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# \*\*\*2AC\*\*\*

### T

**Indefinite detention refers to detention without trial**

**US Legal No Date** "Indefinite Detention Law & Legal Definition" definitions.uslegal.com/i/indefinite-detention/

**Indefinite detention is the practice of detaining an arrested person by a national government or law enforcement agency without a trial.** It may be made by the home country or by a foreign nation. Indefinite detention is a controversial practice, especially in situations where the detention is by a foreign nation. It is controversial because it seema to violate many national and international laws. It also violates human rights laws.

**Judicial restrictions” can be imposed on executive war powers**

**Singer 7** (Jana, Professor of Law, University of Maryland School of Law, SYMPOSIUM A HAMDAN QUARTET: FOUR ESSAYS ON ASPECTS OF HAMDAN V. RUMSFELD: HAMDAN AS AN ASSERTION OF JUDICIAL POWER, Maryland Law Review 2007 66 Md. L. Rev. 759)

n25. See, e.g., Dep't of the Navy v. Egan, 484 U.S. 518, 530 (1988) (**noting the reluctance of courts "to intrude upon the authority of the Executive in military and national security affairs**"); see also Katyal, supra note 1, at 84 (noting that "in war powers cases, the passive virtues operate at their height to defer adjudication, sometimes even indefinitely"); Harold Hongju Koh, Why the President (Almost) Always Wins in Foreign Affairs: Lessons of the Iran-Contra Affair, 97 Yale L.J. 1255, 1313-17 (1988) (**discussing the Court's use of justiciability doctrines to refuse to hear challenges to the President's authority in cases involving foreign affairs**); Gregory E. Maggs, The Rehnquist Court's Noninterference with the Guardians of National Security, 74 Geo. Wash. L. Rev. 1122, 1124-38 (2006) (discussing the Rehnquist Court's general policy of nonintervention in cases concerning actions of governmental agencies and political entities in national security matters); Peter E. Quint, **Reflections on the Separation of Powers and Judicial Review at the End of the Reagan Era**, 57 Geo. Wash. L. Rev. 427, 433-34 (1989) (**discussing the use of the political question doctrine as a means to avoid judicial restrictions on presidential power in cases involving military force**).

We meet because plan ends prez authority to conduct indef detention with a judicial restriction – ie trial by jury

#### Google dictionary

ju·di·cial

jo͞oˈdiSHəl/Submit

adjective

1.

of, by, or appropriate to a court or judge.

**Anthro K: 2AC**

**Perm do both—**

#### The public sphere is reflexive and self-correcting—any criticism they have can be overcome by our method because the public sphere critiques itself

Simon **Susen**, Lecturer, Social and Political Theory, Birbeck College, University of London, “Critical Notes on Habermas’s Theory of the Public Sphere,” SOCIOLOGICAL ANALYSIS, v. 5 n. 1, Spring 20**11**, p. 46-47.

(c) The bourgeois public sphere is critical not only of premodern and modern states, but also of **itself,** for it constitutes an intersubjectively constructed realm based on open and **reflexive** discourses. “It provide[s] the training ground for a critical public reflection still preoccupied with itself” (ibid.: 29; italics added). The self-critical reflexivity of linguistically equipped entities―who, as communicatively interconnected subjects, form the public sphere―is an **invaluable resource** for discursively mediated forms of action coordination in the modern era. Dialogically created public spheres cannot exist without the critical reflection upon the socio-historical constitution of potentially uncritical subjects. The rational-critical character of the modern public sphere is rooted in social actors’ capacity to engage in intersubjective discourse oriented towards the communicative coordination and normative regulation of social life. It is not irrelevant to note that the rational-critical analysis of the public sphere forms part of the rational-critical constitution of the public sphere. Hence, Habermas’s theory of the public sphere is situated in, and can be critiqued by, the public sphere itself. “His theory and his practice assume that critical debate is at the heart of all intellectual activity and every healthy public sphere, and it is clear that he expects his own writing to face the criticisms and contestations with which he regularly confronts his opponents” (Kramer 1992: 256). Engagement in critical discourses, produced by prolific public spheres, is a constitutive element of modern social life. The normative potential of the bourgeois public sphere emanates from critical discursiveness able to question the taken-for-grantedness of accepted forms of quotidian experience. In this sense, the struggle over the creation of an emancipatory society “is a struggle to make publicity a source of reasoned, progressive consensus formation” (Calhoun 1992a: 28). The public sphere is a collective realm in which individuals’ cognitive ability to take on the role of critical and responsible actors is indicative of society’s coordinative capacity to transform itself into an emancipatory project shaped by the normative force of communicative rationality.

**Using anthropocentric and non-anthropocentric justifications are not mutually exclusive**

Eric **Katz**, Science, Technology, and Society Program, Department of Humanities and Social Sciences,

New Jersey Institute of Technology, Winter **99**, [“A Pragmatic Reconsideration of Anthropocentrism,” ENVIRONMENTAL ETHICS Vol. 21, <http://www.mv.helsinki.fi/home/mekoskim/Eric%20Katz%20EE.pdf>] E. Liu

As a final point, it should be noted that a shift toward the **inclusion of anthropocentric arguments** in this particular case **is not damaging to** the **basic principles of nonanthropocentrism**. One can view the anthropocentric arguments for the replenishment of the beach and the preservation of Fire Island as a type of covert nonanthropocentric argument for the preservation of the natural system that lies within the hybrid artifactual/natural system. More specifically, environmentalists who are primarily concerned with the wilderness areas of Fire Island (such as the Sunken Forest) and the threatened and endangered species that live on the island can endorse the beach replenishment plan as an anthropocentric argument that achieves the nonanthropocentric goal of wilderness and species preservation. If the beach (an artifact of human) development) is not replenished, then the relatively undisturbed wilderness area that lies landward of the dunes and beach will be destroyed. IV Let me conclude with two brief comments. First, a conceptual and linguistic clarification. As a pragmatist, I have to remember that John Dewey argued relentlessly against the reification of false dualisms. In this essay**, I have tended to accentuate two pairs of dualisms**—anthropocentrism vs. nonanthropocentrism, and the natural vs. the artifactual. Let me stress that **I do not see these concepts as clearly demarcated dualistic ideals**. I believe that **we are actually dealing with a spectrum of possibilities,** that arguments can be more or less anthropocentric or nonanthropocentric, that systems can be more or less natural or artifactual. Indeed, **it is because of the existence of these concepts** along a spectrum **that** the **evaluation and justification of environmental policies requires a flexible and** **pluralistic outlook**. But sometimes in the course of philosophical analysis, **our language tends to emphasize** the **distinctions between** conceptual **pairs**, distinctions **that may not purely exist in reality**. This is just another example of the poverty of our conceptual language in dealing with the richness and complexity of the world.

**Case outweighs and turns the alt—the status quo makes the impact inevitable**

#### Globalization and militarism destroys the environment

Ramachandra **Guha**, Center for Ecological Sciences, “Radical American Environmentalism and Wilderness Preservation: A Third World Critique,” ENVIORNMENTAL ETHICS, Spring 19**89**, http://www.eci.ox.ac.uk/~dliverma/articles/Guha%20on%20radical%20environmentalism.pdf

Insofar as it has begun to act as a check on man’s arrogance and ecological hubris, the transition from an anthropocentric (human-centered) to a biocentric (humans as only one element in the ecosystem) view in both religious and scientific traditions is only to be welcomed.4 What is unacceptable are the radical conclusions drawn by **deep ecology**, in particular, that intervention in nature should be guided primarily by the need to preserve biotic integrity rather than by the needs of humans. The latter for deep ecologists is anthropocentric, the former biocentric. This dichotomy **is**, however, **of very little use in understanding t**he dynamics of **environmental degradation. The two fundamental ecological problems facing the globe are** (i) overconsumption by the industrialized world and by urban elites in the Third World and (ii) growing **militarization,** both in a short-term sense **(i.e., o**ngoing regional **wars) and i**n a long-term sense (i.e., the arms race and the prospect of **nuclear annihilation). Neither of these problems has any** tangible **connection to** the **anthropocentric**-biocentric **distinction**. Indeed, **the agents of these processes would barely comprehend this** philosophical **dichotomy. The proximate causes** of the ecologically wasteful characteristics of industrial society and of militarization **are far more mundane**: at an aggregate level, the dialectic of economic and political structures, and at a micro-level, the life-style choices of individuals. These causes cannot be reduced, whatever the level of analysis, to a deeper anthropocentric attitude toward nature; on the contrary, **by constituting a grave threat to human survival, the ecological degradation they cause does not even serve the best interests of human beings!** If my identification of the major dangers to the integrity of the natural world is correct, **invoking the bogy of anthropocentricism is** at best **irrelevant and** at worst **a dangerous obfuscation.**

**2. Administrative logics are incapable of understanding non-anthropocentric logic—that’s Williams**

**Double Bind – EITHER humans are morally equal to animals in which exploiting other animals is justified by the laws of nature, OR humans are morally superior in which case their framework is bunk**

Neil **Schulman, 1995** [“The Illogic of Animal Rights”, http://www.pulpless.com/jneil/aniright.html]

**If human beings are no different from other animals, then**like all other animals**it is our nature to kill any other animal which serves the purposes of our survival** and well-being, for that is the way of all nature. Therefore, aside from economic concerns such as making sure we don't kill so quickly that we destroy a species and deprive our descendants of prey,human animals can kill members of other animal species for their usefulness to us.**It is only if we are not just another animal -- if our nature is distinctly superior to other animals -- that we become subject to ethics at all -- and then those ethics must take into account our nature as masters of the lower** animals. We may seek a balance of nature; but "balance" is a concept that only a species as intelligent as humankind could even contemplate. We may choose to temper the purposes to which we put lower animals with empathy and wisdom; but **by virtue of our superior nature, we decide**... and **if those decisions include** the **consumption of animals** for human utilitarian or recreational purposes, then the limits on the uses we put the lower beasts are ones we set according to our individual human consciences. "Animal rights" do not exist in either case.

**Discussion of human communities is not a link – our interpretation allows for interaction between non-human animals and human animals**

**Trumpeter ’91** “Non-Anthropocentrism in a Thoroughly Anthropocentrized World” Anthony Weston Trumpeter, ISSN: 0832-6193 http://trumpeter.athabascau.ca/content/v8.3/weston.html

By taking the restructuring of human communities as an illustration I do not mean to exclude other obviously vital activities, such as preserving the wilderness. Certainly the wild places that remain to us should be protected. For some places and some species even the near-total exclusion of humans may be necessary. Nonetheless, the project of developing a non-anthropocentric ethic, now conceived as making a space for the co-evolution of a less anthropocentric ethic within a less anthropocentrized world, does redirect our main focus toward the points of *interaction*, encounter, rather than separation. Certainly the aim is not to push humans out of the picture entirely, but rather to open up the possibility of relation *between* humans and the rest of Nature. We need to pay much more attention to places where humans and other creatures, honoured in their wildness and potential relatedness, can come together, perhaps warily but at least openly.

**Anthro inevitable**

**Gillespie ‘98** Alexander, “International Environmental Law, Policy, and Ethics”

An anthropocentric environmental ethic grants moral standing exclusively to human beings and considers nonhuman natural entities and nature as a whole to be only a means for human ends. In one sense, any human outlook is necessarily anthropocentric, since we can apprehend the world only through our own senses and conceptual categories. Accordingly, some advocates of anthropocentric environmental ethics have tried to preempt further debate by arguing that a non-anthropocentric environmental ethic is therefore an oxymoron. But the question at issue is not, “Can we apprehend nature from a nonhuman point of view?” Of course we cannot. The question is, rather, “Should we extend moral consideration to nonhuman natural entities or nature as a whole?” And that question, of course, is entirely open.

**best case takes a thousand years**

**Robertson 6** (Donald F, freelance space journalist, “Space Exploration,” Space News, 3/6/6 <http://www.space.com/spacenews/archive06/RobertsonOpEd_030606.html>)

**Dramatic increases in exploration funding are not likely** in the foreseeable future. **If we are going to make progress toward truly understanding the Moon and Mars, we must send scientists while staying close to existing budgets. Whatever the dangers, we must proceed with** our **existing tools and technologies.** Dangerous it will be. Detailed **exploration, let alone settlement, of nearby worlds will be the single most difficult task humanity has ever tackled**. Most likely, **it will take** many hundreds, or even **thousands, of years**. Our first attempts to establish a base on Earth's Moon or Mars may well fail. As on the oceans, many people will die: we cannot insist on levels of safety that make the exercise technically impractical or unaffordable.

**\*\*\***

**no space col—biological, tech hurdles**

**Launius 10** – (2010, Roger, PhD, Curator, Planetary Exploration Programs, National Air and Space Museum, expert on Aerospace history, fellow and board member of the American Astronautical Society, “Can we colonize the solar system? Human biology and survival in the extreme space environment,” Endeavour Volume 34, Issue 3, September 2010, Pages 122-129, science direct, )

Although microbial life might survive the extreme conditions of space, **for Homo sapien sapiens the space environment remains remarkably dangerous to life.** One space life scientist, Vadim Rygalov, remarked that **ensuring human life during spaceflight was largely about providing the basics of human physiological needs. From the most critical** – meaning that its absence would cause immediate death, **to the least** critical – **these include such constants** available here on Earth **of atmospheric pressure, breathable oxygen, temperature, drinking water, food, gravitational pull on physical systems, radiation mitigation, and others** of a less immediate nature. As technologies, and knowledge about them, stand at this time, **humans are able to venture into space for short periods of less than a year** only by supplying all of these needs either by taking everything with them (oxygen, food, air, etc.) or creating them artificially (pressurized vehicles, centrifugal force to substitute for gravity, etc.).10 Spaceflight would be much easier if humans could go into hibernation during the extremes of spaceflight, as did the Streptococcus mitis bacteria. **Resolving these issues has proven difficult but not insurmountable for** such **basic spaceflight activities** as those undertaken during the heroic age of space exploration when the United States and the Soviet Union raced to the Moon. **Overcoming the technological hurdles encountered during the Mercury, Gemini, and Apollo programs were child's play in comparison to the threat to human life posed by long duration, deep space missions to such places as Mars.** **Even the most sophisticated of those**, the lunar landings of Project Apollo, **were relatively short camping trips on an exceptionally close body in the solar system**, and like many camping trips undertaken by Americans the astronauts took with them everything they would need to use while there. **This approach will continue to work well until the destination is so far away that resupply from Earth becomes highly problematic if not impossible** if the length of time to be gone is so great that resupply proves infeasible. **There is no question that the U.S. could return to the Moon in a more dynamic and robust version of Apollo**; it could also build a research station there and resupply it from Earth while rotating crews and resupplying from Earth on a regular basis. In this instance, **the lunar research station might look something like a more sophisticated and difficult to support version of the Antarctic research stations.** A difficult challenge, yes; but certainly it is something that could be accomplished with presently envisioned technologies.11 **The real difficulty is that at the point a lunar research station becomes a colony profound changes to the manner in which humans interact with the environment beyond Earth must take place. Countermeasures for core challenges** – gravity, radiation, particulates, and ancillary effects – **provide serious challenges for humans engaged in space colonization** (Figure 4).

**Aliens don’t exist – the odds of other life in the universe are zero**

Marshall **Savage**, Founder of the Living Universe Foundation, 19**94**, The Millenial Project, p. 350-351 & 353-355

There are 200 billion stars in the Milky Way Galaxy. How could it be possible that ours is the only one harboring intelligent life? Actually, it goes far beyond that. Not only is our solar system the only source of intelligent life, it is probably the only source of any kind of life. Not only is our planet the only source of life in this galaxy, it is probably the only source of life in any galaxy. Hard as it may be to believe or accept, it is likely that our little world is the only speck of Living matter in the entire universe. Those who tend to reflect on these issues, especially those who believe that life must be a common phenomenon, derive long elaborate formulae to prove their case. They point out there are hundreds of billions of stars in the Milky Way; of these, some 200 million are similar to the sun; around these other suns orbit 10 million earth-like worlds; life must have evolved on millions of these worlds; intelligent tool-users must then have developed hundreds of thousands of times; so there must be thousands of civilizations capable of star travel. Carl Sagan, the leading proponent of this viewpoint, calculates that the Milky Way has been home to no fewer than a billion technical civilizations! When this argument is extrapolated to the universe at large, the existence of ETs, at least somewhere, seems a virtual certainty. The odds of the Earth being the only living world in the universe are on the order of one in 1018. With such an overwhelming number of chances, a billion billion Earth-like worlds, Life must have sprung up innumerable times— mustn’t it? This argument is reasonable enough on its face, but as soon as speculators leave the realm of astronomy they enter terra incognita, where dwells an inscrutable mystery. No one knows what the odds are that life will evolve given an earth-like planet around a sun-like star. Sagan rates the chances at one in three. A close examination of the issue indicates that he may be off in his estimate by billions and billions. The evolution of life is overwhelmingly improbable. **The** **odds against life are so extreme that it is** virtually **impossible for it to occur twice** in the same universe. That life ever evolved anywhere at all is a miracle of Biblical proportions. If it wasn’t for our manifest presence, the creation of life could be dismissed as a wild fantasy. **Generating animate matter through random chemistry is so unlikely as to be indistinguishable from impossible**. Yet, here we are. Obviously, miracles do happen. But the question is: do they happen twice?

\*\*\*He Continues\*\*\*

**To generate a strand of “Genesis DNA” would take 10x360 chemical reactions**. That is a completely ridiculous number. Writing out such a number is an exercise in futility; it requires hundreds of zeroes. Describing it with words is just about as hopeless; a million billion trillion quadrillion quintillion sextillion septillion octillion nonillion decillion doesn’t even touch it. The only way to describe it is as ten nonillion nonillion googol googol googol. You can’t even talk about such numbers without sounding like your brain has been fused into molten goo. If you persist in thinking about them it certainly will be. Surely, there must be numbers of equal magnitude available to rescue us from such overwhelming odds. After all, DNA is just a large molecule. So we must be dealing with atomic numbers, and those are always mind boggling—right? **When Life arose, the Earth’s ocean’s** were, as Carl Sagan suggests, one giant bowl of primordial soup. The number of chemical reactions going on in that stew must have been incredible. Over billions of years, any possible combination of DNA could have been cooked up—couldn’t it? Well, let’s take a look; the bottom line is always in the numbers. The oceans of the early Earth **contained,** at most, **1,044 carbon atoms**.665 **This sets the upper limit on the possible number of** nucleic acid molecules at ~ (Assuming every atom of carbon in the ocean was locked up in a nucleic acid molecule—an unlikely state of affairs.) The oceans could therefor contain no more than about 1042 **nucleotide chains, with an average length of ten base pairs. If all these nucleotides interacted with each other 100 times per second for ten billion years, they would undergo 3 X 1,061 reactions. This would still leave them woefully short of the sample needed to generate a strand of Genesis DNA. To get a self-replicating strand of DNA out of the global ocean, even if it was thick with a broth of nucleotides, would take ten billion googol googol googol years**. Makes yours eyes spin counter-clockwise doesn’t it? But there are billions of stars in the galaxy and billions of galaxies in the universe. Over time, the right combination would come up somewhere—wouldn’t it? **Assume every star in every galaxy in the entire universe has an Earth-like planet in orbit around it; and assume every one of those planets is endowed with a global ocean thick with organic gumbo. This would give us 40,000 billion billion oceanic cauldrons in which to brew** up the elixir of **life**. Now we’re getting somewhere—aren’t we? In such a universe, where the conditions for the creation of life are absolutely **ideal, it will still take a hundred quadrillion nonillion nonillion googol googol years for the magic strand to appear.** Sheesh! **Assuming some** radically different **form of life, independent of DNA, doesn’t** really **help.** By definition, **life forms will always be complex arrangements of matter and/or energy. This** complexity **has to arise out of chaos**. Therefore, **some initial degree of order must first** just **happen**. Whatever the form of life, its **creation is dependent on** the same sort of **chance** event that created our first strand of Genesis DNA. It doesn’t matter what sort of coincidence is involved: **the matching of base pairs**, alignment of liquid crystals, **or nesting of ammonia vortices; whatever** the form of order, it **will be subject to the** same **laws of probability**. Consequently, any form of highly complex, self-replicating material is just as unlikely to occur as our form. Simply put, living is an unlikely state of affairs. **When all of the fundamental constants underlying the bare existence of the universe are also taken into account, it becomes all too obvious that life is a sheer impossibility.**

**A. Humans are key to complexity**

**Bookchin**, philosophy – Institute for Social Ecology, **‘95**

(Murray, http://lamiae.meccahosting.com/~a0004f7f/StudiesInAnti-Capitalism/Documents\_TWO\_files/SocialAnarchismOrLifestyleAnarchism.pdf)

What is of crucial importance is that the regression to primitivism among lifestyle anarchists denies the most salient attributes of humanity as a species and the potentially emancipatory aspects of Euro-American civilization. **Humans are vastly different from other animals in that they do more than merely adapt to the world around them; they innovate and create a new world, not only to discover their own powers as human beings but to make the world around them more suitable** for their own development, both as individuals and as a species. Warped as this capacity is by the present irrational society, **the ability to change the world is a natural endowment, the product of human biological evolution -- not simply a product of technology, rationality, and civilization.** That people who call themselves anarchists should advance a **primitivism** that verges on the animalistic, with its barely concealed message of adaptiveness and passivity, **sullies centuries of revolutionary thought, ideals, and practice, indeed defames the memorable efforts of humanity to free itself from parochialism, mysticism, and superstition and change the world.**

**B. That’s key to stop entropy—turns their ethics argument**

**Coon** 1/2/**11**

(Carleton, retired US diplomat, graduated from Harvard) <http://www.progressivehumanism.com/progressive-humanism/entropy-and-life/>

It is based on a simple proposition: **life is the reverse of entropy,** and vice versa. When you hear the word “life” you are likely to think of it as describing a category of things, that is, things alive versus things that are inanimate. (“Is there life on other planets?”… **“**What do we know about life in the deepest parts of the sea?” and so forth.) But it is useful to think of the word as describing a process. When we turn the word around to this use, we think not of things but of replication (meiosis), change through selection, and evolution. Entropy reduces complexity while life, in this sense, produces it. The two are twinned in that they are the basic agents of change in the universe we inhabit and are trying to understand. They can be simple forces or extremely complex ones, but in their essences they operate in opposite directions. Push and pull, up and down**,** between them they are responsible for all the changes that happen in the world we know. **There are, of course, ways of reversing entropy that do not involve life as we know it. Tectonic shifts in the continents, for example, are agents of change that produce new complexities. But scale matters.** Seen as a part of the entire life cycle of the planet, they are part of a long process of winding down toward ultimate disintegration. Likewise, there are advances in the complexity of life that lead to entropy. Our national legislature is a good example, at least judging from the headlines. But this too is part of a larger picture. In this case, the attempt to merge a variety of distinctive communities into a larger entity has thrown up problems which are taking time to resolve. Here again look at the time frame. If you take a long enough view, there may even be some hope for our Congress, or at least for the hope of replacing it with something that more effectively meets its purposes, if you wait long enough. Of course **it is possible that all life will end when the universe collapses**. I am not a cosmologist and will never become one, so I take the fifth on that question. Within any reasonable time frame, however, **the principle of life provides living things with a capacity to cope with the challenges that entropy visits upon them**. It may take weeks, or generations, or even a couple of geological eras, but unless life is snuffed out completely it will find a way to overcome. **The key concept here, of course, is evolution. I believe that an ethical system based on advocacy of life as opposed to entropy can provide a rational foundation for the individual who wants to construct an ethical basis for his life.**

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**Taoism K: 2AC**

**Performative Contradiction—Winning the ballot is not in line with Wu wei—a true proponent of Taoism doesn’t attempt to convince others they are right**

Bill **Mason**, Taoist Philospher quoting the TaoTe Ching, “Taoist Ethics”, **No date**, accessed 9/21/11, <http://www.taoism.net/articles/mason/ethics.htm>

**"Congratulations! You just won! What are you going to do now? ... I'm going to Disneyland." This is a classic Disneyland commercial** that most people have heard before. You know, whenever someone does something outstanding, they're what they're going to do next, and they would reply that they're going to Disneyland. **The proper question is, what else is there to do? No one is going to play trumpets for you and have the whole world bow. You'll get a bit of recognition no matter what you succeed at, but you can't expect too much.** Disneyland happened to believe **the best thing for someone to do once they've succeeded at something is to go to Disneyland. Lao Tzu would agree. Humility means doing your job with detachment from the outcome.** It means to commit yourself from moment to moment, all that it takes. Success happens every moment you do this; it's not something that only happens when you have no more to do. Actually, that's the time that you've stopped succeeding, and, of course, the time to go to Disneyland. “**The Master does his job and then stops. He understands that the universe is forever out of control, and that trying to dominate events goes against the current of the Tao. Because he believes in himself, he doesn't try to convince others. Because he is content with himself, he doesn't need others' approval. Because he accepts himself, the whole world accepts him”. - Tao Te Ching** (Mitchell translation), Chapter 30

**Only claims that survive the test of falsifiability can be the basis of debate**

**Benson and Stangroom 6** [Ophelia and Jeremy, authors of many philosophy books, Why truth matters, 63-64]

**Science and other forms of empirical enquiry** such as history and forensic investigation **do have legitimate authority because the truth-claims they make are based on evidence** (and are subject to change if new evidence is discovered). **Other systems of ideas that make truth-claims that are not based on evidence, that rely instead on revelation,** sacred books, dreams, visions, myths, subjective inner experience, and the like, **lack legitimate authority because** over many centuries **it has** gradually **become understood that those are not reliable sources**. They can be useful starting-points for theory-formation, as has often been pointed out. Theories can begin anywhere, even in dreams. But when it comes to justification, more reliable evidence is required. **This is quite a large difference between science and pseudoscience,** genuine enquiry and fake enquiry, but it is one that Ross does not take into account. The implication seems to be that for the sake of a 'more democratic culture' it is worth deciding that the wrong answer ought to have as much authority as the right one. And yet of course it is unlikely that Ross really believes that. Surely if he did, he would not have written this book - he would not be able to claim that a more democratic culture is preferable to a less democratic one, or anything else that he claims in his work. However playful or quasi-ironic Strange Weather may be, it does lapse into seriousness at times, it does make claims that Ross clearly wants us to accept - because he thinks they are right as opposed to wrong. The intention of Strange Weather is to correct mistaken views of science and pseudoscience, to replace them with other, truer views. Ross cannot very well argue that his views are wrong and therefore we should believe them. He is in fact claiming authority for his own views, he is attempting to seek the higher part of a truth-hierarchy. The self-refuting problem we always see in epistemic relativism is here in its most obvious form. And Ross ought to realize that if such claims could succeed they would eliminate all possibility for making the kinds of claims that the Left needs to make just as much as anyone else does. **Truth-claims,** evidence, reason, logic, warrant, are not some fiefdom or gated community or exclusive club. On the contrary. They **are** the property of everyone, and **the only way to refute lies** and mistakes. The Left has no more reason to want to live by lies and mistakes than anyone else has.

**Endorsing attempts to change the world is key to value to life**

**May 5**

Todd May, Professor of Philosophy at Clemson University, 2005 (“To change the world, to celebrate life: Merleau-Ponty and Foucault on the body,” Philosophy & Social Criticism, Volume 31, Numbers 5/6, Available Online to Subscribing Institutions via Sage Publications, p. 527-529)

IX And what happens from there? From the meetings, from the rallies, from the petitions and the teach-ins? What happens next? There is, after all, always a next. If you win this time – end aid to the contras, divest from apartheid South Africa, force debt-forgiveness by technologically advanced countries – there is always more to do. There is the de-unionization of workers, there are gay rights, there is Burma, there are the Palestinians, the Tibetans. There will always be Tibetans, even if they aren’t in Tibet, even if they aren’t Asian. But is that the only question: Next? Or is that just the question we focus on? What’s the next move in this campaign, what’s the next campaign? Isn’t there more going on than that? After all, **engaging in political organizing** is a practice, or a group of practices. **It contributes to making you who you are.** It’s where the power is, and where your life is, and where the intersection of your life and those of others (many of whom you will never meet, even if it’s for their sake that you’re involved) and the buildings and streets of your town is. **This moment when you are seeking to change the world,** whether by making a suggestion in a meeting or singing at a rally or marching in silence or asking for a signature on a petition, **is not a moment in which you don’t exist. It’s not a moment of yours that you sacriﬁce for others** so that it no longer belongs to you. **It remains a moment of your life**, sedimenting in you to make you what you will become, emerging out of a past that is yours as well. What will you make of it, this moment? How will you be with others, those others around you who also do not cease to exist when they begin to organize or to protest or to resist? **The illusion is to think that this has nothing to do with you.** You’ve made a decision to participate in world-changing. Will that be all there is to it? Will it seem to you a simple sacriﬁce, for this small period of time, of who you are for the sake of others? Are you, for this moment, a political ascetic**? Asceticism** like that **is dangerous**. **X Freedom lies** not in our distance from the world but **in the historically fragile and contingent ways we are folded into it, just as we ourselves are folds of i**t. If we take Merleau-Ponty’s Being not as a rigid foundation or a truth behind appearances but as the historical folding and refolding of a univocity, then our freedom lies in the possibility of other foldings. Merleau-Ponty is not insensitive to this point. His elusive concept of the invisible seems to gesture in this direction. Of painting, he writes: the proper essence of the visible is to have a layer of invisibility in the strict sense, which it makes present as a certain absence . . . There is that which reaches the eye directly, the frontal properties of the visible; but there is also that which reaches it from below . . . and that which reaches it from above . . . where it no longer participates in the heaviness of origins but in free accomplishments. 9 Elsewhere, in The Visible and the Invisible, he says: if . . . the surface of the visible, is doubled up over its whole extension with an invisible reserve; and if, ﬁnally, in our ﬂesh as the ﬂesh of things, the actual, empirical, ontic visible, by a sort of folding back, invagination, or padding, exhibits a visibility, a possibility that is not the shadow of the actual but its principle . . . an interior horizon and an exterior horizon between which the actual visible is a partitioning and which, nonetheless, open indeﬁnitely only upon other visibles . . . 10 What are we to make of these references? We can, to be sure, see the hand of Heidegger in them. But we may also, and for present purposes more relevantly, see an intersection with Foucault’s work on freedom. There is an ontology of freedom at work here, one that situates freedom not in the private reserve of an individual but in the unﬁnished character of any historical situation. There is more to our historical juncture, as there is to a painting, than appears to us on the surface of its visibility. The trick is to recognize this, and to take advantage of it, not only with our thoughts but with our lives. And that is why, in the end, there can be no such thing as a sad revolutionary. **To seek to change the world is to offer a new form of life-celebration**. It is to articulate a fresh way of being, which is at once a way of seeing, thinking, acting, and being acted upon. It is to fold Being once again upon itself, this time at a new point, to see what that might yield. There is, as Foucault often reminds us, no guarantee that this fold will not itself turn out to contain the intolerable. In a complex world with which we are inescapably entwined, a world we cannot view from above or outside, there is no certainty about the results of our experiments. Our politics are constructed from the same vulnerability that is the stuff of our art and our daily practices. But **to refuse to experiment is to resign oneself to the intolerable; it is to abandon both the struggle to change the world and the opportunity to celebrate living within it. And to seek one aspect without the other** – life-celebration without world-changing, world-changing without life-celebration – **is to refuse to acknowledge the chiasm of body and world that is the wellspring of both.**

**Taoism is self-referentially incoherent and destroys ethics**

Dr. J. **Budziszewski**, Professor of Philosophy and Government at the University of Texas at Austin, 200**5** (“Escape from Nihilism,” October 12, Available Online at http://www.leaderu.com/real/ri9801/budziszewski.html, Accessed 11-01-2006)

A friend--may he forgive me for quoting him--thinks my dismissal of my previous rationalizations as elaborate nonsense seems too pat. Is it really that simple? The answer is that yes, it really is that simple. In my present opinion (though not my opinion of sixteen years ago), **modern ethics is going about matters backwards. It assumes that the problem of human sin is mainly cognitive**--that it has to do with the state of our knowledge. In other words, **it holds that we really don't know what's right and wrong and that we are trying to find out.** Actually the problem is volitional--it has to do with the state of our will. In other words, by and large we do know the basics of right and wrong but wish we didn't, and we are trying, for one reason or another, to keep ourselves in ignorance. Is this an ad hominem argument--that because my motive was bad, my nihilism must have been false? No, it is a diagnosis, with myself as case in point. My nihilism was "false" because it was self-referentially incoherent. [There may exist nihilisms which are false for reasons other than self-referential incoherency, but I am speaking only of the version I held myself.] The motive was "bad" because although I knew this to be the case, rather than give up the nihilism I embraced the incoherency. What **one must** do with such a fellow as I once was is not to tell him what he doesn't know (because he really knows it), but to **blow away the smokescreens by which he hides from the knowledge he has already.**

**Schopadope**

**right to life**

**a. It comes first**

**BERNSTEIN ‘2** (Richard J., Vera List Prof. Phil. – New School for Social Research, “Radical Evil: A Philosophical Interrogation”, p. 188-192)

**There is a basic value inherent in organic being**, a basic affirmation, "The Yes' of Life" (IR 81). 15 "The self-affirmation of being becomes **emphatic** in the **opposition** of life **to death**. Life is the explicit confrontation of being with not-being. . . . The 'yes' of all striving is here sharpened by the active `no' to not-being" (IR 81-2). Furthermore — and this is the crucial point for Jonas — **this affirmation** of life that is in all organic being **has a binding obligatory force** upon human beings. This blindly self-enacting "yes" gains obligating force in the seeing freedom of man, who as the supreme outcome of nature's purposive labor is no longer its automatic executor but, with the power obtained from knowledge, can become its destroyer as well. He must adopt the "yes" into his will and impose the "no" to not-being on his power. But precisely this transition from willing to obligation is the critical point of moral theory at which attempts at laying a foundation for it come so easily to grief. Why does now, in man, that become a duty which hitherto "being" itself took care of through all individual willings? (IR 82). We discover here the transition from is to "ought" — from the self-affirmation of life to the binding obligation of human beings to preserve life not only for the present but also for the future. But why do we need a new ethics? The subtitle of The Imperative of Responsibility — In Search of an Ethics for the Technological Age — indicates why we need a new ethics. Modern **technology** has t**ransformed** the nature and **consequences of human action so** radically that the underlying premises of **traditional ethics are no longer valid**. For the first time in history **human beings possess** the knowledge and the **power to destroy** life on **this planet**, including human life. Not only is there the new possibility of total nuclear disaster; there are the even more invidious and threatening possibilities that result from the unconstrained use of technologies that can destroy the environment required for life. The major transformation brought about by modern technology is that the consequences of our actions frequently exceed by far anything we can envision. Jonas was one of the first philosophers to warn us about the unprecedented ethical and political problems that arise with the rapid development of biotechnology. He claimed that this was happening at a time when there was an "ethical vacuum," when there did not seem to be any effective ethical principles to limit ot guide our ethical decisions. In the name of scientific and technological "progress," there is a relentless pressure to adopt a stance where virtually anything is permissible, includ-ing transforming the genetic structure of human beings, as long as it is "freely chosen." We need, Jonas argued, **a new categorical imperative** that **might b**e formulated as follows: "Act so that the effects of your action are compatible with the permanence of genuine human life"; or expressed negatively: "Act so that the effects of your action are not destructive of the future possibility of such a life"; or simply: "**Do not compromise the conditions** for an **indefinite continuation of humanity** on earth"; or again turned positive**:** "In your present choices, include the future wholeness of Man among the objects of your will." (IR 11)

**b. always exists**

**Frankl** (Holocaust Survivor) **46** (Victor Frankl, Professor of Neurology and Psychiatry at the University of Vienna, Man’s Search for Meaning, 1946, p. 104)

But I did not only talk of the future and the veil which was drawn over it. I also mentioned the past; all its joys, and how its light shone even in the present darkness. Again I quoted a poet—to avoid sounding like a preacher myself—who had written, “Was Dii erlebst, k,ann keme Macht der Welt Dir rauben.” (What you have experienced, no power on earth can take from you.) Not only our experiences, but all we have done, whatever great thoughts we may have had, and all we have suffered, all this is not lost, though it is past; we have brought it into being. Having been is also a kind of being, and perhaps the surest kind. Then I spoke of the many opportunities of giving life a meaning. **I told my comrades** (who lay motionless, although occasionally a sigh could be heard) **that human life, under any circumstances, never ceases to have a meaning, and that this infinite meaning of life includes suffering and dying, privation and death.** I asked the poor **creatures** who listened to me attentively in the darkness of the hut to face up to the seriousness of our position. **They must not lose hope but should keep their courage in the certainty that the hopelessness of our struggle did not detract from its dignity and its meaning**. I said that someone looks down on each of us in difficult hours—a friend, a wife, somebody alive or dead, or a God—and he would not expect us to disappoint him. He would hope to find us suffering proudly—not miserably—knowing how to die.

**c. is in hands of individuals**

**Goodin ‘95** (Robert, professor of social sciences and philosopher at the Research School of Social Sciences at Australian National University, “Utilitarianism as a Public Philosophy”, p. 39)

The rather more grand way of phrasing the point here might be couched in terms of undermining moral agency**. Failure to discharge isolated, individual responsibilities may well result in other people's being harmed. That is wrong, but it is**, at least in principle**, a remediable wrong. People can, at least in principle, always be compensated for harms to their interests** (or so the libertarian would claim, anyway). **Failure to discharge shared, collective responsibilities** has more grievous consequences**, undermining in certain crucial respects other people's moral agency itself**. For that, **compensation is in principle impossible**. **There must be a moral agent to be compensated, and it is that very moral agency that is being undermined."**

**suffering**

**a. not inevitable**

Alex **KNAPP 09**, Editor-in-Chief of Heretical Ideas—a webzine devoted to in-depth examination of opinions, ideas, and culture, B.S. in Biochemistry from Worcester Polytechnic Institute, J.D. from the University of Kansas, 2009 [“Is Suffering the Universal Human Condition?,” Heretical Ideas: A Journal of Unorthodox Opinion, February 5th, Available Online at<http://www.hereticalideas.com/2009/02/is-suffering-the-universal-human-condition/>, Accessed 12-07-2009]

From the basic Buddhist tenet that life is suffering to Medieval Christian idea that we suffer on Earth to receive rewards in heaven, the idea of suffering as the human condition is an accepted cliché in many areas of religion and philosophy. **Some** even go so far as to **say that suffering** is a universal human condition; that it **is** both **inevitable** and we should accept it. **This**, as I see it, **is a problem.** First, let’s explore the idea of suffering as being the universal human condition. What does this mean? Well, the adjectives “universal” and “human” suggest that suffering is something that everyone experiences. The term “condition” implies that suffering is something chronic and enduring. In other words**, stating that suffering is the universal human condition means that everybody suffers, and implies that suffering is the essential aspect of being human.** This assertion seems to be spurious on face. While memories and experiences of suffering can be intense and enduring, they are this way precisely because they are the exception, and not the rule. **If suffering were endemic to human existence, it would be almost unnoticed, since it would be experienced all the time.** To use a somewhat applicable analogy, there are oftentimes when one thinks that a certain song is going to be played on the radio, and it is. An event such as this is often remembered. However, in remembering the one incident, it is unlikely that one would remember the numerous occasions in which one predicted that the radio would play a certain song, and it did not. In the same way, **suffering is memorable, not because always present, but because it is the exception in one’s life.** It is important to note, however, that **this is a generalization**. There are undoubtedly human beings whose life consisted of, on balance, more suffering than non-suffering. **This does not disprove the point,** though. The fact that many people can examine the suffering of others with a great intensity of feeling underscores the point that for most people, **suffering is a relatively rare event**. As the existential philosopher William Hasker notes, **most of us would say that our lives have been, on the whole, good, and that we are glad that we exist.**

**b. they equalize disparate suffering**

Alex **KNAPP 09**, Editor-in-Chief of Heretical Ideas—a webzine devoted to in-depth examination of opinions, ideas, and culture, B.S. in Biochemistry from Worcester Polytechnic Institute, J.D. from the University of Kansas, 2009 [“Is Suffering the Universal Human Condition?,” Heretical Ideas: A Journal of Unorthodox Opinion, February 5th, Available Online at<http://www.hereticalideas.com/2009/02/is-suffering-the-universal-human-condition/>, Accessed 12-07-2009]

**This idea of the inevitability of suffering also leads to the equalization of suffering.** In other words, **if suffering is the universal human condition, then the suffering of any individual is meaningless, because everyone suffers**. Spelman points out one manifestation of this in AIDS victims who compare the epidemic to the Holocaust. Although AIDS is certainly a terrible disease, there is a great difference between suffering caused by an impersonal virus, and deliberate torture and mass murder at the hands of one’s fellow human beings. However, since accepting the inevitability of suffering involves eliminating questions of moral agency**, it becomes quite simple to equate the sufferers of a disease to the victims of**

**attempted genocide.**

**c. prevents real, effective solutions**

Alex **KNAPP 09**, Editor-in-Chief of Heretical Ideas—a webzine devoted to in-depth examination of opinions, ideas, and culture, B.S. in Biochemistry from Worcester Polytechnic Institute, J.D. from the University of Kansas, 2009 [“Is Suffering the Universal Human Condition?,” Heretical Ideas: A Journal of Unorthodox Opinion, February 5th, Available Online at<http://www.hereticalideas.com/2009/02/is-suffering-the-universal-human-condition/>, Accessed 12-07-2009]

**The removal of moral agency and the equalization of suffering finally leads to apathy towards the suffering of others.** **Since suffering is inevitable,** **the proper moral response to suffering**, if there need be a response at all**, is through compassion or pity for those who suffer**. **These feelings**, however, **provide no impetus for corrective action.** **Since suffering is inevitable, then there is nothing one can do to alleviate it**. After all, if one’s suffering is just as bad as another’s, then what can one do? **A shrug of the shoulders and a response of “Sorry bud, but I have my own problems” is about the most one can hope for.** Thus, **the problem of claiming that suffering is somehow “universal” brings about two problems**. First, **it ignores the fact that suffering is not, in fact endemic to the human condition.** But more importantly, **the acceptance of the idea that suffering is universal perpetuates human misery by eliminating the impetus to get rid of it.**

# \*\*\*1AR\*\*\*

### Death Ans: Hell Turn—2AC

**When we die we go to hell**

David J. **Stewart**, missionary, **No Date** Needed, <http://www.jesus-is-savior.com/salvation_webpages/26-the_unbeliever.htm>

**We are all** hell-deserving **sinners, guilty**, worthy of death and punishment. Whether we agree with the Bible or not, the truth cannot be changed. If a person claims that Hell does not exist and thinks a loving God would not send someone to burn in Hell forever, then **that person is an UNBELIEVER**. He or she simply do NOT accept the plain teaching of God’s Word. If you do not believe the Bible is God’s Word, then you are an UNBELIEVER. No true Believer with Christ in their heart can honestly DENY that the Bible is God’s Word. Revelation 21:8 makes clear that **UNBELIEVERS will** one day **be cast into the Lake of Fire for all eternity** (the second death)... “But the fearful, and UNBELIEVING, and the abominable, and murderers, and whoremongers, and sorcerers, and idolaters, and all liars, shall have their part in the lake which burneth with fire and brimstone: which is the second death.” It is **the UNBELIEVER who will burn in Hell** down-the-road **when this life comes to an end. NO ONE escapes dying or judgment**!.

**Hell is the biggest impact possible**

**Yutopian**, Internet missionaries, **No Date** Needed, http://www.yutopian.com/religion/theology/hellburninglakeoffire.html

Now, we will proceed to prove that **burning lake of fire** or hell **is literal and real**, and challenge the Jehovah Witnesses to disprove the following with examples in the Scripture. Here are the three main reasons hell's literal and real. A) From 1) above, we've listed so many verses of Scripture teaching that hell is a burning lake of fire. **This teaching is persistent throughout the Bible**. Symbolic scriptures don't have exactly the same symbol throughout the scripture. For example, there are various symbols of anti-christ, little horn, various beasts, etc, and symbols of Israel, the fig tree, Hosea's wife, the woman who gives birth in Revelation, etc. Scriptures with persisting teaching like burning hell are literal. B) Symbolic scriptures don't have real people with real names in the story or parable itself. For example, the Scriptures verses of Luke 16:19-31 with real people like Abraham and Lazarus talking about the lake of fire in the story itself are literal and not symbolic. (One Jehovah Witness gave an example of Mark 11, arguing that Jesus was talking to the disciples about the parable of the fig tree. While Jesus and the discipes are real people, they are not in the parable itself. The conversation between Jesus and the disciples is on the parable, but they are not in the parable.) C) Using the burning dump site to describe the lake of burning hell does not mean it is symbolic. Prophets had to use what they knew (e.g., the dump site) to describe what they didn't know (e.g., the burning lake of fire) all the time. A good example in the Bible is the description of the battle of Armageddon. Prophet Ezekiel and John used bows and arrows, swords and spears to describe the weapons being used in the end times (Rv 14:20; Ezekiel 38:4, 15). Will people use bows, arrows, swords and spears to fight in the end time. The answer is certainly not, but these were the weapons known to the prophets. Likewise, Biblical authors didn't know how to describe a lake of everlasting burning hell, and they used the burning dump site to explain it. Just as the end time weapons will be much, much more severe than bows, arrows, swords and spears**, the lake of fire** or hell, **will** also **be** much, much**, much more severe** than the burning dump site. There is another very important point. Since Jesus persistently taught that hell is a burning lake of fire. **If hell is just dead without feeling** as the Jehovah Witnesses claim, **would that make Christ a liar** (symbolic or not)? Exaggeration is a lie after all! **If you** still **believe there is no burning hell, ask yourself** before you deceive more people that there is no burning hell, what **if you are wrong?** If we were wrong, we'll stand boldly in front of God's judgment seat and tell God that we are merely teaching what Christ and the Scripture persistently teach (Please refer to 1 above). After all symbolic or not, what's wrong with warning people hell is a lake of fire, much like warning people to beware of anti-christ that he is a beast. However, if you are wrong, **you will be deceiving people to believe that there are no consequences** of sinning, **falling right into Satan's trap**. The Holy Spirit uses the consciousness of our sin, the righteousness of Christ and the knowledge of judgment to convict people to believe in God (John 16:8-10). If you take away the judgment of hell, you are giving people a license to sin, and the consequence of that is obvious without explaining. And you will be responsible for deceiving others.

**TURN—THEY CAUSES GREATER SUFFERING—**

**A. IT UNDERMINES MORAL AGENCY.**

Alex **KNAPP 09**, Editor-in-Chief of Heretical Ideas—a webzine devoted to in-depth examination of opinions, ideas, and culture, B.S. in Biochemistry from Worcester Polytechnic Institute, J.D. from the University of Kansas, 2009 [“Is Suffering the Universal Human Condition?,” Heretical Ideas: A Journal of Unorthodox Opinion, February 5th, Available Online at<http://www.hereticalideas.com/2009/02/is-suffering-the-universal-human-condition/>, Accessed 12-07-2009]

Since we have established the contention that suffering is not the universal condition, the next point to examine is what the proper moral response to suffering is. Well, if suffering is the exception, not the rule, of human existence, then the proper moral response to suffering is its alleviation, in both others and oneself. In other words, **suffering should be perceived as a problem to be fixed, rather than a condition that can’t be avoided.** Given this notion, one can then observe that **the focus on suffering as the universal human condition actually thwarts its alleviation.** This is because if we accept the notion that suffering as the universal human condition, we also accept it as inevitable. An example of this acceptance can be seen in Greek tragedy. One of the essential characteristics of tragedy is that the person who suffers must be a good person whose suffering is undeserved and caused by a “tragic flaw.” This flaw must also be something that the hero cannot do anything to change. For example, Oedipus suffered the fate that the Oracle of Delphi predicted, despite the efforts on the part of both himself and his father. In other words, there was no way for Oedipus to prevent himself from suffering. As Plato rightly pointed out, **by accepting Fate as the cause of suffering, the idea of moral agency completely disappears.** After all, **if suffering is inevitable, then how can anyone be held responsible for it?**

**Value to life can’t be measured externally – we must preserve life to give people autonomy.**

Lisa **Schwartz**, M.D., Associate Professor of Medicine, Dartmouth College Medical School, et al., “A Value to Life: Who Decides and How?” Medical ethics: a case-based approach, 20**02**, www.fleshandbones.com/readingroom/pdf/399.pdf.

Those who choose to reason on this basis hope that if the quality of a life can be measured then the answer to whether that life has value to the individual can be determined easily. This raises special problems, however, because **the idea of quality involves a value judgement, and value judgements are**, by their essence, **subject to indeterminate relative factors such as preferences and dislikes. Hence, quality of life is difficult to measure and will vary according to individual tastes, preferences and aspirations**. As a result, no general rules or principles can be asserted that would simplify decisions about the value of a life based on its quality. Nevertheless, quality is still an essential criterion in making such decisions because it gives legitimacy to the possibility that rational, autonomous **persons can decide for themselves that their own lives either are worth, or are no longer worth, living. To disregard this** possibility **would be to imply** that **no individuals can** legitimately **make** such value **judgements about their own lives** and, if nothing else, that would be counterintuitive. 2 In our case, Katherine Lewis had spent 10 months considering her decision before concluding that her life was no longer of a tolerable quality. She put a great deal of effort into the decision and she was competent when she made it. Who would be better placed to make this judgement for her than Katherine herself? And yet, a doctor faced with her request would most likely be uncertain about whether Katherine’s choice is truly in her best interest, and feel trepidation about assisting her. We need to know which considerations can be used to protect the patient’s interests