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## Advantage 1 – War on Terror

#### The US is losing it – the proliferation of extra-AUMF Al Qaeda affiliates are overwhelming our counterterrorism efforts

Kagan, 7/18

[Frederick W., Christopher DeMuth Chair and Director, Critical Threats Project, American Enterprise Institute, “The Continued Expansion of Al Qaeda Affiliates and their Capabilities”, Statement before the House Committee on Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade On “Global al-Qaeda: Affiliates, Objectives, and Future Challenges”, 2013, <http://www.criticalthreats.org/al-qaeda/kagan-continued-expansion-al-qaeda-affiliates-capabilities-july-18-2013>, BJM]

The war against al Qaeda is not going well. Afghanistan has seen the most success, since Coalition and Afghan National Security Forces (ANSF) have been able to prevent al Qaeda from re-establishing effective sanctuary in the places from which the 9/11 attacks were planned and launched. **The killing of** Osama **bin Laden has not been followed-up in Pakistan with disruption to the leadership group** there on the scale of operations that preceded the Abbottabad raid. **Al Qaeda affiliates** in Iraq, Syria, Yemen, and West Africa **have dramatically expanded their operating areas and capabilities** since 2009 **and appear poised to continue that expansion**. **Progress against al Shabaab**, the al Qaeda affiliate in Somalia, **is** extremely fragile and shows signs of beginning to unravel**.** **New groups with al Qaeda leanings**, although not affiliations, are emerging in Egypt, **and old groups that had not previously been affiliated with al Qaeda**, such as Boko Haram in Nigeria, **appear to be moving closer to it**. **Current trends point to continued expansion of al Qaeda affiliates and their capabilities**, and it is difficult to see how current or proposed American and international policies are likely to contain that expansion, let alone reduce it to 2009 levels or below. **Americans must seriously consider** the possibility **that** we are, in fact, starting to lose the war against al Qaeda. **The policy debate about al Qaeda has been bedeviled by competing definitions of the group** and, consequently, evaluations of the threat it poses to the United States, as Katherine Zimmerman shows in a major paper that will be forthcoming from the Critical Threats Project at the American Enterprise Institute (AEI) in September. Whereas the Bush Administration saw the group as a global network of cells, the **Obama** Administration **has focused narrowly on the "core group**" in Pakistan **around bin Laden and**, after his death, around his successor, Ayman **al Zawahiri**. **The current administration has also labored to distinguish al Qaeda franchises that have the** intent and **capability to attack** the United States homeland **from those that do not**, implying (or sometimes stating) that the U.S. should act only against the former while observing the latter to ensure that they do not change course.

**Current AUMF ambiguity is the culprit – it undermines effective counter-terrorism efforts against affiliates**

**Chesney et al. ‘13**

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The September 2001 AUMF provides for the use of force against the entity responsible for the 9/11 attacks, as well as those harboring that entity. It has been clear from the beginning that **the AUMF encompasses al Qaeda and**   **the Afghan Taliban,** respectively. This was the right focus in late 2001, and for a considerable period thereafter. But for three reasons, **this focus is increasingly**   **mismatched to the threat environment facing the U**nited **S**tates.4 **First, the original al Qaeda network has been substantially degraded by**   **the success of the United States and its allies in killing or capturing the network’s**   **leaders and key personnel**. That is not to say that al Qaeda no longer poses a significant threat to the United States, of course. The information available in the public record suggests that it does, and thus nothing we say below should be read to suggest that force is no longer needed to address the threat al Qaeda poses. Our point is simply that **the original al Qaeda network is no longer the**   **preeminent operational threat to the homeland** that it once was. **Second, the Afghan Taliban are growing increasingly marginal to the AUMF**. As noted above, **the AUMF extended to the Taliban because of the safe harbor they**   **provided to al Qaeda. That rationale makes far less sense a dozen years later,**   **with the remnants of al Qaeda long-since relocated** to Pakistan’s FATA region. This issue has gone largely unremarked in the interim because U.S. and coalition forces all along have been locked in hostilities with the Afghan Taliban, and thus no **occasion to reassess the AUMF nexus** has ever arisen. Such an occasion **may** well **loom on the horizon,** however, **as the U**nited **S**tates **draws down**   **in Afghanistan with increasing rapidity**. To be sure, the United States no doubt will continue to support the Afghan government in its efforts to tamp down insurgency, and it also will likely continue to mount counterterrorism operations within Afghanistan. It may even be the case that at some future point, the Taliban will again provide safe harbor to what remains of al Qaeda, thereby at least arguably reviving their AUMF nexus. But for the time being, **the days of direct**   **combat engagement with the Afghan Taliban appear to be numbered.** If the decline of the original al Qaeda network and the decline of U.S. interest in the Afghan Taliban were the only considerations, one might applaud rather than fret over the declining relevance of the AUMF. **There is**, however, a **third**   **consideration: significant new threats are emerging, ones that are not easily**   **shoehorned into the current AUMF framework.**  To a considerable extent, **the new threats stem from the fragmentation of**   **al Qaeda** itself. In this sense, the problem with the original AUMF is not so much that its primary focus is on al Qaeda, but rather that **it is increasingly difficult to**   **determine with clarity which groups and individuals in al Qaeda’s orbit are**   **sufficiently tied to the core so as to fall within the AUMF**. And given the gravity of the threat that some of these groups and individuals may pose on an independent basis, **it also is increasingly odd to premise the legal framework**   **for using force against them on a chain of reasoning that requires a detour**   **through the original, core al Qaeda organization.** The fragmentation process has several elements. First, **entities that** at least arguably **originated as** mere regional cells **of the core network have**   **established a substantial degree of organizational and operational**   **independence,** even while maintaining some degree of correspondence with al Qaeda’s leaders. **A**l **Q**aeda in the **A**rabian **P**eninsula **is a good example**. Al Qaeda in Iraq arguably fits this description as well, though in that case one might point to a substantial degree of strategic independence as well. Second, **entities that originated as independent, indigenous organizations**   **have** to varying degrees **established formal ties to al Qaeda**, often rebranding themselves in the process. **Al** **Q**aeda in the **I**slamic **M**aghreb, formerly known as the Salafist Group for Call and Combat, **illustrates this path**. **Al Shabaab**  in Somalia arguably **does as well**. **And then there are circumstances (such**   **as the ones currently unfolding in Mali, Libya, and Syria) in which it is**   **not entirely clear where the organizational lines lie** among (i) armed groups that work in concert with or even at the direction of one of the aforementioned al Qaeda affiliates; (ii) armed groups that are sympathetic and in communication with al Qaeda; and (iii) armed groups that are wholly independent of al Qaeda yet also stem from the same larger milieu of Salafist extremists. **This situation**—which one of us has described as the emergence of “extraAUMF” threats—**poses a significant problem insofar as counterterrorism policy**   **rests on the AUMF for its legal justification**. In some circumstances it remains easy to make the case for a nexus to the original al Qaeda network and hence to the AUMF. But **in a growing number of circumstances, drawing the requisite**   **connection to the AUMF requires an increasingly complex daisy chain of**   **associations—a task that is likely to be very difficult** (and hence subject to debate) **in some cases, and downright impossible in others**. The emergence of this problem should come as no surprise. **It has been nearly**   **a dozen years since the AUMF’s passage, and circumstances have evolved**   **considerably since then. It was inevitable that threats would emerge that might**   **not fit easily or at all within its scope.** The question is whether Congress should do anything about this situation, and if so precisely what.

#### Clarifying “associated forces” is key – allows the US to effectively fight the War on Terror

**Zimmer ‘13**

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The **failure to define al Qaeda properly** has confused American policy and strategy**.** The enemy was not just the man shot dead on May 2, 2011, in Abbottabad, Pakistan, nor is it the 1.5 billion Muslims for whom Osama bin Laden claimed to speak. The United States should have sought to answer key questions about the state of al Qaeda after bin Laden’s death and the succession of Ayman al Zawahiri. What is al Qaeda? Is it only the group directly headed by Zawahiri? Or is it more expansive? How is al Qaeda operating today? How do the groups within the al Qaeda network relate to each other and to the core? Answers to these questions are necessary to inform the crafting of a successful strategy to counter the real al Qaeda. The year of Osama bin Laden’s death is the year that the overall al Qaeda network became stronger. **The al**   **Qaeda network benefited significantly from the breakdown in governance across the Middle East and North**   **Africa**. **Affiliates such as** al Qaeda in the Arabian Peninsula (**AQAP**), al Qaeda in Iraq **(AQI**), and al Qaeda in the Islamic Maghreb (**AQIM) all** **expanded their area of**   **operations and exploited openings caused by the Arab**   **Spring’s unrest.** Zawahiri, al Qaeda’s new emir, named two new affiliates: al Shabaab in Somalia, which had a robust, though covert, relationship with al Qaeda, and Jabhat al Nusra in Syria, established with the assistance of AQI. **American strategy remained focused on**   **degrading the capabilities of the core group in Pakistan**   **even as the al Qaeda network expanded**. The al Qaeda network isadaptive, complex, and resilient**.** Today, it has a formal organizational structure, with the core group at its head providing overall direction. Informal relationships and human networks, one of the most important of whi’’ch was formed around bin Laden in the 1980s and 1990s, create an underlying latticed structure that bridges the formal structure of the network. But **even as the network becomes increasingly**   **decentralized, the core group continues to direct the al**   **Qaeda network.** AQAP, the affiliate most likely to have assumed control over the al Qaeda network, has deferred to the core group, and its emir may have even accepted a formal position as Zawahiri’s deputy. The decentralization of the al Qaeda network has not made it weaker. On the contrary, **affiliate-to-affiliate relationships may have** increased the overall network’s resiliency**.** **These**   **relationships may also ensure al Qaeda’s survival even if the core group is defeated completely.** **Al Qaeda affiliates have evolved and now threaten**   **the United States** as much as (if not **more** **than**) **the**   **core group;** they can no longer be dismissed as mere local al Qaeda franchises. The affiliates have also developed relationships with local militant Islamist groups, similar to the relationships between al Qaeda core and Pakistan-based associates, and they have supported the establishment of like-minded local groups, as the al Qaeda core did in the 1990s. Associated groups support the efforts of the core group and the affiliates and may themselves threaten American personnel or interests. Public recognition of a group’s relationship with the network should not be the sole criterion upon which U.S. policy is based because al Qaeda senior leadership advocates plausible deniability as to its relationship with various associates to avoid provoking an American or international reaction to the group. The al Qaeda–associated Tehrik-e-Taliban Pakistan facilitated the May 2010 Times Square bombing, for example. **Policies designed to degrade, neutralize,**   **and disrupt the activities of key associates are essential**   **to a sound strategy to defeat al Qaeda.**  **The reality is that despite more than a decade of**   **direct and indirect warfare against the group, al Qaeda**   **continues to be a threat to the United States and its**   **interes**ts. The closure of more than 20 diplomatic posts across the Middle East and North Africa on August 4, 2013, underscores the group’s continued virulence and reach. AQAP, the affiliate from which that threat allegedly emanated, has spearheaded efforts to target the United States using innovative tactics. Its rise in the network was predictable in retrospect, yet America’s strategy did not adjust to effectively counter it. **Understanding precisely which groups contribute to**   **the al Qaeda network and how they operate within that**   **network will better enable American policymakers and**   **decision makers to develop a comprehensive strategy to**   **defeat al Qaeda. Absent that understanding, the United**   **States will continue to engage in a tactical battle that**   **promises only occasional battleground victories,** but no real prospect of winning the war.

#### We’re at a turning point - the US must pivot to address the threat from al Qaeda affiliates - Congressional action is key because it provides legitimacy that induces public support for counter terrorism and international cooperation against terrorism

Wainstein ‘13

[STATEMENT OF KENNETH L. WAINSTEIN, PARTNER CADWALADER, WICKERSHAM & TAFT LLP BEFORE THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE CONCERNING COUNTERTERRORISM POLICIES AND PRIORITIES: ADDRESSING THE EVOLVING THREAT PRESENTED ON MARCH 20, 2013. <http://www.foreign.senate.gov/imo/media/doc/Wainstein_Testimony.pdf> ETB]

It has recently become clear, however, that the Al Qaeda threat that occupied our attention after 9/11 is no longer the threat that we will need to defend against in the future. Due largely to the effectiveness of our counterterrorism efforts, the centralized leadership that had directed Al Qaeda operations from its sanctuary in Afghanistan and Pakistan -- known as “Al Qaeda Core” -- is now just a shadow of what it once was. While still somewhat relevant as an inspirational force, Zawahiri and his surviving lieutenants are reeling from our aerial strikes and no longer have the operational stability to manage an effective global terrorism campaign. The result has been a migration of operational authority and control from Al Qaeda Core to its affiliates in other regions of the world, such as Al Qaeda in the Arabian Peninsula, Al Qaeda in Iraq and Al Qaeda in the Islamic Maghreb. As Andy Liepman of the RAND Corporation cogently explained in a recent article, this development is subject to two different interpretations. While some commentators diagnose Al Qaeda as being in its final death throes, others see this franchising process as evidence that Al Qaeda is “coming back with a vengeance as the new jihadi hydra.” As is often the case, the truth likely falls somewhere between these polar prognostications. Al Qaeda Core is surely weakened, but its nodes around the world have picked up the terrorist mantle and continue to pose a threat to America and its allies -- as tragically evidenced by the recent violent takeover of the gas facility in Algeria and the American deaths at the U.S. Mission in Benghazi last September. This threat has been compounded by a number of other variables, including the opportunities created for Al Qaeda by the events following the Arab Spring; the ongoing threat posed by Hizballah, its confederates in Iran and other terrorist groups; and the growing incidence over the past few years of home-grown violent extremism within the United States, such as the unsuccessful plots targeting Times Square and the New York subway. We are now at a pivot point where we need to reevaluate the means and objectives of our counterterrorism program in light of the evolving threat. The Executive Branch is currently engaged in that process and has undertaken a number of policy shifts to reflect the altered threat landscape. First, it is working to develop stronger cooperative relationships with governments in countries like Yemen where the Al Qaeda franchises are operating. Second, they are coordinating with other foreign partners -- like the French in Mali and the African Union Mission in Somalia -- who are actively working to suppress these new movements. Finally, they are building infrastructure -- like the reported construction of a drone base in Niger -- that will facilitate counterterrorism operations in the regions where these franchises operate. While it is important that the Administration is undergoing this strategic reevaluation, it is also important that Congress participate in that process. Over the past twelve years, Congress has made significant contributions to the post-9/11 reorientation of our counterterrorism program. First, it has been instrumental in strengthening our counterterrorism capabilities. From the Authorization for Use of Military Force passed within days of 9/11 to the Patriot Act and its reauthorization to the critical 2008 amendments to the Foreign Intelligence Surveillance Act, Congress has repeatedly answered the government’s call for strong but measured authorities to fight the terrorist adversary. Second, Congressional action has gone a long way toward institutionalizing measures that were hastily adopted after 9/11 and creating a lasting framework for what will be a “long war” against international terrorism. Some argue against such legislative permanence, citing the hope that today’s terrorists will go the way of the radical terrorists of the 1970’s and largely fade from the scene over time. That, I’m afraid, is a pipe dream. The reality is that international terrorism will remain a potent force for years and possibly generations to come. Recognizing this reality, both Presidents Bush and Obama have made a concerted effort to look beyond the threats of the day and to focus on regularizing and institutionalizing our counterterrorism measures for the future -- as most recently evidenced by the Administration’s effort to develop lasting procedures and rules of engagement for the use of drone strikes. Finally, Congressional action has provided one other very important element to our counterterrorism initiatives -- a measure of political legitimacy that could never be achieved through unilateral executive action. At several important junctures since 9/11, Congress has undertaken to carefully consider and pass legislation in sensitive areas of executive action, such as the legislation authorizing and governing the Military Commissions and the amendments to our Foreign Intelligence Surveillance Act. On each such occasion, Congress’ action had the effect of calming public concerns and providing a level of political legitimacy to the Executive Branch’s counterterrorism efforts. That legitimizing effect -- and its continuation through meaningful oversight -- is critical to maintaining the public’s confidence in the means and methods our government uses in its fight against international terrorism. It also provides assurance to our foreign partners and thereby encourages them to engage in the operational cooperation that is so critical to the success of our combined efforts against international terrorism.

#### Turning the tide is critical – al-Qaeda affiliates pose a high risk of nuclear and biological terrorism

Allison 12

[Graham,IR Director @ Harvard, Director, Belfer Center for Science and International Affairs; Douglas Dillon Professor of Government, Harvard Kennedy School, "Living in the Era of Megaterror", Sept 7, <http://belfercenter.ksg.harvard.edu/publication/22302/living_in_the_era_of_megaterror.html>. BJM]

Forty years ago this week at the Munich Olympics of 1972, Palestinian terrorists conducted one of the most dramatic terrorist attacks of the 20th century. The kidnapping and massacre of 11 Israeli athletes attracted days of around-the-clock global news coverage of Black September’s anti-Israel message. Three decades later**, on 9/11, Al Qaeda killed nearly 3,000 individuals** at the World Trade Center and the Pentagon, announcing a new era of megaterror. In an act that killed more people than Japan’s attack on Pearl Harbor, a band of terrorists headquartered in ungoverned Afghanistan demonstrated that individuals and small groups can kill on a scale previously the exclusive preserve of states. **Today, how many people can a small group of terrorists kill in a single blow?** **Had** Bruce **Ivins, the U.S. government microbiologist responsible for the 2001 anthrax attacks, distributed his deadly agent with sprayers he could have purchased off the shelf, tens of thousands of Americans would have died**. **Had the 2001 “Dragonfire” report that Al Qaeda had a small nuclear weapon** (from the former Soviet arsenal) in New York City **proved correct,** and not a false alarm, **detonation of that bomb in Times Square could have incinerated a half million Americans**. In this electoral season, President Obama is claiming credit, rightly, for actions he and U.S. Special Forces took in killing Osama bin Laden. Similarly, at last week’s Republican convention in Tampa, Jeb Bush praised his brother for making the United States safer after 9/11. There can be no doubt that the thousands of actions taken at federal, state and local levels have made people safer from terrorist attacks. Many are therefore attracted to the chorus of officials and experts claiming that the “strategic defeat” of Al Qaeda means the end of this chapter of history. But we should remember a deeper and more profound truth. **While applauding actions that have made us safer from future terrorist attacks, we must recognize that they** have not reversed an inescapable reality**:** **The relentless advance of science and technology is making it possible for smaller and** smaller groups to kill larger and larger numbers of people. **If a Qaeda affiliate,** or some terrorist group in Pakistan whose name readers have never heard, **acquires highly enriched uranium or plutonium made by a state, they** **can construct an elementary nuclear bomb capable of killing hundreds of thousands of people**. **At biotech labs** across the United States and **around the world, research scientists** making medicines that advance human well-being **are also capable of making pathogens, like anthrax, that can produce massive casualties**. What to do? Sherlock Holmes examined crime scenes using a method he called M.M.O.: motive, means and opportunity. In a society where citizens gather in unprotected movie theaters, churches, shopping centers and stadiums, opportunities for attack abound. Free societies are inherently “target rich.” Motive to commit such atrocities poses a more difficult challenge. In all societies, a percentage of the population will be homicidal. No one can examine the mounting number of cases of mass murder in schools, movie theaters and elsewhere without worrying about a society’s mental health. Additionally, actions we take abroad unquestionably impact others’ motivation to attack us. As Faisal Shahzad, the 2010 would-be “Times Square bomber,” testified at his trial: “Until the hour the U.S. ... stops the occupation of Muslim lands, and stops killing the Muslims ... we will be attacking U.S., and I plead guilty to that.” Fortunately, it is more difficult for a terrorist to acquire the “means” to cause mass casualties. Producing highly enriched uranium or plutonium requires expensive industrial-scale investments that only states will make. If all fissile material can be secured to a gold standard beyond the reach of thieves or terrorists, aspirations to become the world’s first nuclear terrorist can be thwarted. Capabilities for producing bioterrorist agents are not so easily secured or policed. While more has been done, and much more could be done to further raise the technological barrier, as knowledge advances and technological capabilities to make pathogens become more accessible, the means for bioterrorism will come within the reach of terrorists. **One of the hardest truths about modern life is that the same advances in science and technology that enrich our lives also empower potential killers to achieve their deadliest ambitions.** To imagine that we can escape this reality and return to a world in which we are invulnerable to future 9/11s or worse is an illusion. For as far as the eye can see, we will live in an era of megaterror.

#### Nuclear terrorism causes nuclear escalation – retaliation goes global, it’s highly likely and rapid

Morgan 09

(Professor of Foreign Studies at Hankuk University, Dennis Ray, December, “World on fire: two scenarios of the destruction of human civilization and possible extinction of the human race” Futures, Vol 41 Issue 10, p 683-693, ScienceDirect)

In a remarkable website on nuclear war, Carol Moore asks the question “Is Nuclear War Inevitable??” In Section , Moore points out what most terrorists obviously already know about the nuclear tensions between powerful countries. No doubt, they’ve figured out that the best way to escalate these tensions into nuclear war is to set off a nuclear exchange. As Moore points out, all that militant terrorists would have to do is get their hands on one small nuclear bomb and explode it on either Moscow or Israel. Because of the Russian “dead hand” system, “where regional nuclear commanders would be given full powers should Moscow be destroyed,” it is likely that any attack would be blamed on the United States” Israeli leaders and Zionist supporters have, likewise, stated for years that if Israel were to suffer a nuclear attack, whether from terrorists or a nation state, it would retaliate with the suicidal “Samson option” against all major Muslim cities in the Middle East. Furthermore, the Israeli Samson option would also include attacks on Russia and even “anti-Semitic” European cities In that case, of course, Russia would retaliate, and the U.S. would then retaliate against Russia. China would probably be involved as well, as thousands, if not tens of thousands, of nuclear warheads, many of them much more powerful than those used at Hiroshima and Nagasaki, would rain upon most of the major cities in the Northern Hemisphere. Afterwards, for years to come, massive radioactive clouds would drift throughout the Earth in the nuclear fallout, bringing death or else radiation disease that would be genetically transmitted to future generations in a nuclear winter that could last as long as a 100 years, taking a savage toll upon the environment and fragile ecosphere as well. And what many people fail to realize is what a precarious, hair-trigger basis the nuclear web rests on. Any accident, mistaken communication, false signal or “lone wolf’ act of sabotage or treason could, in a matter of a few minutes, unleash the use of nuclear weapons, and once a weapon is used, then the likelihood of a rapid escalation of nuclear attacks is quite high while the likelihood of a limited nuclear war is actually less probable since each country would act under the “use them or lose them” strategy and psychology; restraint by one power would be interpreted as a weakness by the other, which could be exploited as a window of opportunity to “win” the war. In other words, once Pandora's Box is opened, it will spread quickly, as it will be the signal for permission for anyone to use them. Moore compares swift nuclear escalation to a room full of people embarrassed to cough. Once one does, however, “everyone else feels free to do so. The bottom line is that as long as large nation states use internal and external war to keep their disparate factions glued together and to satisfy elites’ needs for power and plunder, these nations will attempt to obtain, keep, and inevitably use nuclear weapons. And as long as large nations oppress groups who seek self-determination, some of those groups will look for any means to fight their oppressors” In other words, as long as war and aggression are backed up by the implicit threat of nuclear arms, it is only a matter of time before the escalation of violent conflict leads to the actual use of nuclear weapons, and once even just one is used, it is very likely that many, if not all, will be used, leading to horrific scenarios of global death and the destruction of much of human civilization while condemning a mutant human remnant, if there is such a remnant, to a life of unimaginable misery and suffering in a nuclear winter. In “Scenarios,” Moore summarizes the various ways a nuclear war could begin: Such a war could start through a reaction to terrorist attacks, or through the need to protect against overwhelming military opposition, or through the use of small battle field tactical nuclear weapons meant to destroy hardened targets. It might quickly move on to the use of strategic nuclear weapons delivered by short-range or inter-continental missiles or long-range bombers. These could deliver high altitude bursts whose electromagnetic pulse knocks out electrical circuits for hundreds of square miles. Or they could deliver nuclear bombs to destroy nuclear and/or non-nuclear military facilities, nuclear power plants, important industrial sites and cities. Or it could skip all those steps and start through the accidental or reckless use of strategic weapons.

#### Bioattack causes extinction

Steinbrenner 97

(John D. Steinbrenner, Brookings Senior Fellow, 1997, Foreign Policy, "Biological weapons: a plague upon all houses," Winter, InfoTrac)

Although human pathogens are often lumped with nuclear explosives and lethal chemicals as potential weapons of mass destruction, there is an obvious, fundamentally important difference: Pathogens are alive, weapons are not. Nuclear **and chemical** weapons do not reproduce themselves and do not independentlyengage in adaptive behavior; pathogens do **both of these things.** That deceptively simple observation has immense implications. The use of a manufactured weapon is a singular event. Most of the damage occurs immediately. The aftereffects, whatever they may be, decay rapidly over time and distance in a reasonably predictable manner. Even before a nuclear warhead is detonated, for instance, it is possible to estimate the extent of the subsequent damage and the likely level of radioactive fallout. Such predictability is an essential component for tactical military planning. The use of a pathogen, by contrast, is an extended process whose scope and timing cannot be precisely controlled. For **most** potential **biological agents**, the predominant drawback is that they **would not act swiftly or decisively enough to be an effective weapon. But** for a few pathogens - ones most likely to have a decisive effect and therefore the ones **most likely to be** contemplated for deliberately hostile use - the risk runs in the other direction. A lethal pathogen that could efficiently spread from one victim to another would be capable of initiating an intensifying cascade of disease that might ultimately threaten the entire world population. The 1918 influenza epidemic demonstrated the potential for a global contagion of this sort but not necessarily its outer limit. Nobody really knows how serious a possibility this might be, since there is no way to measure it reliably.

**New gene manipulation takes out their defense**

MSNBC 2011

(“Clinton warns of bioweapon threat from gene tech,” pg online @ http://www.msnbc.msn.com/id/45584359/ns/… “For an international verification system — akin to that for nuclear weapons — saying it is too complicated to monitor every lab's activities.”)

GENEVA — **New gene assembly technology** that offers great benefits for scientific research **could** also **be used by terrorists to create biological weapons,** U.S. Secretary of State Hillary Rodham Clinton warned Wednesday. **The threat from bioweapons has drawn little attention in recent years, as governments focused more on the risk of nuclear weapons proliferation to countries such as Iran and North Korea**. But **experts have warned that the increasing ease with which bioweapons can be created might be used by terror groups to develop and spread new diseases that could mimic the effects of** the fictional global epidemic portrayed in the Hollywood thriller **"Contagion."** Speaking at an international meeting in Geneva aimed at reviewing the 1972 Biological Weapons Convention, Clinton told diplomats that **the challenge was to maximize the benefits of scientific research and minimize the risks that it could be used for harm. "The emerging gene synthesis industry is making genetic material more widely available,"** she said. "**This** has many benefits for research, but it **could also potentially be used to assemble the components of a deadly organism." Gene synthesis allows genetic material — the building blocks of all organisms — to be artificially assembled in the lab, greatly speeding up the creation of artificial viruses and bacteria. The U.S. government has cited efforts by terrorist networks such as al-Qaeda to recruit scientists capable of making biological weapons** as a national security concern. "**A crude but effective terrorist weapon can be made using a small sample of any number of widely available pathogens, inexpensive equipment, and college-level chemistry and biology,"** Clinton told the meeting. "Less than a year ago**, al-Qaeda in the Arabian Peninsula made a call to arms for**, and I quote, **'brothers with degrees in microbiology or chemistry ... to develop a weapon of mass destruction,'"** she said. **Clinton also mentioned the Aum Shinrikyo cult's attempts in Japan to obtain anthrax in the 1990s, and the 2001 anthrax attacks** in the United States that killed five people. Washington has urged countries to be more transparent about their efforts to clamp down on the threat of bioweapons. But **U.S. officials have also resisted calls for an international verification system** — akin to that for nuclear weapons — saying it is too complicated to monitor every lab's activities around the world.

#### Ambiguity will force a collapse of operations in Yemen & Somalia

Chesney 12

Chesney, 2012 [Robert, Professor University of Texas School of Law, “Beyond the Battlefield, Beyond Al Qaeda: The Destabilizing Legal Architecture of Counterterrorism”, THE UNIVERSITY OF TEXAS SCHOOL OF LAW Public Law and Legal Theory Research Paper No. 227, Aug 29, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2138623>, BJM]

\*\*\*LOAC = laws of armed conflict\*\*\*

**The drawdown in Afghanistan**, **combined with the expansion of the shadow war model**, **ensures** that **the legal architecture of counterterrorism will be far more contested**—**and hence**  **unstable—going forward** than it was during the first post-9/11 decade. **When U.S. involvement** **in** overt armed conflict in **Afghanistan comes to an end,** so too will the other key stabilizing factor identified in Part II: **the existence of** at least **one location** as **to which LOAC indisputably**  **applies, and as to which many cases could be linked**.189 **The fact patterns that will matter most in**  **the future**—i.e., **the instances in which the U.S. government will be most likely to wish to use** lethal **force** or military detention—will instead increasingly be rooted in other locations, **such as Yemen and Somalia**. **It does not follow that LOAC accordingly will be irrelevant to future instances of** detention or lethal **force**. **To the extent that the government continues to invoke LOAC, its arguments will**  **be more or less persuasive from case to case**. In some contexts, for example, the government can make relatively-conventional arguments to the effect that the level of violence in a given state has risen to a level constituting a non-international armed conflict, quite apart from whether there also exists a borderless armed conflict with al Qaeda or its successors. Where that is the case, and where the level of U.S. participation in those hostilities warrants the conclusion that it is a party to such a conflict, LOAC arguments may prove persuasive after all. **Yemen currently**  **provides a good example of an area ripe for such an analysis**.190 But even in those cases, the very nature **of the shadow war approach is such that there can**  **be no guarantees that such arguments will be accepted**, certainly not as was the case during the first post-9/11 decade vis-à-vis Afghanistan. And since not all shadow war contexts will match Yemen in terms of supporting such a conventional analysis, **attempts to invoke LOAC** in some cases **will have to stand or fall instead on the** far-broader **argument that the United States is**  **engaged in a borderless armed conflict governed by LOAC wherever the parties may be found**. **The borderless-conflict position** at first blush appears nicely entrenched in the status quo legal architecture. It is supported, after all, by a substantial degree of cross-party consensus (it was endorsed most recently in a series of speeches by Obama administration officials).191 But it **has always been fiercely disputed**, including by the ICRC and many of America’s allies. **That**  **dispute was not so much resolved over the past decade as persistently avoided**; the caselaw of that era almost always involved persons who could be linked in some way back to the undisputed combat zone of Afghanistan. Thanks to the U.S. government’s shift toward shadow war, **however, this will not be the situation going forward when new cases arise**, as they are sure to do.192 Making matters worse, **the U.S. government’s position on the relevance of LOAC** to its use of detention and lethal force **may become** harder to maintain **going forward even without a**  **drawdown in Afghanistan**. **The reason** why **has to do with the** decline and fragmentation of al Qaeda. **The borderless-conflict position does require**, after all, **identifiable parties on both sides**. Even if one accepts that the United States and al Qaeda are engaged in a borderless armed conflict, in other words, **organizational ambiguity** of the sort **described above will increasingly** call into question whether specific cases are sufficiently linked to that conflict (or to any other that might be said to exist with respect to specific al Qaeda-linked groups, such as AQAP). Again Warsame’s situation provides a useful illustration, or perhaps more accurately, a cautionary tale.

#### Defeating AQAP in Yemen is key—prevents regional attacks on nearby waterways

Terrill 13

[Dr. W. Andrew Terrill, Research Professor of National Security Affairs, retired Lt. Col., Strategic Studies Institute and U.S. Army War College Press, June, “THE STRUGGLE FOR YEMEN AND THE CHALLENGE OF AL-QAEDA IN THE ARABIAN PENINSULA” http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1157]

U.S. support for Yemen remains important, and **the** **U**nited **S**tates **must not regard the fight against AQAP** **as** largely **over** **because of the defeat of their** insurgent **forces in the south**. This analysis has shown that **AQAP remains a dangerous and effective force despite** these **setbacks**. **There are** also **important reasons for defeating AQAP and its allies** in Yemen, even if this does not destroy the organization **and** **instead leads it to move operations** **to** prospective sanctuaries in **other** remote **parts of the world**. **Yemen is one of the worst places** on earth **to cede to terrorists due to its** **key strategic location**, including **a long border with Saudi Arabia**. **It** also **dominates one of the region’s key waterways**, **the Bab al-Mandeb Strait** **which controls access to the** southern **Red Sea.** Furthermore, the problem of **Yemen based-terrorism** **remains an important** **international threat which cannot be ignored**, **as indicated by repeated AQAP efforts to attack the U.S. homeland**.

#### New AQ merger proves a risk of waterway attack is high

Thomas 13

Thomas, Aug 8, 2013 [Matthew J., Monterey Institute of International Studies, “Exposing and exploiting weaknesses in the merger of Al- Qaeda and Al-Shabaab”, <http://www.tandfonline.com/loi/fswi20>, SG]

Still, **the merger may** **pose new challenges that amplify the threat of al-Qaeda**,27 **as the** terrorist **organization’s rising influence in Africa may lead to a**  **trans-Saharan ‘arc of instability’ with both regional and international**  **consequences**.28 **Having strategically expanded its operational reach into the Horn of Africa** (HOA), **al-Qaeda may encourage al-Shabaab and** its Yemeni affiliate al-Qaeda in the Arabian Peninsula (**AQAP) to carry out more attacks**  **against Western interests abroad and disrupt the flow of oil through the**  **geostrategic Bab al-Mandeb Strait in the Gulf of Aden**. Furthermore, **al-Qaeda**  **now has unrestricted access to al-Shabaab’s unprecedented number of Western**  **recruits**, many of whom are US and European passport holders, **and may**  **encourage them to infiltrate back into various Western nations in order carry out**  **and/or incite domestic terrorist attacks**.29

#### Bab El Mandeb strait is critical to global commerce

Mountain, 2012

[Thomas, independent western journalist based in the Horn of Africa , Kavaz Center, “Could AQAP and al-Shabaab cause the death of the U.S.?”. News Fact Analysis, http://www.foreignpolicyjournal.com/2011/11/19/choke-point-bab-el-mandeb-understanding-the-strategically-critical-horn-of-africa/, BJM]

**The Horn of Africa is one of the most strategically critical regions in the world with the narrow passage** **where the Red Sea joins the Indian Ocean, the Bab el-Mandeb, being a potential choke point for much of the worlds commerce**, wrote in his article Thomas Mountain. **Almost all** of the **trade between the** European Union **and China, Japan, India and the rest of Asia passes through the Bab el-Mandeb everyday**. **Up to 30% of the worlds oil**, **including all** of the **oil and natural gas from the Persian Gulf heading west passes through the Horn of Africa daily**. **Who controls the Horn of Africa controls a major chunk of the worlds economies**. Mr. Mountain indicates that the CIA, MI6 and all the western intelligence agencies know all to well just how critical the Horn of Africa is. The journalist suggests the following scenario: Somalia (or Yemen) became a strong, united, independent, and well armed Islamic country, and seeing the NATO attack on Libya, declares that no EU or USA bound shipments of goods, oil or natural gas would be allowed to pass through the Bab el-Mandeb as long as NATO bombardments of Libya continue. How long would the EU economies be able to hold out without the energy supplies from the Persian Gulf or the vital Asian imports?, asks Mr. Mountain. Is it even conceivable that the USA and its NATO allies would allow a scenario such as this to develop? **Understanding this is crucial to understanding why the western powers conduct such a criminal policy in the Horn of Africa**, writes Mr. Mountain. The USA, still the worlds lone superpower, has a policy of using local enforcers, policemen on the beat, to do its dirty work in areas of the world of critical importance to its interests. In South America the USA uses Columbia as its local gendarme or strongman to try and keep the region in line. In West Africa the USA uses Nigeria, in the Middle East, "Israel" and in East Africa the main USA mafioso enforcer is Ethiopia. Every year the USA and its western underlings pour some $ 7 billion into keeping the Ethiopian regime headed by the former Marxist-Leninist guerilla leader Meles Zenawi afloat making Ethiopia one of the most aid dependent countries in the world and a rival to "Israel" as the largest recipients of western aid on the planet. For this the USA can order Meles Zenawi to send his army to invade Somalia in the name of the "War on Terror" in 2006. Earlier, in 2000, Ethiopia invaded Eritrea (see map), again at the urging of the USA. Today, the USA is paying the salaries of some 10,000 Ethiopian Army "peacekeepers" deployed around Abeye (see map), the oil producing region on the border between north and South Sudan. For these and other crimes in the service of Pax Americana Ethiopian Prime Minister Meles Zenawi has a permanent "get out of jail free" card, or blanket immunity. He has at least a billion dollars stashed in his mainly London bank accounts for the not so distant day when he boards his final flight out of Addis Ababa, writes Mr. Mountain. Whether it was former Brit PM Tony Blair anointing Meles Zenawi as chair of the short lived Africa Commission to the Obama White house arranging for Meles to stride the stage of the latest G-20 meeting of world leaders. With the largest, best equipped army in Africa, Ethiopia has a job to do and first and foremost it is to make sure that the region surrounding the Bab el-Mandeb choke point remains firmly under western control. For he who controls Bab el-Mandeb has his fingers around the throats of both the EU and Asia's economies. Today the USA's grip on the region is increasingly in doubt, for the Ethiopian regime is ever closer to the day of its demise and what comes after Meles Zenawi's departure could shake the world as we know it. **Choke Point Bab el-Mandeb is strategically critical in today's world** and just how important can be judged by how careful the western media is in covering the region. Almost nothing is allowed in the news that might hasten the day of Meles Zenawi's departure. Meles must stride the G-20 stage once again for all the world to see that he remains the anointed defender of western control of the Bab el-Mandeb, writes Mr. Mountain. The day the USA loses control of the Bab el-Mandeb may very well mark the end of the USA's days as the worlds lone superpower and it's control of the world as we know it.

#### Triggers immediate global economic collapse

Korin & Luft 4

Anne Korin, Director of Policy and Strategic Planning at IAGS and Editor of Energy Security, and Gal Luft, Institute for the Analysis of Global Security, Nov/Dec Foreign Affairs, “Terrorism Goes to Sea” http://www.cfr.org/world/terrorism-goes-sea/p7545

Such **experts**, however, **fail to realize that the popular perception that the international community has eliminated** sea **piracy is far from true**. Not only has piracy never been eradicated, but **the number of pirate attacks** on ships **has** also **tripled in the past decade**-putting piracy at its highest level in modern history. And contrary to the stereotype, **today's pirates are often trained fighters aboard speedboats equipped with satellite phones and global positioning systems and armed with automatic weapons, antitank missiles, and grenades**. Most disturbingly, **the scourges of piracy and terrorism** **are increasingly intertwined**: **piracy** on the high seas **is becoming a key tactic of terrorist groups**. Unlike the pirates of old, whose sole objective was quick commercial gain, **many of today's pirates are maritime terrorists with an ideological bent and a broad political agenda**. **This nexus of piracy and terrorism is especially dangerous for energy markets**: **most of the world's oil and gas is shipped through the world's most piracy-infested waters**. ROUGH WATERS Water covers almost three-quarters of the globe and is home to roughly 50,000 large ships, which carry 80 percent of the world's traded cargo. **The sea** has always been an anarchic domain. Unlike land and air, it **is barely policed**, even today. Since **many shipping companies do not report incidents of piracy, for fear of raising their insurance premiums** and prompting protracted, time-consuming investigations, the precise extent of piracy is unknown. But statistics from the International Maritime Bureau (IMB), a piracy watchdog, suggest that **both the frequency and the violence of acts of piracy have increased in recent years**. In 2003, ship owners reported 445 attacks, in which 92 seafarers were killed or reported missing and 359 were assaulted and taken hostage. (Ships were hijacked in 19 of these cases and boarded in 311.) From 2002 to 2003, the number of those killed and taken hostage in attacks nearly doubled. **Pirates have also increased their tactical sophistication**, often **surrounding a target ship** **with several boats and firing machine guns and antitank missiles to force it to stop**. As Singapore's Deputy Prime Minister Tony Tan recently warned, "piracy is entering a new phase; recent **attacks have been conducted with almost military precision**. The perpetrators are well-trained, have well laid out plans." The total damage caused by piracy-due to losses of ships and cargo and to rising insurance costs-now amounts to $16 billion per year. Many pirates, especially those in eastern Asia, belong to organized crime syndicates comprising corrupt officials, port workers, hired thugs, and businessmen who dispose of the booty. Grossly underpaid maritime security personnel have also begun to enter the business; many are complicit, and some are actively involved, in attacks. **Pirates and Islamist terrorist groups have long operated** in the same areas, including the Arabian Sea, the South China Sea, and in waters off the coast of western Africa. Now, **in the face of massive international efforts** to freeze their finances, **terrorist groups have come to view piracy as a potentially rich source of funding**. This appeal is particularly apparent in the Strait of Malacca, the 500-mile corridor separating Indonesia and Malaysia, where 42 percent of pirate attacks took place in 2003. According to Indonesia's state intelligence agency, detained senior members of Jemaah Islamiyah, the al Qaeda-linked Indonesian terrorist group, have admitted that the group has considered launching attacks on Malacca shipping. And uniformed members of the Free Aceh Movement, an Indonesian separatist group that is also one of the most radical Islamist movements in the world, have been hijacking vessels and taking their crews hostage at an increasing rate. The protracted ransom negotiations yield considerable sums-the going rate is approximately $100,000 per ship-later used to procure weapons for sustained operations against the Indonesian government. In some cases, the Free Aceh Movement has demanded the release of members detained by the government in exchange for hostages. The string of maritime attacks perpetrated in recent years demonstrates that terror has indeed gone to sea. **In January 2000**, **al Qaeda attempted to ram a boat loaded with explosives into the USS The Sullivans in Yemen**. (**The attack failed only because the boat sank under the weight of its lethal payload**.) **After this initial failure, al Qaeda suicide bombers** in a speedboat **packed with explosives blew a hole in the USS Cole, killing 17 sailors**, in October 2000. **In** October **2002, an explosives-laden boat hit the French oil tanker Limburg off the coast of Yemen**. In February 2004, the southern Philippines-based Abu Sayyaf claimed responsibility for an explosion on a large ferry that killed at least 100 people. And according to FBI Director Robert Mueller, "any number of attacks on ships have been thwarted." In June 2002, for example, the Moroccan government arrested a group of al Qaeda operatives suspected of plotting raids on British and U.S. tankers passing through the Strait of Gibraltar. Terrorist groups such as **Hezbollah, Jemaah Islamiyah, the** **Popular Front for the Liberation of Palestine**-General Command, and Sri Lanka's Tamil Tigers have long sought to develop a maritime capability. **Intelligence agencies estimate that al Qaeda and its affiliates now own dozens of phantom ships-hijacked vessels** that have been repainted and renamed and operate under false documentation, manned by crews with fake passports and forged competency certificates. Security experts have long warned that **terrorists might try to ram a ship loaded with explosive cargo, perhaps even a weapon of mass destruction, into a major port or terminal**. **Such an attack could bring international trade to a halt, inflicting multi-billion-dollar damage on the world economy.** BLACK GOLD Following the attack on the Limburg, Osama **bin Laden released an audio tape warning of attacks on economic targets** in the West: "By God, the youths of God are preparing for you things that would fill your hearts with terror and target your economic lifeline until you stop your oppression and aggression." **It is no secret that one of the most effective ways for terrorists to disrupt the global economy** **is to attack oil supplies**-in the words of al Qaeda spokesmen, "the provision line and the feeding artery of the life of the crusader nation." **With global oil consumption at 80 million barrels per day** and spare production capacity gradually eroding, **the oil market has little wiggle room**. As a result, **supply disruptions can have a devastating impact on oil prices**-as terrorists well know. U.S. Energy Secretary Spencer Abraham has repeatedly warned that "**terrorists are looking for opportunities to impact the world economy**" **by targeting energy infrastructure**. In recent years, terrorists have targeted pipelines, refineries, pumping stations, and tankers in some of the world's most important energy reservoirs, including Iraq, Nigeria, Saudi Arabia, and Yemen. In fact, since September 11, 2001, strikes on oil targets have become almost routine. In October 2001, Tamil Tiger separatists carried out a coordinated suicide attack by five boats on an oil tanker off northern Sri Lanka. Oil facilities in Nigeria, the United States' fifth-largest oil supplier, have undergone numerous attacks. In Colombia, leftist rebels have blown so many holes in the 480-mile Ca-o Lim -- n-Cove-as pipeline that it has become known as "the flute." And in Iraq, more than 150 attacks on the country's 4,000-mile pipeline system have hindered the effort to resume oil production, denying Iraqis funds necessary for the reconstruction effort. In April 2004, suicide bombers in three boats blew themselves up in and around the Basra terminal zone, one of the most heavily guarded facilities of its kind in the world. Particularly vulnerable to oil terrorism is Saudi Arabia, which holds a quarter of the globe's oil reserves and, as the world's leading exporter, accounts for one-tenth of daily oil production. Al Qaeda is well aware that a successful attack on one of the kingdom's major oil facilities would rattle the world and send oil prices through the ceiling. **In** the summer of **2002, a group of Saudis was arrested for plotting to sabotage the world's largest offshore oil-loading facility**, Ras Tanura, **through which up to a third of Saudi oil flows**. More recently, in May 2004, jihadist gunmen opened fire on foreign workers in Yanbu, Saudi Arabia's petrochemical complex on the Red Sea, killing five foreign nationals. Later in the same month, **Islamic extremists seized and killed 22 foreign oil workers in the Saudi city of Khobar. All of these attacks caused major disruptions in the oil market and a spike in insurance premiums**, **bringing oil prices to their highest level since 1990**. **Whereas land targets are relatively well protected**, **the super-extended energy umbilical cord that extends by sea** to connect the West and the Asian economies with the Middle **East is more vulnerable than ever**. **Sixty percent of the world's oil is shipped by approximately 4,000 slow and cumbersome tankers. These vessels have little protection, and when attacked, they have nowhere to hide**. (Except on Russian and Israeli ships, the only weapons crewmembers have today to ward off attackers are high-powered fire hoses and spotlights.) **If a single tanker were attacked** on the high seas**, the impact** on the energy market **would be marginal**. **But** **geography forces the tankers to pass through strategic chokepoints,** many of which are **located** in areas **where terrorists with maritime capabilities are active**. **These channels**-**major points of vulnerability for the world economy**-**are so narrow** at points **that a single burning supertanker and its spreading oil slick could block the route for other vessels**. **Were terrorist pirates to hijack a large bulk carrier or oil tanker, sail it into one of the chokepoints, and scuttle it to block the sea-lane,** **the consequences for the global economy would be severe**: **a spike in oil prices**, an **increase in the cost of shipping** due to the need to use alternate routes, **congestion** in sea-lanes and ports, more **expensive maritime insurance**, and probable **environmental disaster**. Worse yet would be several such attacks happening simultaneously in multiple locations worldwide. **The Strait of Hormuz, connecting the Persian Gulf and the Arabian Sea, is only 1.5 miles wide** at its narrowest point. Roughly **15 million barrels** of oil **are shipped through it daily**. **Between 1984 and 1987**, **when tankers were frequently attacked** in the strait, **shipping** in the gulf **dropped by 25 percent**, causing the United States to intervene militarily. Since then, the strait has been relatively safe, but **the war on terrorism has brought new threats.** In his 2003 State of the Union address, President George W. Bush revealed that U.S. forces had already prevented terrorist attacks on ships there. **Bab el Mandeb**, **the entrance to the Red Sea and a conduit for 3.3 million barrels per day**, also **is only 1.5 miles wide at its narrowest** **point**. The Bosporus, linking the Black Sea to the Mediterranean, is less than a mile wide in some areas; ten percent of the 50,000 ships that pass through it each year are tankers carrying Russian and Caspian oil.

**Economic collapse causes nuclear war**

**Kemp 10**

Geoffrey Kemp, Director of Regional Strategic Programs at The Nixon Center, served in the White House under Ronald Reagan, special assistant to the president for national security affairs and senior director for Near East and South Asian affairs on the National Security Council Staff, Former Director, Middle East Arms Control Project at the Carnegie Endowment for International Peace, 2010, The East Moves West: India, China, and Asia’s Growing Presence in the Middle East, p. 233-4

The second scenario, called Mayhem and Chaos, is the opposite of the first scenario; everything that can go wrong does go wrong. **The world economic situation weakens rather than strengthens, and India, China, and Japan suffer a major reduction in their growth rates**, further weakening the global economy. As a result, **energy demand falls** and the price of fossil fuels plummets, **leading to a financial crisis** for the energy-producing states, which are forced to cut back dramatically on expansion programs and social welfare. That in turn leads to **political unrest: and nurtures different radical groups**, including, but not limited to, Islamic extremists. The **internal stability of some countries is challenged**, and there are more “failed states.” Most serious is the **collapse of the democratic government in Pakistan and its takeover by Muslim extremists, who then take possession of a large number of nuclear weapons. The danger of war between India and Pakistan increases significantly. Iran**, always worried about an extremist Pakistan, expands and **weaponizes its nuclear program. That further enhances nuclear proliferation** in the Middle East, with Saudi Arabia, Turkey, and Egypt joining Israel and Iran as nuclear states. Under these circumstances, the potential for nuclear terrorism increases, and **the possibility of a nuclear terrorist attack** in either the Western world or in the oil-producing states **may lead to a further devastating collapse** of the world economic market, with a tsunami-like impact on stability. In this scenario, **major disruptions can be expected, with dire consequences for two-thirds of the planet’s population.**

**Global trading stability solves great power wars- collapse causes conflict**

Hillebrand ‘10

[Evan E., Senior Economist for the Central Intelligence Agency and Professor of Diplomacy at the University of Kentucky, Deglobalization Scenarios: Who Wins? Who Loses?, Global Economy Journal, Volume 10, Issue 2]  
  
A long line of writers from Cruce (1623) to Kant (1797) to Angell (1907) to Gartzke (2003) have theorized that economic interdependence can lower the likelihood of war. Cruce thought that free trade enriched a society in general and so made people more peaceable; Kant thought that trade shifted political power away from the more warlike 117 7 aristocracy, and Angell thought that economic interdependence shifted cost/benefit calculations in a peace-promoting direction. Gartzke contends that trade relations enhance transparency among nations and thus help avoid bargaining miscalculations**. There has also been** a **tremendous amount of empirical research that mostly supports the idea of an inverse relationship between trade and wa**r. Jack Levy said that, ―While there are extensive debates over the proper research designs for investigating this question, and while some empirical studies find that trade is associated with international conflict, most studies conclude that trade is associated with peace, both at the dyadic and systemic levels‖ (2003, p 127). There is another important line of theoretical and empirical work called Power Transition Theory that focuses on the relative power of states and warns that when rising powers approach the power level of their regional or global leader the chances of war increase (Tammen, Lemke, et al, 2000). Jacek Kugler (2006) warns that the rising power of China relative to the United States greatly increases the chances of great power war some time in the next few decades. The IFs model combines the theoretical and empirical work of the peace-through-trade tradition with the work of the power transition scholars in an attempt to forecast the probability of interstate war. Hughes (2004) explains how he, after consulting with scholars in both camps, particularly Edward Mansfied and Douglas Lemke, estimated the starting probabilities for each dyad based on the historical record, and then forecast future 118 8 probabilities for dyadic militarized interstate disputes (MIDs) and wars based on the calibrated relationships he derived from the empirical literature. **The probability of a MID, much less a war, between any random dyad in any given year is very low, if not zero. Paraguay and Tanzania, for example, have never fought and are very unlikely** to do so. But there have been thousands of MIDs in the past and hundreds of wars and many of the 16,653 dyads have non-zero probabilities. In 2005, the IFs base year—the last year of the data base and the starting year for all simulations—the average probability across the 183 countries represented in the model of a country being involved in at least one war was estimated to be 0.8%, with 104 countries having a probability of at least 1 war approaching zero. A dozen countries8, however have initial probabilities over 3%. The globalization scenario projects that the probability for war will gradually decrease through 2035 for every country—but not every dyad--that had a significant (greater than 0.5% chance of war) in 2005. **The decline in prospects for war stems from the scenario’s projections of rising levels of democracy, rising incomes, and rising trade interdependence—all of these factors figure in the algorithm that calculates the probabilities**. Not all dyadic war probabilities decrease, however, because of the power transition mechanism that is also included in the IFs model. The probability for war between China and the US, for example rises as the power9 of China rises gradually toward the US level but in these calculations the probability of a China/US war never gets very high.10 **Deglobalization raises the risks of war substantially. In a world with much lower average incomes, less democracy, and less trade interdependence, the average probability of a country having at least one war in 2035 rises from 0.6% in the globalization scenario to 3.7% in the deglobalization scenario**. Among the top-20 war-prone countries, the average probability rises from 3.9% in the globalization scenario to 7.1% in the deglobalization scenario. The model estimates that in the deglobalization scenario there will be about 10 wars in 2035, vs. only 2 in the Globalization Scenario11. Over the whole period, 2005-2035, the model predicts four great power wars in the deglobalization scenario vs. 2 in the globalization scenario.12 Winners and Losers **Deglobalization in the form of reduced trade interdependence, reduced capital flows, and reduced migration has few positive effects, based on this analysis with the International Futures Model. Economic growth is cut in all but a handful of countries, and is cut more in the non-OECD countries than in the OECD countries**. Deglobalization has a mixed impact on equality. In many non-OECD countries, the cut in imports from the rest of the world increases the share of manufacturing and in 61 countries raises the share of income going to the poor. But since average productivity goes down in almost all countries, this gain in equality comes at the expense of reduced incomes and increased poverty in almost all countries**. The only winners were a small number of countries that were small and poor and not well integrated in the global economy to begin with—and the gains from deglobalization even for them were very small. Politically, deglobalization makes for less stable domestic politics and a greater likelihood of war. The likelihood of state failure through internal war, projected to diminish through 2035 212 1 with increasing globalization, rises in the deglobalization scenario particularly among the non-OECD democracies**. Similarly, **deglobalization makes for more fractious relations among states and the probability for interstate war rises.**

## Advantage 2 - Firebreak

#### The AUMF will inevitably expire in the squo – updating the authorization is key to prevent a limitless War on Terror based on article 2 and self-defense justifications that undermine US legitimacy and erode the global firebreak against use of force

**Barnes ‘12**

[Beau, J.D., Boston University School of Law (expected May 2013); M.A. in Law and Diplomacy (expected May 2013), The Fletcher School of Law and Diplomacy at Tufts University; B.A., 2006, Lewis & Clark College. Military law Review vol. 221. <https://www.jagcnet.army.mil/DOCLIBS/MILITARYLAWREVIEW.NSF/0/b7396120928e9d5e85257a700042abb5/$FILE/By%20Beau%20D.%20Barnes.pdf> ETB]

**The AUMF must inevitably expire because it is expressly linked to the September 11,** 2001, **attacks** against the United States. Moreover, **because of the impending downfall of Al Qaeda** as we know it, **the statute's demise will come more quickly than most assume.** Although the United States still faces myriad terrorist threats, **the threat from Al Qaeda itself**--the "core" group actually responsible for 9/11--**is dissipating. So long as a substantial terrorist threat continues, however, the United States will require a framework within which to combat terrorist organizations and activities.** Consequently, **Congress should enact a new statute that supersedes the AUMF and addresses the major legal and constitutional issues relating to the use of force by the President that have arisen since the September 11 attacks and will persist in the foreseeable future.** A. The AUMF's Inevitable Expiration Although it is difficult to determine exactly when the AUMF will become obsolete, the mere fact that a precise date is unclear should not lead to the conclusion that the AUMF will be perpetually valid. Al Qaeda, the organization responsible for the September 11, 2001, attacks is considered by some to have been already rendered "operationally ineffective" n102 and "crumpled at its core." n103 Moreover, even if Al Qaeda continues to possess the ability to threaten the United States, n104 not all terrorist organizations currently possess a meaningful link to Al Qaeda, rendering the AUMF already insufficient in certain circumstances. Indeed, individuals from across the political spectrum have recognized that the AUMF's focus on those involved in "the terrorist attacks that occurred on September 11, 2001" is outdated and no longer addresses the breadth of threats facing the United States. n105 At a certain point, the [\*84] terrorist groups that threaten the United States targets will no longer have a plausible or sufficiently direct link to the September 11, 2001, attacks. n106 This shift has likely already occurred. Former Attorney General Michael Mukasey, writing recently in support of efforts to reaffirm the original AUMF, noted that currently "there are organizations, including the Pakistani Taliban, that are arguably not within its reach." n107 It is similarly unclear if the AUMF extends to organizations like Al Qaeda in the Arabian Penninsula, whose formation as a group--and connection to Al Qaeda's "core"--postdates 9/11 and is indirect at best. n108 Former State Department Legal Adviser John Bellinger has argued that the Obama Administration's reliance on the AUMF for its targeted killing and detention operations is "legally risky" because "[s]hould our military or intelligence agencies wish to target or detain a terrorist who is not part of al-Qaeda, they would lack the legal authority to do so, unless the [\*85] administration expands (and the federal courts uphold) its legal justification." n109 Indeed, "[c]ircumstances alone . . . will put enormous pressure on--and ultimately render obsolete--the legal framework we currently employ to justify these operations." n110 While the court of public opinion seems to have accepted the AUMF's inevitable expiration, courts of law appear poised to accept this argument as well. Justice O'Connor's plurality opinion in Hamdi admitted that the AUMF granted "the authority to detain for the duration of the relevant conflict." n111 She also suggested, however, that that authority would terminate at some point, based on "the practical circumstances of [this] conflict," which may be "entirely unlike those of the conflicts that informed the development of the law of war." n112 Justice Kennedy's opinion in Boumediene also hinted that the future contours of the war on terror might force the Court to revisit the extent of the conflict. n113 Lower federal courts have already started to ask some of the questions about the duration of the AUMF's authority, which the Supreme Court has left unaddressed to date. n114 [\*86] The Obama Administration has notably disagreed with these assessments, arguing that the AUMF "is still a viable authorization today." n115 The administration's position, however, appears contradictory, as it has simultaneously described the limited reach of the AUMF as "encompass[ing] only those groups or people with a link to the terrorist attacks on 9/11, or associated forces" n116 and celebrated the functional neutralization of Al Qaeda as a continuing threat to U.S. national security. n117 The administration's position, however, remains in the minority. Notwithstanding the administration's continuing fealty to the 2001 statute, as pressures build to address these issues, the "temporal vitality" n118 of the AUMF will continue to be challenged. The successful targeting of those responsible for the attacks of September 11, 2001, will ensure that the AUMF's vitality will not be indefinite. Moreover, even if one rejects as overly optimistic the position that Al Qaeda is currently or will soon be incapable of threatening the United States, the AUMF is already insufficient to reach many terrorist organizations. Assuming a robust Al Qaeda for the indefinite future does not change the disconnected status of certain terrorist groups; as much as it might wish to the contrary, Al Qaeda does not control all Islamist terrorism. n119 B. The Consequences of Failing to Reauthorize The AUMF's inevitable expiration, brought about by the increasingly tenuous link between current U.S. military and covert [\*87] operations and those who perpetrated the September 11 attacks, leaves few good options for the Obama Administration. Unless Congress soon reauthorizes military force in the struggle against international terrorists, the administration will face difficult policy decisions. Congress, however, shows no signs of recognizing the AUMF's limited lifespan or a willingness to meaningfully re-write the statute. In light of this reticence, one choice would be for the Obama Administration to acknowledge the AUMF's limited scope and, on that basis, forego detention operations and targeted killings against non-Al Qaeda-related terrorists. For both strategic and political reasons, this is extremely unlikely, especially with a president in office who has already shown a willingness to defy legal criticism and aggressively target terrorists around the globe. n120 Another option would be for the Executive Branch to acknowledge the absence of legal authority, but continue targeted killings nonetheless. For obvious reasons, this option is problematic and unlikely to occur. Therefore, the more likely result is that the Executive Branch, grappling with the absence of explicit legal authority for a critical policy, would need to make increasingly strained legal arguments to support its actions. n121 Thus, the Obama Administration will soon be forced to rationalize ongoing operations under existing legal authorities, which, I argue below, will have significant harmful consequences for the United States. Indeed, the administration faces a Catch-22--its efforts to destroy Al Qaeda as a functioning organization will lead directly to the vitiation of the AUMF. The administration is "starting with a result and finding the legal and policy justifications for it," which often leads to poor policy formulation. n122 Potential legal rationales would perforce rest on exceedingly strained legal arguments based on the AUMF itself, the President's Commander in Chief powers, or the international law of self-defense. n123 [\*88] Besides the inherent damage to U.S. credibility attendant to unconvincing legal rationales, each alternative option would prove legally fragile, destabilizing to the international political order, or both. 1. Effect on Domestic Law and Policy Congress's failure to reauthorize military force would lead to bad domestic law and even worse national security policy. First, a legal rationale based on the AUMF itself will increasingly be difficult to sustain. Fewer and fewer terrorists will have any plausible connection to the September 11 attacks or Al Qaeda, and arguments for finding those connections are already logically attenuated. The definition of those individuals who may lawfully be targeted and detained could be expanded incrementally from the current definition, defining more and more groups as Al Qaeda's "co-belligerents" and "associated forces." n124 But this approach, apart from its obvious logical weakness, would likely be rejected by the courts at some point. n125 The policy of the United States should not be to continue to rely on the September 18, 2001, AUMF. Second, basing U.S. counterterrorism efforts on the President's constitutional authority as Commander in Chief is legally unstable, and therefore unsound national security policy, because a combination of legal difficulties and political considerations make it unlikely that such a rationale could be sustained. This type of strategy would likely run afoul [\*89] of the courts and risk destabilizing judicial intervention, n126 because the Supreme Court has shown a willingness to step in and assert a more proactive role to strike down excessive claims of presidential authority. n127 Politically, using an overly robust theory of the Commander in Chief's powers to justify counterterrorism efforts would, ultimately, be difficult to sustain. President Obama, who ran for office in large part on the promise of repudiating the excesses of the Bush Administration, and indeed any president, would likely face political pressure to reject the claims of executive authority made "politically toxic" by the writings of John Yoo. n128 Because of the likely judicial resistance and political difficulties, claiming increased executive authority to prosecute the armed conflict against Al Qaeda would prove a specious and ultimately futile legal strategy. Simply put, forcing the Supreme Court to intervene and overrule the Executive's national security policy is anathema to good public policy. In such a world, U.S. national security policy would lack stability--confounding cooperation with allies and hindering negotiations with adversaries. There are, of course, many situations where the president's position as Commander in Chief provides entirely uncontroversial authority for military actions against terrorists. In 1998, President Clinton ordered cruise missile strikes against Al Qaeda-related targets in Afghanistan and [\*90] Sudan in response to the embassy bombings in Kenya and Tanzania. In 1986, President Reagan ordered air strikes against Libyan targets after U.S. intelligence linked the bombing of a Berlin discotheque to Libyan operatives. n129 Executive authority to launch these operations without congressional approval was not seriously questioned, and no congressional approval was sought. n130 To be sure, many of the targeted killing operations carried out today fall squarely within the precedent of past practice supplied by these and other valid exercises of presidential authority. Notwithstanding disagreement about the scope of Congress's and the president's "war powers," few would disagree with the proposition that the president needs no authorization to act in self-defense on behalf of the country. However, it is equally clear that not all terrorists pose such a threat to the United States, and thus the [\*91] Commander in Chief cannot justify all counterterrorism operations as "self-defense." A third option would be to conduct all counterterrorism operations as covert operations under the aegis of Title 50. n131 Although the CIA typically carries out such "Title 50 operations," the separate roles of the military and intelligence community have become blurred in recent years. n132 The president must make a "finding" to authorize such operations, n133 which are conducted in secret to provide deniability for the U.S. Government. n134 Relying entirely on covert counterterrorism operations, however, would suffer from several critical deficiencies. First, even invoking the cloak of "Title 50," it is "far from obvious" that covert operations are legal without supporting authority. n135 In other words, Title 50 operations, mostly carried out by the CIA, likely also require "sufficient domestic law foundation in terms of either an AUMF or a legitimate claim of inherent constitutional authority for the use of force under Article II." n136 Second, covert operations are by definition kept out of public view, making it difficult to subject them to typical democratic review. In light of "the democratic deficit that already plagues the nation in the legal war [\*92] on terror," n137 further distancing counterterrorism operations from democratic oversight would exacerbate this problem. n138 Indeed, congressional oversight of covert operations--which, presumably, operates with full information--is already considered insufficient by many. n139 By operating entirely on a covert basis, "the Executive can initiate more conflict than the public might otherwise [be] willing to support." n140 In a world without a valid AUMF, the United States could base its continued worldwide counterterrorism operations on various alternative domestic legal authorities. All of these alternative bases, however, carry with them significant costs--detrimental to U.S. security and democracy. The foreign and national security policy of the United States should rest on "a comprehensive legal regime to support its actions, one that [has] the blessings of Congress and to which a court would defer as the collective judgment of the American political system about a novel set of [\*93] problems." n141 Only then can the President's efforts be sustained and legitimate. 2. Effect on the International Law of Self-Defense A failure to reauthorize military force would lead to significant negative consequences on the international level as well. Denying the Executive Branch the authority to carry out military operations in the armed conflict against Al Qaeda would force the President to find authorization elsewhere, most likely in the international law of self-defense--the jus ad bellum. n142 Finding sufficient legal authority for the United States's ongoing counterterrorism operations in the international law of self-defense, however, is problematic for several reasons. As a preliminary matter, relying on this rationale usurps Congress's role in regulating the contours of U.S. foreign and national security policy. If the Executive Branch can assert "self-defense against a continuing threat" to target and detain terrorists worldwide, it will almost always be able to find such a threat. n143 Indeed, the Obama Administration's broad understanding of the concept of "imminence" illustrates the danger of allowing the executive to rely on a self-defense authorization alone. n144 [\*94] This approach also would inevitably lead to dangerous "slippery slopes." Once the President authorizes a targeted killing of an individual who does not pose an imminent threat in the strict law enforcement sense of "imminence," n145 there are few potential targets that would be off-limits to the Executive Branch. Overly malleable concepts are not the proper bases for the consistent use of military force in a democracy. Although the Obama Administration has disclaimed this manner of broad authority because the AUMF "does not authorize military force against anyone the Executive labels a 'terrorist,'" n146 relying solely on the international law of self defense would likely lead to precisely such a result. The slippery slope problem, however, is not just limited to the United States's military actions and the issue of domestic control. The creation of international norms is an iterative process, one to which the United States makes significant contributions. Because of this outsized influence, the United States should not claim international legal rights that it is not prepared to see proliferate around the globe. Scholars have observed that the Obama Administration's "expansive and open-ended interpretation of the right to self-defence threatens to destroy the prohibition on the use of armed force . . . ." n147 Indeed, "[i]f other states were to claim the broad-based authority that the United States does, to kill people anywhere, anytime, the result would be chaos." n148 [\*95] Encouraging the proliferation of an expansive law of international self-defense would not only be harmful to U.S. national security and global stability, but it would also directly contravene the Obama Administration's national security policy, sapping U.S. credibility. The Administration's National Security Strategy emphasizes U.S. "moral leadership," basing its approach to U.S. security in large part on "pursu[ing] a rules-based international system that can advance our own interests by serving mutual interests." n149 Defense Department General Counsel Jeh Johnson has argued that "[a]gainst an unconventional enemy that observes no borders and does not play by the rules, we must guard against aggressive interpretations of our authorities that will discredit our efforts, provoke controversy and invite challenge." n150 Cognizant of the risk of establishing unwise international legal norms, Johnson argued that the United States "must not make [legal authority] up to suit the moment." n151 The Obama Administration's global counterterrorism strategy is to "adher[e] to a stricter interpretation of the rule of law as an essential part of the wider strategy" of "turning the page on the past [and rooting] counterterrorism efforts within a more durable, legal foundation." n152 [\*96] Widely accepted legal arguments also facilitate cooperation from U.S. allies, especially from the United States' European allies, who have been wary of expansive U.S. legal interpretations. n153 Moreover, U.S. strategy vis-a-vis China focuses on binding that nation to international norms as it gains power in East Asia. n154 The United States is an international "standard-bearer" that "sets norms that are mimicked by others," n155 and the Obama Administration acknowledges that its drone strikes act in a quasi-precedential fashion. n156 Risking the obsolescence of the AUMF would force the United States into an "aggressive interpretation" of international legal authority, n157 not just discrediting its [\*97] own rationale, but facilitating that rationale's destabilizing adoption by nations around the world. n158 United States efforts to entrench stabilizing global norms and oppose destabilizing international legal interpretations--a core tenet of U.S. foreign and national security policy n159 --would undoubtedly be hampered by continued reliance on self defense under the jus ad bellum to authorize military operations against international terrorists. Given the presumption that the United States's armed conflict with these terrorists will continue in its current form for at least the near term, ongoing authorization at the congressional level is a far better choice than continued reliance on the jus ad bellum. Congress should reauthorize the use of force in a manner tailored to the global conflict the United States is fighting today. Otherwise, the United States will be forced to continue to rely on a statute anchored only to the continued presence of those responsible for 9/11, a group that was small in 2001 and, due to the continued successful targeting of Al Qaeda members, is rapidly approaching zero.

#### We control terminal impact uniqueness - war taboo strong and effective now. Norms prevents miscalc and escalation

Beehner, 12

Council on Foreign Relations senior writer; Truman National Security Project fellow

[Lionel, "Is There An Emerging ‘Taboo’ Against Retaliation?" The Smoke Filled Room, 7-13-12, thesmokefilledroomblog.com/2012/07/13/is-there-an-emerging-taboo-against-retaliation/, accessed 9-22-13, ]

The biggest international news in the quiet months before 9/11 was the collision of a U.S**.** Navy spy aircraft and a PLA fighter **jet** in China, during which 24 American crew members were detained. Even though the incident **was lampooned** on SNL, there wasreal concern that the incident would blow up, damaging already-tense relations between the two countries. **But it quickly faded and both sides reached an agreement. Quiet diplomacy prevailed.** Flash-forward a decade later and we have **a similar border incident of a spy plane being shot down between Turkey and Syria. Cue** the **familiar drumbeats for war** on both sides. To save face, **each side** has **ratcheted up** its **hostile rhetoric** (even though Syria’s president did offer something of an admission of guilt). But, as in the spring of 2001, I wouldn’t get too worried. **One of the** least noted **global norms to emerge in recent decades has been the** persistence of state restraint in international relations. Retaliation has almost become an unstated taboo. Of course, **interstate war is** obviously **not a relic** of previous centuries, **but nor is it** as **commonplace** anymore, despite persistent flare-ups **that have the potential to escalate to full-blown war. Consider** the distinct cases of **India and South Korea**. **Both** have **sustained serious attacks with mass casualties** in recent years: **South Korea saw 46** of its **sailors killed** after the Cheonan, a naval vessel, was sunk by North Korea; **India saw 200 citizens** killed by the Mumbai attacks, orchestrated by Islamist groups with links to Pakistani intelligence. **Yet neither retaliated with military force.** Why? The short answer might be: Because a response may have triggered a nuclear war (both Pakistan and North Korea are nuclear-armed states). So nukes in this case may have acted as a deterrent and prevented an escalation of hostilities. But I would argue that it was not the presence of nuclear weapons that led to restraint but rather normative considerations. **South Korea and India are** also both **rising** democratic powers **with** fast-growing economies, enemies along their peripheries, and **the** military and financial **backing of the U**nited **S**tates. Their leaders, subject to the whims of an electorate, may have faced domestic pressures to respond with force or suffer reputational costs. And yet no escalation occurred and war was averted. Again, I argue that this is because **there is an emerging and under-reported norm of restraint in international politics. Even Russia’s invasion of Georgia** in August 2008, which may at first appear to disprove this theory, actually **upholds it:** The Russians barely entered into Georgia proper and could easily have marched onto the capital. But they didn’t. **The war was over in 5 days and Russian troops retreated** to disputed provinces. Similarly, **Turkey will not declare war on Syria, no matter how angry it is** that Damascus shot down one of its spy planes. Quiet diplomacy will prevail. In 1999, Nina Tannenwald made waves by proclaiming the emergence of what she called a “nuclear taboo” – that is, the non-use of dangerous nukes had emerged as an important global norm. Are we witnessing the emergence of a similar norm for interstate war? **Even as violence rages on in the form of civil war and internal political violence** all across the global map, interstate conflict is increasingly rare. My point is not to echo Steven Pinker, whose latest book, The Better Angles of Our Nature, painstakingly details a “civilizing process” and “humanitarian revolution” that has brought war casualties and murder rates down over the centuries. I’m not fully convinced by his argument, but certainly agree with the observation that **at the state level, a norm of non-retaliation has emerged**. The question is why. Partly, war no longer makes as much sense as in the past because capturing territory is no longer as advantageous as it once was. We no longer live in a world where marauding throngs of Dothraki-like bandits – or what Mancur Olson politely called “non-stationary bandits” – seek to expand their writ over large unconquered areas. This goes on, of course, at the intrastate level, but the rationale for interstate war for conquest is no longer as strong. Interstate wars of recent memory — the Eritrea-Ethiopia conflicts of 1999 and 2005, the Russia-Georgia War of 2008 — upon closer inspection, actually look more like intrastate wars. The latter was fought over two secessionist provinces; the former between two former rebel leaders-turned-presidents who had a falling out. But if we have reached a norm of non-retaliation to threats or attacks, does that mean that deterrence is no longer valid? After all, if states know there will be no response, why not step up the level of attacks? I would argue that the mere threat of retaliation is enough, as evidenced by Turkish leaders’ harsh words toward Syria (there is now a de facto no-fly zone near their shared border). Still, doesn’t restraint send a signal of weakness and lack of resolve? After all, didn’t Seoul’s non-response to the Cheonan sinking only invite Pyongyang to escalate hostilities? Robert Jervis dismisses the notion that a tough response signals resolve as being overly simplified. The observers’ interpretation of the actor and the risks involved also matter. When Schelling writes about the importance of “saving face,” he describes it as the “interdependence of a country’s commitments; it is a country’s reputation for action, the expectations other countries have about its behavior.” Others note that the presence of nuclear weapons forces states, when attacked, to respond with restraint to avoid the risk of nuclear escalation. Hence, we get “limited wars” rather than full-blown conflicts, or what some deterrent theorists describe as the “stability-instability paradox.” This is not a new concept, of course: Thucydides quoted King Archimadus of Sparta: “And perhaps then they see that our actual strength is keeping pace with the language that we use, they will be more inclined to give way, since their land will still be untouched and, in making up their minds, they will be thinking of advantages which they still possess and which have not yet been destroyed.” There will be future wars between states, of course. But **the days when an isolated incident, such as a spy plane being shot down or a cross-border incursion, can unleash a chain of events that lead to interstate wars** I believe are largely over because of the emergence of restraint as a powerful normative force in international politics, not unlike Tannenwald’s “nuclear taboo.” **Turkey and Syria will only exchange a war of words, not actual hostilities. To do otherwise would be a violation of this existing norm**.

#### Specifically, erosion of the use of force taboo triggers nuclear conflict between India and Pakistan and China and Taiwan

Obayemi, 6

East Bay Law School professor [Olumide, admitted to the Bars of Federal Republic of Nigeria and the State of California, Golden Gate University School of Law, "Article: Legal Standards Governing Pre-Emptive Strikes and Forcible Measures of Anticipatory Self-Defense Under the U.N. Charter and General International Law," 12 Ann. Surv. Int'l & Comp. L. 19, l/n, accessed 9-19-13, ]

**The U**nited **S**tates **must abide by the rigorous standards** set out above that are meant to govern the use of preemptive strikes, **because today's international system is characterized by** a relative **infrequency of** interstate **war**. It has been noted that developing **doctrines that lower the** threshold for preemptive action **could put that** accomplishment **at risk, and exacerbate regional crises** already on the brink of open conflict. n100 This is important as O'Hanlon, Rice, and Steinberg have rightly noted: ...countries already on the brink of war, and leaning strongly towards war, might use the doctrine to justify an action they already wished to take, and the effect of the U.S. posturemay make it harder for the international community in general, and the U.S. in particular, to counsel **delay and** diplomacy. Potential **examples abound, ranging** from Ethiopia and Eritrea, to China and Taiwan, to the Middle East. But perhaps the clearest case is the India-Pakistan crisis. n101 The world must be a safe place to live in. We cannot be ruled by bandits and rogue states. There must be law and order not only in the books but in enforcement as well. No nation is better suited to enforce international law than the United States. The Bush Doctrine will stand the test [\*42] of time and survive. Again, we submit that nothing more would protect the world and its citizens from nuclear weapons, terrorists and rogue states than an able and willing nation like the United States, acting as a policeman of the world within all legalboundaries. This is the essence of the preamble to the United Nations Charter.

#### Indo-Pak nuclear war causes extinction

Starr ’11

(Consequences of a Single Failure of Nuclear Deterrence by Steven Starr February 07, 2011 \* Associate member of the Nuclear Age Peace Foundation \* Senior Scientist for PSR)

Only a single failure of nuclear deterrence is required to start a nuclear war, and the consequences of such a failure would be profound. Peer-reviewed studies **predict that less than 1% of the nuclear weapons now deployed in the arsenals of the Nuclear Weapon States, if detonated in urban areas, would immediately kill tens of millions of people, and cause long-term, catastrophic disruptions** of **the global climate and massive destruction of Earth’s protective ozone layer.** The result would be a global nuclear famine that could kill up to one billion people. A full-scale war, fought with the strategic nuclear arsenals of the United States and Russia, would so utterly devastate Earth’s environment that most humans and other complex forms of life would not survive. Yet no Nuclear Weapon State has ever evaluated the environmental, ecological or agricultural consequences of the detonation of its nuclear arsenals in conflict. Military and political leaders in these nations thus remain dangerously unaware of the existential danger which their weapons present to the entire human race. Consequently, nuclear weapons remain as the cornerstone of the military arsenals in the Nuclear Weapon States, where nuclear deterrence guides political and military strategy. Those who actively support nuclear deterrence are trained to believe that deterrence cannot fail, so long as their doctrines are observed, and their weapons systems are maintained and continuously modernized. They insist that their nuclear forces will remain forever under their complete control, immune from cyberwarfare, sabotage, terrorism, human or technical error. They deny that the short 12-to-30 minute flight times of nuclear missiles would not leave a President enough time to make rational decisions following a tactical, electronic warning of nuclear attack. The U.S. and Russia continue to keep a total of 2000 strategic nuclear weapons at launch-ready status – ready to launch with only a few minutes warning. Yet both nations are remarkably unable to acknowledge that this high-alert status in any way increases the probability that these weapons will someday be used in conflict. How can strategic nuclear arsenals truly be “safe” from accidental or unauthorized use, when they can be launched literally at a moment’s notice? A cocked and loaded weapon is infinitely easier to fire than one which is unloaded and stored in a locked safe. The mere existence of immense nuclear arsenals, in whatever status they are maintained, makes possible their eventual use in a nuclear war**. Our** best **scientists now tell us that** such a war would mean the end of human history**.** We need to ask our leaders: Exactly what political or national goals could possibly justify risking **a nuclear war that would** likely **cause the extinction of the human race**? However, in order to pose this question, we must first make the fact known that existing nuclear **arsenals – through** their **capacity to utterly devastate the Earth’s environment and ecosystems – threaten** continued human existence. Otherwise, military and political leaders will continue to cling to their nuclear arsenals and will remain both unwilling and unable to discuss the real consequences of failure of deterrence. We can and must end the silence, and awaken the peoples of all nations to the realization that “nuclear war” means “global nuclear suicide”. **A Single Failure o**f Nuclear **Deterrence could lead to: \* A nuclear war** between India and Pakistan**;** \* **50 Hiroshima-size (15 kiloton) weapons detonated in the mega-cities of both India and Pakistan (there are now 130-190 operational nuclear weapons which exist in the combined arsenals of these nations);**  \* The deaths of 20 to 50 million people as a result of the prompt effects of these nuclear detonations (blast, fire and radioactive fallout); \* Massive firestorms covering many hundreds of square miles/kilometers (created by nuclear detonations that produce temperatures hotter than those believed to exist at the center of the sun), that would engulf these cities and produce 6 to 7 million tons of thick, black smoke; \* About 5 million tons of smoke that would quickly rise above cloud level into the stratosphere, where strong winds would carry it around the Earth in 10 days; \* A stratospheric smoke layer surrounding the Earth, which would remain in place for 10 years; \* The dense smoke would heat the upper atmosphere, destroy Earth’s protective ozone layer, and block 7-10% of warming sunlight from reaching Earth’s surface; \* 25% to 40% of the protective ozone layer would be destroyed at the mid-latitudes, and 50-70% would be destroyed at northern and southern high latitudes; \* Ozone destruction would cause the average UV Index to increase to 16-22 in the U.S, Europe, Eurasia and China, with even higher readings towards the poles (readings of 11 or higher are classified as “extreme” by the U.S. EPA). It would take 7-8 minutes for a fair skinned person to receive a painful sunburn at mid-day; \* Loss of warming sunlight would quickly produce average surface temperatures in the Northern Hemisphere colder than any experienced in the last 1000 years; \* Hemispheric drops in temperature would be about twice as large and last ten times longer then those which followed the largest volcanic eruption in the last 500 years, Mt. Tambora in 1816. The following year, 1817, was called “The Year Without Summer”, which saw famine in Europe from massive crop failures; \* Growing seasons in the Northern Hemisphere would be significantly shortened. It would be too cold to grow wheat in most of Canada for at least several years; \* World grain stocks, which already are at historically low levels, would be completely depleted; grain exporting nations would likely cease exports in order to meet their own food needs; \* The one billion already hungry people, who currently depend upon grain imports, would likely starve to death in the years following this nuclear war; \* The total explosive power in these 100 Hiroshima-size weapons is less than 1% of the total explosive power contained in the currently operational and deployed U.S. and Russian nuclear forces.

#### So does China-Taiwan

Straits Times 2k

(6-25, Lexis, No one gains in war over Taiwan)

THE DOOMSDAY SCENARIO THE high-intensity scenario postulates a cross-strait war escalating into a full-scale war between the US and China. If Washington were to conclude that splitting China would better serve its national interests, then a full-scale war becomes unavoidable. Conflict on such a scale would embroil other countries far and near and -- horror of horrors -- raise the possibility of a nuclear war. Beijing has already told the US and Japan privately that it considers any country providing bases and logistics support to any US forces attacking China as belligerent parties open to its retaliation. In the region, this means South Korea, Japan, the Philippines and, to a lesser extent, Singapore. If China were to retaliate, east Asia will be set on fire. And the conflagration may not end there as opportunistic powers elsewhere may try to overturn the existing world order. With the US distracted, Russia may seek to redefine Europe's political landscape. The balance of power in the Middle East may be similarly upset by the likes of Iraq. In south Asia, hostilities between India and Pakistan, each armed with its own nuclear arsenal, could enter a new and dangerous phase. Will a full-scale Sino-US war lead to a nuclear war? According to General Matthew Ridgeway, commander of the US Eighth Army which fought against the Chinese in the Korean War, the US had at the time thought of using nuclear weapons against China to save the US from military defeat. In his book The Korean War, a personal account of the military and political aspects of the conflict and its implications on future US foreign policy, Gen Ridgeway said that US was confronted with two choices in Korea -- truce or a broadened war, which could have led to the use of nuclear weapons. If the US had to resort to nuclear weaponry to defeat China long before the latter acquired a similar capability, there is little hope of winning a war against China 50 years later, short of using nuclear weapons. The US estimates that China possesses about 20 nuclear warheads that can destroy major American cities. Beijing also seems prepared to go for the nuclear option. A Chinese military officer disclosed recently that Beijing was considering a review of its "non first use" principle regarding nuclear weapons. Major-General Pan Zhangqiang, president of the military-funded Institute for Strategic Studies, told a gathering at the Woodrow Wilson International Centre for Scholars in Washington that although the government still abided by that principle, there were strong pressures from the military to drop it. He said military leaders considered the use of nuclear weapons mandatory if the country risked dismemberment as a result of foreign intervention. Gen Ridgeway said that **s**hould that come to pass, we would see the destruction of civilisation. There would be no victors in such a war. While the prospect of a nuclear Armaggedon over Taiwan might seem inconceivable, it cannot be ruled out entirely, for China puts sovereignty above everything else.

## Plan

#### The United States Congress should increase statutory restrictions on the targeted killing and indefinite detention authorities granted by the 2001 Authorization for Use of Military Force and modified by the 2012 National Defense Authorization Act by limiting the targets of those authorities to al-Qaeda, the Taliban, or those nations, organizations, or persons who enjoy close and well-established collaboration with al-Qaeda or the Taliban.

## Solvency

#### Action to clearly define the enemy restricts the executive scope of the AUMF while preserving presidential flexibility and the joint decision-making capabilities

**Cronogue ‘12**

[Graham. Duke University School of Law, J.D. expected 2013; University of North Carolina B.A. 2010. 22 Duke J. Comp. & Int'l L. 377 2011-2012. ETB]

The AUMF must be updated. In 2001, the AUMF authorized force to fight against America’s most pressing threat, the architects of 9/11. However, much has changed since 2001. Bin Laden is dead, the Taliban has been deposed, and it is extremist organizations other than al-Qaeda and the Taliban who are launching many of the attacks against Americans and coalition partners.124 In many ways, the greatest threat is coming from groups not even around in 2001, groups such as AQAP and al Shabaab.125 Yet these groups do not fall under the AUMF’s authorization of force. These groups are not based in the same country that launched the attacks, have different leaders, and were not involved in planning or coordinating 9/11. Thus, under a strict interpretation of the AUMF, the President is not authorized to use force against these groups. Congress needs to specifically authorize force against groups outside of al-Qaeda and the Taliban. Our security concerns demand that the President can act quickly and decisively when facing threats. The current authorization does not cover many of these threats, yet it is much more difficult to achieve this decisiveness if the President is forced to rely solely on his inherent powers. A clear congressional authorization would clear up much of this problem. Under Justice Jackson’s framework, granting or denying congressional authorization ensures that President does not operate in the “zone of twilight.”126 Therefore, if Congress lays out the exact scope of the President’s power, naming or clearly defining the targeted actors, the constitutionality or unconstitutionality of presidential actions will become much clearer.127 Removing the 9/11 nexus to reflect the current reality of war without writing a carte blanche is the most important form of congressional guidance regarding target authorization. In order for the President to operate under the current AUMF, he must find a strong nexus between the target and the attacks on September 11. As I have shown in this paper, this nexus is simply non-existent for many groups fighting the United States today. Yet, the President should want to operate pursuant to congressional authorization, Justice Jackson’s strongest zone of presidential authority. In order to achieve this goal, the administration has begun to stretch the statutory language to include groups whose connection to the 9/11 attacks, if any, is extraordinarily limited. The current presidential practice only nominally follows the AUMF, a practice Congress has seemingly consented to by failing to amend the statute for over ten years. This “stretching” is dangerous as Congress is no longer truly behind the authorization and has simply acquiesced to the President’s exercise of broad authority. The overarching purpose of the new authorization should be to make it clear that the domestic legal foundation for using military force is not limited to al-Qaeda and the Taliban but also extends to the many other organizations fighting the United States. The language in Representative McKeon’s bill does a fairly good job of achieving this goal by specifically naming al-Qaeda and the Taliban along with the term “associated force.” This provision makes it clear the President is still authorized to use force against those responsible for 9/11 and those that harbored them by specifically mentioning al-Qaeda and the Taliban. However, the additional term “associated force” makes it clear that the authorization is not limited to these two groups and that the President can use force against the allies and separate branches of al-Qaeda and the Taliban. This creates a very flexible authorization. Despite the significant flexibility of the phrase “associated force engaged in hostilities”, I would propose defining the term or substituting a more easily understood and limited term. Associated force could mean many things and apply to groups with varying levels of involvement. Arguably any group that strongly identifies with or funds al-Qaeda or the Taliban could be an associated force. Thus, we could end up in the previously describe situation where group “I” who is in conflict with the United States or a coalition partner in Indonesia over a completely different issue becomes a target for its support of an associated force of al-Qaeda. Beyond that, the United States is authorized to use all necessary force against any groups that directly aid group “I” in its struggle. My proposal for the new AUMF would appear as follows: AFFIRMATION OF ARMED CONFLICT WITH AL-QAEDA, THE TALIBAN, AND ASSOCIATED FORCES Congress affirms that— (1) the United States is engaged in an armed conflict with al-Qaeda, the Taliban, and associated forces and that those entities continue to pose a threat to the United States and its citizens, both domestically and abroad; a. for the purposes of this statute, an associated force is a nation, organization, or person who enjoys close and well established collaboration with al-Qaeda or the Taliban and as part of this relationship has either engaged in or has intentionally provided direct tactical or logistical support for armed conflict against the United States or coalition partners. the President has the authority to use all necessary and appropriate force during the current armed conflict with al-Qaeda, the Taliban, and associated forces pursuant to the Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541); (3) the current armed conflict includes nations, organization, and persons who— a. are part of al-Qaeda, the Taliban, or associated forces; or b. engaged in hostilities or have directly supported hostilities in aid of a nation, organization or person described in subparagraph (A); c. or harbored a nation, organization, or person described in subparagraph (A); and (4) the President’s authority pursuant to the Authorization for Use of Military Force includes the authority to detain belligerents, including persons described in paragraph (3), until the termination of hostilities. (5) Nothing in this authorization should be construed to limit the President’s ability to respond to new and emerging threats or engage in appropriate and calculated actions of self-defense. The definition of “associated forces” will add much needed clarity and provide congressional guidance in determining what groups actually fall under this provision. Rather than putting faith in the President not to abuse his discretion, Congress should simply clarify what it means and limit his discretion to acceptable amounts. The “close and well-established collaboration” ensures that only groups with very close and observable ties to al-Qaeda and the Taliban are designated as “associated forces.” While the requirement that part of their collaboration involve some kind of tactical or logistical support ensures that those classified as enemy combatants are actually engaged, or part of an organization that is engaged, in violence against the United States. Also, requiring that the associated force’s violence be directed at the United States or a coalition partner and that this violence is part of its relationship with al-Qaeda or the Taliban is another important limitation. First, requiring the associated force to engage in violence that is directed at these nations ensures that “associated force” does not include countries such as Iran that might have a relationship with al-Qaeda and give it financial support but are not actually in violent conflict with the United States. Second, requiring that this violence is made in furtherance of its relationship with al-Qaeda and the Taliban ensures that the violence that makes a group an “associated force” is actually related to its collaboration with al-Qaeda and the Taliban. Without this second provision, a group that supports al-Qaeda would be elevated to an “associated force” if it engaged in violence with, for instance, Australia over a completely unrelated issue. While some groups that work closely with and support al-Qaeda would not be considered associated forces, it is important to limit the scope of this term. This label effectively elevates the group to the same status as al-Qaeda and the Taliban and attaches authorization for force against any group that supports or harbors it. Furthermore, there is little real harm by narrowly defining associated forces because the groups that do support alQaeda will still be subject to the authorization under the “support” or “harbor” prongs. Narrowly defining “associated forces” simply prevents the problem of authorization spreading to supporters of those who are merely supporters of al-Qaeda. Compared to Representative McKeon’s proposal, these new provisions would narrow the scope of authorization. The President would not be able to use this authorization to attack new groups that both spring up outside our current theater and have no relation to al-Qaeda, the Taliban or the newly defined associated forces. However, part (5) of my authorization would ensure that the President is not unnecessarily restricted in responding to new and emergent threats from organizations that do not collaborate and support al-Qaeda. In this way, the proposal incorporates Robert Chesney’s suggestion, “[i]t may be that it [is] better to draw the statutory circle narrowly, with language making clear that the narrow framing does not signify an intent to try and restrict the President’s authority to act when necessary against other groups in the exercise of lawful self-defense.”128 The purpose of the new AUMF should not be to give the President a carte blanche to attack any terrorist or extremist group all over the world. The purpose of this authorization is to provide clear authorization for the use of force against al-Qaeda and its allies. Moreover, if a new group is created that has no relation to any of the relevant actors defined in this statute, Congress can pass another authorization that addresses this reality. The purpose of congressional authorization should not be to authorize the President to act against every conceivable threat to American interests. In fact, such an authorization would effectively strip Congress of its constitutional war making powers. Instead, the new proposal should provide clear domestic authorization for the use of force against those nations that present the greatest threat to the United States today.

**Obama will adhere to the plan - wants to rely on congressional authority**

**WSJ ‘12**

[Julian Barnes and Evan Perez. December 6. <http://online.wsj.com/article/SB10001424127887323316804578163724113421726.html> ETB]

Obama **administration officials, concerned about the legal justifications behind counterterrorism operations, have preferred to rely on congressional authority for the use of force against al Qaeda, seeing such authority** as more defensible and acceptable to allies.

# 2AC

## First Priority

#### Policy focused debates are necessary to promote more accountable policymaking and increase the educational value of debate – radical activism results in social disengagement and failed intervention

David Chandler. 2007. Professor of International Relations at the Department of Politics and International Relations, University of Westminster –

“The Attraction of Post-Territorial Politics: Ethics and Activism in the International Sphere” – Inaugural Lecture – May – available at: http://www.davidchandler.org/pdf/short\_articles/Inaugural%20lecture.pdf)

However, politics is no less important to many of us today. Politics still gives us a sense of social connection and social rootedness and gives meaning to many of our lives. It is just that the nature and practices of this politics are different. We are less likely to engage in the formal politics of representation - of elections and governments - but in post-territorial politics, a politics where there is much less division between the private sphere and the public one and much less division between national, territorial, concerns and global ones. This type of politics is on the one hand ‘global’ but, on the other, highly individualised: it is very much the politics of our everyday lives – the sense of meaning we get from thinking about global warming when we turn off the taps when we brush our teeth, take our rubbish out for recycling or cut back on our car use - we might also do global politics in deriving meaning from the ethical or social value of our work, or in our subscription or support for good causes from Oxfam to Greenpeace and Christian Aid. I want to suggest that when we do ‘politics’ nowadays it is less the ‘old’ politics, of self-interest, political parties, and concern for governmental power, than the ‘new’ politics of global ethical concerns. I further want to suggest that the forms and content of this new global approach to the political are more akin to religious beliefs and practices than to the forms of our social political engagement in the past. Global politics is similar to religious approaches in three vital respects: 1) global post-territorial politics are no longer concerned with power, its’ concerns are free-floating and in many ways, existential, about how we live our lives; 2) global politics revolve around practices with are private and individualised, they are about us as individuals and our ethical choices; 3) the practice of global politics tends to be non-instrumental, we do not subordinate ourselves to collective associations or parties and are more likely to give value to our aspirations, acts, or the fact of our awareness of an issue, as an end in-itself. It is as if we are upholding our goodness or ethicality in the face of an increasingly confusing, problematic and alienating world – our politics in this sense are an expression or voice, in Marx’s words, of ‘the heart in a heartless world’ or ‘the soul of a soulless condition’. The practice of ‘doing politics’ as a form of religiosity is a highly conservative one. As Marx argued, religion was the ‘opium of the people’ - this is politics as a sedative or pacifier: it feeds an illusory view of change at the expense of genuine social engagement and transformation. I want to argue that global ethical politics reflects and institutionalises our sense of disconnection and social atomisation and results in irrational and unaccountable government policy making. I want to illustrate my points by briefly looking at the practices of global ethics in three spheres, those of radical political activism, government policy making and academia. Radical activism People often argue that there is nothing passive or conservative about radical political activist protests, such as the 2003 anti-war march, anti-capitalism and anti-globalisation protests, the huge march to Make Poverty History at the end of 2005, involvement in the World Social Forums or the radical jihad of Al-Qaeda. I disagree; these new forms of protest are highly individualised and personal ones - there is no attempt to build a social or collective movement. It appears that theatrical suicide, demonstrating, badge and bracelet wearing are ethical acts in themselves: personal statements of awareness, rather than attempts to engage politically with society. This is illustrated by the ‘celebration of differences’ at marches, protests and social forums. It is as if people are more concerned with the creation of a sense of community through differences than with any political debate, shared agreement or collective purpose. It seems to me that if someone was really concerned with ending war or with ending poverty or with overthrowing capitalism, that political views and political differences would be quite important. Is war caused by capitalism, by human nature, or by the existence of guns and other weapons? It would seem important to debate reasons, causes and solutions, it would also seem necessary to give those political differences an organisational expression if there was a serious project of social change. Rather than a political engagement with the world, it seems that radical political activism today is a form of social disengagement – expressed in the anti-war marchers’ slogan of ‘Not in My Name’, or the assumption that wearing a plastic bracelet or setting up an internet blog diary is the same as engaging in political debate. In fact, it seems that political activism is a practice which isolates individuals who think that demonstrating a personal commitment or awareness of problems is preferable to engaging with other people who are often dismissed as uncaring or brain-washed by consumerism. The narcissistic aspects of the practice of this type of global politics are expressed clearly by individuals who are obsessed with reducing their carbon footprint, deriving their idealised sense of social connection from an ever increasing awareness of themselves and by giving ‘political’ meaning to every personal action. Global ethics appear to be in demand because they offer us a sense of social connection and meaning while at the same time giving us the freedom to construct the meaning for ourselves, to pick our causes of concern, and enabling us to be free of responsibilities for acting as part of a collective association, for winning an argument or for success at the ballot-box. While the appeal of global ethical politics is an individualistic one, the lack of success or impact of radical activism is also reflected in its rejection of any form of social movement or organisation. Strange as it may seem, the only people who are keener on global ethics than radical activists are political elites. Since the end of the Cold War, global ethics have formed the core of foreign policy and foreign policy has tended to dominate domestic politics. Global ethics are at the centre of debates and discussion over humanitarian intervention, ‘healing the scar of Africa’, the war on terror and the ‘war against climate insecurity’. Tony Blair argued in the Guardian last week that ‘foreign policy is no longer foreign policy’ (Timothy Garten Ash, ‘Like it or Loath it, after 10 years Blair knows exactly what he stands for’, 26 April 2007), this is certainly true. Traditional foreign policy, based on strategic geo-political interests with a clear framework for policy-making, no longer seems so important. The government is down-sizing the old Foreign and Commonwealth Office where people were regional experts, spoke the languages and were engaged for the long-term, and provides more resources to the Department for International Development where its staff are experts in good causes. This shift was clear in the UK’s attempt to develop an Ethical Foreign Policy in the 1990s – an approach which openly claimed to have rejected strategic interests for values and the promotion of Britain’s caring and sharing ‘identity’. Clearly, the projection of foreign policy on the basis of demonstrations of values and identity, rather than an understanding of the needs and interests of people on the ground, leads to ill thought-through and short-termist policy-making, as was seen in the ‘value-based’ interventions from Bosnia to Iraq (see Blair’s recent Foreign Affairs article, ‘A Battle for Global Values’, 86:1 (2007), pp.79–90). Governments have been more than happy to put global ethics at the top of the political agenda for - the same reasons that radical activists have been eager to shift to the global sphere – the freedom from political responsibility that it affords them. Every government and international institution has shifted from strategic and instrumental policy-making based on a clear political programme to the ambitious assertion of global causes – saving the planet, ending poverty, saving Africa, not just ending war but solving the causes of conflict etc – of course, the more ambitious the aim the less anyone can be held to account for success and failure. In fact, the more global the problem is, the more responsibility can be shifted to blame the US or the UN for the failure to translate ethical claims into concrete results. Ethical global questions, where the alleged values of the UN, the UK, the ‘civilised world’, NATO or the EU are on the line in ‘wars of choice’ from the war on terror to the war on global warming lack traditional instrumentality because they are driven less by the traditional interests of Realpolitik than the narcissistic search for meaning or identity. Governments feel the consequences of their lack of social connection, even more than we do as individuals; it undermines any attempt to represent shared interests or cohere political programmes. As Baudrillard suggests, without a connection to the ‘represented’ masses, political leaders are as open to ridicule and exposure as the ‘Emperor with no clothes’ (In the Shadow of the Silent Majorities, New York: Semiotext(e), 1983, for example). It is this lack of shared social goals which makes instrumental policy-making increasingly problematic. As Donald Rumsfeld stated about the war on terror, ‘there are no metrics’ to help assess whether the war is being won or lost. These wars and campaigns, often alleged to be based on the altruistic claim of the needs and interests of others, are demonstrations and performances, based on ethical claims rather than responsible practices and policies. Max Weber once counterposed this type of politics – the ‘ethics of conviction’ – to the ‘ethics of responsibility’ in his lecture on ‘Politics as a Vocation’. The desire to act on the international scene without a clear strategy or purpose has led to highly destabilising interventions from the Balkans to Iraq and to the moralisation of a wide range of issues from war crimes to EU membership requirements. Today more and more people are ‘doing politics’ in their academic work. This is the reason for the boom in International Relations study and the attraction of other social sciences to the global sphere. I would argue that the attraction of IR for many people has not been IR theory but the desire to practice global ethics. The boom in the IR discipline has coincided with a rejection of Realist theoretical frameworks of power and interests and the sovereignty/anarchy problematic. However, I would argue that this rejection has not been a product of theoretical engagement with Realism but an ethical act of rejection of Realism’s ontological focus. It seems that our ideas and our theories say much more about us than the world we live in. Normative theorists and Constructivists tend to support the global ethical turn arguing that we should not be as concerned with ‘what is’ as with the potential for the emergence of global ethical community. Constructivists, in particular, focus upon the ethical language which political elites espouse rather than the practices of power. But the most dangerous trends in the discipline today are those frameworks which have taken up Critical theory and argue that focusing on the world as it exists is conservative ‘problem-solving’ while the task for critical theorists is to focus on emancipatory alternative forms of living or of thinking about the world. Critical thought then becomes a process of wishful thinking rather than one of engagement, with its advocates arguing that we need to focus on clarifying our own ethical frameworks and biases and positionality before thinking about or teaching on world affairs; in the process this becomes ‘me-search’ rather than research. We have moved a long way from Hedley Bull’s perspective that, for academic research to be truly radical, we had to put our values to the side to follow where the question or inquiry might lead. The inward-looking and narcissistic trends in academia, where we are more concerned with our ‘reflectivity’ – the awareness of our own ethics and values - than with engaging with the world, was brought home to me when I asked my IR students which theoretical frameworks they agreed with most and they replied mostly Critical theory and Constructivism despite the fact that they thought that states operated on the basis of power and self-interest in a world of anarchy. Their theoretical preferences were based more on what their choices said about them as ethical individuals than about how theory might be used to understand and engage with the world.

#### Debating about specific policies is essential to promote more ethical and accountable policymaking – their abstract politics promotes disengagement and poor argumentation skills

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

This disjunction between the human/ethical/global causes of post-territorial political activism and the capacity to 'make a difference' is what makes these individuated claims immediately abstract and metaphysical – there is no specific demand or programme or attempt to build a collective project. This is the politics of symbolism. The rise of symbolic activism is highlighted in the increasingly popular framework of 'raising awareness'– here there is no longer even a formal connection between ethical activity and intended outcomes (Pupavac 2 006). Raising awareness about issues has replaced even the pretense of taking responsibility for engaging with the world – the act is ethical in-itself. Probably the most high profile example of awareness raising is the shift from Live Aid, which at least attempted to measure its consequences in fund-raising terms, to Live 8 whose goal was solely that of raising an 'awareness of poverty'. The struggle for 'awareness' makes it clear that the focus of symbolic politics is the individual and their desire to elaborate upon their identity – to make us aware of their 'awareness', rather than to engage us in an instrumental project of changing or engaging with the outside world. It would appear that in freeing politics from the constraints of territorial political community there is a danger that political activity is freed from any constraints of social mediation (see further, Chandler 2004a). Without being forced to test and hone our arguments, or even to clearly articulate them, we can rest on the radical 'incommunicability' of our personal identities and claims – you are 'either with us or against us'; engaging with those who disagree is no longer possible or even desirable. It is this lack of desire to engage which most distinguishes the unmediated activism of post-territorial political actors from the old politics of territorial communities, founded on struggles of collective interests (Chandler 2004b). The clearest example is old representational politics – this forced engagement in order to win the votes of people necessary for political parties to assume political power. Individuals with a belief in a collective programme knocked on strangers' doors and were willing to engage with them, not on the basis of personal feelings but on what they understood were their potential shared interests. Few people would engage in this type of campaigning today; engaging with people who do not share our views, in an attempt to change their minds, is increasingly anathema and most people would rather share their individual vulnerabilities or express their identities in protest than attempt to argue with a peer.This paper is not intended to be a nostalgic paean to the old world of collective subjects and national interests or a call for a revival of territorial state-based politics or even to reject global aspirations: quite the reverse. Today, politics has been 'freed' from the constraints of territorial political community – governments without coherent policy programmes do not face the constraints of failure or the constraints of the electorate in any meaningful way; activists, without any collective opposition to relate to, are free to choose their causes and ethical identities; protest, from Al Qaeda, to anti-war demonstrations, to the riots in France, is inchoate and atomized. When attempts are made to formally organize opposition, the ephemeral and incoherent character of protest is immediately apparent.

#### Life should be valued as apriori – it precedes the ability to value anything else

Kacou 8

Amien Kacou. 2008. WHY EVEN MIND? On The A Priori Value Of “Life”, Cosmos and History: The Journal of Natural and Social Philosophy, Vol 4, No 1-2 (2008) cosmosandhistory.org/index.php/journal/article/view/92/184

Furthermore, that manner of **finding things good** that is in pleasure **can certainly not exist in any world without consciousness (i.e.,** without “life**,”** as we now understand the word)—slight analogies put aside. In fact, we can begin to develop a more sophisticated definition of the concept of “pleasure,” in the broadest possible sense of the word, as follows: it is the common psychological element in all psychological experience of goodness (be it in joy, admiration, or whatever else). In this sense, pleasure can always be pictured to “mediate” all awareness or perception or judgment of goodness: there is pleasure in all consciousness of things good; pleasure is the common element of all conscious satisfaction. In short, it is simply the very experience of liking things, or the liking of experience, in general. In this sense, **pleasure is, not only uniquely characteristic of life but also, the core expression of goodness in life—the most general sign or phenomenon for favorable conscious valuation**, in other words. This does not mean that “good” is absolutely synonymous with “pleasant”—what we value may well go beyond pleasure. (The fact that we value things needs not be reduced to the experience of liking things.) However, what we value beyond pleasure remains a matter of speculation or theory. Moreover, we note that a variety of things that may seem otherwise unrelated are correlated with pleasure—some more strongly than others. In other words, there are many things the experience of which we like. For example: the admiration of others; sex; or rock-paper-scissors. But, again, what they are is irrelevant in an inquiry on a priori value—what gives us pleasure is a matter for empirical investigation. Thus, we can see now that, in general, **something primitively valuable is attainable in living—that is, pleasure itself.** And it seems equally clear that we have a priori logical reason to pay attention to the world in any world where pleasure exists. Moreover, **we can now also articulate a foundation for a security interest in our life: since the good of pleasure can be found in living** (to the extent pleasure remains attainable),[17] **and only in living, therefore,** a priori**, life ought to be continuously (and indefinitely) pursued at least for the sake of preserving the possibility of finding that good.** However, this platitude about the value that can be found in life turns out to be, at this point, insufficient for our purposes. It seems to amount to very little more than recognizing that our subjective desire for life in and of itself shows that life has some objective value. For what difference is there between saying, “living is unique in benefiting something I value (namely, my pleasure); therefore, I should desire to go on living,” and saying, “I have a unique desire to go on living; therefore I should have a desire to go on living,” whereas the latter proposition immediately seems senseless? In other words, “life gives me pleasure,” says little more than, “I like life.” Thus, we seem to have arrived at the conclusion that **the fact that we already have some (subjective) desire for life shows life to have some (**objective**) value.** But, if that is the most we can say, then it seems our enterprise of justification was quite superficial, and the subjective/objective distinction was useless—for all we have really done is highlight the correspondence between value and desire. Perhaps, our inquiry should be a bit more complex.

#### War fuels structural violence, not the other way around

Goldstein 2001

IR professor at American University (Joshua, War and Gender, p. 412, Google Books)

First, peace activists face a dilemma in thinking about causes of war and working for peace. **Many peace scholars and activists support the approach, “if you want peace, work for justice.”** Then, if one believes that sexism contributes to war, one can work for gender justice specifically (perhaps. among others) in order to pursue peace. This approach brings strategic allies to the peace movement (women, labor, minorities), but rests on the assumption that injustices cause war. The evidence in this book suggests that **causality runs at least as strongly the other way. War is not a product of capitalism, imperialism, gender, innate aggression,** or any other single cause, **although all of these influence wars’ outbreaks and outcomes. Rather, war has in part** fueled and sustained **these and other injustices**.9 So, “if you want peace, work for peace.” Indeed, if you want justice (gender and others), work for peace. **Causality does not run just upward through the levels of analysis, from types of individuals, societies, and governments up to war. It runs downward too**. Enloe suggests that changes in attitudes towards war and the military may be the most important way to “reverse women’s oppression.” The dilemma is that peace work focused on justice brings to the peace movement energy, allies, and moral grounding, yet, in light of this book’s evidence, **the emphasis on injustice as the main cause of war seems to be** empirically inadequate.

#### War facilitates racism and xenophobia that would not escalate otherwise

Rangelov and Kaldor 12

Iavor Rangelov and Mary Kaldor. 2012. Global Security Research Fellow at the Civil Society and Huamn Security Research Unit, Dept of Int’l Development at the Loncon School of Economics and Political Science; Professor of Global Governance and Director of the Civil Society and Human Security Research Unit. Persistent Conflict. Conflict, Security & Development 12:3.

One problem with the literature is the preoccupation with the term ‘conﬂict’. The Uppsala Conﬂict Data Program, which is the source of most statistics on conﬂict including the World Development Report, the Human Security Report and the SIPRI Yearbook on Armaments, Disarmament and International Security, deﬁnes conﬂict as a ‘contested incompatibility’. 7 The implicit assumption is that two or more sides have (legitimate) grievances that can be resolved either through violence or negotiation. Yet as Michel Wieviorka points out, violence may be the opposite of conﬂict; it may close down conﬂict. 8 Conﬂict is the normal human condition and is indeed a source of creativity in society. Democracy can be understood as a peaceful mechanism for managing conﬂict. In conditions of violence, people live in fear and dare not express their grievances. They may and probably do, of course, hate those who kill them or their neighbours and family and they may kill in revenge, but this does not mean they also have some underlying grievance that can be resolved. Their conﬂict is the consequence of violence rather than the other way round. Fine grained analyses of places where violence occurs, such as the ones included in this special issue, suggest that a range of motivations are relevant in explaining violence. For many, though not of course all, it is violence rather than the resolution of conﬂict that is the main goal. Firstly, violence constructs a context in which it is possible to mobilise around extremist ideologies. Xenophobic, fundamentalist, racist or ethnicist political philosophies tend to be marginal in peacetime. In violent situations, people learn to hate ‘the other’ and to seek the ‘protection’ of those who defend them against ‘the other’. Amartya Sen describes the Hindu–Muslim riots in 1947, and how people were ‘trapped into that vicious mode of thinking, and the more savage among them [. . .] were induced to kill “the enemies who kill us” (as they were respectively deﬁned)’. 9 Secondly, of course, violence creates a context for criminal gain—loot, pillage, hostage-taking, various kinds of smuggling. And ﬁnally, all kinds of personal motives, such as land disputes, family feuds, honour killings, excitement, adventure and perversion, are given free rein in violent contexts

**C. Being a “high priority” is good enough – Churchill concedes**

**Churchill 2** (Ward, Neg Author, Struggle for the Land: Native North American Resistance to Genocide, Ecocide and Colonization, p. 278)

Ultimately, stopping the processes of uranium extraction in Indian Country and consequent nuclear proliferation elsewhere will be impossible so long as the structure of colonial domination on the reservations is maintained. This means that coordinative and brokering organizations like CERT and the prevailing system of “tribal governance” must be opposed right along with the non-Indian governments and corporations which invented and sustain them. **A top priority—probably the first priority—for** the anti-nuclear movement, the broader environmental movement, and for North American **progressivism in general**, **must be the decolonization of Native North America**. To accomplish this, those representing indigenous liberation struggles must be accorded a central role in setting the agenda for and defining the priorities of radical social change on this continent.

**And, pragmatic action mobilizes effective action – it’s key to negotiating a future for Native America.**

**Porter, '97** (Associate Law Professor -- Kansas & Attorney -- General of the Seneca Nation of Indians, Winter, 28 Colum. Human Rights L. Rev. 235)

The fourth step toward revitalizing peacemaking is to address the problems of its implementation in a **pragmatic way**. Aggressive and strident notions of "returning to tradition" will have **far more effect in frustrating meaningful political initiatives than furthering them**. Developing rational proposals that clearly identify problems and put forth pragmatic recommendations for rebuilding the ~~tribal~~ institutions dedicated to dispute resolution is **critical for meaningful change**. 287In revitalizing peacemaking (and other traditional values for that matter), there is nothing wrong with developing hybrid systems for accomplishing the desired objective. For example, some Canadian courts have started using "sentencing circles"--traditional, multi- party events [\*302] in which the victim, the family, and the community are involved in the process of deciding what to do with one who has transgressed community norms. 288 Indian nations with westernized tribal courts might do very well in adapting their procedures to accommodate a desire to revitalize tradition to the desired extent.

**the continued existence of the USFG is desirable. And, the alt fails to account for the intersections of colonialism and creates fragmentation that prevents effective political action**

Andrea **Smith. 2012**. “Indigeneity, Settler Colonialism, White Supremacy” in Racial Formation in the Twenty-First Century. p 77.

As mentioned previously, many Native studies scholars have refused engagement with ethnic studies or critical race theory because they think such engagement relegates Native peoples to the status of racial minorities rather than as members of sovereign nations. Yet, even as Native studies articulates its intellectual framework around sovereignty, some strands within it also presume the continuance of settler colonialism. Glen Coulthard sheds light on this contradiction in noting that in the name of sovereignty, Native nations have shifted their aspirations from decolonization to recognition from the settler state (Coulthard 2007). That is, they primarily articulate their political goals in terms of having political, economic, or cultural claims recognized or funded by the settler state within which they reside. In doing so, they unwittingly relegate themselves to the status of “racial minority,” seeking recognition in competition with other minorities seeking the same thing. One example can be found in the work of Ward Churchill. **Churchill offers searing critiques of the United States’ genocidal policies toward Native peoples and calls for “decolonizing the Indian nations”** (Churchill 1983, 202). **Nevertheless, he contends that we must support the continued existence of the U.S. federal government because there is no other way “to continue guarantees to the various Native American tribes [so] that their landbase and other treaty rights will be continued”** (Churchill 1983, I). Thus, in the name of decolonization, his politics are unwittingly grounded in a framework of liberal recognition whereby the United States will continue to exist as the arbiter and guarantor of indigenous claims. In such a framework, Native peoples compete with other groups for recognition. For instance, **in some of his work Churchill opposes a politics that would address racism directed against nonindigenous peoples, arguing that Native peoples have a special status that should take primacy over other oppressed groups** (Churchill 1983, 419). **Such analyses do not take into account how the logics of settler colonialism are enabled through the intersecting logics of white supremacy, imperialism, heteropatriarchy, and capitalism. Consequently, when Native struggles become isolated from other social justice struggles, indigenous peoples are not in a position to build the necessary political power to actually end decolonization and capitalism. Instead, they are set up to be in competition rather than in solidarity with other groups seeking recognition**. This politics of recognition then presumes the continuance of the settler state that will arbitrate claims from competing groups. When one seeks recognition, one defines indigenous struggle as exclusively as possible so that claims to the state can be based on unique and special status. In contrast, if one seeks to actually dismantle settler colonialism, one defines indigenous struggle broadly in order to build a movement of sufficient power to challenge the system. (As I discuss later, indigenous peoples’ struggles in Latin America that are based on a politics of decolonization have articulated indigeneity as an expansive rather than an exclusive category.)

**Turn –decolonization makes natives vulnerable to ethnic cleansing. Colonization has eliminated any defense against external threats.**

**Porter 98 (**Robert B., Associate Professor of Law and Director of the Tribal Law and Government Center – University of Kansas, “A Proposal to the Hanodaganyas to Decolonize Federal Indian Control Law”, University of Michigan Journal of Law Reform, Summer, 31 U. Mich. J.L. Reform 899, Lexis)

Finally, the Self-Governance Act does not adequately address the reality that **not all Indian nations will be able to reassume** a **full** or significant measure of their former **self-governing powers**. **The** **cold, hard truth** **of the matter** **is** **that a significant number of Indian nations have been** **so vanquished** **by colonization that they are truly** "domestic **dependent nations**." **[483](http://www.lexis.com/research/retrieve?_m=f6a74d51fc4ad2a07037a53ba93a71c8&docnum=1&_fmtstr=FULL&_startdoc=1&wchp=dGLzVtz-zSkAz&_md5=8198838a49cd9d83adf9ea596abe64dd&focBudTerms=not%20all%20indian%20nations%20will%20be&focBudSel=all" \l "n483" \t "_self)** The Self-Governance Policy preserves the possibility that the federal government will one day again respect the full measure of tribal sovereignty. But, as Johnson and Hamilton note: "**As the castle walls of paternalism crumble, what should be done about the tribes left inside?**" **[484](http://www.lexis.com/research/retrieve?_m=f6a74d51fc4ad2a07037a53ba93a71c8&docnum=1&_fmtstr=FULL&_startdoc=1&wchp=dGLzVtz-zSkAz&_md5=8198838a49cd9d83adf9ea596abe64dd&focBudTerms=not%20all%20indian%20nations%20will%20be&focBudSel=all" \l "n484" \t "_self)** Although it appears that Johnson and Hamilton were thinking only of those Indian nations who are inside the "castle walls" for purposes of federal financial support, the bigger problem lies in dealing with the reality that **some Indian nations will be inside the** **"castle walls"** either **because they** choose to be there, or because they **will be** **unable to leave**. **This is a significant policy quandary with no easy solution**. It is inevitable that the federal trust responsibility must be preserved in some modified form to respect the underlying  [\*980]  treaty obligations and to ensure the survival of the Indian nations. **Given the** territorial **limitation on tribal sovereignty, the federal government must remain involved to protect Indian lands**, resources, and sovereignty **from** **external threats**. But as the Self-Governance Policy encourages some Indian nations to self-determine and decolonize, the heretofore unacknowledged barrier between those Indian nations inside and outside of the "castle walls" will become more prominent. The Self-Governance Policy has begun the process of dividing the Indian nations into two categories: "domestic autonomous nations" and "domestic dependent nations." **If the** **U**nited **S**tates **is prepared to continue** its **colonial policies** to ensure some increasingly weak vestige of tribal self-government for the "domestic dependent nations," **then** perhaps **there is little to be concerned about**. **If not**, then all of the **Indian nations must be prepared for the possibility that the weaker nations will be** the first ones **"terminated" under some future effort to "ethnically cleanse" the** **U**nited **S**tates of the weakest Indian nations within its boundaries - that is, those most assimilated and least equipped to administer their own territory and affairs.

**Turn – infighting –**

**A) Decolonization splits native nations – some fight it**

**Porter 98** (Robert B., Associate Professor of Law and Director of the Tribal Law and Government Center – University of Kansas, “A Proposal to the Hanodaganyas to Decolonize Federal Indian Control Law”, University of Michigan Journal of Law Reform, Summer, 31 U. Mich. J.L. Reform 899, Lexis)

**Much of the difficulty in implementing** a federal **Indian Decolonization** Policy **will arise because many** Indian nations will resist **it.** **Having spent such a long time in a dependent relationship,** many Indian nations will exercise their sovereign prerogative to resist **any** change **in the status quo**. If the United States chooses to recognize an Indian nation's choice to remain dependent upon it, there will likely never be any mechanism to effectuate the decolonization of that Indian nation in the future. In my view, the federal government need not engage in an endless debate with the Indian nations over whether it should implement a Decolonization Policy. Instead, the United States should engage in one final colonial act: it should unilaterally adopt a Decolonization Policy and force the Indian nations either to choose the path of independence or to preserve the status quo of dependence. As a practical matter, then, Congress should simply repeal a number of its colonial enactments, such as those set forth above, **[590](http://www.lexis.com/research/retrieve?_m=7cb7a4a74301907cda3e18183c5be1d9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVtz-zSkAz&_md5=09c0b6769cb0d12671a4d1427da4bca5" \l "n590" \t "_self)** and give the Indian nations one year before the repeal becomes effective. If an Indian nation chooses to preserve the status quo and maintain a more dependent relationship, then there would be no change in the legal relationship between the United States and that nation. If, on the other hand, an Indian nation is looking to expand its self-determination, the one-year time period would spur the development of the necessary infrastructure to reassume the aspect of government responsibility at issue. In this way, the Indian nations could make strategic multi-year decisions about which areas to develop, and could maintain the application of the federal Indian control law up until the time is right for them to apply their own law. Maybe, for the first time ever, they would have to take a deep, hard look at whether they are really able to assume responsibilities previously exercised by the federal government or the states. It is unlikely that any but the handful of independently wealthy Indian nations would be able to afford to displace federal and state authority immediately. Indeed, it may be imprudent to eliminate all restrictive federal legislation, case law, and executive orders. The bigger problem, however, is that in many instances, **the anticipated trauma of assuming governmental responsibility over matters that may not have been handled in generations would be so great that some Indian nations would** likely **resist the** proposed **change**, either because  [\*1001]  they could not administratively or financially assume such new responsibility, or because they may have grown accustomed to being dependent upon the federal or state governments. **This dependence is a** **critical defect** **in any** modern **effort to decolonize** federal **Indian** control **law**. Given the changes forced upon Indian people during the last 200 years, there has been a commensurate change in the native conception of sovereignty. **[591](http://www.lexis.com/research/retrieve?_m=7cb7a4a74301907cda3e18183c5be1d9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVtz-zSkAz&_md5=09c0b6769cb0d12671a4d1427da4bca5" \l "n591" \t "_self)** While many Indian nations today may embrace a firm and clear conception of their own sovereignty, others may not. **[592](http://www.lexis.com/research/retrieve?_m=7cb7a4a74301907cda3e18183c5be1d9&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVtz-zSkAz&_md5=09c0b6769cb0d12671a4d1427da4bca5" \l "n592" \t "_self)** For the latter, sovereignty may not even have any meaning in the face of overwhelming pressures to satisfy individual - rather than tribal - needs and desires. Unfortunately, some Indian nations may be such in name only. In short, colonization has transformed tribal conceptions of self-government so dramatically that some Indian nations may simply have no idea what it means to assume greater authority over their own affairs.

**B) That causes native extinction**

**Porter 97** (Robert B., Associate Professor of Law and Director of the Tribal Law and Government Center – University of Kansas, “Strengthening Tribal Sovereignty Through Government Reform: What are the Issues”, Kansas Journal of Law & Public Policy, Winter, 7 Kan. J.L. & Pub. Pol'y 72, Lexis)

Against this backdrop, **infighting can be a** **matter of life or death** **for tribal sovereignty**. **If an Indian nation is overwhelmed with** acrimony, **infighting** and civil war, **it cannot** **possibly**  [\*93]  **muster enough strength to repel the forces that would seek its destruction**. Even in those instances where there might be an enemy obvious enough to unify opposing factions, the days, months, and years of prior **conflict will have** had **a** **long-term corrosive effect** **that would make** those moments when **unity** is necessary terribly **difficult** to achieve. Put simply, **divided** and dysfunctional **tribal governments are weak** tribal governments, **and weak** tribal governments **are unable** over the long haul **to** protect and **defend** their membership **from** thecontinuing **onslaught** of over 500 years of American colonization. **If we are** too **divided** to have the ability to control our own affairs and determine our future course, then **we** simply **cannot** expect to **survive** very long as sovereign nations.

**-- Turn – backlash –**

**Returning land to natives causes a violent backlash from the majority and inter-racial fighting**

**Bradford 3** (William, LLM – Harvard Law School and Assistant Professor of Law – Indiana University, “"With a Very Great Blame on Our Hearts": Reparations, Reconciliation, and an American Indian Plea for Peace with Justice”, American Indian Law Review, 27 Am. Indian L. Rev. 1, Lexis)

**Until the majority comes to accept** not only the role of the United States and its laws in the deliberate destruction of Indian populations, property rights, and cultures but also **the responsibility to repair the** interdependent **relationship** **between Indian self-determination and U.S. legitimacy**, **Indian reparations**, a moral shibboleth through the shadow of which the dominant social group is unwilling to tread, **will be viewed as nothing more than a** **underserved** **handout** **to the losers of a long-ago struggle** **for the continental landmass**. **[612](http://www.lexis.com/research/retrieve?_m=e4b49a6253d6016e263713dfa1ea327e&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAt&_md5=c84102d539d0c75c3d7e09b8a9b84382" \l "n612" \t "_self)** **A destabilizing reallotment of the American** economic and **territorial pie** on this basis **is likely to provoke violent political backlash** **at flashpoints** **along a wide spectrum of self-interested white Americans**, **[613](http://www.lexis.com/research/retrieve?_m=e4b49a6253d6016e263713dfa1ea327e&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAt&_md5=c84102d539d0c75c3d7e09b8a9b84382" \l "n613" \t "_self)** **as well as ethnic elbowing** **[614](http://www.lexis.com/research/retrieve?_m=e4b49a6253d6016e263713dfa1ea327e&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAt&_md5=c84102d539d0c75c3d7e09b8a9b84382" \l "n614" \t "_self)** **from uncompensated** and as-yet-aggrieved **minority racial groups**, **including**, inter alia, **African-Americans and Hispanics**. **[615](http://www.lexis.com/research/retrieve?_m=e4b49a6253d6016e263713dfa1ea327e&csvc=bl&cform=searchForm&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVzz-zSkAt&_md5=c84102d539d0c75c3d7e09b8a9b84382" \l "n615" \t "_self)**

**Impact is global nuclear war**

**Masotti 69** (Louis H. Professor of Political Science – Case Western Reserve University, et al., A Time to Burn?, p. x-xi)

To a very great extent, riots are a cry of utter despair, pleading for someone to hear and respond. Yet our response has been more talk, more unfulfilled promises, more tokenism, and recently, more suppression. And while we are talking, the disillusionment and frustration of the ghetto is accelerating at a frightening pace. The civil rights efforts of the past decade and the continual bombardment of the mass media have heightened the consciousness and raised the expectations of the Negro far beyond the level of our response. Those who say that riots have nothing to do with the civil rights movement are either engaging in enormous self-delusion or are attempting to protect the good name of a phase of the movement which is more palatable to themselves and the American public. They are blind to a long history of social revolutions which have often begun as broad-based nonviolent efforts to change institutionalized injustices, only to merge as violent social revolutions when more moderate efforts failed. As a minority of slightly more than ten per cent of the population, Negroes stand little chance of winning in a violent confrontation. But before the militant leaders push the Negro community beyond the point of no return, we must do some sober thinking about the consequences of such a confrontation. American society itself would be the ultimate loser. We would become the captives of fear and hate of a magnitude that would make Nazi Germany and apartheid South Africa seem like meccas for civil libertarians. Such a confrontation would make a mockery of the American Revolution and the entire history of our experiment in democracy. But even this might be a relatively minor consequence. In a mood of rage and hate, the balance of power in this nation might very well shift into the reckless hands of those who would disrupt the precarious balance of peace between the nuclear powers and **plunge the whole world into nuclear holocaust**.

**We should not forget the racist past of the state, but fixating on inevitable flaws entrenches hopelessness**

Daniel **Farber 98**, law prof, U Minnesota, Thomas M. Cooley Law Review, 15 T.M. Cooley L. Rev. 361

And finally, **what I fear the most is the response that** seemed to be implied by one of the audience questions earlier. **If** it is true that **American society is inherently racist, doesn't that mean that it is essentially hopeless?** Now this conclusion does not logically follow from that premise, any more than it logically follows that if certain character traits have a genetic basis then it is hopeless to do anything about them. But nevertheless, we all recognize that when we are talking about individuals and biology, **these** genetic **theories tend to discourage the idea of reform, and tend to reinforce, as a matter of social reality, the view that any bad behavior that we see is just inherent. I think we can expect to see the same kind of thing when we are dealing with the sociological equivalent involving the claim that there is this inherent genetic flaw in American society**. You can see this most clearly in Derrick Bell's writings, which are redolent of despair and which, in that respect, curiously resemble Robert Bork's writings, who is similarly convinced that the genetic flaws of American society will prevent it from ever achieving his vision of justice. **It is true that we cannot afford to forget our history**. It is true that much of **that history is unfortunate, if not worse. But it is also true that if we remain totally obsessed with the flaws of the past, fixated on their inevitability, we are unlikely to be able to move past them and move forward**. And in particular, it seems to me that if we approach today's problems primarily as an issue in finger-pointing, in blaming somebody or another, or in finding the culprit, then **we are not likely to be able to unite our society in a quest toward attacking those serious problems.**

**Privileging ontology and epistemology guarantees policy failure because of theoretical reductionism, and isn’t relevant to the truth value of our arguments.**

**Owen 2**

[David Owen, Reader of Political Theory at the Univ. of Southampton, Millennium Vol 31 No 3 2002 p. 655-7]

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that **‘[a] frenzy for words like “epistemology” and “ontology”** often **signals this philosophical turn**’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, **such a** philosophical **turn is not without its dangers** and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that **it has an inbuilt tendency to prioritise issues of ontology and epistemology over explanatory and/or interpretive power as if the latter** two **were merely a simple function of the former.** But while **the explanatory and**/or **interpretive power of a theoretical account is not** wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), it is by no means clear that it is, in contrast, **wholly dependent on these philosophical commitments.** Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. **It may**, of course, **be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful** in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, i**f this is the case, it is a philosophical weakness—but this does not undermine the point that, for a certain class of problems, rational choice theory may provide the best account available to us.** In other words, **while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, it is not the only or even necessarily the most important kind**. The second danger run by the philosophical turn is that **because prioritisation of ontology and epistemology promotes theory-construction** from philosophical first principles, **it cultivates a theory-driven rather than problem-driven approach to IR.** Paraphrasing Ian Shapiro, the point can be put like this: **since** it is the case that **there is always a plurality of possible true descriptions** of a given action, event or phenomenon, **the challenge is to decide which is the most apt in terms of getting a perspicuous grip on** the **action,** event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, **‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification** offered for this strategy **rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms.** However, as Shapiro points out, **this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a question for social-scientific inquiry, not to be prejudged before conducting that inquiry’**.6 Moreover, **this strategy easily slips into the promotion of the pursuit of generality over that of empirical validity.** The third danger is that **the preceding** two **combine to encourage the formation of a** particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the **Highlander view’**—namely, **an image of warring theoretical approaches** with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because **the** turn to, and **prioritisation of, ontology and epistemology stimulates the idea that there can only be one theoretical approach which gets things right**, namely, the theoretical approach that gets its ontology and epistemology right. **This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.**

# 1AR

## “Fuck” K

#### Their use of the ‘f’ word is an independent reason to vote \_\_\_\_\_\_\_\_\_\_\_\_

Schwyzer, 09 Hugo Schqyzer, community college history and gender studies professor, Berkley “Penetrate” v. “Engulf” and the multiple meanings of the “f” word: a note on feminist language, 4 November 2009, http://hugoschwyzer.net/2009/11/04/penetrate-v-engulf-and-the-multiple-meanings-of-the-f-word-a-note-on-feminist-language/

There’s a pause at this point. Here’s the problem: **long before most kids in our culture become sexually active, the most common slang word in the American idiom has knit together two things in their consciousness: sex and rage.** **If “fucking” is the most common slang term for intercourse, and “fuck you” or “fuck off” the most common terms to express contempt or rage, what’s the end result? A culture that has difficulty distinguishing sex from violence**. In a world where a heartbreakingly high percentage of women will be victims of rape, it’s not implausible to suggest that at least in part, **the language itself normalizes sexual violence**. I challenge my students. I don’t ask them to give up all the satisfactions of profanity; rather I challenge them to think about words like “fuck” or “screw” and then make a commitment to confine the use of those words to either a description of sex (“We fucked last night”) or to express anger or extreme exasperation (“I’m so fucking furious with you right now!”) but not, not, not, both. Rage and lust are both normal human experiences; we will get angry and we will be sexual (or want to be) over and over again over the course of our lives. But **we have a responsibility**, I think, **to make a clear and bright line between the language of sexual desire and the language of contempt and indignation**. Pick one arena of human experience where that most flexible term in the English vernacular will be used, and confine it there. **Words matter**, I tell my students. We’re told over and over again that “a picture is worth a thousand words” — but we forget that **words have the power to paint pictures in our minds of how the world is and how it ought to be**. **The language we use for sexuality, the words we use for rage and longing** — **these words construct images in our heads, in our culture, and in our lives. We have an obligation to rethink how we speak as part of building a more pleasurable, safe, just and egalitarian world.**

## First Priority

#### Existence precedes the ability to ascribe value [and respect the other]

Wapner 3

Paul Wapner. 2003. Associate Prof. and Dir. Global Env’t. Policy Prog. – American U., Dissent, “Leftist criticism of “nature””, Winter, 50:1.

All attempts to listen to nature are social constructions--except one. **Even the most radical postmodernist must acknowledge the distinction between physical existence and nonexistence**. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings we ascribe to it. This acknowledgment of physical existence is crucial. **We can't ascribe meaning to that which doesn't appear. What doesn't exist can manifest no character**. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that **a prerequisite of expression is existence**. This in turn suggests that **preserving the nonhuman world-in all its diverse embodiments-must be seen** by eco-critics **as a fundamental good**. Eco-critics must be supporters, in some fashion, of environmental preservation. Postmodernists reject the idea of a universal good. They rightly acknowledge the difficulty of identifying a common value given the multiple contexts of our value-producing activity. In fact, if there is one thing they vehemently scorn, it is the idea that there can be a value that stands above the individual contexts of human experience. Such a value would present itself as a metanarrative and, as Jean Francois Lyotard has explained, postmodernism is characterized fundamentally by its "incredulity toward meta-narratives." Nonetheless, I can't see how postmodern critics can do otherwise than accept the value of preserving the nonhuman world. The nonhuman is the extreme "other"; it stands in contradistinction to humans as a species. In understanding the constructed quality of human experience and the dangers of reification, postmodernism inherently advances an ethic of respecting the "other." At the very least, **respect must involve ensuring that the "other" actually continues to exist**. In our day and age, **this requires us to take responsibility for protecting the actuality of the nonhuman**. Instead, however, we are running roughshod over the earth's diversity of plants, animals, and ecosystems. Postmodern critics should find this particularly disturbing. If they don't, they deny their own intellectual insights and compromise their fundamental moral commitment.