, Burke, and Booth explore, somewhat repetitively, its implications.

Reflexive or Defective?

Firstly, to challenge dominant knowledge and understanding and retain sensitivity to labels leads inevitably to a fixation with language, discourse, the ambiguity of the noun, terror, and its political use and abuse. Terrorism, Booth enlightens the reader unremarkably, is “a politically loaded term” (p. 72). Meanwhile, Zulaika and Douglass consider terror “the dominant tropic [sic] space in contemporary political and journalistic discourse” (p. 30). Faced with the “serious challenge” (Booth p. 72) and pejorative connotation that the noun conveys, critical terrorologists turn to deconstruction and bring the full force of postmodern obscurantism to bear on its use. Thus the editors proclaim that terrorism is “one of the most powerful signifiers in contemporary discourse.” There is, moreover, a “yawning gap between the 'terrorism' signifier and the actual acts signified” (p. 1). “[V]irtually all of this activity,” the editors pronounce *ex cathedra*, “refers to the *response* to acts of political violence not the violence itself” (original italics) (p. 1). Here again they offer no evidence for this curious assertion and assume, it would seem, all conventional terrorism studies address issues of homeland security.

In keeping with this critical orthodoxy that he has done much to define, Anthony Burke also asserts the “instability (and thoroughly politicized nature) of the unifying master-terms of our field: 'terror' and 'terrorism'” (p. 38). To address this he contends that a critical stance requires us to “keep this radical instability and inherent politicization of the concept of terrorism at the forefront of its analysis.” Indeed, “without a conscious reflexivity about the most basic definition of the object, our discourse will not be critical at all” (p. 38). More particularly, drawing on a jargon-infused amalgam of Michel Foucault's identification of a relationship between power and knowledge, the neo-Marxist Frankfurt School's critique of democratic false consciousness, mixed with the existentialism of the Third Reich's favorite philosopher, Martin Heidegger, Burke “*questions the question*.” This intellectual *potpourri* apparently enables the critical theorist to “question the ontological status of a 'problem' before any attempt to map out, study or resolve it” (p. 38).

Interestingly, Burke, Booth, and the symposistahood deny that there might be objective data about violence or that a properly focused strategic study of terrorism would not include any prescriptive goodness or rightness of action. While a strategic theorist or a skeptical social scientist might claim to consider only the complex relational situation that involves as well as the actions, the attitude of human beings to them, the critical theorist's radical questioning of language denies this possibility.

The critical approach to language and its deconstruction of an otherwise useful, if imperfect, political vocabulary has been the source of much confusion and inconsequentiality in the practice of the social sciences. It dates from the relativist pall that French radical post structural philosophers like Gilles Deleuze and Felix Guattari, Foucault, and Jacques Derrida, cast over the social and historical sciences in order to demonstrate that social and political knowledge depended on and underpinned power relations that permeated the landscape of the social and reinforced the liberal democratic state. This radical assault on the possibility of either neutral fact or value ultimately functions unfalsifiably, and as a substitute for philosophy, social science, and a real theory of language.

The problem with the critical approach is that, as the Australian philosopher John Anderson demonstrated, to achieve a genuine study one must either investigate the facts that are talked about or the fact that they are talked about in a certain way. More precisely, as J.L. Mackie explains, “if we concentrate on the uses of language we fall between these two stools, and we are in danger of taking our discoveries about manners of speaking as answers to questions about what is there.”2 Indeed, in so far as an account of the use of language spills over into ontology it is liable to be a confused mixture of what should be two distinct investigations: the study of the facts about which the language is used, and the study of the linguistic phenomena themselves.

It is precisely, however, this confused mixture of fact and discourse that critical thinking seeks to impose on the study of terrorism and infuses the practice of critical theory more generally. From this confused seed no coherent method grows.

What is To Be Done?

This ontological confusion notwithstanding, Ken Booth sees critical theory not only exposing the dubious links between power and knowledge in established terrorism studies, but also offering an ideological agenda that transforms the face of global politics. “[*C*]*ritical knowledge*,” Booth declares, “*involves understandings of the social world that attempt to stand outside prevailing structures, processes, ideologies and orthodoxies while recognizing that all conceptualizations within the ambit of sociality derive from particular social/historical conditions*” (original italics) (p. 78). Helpfully, Booth, assuming the manner of an Old Testament prophet, provides his critical disciples with “*big-picture* navigation aids” (original italics) (p. 66) to achieve this higher knowledge. Booth promulgates fifteen commandments (as Clemenceau remarked of Woodrow Wilson's nineteen points, in a somewhat different context, “God Almighty only gave us ten”). When not stating the staggeringly obvious, the Ken Commandments are hopelessly contradictory. Critical theorists thus should “avoid exceptionalizing the study of terrorism,”3 “recognize that states can be agents of terrorism,” and “keep the long term in sight.” Unexceptional advice to be sure and long recognized by more traditional students of terrorism. The critical student, if not fully conversant with critical doublethink, however, might find the fact that she or he lives within “Powerful theories” that are “constitutive of political, social, and economic life” (6th Commandment, p. 71), sits uneasily with Booth's concluding injunction to “stand outside” prevailing ideologies (p. 78).

In his preferred imperative idiom, Booth further contends that terrorism is best studied in the context of an “academic international relations” whose role “is not only to interpret the world but to change it” (pp. 67-68). Significantly, academic—or more precisely, critical—international relations, holds no place for a realist appreciation of the status quo but approves instead a Marxist ideology of praxis. It is within this transformative praxis that critical theory situates terrorism and terrorists.

The political goals of those non-state entities that choose to practice the tactics of terrorism invariably seek a similar transformative praxis and this leads “critical global theorizing” into a curiously confused empathy with the motives of those engaged in such acts, as well as a disturbing relativism. Thus, Booth again decrees that the gap between “those who hate terrorism and those who carry it out, those who seek to delegitimize the acts of terrorists and those who incite them, and those who abjure terror and those who glorify it—is not as great as is implied or asserted by orthodox terrorism experts, the discourse of governments, or the popular press” (p. 66). The gap “between us/them is a slippery slope, not an unbridgeable political and ethical chasm” (p. 66). So, while “terrorist actions are always—without exception—wrong, they nevertheless might be contingently excusable” (p. 66). From this ultimately relativist perspective gang raping a defenseless woman, an act of terror on any critical or uncritical scale of evaluation, is, it would seem, wrong but potentially excusable.

On the basis of this worrying relativism a further Ken Commandment requires the abolition of the discourse of evil on the somewhat questionable grounds that evil releases agents from responsibility (pp. 74-75). This not only reveals a profound ignorance of theology, it also underestimates what Eric Voeglin identified as a central feature of the appeal of modern political religions from the Third Reich to Al Qaeda. As Voeglin observed in 1938, the Nazis represented an “attractive force.” To understand that force requires not the abolition of evil [so necessary to the relativist] but comprehending its attractiveness. Significantly, as Barry Cooper argues, “its attractiveness, [like that of al Qaeda] cannot fully be understood apart from its evilness.”4

The line of relativist inquiry that critical theorists like Booth evince toward terrorism leads in fact not to moral clarity but an inspissated moral confusion. This is paradoxical given that the editors make much in the journal's introductory symposium of their “responsible research ethics.” The paradox is resolved when one realizes that critical moralizing demands the “ethics of responsibility to the terrorist other.” For Ken Booth it involves, it appears, empathizing “with the ethic of responsibility” faced by those who, “in extremis” “have some explosives” (p. 76). Anthony Burke contends that a critically self-conscious normativism requires the analyst, not only to “critique” the “strategic languages” of the West, but also to “take in” the “side of the Other” or more particularly “engage” “with the highly developed forms of thinking” that provides groups like Al Qaeda “with legitimizing foundations and a world view of some profundity” (p. 44). This additionally demands a capacity not only to empathize with the “other,” but also to recognize that both Osama bin Laden in his *Messages to the West* and Sayyid Qutb in his Muslim Brotherhood manifesto *Milestones* not only offer “well observed” criticisms of Western decadence, but also “converges with elements of critical theory” (p. 45). This is not surprising given that both Islamist and critical theorists share an analogous contempt for Western democracy, the market, and the international order these structures inhabit and have done much to shape.

Histrionically Speaking

Critical theory, then, embraces relativism not only toward language but also toward social action. Relativism and the bizarre ethicism it engenders in its attempt to empathize with the terrorist other are, moreover, histrionic. As Leo Strauss classically inquired of this relativist tendency in the social sciences, “is such an understanding dependent upon our own commitment or independent of it?” Strauss explains, if it is independent, I am committed as an actor and I am uncommitted in another compartment of myself in my capacity as a social scientist. “In that latter capacity I am completely empty and therefore completely open to the perception and appreciation of all commitments or value systems.” I go through the process of empathetic understanding in order to reach clarity about my commitment for only a part of me is engaged in my empathetic understanding. This means, however, that “such understanding is not serious or genuine but histrionic.”5 It is also profoundly dependent on Western liberalism. For it is only in an open society that questions the values it promotes that the issue of empathy with the non-Western other could arise. The critical theorist's explicit loathing of the openness that affords her histrionic posturing obscures this constituting fact.

On the basis of this histrionic empathy with the “other,” critical theory concludes that democratic states “do not always abjure acts of terror whether to advance their foreign policy objectives … or to buttress order at home” (p. 73). Consequently, Ken Booth asserts: “If terror can be part of the menu of choice for the relatively strong, it is hardly surprising it becomes a weapon of the relatively weak” (p. 73). Zulaika and Douglass similarly assert that terrorism is “always” a weapon of the weak (p. 33).

At the core of this critical, ethicist, relativism therefore lies a syllogism that holds all violence is terror: Western states use violence, therefore, Western states are terrorist. Further, the greater terrorist uses the greater violence: Western governments exercise the greater violence. Therefore, it is the liberal democracies rather than Al Qaeda that are the greater terrorists.

## 1nr

### at: view from nowhere

#### Epistemology DA - we’re not the view from nowhere—the dichotomy they’re drawing makes them equally suspect—because it claims a privileged insight on reality

**DISCH ‘93** (Lisa J.; Professor of Political Theory – University of Minnesota, “More Truth Than Fact: Storytelling as Critical Understanding in the Writings of Hannah Arendt,” Political Theory 21:4, November)

What Hannah Arendt called “my old fashioned storytelling”7 is at once the most elusive and the most provocative aspect of her political philosophy. The apologies she sometimes made for it are well known, but few scholars have attempted to discern from these “scattered remarks” as statement of epistemology or method.8 Though Arendt alluded to its importance throughout her writings in comments like the one that prefaces this essay, this offhandedness left an important question about storytelling unanswered: how can thought that is “bound” to experience as its only “guidepost” possibly be critical? I discern an answer to this question in Arendt’s conception of storytelling, which implicitly redefines conventional understandings of objectivity and impartiality. Arendt failed to explain what she herself termed a “rather unusual approach”9 to political theory because she considered methodological discussions to be self-indulgent and irrelevant to real political problems.10 This reticence did her a disservice because by failing to explain how storytelling creates a vantage point that is both critical and experiential she left herself open to charges of subjectivism.11 As Richard Bernstein has argued, however, what makes Hannah Arendt distinctive is that she is neither a subjectivist nor a foundationalist but, rather, attempts to move “beyond objectivism and relativism.”12 I argue that Arendt’s apologies for her storytelling were disingenuous; she regarded it not as an anachronistic or nostalgic way of thinking but as an innovative approach to critical understanding. Arendt’s storytelling proposes an alternative to the model of impartiality defined as detached reasoning. In Arendt’s terms, impartiality involves telling oneself the story of an event or situation form the plurality of perspectives that constitute it as a public phenomenon. This critical vantage point, not from outside but from within a plurality of contesting standpoints, is what I term “situated impartiality.” Situated impartial knowledge is neither objective disinterested nor explicitly identified with a single particularistic interest. Consequently, its validity does not turn on what Donna Haraway calls the “god trick,” the claim to an omnipotent, disembodied vision that is capable of “seeing everything from nowhere.”13 But neither does it turn on a claim to insight premised on the experience of subjugation, which purportedly gives oppressed peoples a privileged understanding of structures of domination and exonerates them of using power to oppress. The two versions of standpoint claims – the privileged claim to disembodied vision and the embodied claim to “antiprivilege” from oppression – are equally suspect because they are simply antithetical. Both define knowledge positionally, in terms of proximity to power; they differ only in that they assign the privilege of “objective” understanding to opposite poles of the knowledge/power axis. Haraway argues that standpoint claims are insufficient as critical theory because they ignore the complex of social relations that mediate the connection between knowledge and power. She counters that any claim to knowledge, whether advanced by the oppressed or their oppressors, is partial. No one can justifiably lay claim to abstract truth, Haraway argues, but only to “embodied objectivity,” which she argues “means quite simply situated knowledges.”14 There is a connection between Arendt’s defense of storytelling and Haraway’s project, in that both define theory as a critical enterprise whose purpose is not to defend abstract principles or objective facts but to tell provocative stories that invite contestation form rival perspectives.15

### chandler

#### Chandler goes negative in 2007

Chandler 7 – Researcher @ Centre for the Study of Democracy, Chandler. 2007. Centre for the Study of Democracy, Westminster, Area, Vol. 39, No. 1, p. 118-119

This disjunction between the human/ethical/global causes of post-territorial political activism and the capacity to 'make a difference' is what makes these individuated claims immediately abstract and metaphysical – there is no specific demand or programme or attempt **to build a collective project**. This is the politics of symbolism. The rise of symbolic activism is highlighted in the increasingly popular framework of 'raising awareness'– here there is no longer even a formal connection **between ethical activity and intended outcomes** (Pupavac 2006). Raising awareness about issues has replaced even the pretense of taking responsibility for engaging with the world – the act is ethical in-itself. Probably the most high profile example of awareness raising is the shift from Live Aid, which at least attempted to measure its consequences in fund-raising terms, to Live 8 whose goal was solely that of raising an 'awareness of poverty'. The struggle for 'awareness' makes it clear that the focus of symbolic politics is the individual and their desire to elaborate upon their identity – to make us aware of their 'awareness', rather than to engage us in an instrumental project of changing or engaging with the outside world. It would appear that in freeing politics from the constraints of territorial political community there is a danger that political activity is freed from any constraints of social mediation(see further, Chandler 2004a). Without being forced to test and hone our arguments, or even to clearly articulate them, we can rest on the radical 'incommunicability' of our personal identities and claims – you are 'either with us or against us'; engaging with those who disagree is no longer possible or even desirable. It is this lack of desire to engage which most distinguishes the unmediated activism of post-territorial political actors from the old politics of territorial communities, founded on **struggles of collective interests** (Chandler 2004b). The clearest example is old representational politics – this forced engagement in order to win the votes of people necessary for political parties to assume political power. Individuals with a belief in a collective programme knocked on strangers' doors and were willing to engage with them, not on the basis of personal feelings but on what they understood were their potential shared interests. Few people would engage in this type of campaigning today; engaging with people who do not share our views, in an attempt to change their minds, is increasingly anathema and most people would rather share their individual vulnerabilities or express their identities in protest than attempt to argue with a peer. This paper is not intended to be a nostalgic paean to the old world of collective subjects and national interests or a call for a revival of territorial state-based politics or even to reject global aspirations: quite the reverse. Today, politics has been 'freed' from the constraints of territorial political community – governments without coherent policy programmes do not face the **constraints of failure or the constraints of the electorate** in any meaningful way; activists, without any collective opposition to relate to, are free to choose their causes and ethical identities; **protest, from Al Qaeda, to anti-war demonstrations**, to the riots in France, is inchoate and atomized. When attempts are made to formally organize opposition, the ephemeral and incoherent character of protest is immediately apparent.

### anderson

#### Arguments don’t injure people, but policies do—voting aff on this is much closer to censorship because it says we can’t even introduce ideas without harming them—that's a tactical move to shut down debates

Amanda Anderson 6, Andrew W. Mellon Professor of Humanities and English at Brown University, Spring 2006, “Reply to My Critic(s),” Criticism, Vol. 48, No. 2, p. 281-290

Probyns piece is a mixture of affective fallacy, argument by authority, and bald ad hominem. There's a pattern here: precisely the tendency to personalize argument and to foreground what Wendy Brown has called "states of injury." Probyn says, for example, that she "felt ostracized by the books content and style." Ostracized? Argument here is seen as directly harming persons, and this is precisely the state of affairs to which I object. Argument is not injurious to persons. Policies are injurious to persons and institutionalized practices can alienate and exclude. But argument itself is not directly harmful; once one says it is, one is very close to a logic of censorship. The most productive thing to do in an open academic culture (and in societies that aspire to freedom and democracy) when you encounter a book or an argument that you disagree with is to produce a response or a book that states your disagreement. But to assert that the book itself directly harms you is tantamount to saying that you do not believe in argument or in the free exchange of ideas, that your claim to injury somehow damns your opponent's ideas.

When Probyn isn't symptomatic, she's just downright sloppy. One could work to build up the substance of points that she throws out the car window as she screeches on to her next destination, but life is short, and those with considered objections to liberalism and proceduralism would not be particularly well served by the exercise. As far as I can tell, Probyn thinks my discussion of universalism is of limited relevance (though far more appealing when put, by others, in more comfortingly equivocating terms), but she's certain my critique of appeals to identity is simply not able to accommodate the importance of identity in social and political life. As I make clear throughout the book, and particularly in my discussion of the headscarf debate in France, identity is likely to be at the center of key arguments about life in plural democracies; my point is not that identity is not relevant, but simply that it should not be used to trump or stifle argument.

In closing, I'd like to speak briefly to the question of proceduralism's relevance to democratic vitality. One important way of extending the proceduralist arguments put forth by Habeimas is to work on how institutions and practices might better promote participation in democratic life. The apathy and nonparticipation plaguing democratic institutions in the United States is a serious problem, and can be separated from the more romantic theoretical investments in a refusal to accept the terms of what counts as argument, or in assertions of inassimilable difference. With respect to the latter, which is often glorified precisely as the moment when politics or democracy is truly occurring, I would say, on the contrary democracy is not happening then-rather, the limits or deficiencies of an actually existing democracy are making themselves felt. Acknowledging struggle, conflict, and exclusion is vital to democracy, but insisting that exclusion is not so much a persistent challenge for modern liberal democracies but rather inherent to the modern liberal-democratic political form as such seems to me precisely to remain stalled in a romantic critique of Enlightenment. It all comes down to a question of whether one wants to work with the ideals of democracy or see them as essentially normative in a negative sense: this has been the legacy of a certain critique of Enlightenment, and it is astonishingly persistent in the left quarters in the academy. One hears it clearly when Robbins makes confident reference to liberalisms tendency to ignore "the founding acts of violence on which a social order is based." One encounters it in the current vogue for the work of Giorgio Agamben and Carl Schmitt. Saying that a state of exception defines modernity or is internal to the law itself may help to sharpen your diagnoses of certain historical conditions, but if absolutized as it is in these accounts, it gives you nothing but a negative diagnostic and a compensatory flight to a realm entirely other-the kind of mystical, Utopian impulse that flees from these conditions rather than confronts and fights them on terms that derive from the settled-if constantly evolving-normative basis of democratic modernity. If one is outraged by the flagrant disregard of democratic procedures in the current U.S. political regime, then one needs to be able to coherently say why democratic procedures matter, what principles underwrite them, and what historical movements and institutions have helped us to secure and support them. Argument as a critical practice and as a key component of democratic institutions and public debate has a vital role to play in such a task.

### isaac

#### The aff fails to engage in comparative institutional analysis and instead centers their discussion on abstract moral purity – this focus undercuts political responsibility and turns the case

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As a result, the most important political questions are simply not asked. It is assumed that U.S. military intervention is an act of "aggression," but no consideration is given to the aggression to which intervention is a response. The status quo ante in Afghanistan is not, as peace activists would have it, peace, but rather terrorist violence abetted by a regime--the Taliban--that rose to power through brutality and repression. This requires us to ask a question that most "peace" activists would prefer not to ask: What should be done to respond to the violence of a Saddam Hussein, or a Milosevic, or a Taliban regime? What means are likely to stop violence and bring criminals to justice? Calls for diplomacy and international law are well intended and important; they implicate a decent and civilized ethic of global order. But they are also vague and empty, because they are not accompanied by any account of how diplomacy or international law can work effectively to address the problem at hand. The campus left offers no such account. To do so would require it to contemplate tragic choices in which moral goodness is of limited utility. Here what matters is not purity of intention but the intelligent exercise of power. Power is not a dirty word or an unfortunate feature of the world. It is the core of politics. Power is the ability to effect outcomes in the world. Politics, in large part, involves contests over the distribution and use of power. To accomplish anything in the political world, one must attend to the means that are necessary to bring it about. And to develop such means is to develop, and to exercise, power. To say this is not to say that power is beyond morality. It is to say that power is not reducible to morality. As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness undercuts political responsibility. The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one's intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the clean conscience of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics--as opposed to religion--pacifism is always a potentially immoral stand. In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that politics is as much about unintended consequences as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with "good" may engender impotence, it is often the pursuit of "good" that generates evil. This is the lesson of communism in the twentieth century: it is not enough that one's goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goals and to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.