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**Interpretation – A restriction limits allowable action**

**Oxford** Advanced Learner’s **Dictionary** – **2013**, <http://oald8.oxfordlearnersdictionaries.com/dictionary/restriction>

**restriction** NOUN

1 [countable]

**a rule or law that limits what you can do or what can happen**

**import/speed/travel, etc**. **restrictions**

restriction on something to impose/place a restriction on something

The government has agreed to lift restrictions on press freedom.

There are no restrictions on the amount of money you can withdraw.

2 [uncountable]

the act of limiting or controlling somebody/something

sports clothes that prevent any restriction of movement

A diet to lose weight relies on calorie restriction in order to obtain results.

3 [countable]

a thing that limits the amount of freedom you have

the restrictions of a prison

**Increase means**

Increase:

in·crease verb \in-ˈkrēs, ˈin-ˌ\

intransitive verb

**1: to become progressively greater (as in size, amount, number, or intensity)**

2: to multiply by the production of young

**That’s Merriam-Webster 12**, http://www.merriam-webster.com/dictionary/increase?show=0&t=1348112715

**Violation -**

**Presidential war powers authority derives from congressional authorizations like the AUMF. The AUMF currently only authorizes force against groups with a direct connection to 9/11 –but the affirmative expands the AUMF authorization to include new groups - which means it is an enhancement of presidential authority it is not a restriction**

**Coronogue 12**, JD at duke

(Graham, A NEW AUMF: DEFINING COMBATANTS IN THE WAR ON TERROR, scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1294&context=djcil)

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. In many ways, **the greatest threat is coming from groups not even around in 2001, groups such as AQAP and al Shabaab**. 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. 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

**Vote Neg**

**Limits – Their aff justifies any aff that has the judiciary or Congress clarify in ways that expand war powers - 1000s of ways to do that**

**Ground – Increasing restrictions is key to stable neg link and cp ground – clarifications to authority make all DA links non-unique – bidirectional affs are especially bad because they are reading neg ground on the aff**

**1NC**

asking how the executive should be allowed to conduct war masks the fundamental question of whether war should be allowed at all – ensures a military mentality

* Accepting that war is inevitable even without realizing it is problematic

**Cady 10 (Duane L., prof of phil @ hamline university, From Warism to Pacifism: A Moral Continuum, pp. 22-23)**

The widespread, unquestioning acceptance of warism and the corresponding reluctance to consider pacifism as a legitimate option make it difficult to propose a genuine consideration of pacifist alternatives. Warism may be held implicitly or explicitly. Held in its implicit form, it does not occur to the warist to challenge the view that war is morally justified; war is taken to be natural and normal. No other way of understanding large-scale human conflict even comes to mind. In this sense warism is like racism, sexism, and homophobia: a prejudicial bias built into conceptions and judgments without the awareness of those assuming it. In its explicit form, warism is openly accepted, articulated, and deliberately chosen as a value judgment on nations in conflict. War may be defended as essential for justice, needed for national security, as “the only thing the enemy understands,” and so on. In both forms warism misguides judgments and institutions by reinforcing the necessity and **inevitability** of war and **precluding alternatives**. Whether held implicitly or explicitly, warism obstructs questioning the conceptual framework of the culture. If we assume (without realizing it) that war itself is morally justifiable, our moral considerations of war will be focused on whether a **particular war** is justified or whether **particular acts within a given war** are morally acceptable. These are important concerns, but addressing them does **not** get at the fundamental issue raised by the pacifist: the morality of war **as such**. In Just and Unjust Wars Michael Walzer explains that “war is always judged twice, first with reference to the **reasons** states have for fighting, secondly with reference to the **means** they adopt.”8 The pacifist suggestion is that there is a third judgment of war that must be made prior to the other two: might war, by its very nature, be morally wrong? This issue is considered by Walzer only as an afterthought in an appendix, where it is dismissed as naïve. Perhaps Walzer should not be faulted for this omission, since he defines his task as describing the conventional morality of war and, as has been argued above, conventional morality does take warism for granted. To this extent Walzer is correct. And this is just the point: our warist conceptual frameworks— our warist normative lenses— **blind us to the root question**. The concern of pacifists is to expose the hidden warist bias and not merely describe cultural values. Pacifists seek to examine cultural values and recommend what they ought to be. This is why the pacifist insists on judging war **in itself**, a judgment **more fundamental** than the more **limited assessments** of the morality of a given war or the morality of **specific acts** within a particular war.

this mindset is important – our consciousness of war guarantees endless violence that ensures planetary destruction and structural violence

* Another impact: freeing ourselves from war = more resources for peace

**Lawrence 9** (Grant, “Military Industrial "War" Consciousness Responsible for Economic and Social Collapse,” OEN—OpEdNews, March 27)

As a presidential candidate, [Barack Obama](http://obama.senate.gov/) called [Afghanistan](http://en.wikipedia.org/wiki/War_in_Afghanistan_%282001%E2%80%93present%29) ''the war we must win.'' He was absolutely right. Now it is time to win it... Senators [John McCain](http://www.imdb.com/name/nm0564587/) and Joseph Lieberman [calling](http://www.miamiherald.com/opinion/inbox/story/960269.html) for an expanded war in Afghanistan "How true it is that war can destroy everything of value." Pope Benedict XVI [decrying](http://www.google.com/hostednews/afp/article/ALeqM5iuue8kE-e0lYZVFpt4RlbX4M_IEw) the suffering of Africa Where troops have been quartered, brambles and thorns spring up. In the track of great armies there must follow lean years. Lao Tzu on [War](http://www.sacred-texts.com/tao/salt/salt09.htm) As Americans we are raised on the utility of war to conquer **every problem.** We have a drug problem so we wage war on it. We have a cancer problem so we wage war on it. We have a crime problem so we wage war on it. Poverty cannot be dealt with but it has to be warred against. Terror is another problem that must be warred against. In the [United States](http://maps.google.com/maps?ll=38.8833333333,-77.0166666667&spn=10.0,10.0&q=38.8833333333,-77.0166666667%20%28United%20States%29&t=h), solutions can only be found in terms of wars. In a society that functions to support a massive military industrial war machine and empire, it is important that the **terms** promoted support the **conditioning of** its **citizens**. We are conditioned to see war as the solution to major social ills and major political disagreements. That way when we see so much of our resources devoted to war then we don't question the utility of it. The term "war" excites mind and body and creates a fear mentality that looks at life in terms of attack. In war, there has to be an attack and a must win attitude to carry us to victory. But is this war mentality working for us? In an age when nearly half of our tax money goes to support the war machine and a good deal of the rest is going to support the elite that control the war machine, we can see that our present war mentality is not working. Our values have been so perverted by our war mentality that we see sex as sinful but killing as entertainment. Our society is **dripping violence**. The violence is fed by poverty, social injustice, the break down of family and community that also arises from economic injustice, and by the managed media. **The cycle of violence** that exists in our society **exists because it is useful to those that control society.** It is easier to sell the war machine when your population is conditioned to violence. Our military industrial consciousness may not be working for nearly all of the life of the planet but it does work for the very few that are the master manipulators of our values and our consciousness. Rupert Murdoch, the media monopoly man that runs the "Fair and Balanced" [Fox Network](http://www.fox.com/), Sky Television, and [News Corp](http://www.newscorp.com/) just to name a few, [had](http://en.wikipedia.org/wiki/Rupert_Murdoch) all of his 175 newspapers editorialize in favor of the [Iraq war](http://en.wikipedia.org/wiki/Iraq_War). Murdoch snickers when [he says](http://www.newscorpse.com/ncWP/?p=341) "we tried" to manipulate public opinion." The Iraq war was a good war to Murdoch [because,](http://www.americanprogress.org/issues/2004/07/b122948.html) "The death toll, certainly of Americans there, by the terms of any previous war are quite minute." But, to the media manipulators, the phony politicos, the military industrial elite, a million dead Iraqis are not to be considered. War is big business and it is supported by a **war consciousness that allows it to prosper.** That is why more war in Afghanistan, the war on Palestinians, and the other wars around the planet in which the [military industrial complex](http://en.wikipedia.org/wiki/Military-industrial_complex) builds massive wealth and power will continue. The military industrial war mentality is not only killing, maiming, and destroying but it is also contributing to the present social and economic collapse. As mentioned previously, the massive wealth transfer that occurs when the American people give half of their money to support death and destruction is money that could have gone to support a just society. It is no accident that after years of war and preparing for war, our society is crumbling. Science and technological resources along with economic and natural resources have been squandered in the never-ending pursuit of enemies. All of that energy **could** have been utilized for the good of humanity, ¶ instead of maintaining the power positions of the very few super wealthy. So the suffering that we give is ultimately the suffering we get. Humans want to believe that they can escape the consciousness that they live in. But that consciousness determines **what we experience** and **how we live.** As long as we choose to live in "War" in **our minds** then we will continue to get "War" in **our lives**. When humanity chooses to wage peace on the world then there will be a flowering of life. But until then we will be forced to live the life our present war consciousness is creating.

**The alternative must begin in our minds – we need to free ourselves of the presumption towards war and advocate for peace and social justice to stop the flow of militarism that threatens existence**

* Democracy itself is the product of searching for peaceful solutions

**Demenchonok 9 – Worked as a senior researcher at the Institute of Philosophy of the Russian Academy of Sciences, Moscow, and is currently a Professor of Foreign Languages and Philosophy at Fort Valley State University in Georgia, listed in 2000 Outstanding Scholars of the 21st Century and is a recipient of the Twenty-First Century Award for Achievement in Philosophy from the International Biographical Centre --Edward, Philosophy After Hiroshima: From Power Politics to the Ethics of Nonviolence and Co-Responsibility, February, American Journal of Economics and Sociology, Volume 68, Issue 1, Pages 9-49**

Where, then, does the future lie? Unilateralism, hegemonic political anarchy, mass immiseration, ecocide, and global violence—a Hobbesian bellum omnium contra omnes? Or international cooperation, social justice, and genuine collective—political and human—security? Down which path lies cowering, fragile hope?¶ Humanistic thinkers approach these problems from the perspective of their concern about the situation of individuals and the long-range interests of humanity. They examine in depth the **root causes** of these problems, warning about the consequences of escalation and, at the same time, indicating the prospect of their possible solutions through nonviolent means and a growing global consciousness. Today's world is in **desperate need** of realistic alternatives to violent conflict. Nonviolent action—properly planned and executed—is a **powerful and effective** force for political and social change. The ideas of peace and nonviolence, as expressed by Immanuel Kant, Leo Tolstoy, Mahatma Gandhi, Martin Luther King, and many contemporary philosophers—supported by peace and civil rights movements—counter the paralyzing fear with hope and offer a realistic alternative: a rational approach to the solutions to the problems, encouraging people to be the masters of their own destiny.¶ Fortunately, the memory of the tragedies of war and the growing realization of this new existential situation of humanity has awakened the global conscience and generated **protest movements** demanding necessary changes. During the four decades of the Cold War, which polarized the world, power politics was challenged by the common perspective of humanity, of the supreme value of human life, and the ethics of peace. Thus, in Europe, which suffered from both world wars and totalitarianism, spiritual-intellectual efforts to find solutions to these problems generated ideas of "new thinking," aiming for peace, freedom, and democracy. Today, philosophers, intellectuals, progressive political leaders, and peace-movement activists continue to promote a peaceful alternative. In the asymmetry of power, despite being frustrated by war-prone politics, peaceful projects emerge each time, like a phoenix arising from the ashes, as the **only viable alternative for the survival of humanity.** The new thinking in philosophy affirms the supreme value of human and nonhuman life, freedom, justice, and the future of human civilization. It asserts that the transcendental task of the survival of humankind and the rest of the biotic community must have an unquestionable primacy in comparison to particular interests of nations, social classes, and so forth. In applying these principles to the nuclear age, it considers a **just and lasting peace as a categorical imperative for the survival of humankind**, and thus proposes a world free from nuclear weapons and from war and organized violence.44 In tune with the Charter of the United Nations, it calls for the democratization of international relations and for dialogue and cooperation in order to secure peace, human rights, and solutions to global problems. It further calls for the transition toward a cosmopolitan order.¶ The escalating global problems are symptoms of what might be termed a contemporary civilizational disease, developed over the course of centuries, in which techno-economic progress is achieved at the cost of depersonalization and dehumanization. Therefore, the possibility of an effective "treatment" today depends on whether or not humankind will be able to regain its humanity, thus establishing new relations of the individual with himself or herself, with others, and with nature. Hence the **need** for a new philosophy of humanity and **an ethics of nonviolence** and planetary co-responsibility to help us make sense not only of our past historical events, but also of the extent, quality, and urgency of our present choices.

**Framing issue – the way we discuss and represent war should come first – the language surrounding violence has direct, concrete effects**

* Political acts of violence are uniquely tied to language – every government has to convince their people that it’s legitimate. The plan helps make that VERY convincing – makes it look like there’s some restraint

**Collins & Glover 2** (John, Assistant Prof. of Global Studies at St. Lawrence University, Ross, Visiting Professor of Sociology at St. Lawrence University, Collateral Language, p. 6-7)

As any university student knows, theories about the “social con­struction” and social effects of language have become a common feature of academic scholarship. Conservative critics often argue that those who use these theories of language (e.g., deconstruc­tion) are “just” talking about language, as opposed to talking about the “real world.” The essays in this book, by contrast, begin from the premise that language matters in the most **concrete**, **im­mediate** way possible: its use, by political and military leaders, leads directly to violence in the form of war, mass murder (in­cluding genocide), the physical destruction of human commu­nities, and the devastation of the natural environment. Indeed, if the world ever witnesses a nuclear holocaust, it will probably be because leaders in more than one country have succeeded in convincing their people, through the use of political language, that the use of nuclear weapons and, if necessary, the destruction of the earth itself, is justifiable. From our perspective, then, every act of political violence—from the horrors perpetrated against Native Americans to the murder of political dissidents in the So­viet Union to the destruction of the World Trade Center, and now the bombing of Afghanistan—is intimately linked with the use of language. Partly what we are talking about here, of course, are the processes of “manufacturing consent” and shaping people’s per­ception of the world around them; people are more likely to sup­port acts of violence committed in their name if the recipients of the violence have been defined as “terrorists,” or if the violence is presented as a defense of “freedom.” Media analysts such as Noam Chomsky have written eloquently about the corrosive ef­fects that this kind of process has on the political culture of sup­posedly democratic societies. At the risk of stating the obvious, however, the most fundamental effects of violence are those that are visited upon the objects of violence; the language that shapes public opinion is the same language that burns villages, besieges entire populations, kills and maims human bodies, and leaves the ground scarred with bomb craters and littered with land mines. As George Orwell so famously illustrated in his work, acts of vio­lence can easily be made more palatable through the use of eu­phemisms such as “pacification” or, to use an example discussed in this book, “targets.” It is important to point out, however, that the need for such language derives from the simple fact that the violence itself is abhorrent. Were it not for the abstract language of “vital interests” and “surgical strikes” and the flattering lan­guage of “civilization” and ‘just” wars, we would be less likely to avert our mental gaze from the physical effects of violence.

**1NC**

**The Executive branch of the United States federal government should limit the 2001 Authorization for Use of Military Force to al-Qaeda, the Taliban, or those nations, organizations, or persons who enjoy close and well-established collaboration with al-Qaeda or the Taliban and implement this through self-binding mechanisms including, but not limited to independent commissions to review and ensure compliance with the order and transparency measures that gives journalists access to White House decisionmaking.**

**Including self-binding mechanisms ensures effective constraints and executive credibility**

**Posner & Vermeule, 6** --- \*Prof of Law at U Chicago, AND \*\* Prof of Law at Harvard (9/19/2006, Eric A. Posner & Adrian Vermeule, “The Credible Executive,” <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=931501)>)

IV. Executive Signaling: Law and Mechanisms

We suggest that **the executive’s credibility problem can be solved by second-order mechanisms of executive signaling**. In the general case, well-motivated executives send credible signals by taking actions that are more costly for ill-motivated actors than for well-motivated ones, thus distinguishing themselves from their ill-motivated mimics. Among the specific mechanisms we discuss, **an important subset involve executive self-binding, whereby executives commit themselves to a course of action that would impose higher costs on ill-motivated actors. Commitments themselves have value as signals of benign motivations.**

This departs from the usual approach in legal scholarship. Legal theory has often discussed self-binding by “government” or government officials. In constitutional theory, it is often suggested that constitutions represent an attempt by “the people” to bind “themselves” against their own future decisionmaking pathologies, or relatedly that constitutional prohibitions represent mechanisms by which governments commit themselves not to expropriate investments or to exploit their populations.71 Whether or not this picture is coherent,72 it is not the question we examine here, although some of the relevant considerations are similar.73 **We are** not **concerned** with binding the president so that he cannot abuse his powers, but with **how he might bind himself or take other actions that enhance his credibility, so that he can generate support from the public and other members of the government.**

Furthermore, **our question is subconstitutional; it is whether a well-motivated executive, acting within an established set of constitutional and statutory rules, can use signaling to generate public trust**. Accordingly we proceed by assuming that no constitutional amendments or new statutes will be enacted. Within these constraints, what can a well-motivated executive do to bootstrap himself to credibility? The problem for the well-motivated executive is to credibly signal his benign motivations; in general, the solution is to engage in actions that are less costly for good types than for bad types.

We begin with some relevant law; then examine a set of possible mechanisms, emphasizing both the conditions under which they might succeed and the conditions under which they might not; and then examine the costs of credibility.

A. A Preliminary Note on Law and Self-Binding

Many of our mechanisms are unproblematic from a legal perspective, as they involve presidential actions that are clearly lawful. But a few raise legal questions; in particular, those that involve self-binding.74 Can a president bind himself to respect particular first-order policies? With qualifications, the answer is “yes, at least to the same extent that a legislature can.” Formally, a duly promulgated executive rule or order binds even the executive unless and until it is validly abrogated, thereby establishing a new legal status quo.75 **The legal authority to establish a new status quo allows a president to create inertia or political constraints that will affect his own future choices.** In a practical sense, **presidents, like legislatures, have great de facto power to adopt policies that shape the legal landscape for the future**. **A president might commit himself to** a long-term project of defense procurement or infrastructure or foreign policy, **narrowing his own future choices and generating new political coalitions that will act to defend the new rules or policies.**

More schematically, we may speak of formal and informal means of self-binding:

(1) **The president might use formal means to bind himself. This is possible in the sense that an executive order**, if otherwise valid, **legally binds the president** while it is in effect and may be enforced by the courts. It is not possible in the sense that the president can always repeal the executive order if he can bear the political and reputational costs of doing so.

(2) **The president might use informal means to bind himself.** This is not only possible but frequent and important. Issuing an executive rule providing for the appointment of special prosecutors, as Nixon did, is not a formal self-binding.76 However, there may be large political costs to repealing the order. This effect does not depend on the courts’ willingness to enforce the order, even against Nixon himself. Court enforcement makes the order legally binding while it is in place, but only political and reputational enforcement can protect it from repeal. **Just as a dessert addict might announce to his friends that he is going on a no-dessert diet in order to raise the reputational costs of backsliding and thus commit himself, so too the repeal of an executive order may be seen as a breach of faith even if no other institution ever enforces it.**

In what follows, we will invoke both formal and informal mechanisms. For our purposes, the distinction between the authority to engage in de jure self-binding (legally limited and well-defined) and the power to engage in de facto self-binding (broad and amorphous) is secondary. **So long as policies are deliberately chosen with a view to generating credibility, and do so by constraining the president’s own future choices in ways that impose greater costs on ill-motivated presidents than on well-motivated ones, it does not matter whether the constraint is formal or informal.**

B. Mechanisms

What signaling mechanisms might a well-motivated executive adopt to credibly assure voters, legislators and judges that his policies rest on judgments about the public interest, rather than on power-maximization, partisanship or other nefarious motives? Intrabranch separation of powers. In an interesting treatment of related problems, Neal Katyal suggests that the failure of the Madisonian system counsels “internal separation of powers” within the executive branch.77 Abdication by Congress means that there are few effective checks on executive power; second-best substitutes are necessary. Katyal proposes some mechanisms that would be adopted by Congress, such as oversight hearings by the minority party, but his most creative proposals are for arrangements internal to the executive branch, such as redundancy and competition among agencies, stronger civil-service protections and internal adjudication of executive controversies by insulated “executive” decisionmakers who resemble judges in many ways.78Katyal’s argument is relevant because the mechanisms he discusses might be understood as signaling devices, but his overall approach is conceptually flawed, on two grounds. First, the assumption that second-best constraints on the executive should reproduce the Madisonian separation of powers within the executive branch is never defended. The idea seems to be that this is as close as we can get to the first-best, while holding constant everything else in our constitutional order. But the general theory of second-best states that approaching as closely as possible to the first-best will not necessarily be the preferred strategy;79 the best approach may be to adjust matters on other margins as well, in potentially unpredictable ways. If the Madisonian system has failed in the ways Katyal suggests, the best compensating adjustment might be, for all we know, to switch to a parliamentary system. (We assume that no large-scale changes of this sort are possible, whereas Katyal seemingly assumes that they are, or at least does not make clear his assumptions in this regard). Overall, Katyal’s view has a kind of fractal quality – each branch should reproduce within itself the very same separation of powers structure that also describes the whole system – but it is not explained why the constitutional order should be fractal.

Second, Katyal’s proposals for internal separation of powers are self-defeating: the motivations that Katyal ascribes to the executive are inconsistent with the executive adopting or respecting the prescriptions Katyal recommends.80 Katyal never quite says so explicitly, but he clearly envisions the executive as a power-maximizing actor, in the sense that the president seeks to remove all constraints on his current choices.81 Such an executive would not adopt or enforce the internal separation of powers to check himself. Executive signaling is not, even in principle, a solution to the lack of constraints on a power-maximizing executive in the sense Katyal implicitly intends. Although an illmotivated executive might bind himself to enhance his strategic credibility, as explained above, he would not do so in order to restore the balance of powers. Nor is it possible, given Katyal’s premise of legislative passivity or abdication, that Congress would force the internal separation of powers on the executive. In what follows, we limit ourselves to proposals that are consistent with the motivations, beliefs, and political opportunities that we ascribe to the well-motivated executive, to whom the proposals are addressed. This limitation ensures that the proposals are not self-defeating, whatever their costs.

The contrast here must not be drawn too simply. A well-motivated executive, in our sense, might well attempt to increase his power. The very point of demonstrating credibility is to encourage voters and legislators to increase the discretionary authority of the executive, where all will be made better off by doing so. Scholars such as Katyal who implicitly distrust the executive, however, do not subscribe to this picture of executive motivations. Rather, they see the executive as an unfaithful agent of the voters; the executive attempts to maximize his power even where fully-informed voters would prefer otherwise. An actor of that sort will have no incentive to adopt proposals intended to constrain that sort of actor.

Independent commissions. We now turn to some conceptually coherent mechanisms of executive signaling. Somewhat analogously to Katyal’s idea of the internal separation of powers, **a well-motivated executive might establish independent commissions to review policy decisions, either before or after the fact. Presidents do this routinely, especially after a policy has had disastrous outcomes, but sometimes beforehand as well. Independent commissions are typically blue-ribbon and bipartisan.**82

We add to this familiar process the idea that **the President might gain credibility by publicly committing or binding himself to give the commission authority on some dimension. The president might publicly promise to follow the recommendations of such a commission, or to allow the commission to exercise de facto veto power over a policy decision before it is made, or might promise before the policy is chosen that the commission will be given power to review its success after the fact. To be sure, there will always be some wiggle room in the terms of the promise, but that is true of almost all commitments, which raise the costs of wiggling out even if they do not completely prevent it.**

Consider whether George W. Bush’s credibility would have been enhanced had he appointed a blue-ribbon commission to examine the evidence for weapons of mass destruction in Iraq before the 2003 invasion, and publicly promised not to invade unless the commission found substantial evidence of their existence. Bush would have retained his preexisting legal authority to order the invasion even if the commission found the evidence inadequate, but the political costs of doing so would have been large. Knowing this, and knowing that Bush shared that knowledge, the public could have inferred that Bush’s professed motive – elimination of weapons of mass destruction – was also his real motive. Public promises that inflict reputational costs on badly motivated behavior help the well-motivated executive to credibly distinguish himself from the ill-motivated one.

The more common version of this tactic is to appoint commissions after the relevant event, as George W. Bush did to investigate the faulty reports by intelligence agencies that Iraq possessed weapons of mass destruction.83 If the president appoints after-the-fact commissions, the commissions can enhance his credibility for the next event—by showing that he will be willing, after that event, to subject his statements to scrutiny by public experts. Here, however, the demonstration of credibility is weaker, because there is no commitment to appoint any after-the-fact commissions in the future – merely a plausible inference that the president’s future behavior will track his past behavior.

Bipartisan appointments. In examples of the sort just mentioned, the signaling arises from public position-taking. The well-motivated executive might produce similar effects through appointments to office.84 A number of statutes require partisan balance on multimember commissions; although these statutes are outside the scope of our discussion, we note that presidents might approve them because they allow the president to commit to a policy that legislators favor, thus encouraging legislators to increase the scope of the delegation in the first place.85 For similar reasons, presidents may consent to restrictions on the removal of agency officials, because the restriction enables the president to commit to giving the agency some autonomy from the president’s preferences.86

Similar mechanisms can work even where no statutes are in the picture. As previously mentioned, during World War II, FDR appointed Republicans to important cabinet positions, making Stimson his Secretary of War. Clinton appointed William Cohen, a moderate Republican, as Secretary of Defense in order to shore up his credibility on security issues. Bipartisanship of this sort might improve the deliberation that precedes decisions, by impeding various forms of herding, cascades and groupthink;87 however, we focus on its credibility-generating effects. By (1) expanding the circle of those who share the president’s privileged access to information, (2) ensuring that policy is partly controlled by officials with preferences that differ from the president’s, and (3) inviting a potential whistleblower into the tent, bipartisanship helps to dispel the suspicion that policy decisions rest on partisan motives or extreme preferences, which in turn encourages broader delegations of discretion from the public and Congress.

A commitment to bipartisanship is only one way in which appointments can generate credibility. Presidents might simply appoint a person with a reputation for integrity, as when President Nixon appointed Archibald Cox as special prosecutor (although plausibly Nixon did so because he was forced to do so by political constraints, rather than as a tactic for generating credibility). A person with well-known preferences on a particular issue, even if not of the other party or widely respected for impartiality, can serve as a credible whistleblower on that issue. Thus presidents routinely award cabinet posts to leaders of subsets of the president’s own party, leaders whose preferences are known to diverge from the president’s on the subject; one point of this is to credibly assure the relevant interest groups that the president will not deviate (too far) from their preferences.

The Independent Counsel Statute institutionalized the special prosecutor and strengthened it. But the statute proved unpopular and was allowed to lapse in 1999.88 This experience raises two interesting questions. First, why have presidents confined themselves to appointing lawyers to investigate allegations of wrongdoing; why have they not appointed, say, independent policy experts to investigate allegations of policy failure? Second, why did the Independent Counsel Statute fail? Briefly, the statute failed because it was too difficult to control the behavior of the prosecutor, who was not given any incentive to keep his investigation within reasonable bounds.89 Not surprisingly, policy investigators would be even less constrained since they would not be confined by the law, and at the same time, without legal powers they would probably be ignored on partisan grounds. A commission composed of members with diverse viewpoints is harder to ignore, if the members agree with each other.

More generally, the decision by presidents to bring into their administrations members of other parties, or persons with a reputation for bipartisanship and integrity, illustrates the formation of domestic coalitions of the willing. Presidents can informally bargain around the formal separation of powers90 by employing subsets of Congress, or of the opposing party, to generate credibility while maintaining a measure of institutional control. FDR was willing to appoint Knox and Stimson, but not to give the Republicans in Congress a veto. Truman was willing to ally with Arthur Vandenbergh but not with all the Republicans; Clinton was willing to appoint William Cohen but not Newt Gingrich. George W. Bush likewise made a gesture towards credibility by briefing members of the Senate Intelligence Committee – including Democrats – on the administration’s secret surveillance program(s), which provided a useful talking point when the existence of the program(s) was revealed to the public.

Counter-partisanship. Related to bipartisanship is what might be called counterpartisanship: presidents have greater credibility when they choose policies that cut against the grain of their party’s platform or their own presumed preferences.91 Only Nixon could go to China, and only Clinton could engineer welfare reform. Voters and publics rationally employ a political heuristic: the relevant policy, which voters are incapable of directly assessing, must be highly beneficial if it is chosen by a president who is predisposed against it by convictions or partisan loyalty.92 Accordingly, those who wish to move U.S. terrorism policy towards greater security and less liberty might do well to support the election of a Democrat.93 By the same logic, George W. Bush is widely suspected of nefarious motives when he rounds up alleged enemy combatants, but not when he creates a massive prescription drug benefit.

Counter-partisanship can powerfully enhance the president’s credibility, but it depends heavily on a lucky alignment of political stars. A peace-loving president has credibility when he declares a military emergency but not when he appeases; a belligerent president has credibility when he offers peace but not when he advocates military solutions. A lucky nation has a well-motivated president with a belligerent reputation when international tensions diminish (Ronald Reagan) and a president with a pacific reputation when they grow (Abraham Lincoln, who opposed the Mexican War). But a nation is not always lucky.

Transparency. **The well-motivated executive might commit to transparency, as a way to reduce the costs to outsiders of monitoring his actions**.94 The FDR strategy of inviting potential whistleblowers from the opposite party into government is a special case of this; the implicit threat is that the whistleblower will make public any evidence of partisan motivations. The more ambitious case involves actually exposing the executive’s decisionmaking processes to observation. To the extent that an ill-motivated executive cannot publicly acknowledge his motivations or publicly instruct subordinates to take them into account in decisionmaking, transparency will exclude those motivations from the decisionmaking process. **The public will know that only a well-motivated executive would promise transparency in the first place, and the public can therefore draw an inference to credibility.**

**Credibility is especially enhanced when transparency is effected through journalists with reputations for integrity or with political preferences opposite to those of the president.** Thus George W. Bush gave Bob Woodward unprecedented access to White House decisionmaking, and perhaps even to classified intelligence,95 with the expectation that the material would be published. This sort of disclosure to journalists is not real-time transparency – no one expects meetings of the National Security Council to appear on CSPAN – but **the anticipation of future disclosure can have a disciplining effect in the present. By inviting this disciplining effect, the administration engages in signaling in the present through (the threat of) future transparency.**

There are complex tradeoffs here, because transparency can have a range of harmful effects. As far as process is concerned, decisionmakers under public scrutiny may posture for the audience, may freeze their views or positions prematurely, and may hesitate to offer proposals or reasons for which they can later be blamed if things go wrong.96 As for substance, transparency can frustrate the achievement of programmatic or policy goals themselves. Where security policy is at stake, secrecy is sometimes necessary to surprise enemies or to keep them guessing. Finally, one must take account of the incentives of the actors who expose the facts—especially journalists who might reward presidents who give them access by portraying their decisionmaking in a favorable light.97

We will take up the costs of credibility shortly.98 In general, however, **the existence of costs does not mean that the credibility-generating mechanisms are useless. Quite the contrary: where the executive uses such mechanisms, voters and legislators can draw an inference that the executive is well-motivated, precisely because the existence of costs would have given an ill-motivated executive an excuse not to use those mechanisms.**

Multilateralism. Another credibility-generating mechanism for the executive is to enter into alliances or international institutions that subject foreign policy decisions to multilateral oversight. Because the information gap between voters and legislators, on the one hand, and the executive on the other is especially wide in foreign affairs, there is also wide scope for suspicion and conspiracy theories. If the president undertakes a unilateral foreign policy, some sectors of the domestic public will be suspicious of his motives. All recent presidents have faced this problem. In the case of George W. Bush, as we suggested, many have questioned whether the invasion of Iraq was undertaken to eliminate weapons of mass destruction, or to protect human rights, or instead to safeguard the oil supply, or because the president has (it is alleged) always wanted to invade Iraq because Saddam Hussein ordered the assassination of his father. In the case of Bill Clinton, some said that the cruise missile attack on Osama bin Laden’s training camp in Afghanistan was a “wag the dog” tactic intended to distract attention from Clinton’s impeachment.

A public commitment to multilateralism can close or narrow the credibility gap.

Suppose that a group of nations have common interests on one dimension – say, security from terrorism or from proliferation of nuclear weapons – but disparate interests on other dimensions – say, conflicting commercial or political interests. Multilateralism can be understood as a policy that in effect requires a supermajority vote, or even unanimity, among the group to license intervention. The supermajority requirement ensures that only interventions promoting the security interest common to the group will be approved, while interventions that promote some political agenda not shared by the requisite supermajority will be rejected. Knowing this, domestic audiences can infer that interventions that gain multilateral approval do not rest on disreputable motives.

It follows that multilateralism can be either formal or informal. Action by the United Nations Security Council can be taken only under formal voting rules that require unanimity. Informally, in the face of increasing tensions with Iran, George W. Bush’s policy has been extensive multilateral consultations and a quasi-commitment not to intervene unilaterally. Knowing that his credibility is thin after Iraq, Bush has presumably adopted this course in part to reassure domestic audiences that there is no nefarious motive behind an intervention, should one occur.

It also follows that multilateralism and bipartisan congressional authorization may be substitutes, in terms of generating credibility. In both cases the public knows that the cooperators – partisan opponents or other nations, as the case may be – are unlikely to share any secret agenda the president may have. The substitution is only partial, however; as we suggested in Part III, the Madisonian emphasis on bipartisan authorization has proven insufficient. The interests of parties within Congress diverge less than do the interests of different nations, which makes the credibility gain greater under multilateralism. In eras of unified government, the ability of the president’s party to put a policy through Congress without the co-operation of the other party (ignoring the threat of a Senate filibuster, a weapon that the minority party often hesitates to wield) often undermines the policy’s credibility even if members of the minority go along; after all, the minority members may be going along precisely because they anticipate that opposition is fruitless, in which case no inference about the policy’s merits should be drawn from their approval. Moreover, even a well-motivated president may prefer, all else equal, to generate credibility through mechanisms that do not involve Congress, if concerned about delay, leaks, or obstruction by small legislative minorities. Thus Truman relied on a resolution of the United Nations Security Council rather than congressional authorization to prosecute the Korean War.99

The costs of multilateralism are straightforward. Multilateralism increases the costs of reaching decisions, because a larger group must coordinate its actions, and increases the risks of false negatives – failure to undertake justified interventions. A president who declines to bind himself through multilateralism may thus be either illmotivated and desirous of pursuing an agenda not based on genuine security goals, or well-motivated and worried about the genuine costs of multilateralism. As usual, however, the credibility-generating inference holds asymmetrically: precisely because an ill-motivated president may use the costs of multilateralism as a plausible pretext, a president who does pursue multilateralism is more likely to be well-motivated.

Strict liability. For completeness, we mention that the well-motivated executive might in principle subject himself to strict liability for actions or outcomes that only an ill-motivated executive would undertake. Consider the controversy surrounding George W. Bush’s telecommunications surveillance program, which the president has claimed covers only communications in which one of the parties is overseas; domestic-to-domestic calls are excluded.100 There is widespread suspicion that this claim is false.101 In a recent poll, 26% of respondents believed that the National Security Agency listens to their calls.102 The credibility gap arises because it is difficult in the extreme to know what exactly the Agency is doing, and what the costs and benefits of the alternatives are.

Here the credibility gap might be narrowed by creating a cause of action, for damages, on behalf of anyone who can show that domestic-to-domestic calls were examined.103 Liability would be strict, because a negligence rule – did the Agency exert reasonable efforts to avoid examining the communication? – requires too much information for judges, jurors, and voters to evaluate, and would just reproduce the monitoring problems that gave rise to the credibility gap in the first place. Strict liability, by contrast, would require a much narrower factual inquiry. Crucially, a commitment to strict liability would only be made by an executive who intended to minimize the incidence of (even unintentional and non-negligent) surveillance of purely domestic communications.

However, there are legal and practical problems here, perhaps insuperable ones. Legally, it is hardly clear that the president could, on his own authority, create a cause of action against himself or his agents to be brought in federal court. It is well within presidential authority to create executive commissions for hearing claims against the United States, for disbursing funds under benefit programs, and so on; but the problem here is that there might be no pot of money from which to fund damages. The so-called Judgment Fund, out of which damages against the executive are usually paid, is restricted to statutorily-specified lawsuits. If so, statutory authorization for the president to create the strict liability cause of action would be necessary, as we discuss shortly.104 Practically, it is unclear whether government agents can be forced to “internalize costs” through money damages in the way that private parties can, at least if the treasury is paying those damages.105 And if it is, voters may not perceive the connection between governmental action and subsequent payouts in any event.

The news conference. Presidents use news conferences to demonstrate their mastery of the details of policy. Many successful presidents, like FDR, conducted numerous such conferences.106 Ill-motivated presidents will not care about policy if their interest is just holding power for its own sake; thus, they would regard news conferences as burdensome and risky chores. The problem is that a well-motivated president does not necessarily care about details of policy, as opposed to its broad direction, and journalists might benefit by tripping up a president in order to score points. Reagan, for example, did not care about policy details, but is generally regarded as a successful president.107 To make Reagan look good, his handlers devoted considerable resources trying to prepare him for news conferences, resources that might have been better used in other ways.108

“Precommitment politics.”109 We have been surveying mechanisms that the wellmotivated executive can employ once in office. However, in every case the analysis can be driven back one stage to the electoral campaign for executive office. During electoral campaigns, candidates for the presidency take public positions that partially commit them to subsequent policies, by raising the reputational costs of subsequent policy changes. Under current law, campaign promises are very difficult to enforce in the courts.110 But even without legal enforcement, position-taking helps to separate the well-motivated from the ill-motivated candidate, because the costs to the former of making promises of this sort are higher. To be sure, many such promises are vacuous, meaning that voters will not sanction a president who violates them, but some turn out to have real force, as George H.W. Bush discovered when he broke his clear pledge not to raise taxes.

**1NC**

**Obama is all in on Syria --- his capital is critical to secure congressional support**

**Brown & Sherman, 9/4** (CARRIE BUDOFF BROWN and JAKE SHERMAN, 9/4/2013, “President Obama’s political capital spreads thin,” <http://www.politico.com/story/2013/09/obamas-political-capital-spreads-thin-96306.html)>)

President Barack Obama faced a heavy lift in Congress this fall when his agenda included only budget issues and immigration reform.

Now **with Syria in the mix, the president appears ready to spend a lot of the political capital that he would have kept in reserve for his domestic priorities**.

**A resolution authorizing the use of force in Syria won’t make it through the House or the Senate without significant cajoling from the White House. That means Obama**, who struggles to get Congress to follow his lead on almost everything, **could burn his limited leverage convincing Democrats and Republicans to vote for an unpopular military operation that even the president says he could carry out with or without their approval**.

“The only effect is — and I don’t mean this to be dismissive in any way — **it will be taking up some time and there be some degree of political capital expended by all,” said Sen.** Bob **Corker** (R-Tenn.), **the Foreign Relations Committee ranking member who helped draft the Senate resolution**. “At the end of the day, it’s a tough vote for anybody because the issue is trying to draft an authorization knowing that they’re going to implement it.”

**Fighting to defend his war power will sap Obama’s capital, trading off with rest of agenda**

**Kriner, 10** --- assistant professor of political science at Boston University

(Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, University of Chicago Press, Dec 1, 2010, page 68-69)

**While congressional support leaves the president’s reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president’s foreign policies is capital that is unavailable for his future policy initiatives**. Moreover, any weakening in the president’s political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War. 60

**In addition to boding ill for the president’s perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic.** Scholars have long noted that President Lyndon **Johnson’s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking** the requisite funds in a war-depleted treasury and **the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away** as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, **many of** President **Bush’s highest second-term domestic proprieties, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.**61

**When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies.** If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

**There’s overwhelming support for the current AUMF structure — their article**

**Boardman, 5/26** [William, Global Research: Centre for Research on Globalization, “America’s “Permanent War”: The “Authorization to Use Military Force” Forever?”, <http://www.globalresearch.ca/americas-permanent-war-the-authorization-to-use-military-force-forever/5336452>, BJM]

In 2001, **Authorizing Permanent War Was Bi-Partisan**

Given this blatant abdication of constitutional responsibility by Congress, one might assume its passage was controversial and fraught with high-minded argument.  It was not**.  It passed both houses easily, without** meaningful **debate**.

**In the house, 420 Representatives voted for the AUMF**, co-sponsored by Republican Richard Armey and Democrat Richard Gephardt, and ten (five of each party) did not vote.   **The identical Senate version** of the AUMF, co-sponsored by Democrat Thomas Daschle and Republican Trent Lott, **passed 98-0 with two Republicans not voting.**

The only principled vote on the AUMF – **the lone vote against it in the House – was cast** **by** **California Democrat Barbara Lee**.  Like the rest of her colleagues, Lee was ready to authorize the President to strike back against those who had attacked us.  As she wrote in part at the time:

**Winning congressional support is critical to send a clear signal to Iran to deter nuclear development and use**

**Alterman, 9/4** --- teaches Middle Eastern studies at the Johns Hopkins School of Advanced International Studies and George Washington University and directs the Middle East program at CSIS (Jon B., “US-Iran Nuclear Deal Hinges On Syria Vote,” <http://www.al-monitor.com/pulse/originals/2013/09/us-iran-nuclear-deal-hinges-on-syria-vote.html)>)

Many have pointed out that the Iranian government is watching closely what the Barack Obama administration does in Syria. **With the president having declared a year ago that the Syrian government’s use of chemical weapons “would be a game changer,” the Iranian government wonders what the new game will be. It does so not only out of interest in its clients in Syria, but more important, to judge what Obama’s reaction might be if Iran acquires a nuclear weapons capability, which the president has declared as another red line.**

Focusing solely on events in Syria, however, misses a large part of the Iranian calculus, if not the largest. **What really matters to Iran is how successful Obama is in winning congressional support for his Syria policy**. **If he fails, it will deal a double blow** to the president. **Not only will the Iranian government dismiss the possibility of negotiations with his administration, it will also conclude that Obama can be defied with impunity**. **The international cost of domestic political failure would be profound.**

To start, it is worth noting the extent to which **foreign governments are sophisticated consumers of American political information**. Decades of international cable news broadcasts and newspaper websites have brought intimate details of US politics into global capitals. Foreign ministers in the Middle East and beyond are US news junkies, and they seem increasingly distrustful of their embassies. For key US allies, the foreign minister often seems to have made him- or herself the US desk officer. Most can have a quite sophisticated discussion on congressional politics and their impact on US foreign relations.

**The Iranian government is no exception.** While former president Mahmoud Ahmedinejad was emotional and shrill in his opposition to the United States, there remains in Iran a cadre of Western-trained technocrats, fluent in English and nuanced in their understanding of the world. President Hassan Rouhani has surrounded himself with such people, and Supreme Leader Ayatollah Ali Khamenei has charged them with investigating a different relationship between Iran and the United States.

As they do so, they cannot help but be aware that on the eve of Rouhani’s inauguration, the US House of Representatives voted 400–20 to impose stiff additional sanctions on Iran. The House saw Rouhani’s electoral victory as a call for toughness, not potential compromise.

**If Iran were to make concessions in a negotiation with the** **U**nited **S**tates, **they would surely seek sanctions relief and other actions requiring congressional approval. To make such concessions to Obama, they would need some confidence that he can deliver. A president who cannot bring around a hostile Congress is not a president with whom it is worth negotiating.**

In this respect, **Syria is a dry run for Obama's lobbying ability on foreign policy**. Until now, his record with Congress has been checkered. Congressional representatives complain that the White House has given them the cold shoulder time after time, and there seems to be little warmth between the president and his former colleagues in the legislature. **Persuading Congress to back a military action that the majority of the public opposes will require presidential charm, pressure, and a good measure of buttonholing and jawboning.** Based on his past performance, Obama appears to be neither a joyful nor an especially skillful practitioner of these political arts.

**As difficult as it is for Obama to persuade Congress to fight another battle in the Middle East, it would be even more difficult to persuade it to accept a negotiated deal with Iran**. Suspicions about Iran run deep in the United States, as well as among many US allies in the Middle East. Should the White House decide to focus principally on the president’s domestic legacy, it may seem less costly to deter Iran and maintain that no clear nuclear threshold has been crossed than to sell a deal to a skeptical Congress. That would then put the onus on Iran to make any approach to the United States sufficiently attractive to gain the president’s attention. **Iranians will surely view a demonstration of the president’s inability to bring Congress along on Syria as a sign that there is no hope of his delivering Congress on Iran. US-Iranian negotiations, surely in the offing for later this year, would be stillborn.**

There is, however, an even more stark consequence of Obama losing the Syria vote in Congress. **Should the White House, with its immense power and prestige, fail to build sufficient support, leaders around the world will conclude that this president can be defied with impunity.** If he cannot win the support of those close to him, what hope does he have of winning over those at a distance?

**The consequence here would be a combination of much more difficult diplomacy and even more bad behavior around the world that requires diplomacy to address. Hard-liners in Iran and their allies around the Middle East would certainly be emboldened**, and regional states would be far less likely to rely on US cues in managing their own issues. **Arab-Israeli negotiations, as well, would be dealt a fundamental blow, as each party would retreat to its own maximal position. China, Russia and a host of other countries are watching closely as well.**

**Whether seeking congressional approval for military action against Syria was the right decision, it is a gambit** President **Obama cannot afford to lose**. What **he has** done is **raise the stakes**, not only for the remaining years of his presidency, but also **for the US role in the world**. For a president who has sought to end unnecessary US entanglements in the Middle East, **his entire foreign policy legacy hinges on persuading Congress that one more entanglement is necessary. If he cannot do that, the results will resound for years to come.**

**Emboldening Iran causes more nuclearization and nuclear conflict**

**Kroenig and McNally ’13**— Matthew, assistant professor and international relations field chair in the department of government at Georgetown University, Stanton Nuclear Security Fellow at the Council on Foreign Relations; and Robert, served as Senior Director for International Energy at the U.S. National Security Council and Special Assistant to the President at the U.S. National Economic Council, March 2013 (Matthew and Robert, “Iranian Nukes and Global Oil,” The American Interest, Vol. 8, No. 4.)

But the impact of sanctions on future Iranian production pales in comparison to the other geo-economic implications of nuclear weapons in Iran. **A nuclear Iran will likely increase the frequency and scope of geopolitical conflict** in the Persian Gulf and the broader Middle East. While policy analysts continue to debate how to deal with Iran’s nuclear program, most agree a nuclear-armed Iran would have grave repercussions for the region. In March 2012 President Obama stated that U.S. policy was to prevent—not contain—a nuclear-armed Iran, and he explained why: “The risks of an Iranian nuclear weapon falling into the hands of terrorist organizations are profound. It is almost certain that **other players in the region would feel it necessary to get their own nuclear weapons.** So now **you have the prospect of a nuclear arms race in the most volatile region in the world,** one that is rife with unstable governments and sectarian tensions. And it would also provide Iran the additional capability to sponsor and protect its proxies in carrying out terrorist attacks, because they are less fearful of retaliation.”10 President Obama’s fears are well-founded. **Iran harbors ambitious geopolitical goals**. After national survival, **Iran’s primary objective is to become the most dominant state in the Middle East.** In terms of international relations theory, Iran is a revisionist power. Its master national-historical narrative holds that Iran is a glorious nation with a storied past, and that it has been cheated out of its rightful place as a leading nation: **Like pre-World War I Germany** and China today, **it is determined to reclaim its place in the sun. Currently, Iran restrains its hegemonic ambitions because it is wary of U.S.** or Israeli **military responses**—particularly the former. But if Iran obtained nuclear weapons, its adversaries would be forced to treat it with deference if not kid gloves, even in the face of provocative acts. Iran would achieve a degree of “inverted deterrence” against stronger states by inherently raising the stakes of any military conflict against it to the nuclear level.11 As such, nuclear weapons would provide Iran with a cover under which to implement its regional ambitions with diminished fear of a U.S. military reprisal. A nuclear-armed Iran would likely step up its support for terrorist and proxy groups attacking Israeli, Saudi and U.S. interests in the greater Middle East and around the world; increase the harassment of and attacks against naval and commercial vessels in and near the Persian Gulf; and be more aggressive in its coercive diplomacy, possibly **brandishing nuclear weapons in an attempt to intimidate adversaries** and harmless, weaker neighbors alike. In short, **a nuclear-armed Iran would exacerbate current conflicts in the Middle East**, and this likely bears jarring consequences for global oil prices. Because of the heightened threat to global oil supply that a nuclear-armed Iran would pose, market participants would certainly add a large “risk premium” to oil prices. Oil prices reflect perceived risk in addition to information on actual events or conditions in the market. Recent history shows that even without nuclear weapons, Iran-related events in the Middle East have affected oil prices on fears they could spark a regional war. Traders bid up oil prices in January 2006 when the IAEA referred Iran to the UN Security Council. In subsequent months, news reports about heated Iranian rhetoric and military exercises helped to drive crude prices up further. The surprise outbreak of the Israel-Hizballah war in 2006, not entirely unrelated to concerns about Iran, triggered a $4 per barrel spike on contagion fears. The Iran risk premium subsided after 2007, but a roughly $10–$15 per barrel (10 percent) risk premium returned in early 2012 after the United States and the European Union put in place unusually tough sanctions and hawkish rhetoric on both sides heated up. A survey of nearly two dozen traders and analysts conducted by the Rapidan Group found that a protracted conventional conflict between the United States and Iran that resulted in a three-week closure of shipping through the Strait of Hormuz would lead to a $25 per barrel rise in oil prices, despite the use of strategic petroleum reserves.12 Were Tehran to acquire nuclear weapons, the risk premium would greatly exceed the $4–$15 per barrel (roughly 4–15 percent at current prices) already caused by a non-nuclear Iran.13 We expect a belligerent, nuclear-armed Iran would likely embed a risk premium of at least $20–$30 per barrel and spikes of $30–$100 per barrel in the event of actual conflict. Such price increases would be extremely harmful to economic growth and employment. The challenges a nuclear-armed Iran would pose for the oil market are exacerbated by a prospective diminished U.S. ability to act as guarantor of stability in the Gulf. U.S. military presence and intervention has been critical to resolving past threats or geopolitical crises in the region. It has also calmed oil markets in the past. Examples include escorting oil tankers during the Iran-Iraq War, the destruction of much of Iran’s surface fleet in response to Iran’s mining the Gulf in 1988 and leading a coalition to repel Saddam Hussein’s short-lived invasion of Kuwait in August 1990. Currently, the United States can use and threaten to use force against Iran without fear that Iran will retaliate with nuclear weapons. When Iran has threatened to close the Strait of Hormuz in the past, for example, the United States has announced that it would reopen the Strait if Iran went through with it, confident that the U.S. military could quickly prevail in any conventional conflict with Iran while running very little risk of retaliation. **If Iran had nuclear weapons**, however, U.S. military options would be constrained by inverted deterrence. U.S. threats to use force to reopen the Strait could be countered by **Iranian threats to use devastatingly deadly force against U.S. allies, bases or forces in the region.** Such threats might not be entirely credible since the U.S. military would control any imaginable escalation ladder up to and including the nuclear threshold, but it **wouldn’t be entirely incredible,** either, **given the risk of accident or inadvertent nuclear use in a high-stakes crisis**. If, further, Iran develops ballistic missiles capable of reaching the United States—and the annual report of the U.S. Department of Defense estimates this could happen as soon as 2015—**Iran could** also **threaten nuclear strikes against the U.S. homeland in retaliation for the use of conventional forces in the region.** Any U.S. President would have to think long and hard about using force against Iran if it entailed a risk of nuclear war, even a nuclear war that the United States would win. Most worrisome, **an unstable, poly-nuclear Middle East will** mean that nuclear weapons will be ever-present factors in most, if not all, future regional conflicts. As President Obama noted in the remarks excerpted above, if Iran acquires nuclear weapons, Saudi Arabia, Turkey, Egypt and other states might follow suit. Nuclear weapons in these states would further complicate the nuclear balance in the region and potentially **extend the boundaries of any nuclear exchange.**  **Even if Iran’s leaders are less reckless and suicidal than their rhetoric would suggest, international politics, crises and miscalculation do not end when countries acquire nuclear weapons**. Nuclear powers still challenge nuclear-armed adversaries. As the early decades of the Cold War remind us, nuclear-armed states do sometimes resort to nuclear brinkmanship that can lead to high-stakes nuclear standoffs. **We were lucky to survive the Cold War without suffering a massive nuclear exchange**; President Kennedy estimated that the probability of nuclear war in the Cuban Missile Crisis alone was as high as 50 percent.14 The reference to the early days of the Cold War is not merely decorative here. **Nearly all of the conditions that helped us avoid nuclear war during the latter half of the Cold War are absent from the Iran-Israel-U.S. nuclear balance. Then, there were only two players, both with secure, second-strike capabilities and strategic depth**; relatively **long flight times for ballistic missiles between states, enabling all sides to eschew launch-on-warning postures; clear lines of communication between capitals**; and more. **In a high-stakes nuclear crisis with Iran** and its adversaries, there is a real risk that **things could spiral out of control and result in nuclear war.**

**Solvency**

**Their solvency author recommends adopting a more specific standard then what the plan codifies. The affirmative leaves open loopholes that the executive will utilize to circumvent the plan – obliterates solvency**

**Coronogue 12**, JD at duke

(Graham, A NEW AUMF: DEFINING COMBATANTS IN THE WAR ON TERROR, scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1294&context=djcil)

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.** B**eyond 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.**

(2) 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 al- Qaeda 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.

**War on Terror**

**Lack of ANSF training is an alt cause — their article**

**Kagan, 7/18**/2013 [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”, <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.

**\*Stanford Stops Here\***

American airpower supporting local Afghan militias drove al Qaeda from its training bases near the major Afghan cities of Kandahar and Jalalabad in 2001, but the group retreated to mountain fastnesses near (but not over) the Pakistan border.  Since there is now some debate about the wisdom of introducing American ground forces into Afghanistan in the first place, it is worth remembering that only the operations of those (very limited) ground forces we deployed in 2002 actually drove al Qaeda out of Afghanistan almost entirely.  Although limited al Qaeda cells and individual (generally low-ranking) leaders have remained in Afghanistan (primarily in the extremely rugged and remote areas of Afghanistan's northeast), the leadership group never returned, nor have new training camps or bases been established.  The continued limited al Qaeda presence in Afghanistan and periodic statements by the group, however, indicate that it has not abandoned the desire to re-establish itself in its former strongholds.  Continued success in Afghanistan therefore requires ensuring that the ANSF remains strong and coherent enough to prevent al Qaeda from returning after the withdrawal of U.S. combat forces.

**The risk of terror is very low and they need to secure fissile material to solve — your author**

**Allison, IR Director @ Harvard, 12** [Graham, 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]

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.

**Troops are insufficient to solve bioterror — your author**

**Myhrvold 13** [Nathan, formerly Chief Technology Officer at Microsoft, is co-founder of Intellectual Ventures—one of the largest patent holding companies in the world, “Strategic Terrorism: A Call to Action”, The Lawfare Research Paper Series Research paper NO . 2, <http://www.lawfareblog.com/wp-content/uploads/2013/07/Strategic-Terrorism-Myhrvold-7-3-2013.pdf>, BJM]

Worries about the future of the human race are hardly novel. indeed, the notion that terrorists or others might use weapons of mass destruction is so commonplace as to be almost passé. spy novels, movies, and television dramas explore this plot frequently. We have become desensitized to this entire genre, in part because James Bond always manages to save the world in the end. reality may be different. in my estimation, the U.s. government, although well-meaning, is unable to protect us from the greatest threats we face. The other nations of the world are also utterly unprepared. even obvious and simple steps are not being taken. The gap between what is necessary and what is being contemplated, much less being done, is staggering. my appraisal of the present situation does not discount the enormous efforts of many brave men and women in law enforcement, intelligence services, and the military. These people are doing what they can, but the resources that we commit to defense and the gathering of intelligence are mostly squandered on problems that are far less dangerous to the american public than the ones we are ignoring. addressing the issue in a meaningful way will ultimately **require large structural changes in many parts of the government**. so far, however, our political leaders have had neither the vision to see the enormity of the problem nor the will to combat it. These weaknesses are not surprising: bureaucracies change only under extreme duress. and despite what some may say, the shocking attacks of september 11th, 2001, have not served as a wake-up call to get serious. given the meager response to that assault, every reason exists to believe that sometime in the next few decades america will be attacked on a scale that will make 9/11 look trivial by comparison. The goal of this essay is to present the case for making the needed changes before such a catastrophe occurs. The issues described here are too important to ignore.

**Training Yemen’s military is necessary to solve — the paragraph before their card**

**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]

In the 2012 government offensive, the international press reported the widespread use of U.S. drones, which, according to those same reports, may have tipped the tide of battle by gathering intelligence and serving to eliminate key insurgent leaders at important points in the campaign. While drone use has many political drawbacks, the possibility that it helped determine the outcome of the summer offensive is worth considering. If the Yemeni military had been defeated by AQAP in this effort, the government might have collapsed at an excruciatingly sensitive time, possibly leaving the country in anarchy. Such a defeat would also create the conditions for an even more deeply rooted AQAP presence in southern Yemen, with no countervailing Yemeni authority capable of moving against it. The success of the government’s southern offensive would therefore seem to have been vitally important to U.S. national interests in the region. If Yemeni forces had failed, and particularly if they had failed ignominiously, a newly energized terrorist movement could have plagued the region and the world. Unfortunately, despite the 2012 victory, the struggle for control of Yemen is still subject to uncertainty, and an AQAP insurgent comeback there remains a disturbing possibility. Moreover, the use of U.S. drones to ensure Yemeni security has already been seen to be deeply unpopular among many Yemeni citizens. Consequently, drones should not be treated as a long-term solution to that country’s security problems. A more optimal long-term solution is a Yemeni military that is capable of maintaining national security without the direct involvement of foreign forces. Military reform, therefore, remains a vital aspect of dealing with Yemen’s security issues. Yemeni forces are currently making some progress in this regard, and President Hadi has made a strong effort to modernize the military’s structure and eliminate the warlord-style leadership of some Yemeni commanders. During the 2009-12 timeframe, AQAP also maintained a vigorous effort to strike against the United States, despite its increasing focus on expanding the southern insurgency, and then resisting subsequent government advances in that region. AQAP leaders considered terrorist strikes against the United States and efforts to defeat the Yemeni government as overlapping priorities despite the potential for a dissipation of resources with an overly ambitious agenda. Additionally, AQAP leaders did not seem to fear possible U.S. intervention with ground forces into Yemen in the aftermath of such a strike and may even have welcomed it. If the United States had invaded Yemen in response to a spectacular terror strike, it is almost certain that large elements of the population would have been willing to fight any foreign invader, no matter how valid the reason for intervention might have been. In such circumstances, the U.S. leadership would have an overwhelming need to strike back hard and might easily choose the wrong way of doing so.

**\*\*\*Stanford Starts Here ☹\*\*\***

U.S. support for Yemen remains important, and the United States 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.

**Their arguments are the product of a culture of fear — they reify Islamaphobia**

**Mishra 11**

(Pankaj, Indian Writer, “After 9/11: our own low, dishonest decade”, http://www.guardian.co.uk/books/2011/sep/02/after-september-11-pankaj-mishra)

At once hysterical and empty, such **battle-cries define** not only the dominant rhetorical style of this era but also **the nature of the 9/11 wars**: optimal and **extensive destruction attended by minimal meaning**, **announcements of a cosmic contest accompanied by** what Burke calls an **"appalling ignorance" of** the **"local conditions**, the circumstances and the cultures of other protagonists". Indeed, **false historical analogies**, loudly and repetitively asserted, **replaced the attempt at knowledge**. The dictator of Iraq, his name mispronounced menacingly as "Sad-Damn", was another Hitler; not removing him amounted to a second Munich. **One forceful interpretation** of 9/11 **compared the anti-west pan-Islamism of** men like **Bin Laden to the totalitarian ideologies** – nazism, communism, fascism – of the previous century and concluded that there was now in the world another evil called "Islamofascism", which was no less malign and potent than the other anti-liberal "isms" vanquished by the liberal-democratic west. **The blithe mixing of disparate "isms"**, which **overlooked** the sobering detail **that the majority of the world's population has identified the west as much with imperialism as with liberal democracy**, created a heady cocktail: the misconception, repeatedly touted as a justification behind the invasion of Iraq, that "Islamofascism" was embodied by a secular despot like Saddam Hussein as well as by Osama bin Laden, and would require a tough, generation-long battle to subdue. Not surprisingly, a large majority of Americans came to hold Saddam Hussein responsible for the 9/11 attacks. ❦ The sense of mad overkill, intellectual as well as military, grows more oppressive when you realise that, though al-Qaida murdered many people on 9/11 and undermined American self-esteem, the capacity of a few homicidal fanatics to seriously harm a large and powerful country such as the US was always limited. **There is nothing surprising about their spectacular lack of success in rousing Muslim masses anywhere** (as distinct from inciting a few no-hopers into suicidal terrorism). **Their fantasy of a universal caliphate was** always **more likely to provoke fierce Muslim resistance than the globalising project of the west**. **Over-reaction to al-Qaida was by far the bigger danger to the west** throughout the last decade; **and**, as it happened, **groups of rootless conspirators**, initially cultishly small and marginal, **quickly proliferated around the world as a direct result of western military and ideological excesses** after 9/11. **The damage to the west** in the last decade **has been** overwhelmingly **self-inflicted**. Some of the domestic toll is visible in the draconian restrictions on civil liberties, **the vast bureaucracy of "security" and the increased surveillance**, electronic eavesdropping and other infringements of individual privacy and dignity that now seem routine and irrevocable. "War," Randolph Bourne famously warned in the early 20th century, "is the health of the state." It is now also the health of companies such as Halliburton, Blackwater (now Xe Services) and Lockheed Martin that are embedded with the state. More appallingly, war is the atrophy of the individual conscience. In The Submission, which intrepidly records the bitter spiritual aftermath of 9/11, a character laments how "afraid" everyone has been in the last decade "of appearing unpatriotic, of questioning government, leaders. **Fear has justified war, torture, secrecy, all kinds of violations of rights and liberties**."

**No risk of bioterror**

**Leitenberg 5** (MILTON LEITENBERG is a senior research scholar at the University of Maryland and is the author of "Assessing the Biological Weapons and Bioterrorism Threat." LA Times – Feb 17th – lexis)

A pandemic flu outbreak of the kind the world witnessed in 1918-19 could kill hundreds of millions of people. The only lethal biological attack in the United States -- the anthrax mailings -- killed five. But the annual budget for combating bioterror is more than $7 billion, while Congress just passed a $3.8-billion emergency package to prepare for a flu outbreak. The exaggeration of the bioterror threat began more than a decade ago after the Japanese Aum Shinrikyo group released sarin gas in the Tokyo subways in 1995. The scaremongering has grown more acute since 9/11 and the mailing of anthrax-laced letters to Congress and media outlets in the fall of 2001. Now an edifice of institutes, programs and publicists with a vested interest in hyping the bioterror threat has grown, funded by the government and by foundations. Last year, for example, Senate Majority Leader Bill Frist described bioterrorism as "the greatest existential threat we have in the world today." But how could he justify such a claim? Is bioterrorism a greater existential threat than global climate change, global poverty levels, wars and conflicts, nuclear proliferation, ocean-quality deterioration, deforestation, desertification, depletion of freshwater aquifers or the balancing of population growth and food production? Is it likely to kill more people than the more mundane scourges of AIDS, tuberculosis, malaria, measles and cholera, which kill more than 11 million people each year? So what substantiates the alarm and the massive federal spending on bioterrorism? There are two main sources of bioterrorism threats: first, from countries developing bioweapons, and second, from terrorist groups that might buy, steal or manufacture them. The first threat is declining. U.S. intelligence estimates say the number of countries that conduct offensive bioweapons programs has fallen in the last 15 years from 13 to nine, as South Africa, Libya, Iraq and Cuba were dropped. There is no publicly available evidence that even the most hostile of the nine remaining countries -- Syria and Iran -- are ramping up their programs. And, despite the fear that a hostile nation could help terrorists get biological weapons, no country has ever done so -- even nations known to have trained terrorists.

**It takes years and multiple failed attempts to be operational**

**Palmquist 8** Matt. “How and why the threat of bioterrorism has been so greatly exaggerated.” 5-19-08. http://www.miller-mccune.com/politics/bioterror-in-context-355

Clark: The more I looked into it, I thought, "Jeez, what are these guys talking about?" What are the odds that a terrorist group, no matter how well financed, would be able to create a bioterror weapon? I [Clark] began looking into what it takes to really make a successful bioterrorism agent, and I just became very skeptical of this whole thing. The (United States ) military gave up bioweapons 30 years ago. They're too undependable; they're too hard to use; they're too hard to make. Then I started checking around, and I found there's a whole literature out there of people who've been screaming for years that this whole bioterrorism thing is really overblown; it's not practical; it's never going to work. Aum Shinrikyo couldn't get it to work; those guys put millions and millions of dollars into it. So you think of a bunch of guys sitting in a cave in Afghanistan — they're sure as hell not going to do it. Is any government going to do it? No. So that made me very skeptical, and I went back to Oxford and said, "This whole thing's a crock." And they said, "But that's even more interesting!" M-M: Thus the question mark at the end of the title, Bracing for Armageddon? Clark: Yeah, exactly. Scientifically, it is a crock. And this really verges into the political, but we've spent $50 billion on it. So Oxford paid for me to take a trip back East and talk to a bunch of these voices that haven't been heard and interview them. M-M: How much research was involved? Clark: A couple of years. The science is pretty straightforward on paper. The kind of an organization you'd have to put together, with the varying expertise that is required to make one of these things and deploy it, takes a whole group of people with all kinds of different skills, from engineers to meteorologists. That's just not going to happen. You can run an airplane into an office tower, and you get instant everything you could ever possibly hope for. So why would anybody sit around for years and years? The Aum Shinrikyo guys tried for six, seven years and couldn't get it to work. And a lot of them had Ph.D.s.

**AQAP is weak – not planning an attack**

**Shephard 8/8/13** (Michelle, Toronto Star National Security reporter, “Yemeni Al Qaeda expert casts doubt on terror threat claims”, TheStar, http://www.thestar.com/news/world/2013/08/08/yemeni\_al\_qaeda\_expert\_casts\_doubt\_on\_terror\_threat\_claims.html)

Yemen’s foremost Al Qaeda researcher says recent U.S. drone strikes have failed to kill senior leaders of the organization, and he dismisses claims that a plot to bomb a Canadian-owned oil facility was foiled by Yemeni authorities.¶ Abdulrazzaq al**-Jamal, a journalist and researcher who has been given exclusive access to** the terrorist group’s Yemen branch, Al Qaeda in the Arabian Peninsula (**AQAP), said the series of drone strikes in the past 12 days have killed** 32 people, including **low-level foot soldiers and civilians.¶** “Among **those killed are the ones who are largely . . . on the periphery of the organization,”** Jamal said from Yemen’s capital, Sanaa, in a wide-ranging phone interview with the Toronto Star on Thursday.¶ It is not uncommon to have conflicting reports about those killed in drone attacks — AQAP leaders have been reported dead, only to release statements weeks later.¶ The Associated Press reported that 34 suspected Al Qaeda militants were killed in recent strikes, including 12 deaths in three strikes on Thursday. Reuters put Thursday’s death toll at eight, for a two-week total of 25 suspected militants.¶ **The contradictory claims add to confusion about why the U.S. has dramatically increased its drone strikes in Yemen**, and what prompted it to issue a worldwide travel warning last Friday and keep 19 embassies throughout Africa and the Middle East closed this week.¶ **Jamal says he is skeptical of many of the recent reports on the matter, including a claim that the unprecedented security measures are due to an intercepted direct communication between AQAP leader** Nasser al-Wahishi **and** Ayman al-Zawahiri, who became **Al Qaeda’s leader** in 2011 after Osama bin Laden was killed. U.S. officials have stated that Wahishi was recently appointed to Al Qaeda’s No. 2 position.¶ “I did not hear any of this through the usual channels,” Jamal said. But he noted that “whether Wahishi is No. 2 or 10 or 20, it’s irrelevant. Al Qaeda’s activities continue as usual.” In addition, AQAP operates independently and would not need direction from Zawahiri, he said.¶ **Jamal is considered among journalists to have the best access to AQAP’s inner circle,** although he said he has not personally met Wahishi or the group’s elusive bomb-maker, Ibrahim al-Asiri.¶ In 2011, Jamal spent weeks with AQAP members when the group had control of the town of Zinjibar, leading some critics to accuse him of writing sympathetic portrayals of the organization. Jamal also interviewed a top Al Qaeda leader, Fahd al-Quso, before he was killed in a drone strike in Yemen last year. Quso was the alleged planner of the bombing of the USS Cole in 2000, which killed 17 American sailors. ¶ Two of Thursday’s drone strikes reportedly hit Yemen’s eastern province of Hadramaut, where Yemeni authorities claimed AQAP was poised to take over the provincial capital Mukalla, a key sea port, and attack the Canadian-owned Mina al-Dhaba oil terminal nearby.¶ **“It’s not true at all,” Jamal said. “Al Qaeda does not attack places of public interest**.” **He accused the Yemeni government of “spreading this talk to justify the drone attacks by the U.S.”**¶ Jamal is not the only one doubting claims by Yemeni government officials.¶ “Along with many, **I’m skeptical of the reports that AQAP was about to seize ports** in Yemen,” Gregory Johnsen, a Princeton scholar and expert on Yemen, wrote on Twitter Wednesday.¶ “I second that,” responded Mohammed Albasha, a spokesman for the Yemeni embassy in Washington, contradicting the claims of the government he represents.¶ Earlier in the day Albasha wrote: “For the record: AQAP doesn’t have the manpower nor the capabilities to capture a city the size of Mukalla.”¶ Foreign-owned oil facilities and Western embassies have always been considered “legitimate” targets by AQAP, **Jamal** said, but he **questioned whether the threat was high enough now to prompt the current terror alert.¶** The U.S., Britain and other European governments evacuated non-essential personnel from Yemen earlier this week and the U.S. embassies in the region were shut due to an unspecified threat “emanating from the Arabian Peninsula.” Some U.S. officials have warned that it’s the greatest risk since the Sept. 11 attacks.¶ **“I don’t think Al Qaeda will do anything in the coming weeks because their military activities had been reduced** in Sanaa,” Jamal said. “A military operation would distract them from expanding into other areas, where it wants to increase its presence.” ¶ So **what is behind the threat?¶** “**Yemenis are asking the very same question and they can’t find an answer,”** Jamal said. “**Most of them don’t think it has anything to do with Al Qaeda,**” he said, echoing a popular theory in Sanaa that the U.S. has evacuated its citizens in advance of a planned military operation.

**Most groups renounced large scale attacks**

**Mueller 6**, John Mueller, Professor of Political Science @ Ohio State University, 2006, Foreign Affairs, Sep/Oct, p. lexis

One reason al Qaeda and "al Qaeda types" seem not to be trying very hard to repeat 9/11 may be that that dramatic act of destruction itself proved counterproductive by massively heightening concerns about terrorism around the world. No matter how much they might disagree on other issues (most notably on the war in Iraq), there is a compelling incentive for states -- even ones such as Iran, Libya, Sudan, and Syria -- to cooperate in cracking down on al Qaeda, because they know that they could easily be among its victims. The FBI may not have uncovered much of anything within the United States since 9/11, but thousands of apparent terrorists have been rounded, or rolled, up overseas with U.S. aid and encouragement. Although some Arabs and Muslims took pleasure in the suffering inflicted on 9/11 -- Schadenfreude in German, shamateh in Arabic -- the most common response among jihadists and religious nationalists was a vehement rejection of al Qaeda's strategy and methods.

**Decline doesn’t cause war**

Daniel **Deudney**, Hewlett Fellow in Science, Technology, and Society at the Center for Energy and Environmental Studies at Princeton, April **1991**, “Environment and Security: Muddled Thinking”, Bulletin of the Atomic Scientists, p. 27, google books,

Poverty Wars. In a second scenario, declining living standards first cause internal turmoil. then war. If groups at all levels of affluence protect their standard of living by pushing deprivation on other groups class war and revolutionary upheavals could result. Faced with these pressures, liberal democracy and free market systems could increasingly be replaced by authoritarian systems capable of maintaining minimum order.9 If authoritarian regimes are more war-prone because they lack democratic control, and if revolutionary regimes are warprone because of their ideological fervor and isolation, then the world is likely to become more violent. **The record of previous depressions supports the proposition that widespread economic stagnation and unmet economic expectations contribute to international conflict**. **Although initially compelling, this scenario has major flaws**. **One is that it is arguably based on unsound economic theory**. **Wealth is formed not** so much **by the availability of cheap natural resources as by capital formation through savings and more efficient production**. **Many resource-poor countries**, like Japan, **are very wealthy, while many countries with more extensive resources are poor**. Environmental constraints require an end to economic growth based on growing use of raw materials, but not necessarily an end to growth in the production of goods and services. **In addition, economic decline does not necessarily produce conflict.** **How societies respond to economic decline may largely depend upon the rate at which such declines occur**. **And as people get poorer, they may become less willing to spend scarce resources for military forces**. **As** Bernard **Brodie observed** about the modein era, **“The predisposing factors to military aggression are full bellies, not empty ones**.”’” **The experience of economic depressions over the last two centuries may be irrelevant, because such depressions were characterized by under-utilized production capacity and falling resource prices**. **In the 1930 increased military spending stimulated economies, but** if economic growth is retarded by environmental constraints, **military spending will exacerbate the problem**. Power Wars. A third scenario is that environmental degradation might cause war by altering the relative power of states; that is, newly stronger states may be tempted to prey upon the newly weaker ones, or weakened states may attack and lock in their positions before their power ebbs firther. But such alterations

might not lead to war as readily as the lessons of history suggest, **because economic power and military power are not as tightly coupled as in the past.** The economic power positions of Germany and Japan have changed greatly since World War 11, but these changes have not been accompanied by war or threat of war. **In the contemporary world, whole industries rise, fall, and relocate, causing substantial** **fluctuations in the economic well-being of regions and peoples without producing wars.** **There is no reason to believe that changes in relative wealth and power** caused by the uneven impact of environmental degradation **would inevitably lead to war**. **Even if** environmental **degradation were to destroy the basic** social and **economic fabric of a country** or region, **the impact on international order may not be very great. Among the first casualties in such country would be the capacity to wage war.** **The poor and wretched** of the earth may be able to deny an outside aggressor an easy conquest, but they **are themselves a minimal threat to other states.** **Contemporary offensive military operations require complex organizational skills, specialized industrial products and surplus wealth**.

**Maintaining growth causes total ecosystem collapse---collapse NOW is key to avoid multiple scenarios for extinction**

**Barry, PhD ecologist, 12**—President and Founder of Ecological Internet, PhD in Land Resources from the U of Wisconsin-Madison, MSc in Conservation Biology and Sustainable Development from U of Wisconsin-Madison, BA in political science from Marquette U (Glen, 1/31/2012, “EARTH MEANDERS: On Violence and Earth Revolution”, EcoEarth, <http://www.ecoearth.info/blog/2012/01/on_violence_and_earth_revoluti.asp#more>)

**Earth's ecosystems are collapsing under** the burden of human **growth, destroying our** one shared **biosphere that makes life possible.** Industrial **growth** ? **frantically destroying ecosystems to feed insatiable**, ever-growing **appetites** ? is an aberration, a mistake, a disease. If **left untreated, this will be the end of** the **human** family, all **life**, and Earth's very being. **Infinite** economic **growth** at the expense of ecosystems **is impossible**, and **seeking endless** and inequitable **growth** in consumption and population **can only lead to collapse** and massive die-off.

**Humanity’s last** best **chance** to justly and equitably sustain a livable planet **is to** protect and restore ecosystems, end fossil fuels, and a people's power Earth revolution to utterly **destroy the ecocidal industrial** growth **machine.** We are all bloody fools to tolerate and not immediately overthrow a violently ecocidal system that is killing us all. If we all understood the implications of global ecosystem collapse, we would go now, together, and slay the global growth machine. **It is too late to escape profound ecological decline, yet complete** disastrous social and **ecological collapse** ? and possible end to most or all life ? **may yet be avoided.**

Sustaining ecology must become society?s central organizing principle or humans and all species face horrendous death. Globally **it is time for radical change to** simply **survive converging ecology**, **food**, war, **water**, inequity, **population**, **climate**, jobs, ocean, **and extinction crises.** It is deeply troubling most "environmentalists" deny the severity of ecosystem collapse, rejecting out of hand revolutionary measures sufficient to sustain ecology.

**Twilight Zone**

**Libya and Iran prove soft power fails — Chinese counterbalancing also moots effectiveness — our evidence assumes a best case scenario**

**Ungar, Political Studies Professor 11**, Dr Ariel Ungar is a Professor at the Department of Political Studies, Judea and Samaria College, PhD from Columbia University, The limits of soft power, <http://www.haaretz.com/opinion/the-limits-of-soft-power-1.361425>

Even under the best conditions, in which it is administered effectively, soft power is a slow-acting treatment. Muammar Gadhafi has scoffed at economic sanctions by first camouflaging, then reclaiming most of his assets, and spiriting them back to Tripoli to finance the civil war. The Iranians have successfully evaded sanctions, particularly as major flouters of those sanctions − China, Turkey, etc. − can continue trading, investing and arming without penalty.

Soft power appeared effective when its levers were concentrated financially and intellectually in the hands of the relative good guys. But it has been increasingly dispersed and is skillfully employed by countries that either do not subscribe to the agenda of human freedom or actively seek to subvert it.

The murmurings in Congress about cutting off aid to Pakistan are toothless because the United States and the Western Europeans no longer control the purse strings. China, with its trillions in reserves, can easily step in as an “all-weather friend” to Pakistan both to spite the United States and to maintain a valuable counterweight against its regional rival India. China also exercises soft power against Europe − rather than the reverse − when it dangles offers to purchase European debt and alleviate the financial crisis in the eurozone in return for silence on Chinese protectionist trade practices and human rights violations.

**Courts have already rejected Chevron – no deference**

**Landau 12**

[JOSEPH LANDAU, Associate Professor, Fordham Law School. I want to thank Mickey Alterman, Aditi

Bagchi, Samuel Bray, Jim Brudney, Marc DeGirolami, Nestor Davidson, Annie Decker,

Ray Fisher, Martin Flaherty, Abner Greene, Clare Huntington, Eric Jensen, Robert J.

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comments and assistance.“CHEVRON MEETS YOUNGSTOWN: NATIONAL SECURITY

AND THE ADMINISTRATIVE STATE “ http://www.bu.edu/law/central/jd/organizations/journals/bulr/volume92n4/documents/LANDAU.pdf]

**Under Jackson’s framework in Youngstown**, **presidential powers are at their apogee when backed by congressional authorization and their “lowest ebb” when contrary to congressional will**.13 In between these two extremes are “zone of twilight” cases in which the President lacks a clear constitutional foundation or a basis in congressional authorization.14 **The post-9/11 decisions, following Youngstown,** **have focused less on the issue of deference as such and more on the shared responsibility of the political branches** to create legislative schemes regarding national security policy.15 Where Congress has responded by providing the Executive with a delegation concerning a particular security need, courts have typically construed those statutes deferentially.16 However, **where Congress has remained silent, courts have generally invoked Youngstown to catalyze greater inter-branch dialogue**,17 **remanding issues to the political branches for additional legislative input.** **This process-oriented approach captures the Court’s recent decisions more accurately than its apparent commitment to deference** or non-deference where Executive power is concerned. By applying Youngstown, **the Court has tamed Chevron’s imperialistic aspirations, using judicial intervention as a way of resetting the proper institutional balance between Congress and the Executive**. **The post-9/11 decisions**, understood through the lens of Youngstown, **demonstrate congruities between national security cases and non-emergency administrative law rulings**. In both domains, **the Supreme Court has underscored the significance of congressional delegations for the scaling of judicial deference to the Exec**

**utive Branch**. By exploring cases in both the domestic and national security contexts, this Article indicates the importance of legislative authorization as a predicate for deference across different substantive arenas. By highlighting the intersection of “ordinary” administrative law decisions on the one hand, and recent national security cases on the other, it calls attention to an emerging middle-ground solution courts have used in national security cases that is consistent with, if not anchored squarely within, foundational principles of administrative law. This Article proceeds in three Parts. Part I frames the discussion by comparing and contrasting Youngstown and Chevron and detailing the argument, made by a growing chorus of scholarly voices, that Chevron should be applied directly, or by analogy, to the national security context. It then contrasts the Chevron-in-national-security argument with Chevron’s more recent domestic law interpretations. As this Part indicates, those who favor applying Chevron to national security often rely on an interpretation of the doctrine that is largely out of step with its more recent domestic law interpretations. Part II underscores why **Youngstown has been, and continues to be, a foundational case of national security, reflected most recently in the Supreme Court’s post-9/11 national security decisions.** Indeed, as this Part notes, **four Supreme Court cases decided between Rasul v. Bush18 and Boumediene v. Bush19 evidence Youngstown’s continued vitality**. **These cases underscore the importance of dual-branch approaches to national security questions – rejecting complete deference to the Executive on the one hand or judicial activism on the other.** Where Congress has delegated authority to the President to act, **the Court has accorded deference to the political branches. However, where national security legislation has been lacking, the Court has refused to grant the Executive anything close to the kind of deference called for by Chevronbackers.**

**The broad trend of rulings prove**

**Landau 12**

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**Since 9/11, the Executive Branch has argued on numerous occasions that the Supreme Court should defer to its preferred security policies**, either because the President had inherent Article II powers or because of his authority to read congressional statutes broadly.218 But **the Court has rejected these arguments, repeatedly requiring, as a condition of deference, legislative endorsement of executive action.** **The Court frequently referenced Youngstown as relevant authority for its decisions, rejecting the kind of “super-strong” deference promoted by Chevron-backers** that would collapse national security decisionmaking into a single-branch enterprise. Remarkably, **the Court has been able to insert itself into the equation without making itself the center of attention**. Rather than providing definitive resolutions to questions about the scope of individual rights and executive power, **the Court has often remanded those questions for further deliberation by the political branches.**

## 2NC

**\*\*AT: We Restrict Broad Presidential Interpretation**

**Authority is delegated power to act**

**Kelly**, **2003** (judge for the State of Michigan, JOSEPH ELEZOVIC, Plaintiff, and LULA ELEZOVIC, Plaintiff-Appellant/Cross-Appellee, v. FORD MOTOR COMPANY and DANIEL P. BENNETT, Defendants-Appellees/Cross-Appellants., No. 236749, COURT OF APPEALS OF MICHIGAN, 259 Mich. App. 187; 673 N.W.2d 776; 2003 Mich. App. LEXIS 2649; 93 Fair Empl. Prac. Cas. (BNA) 244; 92 Fair Empl. Prac. Cas. (BNA) 1557, lexis)

Applying agency principles, a principal is responsible for the acts of its agents done within the scope of the agent's authority, "even though acting contrary to instructions." [Dick Loehr's, Inc v Secretary of State, 180 Mich. App. 165, 168; 446 N.W.2d 624 (1989)](https://www.lexis.com/research/buttonTFLink?_m=6cbcd97524abff5644c0987b135f7517&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b259%20Mich.%20App.%20187%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_origin=TOASHLX&_butNum=115&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b180%20Mich.%20App.%20165%2cat%20168%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=136&_startdoc=101&wchp=dGLbVtb-zSkAk&_md5=708331d40466e4347936b73e103c82fb). This is because, in part, an agency relationship arises where the principal [\*\*\*36]  has the right to control the conduct of the agent. [St Clair Intermediate School Dist v Intermediate Ed Ass'n/Michigan Ed Ass'n, 458 Mich. 540, 558 n 18; 581 N.W.2d 707 (1998)](https://www.lexis.com/research/buttonTFLink?_m=6cbcd97524abff5644c0987b135f7517&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b259%20Mich.%20App.%20187%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_origin=TOASHLX&_butNum=116&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b458%20Mich.%20540%2cat%20558%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=136&_startdoc=101&wchp=dGLbVtb-zSkAk&_md5=c0a63a81a484a6ce53be229bc2290a07) (citations omitted). The employer is also liable for the torts of his employee if "'the servant purported to act or to speak on behalf of the principal and there was reliance upon apparent authority, or he was aided in accomplishing the tort by the existence of the agency relation,'" [McCann v Michigan, 398 Mich. 65, 71; 247 N.W.2d 521 (1976)](https://www.lexis.com/research/buttonTFLink?_m=6cbcd97524abff5644c0987b135f7517&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b259%20Mich.%20App.%20187%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_origin=TOASHLX&_butNum=117&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b398%20Mich.%2065%2cat%2071%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=136&_startdoc=101&wchp=dGLbVtb-zSkAk&_md5=5219d53b6a7119254f8041c911d87fd2), quoting [Restatement of Agency, 2d § 219(2)(d)](https://www.lexis.com/research/buttonTFLink?_m=6cbcd97524abff5644c0987b135f7517&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b259%20Mich.%20App.%20187%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_origin=TOASHLX&_butNum=118&_butInline=1&_butinfo=AGENCY%20SECOND%20219&_fmtstr=FULL&docnum=136&_startdoc=101&wchp=dGLbVtb-zSkAk&_md5=71c1bf8c001fe5ae1153be4268b8e9e9), p 481; see also [Champion v Nation Wide Security, Inc, 450 Mich. 702, 704, 712; 545 N.W.2d 596 (1996)](https://www.lexis.com/research/buttonTFLink?_m=6cbcd97524abff5644c0987b135f7517&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b259%20Mich.%20App.%20187%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_origin=TOASHLX&_butNum=119&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b450%20Mich.%20702%2cat%20704%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=136&_startdoc=101&wchp=dGLbVtb-zSkAk&_md5=3d1841dc7f4fb90804d8adb6349a6fae), citing [Restatement of Agency, 2d § 219(2)(d)](https://www.lexis.com/research/buttonTFLink?_m=6cbcd97524abff5644c0987b135f7517&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b259%20Mich.%20App.%20187%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_origin=TOASHLX&_butNum=120&_butInline=1&_butinfo=AGENCY%20SECOND%20219&_fmtstr=FULL&docnum=136&_startdoc=101&wchp=dGLbVtb-zSkAk&_md5=c1927abf5bf3954a85d211c044ada141), p 481 ("the master is liable for the tort of his servant if the servant 'was aided in accomplishing the tort by the existence of the agency relation'"). In [Backus v  [\*213]  Kauffman (On Rehearing), 238 Mich. App. 402, 409; 605 N.W.2d 690 (1999)](https://www.lexis.com/research/buttonTFLink?_m=6cbcd97524abff5644c0987b135f7517&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b259%20Mich.%20App.%20187%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_origin=TOASHLX&_butNum=121&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b238%20Mich.%20App.%20402%2cat%20409%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=136&_startdoc=101&wchp=dGLbVtb-zSkAk&_md5=d9947545fee151274d489cbc14123160), this Court stated: **The term "authority" is defined by Black's Law Dictionary to include "the power delegated by a principal to an agent."** Black's Law Dictionary (7th ed), p [\*\*\*37]  127. **"Scope of authority" is defined** in the following manner: **"The reasonable power that an agent has been delegated** or might foreseeably be delegated in carrying out the principal's business." Id. at 1348.

**xxxExecutive authority stems from the constitution or statutory delegation.**

**Gaziano**, **2001**

(Todd, senior fellow in Legal Studies and Director of the Center for Legal Judicial Studies at the Heritage Foundation, 5 Texas Review of Law & Politics 267, Spring, lexis)

Although President Washington's Thanksgiving Proclamation was hortatory, other proclamations or orders that communicate presidential decisions may be legally binding. n31 Ultimately **the authority for all presidential orders or directives must come from either the Constitution or from statutory delegations**. **The source of authority (constitutional versus statutory) carries important implications for the extent to which that authority may be legitimately exercised or circumscribed**. Regardless of the source of substantive power, however, the authority to use written directives in the exercise of that power need not be set forth in express terms in the Constitution or federal statutes. As is explained further below, the authority to issue directives may be express, implied, or inherent in the substantive power granted to the President. The Constitution expressly mentions certain functions that are to be performed by the President. Congress has augmented the President's power by delegating additional authority within these areas of responsibility. The following are among the more important grants of authority under which the President may issue at least some directives in the exercise of his constitutional and statutorily delegated powers: Commander in Chief, Head of State, Chief Law Enforcement Officer, and Head of the Executive Branch.

**AT: AUMF is a Restriction**

**The AUMF is a grant of authority – expanding the AUMF expands the presidents war powers authority**

**Taeb and Levey 13**, Government Relations manager at the Arab American Institute, and Levey is Arab American Institute Legal Fellow on the AUMF

(6/13, Yasmine and Isaac, Time to fix the AUMF, thehill.com/blogs/congress-blog/foreign-policy/305349-time-to-fix-the-aumf-)

**During the past decade, the United States has taken extraordinary measures in fighting terrorism** all across the globe. Although the threats we face change continuously**, the legal authority and framework the executive branch has relied on has remained the same for nearly twelve years**. **The Authorization for the Use of Military Force** (AUMF), **passed** immediately **after** the **September 11**, 2001 attacks, **was a declaration of war** against the people who attacked us. **It gives the president immense power**, including over the lives and liberties of American citizens, **and doesn’t create much accountabilit**y. Since we now face a terror threat that is fundamentally different from the one we faced on 9/11, we must assess the AUMF’s continuing application and relevance, and whether it’s still necessary to fight terrorism. **The AUMF grants the president extraordinary power**. The last president used it to justify torture and illegal warrantless surveillance of Americans. This one uses it to justify lethal drone strikes all over the world, including at least one aimed at a U.S. citizen. The Supreme Court said in 2004 that the law authorized the President to detain an American citizen as an enemy combatant without any criminal charges. Last month, Pentagon lawyers said the AUMF might allow the U.S. to enter Syria, on the grounds that the extremist al-Nusra Front there is an “associated force” of al-Qaeda. That was too much for even Sen. John McCain (R-Ariz.), who said the authority “is no longer applicable to the conditions that prevailed” when Congress passed the AUMF in 2001. Sen. Angus King (I-Maine) added that the argument had “essentially rewritten the Constitution,” because it is Congress, not the president, that declares war.

**Violation 2NC**

**Not an increase – AUMF already grants authorization to use force against all the groups listed in the plan**

**AUMF** - "Authorization for Use of Military Force" - Public Law 107-40, 115 STAT. 224, http://uscode.house.gov/statutes/2001/2001-107-0040.pdf

SEC. 2. **AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.** (a) IN GENERAL.—That **the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons,** in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

**The affirmative is not a restriction, it expands the statutory delegation of authority from the AUMF to include allies of Al Qaeda – this is from the aff’s solvency author**

**Coronogue 12**, JD at duke

(Graham, A NEW AUMF: DEFINING COMBATANTS IN THE WAR ON TERROR, scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1294&context=djcil)

The original AUMF was hastily passed during a time of crisis to address America’s most pressing security threats and concerns. Over time these threats and concerns have changed and grown. Our law on conflict should evolve with these changes. **The best way to bring about this change is to update the AUMF. This update should reflect the present reality of the conflict by expanding the authorization to use force beyond simply those involved in 9/11**. This authorization should expand to include groups such as AQAP who work closely with and fight alongside al-Qaeda. However, we should not expand the scope of the statute as far as Congress has proposed. Representative McKeon’s legislation would effectively give the President a carte blanche to decide who and what to attack and detain. Such a broad grant of authority would effectively allow the President to use force whenever and wherever he wanted. Instead, the new legislation should balance the need for decisive presidential action against the very real concern of adding too much gloss to the Executive power. **My proposal attempts to find such a balance by clearly defining the groups of combatants, ensuring that the President has clear and significant authority to act against those organizations.** It also limits his discretion in deciding what groups fit this description and prevents him from starting a global and perpetual war on terror, while ensuring that he is not completely barred from responding to new threats as they arise. Undoubtedly, my proposal has flaws and loopholes and cannot be used to authorize force against all future threats, but it does a better job than Representative McKeon’s of heeding President Lincoln’s warning.

**AT: Cronogue says it’s a restriction**

**This card is comparing the plan to different proposal in congress – its an increase relative to the squo**

**Cronogue – their author – 2012** [Graham, Duke University School of Law, J.D; University of North Carolina B.A. 2010, A NEW AUMF: DEFINING COMBATANTS IN THE WAR ON TERROR scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1294&context=djcil, BJM]

**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.

**<our 2NC violation ev starts here>**

CONCLUSION The original AUMF was hastily passed during a time of crisis to address America’s most pressing security threats and concerns. **Over time** these **threats and concerns have changed and grown. Our law on conflict should evolve with these changes. The best way to bring about this change is to update the AUMF. This update should reflect the present reality of the conflict by expanding the authorization to use force beyond simply those involved in 9/11**. **This authorization should expand to include groups such as AQAP who work closely with and fight alongside al-Qaeda**. However, **we should not expand the scope of the statute as far as Congress has proposed.** Representative **McKeon’s legislation would effectively give the President a carte blanche to decide who and what to attack and detain**. Such a broad grant of authority would effectively allow the President to use force whenever and wherever he wanted. Instead, the new legislation should balance the need for decisive presidential action against the very real concern of adding too much gloss to the Executive power. My proposal attempts to find such a balance by clearly defining the groups of combatants, ensuring that the President has clear and significant authority to act against those organizations. It also limits his discretion in deciding what groups fit this description and prevents him from starting a global and perpetual war on terror, while ensuring that he is not completely barred from responding to new threats as they arise. Undoubtedly, my proposal has flaws and loopholes and cannot be used to authorize force against all future threats, but it does a better job than Representative McKeon’s of heeding President Lincoln’s warning.

**2NC Framework Block**

Our mental relationship to war and peace is a controlling factor in the policy research that we do and the choices we make about militarism – we have a responsibility to be conscious of the way we represent war in our scholarship – their decision to represent war as a necessary but regulate-able evil solidifies militarism

**Jenkins 73 – Professor of Philosophy @ University of Alabama**

[Iredell Jenkins, “The Conditions of Peace”, The Monist, Vol. 57, No. 4, Philosophy of War (OCTOBER, 1973), pp. 507-526, http://www.jstor.org/stable/27902329] Gender Edited

I shall argue in this paper that **our thinking about the question of war and peace is** vitiated at its source by a series of **mistaken** assumptions and intentions. **These misconceptions pass** as sound coin **because they have the air of truisms: they appear to direct our inquiries along lines that are** sure to be **successful and are** anyway **the only ones available.** At the same time, **these errors are so basic that they distort** both **theory and practice from the start:** **they are red herrings, putting us on a false scent** from which we never free ourselves because we cannot get close enough to the quarry to recognize our mistake. **It is my purpose to expose these errors** and point the way to their correction. Three basic **mistakes have misled our thinking about war and peace. We have employed the wrong categories.** We have studied the wrong data. And **we have pursued the wrong goal.** These errors are intimately related, with each in turn entailing the next. **The categories we think in focus our attention too narrowly.** The data we pore over yield distorted conclusions. The goals **we are thus led to pursue** are **mirages** that grow fainter the closer we approach them. It will be necessary to discuss these errors serially, but it must be remembered that they are in reality tightly forged links in a closed chain. 1. **The controlling factor in all human undertakings is the conceptual apparatus that** men [**people**] **employ-the terms in which they think.** **These modes of thought largely determine the** data we examine, the **phenomena we are interested in, the questions we ask, and the purposes we pursue.** In more homely language, **this** apparatus **defines where we look, what we look for, and what we hope to do.** **And it is here**, at their very first step, **that our dealings with the problem of war and peace go astray. Our mistake is simple but critical: we think in terms that focus our attention on only one side of the issue**, and that the more superficial and derivative side. What **we** do, in brief, is to **treat war as an independent variable, which is to be understood in isolation from any larger context and dealt with strictly on its own terms. We appear to act on the assumption that wars are** ultimate and **ineradicable features of reality, so there are only two things we can do about them: delay their occurrence and make sure we win them when they occur.** Seen in the light of reason, **this** procedure **is paradoxical. The real** and final object of our **concern is peace. We want to establish** amicable relations among people, and create **a community** of feeling and interests. **Yet the overwhelming proportion of our thinking, talking, and acting is concerned with war.** **It is war**, in fact and in threat, **that** constantly **preoccupies us.** So **the** universe of **discourse in which we treat the problem of war and peace has a vocabulary that is derived entirely from only one of these elements: war.** The concepts that dominate our thinking are 'nation states', 'sovereignty', 'foreign powers', 'treaties', 'alliances', 'the balance of power', 'nuclear deterrents', and other such. **War so fascinates us that we are incapable of viewing it in perspective and putting it in context. So we fail to see that war is only one element in a complex set of human relationships**, which can be neutralized by other and very different elements. Instead, **we persist in thinking that the threat of war can be averted**, and war itself 'won', **only in the terms that it itself poses: namely, the appeal to force. Peace may be the object of our prayers, but war is the object of our efforts.** I remarked above that there is something extremely paradoxical about this situation. But there is nothing unusual about it: this is not an isolated case, but an instance of a general type of behavior. In one context after another, we find men neglecting to pursue the good they seek and thinking only of averting the evil they fear. Many dichotomies of this sort come easily to mind: peace-war, health-illness, justice-injustice, equality-discrimination, rehabilitation-punishment. In every instance, it is the second item on which we lavish our efforts. It simply seems to be the case that in all of the contexts of life men [**people**] **tend to take** sound and satisfactory **situations for granted, and to be concerned only with those that are unpleasant, threatening, or harmful. So instead of trying to preserve peace, we think only of preventing wars-or winning them.** In short, we are in the odd position of not seeking the ends that we desire, but merely trying to avert or cure the outcomes we fear. Indeed, we do not even think much about these goods, and **we usually define them as the absence of their opposites.** So though our approach to the problem of war and peace is paradoxical, it is not anomolous. 2. **Our initial mistake in dealing with the issues of war and peace is to employ the wrong categories: our thinking is done exclusively in terms of 'war' and concepts associated with it. The immediate result of this mistake is to focus our attention on a narrow** and inadequate **range of data.** The common meaning of 'war' is a conflict between nation states, waged by armies using every weapon of force available, in which each party seeks to defeat the other (the "enemy") and reduce it to a condition of total subservience. As Clausewitz put it in his classic treatise, "War therefore is an act of violence intended to compel our opponent to fulfill our will".1 **Since we think in terms of war,** and this is what war means, these are the data we turn to when we seek enlightenment on the issues of war and peace: **we look only at the relations between sovereign states**, and then only when these states are in a condition of actual or threatened violent conflict. **We thus find ourselves in the absurd position of trying to understand peace by studying war. This is like trying to understand motion by studying rest**, as the ancients did, or trying to derive the character of man from the nature of God, as the mediaevalists did. We deride these latter efforts as exercises in futility. But we employ an exactly analogous procedure in our approach to peace, and we are perpetually surprised and frustrated when it does not succeed. What we are doing, in sum, is using the pathological case as a paradigm for studying the sound case. So we become expert only in the pathology of international relations. **Our fascination with the phenomena of war leads us to certain conclusions that become as unshakeable as they are deceptive.** We regard the sovereign state as at once a brute fact and an impenetrable mystery. **We assume that there must be irreconcilable conflicts of interest among** such **states.** Since these conflicts can be neither resolved nor arbitrated, they must eventually lead to trial by force. **Given the facts that we study, these conclusions follow naturally.**

The lenses with which we view war and peace influence the policy options we consider – academia is a critical space to address these issues

**Cady 10 (Duane L., prof of phil @ hamline university, From Warism to Pacifism: A Moral Continuum, pp. 115-117)**

The very notion of restraint in war— common to all positions along ¶ the full continuum in varying degrees— puts the burden of proof on going to war and on how the fighting is done. **These are** the **activities in** ¶ **need of justification. The moral presumption should be to** peace, **positive peace, rather than the pervasive presumption of** warism and **negative peace. Recognizing the grip that warism has on dominant culture** ¶ **may be the most formidable task of genuine peacemaking** for the fore-¶ seeable future **because** it is **warism** that **blocks evolution toward more** ¶ **pacifistic societies**. Only occasionally will individuals back into the ¶ most absolute form of pacifism; the cultural predisposition to warism ¶ confines most of us to a narrow range of options toward the war- realist ¶ end of the scale. This brings us full circle and we end this consideration of a moral continuum on the morality of war and peace where we ¶ began, confronting warism.¶ **The normative lenses of warism, the spectacles through which we** ¶ in modern culture tend to **see and interpret all that happens, turn out** ¶ **to be as much like blinders as lenses because they restrict our vision to** ¶ **a narrow range of options. Nietzsche said that if the only tool you have** ¶ **is a hammer, everything begins to look like a nail. Under such conditions it is pretty hard to resist hammering.** Analogously, **if the only** ¶ **vision we have is warist and the only tools we build are weapons, then** ¶ every conflict invites military intervention and **it is hard to resist war**-¶ ring. **Unless we envision a wider** value **perspective than the warist, we** ¶ **will not see** the **nonviolent options** before us. But to see more widely ¶ **we need to acknowledge and remove the blinders**.¶ **Peace education is** a **small**, struggling, **but growing** segment of ¶ contemporary education. **The dominant presumption of warism has** ¶ **made it difficult for** those committed to **peace education** **to develop** ¶ and establish it **as a legitimate discipline** devoid of the image of mere ¶ anti- militarist propaganda. Some scholars call themselves peace educators while many within the traditional disciplines are reluctant to be ¶ so labeled; they may be sympathetic with genuine peace research and ¶ teaching but afraid of the stigma that goes with the label. Those **scholars interested in applying their professional** training and **skills to peace** ¶ issues **face a monumental task. Education at all levels must address** ¶ **warism, just as they have had to address racism, sexism, ageism, classism, homophobia, and other forms of domination.**4 There is increasing ¶ academic interest in what scholars call “institutional violence”— social ¶ structures like racism, sexism, and poverty that involve constraints ¶ that injure and violate; systems that have entrapping, coercive effects. Institutional forms of violence tend to be more covert than overt; ¶ nonetheless pacifists— peacemakers—of various sorts tend to work ¶ toward the recognition and abolition of these forms of oppression as ¶ the natural manifestation of their commitment to positive peace. Such ¶ work involves recovery of lost or neglected history, consideration of a ¶ full range of options beyond traditional social constraints holding the ¶ forms of domination in place, and serious, systematic, and legitimized ¶ study of conditions constituting positive peace. Preparing for **war in** ¶ **an effort to prevent war and preserve the status quo must be distinguished from** preparing for **genuine positive peace** in an effort to en-¶ courage cooperation and preclude a resort to war. **Unless such issues** ¶ **are entertained routinely across all educational levels**— including the ¶ recognition of how the various forms of domination are entangled in ¶ and reinforced by warism— **the presumption of warism will continue** ¶ **to drive us toward war** realism **and prevent progress toward** an evolving **positive peace**.5 **Easing the grip of warism may be unlikely, but** ¶ **then racial integration in public schools, abolition of slavery, women** ¶ **voting** and holding public office, **the end of apartheid in South Africa** ¶ and the Iron Curtain in Europe, **the election of an African American** ¶ **as U.S. president, all were exceedingly unlikely not long before they** ¶ **became realities. People imagine, work for**, and sacrifice for **important** ¶ **goals even if they never are achieved**. To the wonder of us all, **unlikely** ¶ **goals are sometimes reached**. Martin Luther King, Jr., believed that “**the arc of history bends** ¶ **toward justice.**” He knew that racial segregation would end . . . some-¶ day . . . so he called on Americans to “plan for the inevitable.”6 Similarly, pacifists envision a broad cultural evolution from warism toward ¶ (and eventually, to) pacifism, so pacifists ask us to prepare for the inevitable by recognizing and backing away from warism and by working to ¶ create and sustain the conditions of genuine positive peace. While **education is crucial**, peace educators cannot bear the burden of the ¶ wider cultural failure to see beyond warism. **Scholars** and teachers **in** ¶ **traditional disciplines must address** the relevant **warist**/pacifist **issues** ¶ **of their fields just as feminist scholarship has been undertaken** by academics **in all fields, and just as racist claims have been** tested and **dispelled** by research **in all disciplines. Anti-warism work and positive** ¶ **peace making cannot be ghettoized in token departments and journals** ¶ and dismissed for pushing an agenda; **they must be undertaken across every curriculum, not marginalized but central,** if we are to assist in ¶ preparing for the inevitable. It is remarkable how low **peace research** is ¶ among government and foundation priorities. The moral continuum ¶ here **may prove useful in eroding** warist **obstacles to taking peace positively** if only because it recognizes gradual variations among views ¶ within a single moral tradition rather than encouraging polarized ¶ views. Peace research and study need not lead to any conversion experiences; it would be surprising were they to do so, despite popular ¶ fears.

**AT: Perm**

The perm maintains peperpetual wartime – creating legal limitations on war clings to the myth of distinct times of peace and not peace

**Margulies 12 (Joseph, Northwestern University, Humanities and Social Science Online, The Myth of Wartime, http://www.h-net.org/reviews/showrev.php?id=35306)**

**After** the attacks of **September 11, it became popular to describe** what was thought of as **the typical American response to war: the nation is thrown off course at the onset of a military emergency but gradually steers back to a peacetime norm once the threat recedes.**[1] **It is the great myth of deviation and redemption.** It imagines a sudden and violent storm, when the Ship of State is tempest-toss’d by buffeting gales of savage hatred, until such time as the seas finally calm and the country begins the long, difficult journey back to more familiar waters. **Like any national myth, this one serves an important purpose in American life. It allows Americans to comfort themselves that** whatever **transgressions** may occur **during these periods are** both **aberrational and temporary. Wartime is a cosmic Get Out of Jail Free card, when all is forgiven because everything has changed, which comes in handy if you go to war a lot.** But like any myth, **the myth of deviation and redemption suffers if we study it** too **closely.** For one thing, it cannot account for continued forays into a repressive wilderness even after the threat has subsided. Yet what one scholar has called “the terrorism narrative” is at least as potent today as it was immediately after September 11, even though the consensus of the intelligence community is that **the threat from** transnational jihad in general and **al Qaeda** in particular, **while always overblown, has now been substantially reduced.**[2] Nor does the myth take into consideration the possibility that partisan pressures might nourish and sustain wartime impulses long past the point justified by any sober assessment of the risk to national security. Yet we know the Cold War lasted far longer and cut far deeper into the fabric of American life precisely because of partisan pressure, and that the same thing is taking place during the war on terror.[3] In other words, the myth requires that we suspend what we know to be true in just about every other aspect of our lives--viz., that our understanding of reality is largely constructed and that partisanship matters. These illustrations help train our thinking on **the myth’s** essential **flaw. It imagines that wartime is a fixed and recognizable period, that it is a statement of fact rather than a state of mind. And this is** indeed **the widely held belief.** To be sure, the courts have recognized for many years that **the transition from war to peace is better imagined as a dimmer than a light switch.** The issue arises now and again when someone complains that he should not be subject to this or that wartime rule because the shooting stopped a long time ago. Courts do not take kindly to these claims. The case law includes a lot of throat-clearing about “winding down,” along with the occasional observation that love and war apparently have at least this much in common: it’s usually easier to know when things start than when they end. But apart from this, **people seem to think they know when the country is “at war” and when it is not.** **Wartime is a condition that comes round now and again.** We all know when it begins, when it ends, and where it happens, or so the story goes. But for at least two generations in the United States, “wartime” has been nothing like what the myth imagines it to be, and grows less so as the seasons pass and the wars accumulate. In Wartime: An Idea, Its History, Its Consequences, the legal historian Mary Dudziak has taken a closer look at the entire conceptual category. A slim and engaging volume, wonderfully written and carefully wrought, Wartime is a fascinating meditation on the perils of clinging to a myth of national identity that increasingly bears only a glancing resemblance to modern life. Particularly **since the Cold War, “wartime” has been** pretty near **all the time. It is**, as Dudziak writes, **“not an exception to normal peacetime, but an enduring condition”** (p. 4). And at least since President George W. Bush launched the “war on terror,” it’s also everywhere, unbounded not only in time (since no one knows what victory over an ideology looks like) but also in space (since ideologies have a way of taking root in the darnedest places). **Many writers have made a similar point and the concern that wartime initiatives will last beyond the emergency** that summoned them forth **is a familiar complaint.** **But** Professor **Dudziak**, a professor of law, history, and political science at the University of Southern California, **goes significantly beyond prior discussions by focusing our attention not on the risk of normalization, which is serious enough, but on the very idea that wartime remains a**n identifiable **category, recognizably separate from whatever might be its opposite.** **The problem is not simply that we may come to accept** roving **wiretaps as part of the “normal” landscape of life** (i.e., that we will tolerate them **even when we are “at peace”**), **but that we will come to tolerate the idea that we are always “at war” and therefore eternally prepared to accept all manner of** ostensibly **exceptional measures because we cling to the myth that war is temporary and aberrational.** The concern, in short, is that **the myth to which we have grown so attached has outlasted its relevance** to the American experience. **It has decayed from myth** (which has at least a passing resemblance to the truth), **to fantasy** (which is nothing more than truth as we would wish it). Though Professor Dudziak does not put things in precisely these terms, that is the implication of her account, and it is an exceptionally valuable insight.

Quest for negative peace trades off with positive peace – can’t combine the aff and the alt

**Pankhurst 3**

(Donna-, May 1, Development in Practice, “The 'sex war' and other wars: towards a feminist approach to peace building”, Vol. 13 # 2&3, Infomaworld; Jacob)

Turning to the meanings of the term ‘peace’, **Galtung’s** (1985) **conception of negative peace** has come into widespread use, and **is** probably the most common meaning given to the word, i.e. **the end or absence of** widespread **violent conflict associated with war. A ‘peaceful’ society in this sense may therefore include a society in which social violence** (against women, for instance) **and**/or structural **violence** (in situations of extreme inequality, for example) **are prevalent. Moreover, this limited ‘peace goal’, of an absence of** specific forms of **violence associated with war**, can and often **does lead to a strategy in which all other goals become secondary.** **The absence of analysis of the deeper (social) causes of violence** also **paves the way for peace agreements that leave major causes of violent conflict completely unresolved.** **Negative peace may therefore be achieved by accepting a worse state of affairs than that which motivated the outburst of violence in the first place, for the sake of** (perhaps **short-term**) **ending organised violence.** Galtung’s alternative vision, that of positive peace, requires not only that all types of violence be minimal or non-existent, but also that the major potential causes of future conflict be removed. In other words, **major conflicts** of interest, **as well as their violent manifestation, need to be resolved.** Positive peace encompasses an ideal of how society should be, but the details of such a vision often remain implicit, and are rarely discussed. Some ideal characteristics of a society experiencing positive peace would include: an active and egalitarian civil society; inclusive democratic political structures and processes; and open and accountable government. Working towards these objectives opens up the field of peace building far more widely, to include the promotion and encouragement of new forms of citizenship and political participation to develop active democracies. It also opens up the fundamental question of how an economy is to be managed, with what kind of state intervention, and in whose interests. **But more often than not discussion of these important issues tends to be closed off, for the sake of ‘ending the violence’, leaving major causes of violence and war unresolved—including not only economic inequalities, but also major social divisions** and the social celebration of violent masculinities.

**Structural violence is the proximate cause of all war- creates priming that psychologically structures escalation**

\*\*Answers no root cause- because there is no root cause we must be attentative to structural inequality of all kinds because it primes people for broader violence- our impact is about the *scale* of violence and the *disproportionate* *relationship* between that scale and warfare, not that one form of social exclusion comes first

**Scheper-Hughes and Bourgois ‘4**

(Prof of Anthropology @ Cal-Berkely; Prof of Anthropology @ UPenn)

(Nancy and Philippe, Introduction: Making Sense of Violence, in Violence in War and Peace, pg. 19-22)

This large and at first sight “messy” Part VII is central to this anthology’s thesis. It encompasses everything from the routinized, bureaucratized, and utterly banal violence of children dying of hunger and maternal despair in Northeast Brazil (Scheper-Hughes, Chapter 33) to elderly African Americans dying of heat stroke in Mayor Daly’s version of US apartheid in Chicago’s South Side (Klinenberg, Chapter 38) to the racialized class hatred expressed by British Victorians in their olfactory disgust of the “smelly” working classes (Orwell, Chapter 36). In these readings violence is located in the symbolic and social structures that overdetermine and allow the criminalized drug addictions, interpersonal bloodshed, and racially patterned incarcerations that characterize the US “inner city” to be normalized (Bourgois, Chapter 37 and Wacquant, Chapter 39). Violence also takes the form of class, racial, political self-hatred and adolescent self-destruction (Quesada, Chapter 35), as well as of useless (i.e. preventable), rawly embodied physical suffering, and death (Farmer, Chapter 34). **Absolutely central to our approach is a blurring of categories and distinctions between wartime and peacetime violence. Close attention to the “little” violences produced in the structures, habituses, and mentalites of everyday life shifts our attention to pathologies of class, race, and gender inequalities.** More important, it interrupts the voyeuristic tendencies of “violence studies” that risk publicly humiliating the powerless who are often forced into complicity with social and individual pathologies of power because suffering is often a solvent of human integrity and dignity. Thus, in this anthology we are positing a violence continuum comprised of a multitude of “small wars and invisible genocides” (see also Scheper- Hughes 1996; 1997; 2000b) conducted in the normative social spaces of public schools, clinics, emergency rooms, hospital wards, nursing homes, courtrooms, public registry offices, prisons, detention centers, and public morgues. **The violence continuum also refers to the ease with which humans are capable of reducing the socially vulnerable into expendable nonpersons and assuming the license - even the duty - to kill, maim, or soul-murder.** We realize that in referring to a violence and a genocide continuum we are flying in the face of a tradition of genocide studies that argues for the absolute uniqueness of the Jewish Holocaust and for vigilance with respect to restricted purist use of the term genocide itself (see Kuper 1985; Chaulk 1999; Fein 1990; Chorbajian 1999). But we hold an opposing and alternative view that, to the contrary, **it is absolutely necessary to make just such existential leaps in purposefully linking violent acts in normal times to those of abnormal times**. Hence the title of our volume: Violence in War and in Peace. If (as we concede) there is a moral risk in overextending the concept of “genocide” into spaces and corners of everyday life where we might not ordinarily think to find it (and **there is), an even greater risk lies in failing to sensitize ourselves, in misrecognizing protogenocidal practices and sentiments daily enacted as normative behavior by “ordinary” good-enough citizens. Peacetime crimes**, such as prison construction sold as economic development to impoverished communities in the mountains and deserts of California, or the evolution of the criminal industrial complex into the latest peculiar institution for managing race relations in the United States (Waquant, Chapter 39), **constitute the “small wars and invisible genocides”** to which we refer. This applies to African American and Latino youth mortality statistics in Oakland, California, Baltimore, Washington DC, and New York City. **These are “invisible” genocides not because they are secreted away or hidden from view, but quite the opposite**. As Wittgenstein observed, **the things that are hardest to perceive are those which are right before our eyes and therefore taken for granted**. In this regard, Bourdieu’s partial and unfinished theory of violence (see Chapters 32 and 42) as well as his concept of misrecognition is crucial to our task. By including the normative everyday forms of violence hidden in the minutiae of “normal” social practices - in the architecture of homes, in gender relations, in communal work, in the exchange of gifts, and so forth - Bourdieu forces us to reconsider the broader meanings and status of violence, especially the links between the violence of everyday life and explicit political terror and state repression, Similarly, Basaglia’s notion of “peacetime crimes” - crimini di pace - imagines a direct relationship between wartime and peacetime violence. **Peacetime crimes suggests the possibility that war crimes are merely ordinary, everyday crimes of public consent applied systematically and dramatically in the extreme context of war**. Consider the parallel uses of rape during peacetime and wartime, or the family resemblances between the legalized violence of US immigration and naturalization border raids on “illegal aliens” versus the US government- engineered genocide in 1938, known as the Cherokee “Trail of Tears.” Peacetime crimes suggests that everyday forms of state violence make a certain kind of domestic peace possible. Internal “stability” is purchased with the currency of peacetime crimes, many of which take the form of professionally applied “strangle-holds.” Everyday forms of state violence during peacetime make a certain kind of domestic “peace” possible. It is an easy-to-identify peacetime crime that is usually maintained as a public secret by the government and by a scared or apathetic populace. Most subtly, but no less politically or structurally, the phenomenal growth in the United States of a new military, postindustrial prison industrial complex has taken place in the absence of broad-based opposition, let alone collective acts of civil disobedience. **The public consensus is based primarily on a new mobilization of an old fear of the mob, the mugger, the rapist, the Black man, the undeserving poor. How many public executions of mentally deficient prisoners in the United States are needed to make life feel more secure for the affluent**? What can it possibly mean when incarceration becomes the “normative” socializing experience for ethnic minority youth in a society, i.e., over 33 percent of young African American men (Prison Watch 2002). In the end **it is essential that we recognize the existence of a genocidal capacity among otherwise good-enough humans and that we need to exercise a defensive hypervigilance to the less dramatic, permitted, and even rewarded everyday acts of violence that render participation in genocidal acts and policies possible** (under adverse political or economic conditions), perhaps more easily than we would like to recognize. **Under the violence continuum we include, therefore, all expressions of radical social exclusion, dehumanization, depersonal- ization, pseudospeciation, and reification which normalize atrocious behavior and violence toward others. A constant self-mobilization for alarm, a state of constant hyperarousal is, perhaps, a reasonable response to Benjamin’s view of late modern history as a chronic “state of emergency”** (Taussig, Chapter 31). We are trying to recover here the classic anagogic thinking that enabled Erving Goffman, Jules Henry, C. Wright Mills, and Franco Basaglia among other mid-twentieth-century radically critical thinkers, to perceive the symbolic and structural relations, i.e., between inmates and patients, between concentration camps, prisons, mental hospitals, nursing homes, and other “total institutions.” **Making that decisive move to recognize the continuum of violence allows us to see the capacity and the willingness - if not enthusiasm - of ordinary people, the practical technicians of the social consensus, to enforce genocidal-like crimes against categories of rubbish people. There is no primary impulse out of which mass violence and genocide are born, it is ingrained in the common sense of everyday social life. The mad, the differently abled, the mentally vulnerable have often fallen into this category of the unworthy living, as have the very old and infirm, the sick-poor, and, of course, the despised racial, religious, sexual, and ethnic groups of the moment.** Erik Erikson referred to “pseudo- speciation” as the human tendency to classify some individuals or social groups as less than fully human - a prerequisite to genocide and one that is carefully honed during the unremark- able peacetimes that precede the sudden, “seemingly unintelligible” outbreaks of mass violence. **Collective denial and misrecognition are prerequisites for mass violence and genocide**. But so are formal bureaucratic structures and professional roles. The practical technicians of everyday violence in the backlands of Northeast Brazil (Scheper-Hughes, Chapter 33), for example, include the clinic doctors who prescribe powerful tranquilizers to fretful and frightfully hungry babies, the Catholic priests who celebrate the death of “angel-babies,” and the municipal bureaucrats who dispense free baby coffins but no food to hungry families. **Everyday violence encompasses the implicit, legitimate, and routinized forms of violence inherent in particular social, economic, and political formations**. It is close to what Bourdieu (1977, 1996) means by “symbolic violence,” the violence that is often “nus-recognized” for something else, usually something good. Everyday violence is similar to what Taussig (1989) calls “terror as usual.” All these terms are meant to reveal a public secret - the hidden links between violence in war and violence in peace, and between war crimes and “peace-time crimes.” Bourdieu (1977) finds domination and violence in the least likely places - in courtship and marriage, in the exchange of gifts, in systems of classification, in style, art, and culinary taste- the various uses of culture. Violence, Bourdieu insists, is everywhere in social practice. It is misrecognized because its very everydayness and its familiarity render it invisible. Lacan identifies “rneconnaissance” as the prerequisite of the social. The exploitation of bachelor sons, robbing them of autonomy, independence, and progeny, within the structures of family farming in the European countryside that Bourdieu escaped is a case in point (Bourdieu, Chapter 42; see also Scheper-Hughes, 2000b; Favret-Saada, 1989). Following Gramsci, Foucault, Sartre, Arendt, and other modern theorists of power-vio- lence, Bourdieu treats direct aggression and physical violence as a crude, uneconomical mode of domination; it is less efficient and, according to Arendt (1969), it is certainly less legitimate. While power and symbolic domination are not to be equated with violence - and Arendt argues persuasively that violence is to be understood as a failure of power - violence, as we are presenting it here, is more than simply the expression of illegitimate physical force against a person or group of persons. Rather, we need to understand violence as encompassing all forms of “controlling processes” (Nader 1997b) that assault basic human freedoms and individual or collective survival. Our task is to recognize these gray zones of violence which are, by definition, not obvious. Once again, the point of bringing into the discourses on genocide everyday, normative experiences of reification, depersonalization, institutional confinement, and acceptable death is to help answer the question: What makes mass violence and genocide possible? In this volume we are suggesting **that mass violence is part of a continuum, and that it is socially incremental and often experienced by perpetrators, collaborators, bystanders - and even by victims themselves - as expected, routine, even justified**. The preparations for mass killing can be found in social sentiments and institutions from the family, to schools, churches, hospitals, and the military. Th**ey harbor the** early “warning signs” (Charney 1991), the “**priming**” (as Hinton, ed., 2002 calls it), or the “genocidal continuum” (as we call it) **that push social consensus toward devaluing certain forms of human life** and lifeways from the refusal of social support and humane care to vulnerable “social parasites” (the nursing home elderly, “welfare queens,” undocumented immigrants, drug addicts) to the militarization of everyday life (super-maximum-security prisons, capital punishment; the technologies of heightened personal security, including the house gun and gated communities; and reversed feelings of victimization).

Prefer this impact – structural violence is invisible and exponential

**Nixon 11**

(Rob, Rachel Carson Professor of English, University of Wisconsin-Madison, Slow Violence and the Environmentalism of the Poor, pgs. 2-3)

Three primary concerns animate this book, chief among them my conviction that **we urgently need to** **rethink**-politically, imaginatively, and theoretically-what I call **"slow violence."** By slow **violence** I mean a violence that occurs gradually and out of sight, a violence of delayed destruction **that is dispersed across time** and space, an attritional violence that is typically not viewed as violence at all. **Violence is customarily conceived as an event or action that is immediate in time, explosive and spectacular** in space, and as erupting into instant sensational visibility. **We need**, I believe, **to engage** a different kind of violence, a **violence that is neither spectacular nor instantaneous, but rather incremental and accretive,** its calamitous repercussions playing out across a range of temporal scales. In so doing, **we** also **need to engage the** representational, narrative, and strategic challenges posed by the relative **invisibility of slow violence.** Climate change, the thawing cryosphere, toxic drift, biomagnification, deforestation, the radioactive aftermaths of wars, acidifying oceans, and a host of other slowly unfolding environmental catastrophes present formidable representational obstacles that can hinder our efforts to mobilize and act decisively. The long dyings-the staggered and staggeringly discounted casualties, both human and ecological that result from war's toxic aftermaths or climate change-are underrepresented in strategic planning as well as in human memory. **Had Summers advocated invading Africa with weapons of mass destruction, his proposal would have fallen under conventional definitions of violence and been perceived as** a military or even **an imperial invasion. Advocating invading countries with mass forms of slow-motion toxicity, however, requires rethinking our accepted assumptions of violence to include slow violence. Such a rethinking requires that we complicate conventional assumptions about violence** as a highly visible act that is newsworthy because it is event focused, time bound, and body bound. **We need to account for how the temporal dispersion of slow violence affects the way we perceive** and respond to a variety of **social afflictions**-from domestic abuse to posttraumatic stress and, in particular, environmental calamities. A major challenge is representational: how to devise arresting stories, images, and symbols adequate to the pervasive but elusive violence of delayed effects. Crucially, **slow violence is often not just attritional but also exponential, operating as a major threat multiplier; it can fuel long-term, proliferating conflicts in situations where the conditions for sustaining life become increasingly but gradually degraded.**

**AT: Consequences/Ethics Don’t Matter/Self Defense**

All types of violence remain unjustifiable under a consequentialist frame

**Cady 10 (Duane L., prof of phil @ hamline university, From Warism to Pacifism: A Moral Continuum, pp. 11-12)**

Toward the middle of the nineteenth century, Adin Ballou, leader of the New England Non-Resistance Society, developed pragmatic pacifism to a level previously unknown. **Seizing the** warist’s **most common justification for violence, self- defense, Ballou says, “If it be the true method, it must on the whole work well. It must preserve human life** and secure mankind against injury **more** certainly and **effectively** **than any other possible method. Has it done this? I do not admit it.”**36 **Ballou goes on to cite death tolls from history, millions slain in war**, most **in the name of self- defense**. To preserve those lives that were preserved at such staggering cost itself renders life a thing of doubtful value to Ballou. If only a few thousand or even a few million had perished, **if innocence and justice and right had always triumphed, if aggression, violence, and injustice always had been defeated, if gradually the world had come out of barbarity by these self- defensive wars into a condition of peace and justice, if self- defensive violence had deterred aggression, perhaps then we could believe that self- defensive war was justifiable. But history demonstrates that we are no better off, rather, that we are worse off for having used self- defensive violence**.37 Ballou takes the consequentialist to task. **When wars are** taken to be **justifiable** and justified, **they are** so as **means to some end**. Ballou simply reminds us of what the results have been. **His is not a principled pacifism that forbids violence out of respect for human rights** or divine command; **he simply calls on the consequentialist to examine the empirical evidence of the results of justifying violence by appeal to self-** **defense**. Rather than propose definitive grounds for pacifism, Ballou undermines the principal justification of warism. **Pacifism is defended** indirectly **by exposing the failure of the consequentialist justification** **of war**.

**Link Overview**

**The aff's plan is a high-grade legal maneuver to create the legal cover for war - they bypass the complexities of moral choice by making the debate about who can be the best corporate warfare lawyer and find loopholes for the military to exploit**

* They are part of a conscious project of rendering war into the legal space – determining its costs and benefits via technicalities and law reviews rather than through the bodies of soldiers and civilians. They actively make war appear sanctioned and therefore legitimate its use.

**Smith 2 – prof of phil @ U of South Florida**

**(Thomas, *International Studies Quarterly* 46, The New Law of War: Legitimizing Hi-Tech and Infrastructural Violence)**

The role of military lawyers in all this has, according to one study, “changed irrevocably” ~Keeva, 1991:59!. Although liberal theorists point to the broad normative contours that law lends to international relations, **the Pentagon wields law with technical precision.** During the Gulf War and the Kosovo campaign, JAGs opined on the legal status of multinational forces, the U.S. War Powers Resolution, rules of engagement and targeting, country fly-overs, maritime interceptions, treatment of prisoners, hostages and “human shields,” and methods used to gather intelligence. **Long before the bombing began, lawyers had joined in the development and acquisition of weapons systems, tactical planning, and troop training.** In the Gulf War, the U.S. deployed approximately 430 military lawyers, the allies far fewer, leading to some amusing but perhaps apposite observations about the legalistic culture of America ~Garratt, 1993!. Many lawyers reviewed daily Air Tasking Orders as well as land tactics. Others found themselves on the ground and at the front. According to Colonel Rup- pert, the idea was to “put the lawyer as far forward as possible” ~Myrow, 1996–97!. During the Kosovo campaign, lawyers based at the Combined Allied Operations Center in Vicenza, Italy, and at NATO headquarters in Brussels approved every single targeting decision. We do not know precisely how decisions were taken in either Iraq or Kosovo or the extent to which the lawyers reined in their masters. Some “corrections and adjustments” to the target lists were made ~Shot- well, 1993:26!, but by all accounts the lawyers—and the law—were extremely accommodating.¶ The exigencies of war invite professional hazards as military lawyers seek to “find the law” and to determine their own responsibilities as legal counselors. A 1990 article in Military Law Review admonished judge advocates not to neglect their duty to point out breaches of the law, but not to become military ombuds- men either. The article acknowledged that the JAG faces pressure to demonstrate that he can be a “force multiplier” who can “show the tactical and political soundness of his interpretation of the law” ~Winter, 1990:8–9!. **Some tension between law and necessity is inevitable, but over the past decade the focus has shifted visibly from restraining violence to legitimizing it.** **The Vietnam-era perception that law was a drag on operations has been replaced by a zealous “client culture” among judge advocates. Commanding officers “have come to realize that**, as in the relationship of corporate counsel to CEO, **the JAG’s role is not to create obstacles, but to find legal ways to achieve** his client’s **goals—even when those goals are to blow things up and kill people”** ~Keeva, 1991:59!. **Lt. Col.** Tony **Montgomery**, the JAG **who approved the bombing of the Belgrade television studios, said recently that “judges don’t lay down the law. We take guidance from our government on how much of the consequences they are willing to accept”** ~The Guardian, 2001!.¶ Military necessity is undeterred. **In a permissive legal atmosphere, hi-tech states can meet their goals and remain within the letter of the law.** As noted, humanitarian law is firmest in areas of marginal military utility. When opera- tional demands intrude, however, even fundamental rules begin to erode. The Defense Department’s final report to Congress on the Gulf War ~DOD, 1992! found nothing in the principle of noncombatant immunity to curb necessity. Heartened by the knowledge that civilian discrimination is “one of the least codified portions” of the law of war ~p. 611!, the authors argued that “to the degree possible and consistent with allowable risk to aircraft and aircrews,” muni- tions and delivery systems were chosen to reduce collateral damage ~p. 612!. “An attacker must exercise reasonable precautions to minimize incidental or collat- eral injury to the civilian population or damage to civilian objects, consistent with mission accomplishments and allowable risk to the attacking forces” ~p. 615!. The report notes that planners targeted “specific military objects in populated areas which the law of war permits” and acknowledges the “commingling” of civilian and military objects, yet the authors maintain that “at no time were civilian areas as such attacked” ~p. 613!. The report carefully constructed a precedent for future conflicts in which human shields might be deployed, noting “the presence of civilians will not render a target immune from attack” ~p. 615!. The report insisted ~pp. 606–607! that Protocol I as well as the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons “were not legally applicable” to the Gulf War because Iraq as well as some Coalition members had not ratified them. More to the point that law follows practice, the report claimed that certain provisions of Protocol I “are not a codification of the customary practice of nations,” and thus “ignore the realities of war” ~p. 616!.¶ Nor can there be any doubt that a more elaborate legal regime has kept pace with evolving strategy and technology. Michael Ignatieff details in Virtual War ~2000! how targets were “developed” in 72-hour cycles that involved collecting and reviewing aerial reconnaissance, gauging military necessity, and coding antici- pated collateral damage down to the directional spray of bomb debris. A judge advocate then vetted each target in light of the Geneva Conventions and calcu- lated whether or not the overall advantage to be gained outweighed any expected civilian spillover. Ignatieff argues ~2000:198–199! that this elaborate symbiosis of law and technology has given birth to a “veritable casuistry of war.” **Legal fine print, hand-in-hand with new technology, replaced deeper deliberation about the use of violence in war. The law provided “harried decision-makers with a critical guarantee of legal coverage, turning complex issues of morality into technical issues of legality.”** Astonishingly fine discrimination also meant that unintentional civilian casualties were assumed to have been unintentional, not foreseen tragedies to be justified under the rule of double effect or the fog of war. The crowning irony is that NATO went to such lengths to justify its targets and limit collateral damage, even as it assured long-term civilian harm by destroy- ing the country’s infrastructure.¶ Perhaps **the most powerful justification was provided by law itself. War is often dressed up in patriotic abstractions**—Periclean oratory, **jingoistic newsreels, or heroic memorials. Bellum Americanum is cloaked in the stylized language of law.** **The DOD report is padded with references to treaty law**, some of it obscure, that was “applicable” to the Gulf War, **as if a** surfeit of **legal citation would convince skeptics** of the propriety of the war. Instances of humane restraint invariably were presented as the rule of law in action. Thus the Allies did not gas Iraqi troops, torture POWs, or commit acts of perfidy. **Most striking is the use of legal language to justify the erosion of noncombatant immunity.** Hewing to the legal- isms of double effect, the Allies never intentionally targeted civilians as such. As noted, by codifying double effect the law artificially bifurcates intentions. Har- vard theologian Bryan Hehir ~1996:7! marveled at the Coalition’s legalistic word- play, noting that the “briefers out of Riyadh sounded like Jesuits as they sought to defend the policy from any charge of attempting to directly attack civilians.”¶ **The** Pentagon’s **legal narrative is** certainly **detached from the carnage on the ground, but it also oversimplifies and even actively obscures the moral choices involved** in aerial bombing. Lawyers and tacticians made very deliberate decisions about aircraft, flight altitudes, time of day, ordnance dropped, confidence in intelligence, and so forth. By expanding military necessity to encompass an extremely prudential reading of “force protection,” these choices were calculated to protect pilots and planes at the expense of civilians on the ground, departing from the just war tradition that combatants assume greater risks than civilians. While it is tempting to blame collateral damage on the fog of war, much of that uncertainty has been lifted by technology and precision law. Similarly, in Iraq and in Yugoslavia the focus was on “degrading” military capabilities, yet a loose view of dual use spelled the destruction of what were essentially social, economic, and political targets. Coalition and NATO officials were quick to apologize for accidental civilian casualties, but in hi-tech war most noncombatant suffering is by design.¶ **Does the law of war reduce death and destruction?** International law certainly has helped to delegitimize, and in rare cases effectively criminalize, direct attacks on civilians. But in general humanitarian **law has mirrored wartime practice.** On the ad bellum side, **the erosion of** right authority and **just cause has eased the path toward war.** Today, foreign offices rarely even bother with formal declara- tions of war. Under the United Nations system it is the responsibility of the Security Council to denounce illegal war, but for a number of reasons its mem- bers have been extremely reluctant to brand states as aggressors. If the law were less accommodating, greater effort might be devoted to diplomacy and war might be averted. On the in bello side the ban on direct civilian strikes remains intact, but double effect and military demands have been contrived to justify unnecessary civilian deaths. Dual use **law has been stretched to sanction new forms of violence against civilians.** **Though not as spectacular as** the **obliteration bombing** to which it so often is favorably compared, **infrastructural war is far deadlier than the rhetoric of a “clean and legal” conflict suggests.** It is true that rough estimates of the ratio of bomb tonnage to civilian deaths in air attacks show remarkable reductions in immediate collateral damage. There were some 40.83 deaths per ton in the bombing of Guernica in 1937 and 50.33 deaths per ton in the bombing of Tokyo in 1945. In the Kosovo campaign, by contrast, there were between .077 and .084 deaths per ton. In Iraq there were a mere .034 ~Thomas, 2001:169!. According to the classical definition of collateral damage, civilian protection has improved dramatically, but if one takes into account the staggering long-term effects of the war in Iraq, for example, aerial bombing looks anything but humane.¶ For aerial bombers themselves modern war does live up to its clean and legal image. While war and intervention have few steadfast constituents, **the myth of immaculate warfare has eased fears that** intervening **soldiers may come to harm**, which polls in the U.S., at least, rank as being of great public concern, and even greater military concern. A new survey of U.S. civilian and military attitudes found that soldiers were two to four times more casualty-averse than civilians thought they should be ~Feaver and Kohn, 2001!. **By removing what is perhaps the greatest restraint on the use of force—the possibility of soldiers dying—law** and technology **have given rise to the** novel **moral hazards of a “postmodern, risk-free, painless war”** ~Woollacott, 1999!. “We’ve come to expect the immacu- late,” notes Martin Cook, who teaches ethics at the U.S. Army War College in Carlisle, PA. “**Precision-guided munitions make it** very **much easier to go to war** than it ever has been historically.” Albert Pierce, director of the Center for the Study of Professional Military Ethics at the U.S. Naval Academy argues, “standoff precision weapons give you the option to lower costs and risks . . . but you might be tempted to do things that you might otherwise not do” ~Belsie, 1999!.¶ Conclusion¶ **The utility of law to legitimize modern warfare should not be underestimated.** **Even in the midst of war, legal arguments retain an aura of legitimacy** that is missing in “political” justifications. The aspirations of humanitarian law are sound. Rather, it is **the instrumental use of law** that **has oiled the skids of hi-tech violence.** Not only does **the law** defer to military necessity, even when very broadly defined, but more importantly it **bestows** on those same **military demands** all **the moral and psychological trappings of legality. The result has been to legalize and thus** to **justify in the public mind** “inhumane **military methods and their consequences,” as violence against civilians is carried out “behind the protective veil of justice”** ~af Jochnick and Normand, 1994a:50!. **Hi-tech states can defend hugely destructive, essentially unopposed, aerial bombardment by citing the authority of seemingly** secular and **universal legal standards.** **The growing gap between hi- and low-tech means may exacerbate inequalities** in moral capital as well, **as the sheer barbarism of “premodern” violence committed by** ethnic cleansers or atavistic **warlords makes the methods employed by hi-tech warriors seem all the more clean and legal by contrast.**¶ **This fusion of law and technology is likely to propel future American interventions.** Despite assurances that the campaign against terrorism would differ from past conflicts, the allied air war in Afghanistan, marked by record numbers of unmanned drones and bomber flights at up to 35,000 feet, or nearly 7 miles aloft, rarely strayed from the hi-tech and legalistic script. While the attack on the World Trade Center confirmed a thousand times over the illegality and inhu- manity of terrorism, the U.S. response has raised further issues of legality and inhumanity in conventional warfare. Civilian deaths in the campaign have been substantial because “military objects” have been targeted on the basis of extremely low-confidence intelligence. In several cases targets appear to have been chosen based on misinformation and even rank rumor. A liberal reading of dual use and the authorization of bombers to strike unvetted “targets of opportunity” also increased collateral damage. Although 10,000 of the 18,000 bombs, missiles, and other ordnance used in Afghanistan were precision-guided munitions, the war resulted in roughly 1000 to 4000 direct civilian deaths, and, according to the UNHCR, produced 900,000 new refugees and displaced persons. The Pentagon has nevertheless viewed the campaign as “a more antiseptic air war even than the one waged in Kosovo” ~Dao, 2001!. General Tommy Franks, who commanded the campaign, called it “the most accurate war ever fought in this nation’s history” ~Schmitt, 2002!.9¶ No fundamental change is in sight. **Governments continue to justify collateral damage by citing** the marvels of technology and **the authority of** international **law.** One does see a widening rift between governments and independent human rights and humanitarian relief groups over the interpretation of targeting and dual-use law. But these disputes have only underscored the ambiguities of human- itarian law. **As long as interventionist states dominate the way that the rules of war are crafted** and construed, **hopes of rescuing law from politics will be dim indeed.**

**\*\*Psychological Legitimacy/State Control**

Restrictions cause net-more violence – laws of war legitimize longer-term actions and fragment dissent

**Smith 2 – prof of phil @ U of South Florida**

**(Thomas, *International Studies Quarterly* 46, The New Law of War: Legitimizing Hi-Tech and Infrastructural Violence)**

The argument advanced here is that **the law of war has flourished at the cost of increased artificiality and elasticity.** Law has successfully shaped norms and practices in the areas of warfare furthest from hi-tech tactics. Strides have been made, for example, in the 1980 United Nations Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons, and the 1997 Convention on the Prohibition of Anti-Personnel Mines. For hi-tech states, these are relatively low-cost laws. But when modern military necessity calls, **the law of war has legitimized violence, not restrained it.** New military technology invariably has been matched by technical virtuosity in the law. **New legal interpretations**, diminished ad bellum restraints, **and an expansive view of military necessity are coalescing in a regime of legal warfare that licenses hi-tech states to launch wars as long as their conduct is deemed just. The new law of war** burnishes hi-tech campaigns and **boosts public relations, even as it undercuts customary limits on the use of force and erodes distinctions between soldiers and civilians.** **Modern warfare has dramatically reduced the number of direct civilian deaths, yet the law sanctions infrastructural campaigns that harm long-term public health and human rights**

**\*\*Regulation**

The concern with regulating war sees it as an isolatable event that can be defined and managed – this approach makes it impossible to deal with the pervasive effects of everyday militarism

**Cuomo 96 (Chris, prof of women’s studies @ UGA, War is Not Just an Event: Reflections on the Significance of Everyday Violence, *Hypatia* 11:4, Women and Violence, Autumn, pp. 30-45)**

**Philosophical attention to war has typically appeared in the form of justifications for** entering into **war, and** over **appropriate activities within war. The spatial metaphors used to refer to war as a separate, bounded sphere indicate assumptions that war is a realm of human activity vastly removed from normal life**, or a sort of happening that is appropriately **conceived apart from everyday events in peaceful times.** Not surprisingly, most **discussions of** the political and ethical dimensions of **war discuss war solely as an event**-an occurrence, or collection of occurrences, **having clear beginnings and endings** that are typically **marked by formal, institutional declarations**. As happenings, wars and military activities can be seen as motivated by identifiable, if complex, intentions, and directly enacted by individual and collective decision-makers and agents of states. But many of the **questions about war** that are of interest to feminists-**including how** large-scale, **state-sponsored violence affects women and** members of **other oppressed groups; how military violence shapes gendered, raced, and nationalistic political realities** and moral imaginations; what such violence consists of and why it persists; **how it is related to other oppressive and violent institutions and hegemonies-cannot be adequately pursued by focusing on events. These issues are not** merely **a matter of** good or bad intentions and **identifiable decisions**. In "Gender and 'Postmodern' War," Robin Schott introduces some of the ways in which **war is currently best seen not as an event but as a presence** (Schott 1995). Schott argues that postmodern understandings of persons, states, and politics, as well as the high-tech nature of much contemporary warfare and the preponderance of civil and nationalist wars, render an event- based conception of war inadequate, especially insofar as gender is taken into account. In this essay, I will expand upon her argument by showing that accounts of war that only focus on events are impoverished in a number of ways, and therefore feminist consideration of the political, ethical, and onto- logical dimensions of war and the possibilities for resistance demand a much more complicated approach. I take Schott's characterization of war as presence as a point of departure, though I am not committed to the idea that the constancy of militarism, the fact of its omnipresence in human experience, and the paucity of an event-based account of war are exclusive to contemporary postmodern or postcolonial circumstances.1 **Theory that does not investigate** or even notice **the omnipresence of militarism cannot** represent or **address the** depth and specificity of the **every- day effects of militarism on women, on people living in occupied territories, on members of military institutions, and on the environment.** These effects are relevant to feminists in a number of ways because military practices and institutions help construct gendered and national identity, and because they justify the destruction of natural nonhuman entities and communities during peacetime. **Lack of attention to these aspects of** the business of making or preventing **military violence** in an extremely technologized world **results in** **theory that cannot accommodate** the connections among **the constant presence of militarism**, declared wars, and other closely related social phenomena, such as nationalistic glorifications of motherhood, media violence, and current ideological gravitations to military solutions for social problems. Ethical approaches that do not attend to the ways in which warfare and military practices are woven into the very fabric of life in twenty-first century technological states lead to crisis-based politics and analyses. For any feminism that aims to resist oppression and create alternative social and political options, **crisis-based** ethics and **politics are problematic because they distract** attention **from the need for sustained resistance to the enmeshed, omnipresent** **systems of domination and oppression that** so often **function as givens in** most **people's lives. Neglecting the omnipresence of militarism allows the false belief**  **that the absence of declared armed conflicts is peace**, the polar opposite of war. It is particularly easy for those whose lives are shaped by the safety of privilege, and who do not regularly encounter the realities of militarism, to maintain this false belief. The belief that militarism is an ethical, political concern only regarding armed conflict, creates forms of resistance to militarism that are merely exercises in crisis control. **Antiwar resistance is** then **mobilized when** **the "real" violence finally occurs**, or when the stability of privilege is directly threatened, and at that point it is difficult not to respond in ways that make resisters drop all other political priorities. **Crisis-driven attention to declarations of war might** actually **keep resisters complacent about** and complicitous in **the general presence of global militarism. Seeing war as** necessarily **embedded in constant military presence draws attention to the fact that** horrific, **state-sponsored violence is happening nearly all over, all of the time, and** that it **is perpetrated by military institutions** and other militaristic agents of the state. **Moving away from crisis-driven politics** and ontologies concerning war and military violence also enables consideration of relationships among seemingly disparate phenomena, and therefore **can shape more nuanced theoretical and** **practical forms of resistance.** For example, investigating the ways in which war is part of a presence allows consideration of the relationships among the events of war and the following: how militarism is a foundational trope in the social and political imagination; how the pervasive presence and symbolism of soldiers/warriors/patriots shape meanings of gender; the ways in which threats of state-sponsored violence are a sometimes invisible/sometimes bold agent of racism, nationalism, and corporate interests; the fact that vast numbers of communities, cities, and nations are currently in the midst of excruciatingly violent circumstances. It also provides a lens for considering the relationships among the various kinds of violence that get labeled "war." Given current American obsessions with nationalism, guns, and militias, and growing hunger for the death penalty, prisons, and a more powerful police state, one cannot underestimate the need for philosophical and political attention to connections among phenomena like the "war on drugs," the "war on crime," and other state-funded militaristic campaigns. I propose that the constancy of militarism and its effects on social reality be reintroduced as a crucial locus of contemporary feminist attentions, and that feminists emphasize how wars are eruptions and manifestations of omnipresent militarism that is a product and tool of multiply oppressive, corporate, technocratic states.2 Feminists should be particularly interested in making **this shift** because it **better allows consideration of the effects of war and militarism on** **women, subjugated peoples, and environments.** While giving attention to the constancy of militarism in contemporary life we need not neglect the importance of addressing the specific qualities of direct, large-scale, declared military conflicts. **But the dramatic nature of declared, large-scale conflicts should not**  **obfuscate the ways in which military violence pervades most societies** in increasingly technologically sophisticated ways and the significance of military institutions and everyday practices in shaping reality. Philosophical **discussions that focus only on the ethics of** declaring and **fighting wars miss these** **connections**, and also miss the ways in which even declared military conflicts are often experienced as omnipresent horrors. **These approaches** also **leave** **unquestioned tendencies to** suspend or **distort moral judgment in the face of** **what appears to be the inevitability of war** and militarism. **Just-war theory is a prominent example** of a philosophical approach **that** **rests on the assumption that wars are isolated from everyday life** and ethics. Such theory, as developed by St. Augustine, Thomas Aquinas, and Hugo Grotius, and as articulated in contemporary dialogues by many philosophers, including Michael Walzer (1977), Thomas Nagel (1974), and Sheldon Cohen (1989), take the primary question concerning the ethics of warfare to be about when to enter into military conflicts against other states. **They** therefore **take** **as a given the notion that war is an isolated, definable event** with clear boundaries. **These boundaries are significant because they distinguish the** **circumstances in which standard moral rules and constraints, such as rules** **against murder and unprovoked violence, no longer apply. Just-war theory** **assumes that war is a separate sphere of human activity having its own ethical** **constraints and criteria and in doing so it begs the question of whether or not** **war is a special kind of event, or part of a pervasive presence in nearly all**  **contemporary life.** Because the application of **just-war principles** is a matter of proper decision- making on the part of agents of the state, before wars occur, and before military strikes are made, they **assume that military initiatives are distinct events**. In fact, declarations of war are generally over-determined escalations of preexisting conditions. **Just-war criteria cannot** help **evaluate military** and related **institutions**, including their **peacetime practices** and how these relate to wartime activities, so they cannot address the ways in which armed conflicts between and among states emerge from omnipresent, often violent, state militarism. The remarkable resemblances in some sectors between states of peace and states of war remain completely untouched by theories that are only able to discuss the ethics of starting and ending direct military conflicts between and among states. **Applications of just-war criteria actually help create the illusion that the** **"problem of war" is being addressed when the only considerations are** the ethics of declaring wars and of **military violence within the boundaries of** **declarations of war** and peace. **Though just-war considerations might theoretically help decision-makers avoid specific gross eruptions of military violence**, **the aspects of war which require the underlying presence of militarism and the** direct effects of the **omnipresence of militarism remain untouched**. There may be important **decisions** to be made **about** when and how to fight **war**, but these **must be considered in terms of the** many other **aspects of** contemporary war and **militarism** that are **significant to nonmilitary personnel, including women and nonhumans.**

Multiple historical examples prove nonviolence is practical and **state-based non-violence can be more effective than disorganized resistance**

**Cady 10 (Duane L., prof of phil @ hamline university, From Warism to Pacifism: A Moral Continuum, pp. 94-96)**

Turning to more genuine objections to pacifism, **the vast majority** ¶ **of standard criticisms are** variations of **“Be realistic.”** These tend to be ¶ expressed with remarks such as, “Pacifism sounds good but it just won’t ¶ work,” **or “I agree in theory but not in practice.” Since practical objections can only be resolved by** reference to **empirical evidence**, it is at ¶ this point that **the long history of nonviolent direct action needs to be** ¶ **known. People tend to think pacifist action will not work because they** ¶ **are** largely **ignorant of where and when it has worked. In fact, nonviolent direct action has been** an **effective and widespread** means of social ¶ change, defense of rights, resistance against invasion, improvement of ¶ economic conditions, and overthrow of dictators. **While a thorough history of nonviolent direct action cannot be included here, brief sketches** ¶ of selected successful pacifist direct actions **are helpful**.1¶ **Examples of effective** use of **nonviolent** direct **action can be documented** at least **as far back as** fifth century B.C.E. **Rome**. Evidence is ¶ scattered but “nonviolent action certainly occurred between Roman ¶ times and the late eighteenth century, when the case material be-¶ comes rich.”2 While many effective **nonviolent actions are** familiar, ¶ many more are **neglected in our school history texts, or their significance is overshadowed by detailed accounts of battles, tactics, and** acts ¶ of **military heroes**. Some effective nonviolent actions are recounted ¶ with little recognition that they fostered major social change without ¶ resort to violence. **Instances** of effective use of nonviolent direct action ¶ from early American history **include** organized **colonists challenging** ¶ **British rule by economic resistance, abolitionist struggles** against ¶ slavery **through boycott of slave- labor- produced goods and** support of runaway slaves via **the Underground Railroad, the struggle for women’s suffrage through protest, civil disobedience, and tax resistance, as** ¶ **well as** numerous **strikes, boycotts**, slow- downs, **and protests** characterizing the defense of workers’ rights **in the labor movement.** Similar ¶ examples can be drawn from the histories of many other nations.¶ To a large extent, nonviolent means of struggle have replaced physical attacks, riots, and killings as means of social and economic reform, ¶ but **we** now **take** these **nonviolent methods for granted** as appropriate ¶ means for redress of economic and social grievances. Unfortunately, ¶ **we rarely recognize the role of nonviolent activists** in the transformation of culture from violent to nonviolent means in achieving social and ¶ economic justice. **When faced with the objection “it won’t work,” the** ¶ **pacifist response must be, simply, that nonviolent action does work and** ¶ **has a history to document the claim**.¶ **Serious critics of pacifism press further, objecting that** while **a few** ¶ **instances of** effective use of **nonviolent** direct **action** have occurred, ¶ they **are exceptional cases. To respond to this, pacifists need only underscore the innumerable cooperative acts undertaken routinely every** ¶ **day by the vast majority of people** within any functional society. When ¶ this point is granted, the objection turns to require examples not from ¶ domestic conflict over economic or social grievances but instances in ¶ which nonviolent struggle is “a major or predominant means of defense ¶ against foreign invaders or internal usurpers.”3 Here again history ¶ provides examples of successful nonviolent actions. They include:¶ German strikes and political noncooperation to the 1920 Kapp ¶ Putsch against the Weimar Republic; German government- ¶ sponsored noncooperation in the Ruhr in 1923 to the French ¶ and Belgian occupation; major aspects of the Dutch anti-Nazi ¶ resistance, including several large strikes, 1940– 45; major aspects of the Danish resistance to the German occupation, including the 1944 Copenhagen general strike, 1940– 45; major ¶ parts of the Norwegian resistance to the Quisling regime and ¶ the occupation, 1940– 45; and **the Czechoslovak resistance to the Soviet** invasion and **occupation**, 1968– 69.4¶ It must be kept in mind that in **these** cases **nonviolent actions were** ¶ **undertaken with** success yet with little or **no preparation, training, or planning. Of course the Czechoslovak resistance ultimately** ¶ **failed, “but it held off** full **Soviet control for eight months . . . which** ¶ **would have been utterly impossible by military means**.”5 **We can** ¶ only **speculate how much more successful nonviolent defense might be were nations to prepare for it with commitments of resources** ¶ and energy at levels **comparable to** current **investments in military** ¶ **defense.**

**AT: Realism**

**Research bias – academics want to confirm that violence is inevitable and they turn up those results – 47 counterexamples prove non-violent societies are possible**

**Paige 2** - Professor of political science @ University of Hawaii [Glenn D., Nonkilling Global Political Science ]

Case studies of homicide presented by psychiatrist George F. Solomon (1970) make killing understandable and plausibly preventable in contrast to helpless reference to “human nature.” In one case, the socialization experience of a seemingly unemotional, random sniper-killer of women included: parental neglect by his gambling father, seduction by his alcoholic and promiscuous mother, fascination with guns, and drug use to block out “horrible images” of incestuous guilt. In another case, the background of a killer of his ex-wife’s new husband included: poverty, hatred of father for violence against his mother, convulsion after a paternal beating on the head, maternal ridicule, being beaten by his sisters, becoming a first sergeant in the Marine Corps, marriage to a prostitute met in a brothel, fathering two children by her, assault upon her and slashing his own wrists after discovering her infidelity while he was on duty overseas, being threatened by her with a .38 caliber handgun, and possession of his service pistol with which he killed—not her—but her new husband amidst a three-sided, living room quarrel about child support and visitation rights. Solomon concludes: As a psychiatrist I have a firm commitment to the idea that human behavior can be modified. Our failures in prevention and treatment have been based on ignorance, which can be ameliorated through further research; on lack of implementation of accepted principles; [and] on a reluctance to innovate; and on a vindictiveness toward social deviancy far more than any intrinsic “incurability” of the violence-prone person. The human’s capacity for growth and healing is great and, hopefully, his proclivity for violence can be halted (387). In anthropology, **new interest in understanding human capacities for nonviolence and peace as contrasted with customary emphasis upon violence and aggression is producing knowledge to question the assumption that a nonkilling society is impossible** (Sponsel and Gregor 1994b; Sponsel 1996). As Leslie E. Sponsel explains, “Nonviolent and peaceful societies appear to be rare—not because they are, in fact, rare but because **nonviolence and peace are too rarely considered in research**, the media, and other areas.” He adds, “It is as important to understand the characteristics, conditions, causes, functions, processes, and consequences of nonviolence and peace as it is to understand those of violence and war” (Sponsel 1994a: 18–9). Scientific questioning of the Hobbesian assumption of universal lethality among early humans has been advanced by Piero Giorgi (1999) and J.M.G. van der Dennen (1990; 1995). In a review of evidence for war and feuding for 50,000 “primitive” peoples recorded in the ethnographic literature over the past century, van der Dennen finds explicit confirmation for only 2,000 groups. Acknowledging that absence of information about “belligerence” for the remaining groups does not necessarily prove their peacefulness, van der Dennen cautions against dogmatic acceptance of the assumption of universal human bellicosity (1990: 257, 259, 264-9). He cites ethnographic evidence for 395 “highly unwarlike” peoples from Aboriginals to Zuni (1995: 595–619). Reviewing the anthropological literature, Bruce D. Bonta (1993) identifies forty-seven societies that demonstrate human capacities for “peacefulness.” Peacefulness . . . is defined as a condition whereby people live with a relatively high degree of interpersonal harmony; experience little physical violence among adults, between adults and children, and between the sexes; have developed workable strategies for resolving conflicts and averting violence; are committed to avoiding violence (such as warfare) with other peoples; raise their children to adopt peaceful ways; and have a strong consciousness of themselves as peaceful (4). Bonta finds evidence of peacefulness among the Amish, Anabaptists, Balinese, Batek, Birhor, Brethren, Buid, Chewong, Doukhobors, Fipa, Fore, G/wi, Hutterites, Ifaluk, Inuit, Jains, Kadar, !Kung, Ladakhis, Lepchas, Malapandaram, Mbuti, Mennonites, Montagnais-Naskapi, Moravians, Nayaka, Nubians, Onge, Orang Asli, Paliyan, Piaroa, Quakers, Rural Northern Irish, Rural Thai, San, Sanpoil, Salteaux, Semai, Tahitians, Tanka, Temiar, Toraja, Tristan Islanders, Waura, Yanadi, Zapotec, and Zuni. In a further study of conflict resolution among twenty-four of these peoples, Bonta (1996) concludes: Several common notions about conflict and conflict resolution that are asserted by Western scholars can be questioned in light of the success of these societies in peacefully resolving conflicts: namely, that violent conflict is inevitable in all societies; that punishment and armed force prevent internal and external violence; that political structures are necessary to prevent conflicts; and that conflict should be viewed as positive and necessary. The contrary evidence is that over half of the peaceful societies have no recorded violence; they rarely punish adults (except for the threat of ostracism); they handle conflicts with outside societies in the same peaceful ways that they approach internal conflicts; they do not look to outside governments when they have internal disputes; and they have a highly negative view of conflict (403).

**Plan’s not realist**

**Slater 8** (Philip, PhD Sociology @ Harvard, former Prof. Sociology @ Brandeis U, founder of Greenhouse, “Realpolitik vs Reality,” The Huffington Post, <http://www.huffingtonpost.com/philip-slater/realpolitik-vs-reality_b_143312.html>)

**Obama's election provides an opportunity to reconsider the utility of realpolitik**, the guiding principle of American foreign policy for the past sixty years. **Realpolitik is supposed to be 'practical', but** one can't escape the feeling that it would be better termed dummheitpolitik, since **it has been the major cause of almost every foreign policy problem we face in the world today. Building up Osama bin Laden to harass the Russians in Afghanistan comes to mind, not to mention building up Saddam Hussein to fight Iran. And of course there's Iran--possibly the most democratic nation in the Muslim world before we sabotaged Mossadegh and installed the Shah's dictatorship, whose oppressive regime opened the door to the fundamentalist Mullahs.** When you get right down to it, **realpolitik is merely macho politics--a kind of Johnny-one-note foreign policy. You rattle sabers, hoping someone will wimp out. When they don't, you waste billions slaughtering civilians for a few years, then carry on as before, only with a considerably weakened economy, fewer resources, more enemies, and less real influence. Or you subvert other countries--overthrowing their democratically-elected governments, as we did all over Latin America, achieving nothing beyond a few years of easy sailing for American corporations followed by a huge loss of influence and goodwill all over the continent, so that today more than half of Latin America either views us as the enemy or simply ignores us altogether. The dinosaurs are already wetting their drawers over Obama's suggestion that negotiation with Iran might conceivably be an alternative to another stupid adventure. Our media are also appalled, for the media are consistently more knee-jerk-macho than the American public. War, after all, is so much more newsworthy than peace. Violence sells**. **Why is talking considered so fraught with terrible peril? Why is it, when we've been pushing the rest of the world around for the last 60 years that negotiating with countries much weaker than we are is considered 'dangerously naïve'**? Why is the assumption always made that American diplomats will be outwitted by evil, sly foreigners? **Why are Americans such Nervous Nellies that they want get out the nukes every time anyone disagrees with us?** **When a huge giant acts like a timid little victim in a cartoon, it's humorous. When the world's only superpower, having bombed and/or invaded sovereign nations on four continents--none of them having threatened us in any way--tries to pass itself off as a poor little weak victim, it's just disgusting, and unworthy of a great nation. Realpolitik means reacting to every tension spot in the world by throwing bombs at it.** **Realpolitik means making sure an entire nation is against us, when only a small minority is**. **Realpolitik means choosing foreign policy leaders on the basis of their belligerence and paranoia. It's time for Americans to grow up, get their heads out of the sand, and put Realpolitik to bed.** **Our policy of bombing wedding parties, torturing prisoners, ignoring international law and international treaties, and treating every nation's territory as our personal property is not 'realistic', it's just short-sighted**. **Realpolitik has always been contrasted with internationalism, which was seen as idealistic. That was true a century ago. Today, internationalism is the only reality. The problems we face all require international solutions. The world has shrunk, and the nation-state is obsolete as an ultimate authority.** Corporations are international, terrorism is international, the economy is international, nature is international, pollution is international, labor is international, poverty is international, disease is international. **The credit crisis should have been a wake-up call. Banks and other corporations have for a long time taken rich advantage of the fact that politicians cling to meaningless national boundaries. Nations compete with one another, allowing multinationals to play them off against each other. But when trouble came, the banks were forced to reveal the truth to their nationalistic suckers: unite or we all go down.** **The world we live in today is one of networks. The largest network will succeed, the others will fail**. When Citibank tried to maintain a closed network of ATM machines, for example, several smaller banks banded together to form an open ATM network, which Citibank was ultimately forced to join because it was larger. **Isolationism today is a losing strategy. And networks are not empires--they're composed of equals. The United States can no longer dictate to the rest of the world--by attempting to, under the Bush administration, it has seen its influence around the world sink to its lowest depth in history. It's time to conduct our foreign policy like grownups, living in a grownup world, not like hyperactive ten-year-old boys living in comic-book dreams of superheroes**.

## 1NR

**Heg**

**There’s no correlation between hegemony and stability**

**Fettweis, 10**

[Christopher J. Fettweis, Assistant Professor of Political Science at Tulane University, “Threat and Anxiety in US Foreign Policy,” Survival, 52:2, 59-82, March 25th 2010, <http://dx.doi.org/10.1080/00396331003764603>]

**One potential explanation for the growth of global peace can be dismissed fairly quickly: US actions do not seem to have contributed much. The limited evidence suggests that there is little reason to believe in the stabilising power of the US hegemon, and that there is no relation between the relative level of American activism and international stability. During the 1990s, the United States cut back on its defence spending fairly substantially.** By 1998, the United States was spending $100 billion less on defence in real terms than it had in 1990, a 25% reduction.29 **To** internationalists, defence hawks and other **believers in hegemonic stability, this irresponsible ‘peace dividend’ endangered both national and global security.** ‘No serious analyst of American military capabilities’, argued neo-conservatives William Kristol and Robert Kagan in 1996, ‘doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace’.30 **And yet the verdict from the 1990s is fairly plain: the world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable US military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums; no security dilemmas drove insecurity or arms races; no regional balancing occurred once the stabilising presence of the US military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in US military capabilities. Most of all, the U**nited **S**tates **was no less safe. The incidence and magnitude of global conflict declined while the U**nited **S**tates **cut its military spending under** President Bill **Clinton, and kept declining as the** George W. **Bush administration ramped the spending back up. Complex statistical analysis is unnecessary to reach the conclusion that world peace and US military expenditure are unrelated.**

### Terror

**That creates disposability and devastates value to life**

**Goh 6** (Irving, Visiting Fellow @ Harvard U., where he worked on a research project on Balibar's philosophy of citizenship. Research Fellow @ National U. of Singapore. His research emphasis is in continental philosophy and its intersections with other disciplines like politics, literature, and architecture, “Disagreeing Preemptive/Prophylaxis: From Philip K. Dick to Jacques Ranciere” Fast Capitalism, 2.1, <http://www.uta.edu/huma/agger/fastcapitalism/2_1/goh.html>)

To allow the normalization of the fatal preemptive would be to institute the legitimization of an absolute or extreme biopolitics. According to Foucault, biopolitics is the control and management of individual bodies by the State through technics of knowledge (usually through surveillance) of those same bodies. In a biopolitical situation, the State holds the exceptional power to determine either the right to let live or make die the individual belonging to the State. Should the preemptive become a force of reason of contemporary life, one would terribly risk **submitting** the freedom of life and therefore **an unconditional right to be alive to a biopolitical capture,** hand**ing over** the right to let die to the State police and military powers. It would be a situation of abdicating the body as a totally exposed frontier of absolute war. For in the constant exposure of the imminent preemptive, the body at any time—when decided upon by military or police powers to be a security threat—becomes the point in which the space and time of conductibility of war collapse in a total manner. **The preemptive** reduces the body to a total space of absolute war. Virilio has suggested that the absolute destruction of an enemy in war is procured when the enemy can no longer hypothesize an alternate if not counter route or trajectory (of escape or counter-attack) from impending forces (1990: 17). In the sequence of executing the preemptive to its resolute end, the escaping body faces that same threat of zero hypothesis. There is no chance for that body to think (itself) outside the vortical preemptive. Preemptive bullets into the head would take away that chance of hypothesis. A spectral figure begins to haunt the scene now. And that is the figure of the homo sacer, who according to Agamben's analysis, is the one who in ancient times is killed without his or her death being a religious sacrifice, and the one whose killers are nonindictable of homicide. This figure is also the sign par excellence of the absolute biopolitical capture of life by the State, in which the decision to let live and make die is absolutely managed and decided by the State, and thereby the right to be alive is no longer the fact of freedom of existence for the homo sacer (Agamben 1998). For the right to be alive to be secured in any real sense from any political capture, for it to be maintained and guaranteed as and for the future of the human, the body cannot be allowed to return to this figure of the homo sacer. But victims of the preemptive irrepressibly recall the figure of the homo sacer. In the current legal proceedings of the London shooting, it has not been the fact that the police officers shot an innocent Brazilian that they will be charged. That charge remains absent. The charge of homicide against the officers remains elliptical. Instead, the plan has been to charge them for altering the police log book to conceal the fact that they had mistakenly identified the victim as a terror suspect. The possible turn[ed] of human life into the figure of **homo sacer** as decided by forces of the police or military under the overarching security measure of the preemptive divides the common space of existence. The space of existence becomes less than common now. **The preemptive,** as in the decision of a homo sacer, brings along with it a certain profiling of certain peoples, regardless of whether the force of law or the State would like to admit or not to such profiling measures. The law or the State would deny this unspoken profiling, but the evidence of its real imminence is felt by the peoples who would most likely fall under the category that the police or military would identify as a possible terror threat. And there is no denying that this profiling largely takes on an ethnic contour. And the fears of such a contouring are not unspoken. "Anyone with dark skin who was running for a bus or Tube could be thought to be about to detonate a bomb," expressed a concerned Labor peer Lord Ahmed for the U.K. Muslim community after the London shooting ("U.K. Muslims Feel 'Under Suspicion'" BBC News. 25 July 2005). The irreducible profiling in the culture of the preemptive is happening in the United States too. A New York Times article reports of a police-speak of "M.E.W.C's" under its intense surveillance—"Middle Eastern with a camera—perhaps taking pictures of a bridge, a hydropower plant or a reservoir" (Kershaw, New York Times. 25 July 2005). The nonnative ethnic community senses a state of emergency that works against them, that restricts their freedom of living on without fear. Indeed, after the London shooting, the BBC carried a report that said "many young Muslims were reluctant to leave their homes" ("U.K. Muslims Feel 'Under Suspicion'" BBC News. 25 July 2005). Their right to be alive becomes under siege as they "believed they could become victims of mistaken identity by armed police" (ibid.). They simply cannot hypothesize, innocent as they are of the intent of terror, a way to disprove the charge of the deadly preemptive that (mis)identifies or profiles them as possible terror suspects. As a Muslim living in Manchester says, "How do I know I won't just be picked up and labeled as a terrorist?" (ibid.). The possibility of a counter-hypothesis against the preemptive, and the unconditional right to be alive, become for these peoples, the unthinkable. That is what Anderton in Minority Report feels too once the naming of himself as a criminal-to-be and the decision of the preemptive capture of him have been disseminated. Even with a counter-proof that he will not commit a crime, he resigns to the fact that nothing can be done to reverse the precession of the preemptive, nothing to stop "precrime" from believing that he has not "the remotest intention of killing" (Dick 1997:329). For a critical response to the preemptive, such that a counter-hypothesis to disprove the preemptive is thinkable, such that no profiling politics of homo sacer is resurrected, and such that a right to be alive unconditionally remains thinkable or remains open and free to thought, one needs to open the space of disagreement with it and resist it, even though the State cannot bear such an interval between its preemptive law for territorial security and the interruption of a disagreement. One nonetheless has to interrupt the preemptive in overdrive to allow the counter-hypothesis or its prophylaxis to surface or arrive; or, one has to interrupt the prophylaxis when it precipitates into a destructive preemptive. And one cannot allow this reserve of the prophylaxis in contradistinction with the deadly preemptive to be the sole domain or hidden property of exceptional power. It cannot be deferred to be the decision and the enclosed time of reading of power. That is in fact the aporia of the prophylaxis in the text of Minority Report. John Anderton comes to realize that the prophylaxis of him not being a criminal-to-come is possible only because only he, as a figure of sovereign power, as the chief of "precrime" operations, has access to this strategic information. It is a privileged access, exceptional only to him, and not to the others, the other common beings that do not personify the figure of law and therefore already arrested for a crime they have not (yet) commit. Only John Anderton can be offered the prophylaxis (provided he chooses to want to read it), and only he can offer a prophylaxis. As he admits at the end of the text, "My case was unique, since I had access to the [prophylaxis] data. It could happen again—but only to the next Police Commissioner" (Dick 1997:353). But the sending and the offering of the prophylaxis cannot remain as the exceptional reserve of figures of law. It must arrive from the other side of the law, arriving as the disagreement with the preemptive, and it must be listened to. This disagreement will be the time that holds back if not delays the preemptive so that a prophylaxis can come into negotiation with it. Disagreement here will be the enunciation of wait in response to the preemptive. Indeed, wait is the word in Spielberg's adaptation upon which is hinged the critical duration that offers the prophylaxis that will be the counter-hypothesis to the deadly preemptive. John Anderton gets an initial glimpse of the value of holding back a second before rushing to the crime-scene-to-come, when a counter-check on the information of the address of the criminal-to-be shows it as obsolete. Finally arriving at the right address, John Anderton proceeds to arrest the criminal-to-be, ignoring the cries of "wait" of the latter—perhaps because he has not committed any crime yet, or perhaps he did not intend to follow through the act he thought he would commit. Anderton then, as the leader of the "precrime" task force, of course does not wait. But the critical value of wait and its offering of a prophylaxis or counter-hypothesis against the preemptive begin to turn on John Anderton when his image and name appear as the future perpetrator of a future crime. He then understands the value of the enunciation of wait to disarticulate the accelerated judgment of the "precogs" and to secure his right to be alive against the preemptive force of "precrime." But as said, wait cannot be the sole remainder of sovereignty. Wait must also arrive from the side of the one without power but under threat of the preemptive. And it must be heard, and received by the forces of law delivering the preemptive. Wait might be an untimely word for the speed of the preemptive. "There is little time to waste," as the police chiefs of the United States proclaim in consensus (New York Times. 25 July 2005). But wait is not insignificant refuse, ready to be abandoned absolutely in no time, if its act of refusal of the deadly speed of the preemptive in fact proves the preemptive wrong or that it offers another possibility unthinkable to the preemptive and thereby keeps open the chance for the right to be alive. Wait, in negotiation if not in disagreement with the speed of the preemptive, is that interruption, that possible chance and prophylaxis for the right to be alive, by saying that there is something not totally right about the preemptive. 5. An international organization representing police chiefs has broadened its policy for the use of deadly force by telling officers to shoot suspected suicide bombers in the head. —Washington Post, as cited in Reuters. 04 August 2005. They should not be exterminating people unjustly. [[2](http://www.uta.edu/huma/agger/fastcapitalism/2_1/goh.htm#ref)] —"Ban 'Shoot-to-Kill, Urge Family." BBC News. 27 July 2005. The articulation of wait cannot be more urgent today. It must be pronouncedly reiterated, in disagreement with the deadly preemptive, before the latter becomes a "necessary" global security condition of living in the world today. The deadly preemptive without chance for a counterhypothetic prophylaxis being offered must be resisted against its gaining momentum to procure a global consensual, legal status. And even if it is already in the process of being legalized or normalized as a contemporary fact or "necessity" of life in this twenty-first century of insecurity, it still has to be disagreed with. According to Rancière, consensus is arrived at from a striated observation of the real. The real today is a situation in which terror is surprising major cities and cities thought to be defensible against if not impenetrable to such surprises in ever greater media visibility and spectacle. To prevent more of these terrifying surprises (mediatising themselves) elsewhere, or such that second surprises will not tear apart the same city, the determination has been to short-circuit the possible dissemination of such terror at whatever cost. And this is where the preemptive has come in, the only possible measure to **erase the slightest shadow of the next surprise. It cannot take chances**. There is no chance for the counter-hypothesis. The real "is the absorption of all reality and all truth in the category of the only thing possible" (Rancière 1999:132). This is the real through which the consensus on the preemptive is or will be reached. The consensus is that "which asserts, in all circumstances, that it is only doing the only thing possible to do" (ibid.). The aggregation of the striated observation of the real, the "only thing possible to do," and consensus, is the final collapse of thinking of another trajectory of the future of the real, the erasure of the exposition of what is unthinkable or impossible that will falsify the future of "the only thing possible to do." The singular fatal preemptive cannot become a consensus of the "only thing possible to do." It cannot be thought as a necessity of security, a "perceptible given of common life" (Rancière 2004:7). Furthermore, consensus tends to fail to solve the problem it seeks to address. According to Rancière, in the political scene of the late 1990s, "'Consensus' was presented as the pacification of conflicts that arose from ideologies of social struggle, and yet it brought about anything but peace" (2004:4). Instead, there has been but the "re-emergence and success of racist and xenophobic movements" (ibid.). One can hardly imagine that a different outcome will indeed arise with the consensus of the deadly preemptive today. While policies are being put in place to rid a territory of hatred or hate-mongers, as in the United Kingdom today, the normalization of the preemptive, which brings along with it its unspoken profiling contours, would only serve to undermine if not contradict the former, since the profiling contour of the preemptive has been known elsewhere to have "produced tremendous resentment and hostility" [[3](http://www.uta.edu/huma/agger/fastcapitalism/2_1/goh.htm#ref)] (Kershaw, New York Times. 25 July 2005). And as the American State war-machine leads the world in the global "war on terror," conducting war in countries like Iraq to preempt the spread of terror, not only is the right to be alive of innocent civilians in Iraq [is] **denied** by military collateral damage there, but any homeland in America or elsewhere has not the sense that it has procured a better security. Instead, there remains the constant fear of further terror carried out under the pretext of retaliation against the preemptive like the one in Iraq. This worry has been exactly the same sentiment echoed recently in response to the Bush Administration's engineering of its next preemptive military measure, the Prompt Global Strike (PGS): "[PGS] may push potential hostile nations to be prepared to launch nuclear-armed missiles with even less notice than before in order to avoid them being destroyed in any preemptive U.S. first strike. Therefore, […] far from making the American people and homeland safer, the development of such weapons could put them at even greater risk from thermonuclear attack" (Sieff, United Press International. 09 February 2006). More than exorcizing the past trauma, the preemptive only perpetuates more trauma as more lives are lost and the right to be alive severely striated by the force of law. The global legal consensus on the singular deadly preemptive is therefore nothing short of terrifying either. One is reminded of Minority Report here, in which "rule by terror" is also the name given to the "precrime" methods of preemptively "arresting innocent men—nocturnal police raids, that sort of thing" (Dick 1997:348). And in turn, does that not remind one of all those rendition operations of the CIA, in which terror suspects, some of them arrested preemptively, and some of them already proven innocent in yet another case of mistaken identity or intelligence let-down of the preemptive, are rendered to prisons outside the United States where they can get no legal help and where they may more likely than not be tortured, in clear violation of international law? These preemptive renditions are now beginning to be slowly unveiled to have some sort of consensus from some European nations like the United Kingdom and Germany, and nations that have had supported these prisons such as Poland, Romania, Morocco, and Thailand.

**Turns case independent of reps — counterterror makes it worse**

**Nagl 10** – President of the Center for a New American Security, and Visiting Professor in the Department of War Studies at King’s College (John, “The proposer's closing remarks,” The Economist online debate, 5/21, http://www.economist.com/debate/days/view/518)

There are no guarantees in war, and this scenario depends upon significant improvements in Afghan government performance along with a continuation of the resolve demonstrated by both the Pakistani and American governments during 2009. It is possible that many or all of these conditions will not be met, making a partial international troop withdrawal more likely. However, this does not mean that the war will end; Peter Galbraith argues that international forces would still be necessary to continue "protecting the non-Pashtun areas from Taliban infiltration … keeping Kabul relatively secure and striking at terrorists". He does not make clear exactly how "just a small fraction of the troops now committed to the war" could accomplish these missions, or when they would be able to stop doing so.This is the critical flaw in Mr Galbraith's argument, and that of anyone who believes that a counterinsurgency strategy cannot succeed in Afghanistan. We cannot simply take our ball and go home; there is a clear and present danger that emanates from the Afghan border region with Pakistan—what the chairman of the Joint Chiefs of Staff, Michael Mullen, calls "the epicentre of global terrorism". The alternative to a counterinsurgency strategy is an endlesscounterterrorism campaignagainst the Taliban's homeland in the Pashtun areas of Afghanistan and Pakistan. This trulywould be anunwinnable war: perpetual drone strikes and special operations raids to kill or capture terroristswith no effort to build local security forces or improve local governance tochange the dynamicson the ground that breed terrorin the first place.

**Their scholarship is flawed—authors deliberately magnify the terrorist threat.**

**Rapoport ‘1** (David,- Professor Emeritus of Political Science at the University of California-LA, Twenty-First Century Weapons Proliferation, p. 14-16)

The major problem in dealing with biological and chemical attacks is that so many different toxins and pathogens can be used, and, since a vaccine for one is not useful for another, it is economically impossible to stockpile for all potential agents. The story noted also that, **since there is money to be made, problems were exacerbated by those with conflicting interests**. No wonder a well-known analyst of terrorist activity, Larry Johnson, noted in US News and World Report,8 that this particular **anti-terrorism anxiety is the ‘latest gravy train’**: one which **academics, government bodies and business corporations are all eager to board.** It is one thing to buy insurance with your own money; it is another to urge insurance with someone else’s money, especially if the insurance salesman will make a personal profit on what he sells and that fact is not obvious to the purchaser who thinks the advice is impartial. A second psychological disadvantage associated with this issue stems from the conflict between serious students of terrorist experiences and those from the physical sciences. Physical scientists are more impressed with the dangers because they are more clearly aware of the potential of chemical and biological agents and the ability of science to increase the powers of those agents. In addition, the authority of physical scientists is intimidating, especially to the untrained. Nonetheless, those of us who have been in **terrorist studies** for a long time are **likely to be skeptical for the simple reason that we know there have always been enormous gaps between the potentiality of a weapon and the abilities and/or will to employ it. Terrorists, in particular, operate in contexts of enormous uncertainty and anxiety; accidents fatal to the terrorists are plentiful, and to avoid them terrorists seek simple weapons that are easy to transport and assemble**.

**Prefer our authors—media and scholarly depictions are fear-mongering.**

John **Mueller**, professor of political science at the University of Rochester, **and** Karl **Mueller**, assistant professor of Comparative Military Studies at the School of Advanced Airpower Studies at Maxwell Air Force Base, May/June 19**99**, Foreign Affairs, “Sanctions of Mass Destruction,” p. Lexis

HOWEVER DRAMATIC terrorist attacks are, and however tragic for the innocent victims and their families, the total damage they have caused to date has been quite low and hardly constitutes grounds for panic and hysteria. On average, far fewer Americans are killed each year by terrorists than are killed by lightning, deer accidents, or peanut allergies. To call terrorism a serious threat to national security is scarcely plausible. This is not to suggest that terrorism be ignored, of course. It is clearly an outrage that should be dealt with somehow -- but more as a form of crime than a form of warfare. For all the attention individual attacks generate, moreover, the situation is probably improving rather than deteriorating. Although there was a rise at the time of the Gulf War, international terrorism has declined in frequency from the late Cold War for a variety of reasons including enhanced prevention measures and better international cooperation. Many activists and states that once saw terrorism as an effective political tool have abandoned it in frustration. Since the effects of terrorism stem less from its actual consequences than from the alarm it inspires, governments, scholars, and the media should depict terrorism for what it is -- the pathetic action of the weak and desperate -- instead of stoking popular fears and magnifying the destructive capabilities of terrorists to cosmic proportions.

**Peanut allergies cause more deaths than terrorism—even a low risk of the disad means we outweigh.**

John **Mueller**, professor of political science at the University of Rochester, **and** Karl **Mueller**, assistant professor of Comparative Military Studies at the School of Advanced Airpower Studies at Maxwell Air Force Base, May/June 19**99**, Foreign Affairs, “Sanctions of Mass Destruction,” p. Lexis

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### DeDev

**AND the newest MIT study citing vast empirical research and consensus proves---prefer our comprehensive models**

**Heyes 12** (April 27, J.D., “MIT computer simulation predicts total global economic collapse in less than 20 years” <http://www.naturalnews.com/035700_MIT_economic_collapse_simulation.html>)

Don't look now, but some of the world's smartest people are even predicting the end of the global economic order as we know it, and they're saying it'll happen within the next two decades. **According to a group of researchers from** the Jay W. Forrester's institute at the Massachusetts Institute of Technology (**MIT**), **a computer simulation concluded that the world could suffer a "global economic collapse" coupled by a "precipitous population decline" at current rates of resource consumption.** The research was conducted on behalf of a group known as the The Club of Rome, which bills itself "as an informal association of independent leading personalities from politics, business and science, men and women who are long-term thinkers interested in contributing in a systemic interdisciplinary and holistic manner to a better world." Founded in 1968, The Club of Rome aims "to identify the most crucial problems which will determine the future of humanity through integrated and forward-looking analysis; to evaluate alternative scenarios for the future and to assess risks, choices and opportunities," and to help find solutions to "challenges." According to the group's web site, **the research project "took into account the relations between various global developments and produced computer simulations for alternative scenarios."** "**Part of the modeling were different amounts of possibly available resources, different levels of agricultural productivity, birth control or environmental protection**," it said. World still on course for self-destruction The **recent MIT research builds upon an earlier body of work from the same esteemed institution**, dated 1972, that some in the scientific community regard infamous. According to a report in the Smithsonian Magazine, a team led by researcher Dennis Meadows used computer modeling for the first time in an attempt to answer "a centuries-old question: When will the population outgrow the planet and the natural resources it has to offer?" That work was later made into a book titled The Limits to Growth and has since sold over 10 million copies in 37 languages. Essentially it "warned that **if current trends in population, industrialization, pollution, food production and resource depletion continued, that dark time -- marked by a plummeting population, a contracting economy and environmental collapse -- would come within 100 years**," the Smithsonian Magazine reported. That work was later supported by data presented in the form of a graph designed by Australian physicist Graham Turner, which purports to show how actual data from the 30-year period between 1970 and 2000 matches almost exactly predictions set forth in Meadows' work. Meadows, who retired in 2004 after 35 years as a professor at MIT, Dartmouth College and the University of New Hampshire, discussed his original research with the Smithsonian on the 40th anniversary of the publishing of The Limits to Growth. He said his team's "goal was to gather empirical data to test" a theoretical situation showing "the interrelationship of some key global growth factors: population, resources, persistent pollution, food production and industrial activity." **In describing what he meant by a "collapse," Meadows said the model assumed a "business-as-usual" approach to pressing issues of overuse and over-consumption**. "In the world model, **if you don't make big changes soon** -- back in the '70s or '80s -- then **in the period from 2020 to 2050, population, industry, food and the other variables reach their peaks and then start to fall,"** he said. "That's what we call collapse." **Most** of the computer **models found steady population and economic growth rates until about 2030. Then**, the researchers found, **conditions begin to decline, and without "drastic measures for environmental protection," scenarios began predicting higher likelihoods of population and economic crashes.**