## 1NC

## 1

### 1NC Prioritization

#### Silence on the human exploitative gaze towards non-human animals ensures that anthropocentrism continues

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We come to critical pedagogy with a background in environmental thought and education. Of primary concern and interest to us are relationships among humans and the “more-than-human world” (Abram, 1996), the ways in which those relationships are constituted and prescribed in mo- dern industrial society, and the implications and consequences of those constructs. As a number of scholars and nature advocates have argued, the many manifestations of the current environmental crisis (e.g., species extinction, toxic contamination, ozone depletion, topsoil depletion, climate change, acid rain, deforestation) reflect predominant Western concepts of nature, nature cast as mindless matter, a mere resource to be exploited for human gain (Berman, 1981; Evernden, 1985; Merchant, 1980). An ability to respond adequately to the situation therefore rests, at least in part, on a willingness to critique prevailing discourses about nature and to consider alternative representations (Cronon, 1996; Evernden, 1992; Hayles, 1995). To this end, poststructuralist analysis has been and will continue to be invaluable.¶ It would be an all-too-common mistake to construe the task at hand as one of interest only to environmentalists. We believe, rather, that dis- rupting the social scripts that structure and legitimize the human dom- ination of nonhuman nature is fundamental not only to dealing with environmental issues, but also to examining and challenging oppressive social arrangements. The exploitation of nature is not separate from the exploitation of human groups. Ecofeminists and activists for environ- mental justice have shown that forms of domination are often intimately connected and mutually reinforcing (Bullard, 1993; Gaard, 1997; Lahar, 1993; Sturgeon, 1997). Thus, if critical educators wish to resist various oppressions, part of their project must entail calling into question, among other things, the instrumental exploitive gaze through which we humans distance ourselves from the rest of nature (Carlson, 1995).¶ For this reason, the various movements against oppression need to be aware of and supportive of each other. In critical pedagogy, however, the exploration of questions of race, gender, class, and sexuality has proceeded so far with little acknowledgement of the systemic links between human oppressions and the domination of nature. The more-than-human world and human relationships to it have been ignored, as if the suffering and exploitation of other beings and the global ecological crisis were somehow irrelevant. Despite the call for attention to voices historically absent from traditional canons and narratives (Sadovnik, 1995, p. 316), nonhuman beings are shrouded in silence. This silence characterizes even the work of writers who call for a rethinking of all culturally positioned essentialisms.¶ Like other educators influenced by poststructuralism, we agree that there is a need to scrutinize the language we use, the meanings we deploy, and the epistemological frameworks of past eras (Luke & Luke, 1995, p. 378). To treat social categories as stable and unchanging is to reproduce the prevailing relations of power (Britzman et al., 1991, p. 89). What would it mean, then, for critical pedagogy to extend this investigation and critique to include taken-for-granted understandings of “human,” “animal,” and “nature”?¶ This question is difficult to raise precisely because these understandings are taken for granted. The anthropocentric bias in critical pedagogy man- ifests itself in silence and in the asides of texts. Since it is not a topic of discussion, it can be difficult to situate a critique of it. Following feminist analyses, we find that examples of anthropocentrism, like examples of gender symbolization, occur “in those places where speakers reveal the assumptions they think they do not need to defend, beliefs they expect to share with their audiences” (Harding, 1986, p. 112).¶ Take, for example, Freire’s (1990) statements about the differences between “Man” and animals. To set up his discussion of praxis and the importance of “naming” the world, he outlines what he assumes to be shared, commonsensical beliefs about humans and other animals. He defines the boundaries of human membership according to a sharp, hier- archical dichotomy that establishes human superiority. Humans alone, he reminds us, are aware and self-conscious beings who can act to fulfill the objectives they set for themselves. Humans alone are able to infuse the world with their creative presence, to overcome situations that limit them, and thus to demonstrate a “decisive attitude towards the world” (p. 90).¶ Freire (1990, pp. 87–91) represents other animals in terms of their lack of such traits. They are doomed to passively accept the given, their lives “totally determined” because their decisions belong not to themselves but to their species. Thus whereas humans inhabit a “world” which they create and transform and from which they can separate themselves, for animals there is only habitat, a mere physical space to which they are “organically bound.”¶ To accept Freire’s assumptions is to believe that humans are animals only in a nominal sense. We are different not in degree but in kind, and though we might recognize that other animals have distinct qualities, we as humans are somehow more unique. We have the edge over other crea- tures because we are able to rise above monotonous, species-determined biological existence. Change in the service of human freedom is seen to be our primary agenda. Humans are thus cast as active agents whose very essence is to transform the world – as if somehow acceptance, appreciation, wonder, and reverence were beyond the pale.¶ This discursive frame of reference is characteristic of critical pedagogy. The human/animal opposition upon which it rests is taken for granted, its cultural and historical specificity not acknowledged. And therein lies the problem. Like other social constructions, this one derives its persuasiveness from its “seeming facticity and from the deep investments individuals and communities have in setting themselves off from others” (Britzman et al., 1991, p. 91). This becomes the normal way of seeing the world, and like other discourses of normalcy, it limits possibilities of taking up and con- fronting inequities (see Britzman, 1995). The primacy of the human enter- prise is simply not questioned.¶ Precisely how an anthropocentric pedagogy might exacerbate the en- vironmental crisis has not received much consideration in the literature of critical pedagogy, especially in North America. Although there may be passing reference to planetary destruction, there is seldom mention of the relationship between education and the domination of nature, let alone any sustained exploration of the links between the domination of nature and other social injustices. Concerns about the nonhuman are relegated to environmental education. And since environmental education, in turn, remains peripheral to the core curriculum (A. Gough, 1997; Russell, Bell, & Fawcett, 2000), anthropocentrism passes unchallenged.1¶ p. 190-192

#### Anthropocentrism makes everything extinct

Gottlieb 94 — Roger S. Gottlieb, Professor of Humanities at Worcester Polytechnic Institute, holds a Ph.D. in Philosophy from Brandeis University, 1994 (“Ethics and Trauma: Levinas, Feminism, and Deep Ecology,” *Crosscurrents: A Journal of Religion and Intellectual Life*, Summer, Available Online at http://www.crosscurrents.org/feministecology.htm, Accessed 07-26-2011)

Here I will at least begin in agreement with Levinas. As he rejects an ethics proceeding on the basis of self-interest, so I believe the anthropocentric perspectives of conservation or liberal environmentalism cannot take us far enough. Our relations with nonhuman nature are poisoned and not just because we have set up feedback loops that already lead to mass starvations, skyrocketing environmental disease rates, and devastation of natural resources. The problem with ecocide is not just that it hurts human beings. Our uncaring violence also violates the very ground of our being, our natural body, our home. Such violence is done not simply to the other – as if the rainforest, the river, the atmosphere, the species made extinct are totally different from ourselves. Rather, we have crucified ourselves-in-relation-to-the-other, fracturing a mode of being in which self and other can no more be conceived as fully in isolation from each other than can a mother and a nursing child. We are that child, and nonhuman nature is that mother. If this image seems too maudlin, let us remember that other lactating women can feed an infant, but we have only one earth mother. What moral stance will be shaped by our personal sense that we are poisoning ourselves, our environment, and so many kindred spirits of the air, water, and forests? To begin, we may see this tragic situation as setting the limits to Levinas's perspective. The other which is nonhuman nature is not simply known by a "trace," nor is it something of which all knowledge is necessarily instrumental. This other is inside us as well as outside us. We prove it with every breath we take, every bit of food we eat, every glass of water we drink. We do not have to find shadowy traces on or in the faces of trees or lakes, topsoil or air: we are made from them. Levinas denies this sense of connection with nature. Our "natural" side represents for him a threat of simple consumption or use of the other, a spontaneous response which must be obliterated by the power of ethics in general (and, for him in particular, Jewish religious law(23) ). A "natural" response lacks discipline; without the capacity to heed the call of the other, unable to sublate the self's egoism. Worship of nature would ultimately result in an "everything-is-permitted" mentality, a close relative of Nazism itself. For Levinas, to think of people as "natural" beings is to assimilate them to a totality, a category or species which makes no room for the kind of individuality required by ethics.(24) He refers to the "elemental" or the "there is" as unmanaged, unaltered, "natural" conditions or forces that are essentially alien to the categories and conditions of moral life.(25) One can only lament that Levinas has read nature -- as to some extent (despite his intentions) he has read selfhood -- through the lens of masculine culture. It is precisely our sense of belonging to nature as system, as interaction, as interdependence, which can provide the basis for an ethics appropriate to the trauma of ecocide. As cultural feminism sought to expand our sense of personal identity to a sense of inter-identification with the human other, so this ecological ethics would expand our personal and species sense of identity into an inter-identification with the natural world. Such a realization can lead us to an ethics appropriate to our time, a dimension of which has come to be known as "deep ecology."(26) For this ethics, we do not begin from the uniqueness of our human selfhood, existing against a taken-for-granted background of earth and sky. Nor is our body somehow irrelevant to ethical relations, with knowledge of it reduced always to tactics of domination. Our knowledge does not assimilate the other to the same, but reveals and furthers the continuing dance of interdependence. And our ethical motivation is neither rationalist system nor individualistic self-interest, but a sense of connection to all of life. The deep ecology sense of self-realization goes beyond the modern Western sense of "self" as an isolated ego striving for hedonistic gratification. . . . . Self, in this sense, is experienced as integrated with the whole of nature.(27) Having gained distance and sophistication of perception [from the development of science and political freedoms] we can turn and recognize who we have been all along. . . . we are our world knowing itself. We can relinquish our separateness. We can come home again -- and participate in our world in a richer, more responsible and poignantly beautiful way.(28) Ecological ways of knowing nature are necessarily participatory. [This] knowledge is ecological and plural, reflecting both the diversity of natural ecosystems and the diversity in cultures that nature-based living gives rise to. The recovery of the feminine principle is based on inclusiveness. It is a recovery in nature, woman and man of creative forms of being and perceiving. In nature it implies seeing nature as a live organism. In woman it implies seeing women as productive and active. Finally, in men the recovery of the feminine principle implies a relocation of action and activity to create life-enhancing, not life-reducing and life-threatening societies.(29) In this context, the knowing ego is not set against a world it seeks to control, but one of which it is a part. To continue the feminist perspective, the mother knows or seeks to know the child's needs. Does it make sense to think of her answering the call of the child in abstraction from such knowledge? Is such knowledge necessarily domination? Or is it essential to a project of care, respect and love, precisely because the knower has an intimate, emotional connection with the known?(30) Our ecological vision locates us in such close relation with our natural home that knowledge of it is knowledge of ourselves. And this is not, contrary to Levinas's fear, reducing the other to the same, but a celebration of a larger, more inclusive, and still complex and articulated self.(31) The noble and terrible burden of Levinas's individuated responsibility for sheer existence gives way to a different dream, a different prayer: Being rock, being gas, being mist, being Mind, Being the mesons traveling among the galaxies with the speed of light, You have come here, my beloved one. . . . You have manifested yourself as trees, as grass, as butterflies, as single-celled beings, and as chrysanthemums; but the eyes with which you looked at me this morning tell me you have never died.(32) In this prayer, we are, quite simply, all in it together. And, although this new ecological Holocaust -- this creation of planet Auschwitz – is under way, it is not yet final. We have time to step back from the brink, to repair our world. But only if we see that world not as an other across an irreducible gap of loneliness and unchosen obligation, but as a part of ourselves as we are part of it, to be redeemed not out of duty, but out of love; neither for our selves nor for the other, but for us all.

#### Our alternative is to endorse the thought experiment of the voluntary global suicide of humanity – that solves

Kochi and Ordan 8 (Queen’s University, Borderlands journal, http://www.borderlands.net.au/vol7no3\_2008/kochiordan\_argument.pdf)JFS

For some, guided by the pressure of moral conscience or by a practice of harm minimisation, the appropriate response to historical and contemporary environmental destruction is that of action guided by abstention. For example, one way of reacting to mundane, everyday complicity is the attempt to abstain or opt-out of certain aspects of modern, industrial society: to not eat non-human animals, to invest ethically, to buy organic produce, to not use cars and buses, to live in an environmentally conscious commune. Ranging from small personal decisions to the establishment of parallel economies (think of organic and fair trade products as an attempt to set up a quasi-parallel economy), a typical modern form of action is that of a refusal to be complicit in human practices that are violent and destructive. Again, however, at a practical level, to what extent are such acts of nonparticipation rendered banal by their complicity in other actions? In a grand register of violence and harm the individual who abstains from eating non-human animals but still uses the bus or an airplane or electricity has only opted out of some harm causing practices and remains fully complicit with others. One response, however, which bypasses the problem of complicity and the banality of action is to take the non-participation solution to its most extreme level. In this instance, the only way to truly be non-complicit in the violence of the human heritage would be to opt-out altogether. Here, then, the modern discourse of reflection, responsibility and action runs to its logical conclusion – the global suicide of humanity – as a free-willed and ‘final solution’. While we are not interested in the discussion of the ‘method’ of the global suicide of humanity per se, one method that would be the least violent is that of humans choosing to no longer reproduce. [10] The case at point here is that the global suicide of humanity would be a moral act; it would take humanity out of the equation of life on this earth and remake the calculation for the benefit of everything nonhuman. While suicide in certain forms of religious thinking is normally condemned as something which is selfish and inflicts harm upon loved ones, the global suicide of humanity would be the highest act of altruism. That is, global suicide would involve the taking of responsibility for the destructive actions of the human species. By eradicating ourselves we end the long process of inflicting harm upon other species and offer a human-free world. If there is a form of divine intelligence then surely the human act of global suicide will be seen for what it is: a profound moral gesture aimed at redeeming humanity. Such an act is an offer of sacrifice to pay for past wrongs that would usher in a new future. Through the death of our species we will give the gift of life to others. It should be noted nonetheless that our proposal for the global suicide of humanity is based upon the notion that such a radical action needs to be voluntary and not forced. In this sense, and given the likelihood of such an action not being agreed upon, it operates as a thought experiment which may help humans to radically rethink what it means to participate in modern, moral life within the natural world. In other words, whether or not the act of global suicide takes place might well be irrelevant. What is more important is the form of critical reflection that an individual needs to go through before coming to the conclusion that the global suicide of humanity is an action that would be worthwhile. The point then of a thought experiment that considers the argument for the global suicide of humanity is the attempt to outline an anti-humanist, or non-human-centric ethics. Such an ethics attempts to take into account both sides of the human heritage: the capacity to carry out violence and inflict harm and the capacity to use moral reflection and creative social organisation to minimise violence and harm. Through the idea of global suicide such an ethics reintroduces a central question to the heart of moral reflection: To what extent is the value of the continuation of human life worth the total harm inflicted upon the life of all others? Regardless of whether an individual finds the idea of global suicide abhorrent or ridiculous, this question remains valid and relevant and will not go away, no matter how hard we try to forget, suppress or repress it.

## 2

#### Affirmative teams should instrumentally defend topical action --- their failure to do so is a voting issue

#### The word “resolved” before the colon means the plan must be enacted in a legislative forum, that’s a quote from the Army Officer School 04.

(5-12, “# 12, Punctuation – The Colon and Semicolon”, http://usawocc.army.mil/IMI/wg12.htm)

The colon introduces the following: a.  A list, but only after "as follows," "the following," or a noun for which the list is an appositive: Each scout will carry the following: (colon) meals for three days, a survival knife, and his sleeping bag. The company had four new officers: (colon) Bill Smith, Frank Tucker, Peter Fillmore, and Oliver Lewis. b.  A long quotation (one or more paragraphs): In The Killer Angels Michael Shaara wrote: (colon) You may find it a different story from the one you learned in school. There have been many versions of that battle [Gettysburg] and that war [the Civil War]. (The quote continues for two more paragraphs.) c.  A formal quotation or question: The President declared: (colon) "The only thing we have to fear is fear itself." The question is: (colon) what can we do about it? d.  A second independent clause which explains the first: Potter's motive is clear: (colon) he wants the assignment. e.  After the introduction of a business letter: Dear Sirs: (colon) Dear Madam: (colon) f.  The details following an announcement For sale: (colon) large lakeside cabin with dock g.  A formal resolution, after the word "resolved:"Resolved: (colon) That this council petition the mayor

#### “United States federal government should” means any discussion of the plan should be about the consequences after the government enacts it, literally

Ericson, 03 (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.

#### Requires reference to Legislation

Black’s Law Dictionary 2013

(ONLINE LEGAL DICTIONARY 2nd Edition, <http://thelawdictionary.org/statutory-restriction/>)

What is STATUTORY RESTRICTION?¶ Limits or controls that have been place on activities by its ruling [legislation](http://thelawdictionary.org/legislation/).¶

#### Congress enacts “statutory restrictions” the court imposes “judicial restrictions”

Peterson 91 (Todd D. Peterson, Associate Professor of Law, The George Washington University, National Law Center; B.A. 1973, Brown University; J.D. 1976, University of Michigan, Book Review: The Law And Politics Of Shared National Security Power -- A Review Of The National Security Constitution: Sharing Power After The Iran-Contra Affair by Harold Hongju Koh, New Haven, Conn.: Yale University Press. 1990. Pp. x, 330, March, 1991 59 Geo. Wash. L. Rev. 747)

Based on both case law and custom, it is hard to argue that Congress does not have substantial power to control the President's authority, even in the area of national security law. From the time of Little v. Barreme, n77 the Supreme Court has recognized Congress's power to regulate, through legislation, national security and foreign affairs. No Supreme Court case has struck down or limited Congress's ability to limit the President's national security power by passing a statute. n78 Although there may be some areas where the Court might not permit statutory regulation to interfere with the President's national security powers, these are relatively insignificant when compared to the broad authority granted to Congress by express provisions of the Constitution and the decisions of the Supreme Court. n79

Even in cases in which the Court has given the President a wide berth because of national security concerns, the Court has noted the absence of express statutory limitations. For example, in Department of the Navy v. Egan, n80 the Court refused to review the denial of a security clearance, but it concluded that "unless Congress specifically has provided otherwise, courts traditionally have been reluctant to intrude upon the authority of the Executive in military and national security [\*762] affairs." n81 In other cases, of course, such as Youngstown, n82 the Supreme Court has clearly stated that Congress may restrict the President's authority to act in matters related to national security.

Not even Koh's bete noire, the Curtiss-Wright case, n83 could reasonably be interpreted as a significant restriction on Congress's authority to limit the President's authority by statute. First, as Koh himself forcefully demonstrates, Curtiss-Wright involved the issue whether the President could act pursuant to a congressional delegation of authority that under the case law existing at the time of the decision might have been deemed excessively broad. n84 Thus, the question presented in Curtiss-Wright was the extent to which Congress could increase the President's authority, not decrease it. At most, the broad dicta of Curtiss-Wright could be used to restrict the scope of mandatory power sharing on the ground that the President's inherent power in the area of international relations "does not require as a basis for its exercise an act of Congress." n85

Even the dicta of Curtiss-Wright, however, give little support to those who would restrict permissive power sharing on the ground that Congress may not impose statutory restrictions on the President in the area of national security and foreign affairs. Justice Sutherland's claims with respect to exclusive presidential authority are comparatively modest when compared with his sweeping statements about the President's ability to act in the absence of any congressional prohibition. n86 He asserts that the President alone may speak for the United States, that the President alone negotiates treaties and that "[i]nto the field of negotiation the Senate cannot intrude; and Congress itself is powerless to invade it." n87 It is in this context of the President's power to be the communicator for the nation that Justice Sutherland cites John Marshall's famous statement that the President is the "sole organ of the nation" in relations with other nations. n88 This area of exclusive authority in which even permissive sharing is inappropriate is limited indeed. When he writes of the [\*763] need to "accord to the President a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved," n89 Justice Sutherland refers to the permissibility of a broad delegation, not the constitutional impermissibility of a statutory restriction. Indeed, the Court specifically recognized that Congress could withdraw the authority of the President to act and prohibit him from taking the actions that were the subject of the case. n90

To be fair to Koh, he would not necessarily disagree with this reading of Curtiss-Wright; he clearly believes that Congress does have the authority to restrict the President's national security power. Nevertheless, Koh's emphasis on Curtiss-Wright still gives the case too much import. Oliver North's protestations to the contrary notwithstanding, there is no Supreme Court authority, including the dicta in Curtiss-Wright, that significantly restricts the power of Congress to participate by statutory edict in the national security area. Thus, contrary to Koh's model, Curtiss-Wright and Youngstown do not stand as polar extremes on a similar question of constitutional law. To be sure, they differ significantly in tone and in the attitude they take to presidential power, but the cases simply do not address the same issue. Therefore, it does Koh's own thesis a disservice to suggest that the cases represent different views on the scope of permissive power sharing. There simply is no Supreme Court precedent that substantially restricts Congress's authority to act if it can summon the political will.

The absence of judicial restrictions on permissive power sharing is particularly important because it means that the question of statutory restrictions on the President's national security powers should for the most part be a political one, not a constitutional one. Congress has broad power to act, and the Court has not restrained it from doing so. n91 The problem is that Congress has refused to take effective action.

### Nat Sec good

#### Simualted national security law debates inculcate agency and decision-making skills—that enables activism and avoids cooption

Laura K. Donohue, Associate Professor of Law, Georgetown Law, 4/11/13, National Security Law Pedagogy and the Role of Simulations, http://jnslp.com/wp-content/uploads/2013/04/National-Security-Law-Pedagogy-and-the-Role-of-Simulations.pdf

The concept of simulations as an aspect of higher education, or in the law school environment, is not new.164 Moot court, after all, is a form of simulation and one of the oldest teaching devices in the law. What is new, however, is the idea of designing a civilian national security course that takes advantage of the doctrinal and experiential components of law school education and integrates the experience through a multi-day simulation. In 2009, I taught the first module based on this design at Stanford Law, which I developed the following year into a full course at Georgetown Law. It has since gone through multiple iterations. The initial concept followed on the federal full-scale Top Official (“TopOff”) exercises, used to train government officials to respond to domestic crises.165 It adapted a Tabletop Exercise, designed with the help of exercise officials at DHS and FEMA, to the law school environment. The Tabletop used one storyline to push on specific legal questions, as students, assigned roles in the discussion, sat around a table and for six hours engaged with the material. The problem with the Tabletop Exercise was that it was too static, and the rigidity of the format left little room, or time, for student agency. Unlike the government’s TopOff exercises, which gave officials the opportunity to fully engage with the many different concerns that arise in the course of a national security crisis as well as the chance to deal with externalities, the Tabletop focused on specific legal issues, even as it controlled for external chaos. The opportunity to provide a more full experience for the students came with the creation of first a one-day, and then a multi-day simulation. The course design and simulation continues to evolve. It offers a model for achieving the pedagogical goals outlined above, in the process developing a rigorous training ground for the next generation of national security lawyers.166 A. Course Design The central idea in structuring the NSL Sim 2.0 course was to bridge the gap between theory and practice by conveying doctrinal material and creating an alternative reality in which students would be forced to act upon legal concerns.167 The exercise itself is a form of problem-based learning, wherein students are given both agency and responsibility for the results. Towards this end, the structure must be at once bounded (directed and focused on certain areas of the law and legal education) and flexible (responsive to student input and decisionmaking). Perhaps the most significant weakness in the use of any constructed universe is the problem of authenticity. Efforts to replicate reality will inevitably fall short. There is simply too much uncertainty, randomness, and complexity in the real world. One way to address this shortcoming, however, is through design and agency. The scenarios with which students grapple and the structural design of the simulation must reflect the national security realm, even as students themselves must make choices that carry consequences. Indeed, to some extent, student decisions themselves must drive the evolution of events within the simulation.168 Additionally, while authenticity matters, it is worth noting that at some level the fact that the incident does not take place in a real-world setting can be a great advantage. That is, the simulation creates an environment where students can make mistakes and learn from these mistakes – without what might otherwise be devastating consequences. It also allows instructors to develop multiple points of feedback to enrich student learning in a way that would be much more difficult to do in a regular practice setting. NSL Sim 2.0 takes as its starting point the national security pedagogical goals discussed above. It works backwards to then engineer a classroom, cyber, and physical/simulation experience to delve into each of these areas. As a substantive matter, the course focuses on the constitutional, statutory, and regulatory authorities in national security law, placing particular focus on the interstices between black letter law and areas where the field is either unsettled or in flux. A key aspect of the course design is that it retains both the doctrinal and experiential components of legal education. Divorcing simulations from the doctrinal environment risks falling short on the first and third national security pedagogical goals: (1) analytical skills and substantive knowledge, and (3) critical thought. A certain amount of both can be learned in the course of a simulation; however, the national security crisis environment is not well-suited to the more thoughtful and careful analytical discussion. What I am thus proposing is a course design in which doctrine is paired with the type of experiential learning more common in a clinical realm. The former precedes the latter, giving students the opportunity to develop depth and breadth prior to the exercise. In order to capture problems related to adaptation and evolution, addressing goal [1(d)], the simulation itself takes place over a multi-day period. Because of the intensity involved in national security matters (and conflicting demands on student time), the model makes use of a multi-user virtual environment. The use of such technology is critical to creating more powerful, immersive simulations.169 It also allows for continual interaction between the players. Multi-user virtual environments have the further advantage of helping to transform the traditional teaching culture, predominantly concerned with manipulating textual and symbolic knowledge, into a culture where students learn and can then be assessed on the basis of their participation in changing practices.170 I thus worked with the Information Technology group at Georgetown Law to build the cyber portal used for NSL Sim 2.0. The twin goals of adaptation and evolution require that students be given a significant amount of agency and responsibility for decisions taken in the course of the simulation. To further this aim, I constituted a Control Team, with six professors, four attorneys from practice, a media expert, six to eight former simulation students, and a number of technology experts. Four of the professors specialize in different areas of national security law and assume roles in the course of the exercise, with the aim of pushing students towards a deeper doctrinal understanding of shifting national security law authorities. One professor plays the role of President of the United States. The sixth professor focuses on questions of professional responsibility. The attorneys from practice help to build the simulation and then, along with all the professors, assume active roles during the simulation itself. Returning students assist in the execution of the play, further developing their understanding of national security law. Throughout the simulation, the Control Team is constantly reacting to student choices. When unexpected decisions are made, professors may choose to pursue the evolution of the story to accomplish the pedagogical aims, or they may choose to cut off play in that area (there are various devices for doing so, such as denying requests, sending materials to labs to be analyzed, drawing the players back into the main storylines, and leaking information to the media). A total immersion simulation involves a number of scenarios, as well as systemic noise, to give students experience in dealing with the second pedagogical goal: factual chaos and information overload. The driving aim here is to teach students how to manage information more effectively. Five to six storylines are thus developed, each with its own arc and evolution. To this are added multiple alterations of the situation, relating to background noise. Thus, unlike hypotheticals, doctrinal problems, single-experience exercises, or even Tabletop exercises, the goal is not to eliminate external conditions, but to embrace them as part of the challenge facing national security lawyers. The simulation itself is problem-based, giving players agency in driving the evolution of the experience – thus addressing goal [2(c)]. This requires a realtime response from the professor(s) overseeing the simulation, pairing bounded storylines with flexibility to emphasize different areas of the law and the students’ practical skills. Indeed, each storyline is based on a problem facing the government, to which players must then respond, generating in turn a set of new issues that must be addressed. The written and oral components of the simulation conform to the fourth pedagogical goal – the types of situations in which national security lawyers will find themselves. Particular emphasis is placed on nontraditional modes of communication, such as legal documents in advance of the crisis itself, meetings in the midst of breaking national security concerns, multiple informal interactions, media exchanges, telephone calls, Congressional testimony, and formal briefings to senior level officials in the course of the simulation as well as during the last class session. These oral components are paired with the preparation of formal legal instruments, such as applications to the Foreign Intelligence Surveillance Court, legal memos, applications for search warrants under Title III, and administrative subpoenas for NSLs. In addition, students are required to prepare a paper outlining their legal authorities prior to the simulation – and to deliver a 90 second oral briefing after the session. To replicate the high-stakes political environment at issue in goals (1) and (5), students are divided into political and legal roles and assigned to different (and competing) institutions: the White House, DoD, DHS, HHS, DOJ, DOS, Congress, state offices, nongovernmental organizations, and the media. This requires students to acknowledge and work within the broader Washington context, even as they are cognizant of the policy implications of their decisions. They must get used to working with policymakers and to representing one of many different considerations that decisionmakers take into account in the national security domain. Scenarios are selected with high consequence events in mind, to ensure that students recognize both the domestic and international dimensions of national security law. Further alterations to the simulation provide for the broader political context – for instance, whether it is an election year, which parties control different branches, and state and local issues in related but distinct areas. The media is given a particularly prominent role. One member of the Control Team runs an AP wire service, while two student players represent print and broadcast media, respectively. The Virtual News Network (“VNN”), which performs in the second capacity, runs continuously during the exercise, in the course of which players may at times be required to appear before the camera. This media component helps to emphasize the broader political context within which national security law is practiced. Both anticipated and unanticipated decisions give rise to ethical questions and matters related to the fifth goal: professional responsibility. The way in which such issues arise stems from simulation design as well as spontaneous interjections from both the Control Team and the participants in the simulation itself. As aforementioned, professors on the Control Team, and practicing attorneys who have previously gone through a simulation, focus on raising decision points that encourage students to consider ethical and professional considerations. Throughout the simulation good judgment and leadership play a key role, determining the players’ effectiveness, with the exercise itself hitting the aim of the integration of the various pedagogical goals. Finally, there are multiple layers of feedback that players receive prior to, during, and following the simulation to help them to gauge their effectiveness. The Socratic method in the course of doctrinal studies provides immediate assessment of the students’ grasp of the law. Written assignments focused on the contours of individual players’ authorities give professors an opportunity to assess students’ level of understanding prior to the simulation. And the simulation itself provides real-time feedback from both peers and professors. The Control Team provides data points for player reflection – for instance, the Control Team member playing President may make decisions based on player input, giving students an immediate impression of their level of persuasiveness, while another Control Team member may reject a FISC application as insufficient. The simulation goes beyond this, however, focusing on teaching students how to develop (6) opportunities for learning in the future. Student meetings with mentors in the field, which take place before the simulation, allow students to work out the institutional and political relationships and the manner in which law operates in practice, even as they learn how to develop mentoring relationships. (Prior to these meetings we have a class discussion about mentoring, professionalism, and feedback). Students, assigned to simulation teams about one quarter of the way through the course, receive peer feedback in the lead-up to the simulation and during the exercise itself. Following the simulation the Control Team and observers provide comments. Judges, who are senior members of the bar in the field of national security law, observe player interactions and provide additional debriefing. The simulation, moreover, is recorded through both the cyber portal and through VNN, allowing students to go back to assess their performance. Individual meetings with the professors teaching the course similarly follow the event. Finally, students end the course with a paper reflecting on their performance and the issues that arose in the course of the simulation, develop frameworks for analyzing uncertainty, tension with colleagues, mistakes, and successes in the future. B. Substantive Areas: Interstices and Threats As a substantive matter, NSL Sim 2.0 is designed to take account of areas of the law central to national security. It focuses on specific authorities that may be brought to bear in the course of a crisis. The decision of which areas to explore is made well in advance of the course. It is particularly helpful here to think about national security authorities on a continuum, as a way to impress upon students that there are shifting standards depending upon the type of threat faced. One course, for instance, might center on the interstices between crime, drugs, terrorism and war. Another might address the intersection of pandemic disease and biological weapons. A third could examine cybercrime and cyberterrorism. This is the most important determination, because the substance of the doctrinal portion of the course and the simulation follows from this decision. For a course focused on the interstices between pandemic disease and biological weapons, for instance, preliminary inquiry would lay out which authorities apply, where the courts have weighed in on the question, and what matters are unsettled. Relevant areas might include public health law, biological weapons provisions, federal quarantine and isolation authorities, habeas corpus and due process, military enforcement and posse comitatus, eminent domain and appropriation of land/property, takings, contact tracing, thermal imaging and surveillance, electronic tagging, vaccination, and intelligence-gathering. The critical areas can then be divided according to the dominant constitutional authority, statutory authorities, regulations, key cases, general rules, and constitutional questions. This, then, becomes a guide for the doctrinal part of the course, as well as the grounds on which the specific scenarios developed for the simulation are based. The authorities, simultaneously, are included in an electronic resource library and embedded in the cyber portal (the Digital Archives) to act as a closed universe of the legal authorities needed by the students in the course of the simulation. Professional responsibility in the national security realm and the institutional relationships of those tasked with responding to biological weapons and pandemic disease also come within the doctrinal part of the course. The simulation itself is based on five to six storylines reflecting the interstices between different areas of the law. The storylines are used to present a coherent, non-linear scenario that can adapt to student responses. Each scenario is mapped out in a three to seven page document, which is then checked with scientists, government officials, and area experts for consistency with how the scenario would likely unfold in real life. For the biological weapons and pandemic disease emphasis, for example, one narrative might relate to the presentation of a patient suspected of carrying yersinia pestis at a hospital in the United States. The document would map out a daily progression of the disease consistent with epidemiological patterns and the central actors in the story: perhaps a U.S. citizen, potential connections to an international terrorist organization, intelligence on the individual’s actions overseas, etc. The scenario would be designed specifically to stress the intersection of public health and counterterrorism/biological weapons threats, and the associated (shifting) authorities, thus requiring the disease initially to look like an innocent presentation (for example, by someone who has traveled from overseas), but then for the storyline to move into the second realm (awareness that this was in fact a concerted attack). A second storyline might relate to a different disease outbreak in another part of the country, with the aim of introducing the Stafford Act/Insurrection Act line and raising federalism concerns. The role of the military here and Title 10/Title 32 questions would similarly arise – with the storyline designed to raise these questions. A third storyline might simply be well developed noise in the system: reports of suspicious activity potentially linked to radioactive material, with the actors linked to nuclear material. A fourth storyline would focus perhaps on container security concerns overseas, progressing through newspaper reports, about containers showing up in local police precincts. State politics would constitute the fifth storyline, raising question of the political pressures on the state officials in the exercise. Here, ethnic concerns, student issues, economic conditions, and community policing concerns might become the focus. The sixth storyline could be further noise in the system – loosely based on current events at the time. In addition to the storylines, a certain amount of noise is injected into the system through press releases, weather updates, private communications, and the like. The five to six storylines, prepared by the Control Team in consultation with experts, become the basis for the preparation of scenario “injects:” i.e., newspaper articles, VNN broadcasts, reports from NGOs, private communications between officials, classified information, government leaks, etc., which, when put together, constitute a linear progression. These are all written and/or filmed prior to the exercise. The progression is then mapped in an hourly chart for the unfolding events over a multi-day period. All six scenarios are placed on the same chart, in six columns, giving the Control Team a birds-eye view of the progression. C. How It Works As for the nuts and bolts of the simulation itself, it traditionally begins outside of class, in the evening, on the grounds that national security crises often occur at inconvenient times and may well involve limited sleep and competing demands.171 Typically, a phone call from a Control Team member posing in a role integral to one of the main storylines, initiates play. Students at this point have been assigned dedicated simulation email addresses and provided access to the cyber portal. The portal itself gives each team the opportunity to converse in a “classified” domain with other team members, as well as access to a public AP wire and broadcast channel, carrying the latest news and on which press releases or (for the media roles) news stories can be posted. The complete universe of legal authorities required for the simulation is located on the cyber portal in the Digital Archives, as are forms required for some of the legal instruments (saving students the time of developing these from scratch in the course of play). Additional “classified” material – both general and SCI – has been provided to the relevant student teams. The Control Team has access to the complete site. For the next two (or three) days, outside of student initiatives (which, at their prompting, may include face-to-face meetings between the players), the entire simulation takes place through the cyber portal. The Control Team, immediately active, begins responding to player decisions as they become public (and occasionally, through monitoring the “classified” communications, before they are released). This time period provides a ramp-up to the third (or fourth) day of play, allowing for the adjustment of any substantive, student, or technology concerns, while setting the stage for the breaking crisis. The third (or fourth) day of play takes place entirely at Georgetown Law. A special room is constructed for meetings between the President and principals, in the form of either the National Security Council or the Homeland Security Council, with breakout rooms assigned to each of the agencies involved in the NSC process. Congress is provided with its own physical space, in which meetings, committee hearings and legislative drafting can take place. State government officials are allotted their own area, separate from the federal domain, with the Media placed between the three major interests. The Control Team is sequestered in a different area, to which students are not admitted. At each of the major areas, the cyber portal is publicly displayed on large flat panel screens, allowing for the streaming of video updates from the media, AP wire injects, articles from the students assigned to represent leading newspapers, and press releases. Students use their own laptop computers for team decisions and communication. As the storylines unfold, the Control Team takes on a variety of roles, such as that of the President, Vice President, President’s chief of staff, governor of a state, public health officials, and foreign dignitaries. Some of the roles are adopted on the fly, depending upon player responses and queries as the storylines progress. Judges, given full access to each player domain, determine how effectively the students accomplish the national security goals. The judges are themselves well-experienced in the practice of national security law, as well as in legal education. They thus can offer a unique perspective on the scenarios confronted by the students, the manner in which the simulation unfolded, and how the students performed in their various capacities. At the end of the day, the exercise terminates and an immediate hotwash is held, in which players are first debriefed on what occurred during the simulation. Because of the players’ divergent experiences and the different roles assigned to them, the students at this point are often unaware of the complete picture. The judges and formal observers then offer reflections on the simulation and determine which teams performed most effectively. Over the next few classes, more details about the simulation emerge, as students discuss it in more depth and consider limitations created by their knowledge or institutional position, questions that arose in regard to their grasp of the law, the types of decision-making processes that occurred, and the effectiveness of their – and other students’ – performances. Reflection papers, paired with oral briefings, focus on the substantive issues raised by the simulation and introduce the opportunity for students to reflect on how to create opportunities for learning in the future. The course then formally ends.172 Learning, however, continues beyond the temporal confines of the semester. Students who perform well and who would like to continue to participate in the simulations are invited back as members of the control team, giving them a chance to deepen their understanding of national security law. Following graduation, a few students who go in to the field are then invited to continue their affiliation as National Security Law fellows, becoming increasingly involved in the evolution of the exercise itself. This system of vertical integration helps to build a mentoring environment for the students while they are enrolled in law school and to create opportunities for learning and mentorship post-graduation. It helps to keep the exercise current and reflective of emerging national security concerns. And it builds a strong community of individuals with common interests. CONCLUSION The legal academy has, of late, been swept up in concern about the economic conditions that affect the placement of law school graduates. The image being conveyed, however, does not resonate in every legal field. It is particularly inapposite to the burgeoning opportunities presented to students in national security. That the conversation about legal education is taking place now should come as little surprise. Quite apart from economic concern is the traditional introspection that follows American military engagement. It makes sense: law overlaps substantially with political power, being at once both the expression of government authority and the effort to limit the same. The one-size fits all approach currently dominating the conversation in legal education, however, appears ill-suited to address the concerns raised in the current conversation. Instead of looking at law across the board, greater insight can be gleaned by looking at the specific demands of the different fields themselves. This does not mean that the goals identified will be exclusive to, for instance, national security law, but it does suggest there will be greater nuance in the discussion of the adequacy of the current pedagogical approach. With this approach in mind, I have here suggested six pedagogical goals for national security. For following graduation, students must be able to perform in each of the areas identified – (1) understanding the law as applied, (2) dealing with factual chaos and uncertainty, (3) obtaining critical distance, (4) developing nontraditional written and oral communication skills, (5) exhibiting leadership, integrity, and good judgment in a high-stakes, highly-charged environment, and (6) creating continued opportunities for self-learning. They also must learn how to integrate these different skills into one experience, to ensure that they will be most effective when they enter the field. The problem with the current structures in legal education is that they fall short, in important ways, from helping students to meet these goals. Doctrinal courses may incorporate a range of experiential learning components, such as hypotheticals, doctrinal problems, single exercises, extended or continuing exercises, and tabletop exercises. These are important classroom devices. The amount of time required for each varies, as does the object of the exercise itself. But where they fall short is in providing a more holistic approach to national security law which will allow for the maximum conveyance of required skills. Total immersion simulations, which have not yet been addressed in the secondary literature for civilian education in national security law, may provide an important way forward. Such simulations also cure shortcomings in other areas of experiential education, such as clinics and moot court. It is in an effort to address these concerns that I developed the simulation model above. NSL Sim 2.0 certainly is not the only solution, but it does provide a starting point for moving forward. The approach draws on the strengths of doctrinal courses and embeds a total immersion simulation within a course. It makes use of technology and physical space to engage students in a multi-day exercise, in which they are given agency and responsibility for their decision making, resulting in a steep learning curve. While further adaptation of this model is undoubtedly necessary, it suggests one potential direction for the years to come.

### Rules

#### Rules and process key

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The process of democratic governance is more than a means to an end. Often, how we deliberate a policy is as important or even more important to the outcome of the debate than the underlying issue itself. Recent history is rife with examples of laws that rose and fell on the mechanics of voting in the legislative body or the parliamentary vehicles in which the legislation was offered. There is a normative element to deliberation in a democracy, and failure to vet an issue sufficiently is often seen as grounds for rejecting the legislation itself (Paroske, 2009). For example, it is routine for legislators of a minority party in Congress to denounce a pending bill because there were not enough hearings on the issue, or that a sufficient number or kind of amendments was not allowed, or even that the time devoted to debate on the floor was insufficient. These questions of process in legislation dominate headlines. Less studied, but perhaps even more interesting, are questions of process in a regulatory framework. Given its complexity, rulemaking is especially prone to process- oriented questions. Far more than legislation, rules must navigate a number of prescribed argumentative hurdles on their way to adoption. This raises the stakes for following proper procedure both logically and practically, as violating protocols makes it likely the rule will be rejected. In addition, the authority of agencies in the federal government is nebulous. Agency power to make rules is delegated by Congress, but there is little consensus on the degree of latitude that those designees hold. Since rulemakers lack constitu- tional warrants for coercing citizen behavior, they are highly susceptible to criticism of their authority and jurisdiction. Asked to act both independently and under the watch of the constitutional branches, rulemakers must pay careful attention to process.

### State

#### Failure to engage the state means the aff fails, coalitions break down, and hawks seize the political – only engagement solves

**Mouffe 2009** (Chantal Mouffe is Professor of Political Theory at the Centre for the Study of Democracy, University of Westminster, “The Importance of Engaging the State”, *What is Radical Politics Today?*, Edited by Jonathan Pugh, pp. 233-7)

In both Hardt and Negri, and Virno, there is therefore emphasis upon ‘critique as withdrawal’. They all call for the development of a non-state public sphere. They call for self-organisation, experimentation, non-representative and extra-parliamentary politics. They see forms of traditional representative politics as inherently oppressive. So they do not seek to engage with them, in order to challenge them. They seek to get rid of them altogether. This disengagement is, for such influential personalities in radical politics today, the key to every political position in the world. The Multitude must recognise imperial sovereignty itself as the enemy and discover adequate means of subverting its power. Whereas in the disciplinary era I spoke about earlier, sabotage was the fundamental form of political resistance, these authors claim that, today, it should be desertion. It is indeed through desertion, through the evacuation of the places of power, that they think that battles against Empire might be won. Desertion and exodus are, for these important thinkers, a powerful form of class struggle against imperial postmodernity. According to Hardt and Negri, and Virno, radical politics in the past was dominated by the notion of ‘the people’. This was, according to them, a unity, acting with one will. And this unity is linked to the existence of the state. The Multitude, on the contrary, shuns political unity. It is not representable because it is an active self-organising agent that can never achieve the status of a juridical personage. It can never converge in a general will, because the present globalisation of capital and workers’ struggles will not permit this. It is anti-state and anti-popular. Hardt and Negri claim that the Multitude cannot be conceived any more in terms of a sovereign authority that is representative of the people. They therefore argue that new forms of politics, which are non-representative, are needed. They advocate a withdrawal from existing institutions. This is something which characterises much of radical politics today. The emphasis is not upon challenging the state. Radical politics today is often characterised by a mood, a sense and a feeling, that the state itself is inherently the problem. Critique as engagement I will now turn to presenting the way I envisage the form of social criticism best suited to radical politics today. I agree with Hardt and Negri that it is important to understand the transition from Fordism to post-Fordism. But I consider that the dynamics of this transition is better apprehended within the framework of the approach outlined in the book Hegemony and Socialist Strategy: Towards a Radical Democratic Politics (Laclau and Mouffe, 2001). What I want to stress is that many factors have contributed to this transition from Fordism to post-Fordism, and that it is necessary to recognise its complex nature. My problem with Hardt and Negri’s view is that, by putting so much emphasis on the workers’ struggles, they tend to see this transition as if it was driven by one single logic: the workers’ resistance to the forces of capitalism in the post-Fordist era. They put too much emphasis upon immaterial labour. In their view, capitalism can only be reactive and they refuse to accept the creative role played both by capital and by labour. To put it another way, they deny the positive role of political struggle. In Hegemony and Socialist Strategy: Towards a Radical Democratic Politics we use the word ‘hegemony’ to describe the way in which meaning is given to institutions or practices: for example, the way in which a given institution or practice is defined as ‘oppressive to women’, ‘racist’ or ‘environmentally destructive’. We also point out that every hegemonic order is therefore susceptible to being challenged by counter-hegemonic practices – feminist, anti-racist, environmentalist, for example. This is illustrated by the plethora of new social movements which presently exist in radical politics today (Christian, anti-war, counter-globalisation, Muslim, and so on). Clearly not all of these are workers’ struggles. In their various ways they have nevertheless attempted to influence and have influenced a new hegemonic order. This means that when we talk about ‘the political’, we do not lose sight of the ever present possibility of heterogeneity and antagonism within society. There are many different ways of being antagonistic to a dominant order in a heterogeneous society – it need not only refer to the workers’ struggles. I submit that it is necessary to introduce this hegemonic dimension when one envisages the transition from Fordism to post-Fordism. This means abandoning the view that a single logic (workers’ struggles) is at work in the evolution of the work process; as well as acknowledging the pro-active role played by capital. In order to do this we can find interesting insights in the work of Luc Boltanski and Eve Chiapello who, in their book The New Spirit of Capitalism (2005), bring to light the way in which capitalists manage to use the demands for autonomy of the new movements that developed in the 1960s, harnessing them in the development of the post-Fordist networked economy and transforming them into new forms of control. They use the term ‘artistic critique’ to refer to how the strategies of the counter-culture (the search for authenticity, the ideal of selfmanagement and the anti-hierarchical exigency) were used to promote the conditions required by the new mode of capitalist regulation, replacing the disciplinary framework characteristic of the Fordist period. From my point of view, what is interesting in this approach is that it shows how an important dimension of the transition from Fordism to post- Fordism involves rearticulating existing discourses and practices in new ways. It allows us to visualise the transition from Fordism to post- Fordism in terms of a hegemonic intervention. To be sure, Boltanski and Chiapello never use this vocabulary, but their analysis is a clear example of what Gramsci called ‘hegemony through neutralisation’ or ‘passive revolution’. This refers to a situation where demands which challenge the hegemonic order are recuperated by the existing system, which is achieved by satisfying them in a way that neutralises their subversive potential. When we apprehend the transition from Fordism to post- Fordism within such a framework, we can understand it as a hegemonic move by capital to re-establish its leading role and restore its challenged legitimacy. We did not witness a revolution, in Marx’s sense of the term. Rather, there have been many different interventions, challenging dominant hegemonic practices. It is clear that, once we envisage social reality in terms of ‘hegemonic’ and ‘counter-hegemonic’ practices, radical politics is not about withdrawing completely from existing institutions. Rather, we have no other choice but to engage with hegemonic practices, in order to challenge them. This is crucial; otherwise we will be faced with a chaotic situation. Moreover, if we do not engage with and challenge the existing order, if we instead choose to simply escape the state completely, we leave the door open for others to take control of systems of authority and regulation. Indeed there are many historical (and not so historical) examples of this. When the Left shows little interest, Right-wing and authoritarian groups are only too happy to take over the state. The strategy of exodus could be seen as the reformulation of the idea of communism, as it was found in Marx. There are many points in common between the two perspectives. To be sure, for Hardt and Negri it is no longer the proletariat, but the Multitude which is the privileged political subject. But in both cases the state is seen as a monolithic apparatus of domination that cannot be transformed. It has to ‘wither away’ in order to leave room for a reconciled society beyond law, power and sovereignty. In reality, as I’ve already noted, others are often perfectly willing to take control. If my approach – supporting new social movements and counterhegemonic practices – has been called ‘post-Marxist’ by many, it is precisely because I have challenged the very possibility of such a reconciled society. To acknowledge the ever present possibility of antagonism to the existing order implies recognising that heterogeneity cannot be eliminated. As far as politics is concerned, this means the need to envisage it in terms of a hegemonic struggle between conflicting hegemonic projects attempting to incarnate the universal and to define the symbolic parameters of social life. A successful hegemony fixes the meaning of institutions and social practices and defines the ‘common sense’ through which a given conception of reality is established. However, such a result is always contingent, precarious and susceptible to being challenged by counter-hegemonic interventions. Politics always takes place in a field criss-crossed by antagonisms. A properly political intervention is always one that engages with a certain aspect of the existing hegemony. It can never be merely oppositional or conceived as desertion, because it aims to challenge the existing order, so that it may reidentify and feel more comfortable with that order. Another important aspect of a hegemonic politics lies in establishing linkages between various demands (such as environmentalists, feminists, anti-racist groups), so as to transform them into claims that will challenge the existing structure of power relations. This is a further reason why critique involves engagement, rather than disengagement. It is clear that the different demands that exist in our societies are often in conflict with each other. This is why they need to be articulated politically, which obviously involves the creation of a collective will, a ‘we’. This, in turn, requires the determination of a ‘them’. This obvious and simple point is missed by the various advocates of the Multitude. For they seem to believe that the Multitude possesses a natural unity which does not need political articulation. Hardt and Negri see ‘the People’ as homogeneous and expressed in a unitary general will, rather than divided by different political conflicts. Counter-hegemonic practices, by contrast, do not eliminate differences. Rather, they are what could be called an ‘ensemble of differences’, all coming together, only at a given moment, against a common adversary. Such as when different groups from many backgrounds come together to protest against a war perpetuated by a state, or when environmentalists, feminists, anti-racists and others come together to challenge dominant models of development and progress. In these cases, the adversary cannot be defined in broad general terms like ‘Empire’, or for that matter ‘Capitalism’. It is instead contingent upon the particular circumstances in question – the specific states, international institutions or governmental practices that are to be challenged. Put another way, the construction of political demands is dependent upon the specific relations of power that need to be targeted and transformed, in order to create the conditions for a new hegemony. This is clearly not an exodus from politics. It is not ‘critique as withdrawal’, but ‘critique as engagement’. It is a ‘war of position’ that needs to be launched, often across a range of sites, involving the coming together of a range of interests. This can only be done by establishing links between social movements, political parties and trade unions, for example. The aim is to create a common bond and collective will, engaging with a wide range of sites, and often institutions, with the aim of transforming them. This, in my view, is how we should conceive the nature of radical politics.

#### Yes the government has flawed components but challenging our understanding of government is important and valuable through discussion of federal policies--- Learning that language allows us to confront and challenge those institutions outside of this round and resolves a lot of the impacts they discuss

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ACCORDING TO LASSWELL (1971), policy science is about the production and application of knowledge of and in policy. Policy-makers who desire to tackle problems on the political agenda successfully, should be able to mobilise the best available knowledge. This requires high-quality knowledge in policy. Policy-makers and, in a democracy, citizens, also need to know how policy processes really evolve. This demands precise knowledge of policy. There is an obvious link between the two: the more and better the knowledge of policy, the easier it is to mobilise knowledge in policy. Lasswell expresses this interdependence by defining the policy scientist's operational task as eliciting the maximum rational judgement of all those involved in policy-making. For the applied policy scientist or policy analyst this implies the development of two skills. First, for the sake of mobilising the best available knowledge in policy, he/she should be able to mediate between different scientific disciplines. Second, to optimise the interdependence between science in and of policy, she/he should be able to mediate between science and politics. Hence Dunn's (1994, page 84) formal definition of policy analysis as an applied social science discipline that uses multiple research methods in a context of argumentation, public debate [and political struggle] to create, evaluate critically, and communicate policy-relevant knowledge. Historically, the differentiation and successful institutionalisation of policy science can be interpreted as the spread of the functions of knowledge organisation, storage, dissemination and application in the knowledge system (Dunn and Holzner, 1988; van de Graaf and Hoppe, 1989, page 29). Moreover, this scientification of hitherto 'unscientised' functions, by including science of policy explicitly, aimed to gear them to the political system. In that sense, Lerner and Lasswell's (1951) call for policy sciences anticipated, and probably helped bring about, the scientification of politics. Peter Weingart (1999) sees the development of the science-policy nexus as a dialectical process of the scientification of politics/policy and the politicisation of science. Numerous studies of political controversies indeed show that science advisors behave like any other self-interested actor (Nelkin, 1995). Yet science somehow managed to maintain its functional cognitive authority in politics. This may be because of its changing shape, which has been characterised as the emergence of a post-parliamentary and post-national network democracy (Andersen and Burns, 1996, pages 227-251). National political developments are put in the background by ideas about uncontrollable, but apparently inevitable, international developments; in Europe, national state authority and power in public policy-making is leaking away to a new political and administrative elite, situated in the institutional ensemble of the European Union. National representation is in the hands of political parties which no longer control ideological debate. The authority and policy-making power of national governments is also leaking away towards increasingly powerful policy-issue networks, dominated by functional representation by interest groups and practical experts. In this situation, public debate has become even more fragile than it was. It has become diluted by the predominance of purely pragmatic, managerial and administrative argument, and under-articulated as a result of an explosion of new political schemata that crowd out the more conventional ideologies. The new schemata do feed on the ideologies; but in larger part they consist of a random and unarticulated 'mish-mash' of attitudes and images derived from ethnic, local-cultural, professional, religious, social movement and personal political experiences. The market-place of political ideas and arguments is thriving; but on the other hand, politicians and citizens are at a loss to judge its nature and quality. Neither political parties, nor public officials, interest groups, nor social movements and citizen groups, nor even the public media show any inclination, let alone competency, in ordering this inchoate field. In such conditions, scientific debate provides a much needed minimal amount of order and articulation of concepts, arguments and ideas. Although frequently more in rhetoric than substance, reference to scientific 'validation' does provide politicians, public officials and citizens alike with some sort of compass in an ideological universe in disarray. For policy analysis to have any political impact under such conditions, it should be able somehow to continue 'speaking truth' to political elites who are ideologically uprooted, but cling to power; to the elites of administrators, managers, professionals and experts who vie for power in the jungle of organisations populating the functional policy domains of post-parliamentary democracy; and to a broader audience of an ideologically disoriented and politically disenchanted citizenry.

## 3

### Counter-Method

#### Our text is: We should welcome veterans.

#### This is both functionally and textually competitive- it is functionally more than the aff, but textually less. The 1AC establishes this debate as question of who aides the healing of the veterans effected by the war, this means they don’t get a permutation as this is a question of who’s method is superior.

#### This counter-advocacy “PIC’s” out of two portions of the 1AC advocacy- 1) Their creation of a distinction between non-military and military veterans, and 2) Their addition of the phrase “in this round”

#### There are two net-benefits:

#### 1) Military/Non-military distinctions are bad- this is not to say that the military is a bankrupt institution, or that the service of military veterans is not appreciated- but the scope of the 1AC’s critique and attempt at inclusion ends with the militaries service. This ignores the impact the civilians effected by war, or the veterans of wars not fought by the military- this fundamental exclusion within their advocacy turns the emancipatory potential of the 1AC.

#### 2) In this round- this creates a functional time-lapse for their inclusion of those effected by the war, the 1AC’s claims of opening up a hospitable space for veterans is tainted by this temporal limit

Our embracement of an unconditional ethics towards veterans is necessary to prevent violent exclusion of those effected by war after this debate ends **Caldwell 04** – Assistant Professor in the Department of Political Science at the University of Louisville

(Anne, “Bio-Sovereignty and the Emergence of Humanity,” Theory & Event, Volume 7, Issue 2, Project Muse)

The meaning and status of that biopolitical body is far from straightforward. Agamben translates Benjamin's mere life as homo sacer, or bare life.8 The Roman category of homo sacer refers to someone who, having committed a particular type of crime, can be killed without punishment, but cannot be sacrificed. Homo sacer is formed of an exclusion from both human and divine law (p.81). That exclusion, moreover, has the form of an exception. Homo sacer is set outside the law by the law, since anyone may kill homo sacer without falling under the law's prohibition on homicide. Sovereign power and homo sacer share the same structure. The two are more intimately related: the object of the sovereign decision is homo sacer and its status. "The syntagm homo sacer names something like the originary 'political' relation, which is to say, bare life insofar as it operates in an inclusive exclusion as the referent of the sovereign decision . . . human life is included in the political order in being exposed to an unconditional capacity to be killed" (p.85).9 Homo sacer reveals the condition of political belonging in the West. Homo sacer is a mode of political subjectification defined not by contract or rights, but by exposure to the sovereign decision on life or death.

## Case

#### Legal prag

Lobel 7, Assistant Professor of Law

[February, 2007; Orly Lobel is an Assistant Professor of Law, University of San Diego. LL.M. 2000 (waived), Harvard Law School; LL.B. 1998, Tel-Aviv University, “THE PARADOX OF EXTRALEGAL ACTIVISM: CRITICAL LEGAL CONSCIOUSNESS AND TRANSFORMATIVE POLITICS”, 120 Harv. L. Rev. 937]

**A critique of cooptation often takes an uneasy path. Critique has** always **been and remains not simply an intellectual exercise but a political and moral act. The question we must constantly pose is how critical accounts of social reform models contribute to our ability to produce scholarship and action that will be constructive. To critique the ability of law to produce social change is inevitably to raise the question of alternatives.** In and of itself, **the exploration of the limits of law and the search for new possibilities is an insightful field of inquiry.** However, **the contemporary message that emerges from critical legal consciousness analysis has often resulted in the distortion of the critical arguments themselves.** **This distortion denies the potential of legal change in order to illuminate what has yet to be achieved or even imagined**. Most importantly, **cooptation analysis is not unique to legal reform but can be extended to any process of social action and engagement**. **When claims of legal cooptation are compared to possible alternative forms of activism, the false necessity embedded in the contemporary** [\*988] **story emerges - a story that privileges informal extralegal forms as transformative while assuming that a conservative tilt exists in formal legal paths.** In the triangular conundrum of "law and social change," **law is regularly the first to be questioned, deconstructed, and then critically dismissed.** The other two components of the equation - social and change - are often presumed to be immutable and unambiguous. **Understanding the limits of legal change reveals the dangers of absolute reliance on one system and the need**, in any effort for social reform, **to contextualize the discourse, to avoid evasive, open-ended slogans, and to develop greater sensitivity to indirect effects and multiple courses of action.** Despite its weaknesses, however, **law is an optimistic discipline**. It operates both in the present and in the future. Order without law is often the privilege of the strong. **Marginalized groups have used legal reform precisely because they lacked power. Despite limitations, these groups have often successfully secured their interests through legislative and judicial victories**. **Rather than experiencing a disabling disenchantment with the legal system, we can learn from both the successes and failures of past models, with the aim of constantly redefining the boundaries of legal reform and making visible law's broad reach.**

#### These discussions would be better started at the level of the judiciary

Borislavov 2005

Rad, Ph.D. Candidate at Syracuse, August 2005, Debatte, Vol. 13, No. 2, p. 181-183

I would like to take a step back and consider what Agamben has implicitly silenced in this overarching and totalizing genealogy of modernity. In a recent article in the Boston Review, Larry Kramer points to the falling fortunes of popular constitutionalism in the US. While the history of popular constitutionalism in the US is quite rich and complex it also allows us to glimpse at how liberal constitutionalism deals with the problem of sovereignty. The division of powers in the liberal state notwithstanding, in recent years it has become the rule that the Supreme Court has assumed the role of interpreting the constitution for everyone else. In Kramer’s words, ‘‘The president, Congress, the states, and ordinary citizens can all express opinions about the meaning of the Constitution. But the Justices decide whether those opinions are right or wrong, and the Justices’ judgments are supposed to settle matters for everyone’’ (14). The doctrine of judicial supremacy, which was historically opposed to the departmentalist view, summarizes this state of affairs, and might be usefully approximated to what Schmitt defined as the effective and only apparent emptying out of the political in liberal democracy while the need for eminently political decisions remains very much in force. The fundamental question is: Who interprets the constitution? Kramer points out that the debates about the relative advantages of departmentalism and judicial supremacy go back to the 1790s and only recently has judicial supremacy come to dominate interpretations of the constitution. If we assume that, barring Agamben’s fundamentally new ontology, sovereignty still plays an important role, then we need to attend to the difficulties associated with this predicament. The more mundane question would be who and how exercises power. Liberalism is certainly not toothless, nor is it incapable of decision (as US interventions amply show), it simply presents its intentions in the garb of universalism and good will but the problem of sovereignty is by no means wished away in the doctrine of the separation of powers. That no social order can sustain itself without a sovereign was clear enough to conservative thinkers since the Enlightenment. Thus, in an effort to put in perspective Agamben’s teleology and his apocalyptic messianic language, we might offer the following objection: ‘‘a liberal theory of sovereign power understands full well the paradoxical relation between law and fact, norm and exception; and, precisely in light of such an understanding constructs an institutional system that cannot resolve the paradox but nonetheless attempts to prevent it from reaching an intensified and catastrophic conclusion’’ (501). Agamben will insist, of course, as Nasser Hussain rightly observes, that we are stuck with the very same assumption with which we began: ‘‘the source of the problem is not the institutional operation of sovereign power, but its object—bare life—so too the solution is not a proliferation of institutional safeguards but a rethinking of that mode of being’’ (501). My argument so far has been informed by the assumption that we need to read Schmitt both selectively and against many of his assertions, and despite the efforts of critics like Heinrich Meier who have attempted to present an essentially religious Schmitt, Schmitt retains only a very attenuated form of theology in his conceptual framework. For the Schmitt of Political Theology and the Verfassungslehre, it is of utmost importance who makes the decision on the exception, and not the ontological structure of the decision that Agamben tries to explicate. The necessity for a strong sovereign in Schmitt is indeed buttressed on a theological reference that acts by analogy (the miracle as analogous to the sovereign decision) but the thrust of the argument is concerned with the prosaic and immediate effects of power. It is conceivable that the rulings of the Supreme Court, to the extent that they remain unchallenged, approximate the decisions of a sovereign, of the one who decides on the exception, behind the veil of a broadly determined consensus, or Schmitt’s favorite image of the bourgeoisie as the clasa discutidora, the class that endlessly discusses. Agamben himself would not be averse to such a view because the rulings certainly bring out the zone of indistinction between law and fact, as well as the groundlessness of decision making constitutive of modernity. The question, however, is what is to be done about it? In his zeal to reveal the essence of potentiality and the role of constituting power, to bare the origins of an ontology that has defined the experience of power in the West but also to work toward the coming of a new one, Agamben inadvertently casts himself in the role of a philosopher king. The paradoxical conclusion, given Agamben’s insistence on ontology (he complains about ‘‘the meager propensity of our time for ontology’’) (The Coming Community 89) and the equation of ontology with biopolitics, is that we must make the guardians philosophers after they have duly internalized Agamben’s delphic pronouncements. How else is one to move from the oppression of ubiquitous sovereignty to whatever singularity without invoking the compromised potentiality of constituting power as revolution? It is interesting, and again paradoxical, that Agamben’s philosopher appeals to a sovereign on behalf of his new ontology, that is, to the developed Western democracies. If power continues to be exercised sovereignly what difference would a new ontology really make? Isn’t that what Heidegger attempted to do in his Rectoral address, although of course with a completely different political purpose? But for Agamben, a thinker who has chosen to dwell in uncertainties and ambiguities, the proximity of a disastrous outcome authorized by a possible new ontology and a truly new beginning is what is most intellectually satisfying.

#### Method doesn’t come first

Light 5 (Andrew, Environmental Philosophy @ NYU, “What is Pragmatic Philosophy”, http://faculty.washington.edu/alight/papers/Light.What%20Pragmatic.pdf. P. 349-351)

I have no easy answer to this question of how practical or “do-able” reform proposals made by philosophers should be. As suggested above, it is a question that has obvious important implications for the application of philosophical principles to environmental policy. My intuition though is that the pragmatist ought to have a long-term end in view while at the same time she must have at the ready viable alternatives which assume current political or economic systems and structures whenever possible. This is not to say that the pragmatic philosopher gives up on the tasks of defending alternatives to current structures, and the pursuit of those alternatives in democratic debates on the reallocation of resources. It only means that our position may require, for consistency sake to our pragmatic intentions at least, that we not rely exclusively on such changes in articulating our preferred ends for better public policies. In this context, there are at least two senses in which one could understand the meaning of “pragmatic” philosophy as discussed so far. (1) Philosophy that has practical intent, anchored to practical problems, and (2) Philosophy which aids in the development of policy solutions that can actually achieve support and consensus. While Young’s approach certainly encompasses (1) the question is whether she also does (2). My own pragmatist approach assumes that there is a connection between (1) and (2) (indeed, that (1) implies (2)). Assuming a successful argument that (1) and (2) are related in this way (for some this may take some argument, for others it will be obvious) then a question remains concerning how to go about achieving (2). Let me make just one suggestion for how the pragmatist could go about reconciling her desire to change systems with the need to make achievable policy recommendations. As is suggested by my approach, my view is that if a pragmatic philosophy in the end is in the service of an argument to create better polices, then in our democratic society it must be prepared to argue its case before the public, and perhaps sometimes only before policy makers. As Said puts it, the public intellectual not only wants to express her beliefs but also wants to persuade others—meaning the public at large—of her views (1994, p. 12). This raises the critical issue of how such appeals to the public are to be made. It raises the issue of how important persuasion is to the creation of pragmatic arguments. All philosophy is in some sense about persuasion, though to differentiate ourselves from rhetoricians (if we are interested in making such distinctions, which I still am) we must restrict ourselves to persuasion through some form of argument given more or less agreed upon (and revisable) standards for what counts as a good argument. But the pragmatic philosopher is not simply concerned with per- suading other philosophers. She is also interested in persuading the public either directly (in hopes that they will in turn influence policy makers) or indirectly, by appealling to policy makers who in turn help to shape public opinion. The work of a public philosophy is not solely for intramural philosophical discussion; it is aimed at larger forums. But as I suggested before, such a task requires some attention to the question of what motivates either the public, policy makers, or both to act. Our bar is set higher than traditional philosophical standards of validity and abstractly conceived soundness. For if we are to direct our philosophy at policies in a context other than a hypothetical philosophical framework, we must also make arguments which will motivate our audiences to act. Since we are dealing in ethi- cal and political matters, the question for pragmatic philosophers like Young and myself is how much we must attend to the issue of moral motivation in forming our pragmatic arguments. If we agree that the issue of moral motivation is always crucial for a pragmatic philosophy then at least two issues arise. First, as I suggested before, we must be prepared to embrace a theoretical or conceptual pluralism which allows us to pick and choose from a range of conceptual frameworks in making our arguments without committing to the theoretical monism which may be assumed in some versions of these frameworks. The reason is that we need to be able to make arguments that will appeal to the conceptual frameworks of our audiences while recognizing that these frameworks can change from audience to audience. So, if we think a utilitarian argument will be useful for talking to economists in decision making positions, then we should be allowed to engage such a framework without completely committing ourselves to utilitarianism.

#### Pragmatic approach is critical to productive change---the aff fails

William J Novak 8, Associate Professor of History at the University of Chicago and Research Professor at the American Bar Foundation, “The Myth of the “Weak” American State”, June, http://www.history.ucsb.edu/projects/labor/speakers/documents/TheMythoftheWeakAmericanState.pdf

There is an alternativeIn the early twentieth century, amid a first wave of nation- state and economic consolidation and assertiveness, American social science generated some fresh ways of looking at power in all its guises—social, economic, political, and legalOvershadowed to some extent by exuberant bursts of American exceptionalism that greeted confrontations with totalitarianism and then terrorism, the pragmatic, critical, and realistic appraisal of American power is worth recoveringFrom Lester Frank Ward and John Dewey to Ernst Freund and John Commons to Morris Cohen and Robert Lee Hale, early American socioeconomic theorists developed a critique of a thin, private, and individualistic conception of American liberalism and interrogated the location, organization, and distribution of power in a modernizing United StatesAll understood the problem of power in America as complex and multifaceted, not simple or one-dimensional, especially as it concerned the relationship of state and civil societyRather than spend endless time debating the proper definition of law or the correct empirical measure of the state, they concentrated instead on detailed investigations of power in action in the everyday practices and policies that constituted American public lifeRather than confine the examination of power to the abstract realm of political theory or the official political acts of elites, electorates, interest groups, or social movements, these analysts instead embraced a more capacious conception of governance as “an activity which is apt to appear whenever men are associated together.”35 More significantly, these political and legal realists never forgot, amid the rhetoric of law and the pious platitudes that routinely flow from American political life, the very real, concrete consequences of the deployment of legal and political powerThey never forgot the brutal fact that Robert Cover would later state so provocatively at the start of his article “Violence and the Word” that legal and political interpretation take place “in a field of pain and death.” 36 The real consequences of American state power are all around usIn a democratic republic, where force should always be on the side of the governed, writing the history of that power has never been more urgent.

#### Rejecting sovereignty exacerbates inequalities and prevents emancipation

Tara McCormack 10, Lecturer in International Politics at the University of Leicester, PhD in IR from the University of Westminster, “Critique, Security and Power: The Political Limits to Emancipatory Approaches,” p139, google books

Critics of critical and emancipatory theory have raised pertinent problems in terms both of the idealism of critical approaches and their problematic relationship to contemporary liberal intervention. Critical theorists themselves are aware that their prescriptions seem to be hard to separate from contemporary discourses and practices of power, yet critical theorists do not seem to be able to offer any understanding of why this might be. However, the limitations to critical and emancipatory approaches cannot be overcome by distinguishing themselves from liberal internationalist policy. In fact a closer engagement with contemporary security policies and discourse would show the similarities with critical theory and that both suffer from the same limitations.¶ The limitations of critical and emancipatory approaches are to be found in critical prescriptions in the contemporary political context. Jahn is right to argue that critical theory is idealistic, but this needs to be explained why. Douzinas is right to argue that critical theory becomes a justification for power and this needs to be explained why. The reasons for this remain undertheorised. I argue here that critical and emancipatory approaches lack a fundamental understanding of what is at stake in the political realm. For critical theorists the state and sovereignty represent oppressive structures that work against human freedom. There is much merit to this critique of the inequities of the state system. However, the problem is that freedom or emancipation are not simply words that can breathe life into international affairs but in the material circumstances of the contemporary world must be linked to political constituencies, that is men and women who can give content to that freedom and make freedom a reality. ¶ Critical and emancipatory theorists fail to understand that there must be a political content to emancipation and new forms of social organisation. Critical theorists seek emancipation and argue for new forms of political community above and beyond the state, yet there is nothing at the moment beyond the state that can give real content to those wishes. There is no democratic world government and it is simply nonsensical to argue that the UN, for example, is a step towards global democracy. Major international institutions are essentially controlled by powerful states. To welcome challenges to sovereignty in the present political context cannot hasten any kind of more just world order in which people really matter (to paraphrase Lynch). Whatever the limitations of the state, and there are many, at the moment the state represents the only framework in which people might have a chance to have some meaningful control over their lives.

#### No one will accept major changes to the structure of sovereignty

Rosa Brooks 12, Professor of Law at Georgetown University Law Center and a Bernard L. Schwartz Senior Fellow at the New America Foundation, “Strange Bedfellows: The Convergence of Sovereignty-Limiting Doctrines in Counterterrorist and Human Rights Discourse,” Law and Ethics Summer/Fall

None of these projects would be straightforward; each might be seen as facing barriers so high as to be virtually insurmountable. If the various institutional and legal “fixes” we might envision are unrealistic in the near term, is there any responsible way forward? The overall thrust of this essay has been to call for intellectual honesty about the logical implications of emerging sovereignty-limiting doctrines. But, perhaps, this is one of those areas where discretion—even disingenuousness—is the better part of valor, or at least the better part of preserving stability. Stephen Krasner makes a variant of this argument in some of his recent work. Krasner famously dubbed sovereignty “organized hypocrisy,” noting that while the notion of “sovereignty” has long been associated with clear legal criteria and rules, states have, for just as long, routinely ignored those rules when it suited them to do so.18 To Krasner, this organized hypocrisy is nonetheless functional—or at least **more functional than any available alternative.** In a 2010 essay on “The Durability of Organized Hypocrisy,” Krasner argues that this remains true today.19 He grants that emerging normative or legal doctrines will continue to challenge and delegitimize traditional notions of sovereignty, and significant “shocks”— such as “the possibility of mega-terrorist attacks”—might lead to radical change: “Governments in advanced countries would begin to reconfigure their bureaucratic structures to… [reflect] new rules and principles about responsibilities for territories or functions beyond national borders.” But, argues Krasner, “Such fundamental challenges to the existing sovereignty regime are not to be welcomed. Any new set of principles…would be contested. External actors, even if their claims were legitimated…would not find it easy to exercise the authority they had asserted…there are no formulaic solutions.” Krasner concludes, **“Sovereignty has worked very imperfectly but it has still worked better than any other structure that decision-makers have been able to envision**.”20 In other words: in the end, perhaps, when it comes to teasing out the implications of emerging sovereigntylimiting doctrines, organized hypocrisy is the best we can do.

## 2NC

#### Critical Theory destroys the ability to engage in productive debates and political solutions. It is wishful thinking that produces only “me-search” and not “research”.

**Chandler 2009** (David Chandler is Professor of International Relations at the University of Westminster, “Questioning Global Political Activism”, *What is Radical Politics Today?,* Edited by Jonathan Pugh, pp. 81-2)

Today more and more people are ‘doing politics’ in their academic work. This is the reason for the boom in International Relations (IR) study and the attraction of other social sciences to the global sphere. I would argue that the attraction of IR for many people has not been IR theory but the desire to practise global ethics. The boom in the IR discipline has coincided with a rejection of Realist theoretical frameworks of power and interests and the sovereignty/anarchy problematic. However, I would argue that this rejection has not been a product of theoretical engagement with Realism but an ethical act of rejection of Realism’s ontological focus. It seems that our ideas and our theories say much more about us than the world we live in. Normative theorists and Constructivists tend to support the global ethical turn arguing that we should not be as concerned with ‘what is’ as with the potential for the emergence of a global ethical community. Constructivists, in particular, focus upon the ethical language which political elites espouse rather than the practices of power. But the most dangerous trends in the discipline today are those frameworks which have taken up Critical Theory and argue that focusing on the world as it exists is conservative problem-solving while the task for critical theorists is to focus on emancipatory alternative forms of living or of thinking about the world. Critical thought then becomes a process of wishful thinking rather than one of engagement, with its advocates arguing that we need to focus on clarifying our own ethical frameworks and biases and positionality, before thinking about or teaching on world affairs. This becomes ‘me-search’ rather than research. We have moved a long way from Hedley Bull’s (1995) perspective that, for academic research to be truly radical, we had to put our values to the side to follow where the question or inquiry might lead. The inward-looking and narcissistic trends in academia, where we are more concerned with our reflectivity – the awareness of our own ethics and values – than with engaging with the world, was brought home to me when I asked my IR students which theoretical frameworks they agreed with most. They mostly replied Critical Theory and Constructivism. This is despite the fact that the students thought that states operated on the basis of power and self-interest in a world of anarchy. Their theoretical preferences were based more on what their choices said about them as ethical individuals, than about how theory might be used to understand and engage with the world. Conclusion I have attempted to argue that there is a lot at stake in the radical understanding of engagement in global politics. Politics has become a religious activity, an activity which is no longer socially mediated; it is less and less an activity based on social engagement and the testing of ideas in public debate or in the academy. Doing politics today, whether in radical activism, government policy-making or in academia, seems to bring people into a one-to-one relationship with global issues in the same way religious people have a one-to-one relationship with their God. Politics is increasingly like religion because when we look for meaning we find it inside ourselves rather than in the external consequences of our ‘political’ acts. What matters is the conviction or the act in itself: its connection to the global sphere is one that we increasingly tend to provide idealistically. Another way of expressing this limited sense of our subjectivity is in the popularity of globalisation theory – the idea that instrumentality is no longer possible today because the world is such a complex and interconnected place and therefore there is no way of knowing the consequences of our actions. The more we engage in the new politics where there is an unmediated relationship between us as individuals and global issues, the less we engage instrumentally with the outside world, and the less we engage with our peers and colleagues at the level of political or intellectual debate and organisation.

#### Switching sides allows for a dialogical change in perspectives that resolve the affs impacts and foster sympathy

**Bohlin 8 -** Dr. Phil. in theoretical philosophy (Stockholm University, 1997) ¶ Senior lecturer (docent) in philosophy, lecturer in history of ideas ¶ Member of the faculty board, chair of the faculty committee for teacher education and educational research (Henrik Bohlin Perspective-dependence and Critical Thinking EBSCO)shaw

Suppose that we are trying to understand and morally assess the customs of a people with a very different culture. In the case of some of their practices and beliefs, we find that the others react just the way we ourselves would find it reasonable to react in the same circumstances; they are hungry, and they eat; they are insulted, and they get angry, etc. Thus, we can make perfect sense of what they do and say from within our own perspective, or so it seems. (Such impressions can of course be deceptive if the others do what we would, but for quite incompatible reasons.) In other cases, however, we find that the others do and say things that seem clearly unjustified according to our norms of speech and behaviour. For example, we find that they have the custom of instructing their children to play war games where stones are thrown at the opponents, that children are occasionally killed in these games, and that the adults, although they mourn those killed in this way, continue to encourage the games. Here, it seems impossible to understand and agree with the others while remaining within the perspective of our own culture; given our moral standards and what we know of the circumstances, it seems that nothing can justify such a practice. To assess it, it seems, a critic must shift perspective, or at least somehow take the difference in perspectives into account. What can this mean?

First, it is conceivable that by learning more about the people we are trying to understand, we find that the particular circumstances under which they live in fact makes the practice justifiable, even according to our moral standards—say, because they inhabit an overpopulated area with constant wars over territory going on between rival tribes, where it is of crucial importance for the survival of each tribe that their young ones develop fearlessness and insensitivity to pain from an early age, and where the practice of encouraging realistic war games among children is, to everyone’s regret, the only means to achieve this. Seeing things from the other’s perspective in this case means taking time, place, and other relevant facts of the matter into account. This could be called conservative perspective shift, since it does not require us, as critics, to change or in any way abandon our own moral principles or standards of extra-moral rationality.

Suppose now instead that taking all relevant facts into account is not sufficient to make the custom we are trying to understand justifiable according to the moral standards of our own culture, but that the attempt to interpret the other culture and the careful weighing of arguments for and against it has the effect of making us question and revise some of our own general moral standards and factual beliefs that made the custom unacceptable to us. We thus recognise a genuine conflict between our own culture and that of the others, and admit that the others are right. Hence, we may say that we learn from the others. Let us call this dialogical change of perspective, since what happens resembles a conversation or dialogue where one of the parties, or both, revise their beliefs as a result of the dialogue. A genuine conflict is found to exist between the cultures of the interpreter and the other, and as a consequence, the critic changes his own perspective (in this case, his moral background assumptions). (It may be difficult to distinguish dialogical and conservative perspective shifts since the demarcation line between beliefs on particular facts on the one hand and more general and fundamental moral principles and factual beliefs on the other is not sharp.)

#### That **turns** education – the education in debate doesn’t come from the other team lecturing you it comes from the discussion that occurs within the round – if we win they make that discussion impossible that’s a reason they can’t solve any of their offense –otherwise result in the same authoritative exclusion that they critique

Morson 4—Northwestern prof (Greg, Bakhtinian Perspectives on Language, Literacy, and Learning, 317-23)

Sarah Freedman and Arnetha Ball describe learning as a dialogic process. It is not merely a transmission of knowledge, but an activity in which whole selves are formed and acquire new capacities for development. We live in a world of enormous cultural diversity, and the various languages and points of view – ideologies in Bakhtin’s sense – of students have become a fact that cannot be ignored. Teachers need to enter into a dialogue with those points of view and to help students do the same. For difference may best be understood not as an obstacle but as an opportunity. ¶ The range of “authoritative” and “innerly persuasive discourses” in our classrooms appears to be growing along with our cultural diversity. Freedman and Ball observe: “This rich and complex ‘contact zone’ inside the classroom yields plentiful opportunity for students to decide what will be internally persuasive for them, and consequently for them to develop their ideologies. This diversity presents both challenges and opportunities as teachers seek to guide their students on this developmental journey” (pp. 8– 9, this volume). The journey they have in mind does not so much lead to a particular goal as establish an ever-enriching process of learning. ¶ Freedman and Ball’s approach grows out of Bakhtin’s key concepts, especially one that has been largely neglected in research on him: “ideological becoming” (see Chapter 1, this volume). The implications of the essays in this volume therefore extend well beyond educational theory and practice to the humanities and social sciences generally. How does a thinking person– and we are all thinking people – develop? What happens when ideas, embodied in specific people with particular voices, come into dialogic contact? What factors guide the creation of a point of view on the world? The specific problematic of pedagogy serves as a lens to make the broader implications of such questions clearer.¶ 318¶ Authority and testing ¶ How does a person develop a point of view on the world, a set of attitudes for interpreting and evaluating it ? How systematic is that point of view? Is our fundamental take on the world a philosophy with implicit doctrines or is it more like a set of inclinations and a way of probing? Perhaps it is not one, but a collection of ways of probing, a panoply of skills and habits, which a person tries out one after another the way in which one may, in performing a physical task, reach for one tool after another? What does our point of view have to do with our sense of ourselves, whether as individuals or as members of groups? What role does formal education play in acquiring and shaping it? What happens when contrary evidence confronts us or when the radical uncertainty of the world impinges on us? Whatever that “point of view” is, how does it change over time ? ¶ In any given culture or subculture, there tends to be what Bakhtin would call an “authoritative” perspective. However, the role of that perspective is not necessarily authoritarian. Despite Bakhtin’s experience as a Soviet citizen, where the right perspective on just about all publicly identified perspectives was held to be already known and certain, he was well aware that outside that circle of presumed certainty life was still governed by opinion. It is not just that rival ideologies – Christian, liberal, and many others – were still present; beyond that, each individual’s experiences led to half-formed but strongly held beliefs that enjoyed no formal expression. Totalitarianism was surely an aspiration of the Soviet and other such regimes, but it could never realize its ideal of uniformity–“the new Soviet man” who was all of a piece – for some of the same reasons it could not make a centrally planned economy work. There is always too much contingent, unexpected, particular, local, and idiosyncratic, with a historical or personal background that does not fit. ¶ Bakhtin may be viewed as the great philosopher of all that does not fit. He saw the world as irreducibly messy, unsystematizable, and contingent, and he regarded it as all the better for that. For life to have meaning, it must possess what he called “surprisingness.” If individual people are to act morally, they cannot displace their responsibility onto some systematic ideology, whether Marxist, Christian, or any other. What I do now is not reducible to any ethical, political, or metaphysical system; and I – each “I”– must take responsibility for his or her acts at this moment. As Bakhtin liked to say, there is “no alibi.” ¶ Authoritative words in their fully expressed form purport to offer an alibi. They say, like Dostoevsky’s Grand Inquisitor: we speak the truth and you need not question, only obey, for your conscience to be at rest. Yet, every authoritative word is spoken or heard in a milieu of difference. It may try to insulate itself from dialogue with reverential tones, a special script, and all the other signs of the authority fused to it, but at the margins¶ 319¶ dialogue waits with a challenge: you may be right, but you have to convince me. Once the authoritative word responds to that challenge, it ceases to be fully authoritative. To be sure, it may still command considerable deference by virtue of its past, its moral aura, and its omnipresence. But it has ceased to be free from dialogue and its authority has changed from unquestioned to dialogically tested. Every educator crosses this line when he or she gives reasons for a truth. ¶ My daughter once had a math teacher who, when asked why a certain procedure was used to solve an equation, would reply, “because some old, dead guy said so.” Of course, no answer could be further from the spirit of mathematics, where logic counts for everything and authority for nothing. Nobody proves the Pythagorean theorem by saying Pythagoras said so. Compare this reply with actually showing the logic of a procedure so the student understands the “why.” In that case, one immediately admits that there must be a good reason for proceeding in a certain way, and that it needs to be shown. The procedure does not end up as less sure because of this questioning; quite the contrary. Rather, questioning is seen as intrinsic to mathematics itself, which enjoys its authority precisely because it has survived such questioning. ¶ Even in fields that do not admit of mathematical proof, an authoritative word does not necessarily lose all authority when questioning enters into it. We can give no mathematically sure reason why democracy is preferable to dictatorship or market economies are generally more productive than command economies. But we can give reasons, which admit the possibilities of challenges we had not foreseen and may have to think about. Education and all inquiry are fundamentally different when the need for reasons is acknowledged and when questioning becomes part of the process of learning. Truth becomes dialogically tested and forever testable. ¶ In short, authoritative words may or may not be authoritarian. In the Soviet Union, authoritarian words were the norm and questioning was seen as suspect. One no more questioned Marxism-Leninism than one questioned the law of gravity (a common comparison, suggesting that each was equally sure). What the Party said was right because it was the outcome of sure historical laws guaranteeing the correctness of its rulings. Education reflected this spirit. Bakhtin’s embrace of dialogue, then, challenged not so much the economic or historical theories the regime propounded, but its very concept of truth and the language of truth it embraced. Dialogue by its very nature invites questioning, thrives on it, demands it. ¶ It follows from Bakhtin’s argument that nonauthoritarian authoritative words are not necessarily weaker than authoritarian ones. After all, one may believe something all the more because one has questioned it, provided that defenders have been willing to answer and have been more or less cogent in their defense. They need not answer all objections perfectly – we are often convinced with qualifications, with a “just in case,” with “loopholes.”¶ 320¶ However, they must demonstrate that the authority is based on generally sound reasons. Morever, for many, enormous persuasive power lies in the very fact that the authoritative belief is so widely held. Everyone speaks it, even if with ironizing quotation marks. ¶ An authoritative word of this nonauthoritarian kind functions not as a voice speaking the Truth, but as a voice speaking the one point of view that must be attended to. It may be contested, rejected, or modified, the way in which church dogmas are modified over time by believers, but it cannot be ignored. Think of Huck Finn (discussed by Mark Dressman, this volume). Even when he cannot bring himself to turn in Jim as a runaway slave, he accepts the authority of the social voice telling him that such an action would be right. He does not question that voice, just realizes he will not follow it and will do “wrong.” Much of the moral complexity of this book lies in Huck’s self-questioning, as he does what we believe to be right but what he thinks of as wrong; and if we read this book sensitively, we may ask ourselves how much of our own behavior is Huckish in this respect. Perhaps our failure to live up to our ideals bespeaks our intuition without overt expression that there is something wrong with those ideals. What Huck demonstrates is that there may be a wisdom, even a belief system, in behavior itself: we always know more than we know, and our moral sensitivity may be different from, and wiser than, our professed beliefs. ¶ our own authoritative words ¶ The basic power of an authoritative voice comes from its status as the one that everyone hears. Everyone has heard that democracy is good and apartheid is bad, that the environment needs preserving, that church must not be merged with state; and people who spend their lives in an academic environment may add many more to the list. In our academic subculture, we are, almost all of us, persuaded of the rightness of greater economic equality, of plans for inclusion and affirmative action, of abortion rights, of peace, of greater efforts to reach out to all the people in the world in all their amazing diversity. These are our authoritative voices, and , too, we may accept either because they are simply not to be questioned or because we have sought out intelligent opponents who have questioned them and have thought about, if not ultimately accepted, their answers. Again, educators know the moment when a student from a background different from ours questions one of our beliefs and we experience the temptation to reply like that math teacher. Thinking of ourselves as oppositional, we often forget that we, too, have our own authoritative discourse and must work to remember that, in a world of difference, authority may not extend to those unlike us. ¶ The testable authoritative voice: we hear it always, and though some may disagree with it, they cannot ignore it. Its nonauthoritarian power is based¶ 321¶ above all on its ubiquity. In a society that is relatively open to diverse values, that minimal, but still significant, function of an authoritative voice is the most important one. It demands not adherence but attention. And such a voice is likely to survive far longer than an authoritarian voice whose rejection is necessarily its destruction. We have all these accounts of Soviet dissidents – say, Solzhenitsyn – who tell their story as a “narrative of rethinking” (to use Christian Knoeller’s phrase): they once believed in Communist ideology, but events caused them to raise some questions that by their nature could not be publicly voiced, and that silence itself proved most telling. You can hear silence if it follows a pistol shot. If silence does not succeed in ending private questioning, the word that silence defends is decisively weakened. The story of Soviet dissidents is typically one in which, at some point, questioning moved from a private, furtive activity accompanied by guilt to the opposite extreme, a clear rejection in which the authoritative voice lost all hold altogether. Vulnerability accompanies too much power. ¶ But in more open societies, and in healthier kinds of individual development, an authoritative voice of the whole society, or of a particular community (like our own academic community), still sounds, still speaks to us in our minds. In fact, we commonly see that people who have questioned and rejected an authoritative voice find that it survives within them as a possible alternative, like the minority opinion in a court decision. When they are older, they discover that experience has vindicated some part of what they had summarily rejected. Perhaps the authoritative voice had more to it than we thought when young? Now that we are teachers, perhaps we see some of the reasons for practices we objected to? Can we, then, combine in a new practice both the practices of our teachers and the new insights we have had? When we do, a flexible authoritative word emerges, one that has become to a great extent an innerly persuasive one. By a lengthy process, the word has, with many changes, become our own, and our own word has in the process acquired the intonations of authority. ¶ In much the same way, we react to the advice of our parents. At some point it may seem dated, no more than what an earlier generation unfortunately thought, or we may greet it with the sign of regret that our parents have forgotten what they experienced when our age. However, the dialogue goes on. At a later point, we may say, you know, there was wisdom in what our parents said, only why did they express it so badly? If only I had known! We may even come to the point where we express some modified form of parental wisdom in a convincing voice. We translate it into our own idiolect, confident that we will not make the mistakes of our parents when we talk to our children. Then our children listen, and find our own idiolect, to which we have devoted such painful ideological and verbal work, hopelessly dated, and the process may start again. ¶ It is always a difficult moment when we realize that our own voice is now the authority, especially because we have made it different, persuasive in its¶ 322¶ own terms, not like our parents’ voice. When we reflect on how our children see us, we may even realize that our parents’ authoritative words may not have been the product of blind acceptance, but the result of a process much like our own. They may have done the same thing we did – question, reject, adapt, arrive at a new version – and that rigid voice of authority we heard from them was partly in our own ears. Can we somehow convey to our students our own words so they do not sound so rigid? We all think we can. But so did our parents (and other authorities).¶ Dialogue, Laughter, And Surprise ¶ Bakhtin viewed the whole process of “ideological” (in the sense of ideas and values, however unsystematic) development as an endless dialogue. As teachers, we find it difficult to avoid a voice of authority, however much we may think of ours as the rebel’s voice, because our rebelliousness against society at large speaks in the authoritative voice of our subculture. We speak the language and thoughts of academic educators, even when we imagine we are speaking in no jargon at all, and that jargon, inaudible to us, sounds with all the overtones of authority to our students. We are so prone to think of ourselves as fighting oppression that it takes some work to realize that we ourselves may be felt as oppressive and overbearing, and that our own voice may provoke the same reactions that we feel when we hear an authoritative voice with which we disagree. ¶ So it is often helpful to think back on the great authoritative oppressors and reconstruct their self-image: helpful, but often painful. I remember, many years ago, when, as a recent student rebel and activist, I taught a course on “The Theme of the Rebel” and discovered, to my considerable chagrin, that many of the great rebels of history were the very same people as the great oppressors. There is a famous exchange between Erasmus and Luther, who hoped to bring the great Dutch humanist over to the Reformation, but Erasmus kept asking Luther how he could be so certain of so many doctrinal points. We must accept a few things to be Christians at all, Erasmus wrote, but surely beyond that there must be room for us highly fallible beings to disagree. Luther would have none of such tentativeness. He knew, he was sure. The Protestant rebels were, for a while, far more intolerant than their orthodox opponents. Often enough, the oppressors are the ones who present themselves and really think of themselves as liberators. Certainty that one knows the root cause of evil: isn’t that itself often the root cause? ¶ We know from Tsar Ivan the Terrible’s letters denouncing Prince Kurbsky, a general who escaped to Poland, that Ivan saw himself as someone who had been oppressed by noblemen as a child and pictured himself as the great rebel against traditional authority when he killed masses of people or destroyed whole towns. There is something in the nature of maximal rebellion against authority that produces ever greater intolerance, unless one is very careful. ¶ 323¶ For the skills of fighting or refuting an oppressive power are not those of openness, self-skepticism, or real dialogue. In preparing for my course, I remember my dismay at reading Hitler’s Mein Kampf and discovering that his self-consciousness was precisely that of the rebel speaking in the name of oppressed Germans, and that much of his amazing appeal – otherwise so inexplicable – was to the German sense that they were rebelling victims. In our time, the Serbian Communist and nationalist leader Slobodan Milosevic exploited much the same appeal. Bakhtin surely knew that Communist totalitarianism, the Gulag, and the unprecedented censorship were constructed by rebels who had come to power. His favorite writer, Dostoevsky, used to emphasize that the worst oppression comes from those who, with the rebellious psychology of “the insulted and humiliated,” have seized power – unless they have somehow cultivated the value of dialogue, as Lenin surely had not, but which Eva, in the essay by Knoeller about teaching The Autobiography of Malcolm X, surely had. ¶ Rebels often make the worst tyrants because their word, the voice they hear in their consciousness, has borrowed something crucial from the authoritative word it opposed, and perhaps exaggerated it: the aura of righteous authority. If one’s ideological becoming is understood as a struggle in which one has at last achieved the truth, one is likely to want to impose that truth with maximal authority; and rebels of the next generation may proceed in much the same way, in an ongoing spiral of intolerance. By contrast, if one’s rebellion against an authoritative word is truly dialogic, that is unlikely to happen, or to be subject to more of a self-check if it does. Then one questions one’s own certainties and invites skepticism, lest one become what one has opposed. One may even step back and laugh at oneself. ¶ Laughter at oneself invites the perspective of the other. Laughter is implicitly pluralist. Instead of looking at one’s opponents as the unconditionally wrong, one imagines how one sounds to them. Regarding earlier authorities, one thinks: that voice of authority, it is not my voice, but perhaps it has something to say, however wrongly put. It comes from a specific experience, which I must understand. I will correct it, but to do that I must measure it, test it, against my own experience. Dialogue is a process of real testing, and one of the characteristics of a genuine test is that the result is not guaranteed. It may turn out that sometimes the voice of earlier authority turns out to be right on some point. Well, we will incorporate that much into our own “innerly persuasive voice.” Once one has done this, once one has allowed one’s own evolving convictions to be tested by experience and by other convictions

## 1NR

### Framing

**Implications of the words used to form the 1AC should outweigh any other considerations**

Richard **Reeves, 5** Lecturer – Annenberg School for Communication at the University of Southern California “Words Matter in Politics”, The New Statesman, 1-24-2005, http://www.newstatesman.com/200501240022

What's in a word? In politics, everything, argues Richard Reeves. Get the language right and you can win arguments before they begin. US Republicans know this, but new Labour still has much to learn Words get a bad press. On both sides of the principal divide in British politics - the one between the media and politicians - the use of language is a familiar target. Journalists accuse politicians of spouting mere "rhetoric"; MPs on the Today programme suggest that their interlocutor is playing at "semantics". Politicians are said to be all spin and no substance, hacks to be interested in the juiciest, rather than most apposite, quotations. Yet rhetoric and semantics are not the froth of politics, but its **most important ingredients**. There can be no politics without words. And the precise meaning of words - for example, in the phrase "a representative House of Lords" - is hardly a trivial matter. Labour - sorry, new Labour - is all too aware of the significance of words. "Language," Aristotle wrote in the Politics, "serves to declare what is advantageous and what is the reverse . . . It is the peculiarity of man . . . that he alone possesses a perception of good and evil, of the just and unjust." In other words, what makes a political community ("a city", as Aristotle called it) is the shared concepts of good and evil, right and wrong - and only through language can this sharing take place. This insight is as valuable in the modern world as in antiquity. Those who worry about a United States of Europe can stop fretting: the absence of a common language prevents a commonly articulated vision of Europe. The gap extends even to musical pitch. The note "A" is different in France, Germany and Britain, so musicians squabble when they play together - a clear-cut case, surely, for EU harmonisation. By contrast, the US, which is a more diverse social, economic and cultural region than Europe, has a sense of Americanness that depends vitally on linguistic unity. (Note that John Kerry's ability to speak French counted against him in last year's election.) If a nation is defined, in the Cornell University professor Benedict Anderson's terms, as a shared "imagined community", the role of a shared language in filling the imagination becomes clear. If language shapes who we are, it also helps to determine where we are going. As Norman Fairclough, author of New Labour, New Language? says, words "do political work". Words do not simply express an already perfectly formed idea; they often help to test, refine and develop an idea. Ideas and words are like a chicken and an egg. Labour's search for the right language is a good example of the way language can determine political action. Early in 1996, for example, it looked as if "stakeholding" would be Labour's big idea. Popularised by Will Hutton in his book The State We're In the previous year, it was at the heart of a speech by Tony Blair in Singapore. But, after a brief moment in the sun, it was replaced by "rights and responsibilities" and then "the Third Way". Philip Gould, Blair's disciple and polling guru, argues that while "the language of stakeholding has withered, the new approach underpinning it has prospered". But he underestimates the power of language. If Labour had stuck with stakeholding, some of its policies would almost certainly have been different. In Singapore, Blair said: "It is surely time to assess how we shift the emphasis in corporate ethos from the company being a mere vehicle for the capital market - to be traded, bought and sold as a commodity - towards a vision of the company as a community of partnership in which each employee has a stake." It is not possible to square these words - a "community . . . in which each employee has a stake" - with Labour's laissez-faire attitude in government to company law, structure and capital financing. Another critical intersection between language and politics is the way words "frame" an issue in people's minds - often in ways which virtually predetermine their reaction. George Lakoff, a US linguist and semi-hero in some Democratic circles, shows how brilliantly effective the Republicans have been at using language frames. His latest book is entitled Don't Think of an Elephant!: and the point is, you can't. Once the word has been uttered, the image of a big grey animal is unstoppably in your mind. The frame is in place. The Republicans understand this. Two of their most effective framing devices are the relabelling of tax cuts as "tax relief" and the invention of the term "partial-birth abortion". The first of these is a powerful metaphor. Once "relief" is added to tax, Lakoff points out, it becomes "an affliction. The person who takes it away is a hero, and anyone who tries to stop him is a bad guy." The Republicans use the phrase repeatedly: some right-wing think-tanks have swear-boxes for anyone who says "tax cut". Soon the media followed suit, referring to the Republicans' "tax relief plan". And once the Democrats were using it, the game was pretty much over. "Should we have tax relief?" is a question that contains its own answer. Bush has similarly used the metaphor of not needing a "permission slip" to defend America - which frames the issue of multinational talks in such a way as to suggest that anyone taking the UN seriously is clearly a schoolchild asking for teacher's say-so. (Someone in Michael Howard's office has clearly read Lakoff, because he, too, used the term recently. The trouble is that it is American English, and no one knew what he was on about.) "Partial-birth abortion" refers to a rare procedure where the surgeon partly delivers the baby but leaves the head in the womb while he removes the brain. But if it is so rare - 1 per cent of all abortions - why all the right-wing fuss? "Because," as Lakoff notes, "it is the first step to ending all abortion. It puts out there a frame of abortion as a horrendous procedure, when most operations ending pregnancy are nothing like this." Paul Chilton, in his Analysing Political Discourse, calls these "ready-made moulds for the thinking of thoughts". So far British politicians - along with most US Democrats - are amateurs at this stuff. Yet perhaps the best reframing in recent UK politics was by the left, in the successful rebadging of the Tory community charge as a poll tax. Who could oppose a simple charge for something as lovely as a community? On the other hand, who could support a tax on such a fundamental democratic right as the vote? When Conservative ministers started to slip up and refer to "the poll tax" in media interviews, you knew the fight was over. Framing is going on all the time, whether consciously or not. Even apparently banal terms such as "welfare-dependent", "yobs" and (the current favourite) "hard-working families" carry with them a heavy load of assumptions and implications. The political right uses the term "nanny state" very effectively, with the frame carrying associations of bossiness, dependency and childishness. Once a Labour politician defensively says "it's not a question of the nanny state, but of . . .", the rest of the sentence is almost not worth bothering with. The damage has been done. The choice of **even single words** can matter. As Chilton points out, the meanings of the words kill, murder, assassinate and execute can be defined "in terms of stored frames in which different types of actor fill the agent and the victim roles, the killing is legal or not legal", and so on. Similarly, the question of whether a person receiving treatment in a hospital is a "patient", "client", "user" or "customer" is a hugely important semantic one. The chosen frame carries a range of implications for where power lies, how doctors should interact with people and how the success of medical institutions is defined.