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**GOP will give into *political pressure* but it’ll be a fight**

**Sargent 10-30**-13 GREG SARGENT . Washington Post “Immigration reform is definitely undead” [http://www.washingtonpost.com/blogs/plum-line/wp/2013/10/30/immigration-reform-is-definitely-undead/] **[MG]**

We now have three House Republicans who have signed on to the House Dem comprehensive immigration reform bill, putting immigration reform officially back in the “undead” category. GOP Rep. David **Valada**o of California is officially on board with the bipartisan proposal, according to a statement from the Congressman sent my way: “I have been working with my colleagues on both sides of the aisle to find common ground on the issue of immigration reform. Recently, I have focused my efforts on joining with likeminded Republicans in organizing and demonstrating to Republican Leadership broad support within the Party to address immigration reform in the House by the end of the year. “By supporting H.R. 15 I am strengthening my message: Addressing immigration reform in the House cannot wait. I am serious about making real progress and will remain committed to doing whatever it takes to repair our broken immigration system.” Valadao’s move is not wholly unexpected, given that he inhabits a moderate district with a lot of Latinos. But his insistence that addressing immigration reform “cannot wait” is helpful. It seems like an implicit message to the GOP leadership: We must act this year, and on this bill, if necessary. This comes after GOP Reps. leana Ros-Lehtinen and Jeff Denham did the same. Denham has said he expects “more” Republicans to ultimately sign on, and has also said that the House GOP leadership told him there will be a vote on something immigration-related by the end of the year. It’s unclear whether there will actually be a House vote on anything involving immigration before the year runs out, and it seems very unlikely that there will be a vote on the House Dem measure, which is essentially the Senate comprehensive immigration reform bill, without the Corker-Hoeven border security amendment that House Dems dislike, and instead with another border security amendment House Dems like swapped in. However, the movement among Republicans towards the Dem bill — even if it is only a trickle for now — is interesting, as a reminder that immigration reform can happen if House GOP leaders actually want it to. To be sure, immigration reform faces a huge obstacle: The stark underlying structural realities of the House Republican caucus. Far too few Republican members have large enough Latino populations to impact the outcome in 2014. With primaries coming, there just may be no incentive for Republicans to act until after the 2014 elections. But there are other factors to consider. In some key respects, immigration reform poses its own unique set of political challenges and conditions — **it is not quite as polarizing an issue** as, say, Obamacare or even the question of whether to agree to new revenues as part of a budget deal. Major GOP aligned constituencies — the **U.S. Chamber of Commerce**, **evangelicals,** **high tech and agricultural interests** in the districts of House Republicans – want immigration reform. What’s more, there is a built-in incentive for Republicans to put this issue behind them, given the slow forward march of demographic realities. Also, as longtime immigration operative Simon Rosenberg explains, Congressional Republicans have a long history of working on this issue. And some polls show that even sizable chunks of Republican voters want comprehensive reform, particularly if it is packaged with border security (Republican pollster Whit Ayres’ research, in particular, has shown that even GOP primary voters want action when informed that the other option is the status quo or “de facto amnesty,” as some pro-reform Republicans put it. Indeed, if there is anything that can make something happen, it’s the possibility that inaction is far more difficult politically for Republicans than many of them (and many commentators) claim. The immigration problem — “de facto amnesty” is not going away. If more Republicans like these three urge action inside the GOP caucus, it’s not impossible that House GOP leaders will allow votes on border security, the Kids Act, or potentially the legalization proposal that Republicans are said to be working on. That could possibly get us to conference. Yes, **immigration reform remains decidedly undead.**

**Cuba policy changes require tons of political capital and trade off with the rest of Obama’s agenda**

**Global Post 10** – “Midterms and a changing face of Congress,” November 10, 2010, online: <http://www.globalpost.com/webblog/cuba/midterms-and-changing-face-congress>

**The** November 2 **midterm** elections resulted in a new balance of power in Congress, most notably in the House of Representatives—now a Republican majority house. Domestic implications aside, the shift in power **will have a** **significant effect on foreign policy initiatives**, **not least** of which (for our purposes) is **Cuba policy**.¶ First of all, **the next head of the House Foreign Affairs Committee**—changing because the majority party has the privilege of holding this seat—**will be** Ileana **Ros-Lehtinen** (R-FL), **the unrelenting anti-Castro, pro-embargo ranking Republican**. She will replace Representative Howard Berman (D-CA), an advocate for modest rapprochement with Havana and co-sponsor of stalled bipartisan legislation to end the U.S. ban on travel to Cuba.¶ To be fair, we were not counting on much happening regarding the embargo in the short term, even with a Democratic House. But with Ileana at the helm of the House Foreign Affairs Committee, any loosening **of restrictions will be out of the question**. Significant changes in Cuba policy, without some sort of unforeseen breakthrough, will almost certainly be tabled until 2012.¶ Of course, although President Obama cannot lift the heavy embargo legislation on his own, he can use his executive authority to dismantle parts of it.¶ But **it is** **highly unlikely** **that the President will** **spend** any of **his diminished political capital** **on** the issue of **Cuba** **when there is** **so little potential gain** for him **in doing so**. **The likely cost**—say, **a storm of ill will** **from Republicans** in Congress **and** from **an** **easily angered public** **that is** **vigilant** these days **for signs of executive overreach**—simply **outweighs any benefit that might emerge**… a positive reaction from the global community, perhaps? The promise of applause from partners abroad has not been the impetus for any change on U.S. policy toward Cuba in prior years and will not be now, not even when the entire body of the United Nations General Assembly (save Israel) condemns the embargo. Every year the vote is taken and every year the tiny U.S. team has become more outnumbered: in 2008 the vote was 185 to 3; in 2009, 187 to 3; and now in 2010 (last week), 187 to 2—the two being the United States and Israel, a country whose citizens freely travel to, spend and invest in Cuba.¶

**PC Is Key to Getting the *Essential Parts* of the Bill Through**

Anderson **Robichaud October 25**, 2013. n behalf of Robichaud, Anderson & Alcantara P.A. posted in US Immigration Law on “Beyond The Poisoned Well” http://www.robichaudlaw.com/blog/2013/10/beyond-the-poisoned-well-immigration-reform-tactics-changing.shtml

President Obama has not given up on enacting **c**omprehensive **i**mmigration **r**eform. ¶ To be sure, there is concern in Washington, DC and around the country that the partisan wrangling over the partial federal government shutdown "poisoned the well" of good will that may be needed to get the president and both chambers of Congress to agree on a specific proposal.¶ That is one reason why it may be necessary to break up the proposal passed by the Senate earlier this year into several different smaller bills. The smaller bills could tackle specific issues such as work visas or family immigration.¶ This week, there were indications that President Obama may be coming around to that point of view.¶ After the Senate passed a comprehensive immigration bill in June, the hope was that the U.S. House of Representatives would take up that bill. But the House did not do so. And now, after the passage of several months and the reality-check of the shutdown, the president appears to be shifting his tactics.¶ President Obama said this week that he is open to proposals from Republicans about possibly dividing up an immigration overhaul into several separate parts.¶ In political terms, it may be more practical to pass one or more of those parts than to keep holding out for a comprehensive reform that addresses all of the issues, all at once.¶ Of course, **in either form** -- either comprehensive or broken into separate parts -- **it will take considerable political capita**l and probably some (often elusive) compromise to actually pass immigration reform. But President **Obama is clearly** still **committed to making such reform one of the top priorities** of his second term.

**Immigration reform expands skilled labor—spurs relations and economic growth in China and India.**

**LA Times** 11/9/**12** [Other countries eagerly await U.S. immigration reform, <http://latimesblogs.latimes.com/world_now/2012/11/us-immigration-reform-eagerly-awaited-by-source-countries.html>]

"Comprehensive immigration reform will see expansion of skilled labor visas," predicted B. Lindsay Lowell, director of policy studies for the Institute for the Study of International Migration at Georgetown University. A former research chief for the congressionally appointed Commission on Immigration Reform, Lowell said he expects to see at least a fivefold increase in the number of highly skilled labor visas that would provide "a significant shot in the arm for India and China." There is widespread consensus among economists and academics that skilled migration fosters new trade and business relationships between countries andenhances links to the global economy, Lowell said. "Countries like India and China weigh the opportunities of business abroad from their expats with the possibility of brain drain, and I think they still see the immigration opportunity as a bigger plus than not," he said.

**US-Indian relations avert South Asian nuclear war.**

**Schaffer 2** [Spring 2002, Teresita—Director of the South Asia Program at the Center for Strategic and International Security, Washington Quarterly, Lexis]

Washington's increased interest in India since the late 1990s reflects India's economic expansion and position as Asia's newest rising power. New Delhi, for its part, is adjusting to the end of the Cold War. As a result, both giant democracies see that they can benefit by closer cooperation. For Washington, the advantages include a wider network of friends in Asia at a time when the region is changing rapidly, as well as a stronger position from which to help calm possible future nuclear tensions in the region. Enhanced trade and investment benefit both countries and are a India. For India, the country's ambition to assume a stronger leadership role in the world and to maintain an economy that lifts its people out of poverty depends critically on good relations with the United States.

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#### Interpretation – Economic engagement is direct investment – not removal of RESTRICTIONS

**Haass, 2K** – Brookings Foreign Policy Studies director

[Richard, and Meghan O'Sullivan, "Introduction" in Honey and Vinegar, ed. by Haass and O'Sullivan, google books]

Architects of engagement strategies have a **wide variety** of incentives from which to choose. Economic engagement might offer **tangible incentives** such as export credits, investment insurance or promotion, access to technology, loans, and economic aid." Other equally useful economic incentives involve the removal of penalties, whether they be trade embargoes, investment bans, or high tariffs that have impeded economic relations between the United States and the target country. In addition, facilitated entry into the global economic arena and the institutions that govem it rank among the most potent incentives in today's global market."

### 1nc – shun

**The affirmative engages with known human rights abusers-— *moral duty* to shun**

**Beversluis 89** — Eric H. Beversluis, Professor of Philosophy and Economics at Aquinas College, holds an A.B. in Philosophy and German from Calvin College, an M.A. in Philosophy from Northwestern University, an M.A. in Economics from Ohio State University, and a Ph.D. in the Philosophy of Education from Northwestern University, 1989 (“On Shunning Undesirable Regimes: Ethics and Economic Sanctions,” *Public Affairs Quarterly*, Volume 3, Number 2, April, Available Online to Subscribing Institutions via JSTOR, p. 17-19)

A fundamental task of morality is resolving conflicting interests. If we both want the same piece of land, ethics provides a basis for resolving the conflict by identifying "mine" and "thine." If in anger I want to smash your [end page 17] face, ethics indicates that your face's being unsmashed is a legitimate interest of yours which takes precedence over my own interest in expressing my rage. Thus ethics identifies the rights of individuals when their interests conflict. But how can a case for shunning be made on this view of morality? Whose interests (rights) does shunning protect? The shunner may well have to sacrifice his interest, e.g., by foregoing a beneficial trade relationship, but whose rights are thereby protected? In shunning there seem to be no "rights" that are protected. For shunning, as we have seen, does not assume that the resulting cost will change the disapproved behavior. If economic sanctions against South Africa will not bring apartheid to an end, and thus will not help the blacks get their rights, on what grounds might it be a duty to impose such sanctions? We find the answer when we note that there is another "level" of moral duties. When Galtung speaks of "reinforcing … morality," he has identified a duty that goes beyond specific acts of respecting people's rights. The argument goes like this: There is more involved in respecting the rights of others than not violating them by one's actions. For if there is such a thing as a moral order, which unites people in a moral community, then surely one has a **duty** (at least prima facie) not only to avoid violating the rights of others with one's actions but **also to support that moral order**. Consider that the moral order itself **contributes significantly** to people's rights being respected. It does so by **encouraging and reinforcing** moral behavior and by **discouraging and sanctioning** immoral behavior. In this moral community people **mutually reinforce** each other's moral behavior and thus raise the overall level of morality. Were this moral order to disintegrate, were people to stop reinforcing each other's moral behavior, there would be **much more violation of people's rights**. Thus to the extent that behavior affects the moral order, it indirectly affects people's rights. And this is where shunning fits in. Certain types of behavior constitute **a direct attack on the moral order**. When the violation of human rights is **flagrant**, **willful**, and **persistent**, the offender is, as it were, thumbing her nose at the moral order, publicly rejecting it as binding her behavior. Clearly such behavior, if tolerated by society, will weaken and perhaps eventually **undermine altogether** the moral order. Let us look briefly at those three conditions which turn immoral behavior into an attack on the moral order. An immoral action is flagrant if it is "extremely or deliberately conspicuous; notorious, shocking." Etymologically the word means "burning" or "blazing." The definition of shunning implies therefore that those offenses require shunning which are shameless or indiscreet, which the person makes no effort to hide and no good-faith effort to excuse. Such actions "blaze forth" as an attack on the moral order. But to merit shunning the action must also be willful and persistent. We do not consider the actions of the "backslider," the [end page 18] weak-willed, the one-time offender to be challenges to the moral order. It is the repeat offender, the unrepentant sinner, the cold-blooded violator of morality whose behavior demands that others publicly reaffirm the moral order. When someone **flagrantly**, **willfully**, and **repeatedly** violates the moral order, those who believe in the moral order, the members of the moral community, **must respond in a way that reaffirms the legitimacy of that moral order**. How does shunning do this? First, by refusing publicly to have to do with such a person one announces **support for the moral order** and **backs up the announcement with action**. This action **reinforces the commitment to the moral order** both of the shunner and of the other members of the community. (Secretary of State Shultz in effect made this argument in his call for international sanctions on Libya in the early days of 1986.) Further, shunning may have **a moral effect** on the shunned person, even if the direct impact is not adequate to change the immoral behavior. If the shunned person thinks of herself as part of the moral community, shunning may well make clear to her that she is, in fact, removing herself from that community by the behavior in question. Thus shunning may achieve by **moral suasion** what cannot be achieved by "force." Finally, shunning may be a form of punishment, of **moral sanction**, whose appropriateness depends not on whether it will change the person's behavior, but on whether he deserves the punishment for violating the moral order. Punishment then can be viewed as a way of **maintaining the moral order**, of "purifying the community" after it has been made "unclean," as ancient communities might have put it. Yet not every immoral action requires that we shun. As noted above, we live in a fallen world. None of us is perfect. If the argument implied that we may have nothing to do with anyone who is immoral, it would consist of a reductio of the very notion of shunning. To isolate a person, to shun him, to give him the "silent treatment," is a serious thing. Nothing strikes at a person's wellbeing as person more directly than such ostracism. Furthermore, not every immoral act is an attack on the moral order. Actions which are repented and actions which are done out of weakness of will clearly violate but do not attack the moral order. Thus because of the serious nature of shunning, it is defined as a response not just to any violation of the moral order, but to attacks on the moral order itself through flagrant, willful, and persistent wrongdoing. We can also now see why failure to shun can under certain circumstances suggest complicity. But it is not that we have a duty to shun because failure to do so suggests complicity. Rather, because we have **an obligation to shun** in certain circumstances, when we fail to do so others may interpret our failure as **tacit complicity** in the **willful**, **persistent**, and **flagrant immorality**.

### 1nc – pink tide

**Chavez’s death means Pink tide at a cross road**

\*Chavez was critical to petro diplomacy which funded the pink tide, but maduro doesn’t have the same leverage that he did

**Panizza ’13** Dr Francisco Panizza is the Head of the Latin America International Affairs Programme at LSE IDEAS. He is a Reader in the Department of Government at the London School of Economics. “Latin America: Life after Chavez (and Lula)” – April 4th – http://blogs.lse.ac.uk/ideas/2013/04/latin-america-life-after-chavez-and-lula/

The death of **Chávez** and the succession of Lula by Dilma Rousseff in Brazil **leaves a big vacuum in the Latin American left.** Even if, as likely as it is, Nicolás Maduro wins the presidency in Venezuela in April, he is no Chávez and **will not have the resources that Chávez had to promote his petro-diplomacy.** Three years into her first term in office, Rousseff remains highly popular in Brazil and will be a strong candidate for re-election in 2014. But she does not have the same presence as Lula in Latin America and her foreign policy priorities are rather different than those of her political mentor. Moreover, Venezuela is in a dire economic situation and Brazil’s economic growth has been lacklustre over the past two years.¶ The **death of Chávez** and **the absence of Lula** from frontline regional politics do not mean that the Pink Tide is necessarily coming to an end. But together with the retake of economic growth and the election of Peña Nieto in Mexico, the strong economic performance of Colombia, Peru and Chile and the emergence of the Alianza Pacifico as an alternative to Mercosur, suggest the unfolding of a much more complex and diverse process of regional change than encapsulated by the narrative of the rise of the left.

**The plan kills US resolve and funds the pink tide**

\*embargo is key to resolve

Removing it will not solve relations and it will give money to legitimize the Cuban regime and allow them to partner with other socialist or anti-american countries

**Brookes** ‘**9** (Peter – Heritage council, Senior Fellow, Brookes is serving his third term as a congressionally appointed member of the U.S.-China Economic and Security Review Commission. He previously served in the administration of President George W. Bush as deputy assistant secretary of defense for Asian and Pacific affairs. In this post, he was responsible for U.S. defense policy for 38 countries and five bilateral defense alliances in Asia, Brookes was a professional staff member with the House International Relations Committee. He also served with the CIA and the State Department at the United Nations. In the private sector, he worked in the defense and intelligence industries.¶ A decorated Navy veteran, Brookes served on active duty in Latin America, Asia and the Middle East in aviation and intelligence billets, Brookes, now a retired Navy commander, served as a reservist with the National Security Agency, Defense Intelligence Agency, Naval Intelligence, the Joint Chiefs of Staff and the Office of the Vice President, Brookes is pursuing a doctorate at Georgetown University. He is a graduate of the U.S. Naval Academy (B.S.); the Defense Language Institute (Russian); the Naval War College; and the Johns Hopkins University (M.A.). He also has taught at the National Defense University and studied German and Polish, National Security Affairs, “Keep the Embargo, O” – April 16 – http://www.heritage.org/research/commentary/2009/04/keep-the-embargo-o)

Of course, the **big empanada** is the US economic embargo against Cuba, in place since 1962, which undoubtedly is the thing Havana most wants done away with -- **without any concessions on Cuba's part,** of course.¶ **Lifting the embargo won't normalize relations, but** instead **legitimize** -- and wave the white flag to -- **Fidel**'s 50-year fight against the Yanquis, further **lionizing the dictator and encouraging the Latin American Left**.¶ **Because the economy is nationalized**, trade will pour plenty of cash into the Cuban national coffers -- allowing Havana to suppress dissent at home and bolster its communist agenda abroad.¶ The **last thing we should do** is to fill the pockets of a regime that'll use those profits to keep a jackboot on the neck of the Cuban people. The political and human-rights situation in Cuba is grim enough already.¶ The police state controls the lives of 11 million Cubans in what has become an island prison. The people enjoy none of the basic civil liberties -- no freedom of speech, press, assembly or association.¶ Security types monitor foreign journalists, restrict Internet access and foreign news and censor the domestic media. The regime holds more than 200 political dissidents in jails that rats won't live in.¶ We also don't need a pumped-up Cuba that could become **a serious menace to US interests in Latin America**, the Caribbean -- **or beyond**. (The likes of **China, Russia and Iran** might also look to partner with a revitalized Cuba.)¶ **With an influx of resources**, **the Cuban regime would** surely **team up with the rulers of** nations like **Venezuela, Nicaragua and Bolivia to advance socialism and anti-Americanism** in the Western Hemisphere.¶ **The embargo has stifled Havana's ambitions** ever since the Castros lost their Soviet sponsorship in the early 1990s. Anyone noticed the lack of trouble Cuba has caused internationally since then? Contrast that with the 1980s some time.¶ Regrettably, 110 years after independence from Spain (courtesy of Uncle Sam), Cuba still isn't free. Instead of utopia, it has become a dystopia at the hands of the Castro brothers.¶ The US embargo remains a matter of principle -- and an appropriate response to Cuba's brutal repression of its people. Giving in to evil only begets more of it. Haven't we learned that yet?¶ Until we see progress in loosing the Cuban people from the yoke of the communist regime, we should hold firm onto the leverage the embargo provides.

**Castro-led pink tide causes US-Russia military confrontations.**

\*with petro power they will pay Russia to guarantee their security which brings the US and Russia into confrontation

**Walser ‘8** (Ray Walser, Senior Policy Analyst for Latin America at the Heritage Foundation – Chávez, Venezuela, and Russia: A New Cuban Missile Crisis? – WebMemo #2064 -- September 15th http://www.heritage.org/Research/LatinAmerica/wm2064.cfm)

Like his iconic mentor, Fidel Castro, Chávez thrives on mounting tensions and confrontation with the U.S. It is through confrontation that he attains political identity and larger-than-merited international standing. Like Fidel Castro, Chávez aspires to build and lead an anti-U.S., anti-Western coalition. **Unlike Castro**, however, **Chávez is in possession of significant petro**leum **power** and has varied sources of international support. There is danger that Chávez, like Castro, will invite Russia to serve as a guarantor of Venezuela's security **and subsequently draw Russia**, either willingly or unwillingly, **into additional confrontations with the U.S.** At present, Venezuela represents the **single most difficult** diplomatic and **security challenge** **facing the U.S. in the immediate future**. How the U.S. chooses to deal with this challenge will say much about the direction the next Administration will take as it shapes its policy toward America's neighbors in the hemisphere.

**Small US-Russia conflicts can escalate or cause nuclear miscalc**

\*US and Russia tensions are unpredictable which increases the risk of miscalc and the US or Russia would launch on warning causing nuclear war

**Gottemoeller ‘8** (Rose Gottemoeller was sworn in as the United States Department of State's Assistant Secretary for Arms Control, Verification, and Compliance on April 6, 2009. She was the chief negotiator of the follow on for the Strategic Arms Reductions Treaty otherwise known as the New Strategic Arms Reduction Treaty (New START) with the Russian Federation. Since 2000, she had been with the Carnegie Endowment for International Peace – “U.S.-Russia Cooperation on Iran: Aftermath of the Summer War in Georgia,” Carnegie Moscow Center, August- July 2008. PLESE NOTE – THIS CARD APPEARS IN A HOST OF CURRENT OPEN-SOURCE DEBATE DOCS AND THE URL THAT APPEARS ON THOSE CARDS MISDIRECTS TO A DIFFERENT Gottemoeller ARTICLE. The website below redirects to her October article: http://www.scribd.com/doc/13031239/RussianAmerican-Security-Relations-After-Georgia)

No holds barred, no rules—the United States and Russia may be heading to a confrontation more unpredictable and dangerous than any we have seen **since the Cuban missile crisis**. A confrontation today would be different—the two countries are in constant and intense communication, unlike the situation in 1962—but if those exchanges provoke mutual anger and recrimination, they have the potential **to spark a dangerous crisis**. This effect is especially dangerous because both countries are in presidential transitions. Russia, whose government is riven by corruption, internal competition, and disorder, is attempting an unprecedented tandem leadership arrangement. The United States is in the midst of its quadrennial election season, with both political parties competing to show that their man is more skilled and tough on national security issues than his opponent. The unpredictability of these two transitions stokes the potential for misunderstanding and descent into crisis. We must avoid such a crisis, because we have never succeeded in escaping the nuclear existential threat that we each pose to the other. We never even came close to transforming the U.S.–Russian relationship into one that is closer to that which the United States has with the United Kingdom or France. What if Russia had refused to confirm or deny that no nuclear weapons were on the bombers it flew to Venezuela? Our nuclear weapons are still faced off to launch on warning of an attack, and in a no-holds-barred confrontation between us, we could come close to nuclear catastrophe before we knew it.

### 1nc – neolib

**The affirmative is confined to the dominant discourse of transnational capital. The affirmative buys into a system which produces unethical policy based on the short term logic of growth. This causes economic crisis and environmental destruction**

**Makwana 06** (Rajesh, STWR, 23rd November 06, <http://www.stwr.org/globalization/neoliberalism-and-economic-globalization.html>)

Neoliberalism and Economic Globalization¶ The goal of neoliberal economic globalization is the removal of all barriers to commerce, and the privatization of all available resources and services. In this scenario, public life will be at the mercy of market forces, as the extracted profits benefit the few, writes Rajesh Makwana.¶ The thrust of international policy behind the phenomenon of economic globalization is neoliberal in nature. Being hugely profitable to corporations and the wealthy elite, neoliberal polices are propagated through the IMF, World Bank and WTO. Neoliberalism favours the free-market as the most efficient method of global resource allocation. Consequently it favours large-scale, corporate commerce and the privatization of resources.¶ There has been much international attention recently on neoliberalism. Its ideologies have been rejected by influential countries in Latin America and its moral basis is now widely questioned. Recent protests against the WTO, IMF and World Bank were essentially protests against the neoliberal policies that these organizations implement, particularly in low-income countries.¶ The neoliberal experiment has **failed to combat extreme** **poverty**, has **exacerbated global inequality**, and is hampering international aid and development efforts. This article presents an overview of neoliberalism and its effect on low income countries.¶ Introduction ¶ After the Second World War, corporate enterprises helped to create a wealthy class in society which enjoyed excessive political influence on their government in the US and Europe. Neoliberalism surfaced as a reaction by these wealthy elites to counteract post-war policies that favoured the working class and strengthened the welfare state.¶ Neoliberal policies advocate market forces and commercial activity as the most efficient methods for producing and supplying goods and services. At the same time they shun the role of the state and discourage government intervention into economic, financial and even social affairs. The process of economic globalization is driven by this ideology; removing borders and barriers between nations so that market forces can drive the global economy. The policies were readily taken up by governments and still continue to pervade classical economic thought, allowing corporations and affluent countries to secure their financial advantage within the world economy.¶ The policies were most ardently enforced in the US and Europe in the1980s during the Regan–Thatcher–Kohl era. These leaders believed that expanding the free-market and private ownership would create greater economic efficiency and social well-being. The resulting deregulation, privatization and the removal of border restrictions provided fertile ground for corporate activity, and over the next 25 years corporations grew rapidly in size and influence. Corporations are now the most productive economic units in the world, more so than most countries. With their huge financial, economic and political leverage, they continue to further their neoliberal objectives.¶ There is a **consensus between the financial elite, neoclassical economists and the political classes** in most countries that neoliberal policies will create global prosperity. So entrenched is their position that this view determines the policies of the international agencies (IMF, World Bank and WTO), and through them dictates the functioning of the global economy. Despite reservations from within many UN agencies, neoliberal policies are accepted by most development agencies as the most likely means of reducing poverty and inequality in the poorest regions.¶ There is a **huge discrepancy** between the measurable result of economic globalization and its proposed benefits. Neoliberal policies have unarguably generated massive wealth for some people, but most crucially, they have been unable to benefit those living in extreme poverty who are most in need of financial aid. Excluding China, annual economic growth in developing countries between 1960 and 1980 was 3.2%. This dropped drastically between 1980 and 2000 to a mere 0.7 %. This second period is when neoliberalism was most prevalent in global economic policy. (Interestingly, China was not following the neoliberal model during these periods, and its economic growth per capita grew to over 8% between 1980 and 2000.)¶ Neoliberalism has also been unable to address growing levels of global inequality. Over the last 25 years, the income inequalities have increased dramatically, both within and between countries. Between 1980 and 1998, the income of richest 10% as share of poorest 10% became 19% more unequal; and the income of richest 1% as share of poorest 1% became 77% more unequal (again, not including China).¶ The shortcomings of neoliberal policy are also apparent in the well documented economic disasters suffered by countries in Latin America and South Asia in the 1990s. These countries were left with no choice but to follow the neoliberal model of privatization and deregulation, due to their financial problems and pressure from the IMF. Countries such as Venezuela, Cuba, Argentina and Bolivia have since rejected foreign corporate control and the advice of the IMF and World Bank. Instead they have favoured a redistribution of wealth, the re-nationalization of industry and have prioritized the provision of healthcare and education. They are also sharing resources such as oil and medical expertise throughout the region and with other countries around the world.¶ The dramatic economic and social improvement seen in these countries has not stopped them from being demonized by the US. Cuba is a well known example of this propaganda. Deemed to be a danger to ‘freedom and the American way of life’, Cuba has been subject to intense US political, economic and military pressure in order to tow the neoliberal line. Washington and the mainstream media in the US have recently embarked on a similar propaganda exercise aimed at Venezuela’s president Chavez. This over-reaction by Washington to ‘economic nationalism’ is consistent with their foreign policy objectives which have not changed significantly for the past 150 years. Securing resources and economic dominance has been and continues to be the USA’s main economic objective.¶ According to Maria Páez Victor:¶ “Since 1846 the United States has carried out **no fewer than 50 military invasions** and destabilizing operations involving 12 different Latin American countries. Yet, none of these countries has ever had the capacity to threaten US security in any significant way. The US intervened because of **perceived threats to its economic control** and expansion. For this reason it has also supported some of the region’s most vicious dictators such as Batista, Somoza, Trujillo, and Pinochet.”¶ As a result of corporate and US influence, the key international bodies that developing countries are forced to turn to for assistance, such as the World Bank and IMF, are major exponents of the neoliberal agenda. The WTO openly asserts its intention to improve global business opportunities; the IMF is heavily influenced by the Wall Street and private financiers, and the World Bank ensures corporations benefit from development project contracts. They all gain considerably from the neo-liberal model.¶ So influential are corporations at this time that many of the worst violators of human rights have even entered a Global Compact with the United Nations, the world’s foremost humanitarian body. Due to this international convergence of economic ideology, it is no coincidence that the assumptions that are key to increasing corporate welfare and growth are the same assumptions that form the thrust of mainstream global economic policy.¶ However, there are huge differences between the neoliberal dogma that the US and EU dictate to the world and the policies that they themselves adopt. Whilst fiercely advocating the removal of barriers to trade, investment and employment, The US economy remains one of the most protected in the world. Industrialized nations only reached their state of economic development by fiercely protecting their industries from foreign markets and investment. For economic growth to benefit developing countries, the international community must be allowed to nurture their infant industries. Instead economically dominant countries are ‘kicking away the ladder’ to achieving development by imposing an ideology that suits their own economic needs.¶ The US and EU also provide huge subsidies to many sectors of industry. These devastate small industries in developing countries, particularly farmers who cannot compete with the price of subsidized goods in international markets. Despite their neoliberal rhetoric, most ‘capitalist’ countries have increased their levels of state intervention over the past 25 years, and the size of their government has increased. The requirement is to ‘do as I say, not as I do’.¶ Given the tiny proportion of individuals that benefit from neoliberal policies, **the chasm between what is good for the economy and what serves the public good is growing fast**. Decisions to follow these policies are out of the hands of the public, and the national sovereignty of many developing countries continues to be violated, preventing them from prioritizing urgent national needs.¶ Below we examine the false assumptions of neoliberal policies and their effect on the global economy.¶ Economic Growth¶ Economic growth, as measured in GDP, is the yardstick of economic globalization which is fiercely pursued by multinationals and countries alike. It is the commercial activity of the tiny portion of multinational corporations that drives economic growth in industrialized nations. Two hundred corporations account for a third of global economic growth. Corporate trade currently accounts for over 50% of global economic growth and as much as 75% of GDP in the EU. The proportion of trade to GDP continues to grow, highlighting the belief that economic growth is the only way to prosper a country and reduce poverty.¶ Logically, however, a model for continual financial growth is unsustainable. Corporations have to go to extraordinary lengths in order to reflect endless growth in their accounting books. As a result, finite resources are wasted and the environment is dangerously neglected. The equivalent of two football fields of natural forest is cleared each second by profit hungry corporations.¶ Economic growth is also used by the World Bank and government economists to measure progress in developing countries. But, whilst economic growth clearly does have benefits, the evidence strongly suggests that these benefits do not trickle down to the 986 million people living in extreme poverty, representing 18 percent of the world population (World Bank, 2007). Nor has economic growth addressed inequality and income distribution. In addition, accurate assessments of both poverty levels and the overall benefits of economic growth have proved impossible due to the inadequacy of the statistical measures employed.¶ The mandate for economic growth is the perfect platform for corporations which, as a result, have grown rapidly in their economic activity, profitability and political influence. Yet this very model is also the cause of the growing inequalities seen across the globe. The privatization of resources and profits by the few at the expense of the many, and the inability of the poorest people to afford market prices, are both likely causes.¶ Free Trade¶ Free trade is the foremost demand of neoliberal globalization. In its current form, it simply translates as greater access to emerging markets for corporations and their host nations. These demands are contrary to the original assumptions of free trade as affluent countries adopt and maintain protectionist measures. Protectionism allows a nation to strengthen its industries by levying taxes and quotas on imports, thus increasing their own industrial capacity, output and revenue. Subsidies in the US and EU allow corporations to keep their prices low, effectively pushing smaller producers in developing countries out of the market and impeding development.¶ With this self interest driving globalization, economically powerful nations have created a global trading regime with which they can determine the terms of trade.¶ The North American Free Trade Agreement (NAFTA) between the US, Canada, and Mexico is an example of free-market fundamentalism that gives corporations legal rights at the expense of national sovereignty. Since its implementation it has caused job loss, undermined labour rights, privatized essential services, increased inequality and caused environmental destruction.¶ In Europe only 5% of EU citizens work in agriculture, generating just 1.6% of EU GDP compared to more than 50% of citizens in developing countries. However, the European Common Agricultural Policy (CAP) provides subsidies to EU farmers to the tune of £30 billion, 80% of which goes to only 20% of farmers to guarantee their viability, however inefficient this may be.¶ The General Agreement on Trade and Services (GATS) was agreed at the World Trade Organization (WTO) in 1994. Its aim is to remove any restrictions and internal government regulations that are considered to be "barriers to trade". The agreement effectively abolishes a government’s sovereign right to regulate subsidies and provide essential national services on behalf of its citizens. The Trade Related agreement on International Property Rights (TRIPS) forces developing countries to extend property rights to seeds and plant varieties. Control over these resources and services are instead granted to corporate interests through the GATS and TRIPS framework.¶ These examples represent modern free trade which is clearly biased in its approach. It fosters corporate globalization at the expense of local economies, the environment, democracy and human rights. The primary beneficiaries of international trade are large, multinational corporations who fiercely lobby at all levels of national and global governance to further the free trade agenda.¶ Liberalization¶ The World Bank, IMF and WTO have been the main portals for implementing the neoliberal agenda on a global scale. Unlike the United Nations, these institutions are over-funded, continuously lobbied by corporations, and are politically and financially dominated by Washington, Wall Street, corporations and their agencies. As a result, the key governance structures of the global economy have been primed to serve the interests of this group, and market liberalization has been another of their key policies.¶ According to neoliberal ideology, in order for international trade to be ‘free’ all markets should be open to competition, and market forces should determine economic relationships. But the overall result of a completely open and free market is of course market dominance by corporate heavy-weights. The playing field is not even; all developing countries are at a great financial and economic disadvantage and simply cannot compete.¶ Liberalization, through Structural Adjustment Programs, forces poorer countries to open their markets to foreign products which largely destroys local industries. It creates dependency upon commodities which have artificially low prices as they are heavily subsidized by economically dominant nations. Financial liberalization removes barriers to currency speculation from abroad. The resulting rapid inflow and outflow of currencies is often responsible for acute financial and economic crisis in many developing countries. At the same time, foreign speculators and large financial firms make huge gains. Market liberalization poses a clear economic risk; hence the EU and US heavily protect their own markets.¶ A liberalized global market provides corporations with new resources to capitalize and new markets to exploit. Neoliberal dominance over global governance structures has enforced access to these markets. Under WTO agreements, a sovereign country cannot interfere with a corporation’s intentions to trade even if their operations go against domestic environmental and employment guidelines. Those governments that do stand up for their sovereign rights are frequently sued by corporations for loss of profit, and even loss of potential profit. Without this pressure they would have been able to stimulate domestic industry and self sufficiency, thereby reducing poverty. They would then be in a better position to compete in international markets.¶

**The alternative is a process of critique that challenges the ideology of capital by prioritizing human development over production**

**Lebowitz 07** (Michael A. Lebowitz is author of Beyond Capital: Marx’s Political Economy of the Working Class (Palgrave Macmillan, 2003), Build It Now: Socialism for the Twenty-First Century (Monthly Review Press, 2006), and The Socialist Alternative: Real Human Development (Monthly Review Press, forthcoming in 2008). Portions of this essay were presented as “Going Beyond Survival: Making the Social Economy a Real Alternative” at the Fourth International Meeting of the Solidarity Economy, July 21–23, 2006, at the University of Sao Paulo, Brazil, “Venezuela: A Good Example of the Bad Left of Latin America”, <http://monthlyreview.org/2007/07/01/venezuela-a-good-example-of-the-bad-left-of-latin-america>,)

What constitutes a real alternative to capitalism? I suggest that it is a society in which the explicit goal is not the growth of capital or of the material means of production but, rather, human development itself—the growth of human capacities. We can see this perspective embodied in the Bolivarian Constitution of Venezuela—in Article 299’s emphasis upon “ensuring overall human development,” in the declaration of Article 20 that “everyone has the right to the free development of his or her own personality,” and in the focus of Article 102 upon “developing the creative potential of every human being and the full exercise of his or her personality in a democratic society.”¶ In these passages (which are by no means the whole of that constitution), **there is the conception of a real alternative—an economy whose logic is not the logic of capital.** “The social economy,” President Hugo Chávez said in September 2003, “bases its logic on the human being, on work, that is to say, on the worker and the worker’s family, that is to say, in the human being.” That social economy, he continued, does not focus on economic gain, on exchange values; rather, “the social economy generates mainly use-value.” Its purpose is “the construction of the new man, of the new woman, of the new society.”¶ These are beautiful ideas and beautiful words, but they are, of course, only ideas and words. The first set comes from a constitution and the second comes from the regular national educational seminar known as Aló Presidente. How can such ideas and words be made real? Let me suggest four preconditions for the realization of this alternative to capitalism.¶ (1) Any discussion of structural change must begin from an understanding of the existing structure—in short, from an understanding of capitalism. We need to grasp that the logic of capital, the logic in which profit rather than satisfaction of the needs of human beings is the goal, dominates both where it fosters **the comparative advantage of repression** and also where it accepts an increase in slave rations. (2) **It is essential to attack the logic of capital ideologically**. In the absence of the development of a mass understanding of the nature of capital—that capital is the result of the social labor of the collective worker—the need to survive the ravages of neoliberal and repressive policies produces **only the desire** for a fairer society, the search for a better share for the exploited and excluded: **in short, barbarism with a human face.**¶ (3) A critical aspect in the battle to go beyond capitalism is the recognition that human capacity develops only through human activity, only through what Marx understood as “revolutionary practice,” the simultaneous changing of circumstances and self-change. Real human development does not drop from the sky in the form of money to support survival or the expenditures of popular governments upon education and health. In contrast to populism, which produces people who look to the state for all answers and to leaders who promise everything, the conception which **truly challenges the logic of capital** in the battle of ideas is one which **explicitly recognizes the centrality of self-management in the workplace and self-government in the community as the means of unleashing human potential—i.e., the idea of socialism for the twenty-first century**.¶ (4) But, the idea of this socialism cannot displace real capitalism. Nor can dwarfish islands of cooperation change the world by competing successfully against capitalist corporations. You need the power to foster the new productive relations while truncating the reproduction of capitalist productive relations. You need to take the power of the state away from capital, and you need to use that power when capital responds to encroachments—when capital goes on strike, you must be prepared to move in rather than give in. Winning the “battle of democracy” and using “political supremacy to wrest, by degrees, all capital from the bourgeoisie” remains as critical now as when Marx and Engels wrote the Communist Manifesto. Consider these preconditions. Are they being met by the new Latin American governments on the left? On the contrary, for the most part, we can see the familiar characteristics of social democracy—which does not understand the nature of capital, does not attack the logic of capital ideologically, does not believe that there is a real alternative to capitalism, and, not surprisingly, gives in when capital threatens to go on strike.¶ “We can’t kill the goose that lays the golden eggs,” announced the social democratic premier of British Columbia in Canada (in the 1970s when I was party policy chairman). Here, crystallized, is the ultimate wisdom of social democracy—the manner in which social democracy enforces the logic of capital and ideologically disarms and demobilizes people.¶ Venezuela, however, is going in a different direction at this point. While the Bolivarian Revolution did not start out to build a socialist alternative (and its continuation along this path is contested every step of the way), **it is both actively rejecting the logic of capital and also ideologically arming and mobilizing people to build that alternative**.

### 1nc – ofac cp

**Using its licensing authority and enforcement discretion, the United States Department of Treasury’s Office of Foreign Assets Control should exempt enforcement of sanctions on Cuba from enforcement under the Cuban Assets Control Regulations.**

**First, the counterplan solves via specific exemptions — OFAC has broad discretion over sanctions enforcement.**

**Golumbic and Ruff 13** — Court E. Golumbic, Managing Director and Global Anti-Money Laundering, Anti-Bribery and Government Sanctions Compliance Officer at Goldman Sachs & Co., Lecturer-in-Law at the University of Pennsylvania Law School, former Assistant United States Attorney with the United States Attorney's Office for the Southern District of New York, and Robert S. Ruff III, Associate in the Securities Litigation practice group at Weil, Gotshal & Manges LLP, 2013 (“Leveraging the Three Core Competencies: How OFAC Licensing Optimizes Holistic Sanctions,” *North Carolina Journal of International Law & Commercial Regulation* (38 N.C.J. Int'l L. & Com. Reg. 729), Spring, Available Online to Subscribing Institutions via Lexis-Nexis)

2. Ability to Mitigate Collateral Damage

Because OFAC prefers to formulate its sanctions program **broadly**, its economic sanctions can affect the lives of **unintended targets**, such as ordinary citizens of foreign countries that have no influence in their sanctioned government. n347 The broad reach of U.S. sanctions can also unnecessarily put U.S. citizens and companies at a competitive disadvantage, undermine international support for the sanctions programs, and even **undermine the policy objectives of the programs**. n348 One way in which OFAC **mitigates** [\*792] **the collateral damage** of its holistic sanctions is by **issuing licenses** that permit U.S. citizens to export food and medical supplies n349 and provide humanitarian aid n350 to people in sanctioned countries. In an effort to avoid placing private enterprises at an unnecessary competitive disadvantage, which can damage U.S. influence internationally and U.S. interests as a whole, OFAC may also **allow certain activities** from an otherwise sanctioned country. n351 Additionally, OFAC issues licenses to avoid interfering with the legitimate activities of international and charitable organizations and to permit U.S. persons to participate in such organizations. n352 By licensing these types of activities and transactions, OFAC **focuses its sanctions and the punitive consequences thereof**, to the extent possible, **on those in a position to produce the desired change**, rather than on **innocent civilians and businesses**. n353

**Second, the counterplan solves quickly and without political fallout — it doesn’t require legislative or regulatory action.**

**Golumbic and Ruff 13** — Court E. Golumbic, Managing Director and Global Anti-Money Laundering, Anti-Bribery and Government Sanctions Compliance Officer at Goldman Sachs & Co., Lecturer-in-Law at the University of Pennsylvania Law School, former Assistant United States Attorney with the United States Attorney's Office for the Southern District of New York, and Robert S. Ruff III, Associate in the Securities Litigation practice group at Weil, Gotshal & Manges LLP, 2013 (“Leveraging the Three Core Competencies: How OFAC Licensing Optimizes Holistic Sanctions,” *North Carolina Journal of International Law & Commercial Regulation* (38 N.C.J. Int'l L. & Com. Reg. 729), Spring, Available Online to Subscribing Institutions via Lexis-Nexis)

3. Adaptability

The third core competency of OFAC's licensing practices is the ability to **adapt** a particular sanctions program **quickly** in response to political or circumstantial changes. n388 In situations where sanctions goals can change with the tides of revolution, the **slow march of legislative and rulemaking processes** may be incapable of producing **a timely response**. Sanctions targeting government-owned or government-operated entities may need to be **lifted** in response to a positive regime change or re-imposed in the event that the new government fails. n389 OFAC often utilizes **general licenses** to manage these fast-paced scenarios, either by **easing sanctions through license adoption** or strengthening sanctions through license revocation. n390 By issuing or revoking general licenses, OFAC can react to the changing political circumstances of a targeted country **without requiring a regulatory overhaul or the signing or withdrawal of an executive order**. n391

### 1nc – multilat

**1 Cuba will say no – they don’t trust we’ll follow through and the embrgo serves their interests**

**French 13**, Director of the New America Foundation U.S. – Cuba Policy Initiative, (Anya Landau, “Secretary Kerry: Will He or Won't He Take On Cuba” http://thehavananote.com/2013/02/secretary\_kerry\_will\_he\_or\_wont\_he\_take\_cuba)

And, then there’s the Cuban government. As much as many in the Cuban government (particularly the diplomatic corps) want to reduce tensions with the United States and finally make real progress on long-standing grievances held by both sides, **they aren’t desperate for the big thaw**. Many U.S. analysts, including in government, speculate that this is because Cuba’s leaders don’t really want to change the relationship, that **strife serves their needs better** than would the alternative. That could be so, but there’s also a hefty amount of skepticism and pride on the Cuban side, as well. After so many decades and layers of what Cuba calls the U.S. blockade, Cubans are unwilling to have the terms of any ‘surrender’ dictated to them. In fact, they are bound and determined that there will be no surrender. They would argue, what is there to surrender but their government’s very existence, something the leadership obviously isn’t going to put on the table.¶ Many in the Cuban government question whether the U.S. would offer anything that truly matters to Cuba, or **honor any commitments made**. Arguably, the last deal the U.S. made good on was struck during the Missile Crisis of October 1963, and Cuba wasn’t even at the table for that. It’s a lesser known fact that the United States never fully implemented the 1994/1995 migration accords, which committed both nations to work to prevent migration by irregular means. The U.S. did stop accepting illegal migrants from Cuba found at sea, but it still accepts them when they reach our shores – thus dubbed our ‘wet foot, dry foot’ policy. And with our generous adjustment policy offering a green card after one year, the incentive to make the illegal trip remains largely in place.

**2 heg turn – Multilateralism kills heg – it causes delays and undermines international security**

**Gaffney 02, President of the Center For Security Policy, 8-27- (Frank J., The Wasington Times)**

This amounts to what Margaret Thatcher once famously derided [about the time she was warning George Bush pere and his advisers against "going wobbly" over Iraq in 1990] as the impossibility of "leadership by consensus." She recognized that, on matters of surpassing importance, the United States has to lead by providing direction and initiative, around which a broader or narrower consensus will ultimately form - not try to get everyone else to agree in advance to do what it believes must be done. We know in advance that the Baker diplomatic gambit would be a fool's errand, adding obstacles not clearing them away. Ever since the end of the Gulf war, the U.N. Security Council has been ever-less-willing to support intrusive inspections in Iraq. This was hardly surprising since at least three of the permanent, veto-wielding Council members [France, Russia and China] were anxious to curry favor with Saddam Hussein - especially if they could frustrate American policy in the process. Under present circumstances, an effort to secure from the U.N. what would amount to a casus belli with Iraq is more likely to produce further evidence of international opposition to U.S. action there, and intensify the multilateralists' contention that we lack the authority to undertake such action. In truth, this is but the latest manifestation of a struggle that has been going on since the end of the Cold War. Foreign governments, particularly the unfriendly ones [which has in recent years included a number of our allies], have striven to establish via treaties, "international norms" and other devices means of constraining the American "hyperpower." This sentiment enjoys considerable currency as well among the Vietnam generation of the U.S. security policy elite. During the Bush 41 administration, when Mr. Baker, Brent Scowcroft and Lawrence Eagleburger were last in office, Washington frequently acceded to such pressure. Usually, it claimed that doing so was necessary to: fashion multinational coalitions [so as to prosecute Operation Desert Storm], maintain "stability" [for example, to preserve the "territorial integrity" of Yugoslavia] and advance fatuous arms-control objectives [notably, "ridding the world of chemical weapons."] The American foreign policy establishment embraced the idea that diminishing U.S. sovereignty in these and other ways was an unavoidable, if not actually a desirable, component of forging a "New World Order." During its eight years in office, the Clinton team greatly exacerbated this trend. It became practically axiomatic in the 1990s that the United States could not, and certainly should not, consider doing anything internationally without a U.N. mandate. A series of "global" agreements - governing everything from climate change to nuclear tests to war crimes - were consummated with active U.S. involvement and with manifest disregard for American sovereignty and constitutional processes. Over time, the nation inexorably became hamstrung like Gulliver, both by myriad institutionalized constraints and obligations and by the logic that the United States was just another country, one whose vote and influence in multinational councils should count no more than any others'. Since taking office, President Bush has confronted this syndrome time and again. To his great credit - and to the outraged howls of self-described "internationalists," he has repeatedly acted to reassert our national sovereignty and to restore our ability to act unilaterally. He has renounced the Kyoto Protocol on global warming, rejected the Comprehensive Test Ban Treaty and "unsigned" the International Criminal Court treaty. He has also withdrawn the United States from the 1972 Anti-Ballistic Missile Treaty, clearing the way at last for the accelerated deployment of missile defense systems - including at sea, a highly promising option about which Mr. Bush was briefed last week in Crawford. The party line from the foreign policy establishment types at home and abroad is that such behavior constitutes damnable "unilateralism." The putative fear is that America will revert to isolationism. The real concern, however, is very different - namely, that the United States will appreciate that it is able to act alone where it must, and that it may just have the will to do so. The truth of the matter is that the world is a safer place, not only for American interests but for those of freedom-loving people elsewhere, when the United States has the military, economic and political power to engage unilaterally where necessary and is led by an individual who is willing competently to exercise such power.

**Unilateralism sustains primacy—states bandwagon for fear of rising powers—which solves all their offense**

**Seldena, 13** – assistant professor of political science at the University of Florida (Zachary, “Balancing Against or Balancing With? The Spectrum of Alignment and the Endurance of American Hegemony” Security Studies Volume 22, Issue 2, 2013, Taylor and Francis)

Understanding which of these choices—soft balancing against the hegemon or alignment with the hegemon—is more prevalent among second-tier states has significant ramifications for the endurance of American hegemony. The record of the 2001–2009 period indicates that a wide range of second-tier states not only aligned with the United States, they strengthened their **security coop**eration in a manner that extended the reach of the us military at a time when American foreign policy was widely seen as unilateral. 3 In addition, they did so by incurring certain costs that helped to spread the burden of maintaining the American hegemonic system. This pattern of alignment with the United States has implications for the endurance of American hegemony because states aligned with the United States may have more at stake in the maintenance of American hegemony than the United States itself. A smaller American naval presence in the Asia Pacific region, for example, may be seen as a relatively minor shift in the United States with some beneficial budgetary savings. In Vietnam, Australia, or the Philippines, however, such a shift could prompt a wholesale reevaluation of national defense policy and have costly implications. Therefore, second-tier states have an incentive to participate in activities that extend the endurance of American hegemony, even if they do not receive a formal security guarantee for their efforts.

This may have implications for American foreign policy. There are distinct policy recommendations flowing from the logic of those scholars and policy professionals **who** argue that a more proactive and unilateral foreign policy speeds the decline of American hegemony. The most important of these is that the United States should practice a policy of self-restraint that defers to international organizations, which would alleviate concerns about the current preponderance of the United States in the international system. 4 A policy of self-restraint would signal that the United States is not a threat to other major powers and preclude attempts at balancing. This policy would also help to set a norm for the behavior of future great powers and recognize the emerging reality of a multipolar world. 5 Another policy implication from this line of reasoning is that the United States should reduce its global military presence that both encourages balancing behavior by other states and speeds hegemonic decline by draining financial resources. 6

Yet, this policy of restraint may be precisely what would cause second-tier states to question the utility of their security relationship with the United States and move away from policies that help to maintain American hegemony. This could at least partially explain the trend of states moving to establish closer security relationships with the United States in the 2001–2009 period, when it was at its most proactive and least deferential to international organizations. States may logically conclude that a hegemon willing to project power regardless of international opinion will be likely to use its power in the defense of the hegemony that is in the interest of second-tier states. Second-tier states might be far less willing to contribute to the maintenance of American hegemony if the United States behaves in a manner that **raises doubts as to the durability of its commitments** or its willingness to use its power in the international arena. Thus, what would trigger a serious decline in the cooperation that helps to sustain American hegemony would be a self-imposed reduction in the ability of the United States to project power and an increased reluctance to use its power in support of its national interests.

**Hegemony key to solve extinction**

Thomas P.M. **Barnett 11** Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat., worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, “The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,” March 7 http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads

It is worth first examining the larger picture: **We live in a time of arguably the greatest structural change in the global order yet endured**, **with this historical moment's most amazing feature being its** relative and absolute **lack of mass violence**. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our **stunningly successful stewardship of global order** since World War II. Let me be more blunt: **As the guardian of globalization**, **the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the mass murder never would have ended. Indeed, it's entirely conceivable there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation. But the world did not keep sliding down that path of perpetual war**. **Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace**. **We introduced the international liberal trade order known as globalization** and played loyal Leviathan over its spread. **What resulted was the collapse of empires, an explosion of democracy**, the **persistent spread of human rights**, the liberation of women, **the doubling of life expectancy**, a roughly **10-fold increase in adjusted global GDP** **and a profound and persistent reduction in battle deaths from state-based conflicts.** That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. **¶** As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. **The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars.** That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude**, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity,** something the American-birthed system was designed to both encourage and accommodate. **But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come.¶** To continue the historical survey, after salvaging Western Europe from its half-century of civil war, **the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism.** America then successfully replicated globalization further in East Asia over the second half of the 20th century, **setting the stage for the Pacific Century now unfolding.**

**3 Multilateralism is in unstoppable decline**

**Young et al 13**

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The Doha round of trade negotiations is **deadlocked, despite eight successful multilateral trade rounds before it**. Climate negotiators have met **for two decades without finding a way to stem global emissions. The UN is paralyzed** in the face of growing insecurities across the world, the latest dramatic example being Syria. Each of these phenomena could be treated as if it was independent, and an explanation sought for the peculiarities of its causes. Yet, such a perspective would fail to show what they, along with numerous other instances of breakdown in international negotiations, have in common. **Global cooperation is gridlocked across a range of issue areas**. The reasons for this are **not the result of any single underlying causal structure**, but rather of **several underlying dynamics that work together.** Global cooperation today is failing not simply because it is very difficult to solve many global problems – indeed it is – but because previous phases of global cooperation have been incredibly successful, producing unintended consequences that **have overwhelmed the problem-solving capacities of the very institutions that created them.** It is hard to see how this situation can be unravelled, given failures of contemporary global leadership, the weaknesses of NGOs in converting popular campaigns into institutional change and reform, and the domestic political landscapes of the most powerful countries. A golden era of governed globalization In order to understand why gridlock has come about it is important to understand how it was that the post-Second World War era facilitated, in many respects, a successful form of ‘governed globalization’ that contributed to relative peace and prosperity across the world over several decades. This period was marked by peace between the great powers, although there were many proxy wars fought out in the global South. This relative stability created the conditions for what now can be regarded as an unprecedented period of prosperity that characterized the 1950s onward. Although it is by no means the sole cause, the UN is central to this story, helping to create conditions under which decolonization and successive waves of democratization could take root, profoundly altering world politics. While the economic record of the postwar years varies by country, many experienced significant economic growth and living standards rose rapidly across significant parts of the world. By the late 1980s a variety of East Asian countries were beginning to grow at an unprecedented speed, and by the late 1990s countries such as China, India and Brazil had gained significant economic momentum, a process that continues to this day. Meanwhile, the institutionalization of international cooperation proceeded at an equally impressive pace. In 1909, 37 intergovernmental organizations existed; in 2011, the number of institutions and their various off-shoots had grown to 7608 (Union of International Associations 2011). There was substantial growth in the number of international treaties in force, as well as the number of international regimes, formal and informal. At the same time, new kinds of institutional arrangements have emerged alongside formal intergovernmental bodies, including a variety of types of transnational governance arrangements such as networks of government officials, public-private partnerships, as well as exclusively private/corporate bodies. Postwar institutions created the conditions under which a multitude of actors could benefit from forming multinational companies, investing abroad, developing global production chains, and engaging with a plethora of other social and economic processes associated with globalization. These conditions, combined with the expansionary logic of capitalism and basic technological innovation, changed the nature of the world economy, radically increasing dependence on people and countries from every corner of the world. This interdependence, in turn, created demand for further institutionalization, which states seeking the benefits of cooperation provided, beginning the cycle anew. This is not to say that international institutions were the only cause of the dynamic form of globalization experienced over the last few decades. Changes in the nature of global capitalism, including breakthroughs in transportation and information technology, are obviously critical drivers of interdependence. However, all of these changes were allowed to thrive and develop because they took place in a relatively open, peaceful, liberal, institutionalized world order. By preventing World War Three and another Great Depression, the multilateral order arguably did just as much for interdependence as microprocessors or email (see Mueller 1990; O’Neal and Russett 1997). Beyond the special privileges of the great powers Self-reinforcing interdependence has now progressed to the point **where it has altered our ability to engage in further global cooperation.** That is, economic and political shifts in large part attributable to the successes of the post-war multilateral order are now amongst the factors **grinding that system into gridlock.** Because of the remarkable success of global cooperation in the postwar order, human interconnectedness weighs much more heavily on politics than it did in 1945. The need for international cooperation has never been higher. **Yet the “supply” side of the equation, institutionalized multilateral cooperation, has stalled.** In areas such as nuclear proliferation, the explosion of small arms sales, terrorism, failed states, global economic imbalances, financial market instability, global poverty and inequality, biodiversity losses, water deficits and climate change, **multilateral and transnational cooperation is now increasingly ineffective or threadbare.** Gridlock is not unique to one issue domain, but appears to be becoming a general feature of global governance: cooperation seems to be **increasingly difficult and deficient** at **precisely** the time **when it is needed most**. It is possible to identify **four reasons for this blockage**, four pathways to gridlock: **rising multipolarity, institutional inertia, harder problems, and institutional fragmentation**. Each pathway can be thought of as a growing trend **that embodies a specific mix of causal mechanisms**. Each of these are explained briefly below. **Growing multipolarity**. The absolute number of states **has increased by 300 percent in the last 70 years,** meaning that the most basic transaction costs of global governance have grown. More importantly, the number of states that “matter” on a given issue—that is, the states without whose cooperation a global problem cannot be adequately addressed—has expanded by similar proportions. At Bretton Woods in 1945, the rules of the world economy could essentially be written by the United States with some consultation with the UK and other European allies. In the aftermath of the 2008-2009 crisis, the G-20 has become the principal forum for global economic management, not because the established powers desired to be more inclusive, but because they could not solve the problem on their own. However, a consequence of this progress is now that **many more countries, representing a diverse range of interests, must agree** in order for global cooperation to occur. **Institutional inertia**. The postwar order succeeded, in part, because it incentivized great power involvement in key institutions. From the UN Security Council, to the Bretton Woods institutions, to the Non-Proliferation Treaty, key pillars of the global order explicitly grant special privileges to the countries that were wealthy and powerful at the time of their creation. This hierarchy was necessary to secure the participation of the most important countries in global governance. Today, the gain from this trade-off has shrunk while the costs have grown. As power shifts from West to East, North to South, a broader range of participation is needed on nearly all global issues if they are to be dealt with effectively. At the same time, following decolonization, the end of the Cold War and economic development, the idea that some countries should hold more rights and privileges than others is increasingly (and rightly) regarded as morally bankrupt. And **yet, the architects of the postwar order did not**, in most cases, **design institutions that would organically adjust to fluctuations in national power**. **Harder problems**. As independence has deepened, the types and scope of problems around which countries must cooperate has evolved. **Problems are both now more extensive**, implicating a broader range of countries and individuals within countries, **and intensive**, penetrating deep into the domestic policy space and daily life. Consider the example of trade. For much of the postwar era, trade negotiations focused on reducing tariff levels on manufactured products traded between industrialized countries. Now, however, negotiating a trade agreement requires also discussing a host of social, environmental, and cultural subjects - GMOs, intellectual property, health and environmental standards, biodiversity, labour standards—about which countries often disagree sharply. In the area of environmental change a similar set of considerations applies. To clean up industrial smog or address ozone depletion required fairly discrete actions from a small number of top polluters. By contrast, the threat of climate change and the efforts to mitigate it involve nearly all countries of the globe. **Yet, the divergence of voice and interest within both the developed and developing worlds, along with the sheer complexity of the incentives** needed to achieve a low carbon economy, **have made a global deal, thus far, impossible** (Falkner et al. 2011; Victor 2011). **Fragmentation**. The institution-builders of the 1940s began with, essentially, a blank slate. But efforts to cooperate internationally today occur in **a dense institutional ecosystem shaped by path dependency**. The **exponential rise in** both multilateral and transnational **organizations has created a more complex multilevel and multi-actor system of global governance.** Within this dense web of institutions mandates can conflict, interventions are frequently uncoordinated, and all too typically scarce resources are subject to intense competition. In this context, the proliferation of institutions tends to lead to dysfunctional fragmentation, reducing the ability of multilateral institutions to provide public goods. When funding and political will are scarce, countries need focal points to guide policy (Keohane and Martin 1995), which can help define the nature and form of cooperation. Yet, when international regimes overlap, these positive effects are weakened. **Fragmented institutions**, in turn, **disaggregate resources and political will, while increasing transaction costs.** In stressing four pathways to gridlock we emphasize the manner in which contemporary global governance problems build up on each other, although different pathways can carry more significance in some domains than in others. The **challenges now faced by the multilateral order are substantially different from those faced** by the 1945 victors **in the postwar settlement**. They are second-order cooperation problems arising from previous phases of success in global coordination. Together, they now block and inhibit problem solving and reform at the global level.

**4 Alt cause to river wars – water scarcity and democracy**

**Hensel et. al. 6** – their author (Paul R. Hensel, Professor of Political Science at the University of North Texas, PhD in Political Science from the University of Illinois at Urbana-Champaign, Sara McLaughlin Mitchell, Professor of Political Science at the University of Iowa, PhD in Political Science from Michigan State University, Thomas E. Sowers II, PhD in Political Science from Florida State University, Assistant Professor of Political Science at Lamar University, “Conflict management of riparian disputes,” Political Geography 25 (2006) pg. 383-411)//javi

In addition to water scarcity and the **presence of institutions, we expect that river management will be inﬂuenced by other factors** that are less central to our theoretical argument. These include joint democracy, the dyadic power relationship between two potential disputants, the overall salience of the contested river, and recent interactions over the river. Consistent with the democratic peace literature, joint democracy should lessen the likelihood of militarized conﬂict between riparians and increase the likelihood of the use and effectiveness of peaceful conﬂict management.

**6 Border violence won’t spillover**

**Bennion, 09** (Dave, “Border violence not spilling over,” Immigrant Rights, April 18, http://immigration.change.org/blog/view/border\_violence\_not\_spilling\_over)

While the cable news channels have seized on the "spillover violence" from the Mexican drug cartels into border towns like El Paso, gente on the border themselves don't much like the military setting up in their hometowns. I don't have cable TV, but apparently the cable news shows have been covering this story in the usual breathless fashion.  There's just one problem with this from the perspective of the residents of Texas border towns: [**there hasn't been significant spillover violence.**](http://www.texasobserver.org/article.php?aid=3014) According to the FBI, more than 1,600 people were killed by cartel violence in Juarez in 2008. El Paso, a city of 755,000, recorded just 18 murders last year. Laredo had 11; Brownsville and McAllen had three and nine, respectively. By comparison, Washington, D.C., with a population smaller than El Paso's, had 186 homicides in 2008. . . . The real impact of the ongoing tragedy in Juarez is felt by El Pasoans in more indirect and personal ways. While the brutality across the river has not caused a wave of kidnappings and murders in El Paso, folks do feel its effects every day. Families are divided. El Pasoans can no longer visit their friends, relatives, doctors or dentists in Juarez. Businesses on both sides suffer. The stories are legion: The high-school student who can't visit her beloved, 105-year-old grandmother because her parents don't want to risk her safety. The young Juarez woman who worries that her El Paso friends and relatives won't be able to attend her wedding. And the many families mourning loved ones lost on the other side of the Rio Grande. The media is chasing the ratings boost they believe this story will bring.  But leaders of border towns don't want the attention and the consequences it brings: ever-higher walls through the community, semi-permanent military presence, and in 1997, the shooting of a young American by a Marine. El Paso Mayor John **Cook** spoke about his recent interaction with the media. "I'll speak with them and tell them there hasn't been any spillover of violence into El Paso," he says, "and then they will turn around and report that there is. Mostly I feel like I've wasted my time." He's not the only border mayor who feels that frustration. In March, McAllen Mayor Richard Cortez got into an on-air tussle with CNN anchor Don Lemon. With archival footage of masked soldiers and body bags in Sinaloa, Mexico-960 miles from McAllen-rolling in the background, Lemon informed Cortez what was happening in his city. "I think it's pretty close to a crisis, wouldn't you agree?" Lemon asked. "The crisis is in Mexico," Cortez replied. "It has not spilled over**,** Don, to mine-to our city." "Yes, I know you say that. I know you say that it hasn't," Lemon said. "Since you're the mayor of the city, you have to put the best foot forward. I know your city is affected, but you have to put a good face on it." "I'm not putting my head in the sand," Cortez insisted. "I'm just reporting to you as accurately as I can what has happened." That's some crackerjack reporting!  Episodes like this make clear that the national media--and cable news in particular--will make up the story themselves if the facts don't cooperate. And Washington politicians take their cues from CNN and Fox News, though they should know better by now. One problem, Cook says, is that Washington politicians and national media "don't know how Mexico positively impacts our region"-including the billions in legal trade across the border. "Typically what happens in Washington is that they listen to you, and it sounds like you are getting through to them. Then you leave, and they do whatever it is they planned to do anyway." And as for the drug violence in Mexico, [Matt Kelley](http://criminaljustice.change.org/blog/view/obama_misses_the_point_in_mexico) wishes Barack Obama would address the failure of the decades-long War on Drugs and acknowledge that some form of legalization would go a long way towards reducing the violence.

**7 No resource wars or conflict over scarcity**

**Tetrais 12**, Senior Fellow at Foundation for Strategic Research, (Bruno- Editorial Board at TWQ, July, “The Demise of Ares: The End of War as We Know It?” The Washington Quarterly, Vol 35 Issue 3, p 7-22, T&F Online)

**The invasion of Kuwait may go down in history as being the last great resource war**. **Future resource wars are unlikely**. There are fewer and fewer conquest wars. Between the Westphalia peace and the end of World War II, nearly half of conflicts were fought over territory. Since the end of the Cold War, it has been less than 30 percent.61 The invasion of Kuwait—a nationwide bank robbery—may go down in history as being the last great resource war. The U.S.-led intervention of 1991 was partly driven by the need to maintain the free flow of oil, but not by the temptation to capture it. (Nor was the 2003 war against Iraq motivated by oil.) As for the current tensions between the two Sudans over oil, they are the remnants of a civil war and an offshoot of a botched secession process, not a desire to control new resources.¶ China's and India's energy needs are sometimes seen with apprehension: in light of growing oil and gas scarcity, is there not a risk of military clashes over the control of such resources? This seemingly consensual idea rests on two fallacies. One is that there is such a thing as oil and gas scarcity, a notion challenged by many energy experts.62 As prices rise, previously untapped reserves and non-conventional hydrocarbons become economically attractive. The other is that spilling blood is a rational way to access resources. As shown by the work of historians and political scientists such as Quincy Wright, the economic rationale for war has always been overstated. And because of globalization, it has become cheaper to buy than to steal. We no longer live in the world of 1941, when fear of lacking oil and raw materials was a key motivation for Japan's decision to go to war. In an era of liberalizing trade, many natural resources are fungible goods. (Here, Beijing behaves as any other actor: 90 percent of the oil its companies produce outside of China goes to the global market, not to the domestic one.)63 There may be clashes or conflicts in regions in maritime resource-rich areas such as the South China and East China seas or the Mediterranean, but they will be driven by nationalist passions, not the desperate hunger for hydrocarbons.¶ Only in civil wars does the question of resources such as oil, diamonds, minerals, and the like play a significant role; this was especially true as Cold War superpowers stopped their financial patronage of local actors.64 Indeed, as Mueller puts it in his appropriately titled The Remnants of War, “Many [existing wars] have been labeled ‘new war,’ ‘ethnic conflict,’ or, most grandly ‘clashes of civilization.’ But in fact, most…are more nearly opportunistic predation by packs, often remarkably small ones, of criminals, bandits, and thugs.”65 It is the abundance of resources, not their scarcity, which fuels such conflicts. The risk is particularly high when the export of natural resources represents at least a third of the country's GDP.66¶ What about fighting for arable land, in light of population growth in Africa and Asia? Even in situations of high population densities, the correlation between the lack of arable lands and propensity to collective violence remains weak.67 Neo-Malthusians such as Jared Diamond believe that the Rwanda tragedy was driven by such scarcity.68 But there was no famine in Rwanda at the time. And the events of 1994 were not a revolt of the poor: Hutu landowners were amongst the most active perpetrators of genocide. There was, however, a significant youth bulge: the 15–24 age group represented 38 percent of the adult population.69 Land scarcity played a role, but at best as a factor explaining the intensity of the violence in some areas.70

**8 Turn – Binding cuts cause global protectionism**

**Competitive Enterprise Institute 12-2-97 (“Kyoto Media Advisory,”** [**http://www.cei.org/gencon/003,02747.cfm**](http://www.cei.org/gencon/003,02747.cfm)**)**

Still, policy does have implications. To sanction anti-energy use policies anywhere will have ramifications everywhere. If Kyoto leads to further energy restrictions in the U.S. the world will notice the impacts of declining economic and technological progress. Kyoto is all too likely to produce what CEI President Fred Smith terms "a baby step on the escalator to oblivion." Even such initial economic costs would likely exacerbate already troubling protectionist tendencies in the U.S. and elsewhere. Any effort by the U.S. to use the Kyoto Treaty to curtail energy would mobilize the business community into arguing for treaty enforcement via trade sanctions. David Montgomery, an economist with Charles River Associates, discussed this protectionist risk at the Competitive Enterprise Institute’s Costs of Kyoto conference. He noted that the pressures and the tools for enforcing climate treaty measures will be trade -- not environmentally -- driven. Few outside the environmental establishment believes that trade wars will prove beneficial. In a world of "differentiated" compliance, the Byrd-Hagel resolution may well evolve into a new force for protectionism.

**9 Turn – Binding cuts decimate hegemony and readiness**

**Carlucci, Former Secretary of Defense & Chair of the Carlyle Group, 5-18-98 (Frank, “Making military sense out of Kyoto,” Washington Times)**

Prior to the 1997 Kyoto meeting on global climate change, Defense Secretary William Cohen issued this stern warning: "America's national security requires that its military forces remain ready. While global climate change may be a serious threat to the nation's long-term interests, there are other threats we must not forget. We must not sacrifice our national security to achieve reductions in greenhouse gas emissions." Regrettably, the administration has failed to heed that warning from its own top defense official and agreed to a climate treaty that fails to spell out the impact on the U.S. military. While Congress initially raised questions about the economic impact of the accord, there is growing concern in the Senate, which must ratify the treaty, about agreeing to a treaty that imposes unprecedented restraint on military action and training. By agreeing to restrict greenhouse gas emissions, and leaving the accord's impact on military operations ambiguous, the administration has effectively hamstrung the Defense Department's ability to protect national security interests and invited mischief by foes who can now use the accord to press for U.S.military cutbacks. Here's how: Under the Kyoto accord, the administration has committed to reduce greenhouse gas emissions to essentially 1979 levels. The U.S. government is the nation's largest energy user, and the Pentagon is the largest energy user within the government. By signing the treaty, the administration has agreed to scale back fuel use by the U.S. military - a dangerous commitment that could have a disastrous impact on force readiness. The Pentagon itself warned that a 10 percent reduction in Army fuel use would "downgrade readiness and require up to six additional weeks to prepare and deploy. Strategic deployment schedules would be missed, placing operations at risk." A similar reduction by the Air Force "would result in the loss of over 210,000 flying hours per year" and a Navy cutback "would cut some 2,000 steaming days per year for deployed ships, causing cancellation of both bilateral and multilateral exercises." The Committee to Preserve American Security and Sovereignty - a concerned group of former U.S. foreign policy advisers -strongly urges the administration to clarify the impact of the treaty on U.S. force readiness and preparation. Thus far, there has been a troubling lack of clarity and candor on the administration's part over what it committed the Pentagon to in Kyoto. For example, the Kyoto accord fails to explain what U.S. military operations would count toward U.S. greenhouse gas limits. Operations conducted or sanctioned by the U.N. are not included within a country's greenhouse gas limits. However, the administration has seemingly failed to take into consideration the possibility that the U.S. might be forced to act alone to protect our national security. In recent congressional testimony, Deputy Undersecretary for Environmental Security Sherri Goodman said that unilateral operations are "quite rare." True, but certainly the U.S. must have the capability to engage in unilateral operations without environmental issues posing an obstacle to deployment. Miss Goodman stated military operations such as Panama and Grenada would be exempt. What she fails to remember is that the Panama operation was denounced by the chairman of the Senate Foreign Relations Committee as a "unilateral" operation - opening up the possibility it would not be exempt from fuel-limitation restrictions included in the Kyoto accord. There is also significant concern about the impact the treaty will have on domestic military operations, training, facilities and nontactical vehicles. The administration believes it won a key victory by avoiding language in the protocol on these issues. But without clarifying language specifically exempting domestic operations from U.S. greenhouse limits, the administration has opened the door to international criticism that the United States is not living up to its Kyoto commitments. Had Kyoto been in effect in 1990, critics would have certainly demanded that the Panama operation count toward our greenhouse gas limit - a controversy an administration doesn't need in the middle of a military conflict. Deputy Secretary Goodman raised expectations that fuel used in domestic military operations would be included within U.S. greenhouse limits when she testified in March that the Pentagon does not "seek special treatment." She said the Defense Department "can and should reduce its greenhouse gas emissions in the same way the rest of the nation will be called to do." Of particular concern is that the treaty will open the door for hostile nations to seek to hamper U.S. military operations. It is conceivable that every movement made by the Army, Navy, Air Force, Marines and Coast Guard will become subject to controversy over whether the operations are in violation of the Kyoto accord. That would be a diplomatic and military nightmare. Before Kyoto's dangerous principles go into effect, it is crucial for the administration to dispel concerns about military readiness issues by clarifying its impact on the Pentagon. Such a clarification must detail how the treaty will affect military training, readiness and operations. Regardless of how the administration interprets the treaty; the Senate must demand a blanket exemption for all military operations. Our national security deserves no less. In 1992, then-Sen. Al Gore called global climate change the "most serious threat we have ever faced." COMPASS respectfully, but vigorously, disagrees. While environmental issues must be addressed, the U.S. cannot afford to drop its military shield today because of an unproven environmental threat that may loom in the 22nd Century.

**8 No risk of protectionism**

**Kim 13**

Soo Yeon Kim, of the National University of Singapore, associate professor of music at Nazareth College of Rochester, New York, Fellow of the Transatlantic Academy, based at the German Marshall Fund of the United States, The Monkey Cage, January 30, 2013, " Protectionism During Recessions: Is This Time Different?", http://themonkeycage.org/blog/2013/01/30/protectionism-during-recessions-is-this-time-different/

The Great Recession of 2008: Who Resisted Protectionism? There is widespread agreement regarding the critical role of international institutions as “firewalls” against protectionism during this recession. Economic and non-economic international institutions have served as conveyors of information and mechanisms of commitment and socialization. Their informational function enhances the transparency and accountability of states’ trade policies, and they mitigate uncertainty when it is running high. Specialized international institutions devoted to trade, such as the WTO and preferential trade agreements (PTAs), also lock in commitments to liberal trade through legal obligations that make defections costly, thus creating accountability in the actions of its members. Equally important, international institutions are also arenas of socialization that help propagate important norms such as the commitment to the liberal trading system and cooperative economic behavior. In this connection, the degree to which a particular country was embedded in the global network of economic and non-economic international institutions has been found to be strongly correlated with fewer instances of protectionist trade measures. Information provided to date by international institutions, with the exception of the GTA project, largely agree that states have not resorted to large-scale protectionism during this recession, in spite of the fact that the “great trade collapse” at the beginning of the current crisis was steeper and more sudden than that of its Great Depression predecessor. The WTO Secretariat, in addition to its regular individual reports on members’ trade policies under the Trade Policy Review Mechanism (TPRM), has issued more than a dozen reports on member states’ trade policies during the crisis. At the request of the G-20 countries, which pledged not to adopt protectionist trade measures at the onset of the crisis in 2008, the WTO, the OECD, and UNCTAD have produced joint reports on the trade and investment measures of the world’s largest trading states. They, too, find that G-20 countries had largely adhered to their commitment not to raise trade and investment barriers. In the World Bank’s Temporary Trade Barriers (TTB) project, an important and unique data collection that includes information on pre-crisis and crisis trade policy behavior, Bown finds that temporary trade barriers such as safeguards, countervailing and antidumping duties saw only a slight increase of usage by developed countries, in the neighborhood of 4%. In contrast, emerging market economies were the heavy users of TTBs, whose usage rose by almost 40% between 2008 and 2009. As scholarly insights accumulate on the current recession and its impact on protectionism (or lack thereof), two questions emerge for further research. First, to what extent have governments employed policy substitutes that have the same effect as trade protectionism? International institutions may appear to have been successful in preventing protectionism, but governments may well have looked elsewhere to defend national economies. This question can be seen in the broader context of the “open economy trilemma,” in which governments may achieve only two of three macroeconomic policy objectives: stable exchange rates, stable prices, and open trade. Irwin argues that governments that abandoned the gold standard during the Great Depression were less protectionist, and their economies also suffered less from the recession. Existing scholarship also indicates that governments are likely to employ policy substitutes, opting for monetary autonomy when facing trade policy constraints, for example, due to membership in a preferential trade agreement. Moreover, at the time of writing, the International Monetary Fund (IMF) has announced that it has dropped its objections to capital controls, albeit cautiously and only under certain conditions, thus potentially providing another policy alternative for governments to achieve economic stability during this crisis. Future research may further extend the application to policy substitutes that are deployed during economic downturns. Finally, why did firms not push for more protection? Protectionist policies are not adopted by governments in a political vacuum. In order to adopt trade defense measures such as anti-dumping duties, governments first conduct investigations to assess the extent of injury. Such investigations are initiated when firms apply for them through the domestic political process. If indeed governments did not appeal extensively or unusually to protectionist trade policies, the explanation to a significant degree lies in firm behavior. A distinguished body of research exists in this area that is due for a revisit in the age of extensive international supply chains, from Schattschneider’s classic examination of the domestic pressures that led to the Smoot-Hawley Act to Helen Milner’s study of export-dependent firms that resisted protectionism during the crisis of the 1920s and the 1970s. Milner rightly pointed out that “firms are central,” and over the years the export-dependent, multinational firm has evolved in tandem with the increasing complexity of the international supply chain. Today’s firm is not only heavily export-dependent but equally import-dependent in its reliance on intermediate inputs, whether through intra-firm trade or from foreign firms. The extensive international supply chain thus often puts exporting and importing firms on the same side of the political debate, especially when they are members of large multinational firms. Moreover, the study of firm-level behavior must extend beyond the developed world to consider firms in emerging market economies, which have been the heavy users of trade defense measures during the current recession. How the internationalization of production, driven by investment and trade in intermediate goods, restrained multinational firms from pushing for more protection remains an important question for further research.

### 1nc – environment

**2 No bio-d impact – it’s resilient**

**Kareiva et al 12 –** Chief Scientist and Vice President, The Nature Conservancy(Peter, Michelle Marvier **--**professor and department chair of Environment Studies and Sciences at Santa Clara University, Robert Lalasz **--** director of science communications for The Nature Conservancy, Winter, “Conservation in the Anthropocene,” http://thebreakthrough.org/index.php/journal/past-issues/issue-2/conservation-in-the-anthropocene/)

2. As conservation became a global enterprise in the 1970s and 1980s, the movement's justification for saving nature shifted from spiritual and aesthetic values to focus on biodiversity. Nature was described as primeval, fragile, and at risk of collapse from too much human use and abuse. And indeed, there are consequences when humans convert landscapes for mining, logging, intensive agriculture, and urban development and when key species or ecosystems are lost.¶ But ecologists and conservationists have **grossly overstated** the fragility of nature, frequently arguing that once an ecosystem is altered, it is gone forever. Some ecologists suggest that if a single species is lost, a whole ecosystem will be in danger of collapse, and that if too much biodiversity is lost, spaceship Earth will start to come apart. Everything, from the expansion of agriculture to rainforest destruction to changing waterways, has been painted as a threat to the delicate inner-workings of our planetary ecosystem.¶ The fragility trope dates back, at least, to Rachel Carson, who wrote plaintively in Silent Spring of the delicate web of life and warned that perturbing the intricate balance of nature could have disastrous consequences.22 Al Gore made a similar argument in his 1992 book, Earth in the Balance.23 And the 2005 Millennium Ecosystem Assessment warned darkly that, while the expansion of agriculture and other forms of development have been overwhelmingly positive for the world's poor, ecosystem degradation was simultaneously putting systems in jeopardy of collapse.24¶ The trouble for conservation is that the data simply do not support the idea of a fragile nature at risk of collapse. Ecologists now know that the disappearance of one species does not necessarily lead to the extinction of any others, much less all others in the same ecosystem. In many circumstances, the demise of formerly abundant species can be **inconsequential** to ecosystem function. The American chestnut, once a dominant tree in eastern North America, has been extinguished by a foreign disease, yet the forest ecosystem is surprisingly unaffected. The passenger pigeon, once so abundant that its flocks darkened the sky, went extinct, along with countless other species from the Steller's sea cow to the dodo, with **no catastrophic or even measurable effects**.¶ These stories of resilience are not isolated examples -- a thorough review of the scientific literature identified **240 studies** of ecosystems following major disturbances such as deforestation, mining, oil spills, and other types of pollution. The abundance of plant and animal species as well as other measures of ecosystem function recovered, at least partially, in 173 (72 percent) of these studies.25¶ While global forest cover is continuing to decline, it is rising in the Northern Hemisphere, where "nature" is returning to former agricultural lands.26 Something similar is likely to occur in the Southern Hemisphere, after poor countries achieve a similar level of economic development. A 2010 report concluded that rainforests that have grown back over abandoned agricultural land had 40 to 70 percent of the species of the original forests.27 Even Indonesian orangutans, which were widely thought to be able to survive only in pristine forests, have been found in surprising numbers in oil palm plantations and degraded lands.28¶ Nature is so **resilient** that it can **recover rapidly** from even the **most powerful** human disturbances. Around the Chernobyl nuclear facility, which melted down in 1986, wildlife is thriving, despite the high levels of radiation.29 In the Bikini Atoll, the site of multiple nuclear bomb tests, including the 1954 hydrogen bomb test that boiled the water in the area, the number of coral species has actually increased relative to before the explosions.30 More recently, the massive 2010 oil spill in the Gulf of Mexico was degraded and consumed by bacteria at a remarkably fast rate.31¶ Today, coyotes roam downtown Chicago, and peregrine falcons astonish San Franciscans as they sweep down skyscraper canyons to pick off pigeons for their next meal. As we destroy habitats, we create new ones: in the southwestern United States a rare and federally listed salamander species seems specialized to live in cattle tanks -- to date, it has been found in no other habitat.32 Books have been written about the collapse of cod in the Georges Bank, yet recent trawl data show the biomass of cod has recovered to precollapse levels.33 It's doubtful that books will be written about this cod recovery since it does not play well to an audience somehow addicted to stories of collapse and environmental apocalypse.¶ Even that classic symbol of fragility -- the polar bear, seemingly stranded on a melting ice block -- may have a good chance of surviving global warming if the changing environment continues to increase the populations and northern ranges of harbor seals and harp seals. Polar bears evolved from brown bears 200,000 years ago during a cooling period in Earth's history, developing a highly specialized carnivorous diet focused on seals. Thus, the fate of polar bears depends on two opposing trends -- the decline of sea ice and the potential increase of energy-rich prey. The history of life on Earth is of species evolving to take advantage of new environments only to be at risk when the environment changes again.¶ The wilderness ideal presupposes that there are parts of the world untouched by humankind, but today it is impossible to find a place on Earth that is unmarked by human activity. The truth is humans have been impacting their natural environment for centuries. The wilderness so beloved by conservationists -- places "untrammeled by man"34 -- never existed, at least not in the last thousand years, and arguably even longer.

**3 No disease impact**

**Keller 13** -- Analyst at Stratfor, Post-Doctoral Fellow at University of Colorado at Boulder (Rebecca, 2013, "Bioterrorism and the Pandemic Potential," http://www.stratfor.com/weekly/bioterrorism-and-pandemic-potential)

Periodic media reports of bird flu, a new SARS-like virus and a case of drug-resistant tuberculosis have kept the world informed, but they have also contributed to a **distorted perception of the true threat such contagions pose.** Perhaps the greatest value of the media coverage is the opportunity it provides to discuss the uncertainties and the best ways to prepare for biological threats, both natural and man-made. It is important to remember that the risk of biological attack is very low and that, partly because viruses can mutate easily, the potential for natural outbreaks is unpredictable. The key is having the right tools in case of an outbreak, epidemic or pandemic, and these include a plan for containment, open channels of communication, scientific research and knowledge sharing. In most cases involving a potential pathogen, **the news can appear far worse than the actual threat.** Infectious Disease Propagation Since the beginning of February there have been occurrences of H5N1 (bird flu) in Cambodia, H1N1 (swine flu) in India and a new, or novel, coronavirus (a member of the same virus family as SARS) in the United Kingdom. In the past week, a man from Nepal traveled through several countries and eventually ended up in the United States, where it was discovered he had a drug-resistant form of tuberculosis, and the Centers for Disease Control and Prevention released a report stating that antibiotic-resistant infections in hospitals are on the rise. In addition, the United States is experiencing a worse-than-normal flu season, bringing more attention to the influenza virus and other infectious diseases. The potential for a disease to spread is measured by its effective reproduction number, or R-value, a numerical score that indicates whether a disease will propagate or die out. When the disease first occurs and no preventive measures are in place, the reproductive potential of the disease is referred to as R0, the basic reproduction rate. The numerical value is the number of cases a single case can cause on average during its infectious period. An R0 above 1 means the disease will likely spread (many influenza viruses have an R0 between 2 and 3, while measles had an R0 value of between 12 and 18), while an R-value of less than 1 indicates a disease will likely die out. Factors contributing to the spread of the disease include the length of time people are contagious, how mobile they are when they are contagious, how the disease spreads (through the air or bodily fluids) and how susceptible the population is. The initial R0, which assumes no inherent immunity, can be decreased through control measures that bring the value either near or below 1, stopping the further spread of the disease. Both the coronavirus family and the influenza virus are RNA viruses, meaning they replicate using only RNA (which can be thought of as a single-stranded version of DNA, the more commonly known double helix containing genetic makeup). The rapid RNA replication used by many viruses is very susceptible to mutations, which are simply errors in the replication process. Some mutations can alter the behavior of a virus, including the severity of infection and how the virus is transmitted. The combination of two different strains of a virus, through a process known as antigenic shift, can result in what is essentially a new virus. Influenza, because it infects multiple species, is the hallmark example of this kind of evolution. Mutations can make the virus unfamiliar to the body's immune system. The lack of established immunity within a population enables a disease to spread more rapidly because the population is less equipped to battle the disease. The trajectory of a mutated virus (or any other infectious disease) can reach three basic levels of magnitude. An outbreak is a small, localized occurrence of a pathogen. An epidemic indicates a more widespread infection that is still regional, while a pandemic indicates that the disease has spread to a global level. Virologists are able to track mutations by deciphering the genetic sequence of new infections. It is this technology that helped scientists to determine last year that a smattering of respiratory infections discovered in the Middle East was actually a novel coronavirus. And it is possible that through a series of mutations a virus like H5N1 could change in such a way to become easily transmitted between humans. Lessons Learned There have been several influenza pandemics throughout history. The 1918 Spanish Flu pandemic is often cited as a worst-case scenario, since it infected between 20 and 40 percent of the world's population, killing roughly 2 percent of those infected. In more recent history, smaller incidents, including an epidemic of the SARS virus in 2003 and what was technically defined as a pandemic of the swine flu (H1N1) in 2009, caused fear of another pandemic like the 1918 occurrence. The spread of these two diseases was contained before reaching catastrophic levels, although the economic impact from fear of the diseases reached beyond the infected areas. Previous pandemics have underscored the importance of preparation, which is essential to effective disease management. The World Health Organization lays out a set of guidelines for pandemic prevention and containment. The general principles of preparedness include stockpiling vaccines, which is done by both the United States and the European Union (although the possibility exists that the vaccines may not be effective against a new virus). In the event of an outbreak, the guidelines call for developed nations to share vaccines with developing nations. Containment strategies beyond vaccines include quarantine of exposed individuals, limited travel and additional screenings at places where the virus could easily spread, such as airports. Further measures include the closing of businesses, schools and borders. Individual measures can also be taken to guard against infection. These involve general hygienic measures -- avoiding mass gatherings, thoroughly washing hands and even wearing masks in specific, high-risk situations. However, airborne viruses such as influenza are still the most difficult to contain because of the method of transmission. Diseases like noroviruses, HIV or cholera are more serious but have to be transmitted by blood, other bodily fluids or fecal matter. The threat of a rapid pandemic is thereby slowed because it is easier to identify potential contaminates and either avoid or sterilize them. Research is another important aspect of overall preparedness. Knowledge gained from studying the viruses and the ready availability of information can be instrumental in tracking diseases. For example, the genomic sequence of the novel coronavirus was made available, helping scientists and doctors in different countries to readily identify the infection in limited cases and implement quarantine procedures as necessary. There have been only 13 documented cases of the novel coronavirus, so much is unknown regarding the disease. Recent cases in the United Kingdom indicate possible human-to-human transmission. Further sharing of information relating to the novel coronavirus can aid in both treatment and containment. Ongoing research into viruses can also help make future vaccines more efficient against possible mutations, though this type of research is not without controversy. A case in point is research on the H5N1 virus. H5N1 first appeared in humans in 1997. Of the more than 600 cases that have appeared since then, more than half have resulted in death. However, the virus is not easily transmitted because it must cross from bird to human. Human-to-human transmission of H5N1 is very rare, with only a few suspected incidents in the known history of the disease. While there is an H5N1 vaccine, it is possible that a new variation of the vaccine would be needed were the virus to mutate into a form that was transmittable between humans. Vaccines can take months or even years to develop, but preliminary research on the virus, before an outbreak, can help speed up development. In December 2011, two separate research labs, one in the United States and one in the Netherlands, sought to publish their research on the H5N1 virus. Over the course of their research, these labs had created mutations in the virus that allowed for airborne transmission between ferrets. These mutations also caused other changes, including a decrease in the virus's lethality and robustness (the ability to survive outside the carrier). Publication of the research was delayed due to concerns that the results could increase the risk of accidental release of the virus by encouraging further research, or that the information could be used by terrorist organizations to conduct a biological attack. Eventually, publication of papers by both labs was allowed. However, the scientific community imposed a voluntary moratorium in order to allow the community and regulatory bodies to determine the best practices moving forward. This voluntary ban was lifted for much of the world on Jan. 24, 2013. On Feb. 21, the National Institutes of Health in the United States issued proposed guidelines for federally funded labs working with H5N1. Once standards are set, decisions will likely be made on a case-by-case basis to allow research to continue. Fear of a pandemic resulting from research on H5N1 continues even after the moratorium was lifted. Opponents of the research cite the possibility that the virus will be accidentally released or intentionally used as a bioweapon, since information in scientific publications would be considered readily available. The Risk-Reward Equation The risk of an accidental release of H5N1 is similar to that of other infectious pathogens currently being studied. Proper safety standards are key, of course, and experts in the field have had a year to determine the best way to proceed, balancing safety and research benefits. Previous work with the virus was conducted at biosafety level three out of four, which requires researchers wearing respirators and disposable gowns to work in pairs in a negative pressure environment. While many of these labs are part of universities, access is controlled either through keyed entry or even palm scanners. There are roughly 40 labs that submitted to the voluntary ban. Those wishing to resume work after the ban was lifted must comply with guidelines requiring strict national oversight and close communication and collaboration with national authorities. The risk of release either through accident or theft cannot be completely eliminated, but given the established parameters the risk is minimal. The use of the pathogen as a biological weapon requires an assessment of whether a non-state actor would have the capabilities to isolate the virulent strain, then weaponize and distribute it. Stratfor has long held the position that while terrorist organizations may have rudimentary capabilities regarding biological weapons, the likelihood of a successful attack is very low. Given that the laboratory version of H5N1 -- or any influenza virus, for that matter -- is a contagious pathogen, there would be two possible modes that a non-state actor would have to instigate an attack. The virus could be refined and then aerosolized and released into a populated area, or an individual could be infected with the virus and sent to freely circulate within a population. There are severe constraints that make success using either of these methods unlikely. The technology needed to refine and aerosolize a pathogen for a biological attack is beyond the capability of most non-state actors. Even if they were able to develop a weapon, other factors such as wind patterns and humidity can render an attack ineffective. Using a human carrier is a less expensive method, but it requires that the biological agent be a contagion. Additionally, in order to infect the large number of people necessary to start an outbreak, the infected carrier must be mobile while contagious, something that is **doubtful** with a serious disease like small pox. The carrier also cannot be visibly ill because that would limit the necessary human contact.

**4 Environmental collapse doesn’t cause extinction – tech solves**

**Science Daily 10**

Science Daily, reprinted from materials provided by American Institute of Biological Sciences, September 1, 2010, "Human Well-Being Is Improving Even as Ecosystem Services Decline: Why?", http://www.sciencedaily.com/releases/2010/09/100901072908.htm

Global degradation of ecosystems is widely believed to threaten human welfare, yet accepted measures of well-being show that it is on average improving globally, both in poor countries and rich ones. A team of authors writing in the September issue of BioScience dissects explanations for this "environmentalist's paradox." Noting that understanding the paradox is "critical to guiding future management of ecosystem services," Ciara Raudsepp-Hearne and her colleagues confirm that improvements in aggregate well-being are real, despite convincing evidence of ecosystem decline. Three likely reasons they identify -- past increases in food production, technological innovations that decouple people from ecosystems, and time lags before well-being is affected -- provide few grounds for complacency, however. Raudsepp-Hearne and her coauthors accept the findings of the influential Millennium Ecosystem Assessment that the capacity of ecosystems to produce many services for humans is now low. Yet they uncover no fault with the composite Human Development Index, a widely used metric that incorporates measures of literacy, life expectancy, and income, and has improved markedly since the mid-1970s. Although some measures of personal security buck the upward trend, the overall improvement in well-being seems robust. The researchers resolve the paradox partly by pointing to evidence that food production (which has increased globally over past decades) is more important for human well-being than are other ecosystem services. They also establish support for two other explanations: that technology and innovation have **decoupled human well-being from ecosystem degradation**, and that there is a time lag after ecosystem service degradation before human well-being will be affected.

**5 No impact to soil erosion and long term**

**Taylor 93** Jerry Taylor, Director of Natural Resource Studies at the CATO Institute, “The Growing Abundance of Natural Resources” in “Market Liberalism: A Paradigm for the 21st Century”, 1993, http://cato.org/pubs/chapters/marlib21.html

Although conservationists argue that accelerating soil erosion will make those productivity gains short-lived and illusory, the facts speak otherwise. Most of the world's worst soil erosion problems are the result, not of modern high-yield farming, but of attempts to use low-yield, traditional agricultural techniques on fragile soils.30 Studies by the U.S Department of Agriculture, the University of Minnesota's Soil Sciences Department, and economist Pierre Crosson of Resources for the Future all conclude that, at current erosion rates, heavily farmed soils in the United States might lose 3 to 10 percent of their inherent fertility over the next 100 years. Such small losses are sure to be more than offset by continued improvements in agricultural productivity even if no new conservation techniques are adopted. As Crosson noted: The success of the new [high-yield] technologies strongly suggests that erosion damage to soils in the main crop- producing regions of the country was not and is not as severe as is sometimes claimed. Soil scientists have acknowledged that even severely eroded soil can be restored to high productivity with investments of human skill and other resources, even though they may seem to forget this when they make pronouncements about the erosion threat. Continuation of present rates of erosion throughout most of the next century would pose no serious threat to the productivity of the nation's soils.31

## 2nc

### 2nc – multilat

**Multilat fails - no mechanism for action**

**Haass, 13** – President of the Council on Foreign Relations, previously served as Director of Policy Planning for the US State Department, (Richard N., 7-24, "What International Community?", http://www.project-syndicate.org/commentary/the-broken-tools-of-global-cooperation-by-richard-n--haass)

NEW YORK – Whenever something bad happens – Iran moving closer to acquiring nuclear weapons, North Korea firing another missile, civilian deaths reaching another grim milestone in Syria’s civil war, satellites revealing an alarming rate of polar-ice melt – some official or observer will call upon the international community to act. There is only **one problem: there is no “international community.”** Part of the reason stems from **the absence of any mechanism for “the world” to come together**. The United Nations General Assembly comes closest, but little can be expected from an organization that equates the United States or China with, say, Fiji or Guinea-Bissau. To be fair, those who founded the UN after World War II created the Security Council as the venue in which major powers would meet to determine the world’s fate. But even that has not worked out as planned, partly because the world of 2013 bears little resemblance to that of 1945. How else could one explain that Britain and France, but not Germany, Japan, or India, are permanent, veto-wielding members? Alas, there is no agreement on how to update the Security Council. Efforts like the G-20 are welcome, but they **lack authority and capacity**, in addition to **suffering from excessive size**. The result is “multilateralism’s dilemma”: the inclusion of more actors increases an organization’s legitimacy at the expense of its utility. No amount of UN reform could make things fundamentally different. Today’s major powers do not agree on the rules that ought to govern the world, much less on the penalties for breaking them. Even where there is accord in principle, there is little agreement in practice. The result is a world that is messier and more dangerous than it should be. Consider climate change. Burning fossil fuels is having a measurable impact on the earth’s temperature. But reducing carbon emissions has proved impossible, because such a commitment could constrain GDP growth (anathema to developed countries mired in economic malaise) and impede access to energy and electricity for billions of people in developing countries, which is unacceptable to China and India. Stopping the spread of nuclear weapons would seem a more promising issue for global collaboration. The Nuclear Non-Proliferation Treaty (NPT) limits the right to possess nuclear weapons to the Security Council’s five permanent members, and then only temporarily. But agreement is thinner than it appears. The NPT allows countries the right to develop nuclear energy for purposes such as electricity generation, a loophole that allows governments to build most of what is necessary to produce the fuel for a nuclear weapon. The inspection regime created in 1957 under the International Atomic Energy Agency (IAEA) is a gentlemen’s agreement; inspectors can inspect only those facilities that are made known to them by the government in question. Governments (such as Iran’s) can and do carry out illegal nuclear activities in secret sites that international inspectors either do not know about or cannot enter. At least as important, there is no agreement on what to do when a country violates the NPT, as Iran and North Korea (which withdrew from the treaty in 2003) have done. More international cooperation exists in the economic realm. There has been real progress toward reducing tariff barriers; the World Trade Organization has also established a dispute-resolution mechanism for its 159 members. But progress on expanding free trade at the global level has stalled, as many countries disagree on the treatment of agricultural goods, the elimination of subsidies, and trade in services. Meanwhile, cooperation in the realm of cyberspace is just getting started – with difficulty. The US is most concerned about cyber security and the protection of intellectual property and infrastructure. Authoritarian governments are more concerned about information security – the ability to control what is available on the Internet in order to maintain political and social stability. There is no agreement on what, if anything, constitutes an appropriate target for espionage. The prevalence of non-state actors is further complicating efforts. Another area where there is less international community than meets the eye is human suffering. Governments that attack their own people on a large scale, or allow such attacks to be carried out, expose themselves to the threat of outside intervention. This “Responsibility to Protect,” or R2P, was enshrined by the UN in 2005. But many governments are concerned that R2P raises expectations that they will act, which could prove costly in terms of lives, military expenditure, and commercial priorities. Some governments are also worried that R2P could be turned on them. Russian and Chinese reticence about pressuring governments that deserve censure and sanction stems partly from such concerns; the absence of consensus on Syria is just one result. In short, **those looking to the international community to deal with the world’s problems will be disappointed**. This is not reason for despair or grounds for acting unilaterally. But so long as “international community” is more hope than reality, multilateralism will have to become more varied.

**No resource wars or conflict over scarcity**

**Tetrais 12**, Senior Fellow at Foundation for Strategic Research, (Bruno- Editorial Board at TWQ, July, “The Demise of Ares: The End of War as We Know It?” The Washington Quarterly, Vol 35 Issue 3, p 7-22, T&F Online)

**The invasion of Kuwait may go down in history as being the last great resource war**. **Future resource wars are unlikely**. There are fewer and fewer conquest wars. Between the Westphalia peace and the end of World War II, nearly half of conflicts were fought over territory. Since the end of the Cold War, it has been less than 30 percent.61 The invasion of Kuwait—a nationwide bank robbery—may go down in history as being the last great resource war. The U.S.-led intervention of 1991 was partly driven by the need to maintain the free flow of oil, but not by the temptation to capture it. (Nor was the 2003 war against Iraq motivated by oil.) As for the current tensions between the two Sudans over oil, they are the remnants of a civil war and an offshoot of a botched secession process, not a desire to control new resources.¶ China's and India's energy needs are sometimes seen with apprehension: in light of growing oil and gas scarcity, is there not a risk of military clashes over the control of such resources? This seemingly consensual idea rests on two fallacies. One is that there is such a thing as oil and gas scarcity, a notion challenged by many energy experts.62 As prices rise, previously untapped reserves and non-conventional hydrocarbons become economically attractive. The other is that spilling blood is a rational way to access resources. As shown by the work of historians and political scientists such as Quincy Wright, the economic rationale for war has always been overstated. And because of globalization, it has become cheaper to buy than to steal. We no longer live in the world of 1941, when fear of lacking oil and raw materials was a key motivation for Japan's decision to go to war. In an era of liberalizing trade, many natural resources are fungible goods. (Here, Beijing behaves as any other actor: 90 percent of the oil its companies produce outside of China goes to the global market, not to the domestic one.)63 There may be clashes or conflicts in regions in maritime resource-rich areas such as the South China and East China seas or the Mediterranean, but they will be driven by nationalist passions, not the desperate hunger for hydrocarbons.¶ Only in civil wars does the question of resources such as oil, diamonds, minerals, and the like play a significant role; this was especially true as Cold War superpowers stopped their financial patronage of local actors.64 Indeed, as Mueller puts it in his appropriately titled The Remnants of War, “Many [existing wars] have been labeled ‘new war,’ ‘ethnic conflict,’ or, most grandly ‘clashes of civilization.’ But in fact, most…are more nearly opportunistic predation by packs, often remarkably small ones, of criminals, bandits, and thugs.”65 It is the abundance of resources, not their scarcity, which fuels such conflicts. The risk is particularly high when the export of natural resources represents at least a third of the country's GDP.66¶ What about fighting for arable land, in light of population growth in Africa and Asia? Even in situations of high population densities, the correlation between the lack of arable lands and propensity to collective violence remains weak.67 Neo-Malthusians such as Jared Diamond believe that the Rwanda tragedy was driven by such scarcity.68 But there was no famine in Rwanda at the time. And the events of 1994 were not a revolt of the poor: Hutu landowners were amongst the most active perpetrators of genocide. There was, however, a significant youth bulge: the 15–24 age group represented 38 percent of the adult population.69 Land scarcity played a role, but at best as a factor explaining the intensity of the violence in some areas.70

**No protectionism and no impact on trade -- multiple international checks.**

**Dadush et al., ‘11**

[Uri, senior associate and director in Carnegie’s new International Economics Program, currently focuses on trends in the global economy and the global financial crisis, previously served as the World Bank’s director of international trade and before that as director of economic policy. He also served as the director of the Bank’s world economy group, leading the preparation of the Bank’s flagship reports on the international economy, Shimelse Ali, economist, Carnegie’s International Economics Program, Rachel Esplin Odell, junior fellow in Carnegie’s Asia Program, Carnegie Endowment for International Peace, “Is Protectionism Dying?”, May, <http://www.carnegieendowment.org/files/is_protectionism_dying.pdf>]

Despite a limited increase in the incidence of protectionist measures during the recent financial and economic crisis, the effects on global trade appear small—the world, remarkably, did not resort to protectionism. In addition to the concerted stimulus measures, financial rescues, and the strengthening of lender-of-last-resort facilities that restricted the duration and depth of the economic downturn, the World Trade Organization’s disciplines, enforceable through its dispute settlement mechanism, no doubt played an important role in staving off trade protection. But this is only one part of the story. The increased resistance to protectionism is the result of a complex, mutually reinforcing set of legal and structural changes in the world economy that have made a return to protection more costly and disruptive and have established new vested interests in open markets. These changes include: • National disciplines: Along with autonomous liberalization and a generally robust rule of law in the largest trading countries—which improve the confidence of importers and exporters—national trade tribunals help prevent protectionism by providing a mechanism whereby individual firms can contest protectionist measures that impact their company. Many national governments have also developed explicit or implicit mechanisms for countering protectionism and ensuring that trade policy reflects the general interest. • Regional and bilateral agreements: In addition to codifying further tariff reductions, regional trade agreements—now covering over half of world trade—contain provisions establishing dispute settlement mechanisms that parties can use to contest violations of the agreement and thereby defend against protectionism. Furthermore, such agreements have often established regular high-level dialogues on trade disputes, treaty implementation, and further liberalization, providing a mechanism for resolving serious violations of the agreement even if its formal juridical mechanisms are not utilized. • “Facts on the ground”: The political resistance to backsliding on liberalization is stronger because trade has become more prevalent and inextricably woven into production and consumption patterns. The change in the political economy of protectionism is manifested in the increased interest of retailers and consumers in imports, the internationalization of production, and the rise of intrafirm trade. Limiting trade in any one sector not only hurts those consumers, retailers, and firms that depend on imports for inputs, but also has repercussions for firms that operate both vertically (within a sector) and horizontally (across sectors) that depend on complex global production chains.

**No impact to soil erosion - all hype - your authors agree**

**Simon 97** Julian L. Simon teaches business at the University of Maryland and is a senior fellow at the Cato Institute. "Digging Deeper Into the Soil Erosion Scam," June 3, CATO, https://www.google.com/search?sugexp=chrome,mod=13&sourceid=chrome&ie=UTF-8&q=Digging+Deeper+Into+the+Soil+Erosion+Scam

This program is part-and-parcel of the most conclusive discredited environmental-political fraud of recent times, the National Agricultural Lands Study (NALS) set up in 1980 by the Agriculture Department. This organization created a huge media scare about farmland being ruined by two supposedly related forces, urbanization of farmland and the erosion of fields. Both scares were quickly disproven. The amazing part is that the assertions were eventually acknowledged to be false by the U.S. Department of Agriculture. That is, even the original purveyors of the false facts about the "vanishing farmland crisis" ended up agreeing that the widely reported scare was without foundation. But the scares did not die, and are back with us again. Here is the saga: Headlines like these began to appear in the newspapers about 1980: "The peril of vanishing farmlands" (the New York Times). "Farmland losses could end U.S. food exports" (Chicago Tribune). "Vanishing farmlands: selling out the soil" (Saturday Review), and "As world needs food, U.S. keeps losing soil to land developers" (Wall Street Journal). The stories claimed that the urbanization-of-farmland rate had jumped from the 1960s to the 1970s from less than 1 million acres per year to 3 million acres per year. This assertion was wholly untrue as we shall see. Then in a Jan. 11, 1983, speech President Reagan said, "I think we are all aware of the need to do something about soil erosion." The headline on a June 4, 1984, Newsweek "My Turn" article typified how the issue was presented: "A step away from the Dust Bowl." More recently, we have such statements as that of Vice President Al Gore about how "8 acres' worth of prime topsoil floats past Memphis every hour," and that Iowa "used to have an average of 16 inches of the best topsoil in the world. Now it is down to 8 inches " These are the scam-busting facts: The long-run trend in the decades up to 1970 was about 1 million acres of total land urbanized per year. The Soil Conservation Service in conjunction with NALS asserted that the rate then jumped to 3 million acres yearly from 1967 to 1975 or 1977. Scholars at several universities and think tanks found that the 3 million-acres-a-year rate was most implausible in light of data from other sources. And we found that the survey on which the NALS based its claim employed a faulty polling technique and had amazing huge errors in arithmetic. The soil erosion claims were **equally** ridiculous. According to the USDA, only a tiny proportion of cropland--3 percent--is so erosive that no management practices can help much. Seventy-seven percent of cropland erodes at rates below 5 tons per acre each year, the equilibrium rate at which new soil is formed below the surface; that is, most cropland erodes less than the "no net loss rate." Just 15 percent of U.S. cropland "is moderately erosive and eroding about a 5-ton tolerance. Erosion on the land could be reduced with improved management practices," though this does not necessarily mean the land is in danger or is being managed uneconomically. In short, the aggregate data on the condition of farm and the rate of erosion do not support the concern about soil erosion. What's more, the data suggest that the condition of cropland has been improving rather than worsening. Theodore W. Schultz**, the only agricultural economist to win a Nobel Prize**, and Leo V. Mayer of the USDA, both wrote very forcefully that the danger warnings were false. Mr. Schultz cited not only research but also his own lifetime recollections starting as a farm boy in the Dakotas in the 1930s. But even a Nobel laureate's efforts could not slow the public-relations juggernaut that successfully co-opted the news media, won the minds of the American public, and were used to justify the USDA giveaways. So far, the story is unremarkable--another environmental scare disproven. But in this case there was a remarkable development: In 1984, the USDA's own Soil Conservation Service issued a paper by Susan Lee that completely reversed the earlier scare figures and confirmed the estimates by the independent scholars. And the accompanying press release made it clear that the former estimates were now being retracted. "[T]he acreage classified as urban and built-up land was 46.6 million acres in 1982, compared to 64.7 million acres reported in 1977." Please read that again. It means that whereas in 1977 the SCS had declared that 64.7 million acres had been "lost" to built-up land, just five years later SCS admitted that the actual total was 46.6 million acres. That is, the 1977 estimate was admitted to be fully 50 percent too high, a truly amazing error for something so easy to check toughly as the urbanized acreage of the U.S. With unusual candor, the USDA press release added, "The 1977 estimate thus appears to have been markedly overstated." The USDA press release of April 10,1984, contained a second bombshell: "The average annual rate of soil erosion on cultivated cropland dropped from 5.1 tons per acre to 4.8 tons per acre." That is, erosion was lessening rather than getting worse, exactly the opposite of what NALS claimed. And this finding undercuts the new USDA program being proposed now.

**Pandemics unlikely and no extinction**

**Ridley 12** [8/17, Matt Ridley, columnist for The Wall Street Journal and author of The Rational Optimist: How Prosperity Evolves, “Apocalypse Not: Here’s Why You Shouldn’t Worry About End Times,” <http://www.wired.com/wiredscience/2012/08/ff_apocalypsenot/all/>]

The emergence of AIDS led to a theory that other viruses would spring from tropical rain forests to wreak revenge on humankind for its ecological sins. That, at least, was the implication of Laurie Garrett’s 1994 book, The Coming Plague: Newly Emerging Diseases in a World Out of Balance. The most prominent candidate was Ebola, the hemorrhagic fever that starred in Richard Preston’s The Hot Zone, published the same year. Writer Stephen King called the book “one of the most horrifying things I’ve ever read.” Right on cue, Ebola appeared again in the Congo in 1995, but it soon disappeared. Far from being a harbinger, HIV was the **only new tropical virus to go pandemic in 50 years**.¶ In the 1980s British cattle began dying from mad cow disease, caused by an infectious agent in feed that was derived from the remains of other cows. When people, too, began to catch this disease, predictions of the scale of the epidemic quickly turned terrifying: Up to 136,000 would die, according to one study. A pathologist warned that the British “have to prepare for perhaps thousands, tens of thousands, hundreds of thousands, of cases of vCJD [new variant Creutzfeldt-Jakob disease, the human manifestation of mad cow] coming down the line.” Yet the total number of deaths so far in the UK has been 176, with just five occurring in 2011 and none so far in 2012.¶ In 2003 it was SARS, a virus from civet cats, that ineffectively but inconveniently led to quarantines in Beijing and Toronto amid predictions of global Armageddon. SARS subsided within a year, after killing just 774 people. In 2005 it was bird flu, described at the time by a United Nations official as being “like a combination of global warming and HIV/AIDS 10 times faster than it’s running at the moment.” The World Health Organization’s official forecast was 2 million to 7.4 million dead. In fact, by late 2007, when the disease petered out, the death toll was roughly 200. In 2009 it was Mexican swine flu. WHO director general Margaret Chan said: “It really is all of humanity that is under threat during a pandemic.” The outbreak proved to be a normal flu episode.¶ The truth is, **a new global pandemic is growing less likely, not more**. Mass migration to cities means the opportunity for viruses to jump from wildlife to the human species has not risen and has possibly even declined, despite media hype to the contrary. Water- and insect-borne infections—generally the most lethal—are declining as living standards slowly improve. It’s true that casual-contact infections such as colds are thriving—but only by being

**No enviro impact**

**Brook 13** - Professor at the University of Adelaide, leading environmental scientist, holding the Sir Hubert Wilkins Chair of Climate Change at the School of Earth and Environmental Sciences, and is also Director of Climate Science at the University of Adelaide’s Environment Institute, author of 3 books and over 250 scholarly articles, Corey Bradshaw is an Associate Professor at the University of Adelaide and a joint appointee at the South Australian Research and Development Institute, Brave New Climate,(Barry, 3-4, "Worrying about global tipping points distracts from real planetary threats", http://bravenewclimate.com/2013/03/04/ecological-tipping-points/)

Barry Brook We argue that at the global-scale, ecological “tipping points” and threshold-like “planetary boundaries” are improbable. **Instead, shifts in the Earth’s biosphere follow a gradual, smooth pattern**. This means that it might be impossible to define scientifically specific, critical levels of biodiversity loss or land-use change. This has important consequences for both science and policy. Humans are causing changes in ecosystems across Earth to such a degree that there is now broad agreement that we live in an epoch of our own making: the Anthropocene. But the question of just how these changes will play out — and especially whether we might be approaching a planetary tipping point with abrupt, global-scale consequences — has remained unsettled. A tipping point occurs when an ecosystem attribute, such as species abundance or carbon sequestration, responds abruptly and possibly irreversibly to a human pressure, such as land-use or climate change. Many local- and regional-level ecosystems, such as lakes,forests and grasslands, behave this way. Recently however, there have been several efforts to define ecological tipping points at the global scale. At a local scale, there are definitely warning signs that an ecosystem is about to “tip”. For the terrestrial biosphere, tipping points might be expected if ecosystems across Earth respond in similar ways to human pressures and these pressures are uniform, or if there are strong connections between continents that allow for rapid diffusion of impacts across the planet. These criteria are, however, unlikely to be met in the real world. First, **ecosystems on different continents are not strongly connected**. Organisms are limited in their movement by oceans and mountain ranges, as well as by climatic factors, and while ecosystem change in one region can affect the global circulation of, for example, greenhouse gases, this signal is likely to be weak in comparison with inputs from fossil fuel combustion and deforestation. Second, the responses of ecosystems to human pressures like climate change or land-use change depend on local circumstances and will therefore differ between locations. From a planetary perspective, this diversity in ecosystem responses creates an essentially gradual pattern of change, **without any identifiable tipping points**. This puts into question attempts to define critical levels of land-use change or biodiversity loss scientifically. Why does this matter? Well, one concern we have is that an undue focus on planetary tipping points may distract from the vast ecological transformations that have already occurred. After all, as much as four-fifths of the biosphere is today characterised by ecosystems that locally, over the span of centuries and millennia, have undergone human-driven regime shifts of one or more kinds. Recognising this reality and seeking appropriate conservation efforts at local and regional levels might be a more fruitful way forward for ecology and global change science. Corey Bradshaw (see also notes published here on ConservationBytes.com) Let’s not get too distracted by the title of the this article – Does the terrestrial biosphere have planetary tipping points? – or the potential for a false controversy. It’s important to be clear that the planet is indeed ill, and it’s largely due to us. Species are going extinct faster than they would have otherwise. The planet’s climate system is being severely disrupted; so is the carbon cycle. Ecosystem services are on the decline. But – and it’s a big “but” – we have to be wary of claiming the end of the world as we know it, or people will shut down and continue blindly with their growth and consumption obsession. We as scientists also have to be extremely careful not to pull concepts and numbers out of thin air without empirical support. Specifically, I’m referring to the latest “craze” in environmental science writing – the idea of “planetary tipping points”

and the related “planetary boundaries”. **It’s really the stuff of Hollywood disaster blockbusters** – the world suddenly shifts into a new “state” where some major aspect of how the world functions does an immediate about-face. Don’t get me wrong: there are plenty of localised examples of such tipping points, often characterised by something we call “hysteresis”. Brook defines hysterisis as: a situation where the current state of an ecosystem is dependent not only on its environment but also on its history, with the return path to the original state being very different from the original development that led to the altered state. Also, at some range of the driver, there can exist two or more alternative states and “tipping point” as: the critical point at which strong nonlinearities appear in the relationship between ecosystem attributes and drivers; once a tipping point threshold is crossed, the change to a new state is typically rapid and might be irreversible or exhibit hysteresis. Some of these examples include state shifts that have happened (or mostly likely will) to the cryosphere, ocean thermohaline circulation, atmospheric circulation, and marine ecosystems, and there are many other fine-scale examples of ecological systems shifting to new (apparently) stable states. However, claiming that we are approaching a major planetary boundary for our ecosystems (including human society), where we witness such transitions simultaneously across the globe, **is simply not upheld by evidence**. Regional tipping points are unlikely to translate into planet-wide state shifts. The main reason is that **our ecosystems aren’t that connected at global scales**. The paper provides a framework against which one can test the existence or probability of a planetary tipping point for any particular ecosystem function or state. To date, the application of the idea has floundered because of a lack of specified criteria that would allow the terrestrial biosphere to “tip”. From a more sociological viewpoint, the claim of imminent shift to some worse state also risks alienating people from addressing the real problems (foxes), or as Brook and colleagues summarise: framing global change in the dichotomous terms implied by the notion of a global tipping point could lead to complacency on the “safe” side of the point and fatalism about catastrophic or irrevocable effects on the other. In other words, let’s be empirical about these sorts of politically charged statements instead of crying “Wolf!” while the hordes of foxes steal most of the flock.

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#### Should requires certainty and immediacy

**Summer 94** (Justice, Oklahoma Supreme Court, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14)

The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling in praesenti.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn16)  ¶5 Nisi prius orders should be so construed as to give effect to every words and every part of the text, with a view to carrying out the evident intent of the judge's direction.[17](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn17) The order's language ought not to be considered abstractly. The actual meaning intended by the document's signatory should be derived from the context in which the phrase to be interpreted is used.[18](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn18) When applied to the May 18 memorial, these told canons impel my conclusion that the judge doubtless intended his ruling as an in praesenti resolution of Dollarsaver's quest for judgment n.o.v. Approval of all counsel plainly appears on the face of the critical May 18 entry which is [885 P.2d 1358] signed by the judge.[19](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn19) True minutes[20](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn20) of a court neither call for nor bear the approval of the parties' counsel nor the judge's signature. To reject out of hand the view that in this context "should" is impliedly followed by the customary, "and the same hereby is", makes the court once again revert to medieval notions of ritualistic formalism now so thoroughly condemned in national jurisprudence and long abandoned by the statutory policy of this State. IV CONCLUSION Nisi prius judgments and orders should be construed in a manner which gives effect and meaning to the complete substance of the memorial. When a judge-signed direction is capable of two interpretations, one of which would make it a valid part of the record proper and the other would render it a meaningless exercise in futility, the adoption of the former interpretation is this court's due. A rule - that on direct appeal views as fatal to the order's efficacy the mere omission from the journal entry of a long and customarily implied phrase, i.e., "and the same hereby is" - is soon likely to drift into the body of principles which govern the facial validity of judgments. This development would make judicial acts acutely vulnerable to collateral attack for the most trivial of reasons and tend to undermine the stability of titles or other adjudicated rights. It is obvious the trial judge intended his May 18 memorial to be an in praesenti order overruling Dollarsaver's motion for judgment n.o.v. It is hence that memorial, and not the later June 2 entry, which triggered appeal time in this case. Because the petition. in error was not filed within 30 days of May 18, the appeal is untimely. I would hence sustain the appellee's motion to dismiss.[21](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker3fn21)  Footnotes: [1](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker2fn1) The pertinent terms of the memorial of May 18, 1993 are: IN THE DISTRICT COURT OF BRYAN COUNTY, STATE OF OKLAHOMA COURT MINUTE /18/93 No. C-91-223 After having heard and considered arguments of counsel in support of and in opposition to the motions of the Defendant for judgment N.O.V. and a new trial, the Court finds that the motions should be overruled. Approved as to form: /s/ Ken Rainbolt /s/ Austin R. Deaton, Jr. /s/ Don Michael Haggerty /s/ Rocky L. Powers Judge [2](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker2fn2) The turgid phrase - "should be and the same hereby is" - is a tautological absurdity. This is so because "should" is synonymous with ought or must and is in itself sufficient to effect an inpraesenti ruling - one that is couched in "a present indicative synonymous with ought." See infra note 15.[3](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker2fn3) Carter v. Carter, Okl., [783 P.2d 969](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=10645), 970 (1989); Horizons, Inc. v. Keo Leasing Co., Okl., [681 P.2d 757](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=9677), 759 (1984); Amarex, Inc. v. Baker, Okl., [655 P.2d 1040](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=5345), 1043 (1983); Knell v. Burnes, Okl., [645 P.2d 471](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=5225), 473 (1982); Prock v. District Court of Pittsburgh County, Okl., [630 P.2d 772](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=4989), 775 (1981); Harry v. Hertzler, 185 Okl. 151, [90 P.2d 656](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=13059), 659 (1939); Ginn v. Knight, 106 Okl. 4, 232 P. 936, 937 (1925). [4](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker2fn4) "Recordable" means that by force of [12 O.S. 1991 § 24](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=93563&date=11/8/94) an instrument meeting that section's criteria must be entered on or "recorded" in the court's journal. The clerk may "enter" only that which is "on file." The pertinent terms of [12 O.S. 1991 § 24](http://www.oscn.net/applications/oscn/deliverdocument.asp?citeid=93563&date=11/8/94) are: "Upon the journal record required to be kept by the clerk of the district court in civil cases . . . shall be entered copies of the following instruments on file: cont…  
Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an obligation and to be more than advisory); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an obligation to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287" \l "marker2fn14) In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future [in futurol]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

#### Resolved means certain

AHD 06 (American Heritage Dictionary, http://dictionary.reference.com/browse/resolved)

Resolve TRANSITIVE VERB:1. To make a firm decision about. 2. To cause (a person) to reach a decision. See synonyms at decide. 3. To decide or express by formal vote.

### 1nr – cir

**LA Times also says we solve the Chinese economy – solves nuclear war**

**Kaminski 07** (Antoni Z., Professor – Institute of Political Studies, “World Order: The Mechanics of Threats (Central European Perspective)”, Polish Quarterly of International Affairs, 1, p. 58)

As already argued, the economic advance of China has taken place with relatively few corresponding changes in the political system, although the operation of political and economic institutions has seen some major changes. Still, tools are missing that would allow the establishment of political and legal foundations for the modem economy, or they are too weak. The tools are efficient public administration, the rule of law, clearly defined ownership rights, efficient banking system, etc. For these reasons, many experts fear an economic crisis in China. Considering the importance of the state for the development of the global economy, the crisis would have serious global repercussions. Its political ramifications could be no less dramatic owing to the special position the military occupies in the Chinese political system, and the existence of many potential vexed issues in East Asia (disputes over islands in the China Sea and the Pacific). A potential hotbed of conflict is also Taiwan's status. Economic recession and the related destabilization of internal policies could lead to a political, or even military crisis. The likelihood of the global escalation of the conflict is high, as the interests of Russia, China, Japan, Australia and, first and foremost, the US clash in the region.

#### CIR is THE issue

Shifter 12

[Michael, President of the Inter-American Dialogue, Adjunct Professor of Latin American Studies at Georgetown University's School of Foreign Service, “Remaking the Relationship,” Inter-American Dialogue Policy Report, April, <http://www.thedialogue.org/PublicationFiles/IAD2012PolicyReportFINAL.pdf>]

Still another advance could come through US immigration reform. By better ¶ aligning the supply and demand for workers in critical industries and opening new opportunities for millions of currently unauthorized residents, a ¶ more pragmatic migration policy would significantly bolster the US economy .¶ No other single policy measure would more clearly demonstrate US commitment to cooperation with Latin America . The comprehensive reform advocated by both the George W. Bush and the Obama administrations represents the best approach. More modest changes, however, could still be helpful

#### Smooth immigration debate is key to preserve capital to push for warming

Koons 2-1 – Andy Koons, writer for the Daily Iowan, February 1st, 2013, "Koons: Immigration reform not done" www.dailyiowan.com/2013/02/01/Opinions/31576.html

And make no mistake: Obama will be given credit if immigration reform passes. A big win this early in his second term will strengthen the wind already at his back from his election. Obamacare passed after almost two years of work and sucked the president dry of electoral goodwill. If Republicans don’t use immigration to sap Obama’s political capital, Obama will have enough remaining momentum to take on climate change before the midterms.

#### That solves warming

**Stavins 07**(Robert N. Stavins is the Albert Pratt Professor of Business and Government at the John F. Kennedy School of Government, Harvard University, and Director of the Harvard Environmental Economics Program -- A U.S. Cap-and-Trade System to Address Global Climate Change -- DISCUSSION PAPER – Oct 13th --http://www.brookings.edu/~/media/Files/rc/papers/2007/10climate\_stavins/10\_climate\_stavins.pdf)

The need for a domestic U.S. policy that seriously addresses climate change is increasingly apparent. A cap-and-trade system **is the best approach** in the short to medium term. Besides providing certainty about emissions levels, cap-and-trade offers an easy means of compensating for the inevitably unequal burdens imposed by climate policy; it is straightforward to harmonize with other countries’ climate policies; it avoids the current political aversion in the United States to taxes; and it has a history of successful adoption in this country. The paper proposes a specific cap-and-trade system with several key features including: an upstream cap on CO2 emissions with gradual inclusion of other greenhouse gases; a gradual downward trajectory of emissions ceilings over time to minimize disruption and allow firms and households time to adapt; and mechanisms to reduce cost uncertainty. Initially, half of the program’s allowances would be allocated through auctioning and half through free distribution, primarily to those entities most burdened by the policy. This should help limit potential inequities while bolstering political support. The share distributed for free would phase out over twenty-five years. The auctioned allowances would generate revenue that could be used for a variety of worthwhile public purposes. The system would provide for linkage with international emissions reduction credit arrangements, harmonization over time with effective cap-and-trade systems in other countries, and appropriate linkage with other actions taken abroad that maintains a level playing field between imports and import-competing domestic products.

#### Backlash to the jailing of Gross makes the plan a fight

Cave ‘12(Easing Restraints in Cuba Renews Debate On U.S. Embargo November 20, 2012 Damien CaveDamien Cave is a foreign correspondent for The New York Times, based in Mexico City. Along with two other reporters, he covers Mexico, Central America and the Caribbean. <http://www.nytimes.com/2012/11/20/world/americas/changes-in-cuba-create-support-for-easing-embargo.html?pagewanted=all&_r=0> Pennington

And Cuba has a long history of tossing ice on warming relations. The latest example is the jailing of Alan Gross, a State Department contractor who has spent nearly three years behind bars for distributing satellite telephone equipment to Jewish groups in Havana. In Washington, Mr. Gross is seen as the main impediment to an easing of the embargo, but there are also limits to what the president could do without Congressional action. The 1992 Cuban Democracy Act conditioned the waiving of sanctions on the introduction of democratic changes inside Cuba. The 1996 Helms-Burton Act also requires that the embargo remain until Cuba has a transitional or democratically elected government. Obama administration officials say they have not given up, and could move if the president decides to act on his own. Officials say that under the Treasury Department’s licensing and regulation-writing authority, there is room for significant modification. Following the legal logic of Mr. Obama’s changes in 2009, further expansions in travel are possible along with new allowances for investment or imports and exports, especially if narrowly applied to Cuban businesses. Even these adjustments — which could also include travel for all Americans and looser rules for ships engaged in trade with Cuba, according to a legal analysis commissioned by the Cuba Study Group — would probably mean a fierce political fight. The handful of Cuban-Americans in Congress for whom the embargo is sacred oppose looser rules.

#### Recent embargo repeal bill proves backlash to opening trade with Cuba

House 5-12 [Billy House - National Journal Daily Extra PM “Cuba Bill Ties Embargo to Prisoner's Release”, May 12th, 2013, lexis]

A veteran House Democrat introduced a bill last week to lift the 50-year-old U.S. embargo against Cuba. But in a new twist, the bill would tie such a move to the "immediate" and "unconditional" release of an American from a Cuban prison and the removal of Cuba from the State Department's list of states that sponsor terrorism. "Cuba is no longer a threat to the United States, and the continuation of the embargo on trade between the two countries declared in 1962 is not fulfilling the purpose for which it was established," Rep. Bobby Rush, D-Ill., said in announcing his legislation. While Rush's bill generally follows in the footsteps of the United States-Cuba Trade Normalization Act that he initially introduced in 2009, Rush certainly is not the only lawmaker to craft legislation to ease relations with the island nation off Florida. But by linking any lifting of the embargo to the release of American prisoner Alan Gross, a Maryland man arrested in Cuba in 2009, Rush will surely draw the ire of Cuba-policy hard-liners inside and out of Congress. While such opposition is almost certain to block the bill from becoming law, it may also draw attention to issues that have all but frozen any efforts to improve relations between the two countries. Gross had been working as a government subcontractor for the U.S. Agency for International Development as part of a democracy-building program, only to be arrested and prosecuted for alleged crimes against Cuba in providing satellite phones and computer equipment without a permit. The Cubans claim his activities were aimed at destabilizing their government, and he is currently serving a 15-year prison sentence. Meanwhile, the State Department continues to list Cuba as a sponsor of terrorist groups, as it has since 1982. State Department spokesman Patrick Ventrell told reporters recently that the administration "has no current plans to remove Cuba from the list," despite calls for that. The list also includes Iran, Sudan, and Syria. U.S. lawmakers who were part of a bipartisan congressional delegation that traveled to Cuba in February say their discussions with President Raul Castro revealed there is interest in improving relations, but they acknowledge that the imprisonment of Gross and the State Department designation loom as major impediments. Rep. Chris Van Hollen, D-Md., was on that trip, and he is one of two lawmakers to directly meet with Gross, who is from Van Hollen's district. In an interview with National Journal, Van Hollen said, "The continued detention of Alan Gross has been a significant obstacle to improved relations between the U.S. and Cuba." But the congressman said the inability to resolve the matter serves the interests of hard-liners in both countries, who would prefer not to see improved relations.

**War could still happen- litany of conflicts could go global**

**Ferguson 08, professor of history @ Harvard, (Niall, sr. fellow @ the Hoover Institute and professor of History @ Harvard, Hoover Digest no1 47-53 Wint 2008)**

The risk of a major geopolitical crisis in 2007 is certainly lower than it was in 1914. Yet it is not so low as to lie altogether beyond the realm of probability. The escalation of violence in the Middle East as Iraq disintegrates and Iran presses on with its nuclear program is close to being a certainty, as are the growing insecurity of Israel and the impossibility of any meaningful U.S. exit from the region. All may be harmonious between the United States and China today, yet the potential for tension over trade and exchange rates has unquestionably increased since the Democrats gained control of Congress. Nor should we forget about security flashpoints such as the independence of Taiwan, the threat of North Korea, and the nonnuclear status of Japan. To consign political risk to the realm of uncertainty seems almost as rash today as it was in the years leading up the First World War. Anglo-German economic commercial ties reached a peak in 1914, but geopolitics trumped economics. It often does. The closure of the New York Stock Exchange and federal bailouts for the likes of Goldman Sachs may seem unimaginable to us now. But financial history reminds us that ten-sigma events do happen. And, when they do, liquidity can ebb much more quickly than it previously flowed.

**Even if it doesn’t cause extinction, it still guarantees escalation – Cold war arms build ups prove. Second strike capabilities exist –countries can fire back when attacked**

**Major war is still possible**

**George Modelski 11 – Professor Emeritus, Political Science, University of Washington - September 2011, Preventing Global War, For publication in: The Ashgate Research Companion to War: Origins and Prevention, Hall Gardner and O. Kobtzeff eds., (London: Ashgate), 2012, https://faculty.washington.edu/modelski/PreventGW.pdf**

Students of world politics, such as John Mueller (1989) have urged a strong case for the “obsolescence of major war”. They argue that major war (or is it all wars? that is not always clear) might disappear from human practice and become abnormal, just as slavery, or dueling, that are now seen as abhorrent, are now unthinkable, and have faded away, not so long ago. War that before 1914 was thought to be virtuous and ennobling is no longer so regarded, and prestige and status accrue to economic performance. If major war is unthinkable, then maybe scholars should avoid discussing it, and decision-makers might let it slip from conscious thought and never consider embarking on such? A more recent examination of these arguments appears in The Waning of Major War, edited by Raimo Vayrynen (2006). These are powerful ideas, but they do not cover all of the ground. Mueller dismisses the thought that war needs to be replaced, in the manner of William James, “by some sort of moral or practical equivalent”. But he refuses to recognize that past global wars have had formative consequences for global politics, and that such a function must continue to be performed, albeit in new forms. In any event, so long as some states retain their nuclear arsenals, and others try to emulate them, the possibility of major war is not entirely unthinkable. The accession to nuclear power status of India, Pakistan, North Korea, and such a prospect for Iran, has been greeted by wide popular acclaim by their respective publics.