# 1nc

**Framework 1NC**

***Our interpretation – The affirmative has to defend a material action restricting war powers. They can talk about whatever they want, but they must present an action we can negate. The negative should win if they prove enactment of this advocacy is undesirable.***

***Violation- they offer no stasis point for the debate and won’t defend the consequences of their advocacy statement. They view the ballot as an end in and of itself and do not offer a practical solution to the military industrial complex***

***Vote Neg:***

***1) Ground - Not defending a specific action, method, or starting point means you can literally say racism is bad and sit down. Our interpretation is key to foster debates on the means they advocate when both sides fundamentally agree on the ends.***

***No stable advocacy statement means we could k your methodology and you could say “we don’t defend that” and sit down. This debate is not productive, and it kills clash and education. Every reason why your aff is good is a reason to prefer our interpretation.***

***2) Clash is predicated off of a stable topic, when there is no stability in a debate, all substantive argumentation is mooted.***

**Shively, 2k** (Assistant Prof Political Science at Texas A&M, Ruth Lessl, Partisan Politics and Political Theory, p. 181-2)

The requirements given thus far are primarily negative. The **ambiguists must say "no" to-they must reject and limit-some ideas and actions.** In what follows, we will also find that they must say "yes" to some things. In particular, they must say "yes" to the idea of rational persuasion. This means, first, that **they must recognize the role of agreement in political contest, or the basic accord that is necessary to discord**. The mistake that the ambiguists make here is a common one. **The mistake is in thinking that agreement marks the end of contest-that consensus kills debate**. But this is true only if the agreement is perfect-if there is nothing at all left to question or contest. In most cases, however, **our agreements are highly imperfect**. **We agree on some matters but not on others, on generalities but not on specifics, on principles but not on their applications, and so on.** **And this kind of limited agreement is the starting condition of contest and debate**. As John Courtney Murray writes: **We hold certain truths; therefore we can argue about them**. It seems to have been one of the corruptions of intelligence by positivism to assume that argument ends when agreement is reached. In a basic sense, the reverse is true. **There can be no argument except on the premise, and within a context, of agreement**. (Murray 1960, 10) **In other words, we cannot argue about something if we are not communicating: if we cannot agree on the topic and terms of argument or if we have utterly different ideas about what counts as evidence or good argument. At the very least, we must agree about what it is that is being debated before we can debate it**. For instance, one cannot have an argument about euthanasia with someone who thinks euthanasia is a musical group. One cannot successfully stage a sit-in if one's target audience simply thinks everyone is resting or if those doing the sitting have no complaints. **Nor can one demonstrate resistance to a policy if no one knows that it is a policy**. In other words, **contest is meaningless if there is a lack of agreement or communication about what is being contested**. **Resisters, demonstrators, and debaters must have some shared ideas about the subject and/or the terms of their disagreements.** The participants and the target of a sit-in must share an understanding of the complaint at hand. And a demonstrator's audience must know what is being resisted. In short, the contesting of an idea presumes some agreement about what that idea is and how one might go about intelligibly contesting it. In other words, **contestation rests on some basic agreement or harmony.**

***Lack of a stasis point engates clash – that’s the biggest impact in the round and internally link turns their pedagogy – the Neg’s ability to contest Aff claims improves BOTH TEAMS’ knowledge.***

**O’Donnell 4** – PhD, director of debate at Mary Washington (Tim, WFU Debaters Research Guide, "Blue helmet blues", ed. Bauschard %26 Lacy, http://groups.wfu.edu/debate/MiscSites/DRGArticles/DRGArtiarticlesIndex.htm)

The answer, I believe, resides deep in the rhetorical tradition in the often overlooked notion of stasis. Although the concept can be traced to Aristotle’s Rhetoric, it was later expanded by Hermagoras whose thinking has come down to us through the Roman rhetoricians Cicero and Quintillian. **Stasis is a Greek word meaning to “stand still.” It has generally been considered by argumentation scholars to be the point of clash where two opposing sides meet in argument**. **Stasis recognizes the fact that interlocutors engaged in a conversation, discussion, or debate need to have some level of expectation regarding what the focus of their encounter ought to be**. **To reach stasis, participants need to arrive at a decision about what the issue is prior to the start of their conversation**. Put another way, **they need to mutually acknowledge the point about which they disagree.**

**What happens when participants fail to reach agreement about what it is that they are arguing about? They talk past each other with little or no awareness of what the other is saying**. The oft used cliché of ***two ships passing in the night***, where both are in the dark about what the other is doing and neither stands still long enough to call out to the other, is the image most commonly used to describe what happens when participants in an argument fail to achieve stasis. **In such situations, genuine engagement is not possible because participants have not reached agreement about what is in dispute**. For example, when one advocate says that the United States should increase international involvement in the reconstruction of Iraq and their opponent replies that the United States should abandon its policy of preemptive military engagement, they are talking past each other. **When such a situation prevails, it is hard to see how a productive conversation can ensue.**

I do not mean to suggest that dialogic engagement always unfolds along an ideal plain where participants always can or even ought to agree on a mutual starting point. The reality is that many do not. In fact, refusing to acknowledge an adversary’s starting point is itself a powerful strategic move. However, it must be acknowledged that **when such situations arise, and participants cannot agree on the issue about which they disagree, the chances that their exchange will result in a productive outcome are diminished significantly**. **In an enterprise like academic debate, where the goals of the encounter are cast along both educational and competitive lines, the need to reach accommodation on the starting point is urgent.** **This is especially the case when time is limited and there is no possibility of extending the clock. The sooner such agreement is achieved, the better. Stasis helps us understand that we stand to lose a great deal when we refuse a genuine starting point.**

***AND Lack of clash collapses the transformative potential of the 1AC***

**Tonn ’05** (Mari Boor, Professor of Communication – University of Maryland, “Taking Conversation, Dialogue, and Therapy Public”, *Rhetoric & Public Affairs*, Vol. 8, Issue 3, Fall)

Perhaps the most conspicuous effort at replacing public debate with therapeutic dialogue was President Clinton's Conversation on Race, launched in mid-1997. Controversial from its inception for its ideological bent, the initiative met further widespread criticism for its encounter-group approaches to racial stratification and strife, critiques echoing previously articulated concerns- my own among them6-that certain dangers lurk in employing private or social communication modes for public problem-solving.7 Since then, others have joined in contesting the treating of public problems with narrative and psychological approaches, which-in the name of promoting civility, cooperation, personal empowerment, and socially constructed or idiosyncratic truths-actually work to **contain dissent**, locate systemic social problems **solely within individual neurosis**, and otherwise **fortify hegemony**.8 Particularly noteworthy is Michael Schudson's challenge to the utopian equating of "conversation" with the "soul of democracy." Schudson points to pivotal differences in the goals and architecture of conversational and democratic deliberative processes. To him, political (or democratic) conversation is a contradiction in terms. Political deliberation entails a clear instrumental purpose, ideally remaining ever mindful of its implications beyond an individual case. Marked by disagreement-even pain-democratic deliberation contains **transparent prescribed procedures** **governing** participation and **decision making** so as to protect the timid or otherwise weak. In such processes, written records chronicle the interactional journey toward resolution, and in the case of writing law especially, provide accessible justification for decisions rendered. In sharp contrast, conversation is often "small talk" exchanged among family, friends, or candidates for intimacy, unbridled by set agendas, and prone to egocentric rather than altruistic goals. **Subject only to unstated "rules**" such as turn-taking and politeness, conversation tends to advantage the gregarious or articulate over the shy or slight of tongue.9 The events of 9/11, the onset of war with Afghanistan and Iraq, and the subsequent failure to locate Iraqi weapons of mass destruction have resuscitated some faith in debate, argument, warrant, and facts as **crucial to the public sphere**. Still, the romance with public conversation persists. As examples among communication scholars, Karlyn Kohrs Campbell's 2001 Carroll C. Arnold Distinguished Lecture treated what she termed "the rhetoric of conversation" as a means to "manage controversy" and empower non-dominant voices10; multiple essays in a 2002 special issue of Rhetoric & Public Affairs on deliberative democracy couch a deliberative democratic ideal in dialogic terms11; and the 2005 Southern States Communication Convention featured family therapist Sallyann Roth, founding member and trainer of the Public Conversations Project, as keynote speaker.12 Representative of the dialogic turn in deliberative democracy scholarship is Gerard A. Hauser and Chantal Benoit-Barne's critique of the traditional procedural, reasoning model of public problem solving: "A deliberative model of democracy . . . constru[es] democracy in terms of participation in the ongoing conversation about how we shall act and interact-our political relations" and "Civil society redirects our attention to the language of social dialogue on which our understanding of political interests and possibility rests."13 And on the political front, British Prime Minister Tony Blair-facing declining poll numbers and mounting criticism of his indifference to public opinion on issues ranging from the Iraq war to steep tuition hike proposals-launched The Big Conversation on November 28, 2003. Trumpeted as "as way of enriching the Labour Party's policy making process by listening to the British public about their priorities," the initiative includes an interactive government website and community meetings ostensibly designed to solicit citizens' voices on public issues.14 In their own way, each treatment of public conversation positions it as a democratic good, a mode that heals divisions and carves out spaces wherein ordinary voices can be heard. In certain ways, Schudson's initial reluctance to dismiss public conversation echoes my own early reservations, given the ideals of egalitarianism, empowerment, and mutual respect conversational advocates champion. Still, in the spirit of the dialectic ostensibly underlying dialogic premises, this essay argues that various negative consequences can result from transporting conversational and therapeutic paradigms into public problem solving. In what follows, I extend Schudson's critique of a conversational model for democracy in two ways: First, whereas Schudson primarily offers a theoretical analysis, I interrogate public conversation as a praxis in a variety of venues, illustrating how public "conversation" and "dialogue" have been **coopted to silence rather than empower** marginalized or dissenting voices. In practice, public conversation easily can emulate what feminist political scientist Jo Freeman termed "the **tyranny of structurelessness**" in her classic 1970 critique of consciousness- raising groups in the women's liberation movement,15 as well as the key traits Irving L. Janis ascribes to "groupthink."16 Thus, contrary to its promotion as a means to neutralize hierarchy and exclusion in the public sphere, public conversation can and **has accomplished the reverse**. When such moves are rendered transparent, public conversation and dialogue, I contend, risk increasing rather than diminishing **political cynicism and alienation**. **[Continues…]** This widespread recognition that access to public deliberative processes and the ballot is a baseline of any genuine democracy points to the most curious irony of the conversation movement: portions of its constituency. Numbering among the most fervid dialogic loyalists have been some feminists and multiculturalists who represent groups historically denied both the right to speak in public and the ballot. Oddly, some feminists who championed the slogan "The Personal Is Political" to emphasize ways relational power can oppress tend to ignore similar dangers lurking in the appropriation of conversation and dialogue in public deliberation. Yet the conversational model's emphasis on empowerment through intimacy can duplicate the power networks that traditionally excluded females and nonwhites and gave rise to numerous, sometimes necessarily uncivil, demands for democratic inclusion. Formalized participation structures in deliberative processes obviously cannot ensure the elimination of relational power blocs, but, as Freeman pointed out, the absence of formal rules leaves relational power **unchecked and** potentially **capricious**. Moreover, **the privileging of the self, personal experiences, and individual perspectives of reality intrinsic in the conversational paradigm mirrors justifications once used by dominant groups who used their own lives, beliefs, and interests as templates for hegemonic social premises to oppress women, the lower class, and people of color**. Paradigms infused with the therapeutic language of emotional healing and coping likewise flirt with the type of psychological diagnoses once ascribed to disaffected women. But as Betty Friedan's landmark 1963 The Feminist Mystique argued, the cure for female alienation was neither tranquilizers nor attitude adjustments fostered through psychotherapy but, rather, unrestricted opportunities.102

**1NC**

***Next off – the net benefit is: “Cult of the Presidency”:***

***The 1AC’s non-institutional focus ignores the primacy of the presidency to American politics --- conservative social movements will inevitably engage the presidency --- the left can only be effective by recognizing that politics flows through the presidency --- the global uniquely shapes the local in this context***

**Milkis et. al ’13**, Sidney M. Milkis is the White Burkett Miller Professor of Politics and Faculty Associate of the Miller Center at the University of Virginia. He is author o/Theodore Roosevelt, the Progressive Party and the Transformation of American Democracy. Daniel J. Tichenor is the Philip H. Knight Professor of Political Science and Senior Fellow of the Wayne Morse Center for Law and Politics at the University of Oregon. He is author or editor of six hooks and numerous academic journal articles and chapters. Laura Blessing is a Ph.D. candidate in the Department of Politics at the University of Virginia. She is a 2012-13 recipient of the Bankard Pre-doctoral Dissertation Fellowship. Presidential Studies Quarterly43.3 (Sep 2013): 641-670., "Rallying Force": The Modern Presidency, Social Movements, and the Transformation of American Politics, Proquest, online, jj

**This article analyzes the often fraught yet sometimes productive relationship between the modern presidency and social movements**. Although the presidency-social movement nexus is fraught with tension, ***collaboration between the White House and social activists was indispensable to the important changes that occurred during the second half of the twentieth century***. **Focusing especially on** Lyndon **Johnson's uneasy but critical relationship to the civil rights movement** and Ronald Reagan's enlistment of the Christian Right into the Republican Party, **we trace the emergence of a novel form of politics since the 1960s that joins executive prerogative, grassroots insurgency, and party polarization**. **Johnson's efforts to leverage presidential power to advance civil rights played a critical role in recasting the relationship between national administration and social movements**, one that paved the way for a national conservative offensive. The relationship forged between Johnson and the civil rights movement has echoes in the similar joining of the Reagan presidency and the Christian Right, an executive-insurgency alliance that instigated the transformation of the Republican Party and spurred the development a new presidency-centered party system by the end of the 1980s.

**This article explores the relationship between the modern presidency and social movements, an uneasy but critical alliance in the quest for both liberal and conservative reform during the past half-century**. Focusing on Lyndon Johnson's relationship to the civil rights movement and Ronald Reagan's collaboration with the Christian Right, **we explore the idea**, born of the Progressive era, **that the presidency is inherently disposed to ally itself with major reform movements**. **Presidency scholars, like many citizens, regularly perceive occupants of the Oval Office as leading agents of change in a labyrinthine political system that can be difficult to navigate**. Social movement scholars, in turn, associate social and political transformation with organized, collective insurgencies of ordinary people motivated by common purposes or social solidarities. By definition, social movements are, to borrow James Jasper's words, "conscious, concerted, and relatively sustained efforts by organized groups ... to change some aspect of their society by using extra-institutional means" (1999, 5).

**Although both presidents and social movements have played leading roles in the development of major legal and policy innovation over the course of American political development, the respective literatures on executive power and insurgency rarely intersect**. **Salutary efforts to probe the subject tend to emphasize the inherent conflict between a centralizing institution tasked with conserving the constitutional order and grassroots associations dedicated to structural change** (e.g., see Riley 1999; Sanders 2007). **To be sure, the relationship between presidents and insurgents is fraught with tension; nonetheless, it has significant formative potential given the ambition and capacity of both actors under opportune conditions to transform the political order**. For all of their differences, ***the ambitions and work of presidents and movements are sometimes complementary rather than antagonistic.***

Our central point is that the emergence of **the modern presidency recasts in important ways the relationship between executive power and social movements**. Constrained by constitutional norms, the separation and division of powers, and a decentralized party system, the disruptive potential of executive power was often limited until the twentieth century. **With the advent of the modern presidency during the Progressive era**, however, **the White House was more likely to challenge the existing order of things**. To be sure, modern executives regularly have shied away from close relationships with controversial social movements and sometimes openly attacked them (Tichenor 1999, 2007). Nonetheless, ***the consolidation of the modern presidency during the New Deal realignment invested the executive with powers and public expectations that made it a critical agent of social and economic reform*** (Milkis 1993). **Once the White House became the center of growing government commitments, its occupants were more likely to profess support for the same high ideals that prominent social movements in their camps championed** (Miroff 1981,14).

**The idea that the executive office might act as a spearhead for social justice-a rallying point for democratic reform movements-reached a critical juncture during the Johnson presidency**. **The nation received glimpses of the transformational possibilities of presidential-movement collaborations during the presidencies of Theodore Roosevelt, Woodrow Wilson, Franklin Roosevelt, Harry Truman, and John F. Kennedy**. But they also demonstrated the deep conflicts of interest and ideology that inherently divided presidents and movements. **Only with Lyndon Johnson was the full panoply of modern presidential powers-political, administrative, and rhetorical-deployed on behalf of insurgent interests and demands**. Johnson claimed broad authority to transform domestic policy on his own terms at a time when Congress and parties were subordinate to a "modern" presidency at high tide and a national administration unprecedentedly expansive. This also was a period when the civil rights movement's ability to blend and balance disruptive collective action and conventional political pressure was at its zenith. Consequently, **Johnson and the civil rights movement formed a more direct, combustible, and transformative relationship than was true of previous collaborations between presidents and social movements** (Milkis and Tichenor 2011). **The result was both a historic body of civil rights reforms** and enormous political fallout for Johnson and the Democratic Party.

**A little more than a decade later, a new executive-insurgency alliance spurred a national conservative offensive**. Like Johnson, Reagan commanded a strong and active presidency that reshaped national law and policy commitments, but he sought to deploy modern executive power to achieve conservative objectives. Some of these purposes, most notably a more aggressive anti-Communist agenda and the protection of "family values," required the expansion rather than the rolling back of national governmental responsibilities. Moreover, by the time Ronald Reagan became president, cultural forces unleashed by the Great Society had created a more polarized political environment. **Reagan's contribution to the development of a decidedly right of center modern Republican Party, pledged to advance issues of critical importance to Christian conservatives, made the GOP an attractive venue for the forging a strong bond between the White House and Christian Right**. As we shall see, **the fact that Christian conservatives were less suspicious of executive power than civil rights activists had been might have diminished the Christian Right's reformist potential**. **Yet with their impressive march through American political institutions, these religious movement activists joined with Reagan in advancing a more centralized, polarized, and programmatic party system that defied national consensus and enduring reform, and appeared to issue, instead, a rancorous struggle between conservatives and liberals for control of the modern executive office.**

The two cases examined in this article thus shed light on important developments in American politics. Johnson's alliance with the civil rights movement and Reagan's ties with the Christian right mark critical episodes in the confluence of executive prerogative and insurgency that both infused politics with moral fervor and sharpened conflict between liberals and conservatives. By the end of the 1980s, these new strains had formed into a novel form of party politics that joined presidential prerogative, grassroots mobilization, and partisan polarization. We seek to take account of this transformation of American politics in the conclusion, suggesting that the **critical, tense alliances presidents have forged with social movements over the past half-century have advanced reforms and visions of an alternative political order**-but at the risk of weakening the means of common deliberation and public judgment, the very practices that nurture a civic culture.

***This year’s resolution offers a crucial opportunity for political engagement --- policy relevant debate about war powers decision-making is critical to hold the government accountable for their hypocrisy --- only engaging specific proposals and learning the language of the war-machine solves***

Ewan E. **Mellor** – European University Institute, Political and Social Sciences, Graduate Student, Paper Prepared for BISA Conference 20**13**, “Why policy relevance is a moral necessity: Just war theory, impact, and UAVs”, online

**This section of the paper considers** more generally **the need for** just war **theorists to engage with policy debate about the use of force**, as well as to engage with the more fundamental moral and philosophical principles of the just war tradition. **It draws on John Kelsay’s conception of just war thinking as being a social practice**,35 **as well as on** Michael **Walzer’s understanding of the role of the social critic in society**.36 It argues that **the just war tradition is a form of “practical discourse” which is concerned with questions of “how we should act.**”37¶ Kelsay argues that:¶ [T]he criteria of jus ad bellum and jus in bello provide a framework for structured participation in a public conversation about the use of military force . . . citizens who choose to speak in just war terms express commitments . . . [i]n the process of giving and asking for reasons for going to war, those who argue in just war terms seek to influence policy by persuading others that their analysis provides a way to express and fulfil the desire that military actions be both wise and just.38¶ He also argues that “**good just war thinking involves continuous and complete deliberation**, in the sense that one attends to all the standard criteria at war’s inception, at its end, and throughout the course of the conflict.”39 **This is important as it highlights the need for** just war **scholars to engage with the ongoing operations in war and the specific policies that are involved**. The question of whether a particular war is just or unjust, and the question of whether a particular weapon (like drones) can be used in accordance with the jus in bello criteria, only cover a part of the overall justice of the war. **Without an engagement with the reality of war, in terms of the policies used in waging it, it is impossible to engage with the “moral reality of war,”**40 **in terms of being able to discuss it and judge it in moral terms**.¶ Kelsay’s description of just war thinking as a social practice is similar to Walzer’s more general description of social criticism. **The** just war **theorist, as a social critic, must be involved with his or her own society and its practices**. In the same way that the social critic’s distance from his or her society is measured in inches and not miles,41 **the** just war **theorist must be close to and must understand the language through which war is constituted, interpreted and reinterpreted**.42 **It is only by understanding the values and language that their own society purports to live by that the social critic can hold up a mirror to that society to**¶ **demonstrate its hypocrisy and to show the gap that exists between its practice and its values**.43 **The tradition** itself provides a set of values and principles and, as argued by Cian O’Driscoll, **constitutes a “language of engagement” to spur participation in public and political debate.**44 This language is part of “our common heritage, the product of many centuries of arguing about war.”45 These principles and this language provide the terms through which people understand and come to interpret war, not in a deterministic way but by providing the categories necessary for moral understanding and moral argument about the legitimate and illegitimate uses of force.46 **By spurring and providing the basis for political engagement the just war tradition ensures that the acts that occur within war are considered according to just war criteria and allows policy-makers to be held to account on this basis**.¶ **Engaging with the reality of war requires recognising that war is**, as Clausewitz stated, **a continuation of policy**. **War**, according to Clausewitz, **is subordinate to politics and to political choices and these political choices can, and must, be judged and critiqued**.47 ***Engagement and political debate are morally necessary as the alternative is disengagement and moral quietude, which is a sacrifice of the obligations of citizenship***.48 ***This engagement must bring*** just war ***theorists into contact with the policy makers and will require work that is accessible and relevant to policy makers***, **however this does not mean a sacrifice of critical distance or an abdication of truth in the face of power**. By engaging in detail with the policies being pursued and their concordance or otherwise with the principles of the just war tradition **the policy-makers will be forced to account for their decisions and justify them in just war language**. In contrast to the view, suggested by Kenneth Anderson, that “the public cannot be made part of the debate” and that “[w]e are necessarily committed into the hands of our political leadership”,49 **it is incumbent upon** just war **theorists to ensure that the public are informed and are capable of holding their political leaders to account**. To accept the idea that the political leadership are stewards and that accountability will not benefit the public, on whose behalf action is undertaken, but will only benefit al Qaeda,50 is a grotesque act of intellectual irresponsibility. As Walzer has argued, **it is precisely because it is “our country” that we are “especially obligated to criticise its policies**.”51

***The aff undermines this goal --- by rejecting engagement with the presidency in favor of reliance on purely local politics they contribute to the decline of liberalism and the resurgence of conservative movements***

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For a time, **LBJ's "careful practicality" and moral leadership made him an indispensable ally of the civil rights movement**. His greatest strength as majority leader of the Senate had been personal persuasion, a talent he now used to convince the Senate Republican leader, Everett Dirksen, to endorse the 1964 civil rights bill and enlist moderate Republicans in the cause. This support came with a price. Dirksen insisted on compromises that reduced the power of the Equal Employment Opportunity Commission (EEOC) and limited the authority of the Justice Department to bring suits against businesses to those situations in which a clear "pattern and practice" of discrimination existed.3 These compromises addressed moderate Republicans' distaste for overlapping bureaucracies and excessive litigation, as well as their desire to protect northern and western businesses from intrusive federal agencies. Still, the principal objective of the civil rights bill-eliminating entrenched segregation in the South-was preserved.¶ Dirksen's support of the civil rights bill also followed from the senator's perception, confirmed by the president's successful southern tour, that public opinion had turned in favor of civil rights. Investing the power and prestige of his office in a cause and a movement, Johnson persuaded Dirksen and most members of Congress that civil rights reform could no longer be resisted. As Dirksen put it, paraphrasing Victor Hugo's diary, "No army is stronger than an idea whose time has come."4 Johnson signed the Civil Rights Act on July 2, 1964.¶ **Throughout the fight for this legislation, Johnson drew strength from and collaborated with civil rights leaders, even seeking their support for his decision not to delay signing the bill until Independence Day**.5 More controversially, most civil rights activists accepted the compromise that the Johnson White House struck with Mississippi Freedom Democratic Party (MFDP) at the 1964 Democratic Convention, which included seating of the regular Mississippi delegation.6 In return, the deal included the symbolic gesture of making MFDP delegates honored guests at the convention, with two of its members seated as special delegates at large, and a prohibition of racial discrimination in delegate selection at the 1968 convention. The Student Nonviolent Coordinating Committee (SNCC) and the Committee of Racial Equality (CORE) assailed the White House for sacrificing the MFDP's moral cause on the altar of expediency. But the MFDP, through its lawyer Joseph Rauh, joined King and most moderate civil rights leaders in swallowing the compromise.7 Not only were southern states threatening to walk out of the convention if the regular Mississippi delegation was purged, but Johnson and Democratic leaders also warned civil rights leaders that an unruly convention would cost the party the support of several border states and deprive Democrats of a chance to win a historic landslide-and a mandate for further reform.8¶ Just as important, Johnson's support for a nondiscrimination rule would have enormous long-term consequences for the Democratic Party. Previously, state parties had sole authority to establish delegate selection procedures. Johnson's proposed solution to the MFDP compromise established the centralizing principle that henceforth the national party agencies would decide not only how many votes each state delegation got at the national convention, but also would enforce uniform rules on what kinds of persons could be selected (Milkis 1993, 210-16). 9¶ Having gained credibility with civil rights leaders during the first critical year of his presidency, **Johnson solidified an alliance with them during the dramatic prelude to the 1965 voting rights legislation that ultimately enfranchised millions of African Americans**. New archival materials, specifically the Johnson Tapes, clarify that **Johnson did not want to go slow after the 1964 act. LBJ not only pushed aggressively to continue the advance of civil rights, but also seemed to welcome the movement's ability to disrupt politics-as-usual and to spur action**. On January 15, 1965, for instance, Johnson put in a call to King urging more grassroots protest that would increase pressure on Congress by dramatizing "the worst conditions [of blacks being denied the vote] that you can run into . . . If you can take that one illustration and get it on the radio, get on the television, get it in the pulpits, get it in the meetings-every place you can-then pretty soon the fellow who didn't do anything but drive a tractor would say, 'Well, that is not right- that is not fair.'¶ Johnson later might have had second thoughts about this importunity, since King and civil rights activists would take direct action in Selma, Alabama, that aroused massive resistance from local police and state troopers as well as national demonstrations in support of the marchers, some of which were directed at the president for not taking immediate action to avert the violence. Nonetheless, when King sought his public endorsement of the Selma campaign, Johnson championed the demonstrators' cause despite the efforts of White House aides to shield him from public involvement in the crisis. "I should like to say that all Americans should be indignant when one American is denied the right to vote ... all of us should be concerned with the efforts of our fellow Americans to register to vote in Alabama," Johnson said. "I intend to see that the right [to vote] is secured for all our citizens."11¶ In March of 1965, as the crisis in Selma worsened, Johnson delivered his famous voting rights message to Congress. His speech warned that the enactment of the voting rights bill was but one front in a larger war that must include not just federal laws to throw open the "gates of opportunity," but also affirmative action against ignorance, ill health, and poverty that would enable individual men and women to "walk through those gates." As he memorably closed, "Their cause must be our cause too. Because it is not just Negroes, but really it is all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome" (Johnson 1965a).¶ LBJ had not won over southern congressmen, most of whom slumped in their seats as the joint session erupted in applause. Yet he had triumphed where FDR failed- without embroiling himself in an enervating purge campaign against conservative Democrats, as Roosevelt had in 1938, he joined civil rights activists to discredit southern resistance to racial justice.12 Dr. King, watching the speech on television in Montgomery, Alabama, was moved to tears. As he wrote of the historical address, "President Johnson made one of the most eloquent, unequivocal, and passionate pleas for human rights ever made by a President of the United States. . . . We had the support of the President in calling for immediate relief of the problems of the disinherited people of our nation (King 1998, 288).¶ Even more skeptical civil rights activists, who had refused to acquiesce to the 1964 MFDP compromise, were moved by Johnson's fervent support of what one of his startled advisors called "radical" changes in the federal government's support of voting rights.14 SNCC President John Lewis acknowledged that on this night LBJ was "a man who spoke from his heart, a statesman, a poet."" The following week, CORE's James Farmer led a march to the White House to express civil rights activists' support for the president's efforts. "When President Johnson said 'we shall overcome' he joined the civil rights revolution," Farmer told the marchers "Now it's up to you and me to keep him in it-to keep him and our friends in Congress moving. If we let up the pressure, they let up the progress.'"5¶ Although most activists appreciated Johnson's support in achieving historic reforms, tensions within the civil rights movement threatened to sever its critical but uneasy ties with his White House. Indeed, in contrast to moderate civil rights leaders, more radical insurgents loathed White House leadership and their views increasingly gained a hold over the movement. Johnson's civil rights sermon won little praise from radical civil rights activists in Alabama like James Foreman, the field secretary for SNCC. As far as radical SNCC dissidents were concerned, Johnson's speech was little more than a "tinkling, empty symbol." As he told reporters, "Johnson spoiled a good song that day" (Lewis with D'Orso 1998, 340).¶ Social Protest and the Limits of White House Leverage¶ Toward the end of 1965, the energy and resources committed to the Great Society began to suffer, threatened by Johnson's preoccupation with the Vietnam War. The war also fatally wounded his relationship with the civil rights movement. Even moderate civil rights leaders like King became visible participants in the antiwar movement. King saw the Vietnam War not only as morally indefensible, but also as a growing commitment that would divert resources needed to address problems of poverty at home. As the schisms in the civil rights movement deepened along with the administration's involvement in Vietnam, Johnson became the target, rather than the ally, of civil rights activists.¶ In late November, White House aide Hayes Redmon lamented the antiwar efforts of civil rights activists. "I am increasingly concerned over the involvement of civil rights groups with anti-war demonstrators," he wrote in a memo to White House aide Bill Moyers. "The anti-Vietnam types are driving the middle class to the right. This is the key group that is slowly being won over to the civil rights cause. Negro leadership involvement with anti-Vietnam groups will set their programs back substantially."16 King's opposition became public in September of 1965, infuriating Johnson and exposing the inherent conflict between the interests of the president and civil rights movement. Like Kennedy, Johnson deferred to Federal Bureau of Investigation (FBI) Director J. Edgar Hoover's use of telephone wiretaps and hotel room microphones to discredit King on national security grounds.17¶ Johnson had tried to renew ties with King a few weeks before the civil rights leader publicly voiced opposition to his administration. In August, soon after race riots broke out in Watts, he called King to express his continued support for civil rights and to question him about rumors that he opposed Johnson's Vietnam policy.1" Trying in vain to meet the demands of spiraling civil rights militancy, the president urged King to take seriously and to help publicize a recent commencement address the president had given on June 4 at Howard University (Kotz 2005, 353). The speech proclaimed that "freedom was not enough" and that the time had come to "seek . . . not just equality as a right and a theory but equality as a fact and as a result." LBJ told King that it demonstrated his administration's commitment to address the most stubborn forces sustaining racial inequality.'9 The Howard University speech was arguably the boldest rhetorical presidential challenge to racial injustice since Lincoln's second inaugural. And yet, he complained, civil rights activists had in large part greeted it with a deafening silence. Johnson also urged the civil rights leader to support the administration on Vietnam, telling King, "I want peace as much as you do if not more so," because "I'm the fellow who had to wake up to 50 marines killed."20¶ King acknowledged that Johnson's Howard University speech was "the best statement and analysis of the problem" he had seen and that "no president ever said it like that before."21 Nonetheless, King and other movement leaders refused to lavish praise publicly on the Howard University address, concerned that associating too closely with Johnson might weaken their standing in the civil rights community. As David Carter has written, "in this period of growing polarization it had become increasingly clear to civil rights leaders, and ultimately even to the President and his staff, that a White House blessing of a leader was tantamount to a curse" (2001, 320).¶ Indeed, King was the least of the administration's problems. As the civil rights movement trained its eye on the poverty-stricken ghettos of large northern cities, King lost influence to more militant leaders who were better attuned than he to the frustrations and rage of young urban blacks (Mann 1996, 480). "Black power" advocates like Stokely Carmichael, newly elected head of SNCC, and Floyd McKissick of CORE, were not only dissatisfied with the achievements of the Johnson administration's civil rights program, but they also were contemptuous of its objective of racial integration. The growing militancy of black America erupted during the summer of 1966 as urban riots swept across the nation. In the wake of these developments, the moderately conservative middle class, as the White House feared, grew impatient with reform. The administration's string of brilliant triumphs in civil rights was snapped. Its 1966 civil rights bill, an open housing proposal, fell victim to a Senate filibuster. Johnson's leadership of the civil rights movement was a great asset to him in 1964, but it was a political liability by the summer of 1966.¶ From the start of his presidency, Johnson had recognized that his alliance with the civil rights movement risked substantial Democratic losses in the South. The president's encouraging visit to Georgia gave him hope that he would be forgiven by white southerners; this was the very purpose of his appeal to conscience. But the elections of November 1966 confirmed the South was not in a forgiving mood. Three segregationist Democrats-Lester Maddox in Georgia, James Johnson in Arkansas, and George P. Mahoney in Maryland-won their party's gubernatorial nomination. In Alabama, voters ratified a caretaker administration for Lurleen Wallace, since her husband, George, was not permitted to succeed himself. George Wallace, dubbed the "prime minister" of Alabama, had by 1966 emerged as a serious threat to consummate the North-South split in the Democratic Party, either by entering the 1968 presidential primaries or running as a third party candidate. The gubernatorial race in California, where former movie star Ronald Reagan handily defeated the Democratic incumbent Edmund G. Brown, revealed that conservative insurgency was not limited to southern Democrats.¶ In the wake of the civil rights crisis of 1966, Johnson no longer met with civil rights leaders. Instead, he followed Attorney General Nicholas Katzenbach 's advice to send a number of his younger aides to various cities to meet with young black leaders. The attorney general's suggestion was the origin of ghetto visits that White House aides made throughout 1967; a dozen or so visited troubled black areas in more than 20 major cities. On the one hand, the ghetto visits revealed the extent to which the modern presidency sought to assume important tasks once carried out by intermediary political associations like political parties. Rather than relying on local party leaders for information about their communities, Johnson asked his aides to live in various ghettos and then report directly to him about the state of black America. Local public officials and party leaders, even Chicago's powerful boss Richard Daley, were not told of the ghetto visits, lest they take umbrage at someone from the White House rooting about their home territories.¶ On the other hand, these visits marked the declining significance of the modern presidency as the leading agent of liberal reform-a symptom of its "extraordinary isolation."22 This isolation was accentuated by the evolution of the civil rights movement, whose more militant leaders, representing an oppositional culture that tended to withdraw rather than bestow legitimacy on reigning institutions, gained ascendancy in urban ghettos. The Johnson White House struggled to understand why young urban blacks, as one aide put it, "were against just about every leader (Negro and white) . . . except [black power advocates like] Stokely Carmichael."23 The awkward presence of these Johnson aides-mostly white, mostly from small towns and cities in the Midwest and Southwest-spending a week, sometimes a weekend, in volatile ghetto environments such as Harlem and Watts was, as a leading participant put it, a "unique attempt by the President to discover what was happening in urban ghettos and why."24 Aides were not sent to organize or manipulate or steer, but solely to gain a sense of the ideas, frustrations, and attitudes at the basis of the riots.¶ The ghetto reports apparently helped persuade Johnson to respond to the riots by intensifying his efforts to expand civil rights and war on poverty programs.The administration continued to push for an open-housing bill that was enacted after King's assassination. In 1968, LBJ also submitted and Congress passed the most extensive and most expensive public housing legislation in American history. Finally, Johnson continued to support the White House's Office of Economic Opportunity, even though its sponsorship of Community Action Programs (CAPs), requiring "the maximum feasible participation of residents of the areas and groups involved," was reportedly having a disruptive influence in many cities and was the target of bitter complaints from local party leaders. LBJ seethed privately about the "revolutionary" activity that some CAPs were fomenting, but he never repudiated them publicly and continued to support federal funds for neighborhood organizations. CAPs were the administration's final, frail hope that it could benefit from the transformative energy of a movement over which it rapidly lost influence.26¶ Political Failure and Enlightened Administration¶ **Against the general norm that presidents are repressive or indifferent in their response to the demands of insurgent groups, Johnson's uneasy collaboration with the civil rights movement shows how an ambitious president and social activists can form an alliance in the service of enduring reform**. Although this fusion of presidential power to a movement for social justice was short lived, **the fragile partnership made possible the most dramatic civil rights legislation since the Reconstruction era**. **Without the work of civil rights leaders and activists in mobilizing demonstrations that elicited the violent reaction of segregationists and aroused strong sympathy in the country, no civil rights revolution would have been possible. At the same time,** **without Johnson's willingness to support, indeed, to take advantage of the opportunity that civil rights direct action provided, the landmarks laws of 1964 and 1965 might never have been enacted.**¶ Johnson's singularly determined fusion of executive power to a social movement eventually imploded. As early as 1965, it became clear that Johnson's effort to become a leader of the civil rights movement suffered from his attempt to manage all the other responsibilities that the modern presidency pulls in its train. Since Theodore Roosevelt, reformers and ambitious presidents had endeavored to reconstruct the executive office so that its constitutional mandate to "preserve, protect and defend the Constitution" might be rededicated as a vantage point for social and economic change. But Johnson's explosive relationship with the civil rights movement cast serious doubt on the "Progressive era conceit that the presidency is inherently disposed to ally itself with movements for reform and liberation" (Skowronek and Glassman 2007, 7). In the end, the Great Society revealed both the untapped potential for cooperation between the modern presidency and social movements and the inherent tensions between "high office" and insurgency that made such collaboration so difficult. The tasks of the modern presidency-the domestic and international responsibilities that constrained the "steward of the public welfare"-necessarily limited the extent to which Johnson could become a trusted leader of the social movements that arose during the 1960s.¶ By 1968, Johnson, the self-fashioned agent of a political transformation as fundamental as any in history, had become a hated symbol of the status quo, forced into retirement lest he contribute further to the destruction of the liberal consensus. As he privately told Hubert Humphrey in the spring of 1968, "I could not be the rallying force to unite the country and meet the problems confronted by the nation ... in the face of a contentious campaign and the negative attitudes towards [me] of the youth, Negroes, and academics."27¶ LBJ thus saw the mantle of leadership pass to the likes of Eugene McCarthy, whose pioneering grassroots organization drove the president from the field in 1968, and George McGovern, the Democratic nominee for president in 1972. The "McGovern Democrats," who took control of the Democratic Party in the wake of the fractious 1968 presidential contest, followed the progressive tradition of scorning partisanship-of desiring a direct relationship between presidential candidates and grassroots activists. In this respect, the expansion of presidential primaries and other changes in the nomination politics initiated by the McGovern-Fraser reforms were the logical extension of the modern presidency. But these reformers, champions of a "new politics," rejected notions of popular presidential leadership that prevailed during the Progressive era and New Deal eras (Ceaser 1979; Miroff 2007). **Viewing the president as the agent rather than the steward of the public welfare, new politics liberals embraced the general ideas current in the late 1960s that social movements should direct presidential politics and governance.**¶ **Even as McGovern's insurgent presidential campaign was an electoral disaster, the legislation conceived by the ephemeral alliance between Johnson and the civil rights movement built a national administrative apparatus that had staying power in American political life**. The 1964 and 1965 civil rights reforms empowered the federal bureaucracy-especially the Department of Justice, the Department of Health, Education, and Welfare, and the newly formed EEOC-to assist the courts in creating parallel enforcement mechanisms for civil rights. These proved effective. For example, in four years the Johnson administration accomplished more desegregation in southern schools than the courts had in the previous 14.¶ As historians like Hugh Davis Graham have chronicled, "new theories of compensatory justice and group rights" given prominent expression in LBJ's Howard University Address were deftly advanced by "new social regulators" in the EEOC (Graham 1990, Chapter IX). Despite the late-1960s political demise of the Great Society, the EEOC staff, aided by supporters in other executive agencies and the federal courts, was able to expand the EEOC's power far beyond the original constraints of Title VII of the act. The text of Title VII explicitly sought to limit findings of discrimination by requiring evidence of intent. EEOC staffers argued that racial disparities in the composition of a labor force were ample proof of discrimination, whether intended or not. Seizing authority on its own accord, the EEOC collected data from tens of thousands of employers in order to analyze entire industries. Only a couple of years after Johnson left office, the federal courts deferred to EEOC guidelines, tossing aside Title VII's original dictates in favor of an "effects based definition of discrimination" that went beyond the goal of equal treatment to that of equal results (Graham 1990, 250). A "quiet revolution" had occurred in national administration, one that dismantled the compromise that Dirksen and moderate Republicans extracted in 1964.¶ Similarly, as Richard Valelly has documented, an "extended Voting Rights Act" emerged from an institutional partnership between the Justice Department and the courts. **The alliance between bureaucratic discretion and legal activism expanded the 1965 statute from the commitment to free African Americans from discriminatory practices, such as literacy tests, to a more capacious program that promoted minority office holding, regulated nonsouthern states and local jurisdictions that had discriminated against the voting rights of racial minorities, and freed regulators and plaintiffs from having to demonstrate intentional discrimination in seeking remedies for low levels of minority representation and electoral participation** (Valelly 2004, chap. 9)-**These**¶ **administrative and legal efforts appeared to give institutional form to hard-won victories achieved by Johnson and civil rights activists**. At the same time, the securing of what Valelly has called a "second reconstruction" tended to isolate civil rights activists. LBJ paid dearly for the alienation of the social movements from the White House; just as surely, ***the civil rights movement and the other social protest movements it inspired paid a price for their rejection of presidential leadership***. The 1960s unleashed new forces and new expectations that could not be quelled by the election of Nixon. Indeed, it was the 1970s rather than the 1960s when affirmative action and many other civil rights measures became a real presence in American society. **And yet, even as they continued to look to the national government to solve the problems thrown up by an industrial-and postindustrial-order, the public interest groups that emerged during the 1970s** (which evolved from the social movements of the 1960s) **distrusted presidential leadership and bureaucratic agencies, and sought to protect social policy from unfriendly executive administration** (Melnick 2005). **Teaching Americans both to expect more from the government and to trust it less, the Great Society was the fulcrum on which decline of liberalism and the rise of conservatism tilted.**¶ **Johnson's willingness to embrace the civil rights movement and its reform agenda transcended narrow, cautious self-interest. Indeed, his wholehearted support for far-reaching civil rights defied the careful distance that most presidents maintained vis-à-vis social movements**. As we shall see, Reagan and his political allies developed an alliance with Christian Conservatives that was arbitrated by a reconstructed Republican Party. Consequently, he would be much less exposed in his relationship with the Religious Right than Johnson had been in seeking to leverage the civil rights revolution.

***Using the university as a site for change is key***

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These studies are helpful, but **public opinion will not start to turn until students**¶ **in** high school, **college**, and law schools **begin to receive a more balanced, and more constitutional, introduction to the presidency**. **Those who** write for newspapers and **speak**¶ on television **can help educate the public that strong presidents are not always good presidents, decisiveness is not the same as sound judgment, the exercise of military force can**¶ **be contrary to the national interest, and opposition to misguided and unjustiﬁed presidential policies in the ﬁeld of national security is the highest form of patriotism.**

***Only emphasizing policy relevance checks multiple existential threats***

**Walt ’05**, Stephen M. Walt, Kennedy School of Government, Harvard University, Annu. Rev. Polit. Sci. 2005. 8:23–48, THERELATIONSHIPBETWEEN THEORY AND¶ POLICY IN INTERNATIONALRELATIONS,¶ doi: 10.1146/annurev.polisci.7.012003.104904, <http://www.ic.ucsc.edu/~rlipsch/Pol272/Walt.theory.pdf>, jj

**The need for powerful theories that could help policy makers design effective**¶ **solutions would seem to be apparent as well. The unexpected emergence of a**¶ **unipolar world, the rapid expansion of global trade and ﬁnance, the challenges**¶ **posed by failed states and global terrorism, the evolving human rights agenda**,¶ **the spread of democracy, concerns about the global environment, the growing**¶ **prominence of nongovernmental organizations**, etc., **present policy makers with problems that cry out for new ideas**. **These phenomena**—and many others—**have**¶ **all been objects of sustained scholarly inquiry, and** **one might expect policy makers**¶ **to consume the results with eagerness and appreciation**.¶ **Yet despite the need for well-informed advice about contemporary international**¶ **problems, and the energy and activity being devoted to studying these questions**,¶ **there has long been dissatisfaction with the contributions of IR theorists** (Morgenthau 1958, Tanter & Ullman 1972). According to former diplomat David Newsom, “**much of today’s scholarship** [on international issues] **is either irrelevant or**¶ **inaccessible to policymakers...much remains locked within the circle of esoteric**¶ **scholarly discussion**” (Newsom 1995–1996, p. 66). Another observer declares that¶ “the higher learning about international relations does not loom large on the intellectual landscape. Its practitioners are not only rightly ignored by practicing¶ foreign policy ofﬁcials; they are usually held in disdain by their fellow academics¶ as well” (Kurth 1998, p. 29). The veteran U.S. statesman Paul Nitze described theory and practice as “harmonic aspects of one whole,” but he believed that “most¶ of what has been written and taught under the heading of ‘political science’ by¶ Americans since World War II...has also been of limited value, if not counterproductive as a guide to the conduct of actual policy” (Nitze 1993, p. 15). Similarly,¶ George (2000) reports that policy makers’ eyes “would glaze as soon as I used the¶ word theory.” Nor is the problem unique to the United States, as indicated by the¶ Chief Inspector of the British diplomatic service’s comment that he was “not sure¶ what the academic discipline of IR—if indeed there be such a thing as an academic¶ discipline of IR—has to contribute to the practical day-to-day work of making and¶ managing foreign policy” (Wallace 1994).

***That’s specifically true of presidential powers --- effective presidential scholarship key to address a litany of issues***

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**Presidential power is increasingly intertwined with the most basic and dire challenges of American governance and political economy**. ***The study of the presidency has rarely been more important***; **its repertoire of theory and methods positions scholars to take on the challenge**.

***We control uniqueness – the “Cult of the Presidency” is killing micropolitical movements now because everyone views the President as the solution to all political problems – only topical engagement solves***

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Nearly six years earlier, September 11 had inspired similar rhetorical excess, but with far greater consequence. The week after the attacks, President Bush invoked America’s ‘‘responsibility to history’’ and declared that we would ‘‘answer these attacks and rid the world of evil .’’ 5 A mission that vast would seem to require equally vast powers. And the Bush administration has made some of the broadest assertions of executive power in American history: among them, the power to launch wars at will, to tap phones and read e-mail without a warrant, and to seize American citizens on American soil and hold them for the duration of the War on Terror— in other words, perhaps forever— without ever having to answer to a judge. Those assertions have justifiably given rise to fears of a new Imperial Presidency. Yet, many of the same people who condemn the growing concentration of power in the executive branch also embrace a virtually limitless notion of presidential responsibility. **Today, politics is as bitterly partisan as it’s been in three decades, and the Bush presidency is at the center of the fight. But amid all the bitterness, it’s easy to miss the fact that, at bottom, both Left and Right agree on the boundless nature of presidential responsibility. Neither Left nor Right sees the president as the Framers saw him: a constitutionally constrained chief executive with an important, but limited job: to defend the country when attacked, check Congress when it violates the Constitution, enforce the law— and little else**. Today, for conservatives as well as liberals, it is the president’s job to protect us from harm, to ‘‘grow the economy,’’ to spread democracy and American ideals abroad, and even to heal spiritual malaise— whether it takes the form of a ‘‘sleeping sickness of the soul,’’ as Hillary Clinton would have it, or an ‘‘if it feels good, do it’’ ethic, as diagnosed by George W. Bush. 6 **Few Americans find anything amiss in the notion that it is the president’s duty to solve all large national problems and to unite us all in the service of a higher calling. The vision of the president as national guardian and redeemer is so ubiquitous that it goes unnoticed**. Is that vision of the presidency appropriate for a self-governing republic? Is it compatible with limited, constitutional government? The book you’re holding argues that it is not. **Americans’ unconfined conception of presidential responsibility is the source of much of our political woe and some of the gravest threats to our liberties. If the public expects the president to deal with all national problems, physical or spiritual, then the president will seek— or seize— the power necessary to handle that responsibility. We’re right to fear the growth of presidential power. But the Imperial Presidency is the price of making the office the focus of our national hopes and dreams.**

***Finally, consequences matter and you have to defend against them***

**Isaac 02** (Professor of Political Science at Indiana-Bloomington, Director of the Center for the Study of Democracy and Public Life, PhD from Yale, Jeffery C., Dissent Magazine, Vol. 49, Iss. 2, “Ends, Means, and Politics,” p. Proquest)

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

**1NC**

***THE 1AC’S SUBMISSION OF KNOWLEDGE UNDER THE SIGN OF VISIBLE BY USE OF VIDEOS, PLACES ALL OF KNOWLEDGE AND REALITY UNDER THE DOMINANCE OF THE VISUAL.***

THEY BELIEVE IN THE VIRILE POWER OF THE VISUAL TO ILLUMINATE THE WORLD PERFECTLY BEFORE THEIR PENETRATING GAZE. THIS SUBMISSION IS NOT WITHOUT CONSEQUENCE – IT IS THE VERY LOGIC OF THE PRIMACY OF VISION, THE PANOPTIC TRIUMPH THAT UNDERPINS THE CLINICAL GAZE AT THE HEART OF BIOPOLITICAL CONTROL. AT THE HEART OF THE NOTION THAT POPULATIONS CAN BE DIAGNOSED AND ANESTHETIZED IS THE ASSUMED ABILITY OF THE STATE TO PERFECTLY SEE AND KNOW THE BODY POLITIC.

**Siisiäninen 2008** (Lauri, political science researcher @ U of Jyväskylä, “From the Empire of the Gaze to Noisy Bodies: Foucault, Audition, and Medical Power” *Theory and Event*, 11:1)

      When it comes to the role of audition in the sensorial triangle of clinical experience, Foucault's argumentation takes quite an interesting turn:

      "But one must not loose sight of the essential. The tactile and auditory dimensions did not purely and simply **come to be added** to the domain of vision. The sensorial triangulation indispensable to anatomo-clinical perception remains **under the dominant sign of the visible** *(sous le signe dominant du visible)*: firstly, because this multi-sensorial perception is nothing but a manner of **anticipating that triumph of the gaze** (*ce triomphe du regard*), which will be*the autopsy*; *the ear and hand are nothing but  temporary  substitute organs (des organes provisoires de remplacement) anticipating for the death to render to the truth the luminous presence of the visible (la présence lumineuse du visible)*. . . And above all, the alterations discovered by anatomy concern 'the shape, the size, the position and the direction' of organs or their tissues. . . that is, *spatial data (des données spatiales) that belong by right of origin (par droit d'origine) to the gaze*." [13](http://muse.jhu.edu.leo.lib.unomaha.edu/journals/theory_and_event/v011/11.1siisiainen.html#_edn13)

      As it comes out in this passage, Foucault argues that one should not let the appearance of the sensorial triangulation lead to any illusions about the *equality* between the three senses at play. Even if touch and audition *did* have a role in the formation of clinical perception, it was actually limited to their function as nothing but vision's temporary substitutes or "representatives", ones that were in the end reducible to visual experience. In other words, Foucault's strong thesis is that in the formation of clinical perception – in the first opening of the individual body to medical knowledge and intervention – touch and audition did not have any irreducible, indispensable or autonomous significance, the sort of significance reserved for the gaze and visual experience. In stead, **the only place left for audition was a position of dependency and submission – a subservient position – under the dominant sign of the visible.**

     The passage quoted shows also that in Foucault's understanding, the *truth* constituted in the clinical-medical discourse was still determined (in rather classical sense, we could add) utterly by the interrelated terms of *visibility, luminosity* and *presence,* accomplished (in practice) only in the opening of the dead corps in autopsy. This means that **auditory perception** (hearing and the ear) as such **did *not* strictly speaking participate directly to the medical truth and knowledge**, the truth of health/pathology, normality/abnormality of an individual body. The clinical-medical truth was constituted by the visible presence of the body to the gaze, *not* to auditory experience. The only possible "legitimate" contribution of audition to the formation of truth in the clinical discourse was that of a **subservient instrument or a temporary, dispensable substitute for vision**, one that itself was lacking the capacity of "luminous presence" of truth. The fate of audition in the clinical form of knowledge was to become in the end **extinguished in the true goal and fulfillment of medical examination: i.e., in the *final triumph of the gaze***, in the grasping of the visible truth, where auditory experience no longer has anything to contribute. Thus, the **"sensory hierarchy**" organizing the triangle becomes quite clearly stated: **audition remains firmly submitted under the pre-eminence of vision. In the hierarchic setting, the fate of audition is to become subjugated under, reduced to and in the end extinguished in and by the dominant sign of the visible**.

2. The *"Right-of-Origin"-* Argument and the Empire of the Gaze

      There is still one turn in Foucault's argumentation on the role of audition in clinical experience – one that becomes articulate in the quotation already discussed – in need of particular emphasis here. As the quotation already shows, Foucault presents an argument concerning what belongs by right of origin (*par droit d'origine*) to vision and not to hearing. The capacity to collect spatial facts or spatial data *(des données spatiales)*, the capacity to discover spatial objects are capacities that belong "by right of origin" to vision, not audition. As it comes to the anatomo-clinical perception and experience, this means that the capacity to locate "the being of the disease with its causes and effects in a three-dimensional space", [14](http://muse.jhu.edu.leo.lib.unomaha.edu/journals/theory_and_event/v011/11.1siisiainen.html#_edn14) as also the capacity to grasp "the shape, the size, the position and the direction of organs or their tissues", [15](http://muse.jhu.edu.leo.lib.unomaha.edu/journals/theory_and_event/v011/11.1siisiainen.html#_edn15) in other words the **central functions determining clinical experience, belong by right of origin to sight, not to hearing**. It is in this irreparable lack, in the incapacity to form spatial-objective experience, that we find the actual reason why **audition did not and cannot make any** "equal" or symmetrical, irreducible, autonomous and dispensable **contribution** (but only as a temporary, subservient, indispensable substitute operating under the dominance of vision and gaze) **to clinical-medical knowledge** or, as it seems logical, to any form of knowledge determined by the spatial-objective form. We should notice, that although auditory perception is defined by the non-spatiality, Foucault doesn't argue that auditory perception would be defined by *temporality.* Only the *lack, the incapacity* of spatiality becomes the defining characteristic of audition distinguishing it from vision.

      The reader should notice that Foucault does *not* in fact develop this *right-of-origin – argument* by any reference to the corpus of historical documents he otherwise uses in the study (the works of Laënnec and others). The argument is *not* actually presented as an interpretation of historical sources at all. It is Michel Foucault himself, who argues here on the right-of-origin difference between vision and audition. It is Foucault himself who states the difference, the juxtaposition of "audio" and "visual", in terms of the unique capacity of vision and the essential *incapacity* of audition, when it comes to spatial-objective experience. Foucault's argument might come as a surprise, for it is hardly *archaeological* (in the sense Foucault gives to this term) in character: It is not about the *historical conditions of possibility*, the difference in capacity/incapacity between vision and audition in the context of a specific historical discursive formation. To argue what vision can and what audition cannot do by right of origin – that is, irrespective of any historical-discursive context – seems to come close to arguing on the *conditions of possibility as such*, on the *trans-historical* limits of experience and on the difference between faculties in the strong (transcendental) Kantian sense.[16](http://muse.jhu.edu.leo.lib.unomaha.edu/journals/theory_and_event/v011/11.1siisiainen.html#_edn16)

      It is by relying on the idea of audition as the essentially non-spatial and non-objective sense, as opposed to the spatial-objective capacities of vision, not on the basis of historical analysis that Foucault can *deny the possibility* of audition's equal/indispensable/autonomous contribution and significance to the birth of the clinic and argue for the necessity of audition's reduction to and subjugation under the domination of the gaze. If this is the case, how can one avoid reaching the conclusion that in presenting the right-of-origin- argument, Foucault commits himself to what he first of all consistently set out to dismantle in his archaeologies (and subsequently in his genealogies): the conception of the *subject* as the possessor of different faculties, with a given, trans-historical coherence and a permanent structure?

      As we know, the formation of clinical experience – making the individual subject/body into the object of medical knowledge and intervention – is a thoroughly political event for Foucault (this is the case already in *The Birth of the Clinic*). The birth of the clinical experience –bringing to knowledge and truth the normality/pathology of the individual/singular body – was intrinsically interrelated to the development of the modern form of power and politics. It is through the development of clinical experience that the exercise of this modern form of power, surveying and taking charge of the health/normality of each singular living body and of the social body as a whole, took a decisive step forwards. As we know, in his later works as well, Foucault recurrently comes back to the formation of clinical-medical perception**, observation** and surveillance, still giving these a central political significance in the **modern disciplinary, normative and bio-political dispositive or governmentality**. In its operation, the medical power means the traversal and penetration of the whole social space by the clinical perception and experience. Thus, **the issue of "audio-visual" difference, their right-of-origin juxtaposition, turns out to be a deeply political issue** as well.[17](http://muse.jhu.edu.leo.lib.unomaha.edu/journals/theory_and_event/v011/11.1siisiainen.html#_edn17)

      Inasmuch as Foucault argues (this we have already seen) audition to be, by right of origin, without any independent, irreducible significance in the formation of clinical experience (remaining firmly submitted under the dominant sign of the visible), it follows that **audition cannot have any significance in the medicalized form of power- and politics either**.  In the last instance, the meaning of medicalization is brought back to the circulation of the medical gaze (le regard médical). It is the gaze, not audition, which exercises "in the entire space, all the time, a mobile and differentiated surveillance." [18](http://muse.jhu.edu.leo.lib.unomaha.edu/journals/theory_and_event/v011/11.1siisiainen.html#_edn18) Foucault concludes his analysis of medicalized power/politics in rather categorical terms, well in line with the right-of-origin- argument: "**the gaze that sees is a gaze that dominates**(*le regard qui voit est un regard qui domine*)", making the modern society as such the "empire of the gaze without partitions (*l'empire sans cloison du regard*)." [19](http://muse.jhu.edu.leo.lib.unomaha.edu/journals/theory_and_event/v011/11.1siisiainen.html#_edn19)

***This gaze creates state violence and death. Vote neg to endorse the 1AC’s politics minus their presentation of an occularcentric video***

This CREATED A VISIBILE BODY TO BE SURVEILLED, MANAGED, PROJECTED, AND ULTIMATELY DIAGNOSED AND CURED IS THE POWER TO ASSIGN VALUE AND ELIMINATE UNDERSIRABLE ELEMENTS WHICH PLAYS OUT AS RACISM AND GENOCIDE DEPLOYED IN THE NAME OF DEFENDING LIFE AND TRUTH. WE CAN ADVOCATE THE 1AC MINUS THE BIOPOLITICAL GAZE INHERENT TO THEIR VIDEO

**Giroux 6** (Henry, the Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department, “Reading Hurricane Katrina: Race, Class, and the Biopolitics of Disposability,” College Literature, Vol. 33, No. 3)

Within the last few decades, matters of state sovereignty in the new world order have been retheorized so as to provide a range of theoretical insights about the relationship between power and politics, the political nature of social and cultural life, and the merging of life and politics as a new form of biopolitics. While the notion of biopolitics differs significantly among its most prominent theorists, including Michel Foucault (1990, 1997), Giorgio Agamben (1998, 2002, 2003), and Michael Hardt and Antonio Negri (2004), what these theorists share is an attempt to think through the convergence of life and politics, locating matters of “life and death within our ways of thinking about and imagining politics” (Dean 2004, 17).Within this discourse, politics is no longer understood exclusively through a disciplinary technology centered on the individual body—**a body to be measured, surveilled, managed, and included in forecasts, surveys, and statistical projection**s. Biopolitics points to new relations of power that are more capacious, concerned not only with the body as an object of disciplinary techniques that render it “both useful and docile” but also with a body that needs to be “regularized,” subject to those immaterial means of production that produce ways of life that enlarge the targets of control and regulation (Foucault 1997, 249). This shift in the workings of both sovereignty and power and the emergence of biopolitics are made clear by Foucault, for whom biopower replaces the power to dispense fear and death “with that of a power to foster life—or disallow it to the point of death. . . . [Biopower] is no longer a matter of bringing death into play in the field of sovereignty, but of distributing the living in the domain of value and utility. Its task is to take charge of life that needs a continuous regulatory and corrective mechanism” (Ojakangas 2005, 6). As Foucault insists, the logic of biopower is dialectical, productive, and positive 178 College Literature 33.3 [Summer 2006] (1990, 136).Yet he also argues that biopolitics does not remove itself from “introducing a break into the domain of life that is under power’s control: the break between what must live and what must die” (1997, 255). Foucault believes that the death-function in the economy of biopolitics is justified primarily through a form of racism in which biopower “is bound up with the workings of a State that is obliged to use race, the elimination of races and the purification of the race, to exercise its sovereign power” (258).

**1NC – Drone K Frontline**

***Drones are the most effective, principled, and humane form of warfare***

**Issacharoff & Pildes ’13**, Samuel Issacharoff ¶ New York University School of Law¶ Richard H. Pildes ¶ New York University School of Law¶ April 1, 2013¶ New York University Law Review, Forthcoming ¶ NYU School of Law, Public Law Research Paper No. 12-40, Targeted Warfare: Individuating Enemy Responsibility, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2129860>, jj

In our view, **there are four myths about the modern use of drones to**¶ **target specific, identifiable individuals for lethal force. The first myth is that**¶ **targeting specific individuals for death is a dramatically modern innovation**¶ **in military practice**. Technology has certainly enhanced the capacity to use¶ this tactic effectively, but **the tactic itself has long been a part of military**¶ **practice**. **The invention of the long rifle, for example, gave snipers the ability**¶ **to pick off opposing field officers**. The modern practice, however, does¶ begin with the discrete act of seeking out military enemies outside normal¶ wartime engagements based on an individualized assessment of the threat¶ they present. **The use of lethal force is not incidental to a battlefield**¶ **objective of capturing a particular piece of territory but becomes a distinct**¶ **response to the generalized threat posed by a particular individual. Killing is**¶ **now not secondary to a distinct military objective but becomes the objective**¶ **itself because of a specific determination about the threat posed by the**¶ **continued operation of an individual**. At a more fundamental level, as Eyal¶ Benvenisti argues, **the laws of war had two major premises that fail in**¶ **modern asymmetric conflict. Traditionally, it was possible to distinguish**¶ **military and civilian objectives, and, in addition, battle could be directed to**¶ **military objectives, as with the capturing of territory or overtaking a military**¶ **installation. Neither premise necessarily characterizes military engagements**¶ **in asymmetric war – or put another way, the military objective becomes**¶ **killing itself.**151

**The object of the targeted attack changes as well, in a way that seems**¶ **morally defensible. Drones enable military planners to focus on high-level**¶ **targets, and there is a further morality in that – we should appreciate a**¶ **technology that can discriminate between low-level and high-level**¶ **combatants, and minimize the loss of life to foot soldiers of the other side by**¶ **concentrating fire on the leaders**. **Precision targeted killings should be seen as**¶ **a substantial humanitarian advance in warfare**, assuming that use of force is¶ justified in the first place. Whereas the tradition LOAC placed the foot¶ soldier at greatest risk of being killed in combat, **the new targeted killing**¶ **regime initially redirected lethal force to the command structure of the**¶ **enemy**. In our view, it is a mistake to focus exclusively on the level of force¶ being used without also understanding that **the targets** (if accurately¶ identified) **bear a moral culpability for unlawful warfare completely distinct**¶ **from anything that could be attributed to conventional soldiers in a stateauthorized**¶ **war, especially in the case of conscript armies**. As the technology¶ improved, most notably **with drones, the targets could expand from the**¶ **command structure to operational centers, as with attacks on remote sites at**¶ **which enemy combatants trained or assembled.**

**A second myth concerning targeted killings as a new form of warfare is**¶ **that this ability to project force from a distance itself raises new legal issues**.¶ But **this view is simply an exercise at drawing a technological line that, in**¶ **our view, has little moral or legal force in and of itself**. ***Drones present the***¶ ***same*** legal ***issues as any other weapons system involving the delivery of***¶ ***lethal force***. Advances in military technology have always been about the¶ ability to project force from a distance. **Drones are a technology**, the latest¶ technological development in the history of warfare, **but they do not change**¶ **the** legal **issues**, under either domestic or international law, relevant to¶ deciding whether particular uses of force are justified. In technologically¶ advanced countries, militaries have long been in the business of delivering¶ lethal force at great distances from their targets. The U.S. Navy has engaged¶ enemy personnel by firing cruise missiles from ships in the Mediterranean¶ into Libya, Iraq, and Sudan. Air Force pilots frequently take off from bases¶ far removed from the actual theater of conflict and drop their bombs based on¶ computer-generated targeting information from thousands of feet above the¶ ground; the bombing campaign over Serbia during the Kosovo war, for¶ example, involved pilots taking off from the Midwest in the United States¶ and returning there. Ancient advances, such as catapults and longbows,¶ involved the delivery of force from a distance, instead of hand-to-hand¶ personalized combat. U.S. drone operations reportedly follow the same rules¶ of engagement and use the same procedures as manned aircraft that use¶ weapons to support ground troops.152 At least the military’s use of drones¶ operates within the same military chain of command, subject to civilian¶ oversight, as all other uses of military force.153

One can view the technological advances that make drone warfare¶ possible with horror or with fascination (or both), but the idea of projected¶ force beyond hand-to-hand warfare does not of itself present radically new¶ legal issues. As the philosopher David Luban rightly concludes, **targeted**¶ **killings “are no different in principle from other wartime killings, and they**¶ **have to be judged by the same standards of necessity and proportionality**¶ **applied to warfare in general**: sometimes they are justified, sometimes¶ not.”154 Nor is there anything particularly novel about concerns that¶ advances in military technology somehow fundamentally alters the nature of¶ warfare. John **Witt describes the revulsion of** Francis **Lieber in grappling**¶ **with the introduction f new Civil War armaments, including early versions of**¶ **land mines and underwater torpedoes. Lieber confessed, “the soldier within**¶ **me revolts at the thing. It seems so cowardly**…. [**But] the jurist within me**¶ **cannot find arguments to declare it unlawful**.”155

Technological advances in warfare combine with the changed nature of¶ combatants to challenge the inherited categories of combat, including such¶ important questions as the ability to draw a sharp distinction between the¶ operation of humanitarian law governing the treatment of combatants and¶ human rights commands over the protection of civilian non-combatants.¶ David Kretzmer, for example, has thoughtfully argued that debates over the¶ legitimacy of targeted killing turn on the inability to fit the technical and¶ legal justifications within inherited legal categories.156

**A third prevalent misconception**, in our view, **is that drones and targeted**¶ **killing pose a major threat to the humanitarian purposes and aims of the laws**¶ **of war**. **The key principles of the laws of war are the principles of necessity**,¶ **distinction and proportionality – the principles that force should intentionally**¶ **be used only against military targets and that the damage to individual**¶ **citizens should be minimized and proportionate**. ***Drones***, as against other¶ uses of military force, ***better realize these principles than any other***¶ ***technology currently available***. Indeed, **they allow for the most**¶ **discriminating uses of force in the history of military technology and**¶ **warfare**, in contexts in which the use of force is otherwise justified. **If the**¶ **alternative is sending US ground forces into Yemen or the frontier regions of**¶ **Pakistan, the result will be far greater loss of civilian life, and far greater loss**¶ **of combatant lives, than with drone technology**.

**Fourth, a more subtle concern that perhaps underlies the humanitarian**¶ **critique of targeted killings is that drone warfare might make the use of force**¶ “**too easy**.” Since powerful states do not have to put their own pilots or¶ soldiers directly at risk, will they resort to force and violence more easily?¶ This is a serious issue, but some historical perspective might help put this¶ concern in a broader frame. **Throughout the modern history of warfare, there**¶ **has been concern that humanitarian developments in the way war is**¶ **conducted will, perversely, make it more likely that states will go to war**.¶ The argument is essentially that there is a Faustian tradeoff between the laws¶ of war and the initial decision to go to war. This is an enduring, moral¶ complex issue that has attended virtually every effort in the paradoxicalsounding¶ project of making warfare more humane; **pacifists in the 19th**¶ **century objected to the formation of the International Committee of the Red**¶ **Cross and its efforts to mitigate the horrors of war**.157 Moreover, the same¶ paradox surrounds even purely humanitarian aid during wartime; in some¶ contexts, access to such aid has become a strong economic incentive to¶ continue the war, for the very purpose of extracting more of this financial¶ assistance.158

A more complicated picture emerges if we shift from the perspective of¶ the civilian leaders who authorize the use of force to those who actually¶ deliver that force. **One of the consequences created by individuating the**¶ **responsibility of specific enemies, combined with drone technology**, **is the**¶ **possibility of a much greater sense of personal responsibility and**¶ **accountability on the part of drone operators for lethal uses of force than that**¶ **exhibited by prior generations of fighters**. At least some **drone operators**¶ **report exactly this kind of experience of personal responsibility for their**¶ **actions, including their mistakes, that was much less likely in earlier**¶ **generations when “the enemy” was faceless and undifferentiated in most**¶ **circumstances**.159

Of course, if such a perverse tradeoff does end up driving state practice,¶ the same concern could be applied to the use of force for humanitarian¶ purposes, as in Libya. Did the use of drones in the Libya operation make¶ humanitarian interventions “too easy?” The right question, it seems to us,¶ should focus on whether the use of force is justified in the first place.¶ Moreover, **one should be careful not to romanticize traditional combat and**¶ **the pressures toward excessive violence it nearly always unleashes**. To the¶ extent the humanitarian critique of the use of drones is that sending in ground¶ troops acts as a restraint on the use of force, compared to the use of force¶ from remote locations, such as with drones technology, this idea might have¶ matters backwards, at least once the decision to use force at all has been¶ made (and made, hopefully, for appropriate and lawful reasons). **Dramatic**¶ **overuse of force is most likely when scared kids come under attack on an**¶ **active battlefield and respond with massive uses of force directed at only**¶ **vaguely identified targets. Remoteness from the immediate battlefield – with**¶ **operators able to see much more of what is going on – almost surely enables**¶ **much more deliberative responses.** **One Air Force combat officer who**¶ **became a drone operator supports this conclusion; he comments that**¶ **compared to conventional combat, both in the air and on the ground, the**¶ **distance involved with drones enable operations to be “deliberate instead of**¶ **reactionary**;”160 compared to manned combat flights, he experienced drones¶ as affording “the ability to think clearly at zero knots and one G”;161 and he¶ observed that **other “methods of warfare could be, and often were, much**¶ **more destructive**”162—indeed, he goes so far as to comment that **when**¶ **marines were sent into operations, they “broke things and killed people**”¶ **while drones enabled U.S. military force to be “less brutal**.”163

***The aff’s critique of drones undermines this uniquely ethical tool***

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But it is not only a strategy of effectiveness, convenience, and necessity. **Drone warfare offers ethical advantages as well, allowing for increased discrimination in time, manner, and targeting not available via any other comparable weapon platform**. **As such, it lends civilians in the path of hostilities vastly greater protection than does any other fighting tool**. **Drone warfare is an honorable attempt to seek out terrorists and insurgents who hide among civilians.**¶ **The expansion into automated and robotic military equipment owes much to the ethical impulse to create new technologies of discrimination when fighting enemies for whom unwitting civilian shields were their main materiel of war.** Moreover, **these are weapons that gain much of their discrimination in use from the fact that U.S. forces are not directly at personal risk and are thus able to take time to choose a moment to attack when civilians might be least at risk**. ***Remoteness***—the fact that the drone user is nowhere near the target, as the pilot is probably sitting in an air-conditioned room in Nevada—***actually enables precision***.¶ ***Ethical and effective***—**and yet today drone warfare is coming under increasingly strong public attack as being neither.** Opponents of drones are seeking to raise the political costs of drone warfare to the United States, portraying it as a symbol of an arrogant, reprobate superpower dating back to the days of the “ugly American.” Steve Coll, writing in the New Yorker, says drone use is “unnervingly reminiscent of Eisenhower’s enthusiasm for poisoning schemes and coup plots.” And though, in a recent Gallup poll, two-thirds of those surveyed said they supported drone strikes, there is no question that the political, legal, and moral legitimacy of drone warfare is increasingly at risk. **The delegitimators are the international community, both its UN officials and NGO advocates; a sizable portion of academic international lawyers; much of the elite international media; and Obama’s American left.**¶ These delegitimators also include a number of conservatives and Republicans, chief among them Kentucky Senator Rand Paul. They claim the core issue is constitutional—that drones violate due process. This argument focuses specifically on the case of a radical cleric and terrorist operative in Yemen, Anwar al-Awlaki, who inspired a terrorist assault at Fort Hood in 2009, designed an al-Qaeda effort to detonate a plane over Detroit on Christmas Day in the same year, and was deeply involved in a plot to load printer ink cartridges with explosives for detonation on a plane. Awlaki was killed in a targeted drone strike in Yemen in 2011—and he was an American citizen.¶ His citizenship, some argue (most vigorously on the libertarian right), should have prevented the Obama administration from performing the targeted killing. But as an enemy combatant in the war on terror authorized by Congress in 2001, Awlaki could not be granted some special get-out-of-a-drone-strike-free card. Given the inherently unsympathetic nature of the Awlaki example, the due-process arguments of those on the right who stand in opposition to drone strikes took a markedly populist and anti-government turn. When the Republican senator Rand Paul decided to stage a 13-hour filibuster on the question of the legality of drone strikes, he and others spent a great deal of time talking not about the violated rights of a terrorist in Yemen but about the theoretical use of drones on American soil against a suspected domestic terrorist “sitting in a café.”¶ **Paul’s critique delighted many conservatives and libertarians. They loved seeing him** and others engage the Obama administration in a direct and seemingly high-minded manner, **denouncing the “imperial” presidency**. But they confused and conflated the Obama administration’s arguably imperial domestic policies with policies on national security, war, and foreign affairs—spheres in which the president has many and capacious constitutional powers. **Moreover, those who were thrilled did not give much thought to whether they might see a need for a president they liked better to have access to those same policies—and whether, in making common cause with those who have opposed the war on terror since it began, they are working to destroy one of its most effective tools not only for Obama, but for future residents of the White House.**

***This matters --- blanket critiques of targeted killings and drones are politically counterproductive --- the aff has a moral obligation to offer a practical alternative to drones***

**Issacharoff & Pildes ’13**, Samuel Issacharoff ¶ New York University School of Law¶ Richard H. Pildes ¶ New York University School of Law¶ April 1, 2013¶ New York University Law Review, Forthcoming ¶ NYU School of Law, Public Law Research Paper No. 12-40, Targeted Warfare: Individuating Enemy Responsibility, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2129860>, jj

Whether one accepts or not this particular self-reported drone operator¶ experience, **a realistic appraisal of all the costs and benefits of the use of**¶ **drones must confront the “compared to what” question**. **Perhaps in some**¶ **contexts, if drones were not available, no force would be used**; **but in many**¶ **cases, it seems likely that much greater force would be used instead**. Put¶ another way, **powerful nation-states are unlikely to remain passive in the face**¶ **of significant risks to the physical security of their citizens and property that**¶ **emanate from other nations that are unwilling or unable to control these**¶ **threats**. **Nor is it clear why states should be understood to have a moral**¶ **obligation to permit their citizens and territory to be attacked**. **If states have**¶ **the capacity to do so, they will neutralize these threats through killing** or¶ capture; and at times, the humanitarian costs of capture, in terms of harm to¶ and loss of innocent life will be great, and at other times, capture might not¶ be practicable for any number of reasons (a complex issue to which we return¶ below). **As a result, it seems to us that any general humanitarian critique of**¶ **the targeted killing has a *moral obligation* to offer a credible, *practical***¶ ***alternative* that a state can realistically employ to protect the lives of its citizens and that better serves the humanitarian aims of the laws of war.**

***Prefer a consequentialist perspective when evaluating the desirability of targeted killings --- they are necessary evil***

**Chiese & Greenawalt ’12**, Luis E. Chiesa\* and Alexander K.A. Greenawalt\*\*, \* Associate Professor of Law, Pace University School of Law. \*\* Associate Professor of Law, Pace University School of Law, Summer, 2012, Washington & Lee Law Review, 69 Wash & Lee L. Rev. 1371, Beyond War: Bin Laden, Escobar, and the Justification of Targeted Killing, Lexis, jj

E. Targeted Killings as Necessity or Lesser Evils

Perhaps some **targeted killings can be justified as cases of necessity or lesser evils**. Under the Model Penal Code, **an actor is entitled to a lesser-evils or necessity justification if she inflicts an evil in order to prevent an even greater evil**. n214 Thus, **the person** [\*1432] **who breaks a car window without the owner's consent in order to save a child who is suffocating inside the car acts justifiably pursuant to the lesser-evils defense**. Although her conduct nominally satisfies the elements of the offense of criminal mischief, n215 **it is not considered wrongful because the evil prevented by the act (the death of a child) is greater than the evil inflicted (damage to the property).** Similarly, it could be argued that **killing the targeted individual may sometimes be justified because doing so prevents the occurrence of some greater harm**. Perhaps, for example, **by killing the target, one can foil the target's plot to bomb a residential building**. **Doing so would save dozens or hundreds of people by killing one.** Although it is controversial whether one can ever kill a person in order to save other people in circumstances other than self-defense or law-enforcement authority, n216 many have argued that **such killings ought to be justified if the amount of people saved by the conduct is considerable.**

Fernando Teson has recently defended some targeted killings by appealing to a logic similar to the one undergirding the lesser-evils justification. n217 More specifically, he argues that **it might sometimes be justified to engage in the targeted killing of an evil** [\*1433] **ruler or a terrorist if doing so prevents him from killing hundreds or thousands of people**. n218 It is important to note that Teson's proposal justifies the targeted killing only if engaging in such tactics is the only way to prevent the en masse killing of human beings. n219 According to Teson, this means that, in the sui generis context of terrorism, "**the state reasonably knows that acting now may be its only chance to avert a terrorist strike**." n220

***State’s not inherently racist – it’s bad now because of poor engagement. Admittedly scary empirics shouldn’t close-off reformism. Their arg is net worse.***

**Farber ‘98**

\*\* Associate Dean for Faculty and Research, and Henry J. Fletcher Professor of Law, University of Minnesota. J.D., summa cum laude, University of Illinois School of Law, 1975. Richard Delgado, \* Jean N. Lindsley Professor of Law, University of Colorado Law School. J.D., U.C. Berkeley School of Law, 1974. Thomas M. Cooley Law Review¶ 1998¶ 15 T.M. Cooley L. Rev. 361, KRINOCK LECTURE SERIES: IS AMERICAN LAW INHERENTLY RACIST?, Lexis

PROFESSOR KENDE: On behalf of Thomas M. Cooley Law School, I want to welcome you to the Krinock Lecture. My name is Mark Kende and I am an Associate Professor of Law here at Thomas M. Cooley. The Krinock Lecture is in honor of the distinguished service rendered by a former Dean of the law school, the late Robert Krinock. The Krinock Lecture is unique because it has been funded entirely by personal contributions form the faculty. Its purpose is to enrich the intellectual environment of the law school and the community by bringing in prominent speakers on law-related topics. This term, we are doing something a little bit different though with the lecture. Instead of just having one person giving a speech, we are having a debate. **The topic of the debate will be: "Is American Law Inherently Racist?"** **We are honored to have two nationally renowned legal scholars join us this evening to conduct the debate. They are Professor Richard Delgado** of the University of Colorado Law School, who will be arguing the affirmative side of the topic, **and Professor Daniel Farber** of the University of Minnesota Law School, who will be arguing the negative side, and I will be moderating the debate. Before I more fully introduce each of our speakers and describe their impressive credentials, I want to explain the format of the debate so everyone understands how we are going to do things. Initially Professor Delgado will make a two-minute opening statement followed by Professor Farber who will make his two-minute opening statement. Professor Delgado will then have twenty minutes to present his case in chief and after he has concluded, he will have five minutes to answer audience questions that are solely about his particular argument. Professor Farber will then have twenty-five minutes to present his responsive case in chief. He too will then answer audience questions for five minutes related solely to his [\*362] remarks. Professor Delgado will then have ten minutes of rebuttal time to reply to Professor Farber. Professor Farber will follow with ten minutes of time, and then Professor Delgado will conclude with a five-minute statement. After the debate part of the event has concluded, Professor Delgado and Farber will answer questions for up to twenty minutes. This is basically the format of this debate.¶ Now let me introduce our distinguished debaters more thoroughly. Richard Delgado is the Jean N. Lindsley Professor of Law at the University of Colorado Law School, where he has taught classes in civil procedure, civil rights, and biotechnology and the law since 1990. He has also taught at Arizona State, Washington, UCLA, University of California at Davis, and Wisconsin. Professor Delgado graduated from the University of California at Berkeley Law School in 1974, where he served as the Notes and Comments Editor of the University of California Law Review. Professor Delgado is a prolific scholar having authored numerous books and more than one hundred law review articles. His books have won six national book awards including the American Library Association's Outstanding Academic Book (for his book "The Coming Race War"), four Gustavus Myers prizes for the Outstanding Book on human rights, and a Pulitzer Prize nomination. His award winning book "The Rodrigo Chronicles" is a dialogue between a law student and a professor.¶ Professor Delgado is most well known for being one of the leading commentators and authors in the field of race and law in America. He is considered one of the founders of the critical race theory movement, which argues that American law is based on racist assumptions and tendencies. He has appeared as a commentator about race on programs such as Good Morning America, the McNeil-Lehrer Report, PBS, and NPR. We are honored to have Professor Delgado arguing the affirmative side of the topic.¶ Daniel A. Farber is the Henry J. Fletcher Professor of Law and Associate Dean for Faculty at the University of Minnesota Law School where he has taught constitutional law, environmental law, civil procedure, and legislation since 1987. He was a visiting professor at the Harvard Law School during the spring of 1998 and has also taught at Stanford and the University of Illinois. Professor Farber graduated summa cum laude and first in his class from the University of Illinois in 1975, where he was Editor-in-Chief of the University of Illinois Law Review. He served as a law clerk to United States Supreme Court Justice John Paul Stevens.¶ Professor Farber has also authored numerous books and law review articles on constitutional law and environmental law topics. [\*363] He has authored a casebook on constitutional law and environmental law and has just had a treatise entitled "The First Amendment" published by Foundation Press. He is currently the Editor of the journal "Constitutional Commentary." Along with his colleague, Professor Phil Frickey, he has authored a leading book on public choice theory. Professor Farber's book "Beyond All Reason: The Radical Assault on Truth and American Law," co-authored with Professor Suzanna Sherry, is perhaps the most comprehensive critique yet of the critical race theorists. Professor Farber will be arguing the negative side of the debate.¶ On a personal note, I want to thank both speakers for being willing to come here to Cooley today, for braving this debate format, and for being so easy to work with. So if we could, I would like to give them a round of applause before we begin. Without further adieu, let me now turn the podium over to Professor Delgado for his two-minute introduction and to begin the debate.¶ Introductory Remarks¶ PROFESSOR DELGADO: Thank you Mark. As the first speaker, and I hope before the clock starts to run, I would like to thank Professor Kende and the faculty of Thomas M. Cooley Law School for sponsoring this debate, and of course for inviting me. It seems to me that in just the last few months and years, this country has returned to an examination of race in a way that did not characterize the ten or fifteen years just before that. All to our good, I think. I am thinking of books like William Bowen and Derek Bok's recently issued book, n1 evaluating twenty years of affirmative action. I am thinking, as well, of John Hope Franklin's Presidential Commission and its workshops and community events around the nation. You could see today's event as part of a series that reexamines this nation's oldest and perhaps most intractable problem-race. I would like to commend Thomas M. Cooley Law School for scheduling it.¶ Probably most of you know me through my writing on race and racism. You know, that way of disseminating one's ideas is a whole lot easier. You just stay at your desk and spin the ideas out and someone else takes it from there and publishes them. I am very happy, however, to be able to take part in a public event like this [\*364] even though it entails removing myself 2,000 miles from my home base and living out of a suitcase for three days because I think the whole thing is terribly important.¶ It struck me this morning that my friend Dan Farber over there has much the easier task of the two of us-purely in debate terms. For I am the one who has to prove a superlative-namely, that American law is inherently racist. Not just sometimes, occasionally, or often racist, but inherently so. I am reminded of those automobile executives who argued that a model of car was not inherently unsafe merely because it burst into flames upon light rear-end contact, since the rest of the time it provided safe transportation for American families at a price that they could afford. Or that character in the Russian novel n2 who did his landlady in, and then defended himself by pointing out all the good deeds he expected to do later in life.¶ To make today's question more manageable, not to mention easier for me, I will define a system as inherently racist if it is recurrently so-that is, it keeps coming back to the behavior time and again and for each of the different minority groups. And second, it does so for reasons seemingly imbedded in its very structure and makeup, its social DNA, so to speak. Particularly if you are White, I hope you will listen with an open mind to the evidence that I will present today during my case-in- chief. Some of what you hear may be unfamiliar-not in standard history or constitutional law textbooks. It may go against your sense that things are better today for persons of color, as indeed they are for some.¶ White folks tend to see, literally, fewer acts of out and out racism than their brothers and sisters of color do. A merchant who is in the practice of hassling well-behaved black teenagers in his or her store, will generally not do so if white shoppers are there watching. A police officer who routinely stops motorists of color driving through certain neighborhoods may refrain from doing so if a well-dressed Caucasian is in the back seat of the car. Talk of racism also makes people feel defensive and want to change the subject-perhaps to that other group's responsibility for their low estate.¶ Yet as recent events show, denial is rarely a successful, much less helpful strategy. Coming to terms with the continuing legacy of race and racism, fairly and openly, is the path to a stronger society and a legal system that we can all be proud of. Thank you.¶ [\*365] ¶ PROFESSOR FARBER: When Suzanna Sherry and I wrote a book n3 about critical race theory, radical feminism, and some related movements, our greatest hope was to spark a dialogue. So I am especially pleased to have the opportunity to be here today to discuss this issue with Professor Delgado. Too often people on different sides of these issues simply send manifestos out that repeat their own point of view and do not really try to engage the other side. So I think this is a tremendously constructive occasion, at least I hope it will be.¶ **I was very struck in his introductory remarks by Professor Delgado's statement that, in a sense, racism is part of the DNA of the American legal system, a sort of genetic flaw**. I think that really is a fair statement of the heart of critical race theory. **Although I understand the frustration that leads people to that conclusion, I continue to think that it is wrong. It underestimates our capacity to change the legal system, and it ignores important parts of our legal history**. **In the end, despite the good intentions of people who favor that view, this thesis of inherent racism will only interfere with public dialogue about racial issues and make it more difficult for us to confront our important racial problems today.**

***The state can be redeemed --- abandoning the state’s counter-productive***

**Brubaker 4**

Rogers Brubaker, Department of Sociology, UCLA, 2004, In the Name of the Nation: Reflectionson Nationalism and Patriotism, Citizenship Studies, Vol. 8, No. 2, [www.sailorstraining.eu/admin/download/b28.pdf](http://www.sailorstraining.eu/admin/download/b28.pdf)

This, then, is the basic work done by the category ‘nation’ in the context of nationalist movements—movements to create a polity for a putative nation. In other contexts, **the category ‘nation’** is used in a very different way. It **is used not to challenge the existing** territorial and **political order, but to create** a sense of national **unity for a given polity**. This is the sort of work that is often called nation-building, of which we have heard much of late. It is this sort of work that was evoked by the Italian statesman Massimo D’Azeglio, when he famously said, ‘we have made Italy, now we have to make Italians’. It is this sort of work that was (and still is) undertaken—with varying but on the whole not particularly impressive degrees of success—by leaders of post-colonial states, who had won independence, but whose populations were and remain deeply divided along regional, ethnic, linguistic, and religious lines. It is this sort of work that the category ‘nation’ could, in principle, be mobilized to do in contemporary Iraq—to cultivate solidarity and appeal to loyalty in a way that cuts across divisions between Shi’ites and Sunnis, Kurds and Arabs, North and South.2

In contexts like this, **the category ‘nation’ can** also **be used in another way**, **not to appeal to a ‘national’ identity transcending** ethnolinguistic, ethnoreligious, or ethnoregional **distinctions, but rather to assert ‘ownership’ of the polity** on behalf of a ‘core’ ethnocultural ‘nation’ distinct from the citizenry of the state as a whole, **and thereby to** define or **redefine the state** as the state of and for that core ‘nation’ (Brubaker, 1996, p. 83ff). This is the way ‘nation’ is used, for example, by Hindu nationalists in India, who seek to redefine India as a state founded on Hindutva or Hinduness, a state of and for the Hindu ethnoreligious ‘nation’ (Van der Veer, 1994). Needless to say, this use of ‘nation’ excludes Muslims from membership of the nation, just as similar claims to ‘ownership’ of the state in the name of an ethnocultural core nation exclude other ethnoreligious, ethnolinguistic, or ethnoracial groups in other settings.

**In the U**nited **S**tates and other relatively settled, longstanding nation-states, ‘**nation’ can work in this exclusionary way,** **as in nativist movements in America** **or** in the rhetoric of the contemporary **European far right (‘**la France oux Franc¸ais’, ‘Deutschland den Deutshchen’). **Yet it can also work in a very different and fundamentally inclusive way**.3 **It can work to mobilize mutual solidarity among members of ‘the nation’, inclusively defined** to include all citizens—and perhaps all long-term residents—of the state. To invoke nationhood, in this sense, is to attempt to transcend or at least relativize internal differences and distinctions. It is an attempt to get people to think of themselves— to formulate their identities and their interests—as members of that nation, rather than as members of some other collectivity. To appeal to the nation can be a powerful rhetorical resource, though it is not automatically so. Academics in the social sciences and humanities in the United States are generally skeptical of or even hostile to such invocations of nationhood. They are often seen as de´passe´, parochial, naive, regressive, or even dangerous. For many scholars in the social sciences and humanities, ‘nation’ is a suspect category.

Few American scholars wave flags, and many of us are suspicious of those who do. And often with good reason, since flag-waving has been associated with intolerance, xenophobia, and militarism, with exaggerated national pride and aggressive foreign policy. **Unspeakable horrors**—and a wide range of lesser evils—**have been perpetrated in the name of the nation**, and not just in the name of ‘ethnic’ nations, but in the name of putatively ‘civic’ nations as well (Mann, 2004). **But** this is not sufficient to account for the prevailingly negative stance towards the nation. **Unspeakable horrors**, and an equally wide range of lesser evils, **have been committed in the name of many other sorts of imagined communities** as well—in the name of the state, the race, the ethnic group, the class, the party, the faith.

In addition to the sense that nationalism is dangerous, and closely connected to some of the great evils of our time—the sense that, as John Dunn (1979, p. 55) put it, nationalism is ‘the starkest political shame of the 20th-century’— there is a much broader suspicion of invocations of nationhood. This derives from the widespread diagnosis that we live in a post-national age. It comes from the sense that, however well fitted the category ‘nation’ was to economic, political, and cultural realities in the nineteenth century, it is increasingly ill-fitted to those realities today. On this account, nation is fundamentally an anachronistic category, and invocations of nationhood, even if not dangerous, are out of sync with the basic principles that structure social life today.4

The post-nationalist stance combines an empirical claim, a methodological critique, and a normative argument. I will say a few words about each in turn. The empirical claim asserts the declining capacity and diminishing relevance of the nation-state. Buffeted by the unprecedented circulation of people, goods, messages, images, ideas, and cultural products, the nation-state is said to have progressively lost its ability to ‘cage’ (Mann, 1993, p. 61), frame, and govern social, economic, cultural, and political life. It is said to have lost its ability to control its borders, regulate its economy, shape its culture, address a variety of border-spanning problems, and engage the hearts and minds of its citizens. I believe this thesis is greatly overstated, and not just because the September 11 attacks have prompted an aggressively resurgent statism.5 Even the European Union, central to a good deal of writing on post-nationalism, does not represent a linear or unambiguous move ‘beyond the nation-state’. As Milward (1992) has argued, the initially limited moves toward supranational authority in Europe worked—and were intended—to restore and strengthen the authority of the nation-state. And the massive reconfiguration of political space along national lines in Central and Eastern Europe at the end of the Cold War suggests that far from moving beyond the nation-state, large parts of Europe were moving back to the nation-state.6 The ‘short twentieth century’ concluded much as it had begun, with Central and Eastern Europe entering not a post-national but a post-multinational era through the large-scale nationalization of previously multinational political space. Certainly nationhood remains the universal formula for legitimating statehood.

Can one speak of an ‘unprecedented porosity’ of borders, as one recent book has put it (Sheffer, 2003, p. 22)? In some respects, perhaps; but in other respects—especially with regard to the movement of people—social technologies of border control have continued to develop. One cannot speak of a generalized loss of control by states over their borders; in fact, during the last century, the opposite trend has prevailed, as states have deployed increasingly sophisticated technologies of identification, surveillance, and control, from passports and visas through integrated databases and biometric devices. The world’s poor who seek to better their estate through international migration face a tighter mesh of state regulation than they did a century ago (Hirst and Thompson, 1999, pp. 30–1, 267). Is migration today unprecedented in volume and velocity, as is often asserted? Actually, it is not: on a per capita basis, the overseas flows of a century ago to the United States were considerably larger than those of recent decades, while global migration flows are today ‘on balance slightly less intensive’ than those of the later nineteenth and early twentieth century (Held et al., 1999, p. 326). Do migrants today sustain ties with their countries of origin? Of course they do; but they managed to do so without e-mail and inexpensive telephone connections a century ago, and it is not clear—contrary to what theorists of post-nationalism suggest—that the manner in which they do so today represents a basic transcendence of the nation-state.7 Has a globalizing capitalism reduced the capacity of the state to regulate the economy? Undoubtedly. Yet in other domains—such as the regulation of what had previously been considered private behavior—the regulatory grip of the state has become tighter rather than looser (Mann, 1997, pp. 491–2).

The methodological critique is that the social sciences have long suffered from ‘methodological nationalism’ (Centre for the Study of Global Governance, 2002; Wimmer and Glick-Schiller, 2002)—the tendency to take the ‘nation-state’ as equivalent to ‘society’, and to focus on internal structures and processes at the expense of global or otherwise border-transcending processes and structures. There is obviously a good deal of truth in this critique, even if it tends to be overstated, and neglects the work that some historians and social scientists have long been doing on border-spanning flows and networks.

But what follows from this critique? If it serves to encourage the study of social processes organized on multiple levels in addition to the level of the nation-state, so much the better. But if the methodological critique is coupled— as it often is—with the empirical claim about the diminishing relevance of the nation-state, and if it serves therefore to channel attention away from state-level processes and structures, there is a risk that academic fashion will lead us to neglect what remains, for better or worse, a fundamental level of organization and fundamental locus of power.

The normative critique of the nation-state comes from two directions. From above, the cosmopolitan argument is that humanity as a whole, not the nation- state, should define the primary horizon of our moral imagination and political engagement (Nussbaum, 1996). From below, muticulturalism and identity politics celebrate group identities and privilege them over wider, more encompassing affiliations.

One can distinguish stronger and weaker versions of the cosmopolitan argument. The strong cosmopolitan argument is that there is no good reason to privilege the nation-state as a focus of solidarity, a domain of mutual responsibility, and a locus of citizenship.8 The nation-state is a morally arbitrary community, since membership in it is determined, for the most part, by the lottery of birth, by morally arbitrary facts of birthplace or parentage. The weaker version of the cosmopolitan argument is that the boundaries of the nation-state should not set limits to our moral responsibility and political commitments. It is hard to disagree with this point. No matter how open and ‘joinable’ a nation is—a point to which I will return below—it is always imagined, as Benedict Anderson (1991) observed, as a limited community. It is intrinsically parochial and irredeemably particular. Even the most adamant critics of universalism will surely agree that those beyond the boundaries of the nation-state have some claim, as fellow human beings, on our moral imagination, our political energy, even perhaps our economic resources.9

The second strand of the normative critique of the nation-state—the multiculturalist critique—itself takes various forms. Some criticize the nation-state for a homogenizing logic that inexorably suppresses cultural differences. Others claim that most putative nation-states (including the United States) are not in fact nation-states at all, but multinational states whose citizens may share a common loyalty to the state, but not a common national identity (Kymlicka, 1995, p. 11). But the main challenge to the nation-state from multiculturalism and identity politics comes less from specific arguments than from a general disposition to cultivate and celebrate group identities and loyalties at the expense of state-wide identities and loyalties.

In the face of this twofold cosmopolitan and multiculturalist critique, I would like to sketch a qualified defense of nationalism and patriotism in the contemporary American context.10 Observers have long noted the Janus-faced character of nationalism and patriotism, and I am well aware of their dark side. As someone who has studied nationalism in Eastern Europe, I am perhaps especially aware of that dark side, and I am aware that nationalism and patriotism have a dark side not only there but here. Yet the prevailing anti-national, post-national, and trans-national stances in the social sciences and humanities risk obscuring the good reasons—at least in the American context—for cultivating solidarity, mutual responsibility, and citizenship at the level of the nation-state. Some of those who defend patriotism do so by distinguishing it from nationalism.11 I do not want to take this tack, for I think that attempts to distinguish good patriotism from bad nationalism neglect the intrinsic ambivalence and polymorphism of both. Patriotism and **nationalism are not things with fixed natures**; **they are highly flexible political languages, ways of framing political arguments** by appealing to the patria, the fatherland, the country, the nation. These terms have somewhat different connotations and resonances, and the political languages of patriotism and nationalism are therefore not fully overlapping. But they do overlap a great deal, and an enormous variety of work can be done with both languages. I therefore want to consider them together here.

I want to suggest that patriotism and nationalism can be valuable in four respects. They can help develop more robust forms of citizenship, provide support for redistributive social policies, foster the integration of immigrants, and even serve as a check on the development of an aggressively unilateralist foreign policy.

First, nationalism and patriotism can motivate and sustain civic engagement. It is sometimes argued that liberal democratic states need committed and active citizens, and therefore need patriotism to generate and motivate such citizens. This argument shares the general weakness of functionalist arguments about what states or societies allegedly ‘need’; in fact, liberal democratic states seem to be able to muddle through with largely passive and uncommitted citizenries. But the argument need not be cast in functionalist form. A committed and engaged citizenry may not be necessary, but that does not make it any less desirable. And patriotism can help nourish civic engagement. It can help generate feelings of solidarity and mutual responsibility across the boundaries of identity groups. As Benedict Anderson (1991, p. 7) put it, the nation is conceived as a ‘deep horizontal comradeship’. Identification with fellow members of this imagined community can nourish the sense that their problems are on some level my problems, for which I have a special responsibility.12

Patriotic **identification with one’s country**—the feeling that this is my country, and my government—**can help ground a sense of responsibility** for, **rather than disengagement from, actions taken** by the national government. A feeling of **responsibility for such actions does not**, of course, **imply agreement** with them; **it may** even **generate powerful emotions such as shame, outrage, and anger that underlie and *motivate* opposition to government policies**. Patriotic **commitments** are likely to **intensify** rather than attenuate **such emotions**. As Richard Rorty (1994) observed, ‘you can feel shame over your country’s behavior only to the extent to which you feel it is your country’.13 **Patriotic commitments** can **furnish** the **energies and passions that *motivate and sustain civic engagement.***

***Whiteness isn’t a monolithic root cause---they shut off productive debate over solutions – means the alt fails***

**Shelby 7** – Tommie Shelby, Professor of African and African American Studies and of Philosophy at Harvard, 2007, We Who Are Dark: The Philosophical Foundations of Black Solidarity

**Others** might **challenge the distinction between** **ideological and structural causes of black disadvantage**, on the grounds that **we are rarely**, if ever, **able to** so **neatly separate these factors**, an epistemic situation that is only made worse by the fact that these causes interact in complex ways with behavioral factors. These distinctions, while perhaps straightforward in the abstract, are difficult to employ in practice. For example, **it would be** difficult, if not **impossible**, **for the members of a poor black community to determine** **with any accuracy** **whether their impoverished condition is due** **primarily to institutional racism**, the impact of past racial injustice, **the increasing technological basis of the economy**, **shrinking state budgets**, the vicissitudes of **world trade**, the ascendancy of **conservative ideology**, **poorly funded schools**, lack of personal initiative, **a violent drug trade** that deters business investment, **some combination of these factors**, **or some other explanation altogether**. Moreover, it is notoriously difficult to determine when the formulation of putatively race-neutral policies has been motivated by racism or when such policies are unfairly applied by racially biased public officials.¶ **There are** very real **empirical difficulties** **in determining the** **specific causal significance** **of the factors that create and perpetuate black disadvantage**; nonetheless, it is clear that these factors exist and that **justice will demand** **different practical remedies according to** **each factor's relative impact** **on blacks' life chances**. **We must acknowledge that our social world is complicated** and not immediately transparent to common sense, **and thus that** **systematic empirical inquiry**, **historical studies, and rigorous social analysis are required to reveal its systemic structure** and sociocultural dynamics. There is, moreover, no mechanical or infallible procedure for determining which analyses are the soundest ones. In addition, given the inevitable bias that attends social inquiry, legislators and those they represent cannot simply defer to social-scientific experts. **We must instead rely on** **open public debate**—among politicians, scholars, policy makers, intellectuals, and ordinary citizens—**with the aim of garnering** **rationally motivated** and informed **consensus**. And even if our practical decision procedures rest on critical deliberative discourse and thus live up to our highest democratic ideals, some trial and error through actual practice is unavoidable.¶ These difficulties and complications notwithstanding, a general recognition of the distinctions among the ideological and structural causes of black disadvantage could help blacks refocus their political energies and self-help strategies. **Attention to these distinctions might help** **expose the superficiality of theories** **that seek to** **reduce all the social obstacles that blacks face to** contemporary forms of racism or ***white supremacy***. **A more** penetrating, **subtle, and empirically grounded** **analysis** **is needed to** **comprehend the causes of racial inequality and black disadvantage**. Indeed, these distinctions highlight the necessity to probe deeper to find the causes of contemporary forms of racism, as some **racial conflict may be a symptom of broader problems or recent social developments** (**such as immigration policy** or reduced federal funding for higher education).

***Their method cannot address violence --- Identity is only one source of conflict – the material world matters too***

**Gries ‘05**

Peter Hays, Univercity of Colorado“Social Psychology and the Indentity-Conflict Debate: Is a ‘China Threat’ Inevitable?” *European Journal of International Relations* Copyright © 2005 SAGE Publications and ECPR-European Consortium for Political Research, Vol. 11(2): pg. 237

Of course, **identity is only one possible cause of conflict**. **This paper only** addresses the Wendt–Mercer **debate over the nature of interstate competition in the symbolic realm; it does not address the dispute between neorealists and neoliberals over competition in the material realm**. And **this paper only treats identity as an independent variable** (**as a possible cause of conflict**); **identity conflict can also be a dependent variable** — the result, **for example, of objective conflicts of interest.**

***Their assumption of social death misappropriates blackness—provides us with no actual alternative***

**Bâ**, Portsmouth University Film Professor, **11**

(Saër Maty, The US Decentred, Cultural Studies Review, volume 17 number 2 September 2011)

A few pages into Red, White and Black, I feared that it would just be a matter of time before **Wilderson’s black‐as‐social‐death** **idea** and multiple attacks on issues and scholars he disagrees with **run (him) into (theoretical) trouble**. This happens in chapter two, ‘The Narcissistic Slave’, where he critiques black film theorists and books. For example, Wilderson declares that Gladstone Yearwood’s Black Film as Signifying Practice (2000) ‘betrays a kind of conceptual anxiety with respect to the historical object of study— ... it clings, anxiously, to the film‐as‐text‐as‐legitimate‐ object of Black cinema.’ (62) He then quotes from Yearwood’s book to highlight ‘just how vague the aesthetic foundation of Yearwood’s attempt to construct a canon can be’. (63) And yet Wilderson’s highlighting is problematic because it overlooks the ‘Diaspora’ or ‘African Diaspora’, a key component in Yearwood’s thesis that, crucially, neither navel‐gazes (that is, at the US or black America) nor pretends to properly engage with black film. Furthermore, Wilderson separates the different waves of black film theory and approaches them, only, in terms of how a most recent one might challenge its precedent. Again, his approach is problematic because it does not mention or emphasise the inter‐connectivity of/in black film theory. As a case in point, Wilderson does not link Tommy Lott’s mobilisation of Third Cinema for black film theory to Yearwood’s idea of African Diaspora. (64) Additionally, of course, Wilderson seems unaware that Third Cinema itself has been fundamentally questioned since Lott’s 1990s’ theory of black film was formulated. Yet **another consequence of ignoring the African Diaspora is that it exposes Wilderson’s corpus of films as unable to carry the weight of the transnational argument he attempts to advance**. Here, **beyond the US‐centricity** or ‘social and political specificity of [his] filmography’, (95) I am talking about Wilderson’s choice of films. For example, Antwone Fisher (dir. Denzel Washington, 2002) is attacked unfairly for failing to acknowledge ‘a grid of captivity across spatial dimensions of the Black “body”, the Black “home”, and the Black “community”’ (111) while films like Alan and Albert Hughes’s Menace II Society (1993), overlooked, do acknowledge the same grid and, additionally, problematise Street Terrorism Enforcement and Prevention Act (STEP) policing. The above examples expose the fact of Wilderson’s dubious and questionable conclusions on black film. **Red, White and Black is particularly undermined by Wilderson’s propensity for exaggeration** and blinkeredness. In chapter nine, ‘“Savage” Negrophobia’, **he writes: The philosophical anxiety of Skins is all too aware that through the Middle Passage, African culture became Black ‘style’ ... Blackness can be placed and displaced with limitless frequency and across untold territories, by whoever so chooses. Most important, there is nothing real Black people can do to either check or direct this process** ... Anyone can say ‘nigger’ because anyone can be a ‘nigger’. (235)7 Similarly, in chapter ten, ‘A Crisis in the Commons’, Wilderson addresses the issue of ‘Black time’. Black is irredeemable, he argues, because, at no time in history had it been deemed, or deemed through the right historical moment and place. In other words, the black moment and place are not right because they are ‘the ship hold of the Middle Passage’: ‘the most coherent temporality ever deemed as Black time’ but also ‘the “moment” of no time at all on the map of no place at all’. (279) Not only does **Pinho’s more mature analysis expose this point as preposterous** (see below), **I also wonder what Wilderson makes of the countless historians’ and sociologists’ works on slave ships, shipboard insurrections and/during the Middle Passage,8 or of groundbreaking jazz‐studies books on cross‐cultural dialogue** like The Other Side of Nowhere (2004). Nowhere has another side, but once Wilderson theorises blacks as socially and ontologically dead while dismissing jazz as ‘belonging nowhere and to no one, simply there for the taking’, (225) there seems to be no way back. **It is therefore hardly surprising that Wilderson ducks the need to provide a solution or alternative to both his sustained bashing of blacks and anti‐ Blackness**.9 Last but not least, Red, White and Black ends like a badly plugged announcement of a bad Hollywood film’s badly planned sequel: ‘How does one deconstruct life? Who would benefit from such an undertaking? The coffle approaches with its answers in tow.’ (340)

***The black body is not devoid of culture and fungible***

**Olson**, Northern Arizona University, **10**

(Joel Olson, “Slavery in The United States”, 2010, http://jan.ucc.nau.edu/~jo52/Slavery-in-America-public.pdf)

In particular, American slavery was a struggle between masters’ attempt to impose “social death” on the slave and slaves’ efforts to seek freedom and build a community. Orlando **Patterson** (1982) **argues that slavery is a system in which the master seeks to strip the slave of all kinship ties and social standing so that the slave is physically alive** (and therefore able to labor for the master) **but socially dead**, **belonging to no recognized community and possessing no legitimate genealogy**. ***Slaves resisted this social death in three ways***. **First, they sought freedom, by purchasing it, suing for it, running away, or rebelling**. **Second, they sought to make the terms of labor more favorable, through work slowdowns, attempts to shorten the working day, subterfuge, sabotage, maintaining their own livestock or garden plots, participating in markets, or hiring out their labor and keeping a portion of their wages** (Berlin 1998). **Third, they created their own families and their own culture**. While masters sought to impose their rule from sunup to sundown, ***from sundown to sunup slaves created a community that denied the authority of the master and defied social death*** (Rawick 1972, Stuckey 1987). **Slaves shaped their own customs, religion, dialect, music, economy, and political perspectives, merging African, indigenous, and European practices into a uniquely and truly American culture**. **This conflict between “sunup to sundown” and “sundown to sunup,” or between social death and the resistance of the Black community, is one of the fundamental experiences of the American political tradition.**

***We are students performing distinct pedagogies – the affirmative chooses to embrace despair and hopeless – this prevents social change and destroys value to life. Vote negative to endorse hope***

**Denzin** prof soc, comm, and humanities @ U Illinois urbana-champagne **2k3** (Norman, “Performing [Auto] Ethnography Politically” The Review of Education, Pedagogy, and Cultural Studies, 25:257–278, www.citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.167.4086)

HOPE, PEDAGOGY, AND THE CRITICAL IMAGINATION As an interventionist ideology the critical imagination is hopeful of change. It seeks and promotes an ideology of hope that challenges and confronts hopelessness (Freire, 1999, p. 8). It understands that hope, like freedom, ***is “an ontological need”*** (Freire, 1999, p. 8). Hope is the desire to dream, the desire to change, the desire to improve human existence. Hopelessness is “but hope that has lost its bearings” (Freire, 1999, p. 8). ***Hope is ethical. Hope is moral.*** Hope is peaceful and nonviolent. Hope seeks the truth of life’s sufferings. Hope gives meaning to the struggles to change the world. Hope is grounded in concrete performative practices, in struggles and interventions that espouse the sacred values of love, care, community, trust and well-being (Freire, 1999, p. 9). Hope, as a form of pedagogy, confronts and interrogates cynicism, the belief that change is not possible, or is too costly. Hope works from rage to love. It articulates a progressive politics that rejects “conservative, neoliberal postmodernity” (Friere, 1999; p. 10). Hope rejects terrorism. Hope rejects the claim that peace comes at any cost. The critical democratic imagination is pedagogical in four ways. First, as a form of instruction, it helps persons think critically, historically, sociologically. Second, as critical pedagogy, it exposes the pedagogies of oppression that produce and reproduce oppression and injustice (see Freire, 2001, p. 54). Thirdly, it contributes to an ethical self-consciousness that is critical and reflexive. It gives people a language and a set of pedagogical practices that turn oppression into freedom, despair into hope, hatred into love, doubt into trust. Fourth, in turn, this self-consciousness shapes a critical racial self-awareness. This awareness contributes to utopian dreams of racial equality and racial justice. The use of this imagination by persons who have previously lost their way in this complex world is akin to being “suddenly awakened in a house with which they had only supposed themselves to be familiar (Mills, 1959, p. 8). They now feel that they can provide themselves with critical understandings that undermine and challenge “older decisions that once appeared sound” (Mills, 1959, p. 8). Their critical imagination enlivened, persons “acquire a new way of thinking . . . in a word by their reflection and their sensibility, they realize the cultural meaning of the social sciences” (Mills, 1959, p. 8). They realize how to make and perform changes in their own lives, to become active agents in shaping the history that shapes them.

***Their pessimistic view of racial gains becomes a self-fulfilling prophecy that turns the aff***

**Thernstrom**, Harvard University Winthrop Research Professor of History, **98**

(Steven, “Black Progress: How far we've come, and how far we have to go” http://www.brookings.edu/research/articles/1998/03/spring-affirmativeaction-thernstrom)

**Black progress** over the past half-century **has been impressive**, conventional wisdom to the contrary notwithstanding. And yet the nation has many miles to go on the road to true racial equality. "I wish I could say that racism and prejudice were only distant memories, but as I look around I see that even educated whites and African American...have lost hope in equality," Thurgood Marshall said in 1992. A year earlier The Economist magazine had reported the problem of race as one of "shattered dreams." In fact, **all hope has not been "lost," and "shattered" was much too strong a word, but certainly in the 1960s the civil rights community failed to anticipate just how tough the voyage would be.** (Thurgood Marshall had envisioned an end to all school segregation within five years of the Supreme Court s decision in Brown v. Board of Education.) **Many blacks**, particularly, **are now discouraged**. A 1997 **Gallup poll found a sharp decline in optimism** since 1980; only 33 percent of blacks (versus 58 percent of whites) thought both the quality of life for blacks and race relations had gotten better.

Thus, ***progress—by many measures seemingly so clear—is viewed as an illusion***, **the sort of fantasy to which intellectuals are particularly prone**. **But the ahistorical sense of nothing gained is in itself bad news**. ***Pessimism is a self-fulfilling prophecy***. **If all our efforts as a nation to resolve the "American dilemma" have been in vain—if we've been spinning our wheels in the rut of ubiquitous and permanent racism**, as Derrick Bell, Andrew Hacker, and others argue—**then racial equality is a hopeless task, an unattainable ideal**. **If both blacks and whites understand and celebrate the gains of the past, however, we will move forward with the optimism, insight, and energy that further progress surely demands.**

***The aff is a snake eating its own tail – ontologically opposing Blackness to Whiteness makes Black struggle STRUCTURALLY dependent on the existence of White Racism and wounded attachments to suffering***

**Pinn** 20**04** (Anthony, Anthony B. Pinn is an American professor and writer whose work focuses on liberation theology, Black religion, and Black humanism. Pinn is the Agnes Cullen Arnold Professor of Humanities and Professor of Religious Studies at Rice University, “‘‘Black Is, Black Ain’t’’: Victor Anderson, African American Theological Thought, and Identity,” Dialog: A Journal of Theology, Volume 43, Number 1 . Spring 2004)

This connection between ontological blackness and¶ religion is natural because: ‘‘ontological blackness signifies¶ the totality of black existence, a binding together¶ of black life and experience. In its root, religio, religion¶ denotes tying together, fastening behind, and binding¶ together. **Ontological blackness renders black life and**¶ **experience a totality**.’’13 According to Anderson, Black¶ theological discussions are entangled in ontological¶ blackness. And accordingly, **discussions of black life**¶ **revolve around a theological understanding of Black**¶ **experience limited to suffering and survival in a racist**¶ **system**. The goal of this theology is to find the ‘‘meaning¶ of black faith’’ in the merger of black cultural¶ consciousness, icons of genius, and post-World War¶ II Black defiance. **An admirable goal to be sure, but**¶ **here is the rub: Black theologians speak**, according to¶ Anderson, **in opposition to ontological whiteness**¶ **when they are actually dependent upon whiteness for**¶ **the legitimacy of their agenda**. Furthermore, **ontological**¶ **blackness’s strong ties to suffering and survival**¶ **result in blackness being dependent on suffering**,¶ and as a result social transformation brings into¶ question what it means to be black and religious.¶ **Liberative outcomes ultimately force an identity**¶ **crisis, a crisis of legitimation and utility**. In¶ Anderson’s words:¶ **Talk about liberation becomes hard to justify**¶ **where freedom appears as nothing more than**¶ **defiant self-assertion of a revolutionary racial**¶ **consciousness that requires for its legitimacy**¶ **the opposition of white racism**. **Where there**¶ **exists no possibility of transcending the blackness**¶ **that whiteness created, African America**n¶ **theologies of liberation must be seen not only**¶ **as crisis theologies; they remain theologies in**¶ **a crisis of legitimation**.14¶ This conversation becomes more ‘‘refined’’ as new¶ cultural resources are unpacked and various religious¶ alternatives acknowledged. Yet the bottom line¶ remains racialization of issues and agendas, life and¶ love. Falsehood is perpetuated through the ‘‘hermeneutic¶ of return,’’ by which ontological blackness is¶ the paradigm of Black existence and thereby sets the¶ agenda of Black liberation within the ‘‘postrevolutionary¶ context’’ of present day USA. One ever finds¶ the traces of the Black aesthetic which pushes for a¶ dwarfed understanding of Black life and a sacrifice of¶ individuality for the sake of a unified Black ‘faith’.¶ Yet differing experiences of racial oppression (the¶ stuff of ontological blackness) combined with varying¶ experiences of class, gender and sexual oppression¶ call into question the value of their racialized formulations. Implicit in all of this is a crisis of faith,¶ an unwillingness to address both the glory and guts¶ of Black existence—***nihilistic tendencies*** that, unless¶ held in tension with claims of transcendence, ***have***¶ ***the potential to overwhelm and to suffocate***.¶ At the heart of this dilemma is friction between¶ ontological blackness and ‘‘contemporary postmodern¶ black life’’—issues, for example related to¶ ‘‘selecting marriage partners, exercising freedom of¶ movement, acting on gay and lesbian preferences, or¶ choosing political parties.’’15 How does one foster¶ balance while embracing difference as positive?¶ Anderson looks to Nietzsche.¶ European genius, complete with its heroic epic,¶ met its match in the aesthetic categories of tragedy¶ and the grotesque genius revived and espoused by¶ Friedreich Nietzsche. The grotesque genius served¶ as an effective counter-discourse by embracing both¶ the ‘light’ and ‘dark’ aspects of life, and holding in¶ tension oppositional sensations—pleasure and pain,¶ freedom and oppression.16 Utilizing Nietzsche’s¶ work, Anderson ask: ‘‘what should African American¶ cultural and religious criticism look like when¶ they are no longer romantic in inspiration and¶ the cult of heroic genius is displaced by the¶ grotesquery—full range of expression, actions, attitudes,¶ behaviors everything found in African¶ American life—of contemporary black expressive¶ culture and public life?’’17¶ Applied to African Americans, the grotesque¶ embodies the full range of African American¶ life—all expressions, actions, attitudes, and behavior.¶ With a hermeneutic of the grotesque as the¶ foci, religio-cultural criticism is free from the totalizing¶ nature of racial apologetics and the classical¶ Black aesthetic. By extension, Black theology is able¶ to address both issues of survival (Anderson sees¶ their importance.) and the larger goal of cultural¶ fulfillment, Anderson’s version of liberation. That¶ is to say**, placing ‘‘blackness’’ along side other indicators**¶ **of identity allows African Americans to**¶ **define themselves in a plethora of ways while maintaining**¶ **their community status. This encourages**¶ **African Americans to see themselves as they are**—¶ **complex and diversified—no longer needing to**¶ **surrender personal interests for the sake of monolithic**¶ **collective status.**

***Effective drone program key to combat terrorism***

**Byman ’13**, DANIEL BYMAN is a Professor in the Security Studies Program at the Edmund A. Walsh School of Foreign Service at Georgetown University and a Senior Fellow at the Saban Center for Middle East Policy at the Brookings Institution. Foreign Affairs, July/August 2013, Why Drones Work: The Case for Washington’s Weapon of Choice, online

Despite President Barack Obama’s recent call to reduce the United States’ reliance on **drones**, they **will likely remain his administration’s weapon of choice**. Whereas President George W. Bush oversaw fewer than 50 drone strikes during his tenure, **Obama has signed off on over 400 of them in the last four years, making the program the *centerpiece* of U.S. counterterrorism strategy**. **The drones have done their job remarkably well: by killing key leaders and denying terrorists sanctuaries in Pakistan, Yemen, and**, to a lesser degree, **Somalia, drones have devastated al Qaeda and associated anti-American militant groups**. **And they have done so at little financial cost, at no risk to U.S. forces, and with fewer civilian casualties than many alternative methods would have caused**.¶ Critics, however, remain skeptical. They claim that drones kill thousands of innocent civilians, alienate allied governments, anger foreign publics, illegally target Americans, and set a dangerous precedent that irresponsible governments will abuse. Some of these criticisms are valid; others, less so. In the end, ***drone strikes remain a necessary instrument of counterterrorism***. **The United States simply cannot tolerate terrorist safe havens in remote parts of Pakistan and elsewhere, and drones offer a comparatively low-risk way of targeting these areas while minimizing collateral damage.**

***Extinction***

Robert **Ayson**, July 20**10**, Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington, “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects,” Studies in Conflict & Terrorism, Vol. 33, Issue 7, InformaWorld

A terrorist nuclear attack, and even the use of nuclear weapons in response by the country attacked in the first place, would not necessarily represent the worst of the nuclear worlds imaginable. Indeed, **there are reasons to wonder whether nuclear terrorism should** ever **be regarded as** belonging in the category of truly **existential** threats. A contrast can be drawn here with the global catastrophe that would come from a massive nuclear exchange between two or more of the sovereign states that possess these weapons in significant numbers. Even the worst terrorism that the twenty-first century might bring would fade into insignificance alongside considerations of what a general nuclear war would have wrought in the Cold War period. And it must be admitted that as long as the major nuclear weapons states have hundreds and even thousands of nuclear weapons at their disposal, there is always the possibility of a truly awful nuclear exchange taking place precipitated entirely by state possessors themselves. **But** these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack, and especially **an act of nuclear terrorism, could precipitate a chain of events leading to a *massive exchange of nuclear* weapons between two or more** of the **states** that possess them. In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. It may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, if the act of nuclear terrorism came as a complete surprise, and American officials refused to believe that a terrorist group was fully responsible (or responsible at all) suspicion would shift immediately to state possessors. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list consisting of North Korea, perhaps Iran if its program continues, and possibly Pakistan. But at what stage would Russia and China be definitely ruled out in this high stakes game of nuclear Cluedo? In particular, if the act of nuclear terrorism occurred against a backdrop of existing tension in Washington’s relations with Russia and/or China, and at a time when threats had already been traded between these major powers, would officials and political leaders not be tempted to assume the worst? Of course, the chances of this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war, as unlikely as these developments may seem at the present time. The reverse might well apply too: should a nuclear terrorist attack occur in Russia or China during a period of heightened tension or even limited conflict with the United States, could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack? **Washington’s early response to a terrorist nuclear attack** on its own soil might also **raise the possibility of an unwanted** (and **nuclear** aided) **confrontation** with Russia and/or China. For example**, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, the U.S. president might be expected to place the country’s armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality**, it is just possible that **Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use** force (and possibly **nuclear force) against them. In that situation, the *temptations to preempt* such actions might grow,** although it must be admitted that any preemption would probably still meet with a devastating response. As part of its initial response to the act of nuclear terrorism (as discussed earlier) Washington might decide to order a significant conventional (or nuclear) retaliatory or disarming attack against the leadership of the terrorist group and/or states seen to support that group. Depending on the identity and especially the location of these targets, Russia and/or China might interpret such action as being far too close for their comfort, and potentially as an infringement on their spheres of influence and even on their sovereignty. One far-fetched but perhaps not impossible scenario might stem from a judgment in Washington that some of the main aiders and abetters of the terrorist action resided somewhere such as Chechnya, perhaps in connection with what Allison claims is the “Chechen insurgents’ … long-standing interest in all things nuclear.”42 American pressure on that part of the world would almost certainly raise alarms in Moscow that might require a degree of advanced consultation from Washington that the latter found itself unable or unwilling to provide. There is also the question of how other nuclear-armed states respond to the act of nuclear terrorism on another member of that special club. It could reasonably be expected that following a nuclear terrorist attack on the United States, both Russia and China would extend immediate sympathy and support to Washington and would work alongside the United States in the Security Council. But there is just a chance, albeit a slim one, where the support of Russia and/or China is less automatic in some cases than in others. For example, what would happen if the United States wished to discuss its right to retaliate against groups based in their territory? If, for some reason, Washington found the responses of Russia and China deeply underwhelming, (neither “for us or against us”) might it also suspect that they secretly were in cahoots with the group, increasing (again perhaps ever so slightly) the chances of a major exchange. If the terrorist group had some connections to groups in Russia and China, or existed in areas of the world over which Russia and China held sway, and if Washington felt that Moscow or Beijing were placing a curiously modest level of pressure on them, what conclusions might it then draw about their culpability? If Washington decided to use, or decided to threaten the use of, nuclear weapons, the responses of Russia and China would be crucial to the chances of avoiding a more serious nuclear exchange. They might surmise, for example, that while the act of nuclear terrorism was especially heinous and demanded a strong response, the response simply had to remain below the nuclear threshold. It would be one thing for a non-state actor to have broken the nuclear use taboo, but an entirely different thing for a state actor, and indeed the leading state in the international system, to do so. If Russia and China felt sufficiently strongly about that prospect, there is then the question of what options would lie open to them to dissuade the United States from such action: and as has been seen over the last several decades, the central dissuader of the use of nuclear weapons by states has been the threat of nuclear retaliation. If some readers find this simply too fanciful, and perhaps even offensive to contemplate, it may be informative to reverse the tables. Russia, which possesses an arsenal of thousands of nuclear warheads and that has been one of the two most important trustees of the non-use taboo, is subjected to an attack of nuclear terrorism. In response, Moscow places its nuclear forces very visibly on a higher state of alert and declares that it is considering the use of nuclear retaliation against the group and any of its state supporters. How would Washington view such a possibility? Would it really be keen to support Russia’s use of nuclear weapons, including outside Russia’s traditional sphere of influence? And if not, which seems quite plausible, what options would Washington have to communicate that displeasure? If China had been the victim of the nuclear terrorism and seemed likely to retaliate in kind, would the United States and Russia be happy to sit back and let this occur? **In the charged atmosphere immediately after a nuclear terrorist attack, how would the attacked country respond to pressure from other major nuclear powers not to respond in kind? The phrase “how dare they tell us what to do” immediately springs to mind. Some might** even go so far as to **interpret** this **concern as a tacit form of** sympathy or **support for the terrorists. This might not help** the chances of **nuclear restraint**.

**case**

***Rage politics shuts down clash and discourse***

**Kingwell 11**, University of Toronto, Kingwell, Mark. “‘Fuck You’ and Other Salutations: Incivility as A Collective Action Problem”, Civility in Politics and Education. Éds. Deborah Mower et Wade L. Robison. New York: Routledge, 2011. jj

That is, if nothing else, an elegant piece of dialectical reasoning. Rudeness now! ¶ The only trouble is that, though passion may sometimes fuel good change, rage is a ¶ distinct modality of human conduct. ***Rage and politics really should be separated, or*** ¶ ***there will be no such thing as discourse, just shouting***. **Even anarchists demonstrate this**¶ —**otherwise they wouldn’t bother penning manifestos that make studied factual claims** ¶ **and offer rational arguments**. (The calm, scholarly tone of The Coming Insurrection, with ¶ its reasoned demands to destroy families and even couples—“the utopia of autism-fortwo”—is ironically hilarious, possibly by design.) But the argument for civility based ¶ on the presuppositions of discourse is valid only if already we accept, however tacitly, ¶ those presuppositions. And clearly many people do not. So what, if anything, can we ¶ say to them?¶ Consider the theoretically minimalist possibility that **incivility is nothing except a** ¶ **species of collective action problem. A collective action problem is generated whenever** ¶ **a situation’s rational opportunities at the individual level generate, at the systemic level**, ¶ **outcomes that are bad for everybody**. Take, as an all-too-familiar example, statusseeking via acquisition of name-brand consumer goods. As we compete for this ¶ positional good, we accrue mounting opportunity costs; moreover, every move to ¶ advance my position creates a new incentive for you to invest more in order to pursue ¶ the motive good, which is the status and not the shoes themselves. Because this good ¶ functions by position, there is no theoretical upper limit to the ratcheted spending of ¶ our competition. We can’t win for losing. We all end up poorer—except for the shoe ¶ manufacturers.¶ These competitive-consumption race to the bottom and tragedy of the commons ¶ have been much analyzed for their prisoner’s-dilemma-style paradoxes, investigating ¶ how and when the exercise of rational self-interest generates system-wide defeats that ¶ leave everybody worse off. It is now amply clear that individual rationality in the form ¶ of proﬁt-seeking, amped by greed, cleverness and forms of derivatives that even their ¶ ardent traders did not fully understand, led to the collective self-defeat we know as the ¶ economic meltdown of 2008—though this says nothing about the uneven distribution of ¶ the costs of that meltdown, in which the greediest ended up losing the least. But ¶ **relatively little attention has been given to discursive versions of collective action** ¶ **problems,** perhaps because we assume that discursive transparency—unlike ¶ competitive dilemmas, we know what the other is going to do. This assumption is false, ¶ though. **Discourse, no less than consumption, has positional and hence competitive** ¶ **aspects. Indeed, winning the argument—or rather, being seen to win it—is the essence** ¶ **of many discursive exchanges**.¶ **The philosophical defence here has always been that some arguments just are** ¶ **better than others, and so they carry the day justiﬁably, not just** factually. Which may be ¶ true in some idealized sense, though there are certainly people who would doubt even ¶ the idealized claim. ***The trouble is that there are still lots of ways that the worse***¶ ***argument can win factually, and incivility is one of these***. **So I have a clear incentive to** ¶ **resort to it, especially if my argument is weak. You jackass**. Now, however, you have an ¶ incentive of your own. In fact, **merely repeating the incivility would only return us to** ¶ **position one, so you actually have an incentive to raise the rudeness stakes**. **Where do** ¶ **you get off calling me a jackass, you moron?**¶ **Rising incivility is thus like other forms of competition over position. Rudeness** ¶ **is parasitic on civil talk, because only by contrast to that talk does it achieve its** ¶ **argumentative advantage. Now it becomes rational—it makes sense, from the** ¶ **perspective of maximizing expected utility—for me to adopt the same tactical** ¶ **advantage in pursuit of victory**. **But as soon as I do, I give you a reason to adopt and** ¶ **exceed my rudeness. Which then gives me further reason to go farther. And so on. The** ¶ **result is that the goal we sought, carrying the discursive day, has been obliterated**. ¶ **Nobody can win now, because the well is poisoned; it no longer contains the fresh** ¶ **justiﬁcatory water that drew us here in the ﬁrst place**.¶ **So much for Locke’s reason-plus-civility, not to mention what Habermas labeled** ¶ “**the unforced force of the better argument**,” that fanciful lode star of rational discourse. ¶ **Even Mill’s “marketplace of ideas,”** **where good arguments are supposed to emerge as** ¶ **evolutionary winners, has a hard time surviving the rigours of real life.** In actual ¶ discursive markets, bad money tends to drive out good, not the other way around. ¶ **Birthers and Tea-partyers can effectively cloud the truth by ﬂooding the market with** ¶ **misinformation, the discursive equivalent of shoddy but cheap merchandise; and** ¶ **corporate donations to election war-chests are effectively limitless**, especially given the ¶ recent ﬁve-four United States Supreme Court decision, skewing the electoral process in ¶ favour of their interests. In Citizens United v. Federal Election Commission, decided in ¶ January 2010, the Court held that restrictions on independent corporate expenditures in ¶ political campaigns, as opposed to direct political contributions, are unconstitutional ¶ restrictions on the freedom of speech.¶ This decision at once inhibits democracy by quantifying (and then hiking) the ¶ opportunity costs of participation, even as it reduces the idea of such participation to ¶ money itself. Corporations have been granted some of the rights of citizens in ¶ American law for some decades. But this decision does more than extend such rights. ¶ By means of a spectral metaphysics of plutocracy, it effectively delivers the electoral ¶ process over to the moneyed interests whose pools of capital are now instantly ¶ transformed into pools of inﬂuence. As one critic of the decision noted: “Much of the ¶ judicial literature on the subject, including Justice Anthony Kennedy’s majority opinion ¶ in Citizens United, simply substitutes the words ‘speech’ and ‘speak’ for the words ¶ ‘spend’ and ‘buy’.”¶ Amazingly—amazing, that is, only if you have not been paying attention to the ¶ outraged sense of grievance typical of the Wall Street lobbies—the Court’s majority ¶ decision saw nothing dangerous in the transformation. Justice Kennedy had argued ¶ that “it is well understood that a substantial and legitimate reason, if not the only ¶ reason, to a cast a vote for, or to make a contribution to, one candidate over another is ¶ that the candidate will respond by producing those political outcomes the supporter ¶ favors. Democracy is premised on responsiveness.” He then went further, tipping the ¶ decision into the realm of sick fantasy: “The appearance of inﬂuence or access, ¶ furthermore, will not cause the electorate to lost faith in our democracy.” Will not? It ¶ will not? This last is a sentence one must read several times to be sure it is not the result ¶ of an editing gaffe. (The dissenters were wry, if ineffective, in their objections: “While ¶ American democracy is imperfect,” Justice John Paul Stevens wrote in his minority ¶ decision, “few outside the majority of this Court would have thought its ﬂaws included ¶ a dearth of corporate money in politics.”)¶ All the while, in every jurisdiction and most vividly in that public sphere beyond ¶ all jurisdiction we know as the virtual, there is widespread deindividuation—adopting ¶ an online nickname, for example, or hiding behind a political action committee so that uncivil moves can be made with impunity—that tends to exacerbate the general ¶ damage by snapping the bonds of personal responsibility for what people say. It is a ¶ small irony of the digital world that Rawls’s ‘veil of ignorance’, behind which imagined ¶ anonymous citizens rationally choose fair principles of justice, has been actualized in ¶ the real world as the get-out-jail-free card of nameless ﬂaming. Under extreme ¶ conditions, the instrumental rationality that dominates current discursive spaces issues ¶ the general imperative, familiar from less salubrious realms such as public-house ¶ violence, of instant escalation. That is, **when there is no rational curb on the swapping of** ¶ **rising incivilities, it makes strategic sense to take your game to maximum on the ﬁrst** ¶ **move**. In my title’s parodic terms, **Fuck you becomes the salutation of choice, even if it** ¶ **eviscerates the possibilities of the discursive space at the outset**.¶ **The argument I am offering here is the oppositely-charged companion to the** ¶ **traditional one of moral sentiment. In short, instead of (or in addition to) saying that** ¶ **civility is a good thing for a pluralistic society, respecting difference and disagreement**, ¶ we **can say just why incivility is a bad one along the lines of thought established by** ¶ **realist-liberal Hobbesianism, where minimal self-interest is considered adequate to** ¶ **generate and legitimate a political modus vivendi, without appeal to metaphysical or** ¶ **otherwise non-political motives for cooperation**. And that reason is simple: ***incivility is*** ¶ ***self-defeating***. Ultimately, **all recourse to advantage via incivility work against** ¶ **everyone’s individual interests, including the individual who made the ﬁrst noncooperative move.** ***Being rude might look like a good discursive tactic in the short run***, ¶ ***but sooner or later it is revealed as a loser’s move because it destroys the goods we*** ¶ ***sought to gain in the ﬁrst place.***

# 2nc

## Theory

### 2nc ov

***First is testing --- that’s O’Donnell- by negating clash their framework prevents investigating whether their method is effective --- this turns all their arguments --- only rigorous testing can improve their method --- err negative because we cant refute the aff absent a stable text. Everybody in this room is in agreement that \_\_\_\_ is bad, so the purpose of debate should be to find the best solutions to that problem --- the aff’s refusal to defend a material action prevents this***

**Ehninger ’59** Douglas Ehninger – PhD – THE Ohio State, Associate Professor of Speech at the University of Florida, associate editor of QJS, former editor of the Southern Speech Journal, and editor-elect of SM, “DECISION BY DEBATE: A RE-EXAMINATION”, Quarterly Journal of Speech; Oct59, Vol. 45 Issue 3, p282, 6p, 286-287, online, jj

Because the purpose of debate is to test alternative means of achieving a common end, **the proposition** advanced in a debate is not, as some suppose, a fixed and unalterable conclusion or “outcome of thought.” Instead, it **is a close relative of the scientist’s “hypothesis**.” **The debate itself** is not a process of intentional analysis and reasoning aimed at the confirmation of a prior premise. It **is a “rational elaboration” of the hypothesis that is offered---a care-ful tracing out of its implications as a means of estimating its validity or worth.**

Without some conflict of ideas in the sense of examining or testing, no intellectual life would be possible. **The very notion of “truth**,” embodying, as it does, the correlative notion of “false-ness,” **implies selection and rejection**, choice and avoidance, **the acceptance of one alternative and the consequent discarding of another**. **Even the most self-evidence of propositions**---the wetness of water, the greenness of grass, the inevitability of death and taxes---**imply the rejection of their contraries. To this extent at least they are the end products of conflict, with its inevitable elements of victory and defeat.**

The important question about con-flict in any intellectual process is not its presence or absence. Present it must be if any constructive thought or deliberation is to occur. What we must always ask is this: On what level does the conflict take place? What end does it serve? In what spirit is it conducted?

**So far as debate is concerned**, our answers are these: **Conflict occurs on the level of means, and in the service of ends**. **It used for constructive, not destructive purposes**. And it is conducted in a critical fashion because it is articulated by a self-regulative method. While conflict is present in debate, as it must be in all intellectual activity, it constitutes only a sub-movement within the broader framework of a co-operative enterprise. As a result of conflict the preferred decision emerges at once chastened and strengthened by the measure of truth that resides in its rejected opposite, for in debate that measure of truth is presented in a way that compels full attention to its claim. “**~~He~~** that wrestles with us,” said Edmund Burke, “strengthens our nerves and sharpens our skill. Our antagonist is our helper.” To call debated a species of conflict is, in short, to confuse the part with the whole---to mistake the role of the participant for the method itself. Debate, considered as a generic mode of deliberation, is, we must conclude, a co-operative endeavor.

***This is distinct from limits and link turns their pedagogy --- when the Aff eschews advocating any action or presenting a stasis point, the Neg’s less-effective at challenging Aff claims.***

Clash good --- negotiated Stasis is pre-req to knowledge. Without a predictable basis for research, clash is shallow and doesn’t genuinely test the truth value of their arguments — this undermines the epistemic benefits of debate and means you should be suspect of all of their claims because we couldn’t adequately refute them

**Zappen ’4**

(James, Prof. Language and Literature – Rensselaer Polytechnic Institute, "The Rebirth of Dialogue: Bakhtin, Socrates, and the Rhetorical Tradition", p. 35-36)

Finally, Bakhtin describes the Socratic dialogue as a carnivalesque debate between opposing points of view, with a ritualistic crownings and decrownings of opponents. **I call this Socratic form of debate a contesting of ideas to capture the double meaning of the Socratic debate as both a mutual testing of oneself and others and a contesting or challenging of others' ideas and their lives**. Brickhouse and Smith explain that **Socrates' testing of ideas and people is a mutual testing not only of others but also of himself:** Socrates claims that he has been commanded by the god to examine himself as well as others; he claims that the unexamined life is not worth living; and, since he rarely submits to questioning himself, "**it must be that in the process of examining others Socrates regards himself as examining his own life, too**." **Such a mutual testing of ideas provides the only claim to knowledge that Socrates can have: since neither he nor anyone else knows the real definitions of things, he cannot claim to have any knowledge of his own; since, however, he subjects his beliefs to repeated testing, he can claim to have that limited human knowledge supported by the "inductive evidence" of "previous elenctic examinations**." **This mutual testing of ideas** and people is evident in the Laches and also appears in the Gorgias in Socrates' testing of his own belief that courage **is inseparable from the other virtues and in his willingness to submit his belief and indeed his life to the ultimate test of divine judgment, in what Bakhtin calls a dialogue on the threshold**. The contesting or challenging of others' ideas and their lives and their ritualistic crowning/decrowning is evident in the Gorgias in Soocrates' successive refutations and humiliations of Gorgias, Polus, and Callicles.

### A2: We Solve Clash

#### Just discussing the topic is insufficient—they must present a concrete stasis point in order for meaningful clash to occur

Panetta 10 (Panetta, Edward M., PhD and debate director at the University of Georgia, published 2010“Controversies in Debate Pedagogy: Working Paper”, Navigating Opportunity: Policy Debate in the 21st Century, Wake Forest National Debate Conference)

For adherents to the traditional mode of debate, when one retreats from grounding stasis in the annual proposition, there are two predicted intellectual justifications that surface. First, there is the claim that the existence of a resolution (without substantive content) and time limits is enough of a point of departure to allow for a debate. For traditionalists, this move seems to reduce the existing stasis to the point that it has no real meaning. How does the resolution mold the argument choices of students when one team refuses to acknowledge the argumentative foundation embedded in the sentence? What educational benefit is associated with the articulation of a two-hour and forty-five minute limit for a debate and decision where there is not an agreed point of departure for the initiation of the debate? Second, advocates of moving away from a resolution-based point of stasis contend that valuable arguments do take place. Yes, but that argumentation does not meet some of the core assumptions of a debate for someone who believes that treatment of a stated proposition is a defining element of debate. Participants in a debate need to have some type of loosely shared agreement to focus the clash of arguments in a round of debate. Adherence to this approach does not necessarily call for the rejection of innovative approaches, including the use of individual narratives as a form of support or the metaphorical endorsement of the proposition. This perspective on contest debate does, however, require participants to make an effort to relate a rhetorical strategy to the national topic.

**A2: Forcing Us to Defend USFG Bad**

***2) No link—our claim is not that you should assume the identity of your oppressor or cast aside subjectivity. The resolution requires a normative stance because both sides can contest and prepare multiple perspectives in advance. There's a fundamental difference between claiming something should change and roleplaying.***

***We do not link to “role-playing bad” - The affirmative does not “role-play” as the United States federal government and we do not cede our agency to the state because we defend fiat***

***We will define fiat here - It is tool to allow debaters to imagine a world where the plan is enacted for the purpose of evaluating if we as citizens should support it – It would be impossible and irresponsible for debate to function any other way***

Michael **Eber**, former Director of Debate at Michigan State University, “Everyone Uses Fiat”, April 8th 20**05**, http://www.opensubscriber.com/message/edebate@ndtceda.com/1077700.html

**It is shocking to me how**, after literally a DECADE of debates, **no one seems to understand *what the hell fiat is***. **Policy teams foolishly defend "role playing" even though *they do not role play*.** And critique teams reject fiat even though almost every single K alternative relies on a utopian imaginary that necessitates a greater degree of fiat than the reformist Aff. **Debate is about *opinion formation, not role-playing. Affirmative policy teams do not pretend to BE the federal government. They merely IMAGINE the consequences of the government enacting the plan as a means of determining whether it SHOULD be done***. **All fiat represents is the step of imagining hypothetical enactment of the plan as an intellectual tool for deciding whether WE should endorse it.** "**How should we determine whether or not to ENDORSE lifting sanctions on Cuba?**" "**Well, what would happen if the government did that**?" "**Let's** ***IMAGINE*** **a world where sanctions are lifted**. **What would that world look like? Would it be better than the status quo**?" "Is that world better than competitive alternatives?" ***This conversation does NOT posit the discussants AS the federal government. They do not switch identities and act like Condaleeza*** and Rummy. ***They do not give up the agency to decide something for themselves - the whole point is simply to use the imagination of fiat to determine OUR OPINION.*** "**I think sanctions should be removed [by the government] because IT IS A GOOD IDEA. It would save lives**." "I think sanctions should not be removed because that policy would help Castro and make things worse" ***It is nonsensical to*** simultaneously ***say "Aff = fiat = bad"*** and then defend alternatives that are only coherent/debatable/endorsable BY USING THE IMAGINITIVE TOOL OF FIAT. "Our alternative is revolution against capitalism" "Why do that? How should we determine whether or not to ENDORSE revolution against capitalism?" "Well, what would happen if we did that?" "Let's IMAGINE a world of revolution against capitalism [or us demanding revolution, or whatever]. Would that be a good thing?" ***It is NEARLY IMPOSSIBLE, and certainly irresponsible, to have a debate about whether to reject capitalism without imagining what would happen if we did***. It is also incoherent to say something like "we will defend the consequences of our plan, but not fiat." ***The imagination of "what would happen if" IS FIAT.*** If you want to make framework debates better, then never again utter the stupid phrases "pre-fiat" and "post-fiat."

**\*\*\*A2: Exclusion – General**

#### We’re not policing -

#### No risk of exclusion --- debate gives all debaters equal ontological status and agency --- our framework does not exclude any particular speaker or any particular style of speaking --- it just creates a stasis point in terms of content that’s a pre-requisite to effective deliberation --- link turning this evidence.

***Debate is self-reflexive and self-correcting --- it allows the very terms and shortfalls of debate itself to be scrutinized --- your debate bad arguments prove why debate is good***

Debate is self-correcting—even if it is exclusionary, it trains people in the tools to change the process and fight domination

**STANNARD,** PF COMMUNICATION AND JOURNALISM, **6**

[MATT, “DELIBERATION, DEMOCRACY AND DEBATE”, legalcommunication.blogspot.com/2006/08/deliberation-debate-and-democracy-in.html

Sometimes this means conducting deliberative polls or favoring the referendum process. Other times it means making the political process more transparent, such as favoring open-door meetings and the like. Now, many people make pretty good arguments as to the imperfections of these policies. The referendum process can be co-opted, bought out; sometimes even openness is antithetical to transparency, since cynical politicians can take advantage of openness for their own publicity, and sometimes people need to deliberate in private.¶ But the great thing about deliberation as a commitment is that these criticisms can become part of the overall process of deliberative democracy. In a world where interested parties have the opportunity to speak and **debate in good faith**, we can criticize the referendum process, or explain why we can’t always have open meetings. We can **debate the rules themselves**, in other words, **debate the process itself.** ¶All of this suggests that, if deliberative ethics are an antidote to both authoritarianism and self-centeredness, we need more: ***More debate teams***, ***more public discussion***, more patient deliberation, more argument, more discourse, and more nurturing and promotion of the material entities that sustain them.¶ Some of the most articulate criticisms of competitive, switch-side academic debate come from the **debate community itself.** These criticisms have lately centered on things like the specialized and esoteric practices of debate, the under-representation of minorities in the activity, and the way in which debate practices feed, rather than fight, structures of domination. In other words, internal criticism of academic debate is very much like internal criticisms of the Academy in general: We’re too specialized, we’re too white, and we’re exploited by hegemonic institutions. All of these criticisms are true, and **yet, paradoxically, it is our experience in debate,** along with our experience in the critical thinking of university education, that ***teaches us how to articulate these arguments***. The deliberative process is ***self-reflective* and at least has the *potential to be self-correcting*.**

## Cult

### Ov

#### rejection of the state and political relevance will collapse into authoritarianism and racism.

Hogan ‘7

(Michael, Honorary Associate of Government and International Relations, University of Sydney, Australian Review of Public Affairs, Vol. 8, No. 1, August, p. 5-6)

The issues of ethnicity and concern for economic security came together in one of the ¶ most destructive tendencies of the 1920s and 1930s—the rise of anti-Semitism. Why is the economy in chaos? Blame the Jews. Again, this was a fundamentally anti-political ¶ ideology. Effective liberal politics seeks to find solutions that will protect the rights of ¶ minorities, while anti-politics too often seeks solutions by finding someone to blame ¶ and looking for conspiracies. That is part of the attraction of an authoritarian regime; ¶ only a dictator (so the popular thinking goes) can punish the culprits and root out the ¶ conspiracies which have infiltrated the institutions of democracy and capitalism.

#### The impact is extinction --- the presidency operates at the intersection of all major governmental issues and is the nexus point through which all politics flows --- only policy-relevant discussion of it can help us to influence the government’s approach to things like terrorism, democracy, human rights and the environment. That’s Walt & Jacobs.

#### Turns their audio clip which talks about the necessity of exposing Western secular hypocrisy – Mellor says that’s only possible if we learn the language of experts and war makers – they control the linguistic frame so engaging in their rhetoric is key. Proves mutually exclusivity and link – language of revolt

### 2NC – Accountability

#### We turn the case --- extend Fisher --- only by educating college students on the pros and cons of the unitary executive can we effectively engage and restrict the presidency --- an enlightened public is crucial.

#### Student debate about war powers is critical to overall American Political Development---influences the durable shifts in checks and balances

Dominguez and Thoren 10 Casey BK, Department of Political Science and IR at the University of San Diego and Kim, University of San Diego, Paper prepared for the Annual Meeting of the Western Political Science Association, San Francisco, California, April 1-3, 2010, “The Evolution of Presidential Authority in War Powers”, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1580395>

Students of American institutions should naturally be interested in the relationships between the president and Congress. However, the evolution of war powers falls into a category of inquiry that is important not just to studies of the presidency or to students of history, but also to the field of American Political Development. Among Orren and Skowronek’s recommendations for future work in American Political Development, they argue that “shifts in governing authority,” including and especially shifts in the system of checks and balances, “are important in historical inquiry, because they are a constant object of political conflict and they set the conditions for subsequent politics, especially when shifts are durable” (Orren and Skowronek 2004, 139). How an essential constitutional power, that of deploying military force, changed hands from one institution to another over time, would certainly seem to qualify as a durable shift in governing authority. Cooper and Brady (1981) also recommend that researchers study change over time in Congress’ relations to the other branches of government.

#### We’re a pre-requisite to solving nation building and Islamaphobia

### 2NC – Turns Drones Aff

#### Only policy-relevant discussion of drones can hold the government accountable

Ewan E. Mellor – European University Institute, Political and Social Sciences, Graduate Student , Paper Prepared for BISA Conference 2013, Why policy relevance is a moral necessity: Just war theory, impact, and UAVs, online

The use of unmanned aerial vehicles (UAVs), colloquially known as ‘drones’, has increased significantly in recent years and they are now a key tactic in the war against groups affiliated with al Qaeda. Given the proliferation of the technology and the relatively low cost of drones it is likely that they will continue to play a significant role in future conflicts and will be utilised by a wider variety of states and, potentially, non-state actors.1 Concomitant with the growing use of drones has been growing academic interest in them from lawyers, ethicists, and just war theorists. This paper reviews some of the recent literature on the use of drones and argues that just war theorists have thus far paid insufficient attention to the specific policies for which drones are being used. A brief consideration of these policies and of the implications for just war theory follows. Finally, the paper suggests the need for just war theorists to be closely involved in discussions and assessments of policy and in wider public debate in order to ensure that policy makers are held to account according to the principles of the just war tradition.

### \*2NC – Link / Cult of the Presidency

#### Pragmatic engagement with the presidency is crucial to the success of their advocacy

Milkis & Tichenor ’11, Sidney M. Milkis is the White Burkett Miller Professor of the Department of Politics and Assistant Director for Democracy and Governance Studies at the Miller of Public Affairs at the University of Virginia. His books include: The President and the Parties: The Transformation of the American Party System Since the New Deal (1993); Political Parties and Constitutional Government: Remaking American Democracy (1999); Presidential Greatness (2000), coauthored with Marc Landy; The American Presidency: Origins and Development, 1776–2011 (2011), 6th edition, coauthored with Michael Nelson; and Theodore Roosevelt, the Progressive Party, and the Transformation of American Democracy (2009). smm8e@eservices.virginia.edu¶ Daniel J. Tichenor is Philip H. Knight Professor of Social Science and Senior Faculty Fellow at the Wayne Morse Center for Law and Politics. His book, Dividing Lines: The Politics of Immigration Control in America (Princeton University Press), won the American Political Science Association’s Gladys M. Kammerer Award for the best book in American national policy. His forthcoming books include Faustian Bargains: The Origins and Development of America’s Illegal Immigration Dilemma (University of Michigan Press) and The Oxford Handbook on International Migration (Oxford University Press). [tichenor@uoregon.edu](mailto:tichenor@uoregon.edu), Journal of Policy History, Volume 23, Number 4, 2011, Reform’s Mating Dance: Presidents, Social Movements, and Racial Realignments, Project Muse, online, jj

Presidents and social movements figure prominently in nearly every seismic shift in American political development and policy regimes. Ironically, they also regularly loom as rivals devoted to frustrating each other’s reform agenda, from Andrew Jackson’s open suppression of antislavery mailings in the South to Tea Party mobilizations against Barack Obama’s health-care plan. In this article, we focus on rare but crucial historical moments when the mating dance between these agents of change produced unprecedented breakthroughs in U.S. civil rights policy and race relations. Given the tenacity of racial subjugation in the American past and present, it is little wonder that generations of social scientists and historians have carefully examined the abolition of slavery in the 1860s and the civil rights revolution that dismantled many Jim Crow institutions a century later. Few of these scholars would question that social movements and presidents were pivotal actors during these realignments in racial governance. Yet we know precious little either analytically or empirically about the interactions of the American presidency and social movements or their role in shaping political change in the United States. How and why have collaborations between the presidency and social movements—however fraught and fleeting—proved capable of challenging the nation’s dominant racial structures? In what ways have these tense alliances between presidents and social movements reconfigured the partisan alignments, laws, and administrative structures that were forged on the racial realignments in the 1860s and 1960s? Existing scholarship provides few answers. This is perhaps a reflection of academic specialization. The respective literatures on the presidency and social movements rarely intersect, with [End Page 451] specialists in one field largely unaware of or indifferent to the theoretical insights and research findings of those in the other.

We argue that both presidents and social movements have played leading roles in the development of major legal and policy innovations that recast race relations in the United States. More precisely, the uneasy partnership of these two forces has served as an important catalyst for advancing civil rights reform in key periods of American political development. As much as scholars have devoted scant attention to the relationship between the presidency and social movements, the few works that do probe the subject tend to emphasize the inherent conflict between a centralizing institution tasked with conserving the constitutional order and grass-roots associations dedicated to structural change.1 Even presidents with large reform ambition have had to keep some distance from social movements and causes so as to avoid alienating the support necessary to secure a national consensus for their programs; at the same time, political insurgents have viewed alliances with presidents as a threat to their dedication to values that pose severe challenges to core American principles.2 There is a hint of caricature here, with presidents cast as regularly indifferent, resistant, or openly repressive toward insurgent causes and social movements deemed too hamstrung by radical visions or noninstitutionalized tactics to engage effectively in the art of political compromise. In this article, we take stock of the conflicts and rivalries between these political actors, but we also want to reach beyond them to focus on key moments of American political development when executives and insurgents have needed each other. Presidents sometimes find themselves at the center of national crises where conserving the Constitution requires a redefinition of the social contract. Social activists sometimes seek to secure the rights of the dispossessed and to advance moral causes not merely by opposing the existing order of things but through a principled commitment to reconstituting it. Both presidents and social movements have the potential to be important agents of change during critical junctures of American political history, albeit typically from very different vantage points.

To grasp the tense yet essential relationship that sometimes has joined presidents and social movements, we consider it crucial to develop an analytical framework that emphasizes neither executive power nor insurgency but, rather, the fascinating interplay between them. In particular, our aim is to illuminate the dynamics that sometimes allow presidents and social movements to come together and to achieve critical breakthroughs and enduring reform. Equally important, it is necessary to specify the political, legal, and [End Page 452] administrative legacies of these breakthroughs over time. We seek to lay the groundwork for such analysis by considering three dynamics over time: (1) the agency of presidents with broad authority to exercise power and to pursue ambitious policy change, (2) the leverage of social movements with the capacity to employ both conventional and disruptive political tactics, and (3) the mediating role played by party politics, Congress, and national administration. We explore these institutional factors in two cases that offer useful variation, both on the dynamics of reform breakthroughs and on the administrative and political legacies of these innovations: Abraham Lincoln’s relationship with the Abolitionist movement and Lyndon Johnson’s with the civil rights movement.

Racial politics offers an especially fruitful avenue to explore the executive-social movement nexus. As “a lived experience, a hierarchically ranked social category, and a site of institutional action,” race “can help us transcend the false divide between culture and identity, on the one hand, and institutions and structure on the other.”3 Our approach to race and American political development embraces the charge by Desmond King and Rogers Smith to carefully consider “enduring tensions between and within the nation’s racial orders.”4 But whereas King and Smith’s framework emphasizes the conflict over race in American politics, we train a spotlight on the contentious partnership between executive power and insurgency that has led to important breakthroughs in civil rights. By exploring how the collisions and collaborations of social movements and presidents have influenced race relations and civil rights policy in the United States, we build on earlier work by race, gender, and ethnicity scholars who have sought to explicate the institutional dynamics that sustain invidious discrimination in American political development.5 But our findings point to the productive friction between competing agents of reform and their distinctive political and policy legacies.

Lincoln and the antislavery movement could not have formed an alliance in the service of transformative change if it were not for a major crisis that empowered insurgents and gave the presidency exceptional prerogative power. Yet these conditions that shaped the opportunity structure of the Civil War, although necessary, are not sufficient for an effective executive-activist nexus. Such an uneasy partnership also requires a powerful social movement that can both mobilize grass-roots activists capable of considerable societal disruption and movement pragmatists who can exploit these pressures to lobby effectively for enduring reform. Such was the case with the Abolitionists during the Civil War. To be sure, this fissiparous mixture of interest-oriented organizations and militants was bound to have an uneasy relationship [End Page 453] with the executive office. Nevertheless, presidents who pursue, as Alexander Hamilton put it in Federalist 72, “extensive and arduous enterprises for the public benefit,” may share the same high ideals that social movements champion. For all the tension that sorely tested their relationship, Lincoln and the abolitionists shared a commitment to condemning slavery to ultimate extinction. Moreover, the relationship between Lincoln and the antislavery movement was mediated, and to a point rendered less contentious, by an intensely mobilized and highly decentralized party and a strong Congress. These forces encouraged Lincoln and the abolitionists to form an uneasy alliance that forged a strong Republican coalition and brought formal constitutional reform—the Thirteenth, Fourteenth, and Fifteenth Amendments. And yet, public administration was too decentralized to adequately enforce these reforms. Moreover, executive prerogative was constrained by institutional arrangements and constitutional principles closely associated with the Whig model upon which Lincoln first cut his political teeth. In short, the powerful, decentralized “state of courts and parties” of this era made impractical the expansion of national administration that might ensure the enforcement of the rights embodied by these landmark amendments.6

### A2 no difference between liberals and conservatives

#### a pragmatic approach to anti-blackness is key

**Glaude ‘07**, Eddie S. Glaude Jr., PhD – Professor of Religion and Chair of the Center for African American Studies at Princeton University, In a Shade of Blue: Pragmatism and the Politics of Black America, ebook accessed via Wayne State, pg ix-x

“Knowledge is power,” declared a young African American man attending **the Tavis Smiley Foundation Leadership Institute**. The institute **was founded to train young people between the ages of thirteen and eighteen to become leaders in their communities**. **They learn how to take stock of their strengths and weaknesses, to lay plans and set goals, to communicate effectively and build networks. They also learn how to apply these skills to make successful lives for themselves and, ideally, to bring about change in their communities**. I was able to spend some time with these remarkable young people in the summer of 2006 at Texas Southern University. Cornel West, Tavis Smiley, and I held a town-hall meeting to discuss with them The Covenant with Black America, Smiley’s best-selling book on the current conditions of African Americans, and its relevance to their ambitions as future leaders. The young man who spoke was obviously excited about the occasion, and so were we. He went on to say with profound conviction, “I will do everything in my power to continue to get knowledge.” Another young man stood up and offered a slight correction to his colleague’s impassioned remarks. He said, “I agree with what has just been said, but we should know that ***knowledge without action is useless***. **We must do something with that knowledge**.” The conversation that followed was instructive. Students weighed in on the matter. West and Smiley offered their views. I asked, “**What if we understand knowledge not as separate from doing, but rather as a consequence of it? What if knowledge is simply the fruit of our undertakings?”** To use one of Tavis Smiley’s favorite words, we proceeded to “marinate” for a while on the implications of the relation between how we think and how we act. At one level, my questions had been aimed simply at countering an implicit anti-intellectualism. But what I had also done was to invoke, verbatim, John Dewey’s definition of knowledge as the “fruit of our undertakings.” **In a room full of young people with varied backgrounds and challenges in their lives, we found ourselves thinking with distinctly pragmatic tools about epistemology and how our thoughts about the subject could affect how we seek to change the world.** Why John Dewey in this context? Because I believe that ***the tradition of***¶ ***American pragmatism*** exemplified by Dewey ***offers powerful resources for redefining African American leadership and politics***. This book seeks to make that case. I argue that **pragmatism**, when attentive to the darker dimensions of human living (what we often speak of as the blues), **can address many of the conceptual problems that plague contemporary African American political life**. **How we think about black identity, how we imagine black history, and how we conceive of black agency can be rendered in ways that escape bad racial reasoning— reasoning that assumes a tendentious unity among African Americans simply because they are black, or that shortcircuits imaginative responses to problems confronting actual black people. The relationship I propose between pragmatism and African American politics is** mutually beneficial. Pragmatism must reckon with the blues or remain a stale academic exercise. The blues, of course, are much more than a musical idiom. They constitute, as Albert Murray notes in his classic book on the subject, “a statement about confronting the complexities inherent in the human situation and about improvising or experimenting or riffing or otherwise playing with (or even gambling with) such possibilities as are inherent in the obstacles, the disjunctures, and the jeopardy.” Murray goes on to say, in words that I hope will resonate through the pages that follow, that the blues are “a statement about perseverance and about resilience and thus also about the maintenance of equilibrium despite precarious circumstances and about achieving elegance in the very process of coping with the rudiments of subsistence.” 1 In one sense, **to take up the subject of African American politics is inevitably to take up the blues**. **That is to say, the subject cannot but account for the incredible efforts of ordinary black folk to persevere with elegance and a smile as they confront a world fraught with danger and tragedy**. **To embrace pragmatism is to hold close a fundamental faith in the capacities of ordinary people to transform their circumstances while rejecting hidden and notso-hidden assumptions that would deny them that capacity. To bind pragmatism and African American politics together, I hope to show, is to open up new avenues for thinking about both.**

### A2: Co-Option

#### Benefits of engagement outweigh the risks of co-option

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The relationship between the modern presidency and large-scale social movements, no matter how uneasy, has been a critical dimension of American political development. The two most important cases of presidential-movement collaboration during the past half-century show that these uneasy alliances impose costs on each partner: presidents risk becoming so tied to an ideological cause as to compromise their special commitment to law and national consensus; social activists gamble that their idealistic zeal will be co-opted in forming an alliance with a centralizing, mainstream institution. Nonetheless, during the strife of the sixties, and the final dramatic stages of the Cold War, presidents and social activists deemed these costs acceptable; they calculated that they needed each other to break through the imposing obstacles to change that define the American political system. The cases we have studied make clear that the presidency-social movement nexus is fraught with tension; at the same time, each suggests that collaboration between the White House and social activists was indispensable to the important changes that occurred during the second half of the twentieth century. The tempestuous collaboration between Johnson and civil rights activists led to the enactment of laws and the deployment of national administrative power that breathed new life into the Fourteenth and Fifteenth Amendments and extended the rights revolution to de facto practices that disadvantaged people of color, women, and the disabled. The alliance between a populist conservative and evangelical Christians infused American domestic and foreign policy with moral fervor and gave rise to a more programmatic and polarized party system.

Because the social movements of the 1960s grew out of an unprecedented clash between America's oppositional culture and the modern executive establishment, which presumed to embody its aspirations, Johnson became the focus of the activists' sense of national betrayal (Heclo 1996). And yet, civil rights organizations and the other movements these associations helped inspire-feminists, environmentalists, and consumer advocates-believed they had no recourse but to forge ties with the administrative state. The new public interest movements of the 1970s, Jeffrey Berry has observed, followed from their leaders' desire "to transcend 'movement politics' with organizations that could survive beyond periods of intense emotion" (1984, 28). They championed statutes and court rulings that would make administrative agencies more responsive to social causes than they had been in the past. But participation in administrative politics has exacted a steep price: since the 1960s, as Charles Tilly observes, professional political organizers and centralized reform organizations "have taken an increasingly prominent part in promoting social movements" (2004, 13)·

In recent years, both conservative and liberal activists have taken steps to respond to this criticism. Recognizing that their alliance with Reagan distanced them from rank-and-file supporters who provided foot soldiers and voters who would support their causes, conservative Christians at the end of the 1980s refocused their organizing talents on forming a strong grassroots political movement. Through organizations like the Christian Coalition, which was directed by Ralph Reed, leaders of the religious right emphasized getting conservative evangelicals involved at the local level of the Republican Party, where they were able to have greater influence on future Republican nominees at the state, local, and national level. These localized efforts mobilized new voters, enhanced other forms of participation, such as neighborhood canvassing, and gave Christian activists tremendous influence over GOP nominations and national platforms, especially after the revamped grassroots evangelical organizations were credited with their party's capture of both the House and Senate in the 1994 congressional elections (Haberman 2005, 251-52). The elevation of George W. Bush, saved from alcoholism by a born-again experience and counseled by Morton Blackwell protégé, Karl Rove, firmly established the Christian Right grassroots network as a central part of a national Republican "machine" that successfully deployed a reciprocal top-down and bottom-up campaign strategy in the 2004 election (Milkis and Rhodes 2007). In contrast to the civil rights movement of the 1960s, the Christian Right thus set about from the start to build and remake the party with which they were most closely aligned.

This example would not be lost on progressive candidates and activists intent on revitalizing the Democratic Party. Improving on the innovative techniques that the Bush-Cheney campaign developed in 2004, Barack Obama further refined and greatly expanded the multilayered grassroots campaign that joined his presidential candidacy to party-building. Tellingly, this effort was supported by a network of activist liberal groups, composed of organizations like MoveOn.org, the National Women's Political Caucus, the Service Employees International Union, and the National Council of La Raza, led by activists who have sought both to learn from and counteract the Christian Right's success in mobilizing new voters and lobbying for its causes (Frates 2009).

Significantly, Obama's campaign organization was kept intact after the 2008 election and ensconced in the Democratic National Committee, where the president and key White House advisors, such as David Plouffe, envisaged Organizing for America (OFA) as the grassroots arm of the party. Although OFA, facing an uphill battle amid the controversy aroused by the president's health care bill and the stubborn persistence of the Great Recession, could not fend off a Republican landslide in the 2010 congressional elections, it played a key part in mobilizing support for the administration's Patient Protection and Affordable Care Act and Obama's 2012 reelection campaign (Milkis, Rhodes, and Charnock 2012).41 Representing what might be considered a coming of age of Johnson's Great Society, Obama and his broad network of supporters forged a coalition of minorities, youth, and educated white voters, especially women. In turn, this liberal coalition was strongly countered by insurgent forces that the Reagan presidency empowered, newly energized by the rise of the Tea Party movement, whose followers were determined to hold the GOP accountable to the conservative principles-tax relief, family values, and patriotism-that Reagan and his Christian Right allies had trumpeted.42 The bitter struggle over national health care reform-the holy grail of progressive politics since the New Deal-revealed how the partnerships forged between the White House and social movements during the Johnson and Reagan years had spawned a politics that left the country polarized along ideological and racial lines. While about three-fifths of Hispanics and three-fourths of African Americans who voted in 2012 said they wanted Obama's health care law maintained or even expanded, nearly three-fifths of whites said they wanted it repealed (Brownstein 2012).

At the dawn of the twenty-first century, then, a new politics has emerged that combines executive prerogative, party politics, and social activism. It remains to be seen whether this reconfiguration of the relationship between the presidency and social movements will ameliorate or intensify the alienation and mistrust that the public has expressed for the national government since the late 1960s. But the integration of the national parties and movement politics seems to have contributed to the American public's growing interest and participation in politics during the past decade, as well as to the serious, passionate debate over the war on terror and health care reform. At the same time, as many pundits lament, the polarized politics that currently riles presidential politics and governance might pose a risk to constitutional forms and antagonize an American citizenry that is put off by chronic partisan rancor and policy stalemate. Can presidents and social activists be joined and still retain the distinctive virtues they have traditionally bestowed on the American polity? This is the fundamental question that emerged when these two forces combined roughly 50 years ago, serving as a potent engine of reform and recasting the very character of American politics.

### A2: Bottom Up Good

#### Even if they win bottom up approach is key --- only our education/curriculum makes their movement effective

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There are other views on how to remedy the ineffectiveness of the Declare War Clause. Political Science Professor Peter Irons concludes that only a "slow, incremental grassroots activism that marked the civil rights movement in its struggle against Jim Crow laws" can bring Congress to comply with the Constitution. n521 Prolific analyst Louis Fisher concludes that a reform in education of the young to understand the limits of presidential power can lay a foundation for a change in perceptions concerning the balance of powers between the President and Congress, and that legislators should "participate in the daily grind of overseeing administration policies, passing judgment on them, and behaving as a coequal, independent branch." n522

# 1nr

## Ocular

#### See “paradise”

#### They have no reason why visuals key – all their args about why they aren’t are just reason the floating PIK works – you could even just play the audio of the video clips and that would avoid all of our offense.

#### I think they misunderstood this arg --- we don’t endorse doing the aff secularly --- we just think the same policitcs of the 1ac should be done without the visual aspects --- ie – the 1ac is read the same way, but we aren’t shown videos --- this isn’t an argument about people physically not being able to see, but rather about the way we gaze upon the subject being viewed

#### By submitting the indiviuals that they show, they position the viewer in a dominant mode and commdify the subjects of the videos by making them subjugated by our superior gaze --- its uniquely bad because they are just showing brief clips of tons of stuff --- means they don’t give us any context for the clip because we are not shown the entirety of what the clips comes form --- you should be Skeptical of any arg for why showing the images good – theres no context to understand it --- that’s sisanien and Giroux --- they give the visual power to illuminate the world before the penetrating faze --- this assumes that the subject being seen can be diagnosed and surveyed --- it allows those seeing to assign value and eliminate the undesireable elements

#### All of their args about why visuality is not the sole basis for knowledge are reasons why the PIK is possible

#### Floating PIK is good nad justified since they have no stable text, affs rhetoric is on a level playin feel and we an pick and choose parts of the 1ac

#### Occularcentrism presumes a penetrating vision that can understand and control everything. Every way of being in the world is reduced to a purely instrumental understanding – voting aff just reasserts western metaphysics

Spanos ‘8

(William V, [you would look for quals, you expertist ass], American Exceptionalism in the Age of Globalization: The Specter of Vietnam, SUNY Press 2008, p. 62-64)

Althusser, it will be recalled, begins his analysis of the problematic by asserting that “we must abandon mirror myths of immediate vision and reading, and conceive knowledge as a production”5 (my emphasis). What he is insisting on is that the mind’s eye privileged by classical political economy is no more immune to prejudice than the other senses, that, in fact, it produces “reality,” that knowledge is constructed rather than somehow inherent in phenomena and therefore available to be mimetically disclosed or copied or mirrored or reflected. From the traditional mimetic perspective vis-à-vis inquiry into the truth, what it cannot see is a matter of not having seen what is there yet. This kind of mimetic reading, in other words, is grounded in the principle of correctness and its binary opposite, falseness. **The false is a misinterpretation or misrepresentation of what is there. It is thus subject to correction by way of a visual instrumentality that is not available to the inquirer at the particular moment of inquiry. This is**, of course, what Heidegger identifies as **the traditional metaphysical concept of truth**: adaequatio intellectus et rei (“the correspondence of mind and thing”)—which, as I have shown in chapter 1, has its origins in the Roman translation of the Greek concept of truth, a-letheia (unconcealment) to veritas, an originary into a derivative or calculative—and imperial—mode of inquiry, that reifies time into a visible and graspable object or structure. From Althusser’s secular (antimetaphysical) perspective, on the contrary, what the classical mimetic perspective does not see in its seeing is “the object it produced itself in its operation of knowledge and which did not pre-exist it”: precisely “the production itself, which is identical with the object”(CMP, 24). In its production of “an answer without a question,” it produces “a new question, but unwittingly” (Althusser’s emphasis). This unwitting question or “new problem,” which “is impenetrable for its author”—to which, in other words, his super-visory metaphysical perspective is blind—becomes the point of departure for Althusser’s discussion of the problematic proper: This introduces us to a fact peculiar to the very existence of science [by which he means the pursuit of knowledge in general]: it can only pose problems on the terrain and within the horizon of a definite theoretical structure [the frame of reference inscribed in the mind’s eye], its problematic, which constitutes its absolute and definite condition of possibility, and hence the absolute determination of the forms in which all problems must be posed, at any given moment in the science. (CMP, 25; my emphasis) The problematic, in other words, determines that which constitutes problems. As in Gramsci’s understanding of the discourse of hegemony, anything outside the purview of the problematic is not a problem; it is invisible to the inquiring mind’s eye and its prosthetic instruments. This recognition of the structural essence of the problematic “opens the way to an understanding of the determination of the visible as the visible, and conjointly of the invisible as invisible, and the organic link binding the invisible and the visible” (my emphasis): that which is within and that which is outside the problematic, now understood as a construction, the effects of which are taken to be the truth. That is, the “sighting is no longer the act of an individual subject, endowed with the faculty of ‘vision’ which he exercises either attentively or distractedly”—if attentively, the subject will see everything, if not, he or she will overlook that which is not there. Rather, “the sighting is the act of its structural conditions, it is the relation of immanent reflection between the field of the problematic and its objects and its problems.” What Althusser is saying here is crucial, not only to an understanding of his particular poststructuralist Marxism, but, to anticipate, to Graham Greene’s understanding of Alden Pyle’s American “problematic” (and, beyond that, to the perspective on Vietnam of the American military command, of the planners in the Pentagon, and ultimately of the American public: his inscribed exceptionalist ethos in its contemporary Cold War avatar, which is represented, above all, by Pyle’s avid commitment to the truth of the books on American foreign policy in the East written by the American area expert York Harding). In the world of the bourgeois capitalist dispensation it is not, as it is insistently claimed against totalitarian societies (their collectivism), the free individual—the subject—who is the agent of the truth. The individual, without knowing it, is spoken for, is ventriloquized, by the discourse of the dominant culture: his or her vision and its truth are determined by the problematic, what Gramsci calls the discourse of hegemony, Foucault, the “rules of discursive formation,” and Said, “the textual attitude”6: “The sighting is the act of its structural conditions.” What counts as the truth are those objects and problems (or questions) that the problematic appropriates, incorporates, or accommodates, makes its own; everything outside its proper structural space does not properly belong to the problematic, are not problems, that is, have no being, are, so to speak, nothing. From this analytical perspective, “it is literally no longer the eye (the mind’s eye) of a subject which sees what exists in the field defined by a theoretical problematic: it is this field itself which sees itself in the objects or problems it defines—sighting being merely the necessary reflection of the field on its objects” (CMP, 25). At this point, in an ontologically revolutionary move that has yet to be noticed—one recalling Heidegger’s invocation of the “nothing that science [metaphysics in its modern, anthropological, phase] will have nothing to do with”7—Althusser invokes the necessary binary opposite of the privileged visible: the invisible. It is the field of the problematic that defines and structures the invisible as the defined excluded, excluded from the field of visibility and defined as excluded by the existence and peculiar structure of the field of the problematic; as what forbids and represses the reflection of the field on its objects. . . . They are invisible because they are rejected in principle, repressed from the field of the visible: and that is why their fleeting presence in the field when it does occur (in very peculiar and symptomatic circumstances) goes unperceived. (CMP, 26) By means of this symptomatic reading of the liberal capitalist problematic, the invisible other of—that belongs to—vision becomes “visible,” not only at the site of ontology, but all along the continuum of being: from the “nothing” of metaphysical perception through the reified earth to the various classes of beings (not only the laborers that Althusser overdetermines, but also women, racial and ethnic minorities, gays, and the peoples of the Third World), who have been violently reduced, both ideologically and corporeally, to nonbeing by the “benign” polyvalent binary visualist logic of the liberal capitalist problematic. Indeed, this visibility of the polyvalent invisible becomes the spectral “shadow” that haunts the light of the imperial truth and practice of liberal capitalist modernity. If we recall his overdetermination of culture in his critique and revision of the orthodox Marxist base/superstructure model in “Ideology and Ideological State Apparatuses,” we might say that Althusser’s symptomatic reading of the problematic constitutes the definitive critique, not simply of the classical capitalist economics of Adam Smith and David Ricardo, but also of the cultural and sociopolitical discourse of those modern classical humanists, British and American, whose “disinterested” visualist inquiry was epitomized by the latent violence inhering in Matthew Arnold’s privileging of “culture” over “anarchy.”8

## Drone k

### 2nc

#### Drones solve terrorism --- extend Byman --- they remove leaders and deny sanctuary in Pakistan, Afghanistan, Yemen, and Somalia --- they’re the least worst option and vital to our counter-terror efforts. The impact’s extinction --- that’s Ayson --- terrorism causes miscalculation via rising alert levels that draws in great powers and culminates in extinction

#### They have to answer our drones good arguments and defend a practical alternative --- extend Issacharoff & Pildes --- don’t allow them to side-step this or be vague and utopian about how we would conduct warfare in the world of the aff --- Blanket critiques of targeted killings and drones are politically counterproductive --- the aff has a moral obligation to offer a practical alternative to drones, since states will inevitably try to protect their citizens. Policy-makers will inevitably try to fight terror, its just a question of what tools are considered socially acceptable --- the aff might reduce reliance on drones, but if we win they increase reliance on worse methods you should vote neg.

#### They say morals must be objective --- morality is inherently subjective because they differ from person to person --- we can have subjective morality based on little t truth claims

#### Prefer a consequentialist perspective when evaluating the desirability of targeted killings --- they are necessary evil

Chiese & Greenawalt ’12, Luis E. Chiesa\* and Alexander K.A. Greenawalt\*\*, \* Associate Professor of Law, Pace University School of Law. \*\* Associate Professor of Law, Pace University School of Law, Summer, 2012, Washington & Lee Law Review, 69 Wash & Lee L. Rev. 1371, Beyond War: Bin Laden, Escobar, and the Justification of Targeted Killing, Lexis, jj

E. Targeted Killings as Necessity or Lesser Evils

Perhaps some targeted killings can be justified as cases of necessity or lesser evils. Under the Model Penal Code, an actor is entitled to a lesser-evils or necessity justification if she inflicts an evil in order to prevent an even greater evil. n214 Thus, the person [\*1432] who breaks a car window without the owner's consent in order to save a child who is suffocating inside the car acts justifiably pursuant to the lesser-evils defense. Although her conduct nominally satisfies the elements of the offense of criminal mischief, n215 it is not considered wrongful because the evil prevented by the act (the death of a child) is greater than the evil inflicted (damage to the property). Similarly, it could be argued that killing the targeted individual may sometimes be justified because doing so prevents the occurrence of some greater harm. Perhaps, for example, by killing the target, one can foil the target's plot to bomb a residential building. Doing so would save dozens or hundreds of people by killing one. Although it is controversial whether one can ever kill a person in order to save other people in circumstances other than self-defense or law-enforcement authority, n216 many have argued that such killings ought to be justified if the amount of people saved by the conduct is considerable.

Fernando Teson has recently defended some targeted killings by appealing to a logic similar to the one undergirding the lesser-evils justification. n217 More specifically, he argues that it might sometimes be justified to engage in the targeted killing of an evil [\*1433] ruler or a terrorist if doing so prevents him from killing hundreds or thousands of people. n218 It is important to note that Teson's proposal justifies the targeted killing only if engaging in such tactics is the only way to prevent the en masse killing of human beings. n219 According to Teson, this means that, in the sui generis context of terrorism, "the state reasonably knows that acting now may be its only chance to avert a terrorist strike." n220

### \*Ext – drones good

#### Targeted killings are ethical and effective --- extend Issacharoff, chieese, Pildes, and Anderson --- they enhance the morality of warfare by allowing us to discriminate between high-level, low-level figures, and civilians.

#### Their kritiks of detachment are the same recycled arguments people used to oppose things like sling shots, sniper rifles, and the Red Cross, which have made warfare more humane.

#### Their ev romanticizes past methods of war, while ignoring that is precisely the detached nature of drone operators that allows than to be more precise than scared 21 year-olds using machine guns to attack a vaguely identified threat. Detachment and remoteness enable precision that prevents civilian casualties while combating insurgents

#### Drones should be recognized as the most ethical weapon to date --- putting distance between combatants and the battlefield is good --- all their K’s miss the fact that drones don’t present any unique ethical issues

Brooks ’12, Rosa Brooks is a law professor at Georgetown University and a Schwartz senior fellow at the New America Foundation. She served as a counselor to the U.S. defense undersecretary for policy from 2009 to 2011 and previously served as a senior advisor at the U.S. State Department. Her weekly column runs every Wednesday and is accompanied by a blog, By Other Means. 9-5-’12, Foreign Policy, What's Not Wrong With Drones?, <http://www.foreignpolicy.com/articles/2012/09/05/whats_not_wrong_with_drones?page=full>, jj

2. Drones strikes are bad because killing at a distance is unsavory.¶ Really? If killing from a safe distance (say, Creech Air Force Base in Nevada) is somehow "wrong," what should be our preferred alternative -- stripping troops of body armor, or taking away their guns and requiring them to engage in hand-to-hand combat? If drone strikes enable us to kill enemies without exposing our own personnel, this is presumably a good thing, not a bad thing. Maybe we shouldn't kill anyone, or maybe we're killing the wrong people -- but these are assertions about ethics, intelligence and strategy, not about drones.¶ Drones don't present any "new" issues not already presented by aerial bombing -- or by any previous historical method of killing from a distance. In the early 1600s, Cervantes called artillery a "devilish invention" allowing "a base cowardly hand to take the life of the bravest gentleman," with bullets "coming nobody knows how or from whence." (Much like drones.)¶ The longbow and cross bow were also once considered immoral, for that matter: in 1139, the Second Lateran Council of Pope Innocent II is said to have "prohibit[ed] under anathema that murderous art of crossbowmen and archers, which is hateful to God" -- at least when used against Christians.

#### States have a responsibility to protect the lives of their citizens, while minimizing civilian casualties --- drones are uniquely effective

Plaw ’12, Avery Plaw is an associate professor of political science at the University of Massachusetts, Dartmouth. NOVEMBER 14, 2012, The New York Times, Drones Save Lives, American and Other, <http://www.nytimes.com/roomfordebate/2012/09/25/do-drone-attacks-do-more-harm-than-good/drone-strikes-save-lives-american-and-other>, jj

First, states have a primary responsibility for the protection of their own citizens. If drone strikes are the best way to remove an all-too-real threat to American lives, then that is an especially weighty consideration.¶ Second, I doubt that ending drone strikes would substantially reduce anti-Americanism in the Islamic world or put a dent in radical recruitment.¶ Third, the U.S can do a lot to moderate some harms caused by its use of drones. By being clearer about what it’s doing and offering detailed legal justification, the U.S. could mitigate damage to international law and the threat of uncontrolled proliferation.¶ Finally, there is evidence that drone strikes are less harmful to civilians than other means of reaching Al Qaeda and affiliates in remote, lawless regions (for example, large-scale military operations). And that is what is required of states in armed conflict, legally and ethically: where civilian casualties cannot be avoided, they must be minimized.

### \*Ext – alt worse

#### They have to answer our drones good arguments and defend a practical alternative --- extend Issacharoff & Pildes --- don’t allow them to side-step this or be vague and utopian about how we would conduct warfare in the world of the aff --- Blanket critiques of targeted killings and drones are politically counterproductive --- the aff has a moral obligation to offer a practical alternative to drones, since states will inevitably try to protect their citizens. Policy-makers will inevitably try to fight terror, its just a question of what tools are considered socially acceptable --- the aff might reduce reliance on drones, but if we win they increase reliance on worse methods you should vote neg.

#### They say morals must be objective --- morality is inherently subjective because they differ from person to person --- we can have subjective morality based on little t truth claims

### \*\*A2: War Against Islam

#### The war on terror is not a war against Islam --- only terrorists are guilty of conducting a total war

Elshtain ‘3 (Jean Bethke, Prof. Social and Pol. Ethics – U. Chicago, “Just War Against Terror: The Burden of American Power in a Violent World”, p. 63-65, jj)

Within the just war tradition, by contrast, nuances are not only possible but necessary. For example: The rhetoric of justification in debating just war versus holy war helps to lay out the boundaries of these two options tellingly. In some versions of just war thinking, refraining from slandering one’s enemy is part and parcel of respecting human dignity. Minimally, the very heart of the matter lies in doing all one can to discriminate between a broad category of persons— if one’s foe is a variant on a religion— and those whose version of the religion has led them into remorseless enmity against another religion or an entire people. Thus, in his speech to the nation on September 20, 2001, President George W. Bush made it clear that the war against terrorism was not a total war, not a holy war, not an attack on a religion. “I want to speak tonight directly to Muslims throughout the world,” the president stated. We respect your faith. It’s practiced freely by many millions of Americans, and by millions more in countries that America counts as friends. Its teachings are good and peaceful, and those who commit evil in the name of Allah blaspheme the name of Islam. The terrorists are traitors to their own faith, trying, in effect, to hijack Islam itself. The enemy of America is not our many Muslim friends; it is not our many Arab friends. Our enemy is a radical network of terrorists, and every government that supports them. 7 Contrast this to the words of Osama bin Laden, who condemns all Americans and targets all Americans and infidels wherever they may be found as legitimate candidates for death, including children. To this one must add the routine, not exceptional, characterization of Jews by radical Islamism not only as infidels but as “monkeys and pigs.” From official Baghdad television comes a report that America can save itself only if it ceases to be a “toy in the hands of criminal world Zionism and its accursed, freak entity, which has usurped the land of Palestine and the land of the Arabs.” The Iraqi spokesman goes on to characterize America’s “new terrorist plans against the world” as “[serving] Zionist-Jewish greed for unlawful funds and innocent blood.” 8¶ Egypt’s leading newspaper, the Al-Ahram Weekly, which is “vetted and approved by the Egyptian government,” also reported that: “A compilation of the ‘investigative’ work of four reporters on Jewish control of the world states that Jews have become the political decision-makers and control the media in most capitals of the world (Washington, Paris, London, Berlin, Athens, Ankara) and says that the main apparatus for the Jews to control the world is the international Jewish lobby which works for Israel.” 9 All-out slaughter of one’s opponents is made easier if one dehumanizes them, as happens when Jews are simultaneously depicted as subhuman (monkeys and pigs) and superhuman (they run everything and engineered the September 11 attacks themselves because they are diabolically, almost inhumanly, clever). In an interview with Sheik Muhammad Gemeaha, who was the representative in the United States “of the prominent Cairo center of Islamic learning, al-Azhar University, but also imam of the Islamic Cultural Center of New York,” the sheik stated that “ ‘only the Jews’ were capable of destroying the World Trade Center and added that ‘if it became known to the American people, they would have done to the Jews what Hitler did.’ ” 10 Such rhetoric, which invites indiscriminate slaughter of all Jews, all Americans, all infidels, is routine, not exceptional, among radical Islamists. By contrast, President Bush and other responsible American officials embodying right authority have singled out for censure only terrorists acting in the name of a radical ideology that also targets moderate Muslims for threat, assault, and death. These same officials praise faithful Muslims and honor their religion as one of the great world faiths. It is tendentious and wildly distorting to equate this approach of distinction with one that issues vicious blanket condemnations of all Americans, all infidels, all Jews, and all Muslims who are unfaithful in the eyes of bin Laden and other radicals. I was a principal author and signatory of the statement “What We’re Fighting For,” in which sixty academics and intellectuals evoked the just war tradition explicitly and called for friendship between Americans and “our brothers and sisters in Muslim societies.” Modeling our rhetoric af-ter Abraham Lincoln’s great First Inaugural, we made the “forthright” statement: “We are not enemies, but friends. We must not be enemies. We have so much in common. There is so much that we must do together. Your human dignity, no less than ours— is what we believe we’re fighting for. We know that, for some of you, mistrust of us is high, and we know that we Americans are partly responsible for that mistrust. But we must not be enemies.” Our attempt to evoke commonalities and open a dialogue flowed directly from the statement’s reliance on the just war tradition as the conceptual framework for explaining not only why we fight but how we fight. We must never lose the language of justice, for it reminds us of what is at stake and of the importance of keeping justice itself alive in how we fight.

### Biopower

#### No impact to biopower / biopolitics:

#### Democracy checks

**Dickinson 4** (UC Berkeley – History, Edward Ross, “Biopolitics, Fascism, Democracy: Some Reflections on Our Discourse About “Modernity,” Central European History, vol. 37, no. 1, 1–48)

In short, the continuities between early twentieth-century biopolitical discourse and the practices of the welfare state in our own time are unmistakable. Both are instances of the “disciplinary society” and of biopolitical, regulatory, social-engineering modernity, and they share that genealogy with more authoritarian states, including the National Socialist state, but also fascist Italy, for example. And it is certainly fruitful to view them from this very broad perspective. But **that analysis can easily become superficial and misleading**, because **it obfuscates the profoundly different** strategic and local **dynamics of power in the** two kinds of **regimes. Clearly the democratic welfare state is not only formally but also substantively quite different from totalitarianism**. Above all, again, **it has nowhere developed the fateful, radicalizing dynamic that characterized National Socialism** (or for that matter Stalinism), **the psychotic logic that leads from economistic population management to mass murder**. Again, there is always the potential for such a discursive regime to generate coercive policies. In those cases in which the regime of rights does not successfully produce “health,” such a system can —and historically does— create compulsory programs to enforce it. But again, there are political and policy potentials and constraints in such a structuring of biopolitics that are very different from those of National Socialist Germany. **Democratic biopolitical regimes require, enable, and incite a degree of self-direction and participation that is functionally incompatible with authoritarian** or totalitarian **structures.** And **this pursuit of biopolitical ends through** a regime of **democratic citizenship does appear**, historically, **to have imposed** increasingly **narrow limits on coercive policies, and to** have **generate**d **a “logic”** or imperative **of increasing liberalization**. Despite limitations imposed by political context and the slow pace of discursive change, I think this is the unmistakable message of the really very impressive waves of legislative and welfare reforms in the 1920s or the 1970s in Germany.90 Of course it is not yet clear whether this is an irreversible dynamic of such systems. Nevertheless, such regimes are characterized by sufficient degrees of autonomy (and of the potential for its expansion) for sufficient numbers of people that I think it becomes useful to conceive of them as productive of a strategic configuration of power relations that might fruitfully be analyzed as a condition of “liberty,” just as much as they are productive of constraint, oppression, or manipulation. At the very least, totalitarianism cannot be the sole orientation point for our understanding of biopolitics, the only end point of the logic of social engineering.

#### No slippery slope

Posner & Vermeule ’07, Eric Posner is Kirkland & Ellis Distinguished Service Professor of Law and Aaron Director Research Scholar at the University of Chicago. Adrian Vermeule - John H. Watson, Jr. Professor of Law – Harvard Law School, “Terror in the Balance : Security, Liberty, and the Courts”.¶ Cary, NC, USA: Oxford University Press, 2007. p 56-57.¶ http://site.ebrary.com/lib/wayne/Doc?id=10180654&ppg=13¶ Copyright © 2007. Oxford University Press. All rights reserved. , jj

Critics of executive power implicitly appeal to a slippery-slope argument: once executive power is increased to meet an emergency in a manner that is necessary and reasonable, it will unavoidably expand beyond what is necessary and reasonable. As we emphasize in chapters 4 and 5, the problem with this argument is that there is no evidence for it and no mechanism that generates such a slope. The critics focus obsessively on pathological polities like Weimar, ignoring that current well-functioning liberal democracies do not present the same conditions that led to dictatorship in 1933. More recent work in comparative politics suggests that grants of emergency powers or of decree authority to executives do not systematically end in dictatorship.

## Rest of case

#### The state is not inherently racist --- its only bad now because of poor engagement -- we shouldn’t close off reform – that’s faber -- we’re empirically able to forumalate change – that’s bruanker --- blanket negation of the state simply forecloses civic engagement

#### Shelby says that whiteness isn’t a monolithic root case --- I’ll finish the rest of the card here

**thus that** **systematic empirical inquiry**, **historical studies, and rigorous social analysis are required to reveal its systemic structure** and sociocultural dynamics. There is, moreover, no mechanical or infallible procedure for determining which analyses are the soundest ones. In addition, given the inevitable bias that attends social inquiry, legislators and those they represent cannot simply defer to social-scientific experts. **We must instead rely on** **open public debate**—among politicians, scholars, policy makers, intellectuals, and ordinary citizens—**with the aim of garnering** **rationally motivated** and informed **consensus**. And even if our practical decision procedures rest on critical deliberative discourse and thus live up to our highest democratic ideals, some trial and error through actual practice is unavoidable.¶ These difficulties and complications notwithstanding, a general recognition of the distinctions among the ideological and structural causes of black disadvantage could help blacks refocus their political energies and self-help strategies. **Attention to these distinctions might help** **expose the superficiality of theories** **that seek to** **reduce all the social obstacles that blacks face to** contemporary forms of racism or white supremacy. **A more** penetrating, **subtle, and empirically grounded** **analysis** **is needed to** **comprehend the causes of racial inequality and black disadvantage**. Indeed, these distinctions highlight the necessity to probe deeper to find the causes of contemporary forms of racism, as some **racial conflict may be a symptom of broader problems or recent social developments** (**such as immigration policy** or reduced federal funding for higher education).

#### Now their use of identity politics don’t addess all violence --- identity is only one source of conflict – we need to willing to address materialmatters too like disputes over competition --- that’s gries

#### \*We are students performing distinct pedagogies – the affirmative chooses to embrace despair and hopeless – this prevents social change and destroys value to life. Vote negative to endorse hope

Denzinprof soc, comm, and humanities @ U Illinois urbana-champagne 2k3(Norman, “Performing [Auto] Ethnography Politically” The Review of Education, Pedagogy, and Cultural Studies, 25:257–278, www.citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.167.4086)

HOPE, PEDAGOGY, AND THE CRITICAL IMAGINATION As an interventionist ideology the critical imagination is hopeful of change. It seeks and promotes an ideology of hope that challenges and confronts hopelessness (Freire, 1999, p. 8). It understands that hope, like freedom, is “an ontological need” (Freire, 1999, p. 8). Hope is the desire to dream, the desire to change, the desire to improve human existence. Hopelessness is “but hope that has lost its bearings” (Freire, 1999, p. 8). Hope is ethical. Hope is moral. Hope is peaceful and nonviolent. Hope seeks the truth of life’s sufferings. Hope gives meaning to the struggles to change the world. Hope is grounded in concrete performative practices, in struggles and interventions that espouse the sacred values of love, care, community, trust and well-being (Freire, 1999, p. 9). Hope, as a form of pedagogy, confronts and interrogates cynicism, the belief that change is not possible, or is too costly. Hope works from rage to love. It articulates a progressive politics that rejects “conservative, neoliberal postmodernity” (Friere, 1999; p. 10). Hope rejects terrorism. Hope rejects the claim that peace comes at any cost. The critical democratic imagination is pedagogical in four ways. First, as a form of instruction, it helps persons think critically, historically, sociologically. Second, as critical pedagogy, it exposes the pedagogies of oppression that produce and reproduce oppression and injustice (see Freire, 2001, p. 54). Thirdly, it contributes to an ethical self-consciousness that is critical and reflexive. It gives people a language and a set of pedagogical practices that turn oppression into freedom, despair into hope, hatred into love, doubt into trust. Fourth, in turn, this self-consciousness shapes a critical racial self-awareness. This awareness contributes to utopian dreams of racial equality and racial justice. The use of this imagination by persons who have previously lost their way in this complex world is akin to being “suddenly awakened in a house with which they had only supposed themselves to be familiar (Mills, 1959, p. 8). They now feel that they can provide themselves with critical understandings that undermine and challenge “older decisions that once appeared sound” (Mills, 1959, p. 8). Their critical imagination enlivened, persons “acquire a new way of thinking . . . in a word by their reflection and their sensibility, they realize the cultural meaning of the social sciences” (Mills, 1959, p. 8). They realize how to make and perform changes in their own lives, to become active agents in shaping the history that shapes them.

### Extra racism cards

#### \*extention to inherent racism arg Their assumption of social death misappropriates blackness—provides us with no actual alternative

Bâ, Portsmouth University Film Professor, 11

(Saër Maty, The US Decentred, Cultural Studies Review, volume 17 number 2 September 2011)

A few pages into Red, White and Black, I feared that it would just be a matter of time before Wilderson’s black‐as‐social‐death idea and multiple attacks on issues and scholars he disagrees with run (him) into (theoretical) trouble. This happens in chapter two, ‘The Narcissistic Slave’, where he critiques black film theorists and books. For example, Wilderson declares that Gladstone Yearwood’s Black Film as Signifying Practice (2000) ‘betrays a kind of conceptual anxiety with respect to the historical object of study— ... it clings, anxiously, to the film‐as‐text‐as‐legitimate‐ object of Black cinema.’ (62) He then quotes from Yearwood’s book to highlight ‘just how vague the aesthetic foundation of Yearwood’s attempt to construct a canon can be’. (63) And yet Wilderson’s highlighting is problematic because it overlooks the ‘Diaspora’ or ‘African Diaspora’, a key component in Yearwood’s thesis that, crucially, neither navel‐gazes (that is, at the US or black America) nor pretends to properly engage with black film. Furthermore, Wilderson separates the different waves of black film theory and approaches them, only, in terms of how a most recent one might challenge its precedent. Again, his approach is problematic because it does not mention or emphasise the inter‐connectivity of/in black film theory. As a case in point, Wilderson does not link Tommy Lott’s mobilisation of Third Cinema for black film theory to Yearwood’s idea of African Diaspora. (64) Additionally, of course, Wilderson seems unaware that Third Cinema itself has been fundamentally questioned since Lott’s 1990s’ theory of black film was formulated. Yet another consequence of ignoring the African Diaspora is that it exposes Wilderson’s corpus of films as unable to carry the weight of the transnational argument he attempts to advance. Here, beyond the US‐centricity or ‘social and political specificity of [his] filmography’, (95) I am talking about Wilderson’s choice of films. For example, Antwone Fisher (dir. Denzel Washington, 2002) is attacked unfairly for failing to acknowledge ‘a grid of captivity across spatial dimensions of the Black “body”, the Black “home”, and the Black “community”’ (111) while films like Alan and Albert Hughes’s Menace II Society (1993), overlooked, do acknowledge the same grid and, additionally, problematise Street Terrorism Enforcement and Prevention Act (STEP) policing. The above examples expose the fact of Wilderson’s dubious and questionable conclusions on black film. Red, White and Black is particularly undermined by Wilderson’s propensity for exaggeration and blinkeredness. In chapter nine, ‘“Savage” Negrophobia’, **he writes: The philosophical anxiety of Skins is all too aware that through the Middle Passage, African culture became Black ‘style’ ... Blackness can be placed and displaced with limitless frequency and across untold territories, by whoever so chooses. Most important, there is nothing real Black people can do to either check or direct this process** ... Anyone can say ‘nigger’ because anyone can be a ‘nigger’. (235)7 Similarly, in chapter ten, ‘A Crisis in the Commons’, Wilderson addresses the issue of ‘Black time’. Black is irredeemable, he argues, because, at no time in history had it been deemed, or deemed through the right historical moment and place. In other words, the black moment and place are not right because they are ‘the ship hold of the Middle Passage’: ‘the most coherent temporality ever deemed as Black time’ but also ‘the “moment” of no time at all on the map of no place at all’. (279) Not only does **Pinho’s more mature analysis expose this point as preposterous** (see below), **I also wonder what Wilderson makes of the countless historians’ and sociologists’ works on slave ships, shipboard insurrections and/during the Middle Passage,8 or of groundbreaking jazz‐studies books on cross‐cultural dialogue** like The Other Side of Nowhere (2004). Nowhere has another side, but once Wilderson theorises blacks as socially and ontologically dead while dismissing jazz as ‘belonging nowhere and to no one, simply there for the taking’, (225) there seems to be no way back. **It is therefore hardly surprising that Wilderson ducks the need to provide a solution or alternative to both his sustained bashing of blacks and anti‐ Blackness**.9 Last but not least, Red, White and Black ends like a badly plugged announcement of a bad Hollywood film’s badly planned sequel: ‘How does one deconstruct life? Who would benefit from such an undertaking? The coffle approaches with its answers in tow.’ (340)

#### \*The black body is not devoid of culture and fungible

Olson, Northern Arizona University, 10

(Joel Olson, “Slavery in The United States”, 2010, http://jan.ucc.nau.edu/~jo52/Slavery-in-America-public.pdf)

In particular, American slavery was a struggle between masters’ attempt to impose “social death” on the slave and slaves’ efforts to seek freedom and build a community. Orlando Patterson (1982) argues that slavery is a system in which the master seeks to strip the slave of all kinship ties and social standing so that the slave is physically alive (and therefore able to labor for the master) but socially dead, belonging to no recognized community and possessing no legitimate genealogy. Slaves resisted this social death in three ways. First, they sought freedom, by purchasing it, suing for it, running away, or rebelling. Second, they sought to make the terms of labor more favorable, through work slowdowns, attempts to shorten the working day, subterfuge, sabotage, maintaining their own livestock or garden plots, participating in markets, or hiring out their labor and keeping a portion of their wages (Berlin 1998). Third, they created their own families and their own culture. While masters sought to impose their rule from sunup to sundown, from sundown to sunup slaves created a community that denied the authority of the master and defied social death (Rawick 1972, Stuckey 1987). Slaves shaped their own customs, religion, dialect, music, economy, and political perspectives, merging African, indigenous, and European practices into a uniquely and truly American culture. This conflict between “sunup to sundown” and “sundown to sunup,” or between social death and the resistance of the Black community, is one of the fundamental experiences of the American political tradition.

#### \*Their pessimistic view of racial gains becomes a self-fulfilling prophecy that turns the aff

Thernstrom, Harvard University Winthrop Research Professor of History, 98

(Steven, “Black Progress: How far we've come, and how far we have to go” http://www.brookings.edu/research/articles/1998/03/spring-affirmativeaction-thernstrom)

Black progress over the past half-century has been impressive, conventional wisdom to the contrary notwithstanding. And yet the nation has many miles to go on the road to true racial equality. "I wish I could say that racism and prejudice were only distant memories, but as I look around I see that even educated whites and African American...have lost hope in equality," Thurgood Marshall said in 1992. A year earlier The Economist magazine had reported the problem of race as one of "shattered dreams." In fact, all hope has not been "lost," and "shattered" was much too strong a word, but certainly in the 1960s the civil rights community failed to anticipate just how tough the voyage would be. (Thurgood Marshall had envisioned an end to all school segregation within five years of the Supreme Court s decision in Brown v. Board of Education.) Many blacks, particularly, are now discouraged. A 1997 Gallup poll found a sharp decline in optimism since 1980; only 33 percent of blacks (versus 58 percent of whites) thought both the quality of life for blacks and race relations had gotten better.

Thus, progress—by many measures seemingly so clear—is viewed as an illusion, the sort of fantasy to which intellectuals are particularly prone. But the ahistorical sense of nothing gained is in itself bad news. Pessimism is a self-fulfilling prophecy. If all our efforts as a nation to resolve the "American dilemma" have been in vain—if we've been spinning our wheels in the rut of ubiquitous and permanent racism, as Derrick Bell, Andrew Hacker, and others argue—then racial equality is a hopeless task, an unattainable ideal. If both blacks and whites understand and celebrate the gains of the past, however, we will move forward with the optimism, insight, and energy that further progress surely demands.

#### \*The aff is a snake eating its own tail – ontologically opposing Blackness to Whiteness makes Black struggle STRUCTURALLY dependent on the existence of White Racism and wounded attachments to suffering

Pinn 2004 (Anthony, Anthony B. Pinn is an American professor and writer whose work focuses on liberation theology, Black religion, and Black humanism. Pinn is the Agnes Cullen Arnold Professor of Humanities and Professor of Religious Studies at Rice University, “‘‘Black Is, Black Ain’t’’: Victor Anderson, African American Theological Thought, and Identity,” Dialog: A Journal of Theology, Volume 43, Number 1 . Spring 2004)

This connection between ontological blackness and¶ religion is natural because: ‘‘ontological blackness signifies¶ the totality of black existence, a binding together¶ of black life and experience. In its root, religio, religion¶ denotes tying together, fastening behind, and binding¶ together. Ontological blackness renders black life and¶ experience a totality.’’13 According to Anderson, Black¶ theological discussions are entangled in ontological¶ blackness. And accordingly, discussions of black life¶ revolve around a theological understanding of Black¶ experience limited to suffering and survival in a racist¶ system. The goal of this theology is to find the ‘‘meaning¶ of black faith’’ in the merger of black cultural¶ consciousness, icons of genius, and post-World War¶ II Black defiance. An admirable goal to be sure, but¶ here is the rub: Black theologians speak, according to¶ Anderson, in opposition to ontological whiteness¶ when they are actually dependent upon whiteness for¶ the legitimacy of their agenda. Furthermore, ontological¶ blackness’s strong ties to suffering and survival¶ result in blackness being dependent on suffering,¶ and as a result social transformation brings into¶ question what it means to be black and religious.¶ Liberative outcomes ultimately force an identity¶ crisis, a crisis of legitimation and utility. In¶ Anderson’s words:¶ Talk about liberation becomes hard to justify¶ where freedom appears as nothing more than¶ defiant self-assertion of a revolutionary racial¶ consciousness that requires for its legitimacy¶ the opposition of white racism. Where there¶ exists no possibility of transcending the blackness¶ that whiteness created, African American¶ theologies of liberation must be seen not only¶ as crisis theologies; they remain theologies in¶ a crisis of legitimation.14¶ This conversation becomes more ‘‘refined’’ as new¶ cultural resources are unpacked and various religious¶ alternatives acknowledged. Yet the bottom line¶ remains racialization of issues and agendas, life and¶ love. Falsehood is perpetuated through the ‘‘hermeneutic¶ of return,’’ by which ontological blackness is¶ the paradigm of Black existence and thereby sets the¶ agenda of Black liberation within the ‘‘postrevolutionary¶ context’’ of present day USA. One ever finds¶ the traces of the Black aesthetic which pushes for a¶ dwarfed understanding of Black life and a sacrifice of¶ individuality for the sake of a unified Black ‘faith’.¶ Yet differing experiences of racial oppression (the¶ stuff of ontological blackness) combined with varying¶ experiences of class, gender and sexual oppression¶ call into question the value of their racialized formulations. Implicit in all of this is a crisis of faith,¶ an unwillingness to address both the glory and guts¶ of Black existence—nihilistic tendencies that, unless¶ held in tension with claims of transcendence, have¶ the potential to overwhelm and to suffocate.¶ At the heart of this dilemma is friction between¶ ontological blackness and ‘‘contemporary postmodern¶ black life’’—issues, for example related to¶ ‘‘selecting marriage partners, exercising freedom of¶ movement, acting on gay and lesbian preferences, or¶ choosing political parties.’’15 How does one foster¶ balance while embracing difference as positive?¶ Anderson looks to Nietzsche.¶ European genius, complete with its heroic epic,¶ met its match in the aesthetic categories of tragedy¶ and the grotesque genius revived and espoused by¶ Friedreich Nietzsche. The grotesque genius served¶ as an effective counter-discourse by embracing both¶ the ‘light’ and ‘dark’ aspects of life, and holding in¶ tension oppositional sensations—pleasure and pain,¶ freedom and oppression.16 Utilizing Nietzsche’s¶ work, Anderson ask: ‘‘what should African American¶ cultural and religious criticism look like when¶ they are no longer romantic in inspiration and¶ the cult of heroic genius is displaced by the¶ grotesquery—full range of expression, actions, attitudes,¶ behaviors everything found in African¶ American life—of contemporary black expressive¶ culture and public life?’’17¶ Applied to African Americans, the grotesque¶ embodies the full range of African American¶ life—all expressions, actions, attitudes, and behavior.¶ With a hermeneutic of the grotesque as the¶ foci, religio-cultural criticism is free from the totalizing¶ nature of racial apologetics and the classical¶ Black aesthetic. By extension, Black theology is able¶ to address both issues of survival (Anderson sees¶ their importance.) and the larger goal of cultural¶ fulfillment, Anderson’s version of liberation. That¶ is to say, placing ‘‘blackness’’ along side other indicators¶ of identity allows African Americans to¶ define themselves in a plethora of ways while maintaining¶ their community status. This encourages¶ African Americans to see themselves as they are—¶ complex and diversified—no longer needing to¶ surrender personal interests for the sake of monolithic¶ collective status.