### T

#### A. interpretation – the topic requires a decrease in the legal authority to indefinitely detain

#### 1. Indefinite Detention means detaining an arrested person without a trial

US LEGAL 13 [US Legal Forms Inc., Indefinite Detention Law and Legal Definition http://definitions.uslegal.com/i/indefinite-detention/]

Indefinite detention is the practice of detaining an arrested person by a national government or law enforcement agency without a trial. It may be made by the home country or by a foreign nation. Indefinite detention is a controversial practice, especially in situations where the detention is by a foreign nation. It is controversial because it seems to violate many national and international laws. It also violates human rights laws. Indefinite detention is seen mainly in cases of suspected terrorists who are indefinitely detained.The Law Lords, Britain’s highest court, have held that the indefinite detention of foreign terrorism suspects is incompatible with the Human Rights Act and the European Convention on Human Rights. [Human Rights Watch] In the U.S., indefinite detention has been used to hold terror suspects. The case relating to the indefinite detention of Jose Padilla is one of the most highly publicized cases of indefinite detention in the U.S. In the U.S., indefinite detention is a highly controversial matter and is currently under review. Organizations such as International Red Cross and FIDH are of the opinion that U.S. detention of prisoners at Guantanamo Bay is not based on legal grounds. However, the American Civil Liberties Union is of the view that indefinite detention is permitted pursuant to section 412 of the USA Patriot Act.

#### 2. restriction means a decrease

Words and Phrases 64 vol 37A

KY App 199. As used in child visitation statute, which prohibits restriction of parent's visitation rights absent a finding that visitation would seriously endanger child, "restrict" means to provide noncustodial parent with something less than reasonable visitation.

#### 3. procedural change is not substantially

Words and Phrases 64 vol 40 p 816 full photocopied card is on p 18 of substantially defs PDF

The word "substantially" meaning in the matter of substance rather than mere form

#### B. Plan violates – there is no mandated decrease in the president's power to indefinitely detain. The plan is merely an administrative change – a change in form, not substance

#### C. The affirmative interpretation is bad for debate. Limits are necessary for negative preparation and clash. The aff makes the topic too big. There are a "NEAR INFINITE" infinite number of procedural requirements and conditions that could be placed on the president. We could never be ready to debate all of them

Dehn 11 John C. Dehn, Assistant Professor, Department of Law, United States Military Academy Temple Law Review Spring, 2011 83 Temp. L. Rev. 599 ARTICLE: THE COMMANDER-IN-CHIEF AND THE NECESSITIES OF WAR: A CONCEPTUAL FRAMEWORK

B. The Constitutional Design and Military Regulation   
There is little question that the Framers adopted a new approach to command and control of national armed forces. By vesting Commander-in-Chief authority in the President while placing the authority to raise, maintain, govern, and regulate the military in Congress, the Constitution broke with the condition then existing in Great Britain. Alexander Hamilton described the difference as follows:¶ The president is to be commander in chief of the army and navy of the United States. In this respect his authority would be nominally the same with that of the king of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the confederacy; while that of the British king extends to the declaring of war, and to the raising and regulating of fleets and armies; all which, by the constitution under consideration, would appertain to the legislature. [n57](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n57) While some commentary has suggested that this relative vesting of constitutional powers over the military implies that the President has no power to regulate the military, [n58](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n58) this is clearly inaccurate. The directive authority of military command equates to a near infinite power of internal regulation. [n59](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n59) A commander need not repeatedly issue the same order to assert his or her directive authority over routine tasks. Effective command requires that many directives be made generally applicable and remain in effect until rescinded or superseded. [n60](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n60) Therefore, some power to establish standing orders, or regulations, must necessarily exist. [n61](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n61) As Madison explained, "no axiom is more clearly established in law, or in reason, than that wherever the end is required, the means are authorized; wherever a general power to do a thing is given, every particular power necessary for doing it is included." [n62](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n62) This understanding was later echoed by Chief Justice Marshall in McCulloch v. Maryland. [n63](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n63) [\*613] Equally clear was both Madison and Marshall's belief that these "necessary' powers are implied from the nature of the power expressly granted. [n64](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true#n64) The general directive authority intrinsic to "military command" is undoubtedly why the Supreme Court has consistently upheld the internal regulatory authority of the Commander-in-Chief and his subordinate commanders. [n65](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.328472.6824377424&target=results_DocumentContent&returnToKey=20_T18289623894&parent=docview&rand=1380754736175&reloadEntirePage=true" \l "n65)

#### D. T is a voter because it is necessary for debate.

### XO

#### The President of the United States should issue a classified Presidential Directive mandating that the executive branch cease invasive body searches of Guantanamo prisoners.

#### Executive can restrain itself --- it is subject to internal separation of powers

Sales, 12 --- Assistant Professor of Law, George Mason University School of Law (7/3/2012, Nathan Alexander Sales, Journal of National Security Law & Policy, “Self-Restraint and National Security,” 6 J. Nat'l Security L. & Pol'y 227, Lexis))

III. Self-Restraint as Cost-Benefit Asymmetry

As we've seen, certain officials within military and intelligence agencies - general counsels, legal advisors, and other watchdogs - are responsible for ensuring that national security operations comply with the relevant domestic and international legal requirements. These players intervene to rule out missions they believe would cross a legal line. But sometimes they go beyond that basic function - ensure compliance with the law, full stop - and reject operations that, while lawful, are thought to be undesirable on policy grounds. That is, they impose self-restraints that are stricter than the applicable laws. Why?[\*261] One way to answer that question is to consider the individual and institutional incentives that color the behavior of military and intelligence officials. Looking at the government's national security apparatus through the lens of public choice theory (especially the idea that bureaucrats are rationally self interested actors who seek to maximize their utility n152) and basic agency relationships (e.g., the relationships between senior policymakers and the subordinates who act on their behalf n153) reveals a complex system in which power is distributed among a number of different nodes. The executive branch "is a "they,' not an "it.'" n154 The national security community in particular is subdivided into various semi-autonomous entities, each of which promotes its own parochial interests within the system and, in so doing, checks the like ambitions of rival entities; n155 the government thus is subject to what Neal Katyal has called the "internal separation of powers." n156 These basic insights into how military and intelligence agencies operate suggest several possible explanations for why self-restraint occurs. As elaborated in this Part, such constraints might result from systematic asymmetries in the expected value calculations of senior policymakers and their lawyers. In addition, as explained in Part IV, self-restraint might occur due to bureaucratic empire building by officials who review operations for compliance with domestic and international law.

### DA

#### Iran is top priority – Obama is spending capital to persuade Dems to hold off sanctions.

GSN 1/17 [Stacy Kaper, Global Security Newswire, National Journal, U.S. Senate's Iran Hawks Flounder Against Reid-Obama Coalition]

Fifty-nine senators -- including 16 Democrats -- have signed onto sanctions legislation from Democratic Senator Robert Menendez (N.J.) and Republican Senator Mark Kirk (Ill.). The measure would punish Iran with sanctions if it reneges on an interim nuclear agreement, or if that agreement does not ultimately abolish any nuclear-weapons capabilities for Iran. The count has climbed rapidly since the bipartisan pair introduced their legislation in late December. But now it's unclear whether that support will be enough to clear the bill's next major hurdle: Senate Majority Leader Harry Reid. The Nevada Democrat is siding with the White House, which has put **intense pressure** on lawmakers not to act on sanctions, arguing it could result in both a nuclear-armed and hostile Iranian state. And without Reid's backing, supporters of the Menendez-Kirk bill are unsure how to move the measure to the floor. "I assume that **if the Democrat senators put enough pressure on** Senator **Reid he might bring it to the floor,"** said Missouri Republican Senator Roy Blunt. "But, you know, we are at a moment in the Senate where nothing happens that Senator Reid doesn't want to happen; and this is something at this moment that Senator Reid doesn't want to happen." And for now, sanctions supporters are still mulling their strategy. "We are talking amongst ourselves. There is a very active debate and discussion ongoing about how best to move forward," said Democratic Senator Richard Blumenthal of Connecticut, a cosponsor of the bill. "There are a number of alternative strategies, but we're deliberating them." While Reid has, at least for now, foiled their policy plans, sanctions supporters are still scoring the desired political points on the issue. They can report their efforts to their constituents while blaming Reid for the inaction. But whatever pressure Reid is getting from his colleagues, he's also getting support from the commander in chief. In a White House meeting Wednesday night, President Obama made a hard sell to Democrats on the issue, pleading with them to back off sanctions while his team worked on a nuclear pact. "The president did speak passionately about how [we] must seize this opportunity, that we need to seize this six months … and that if Iran isn't willing to in the end make the decisions necessary to make it work, he'll be ready to sign a bill to tighten those sanctions -- but we gotta give this six months," said Senator Jeff Merkley of Oregon, after returning from the White House. In the meantime, many bill supporters reason that Reid will eventually feel the heat. "We'll just have to ratchet up the pressure, that's all," said Republican Senator John McCain (Ariz.). "The president is pushing back, obviously, and he's appealing to the loyalty of Democrats, but there are a lot of other forces out there that are pushing in the other direction, so we'll see how they react."

#### Plan dooms Obama

Loomis 7 Dr. Andrew J. Loomis is a Visiting Fellow at the Center for a New American Security, and Department of Government at Georgetown University, “Leveraging legitimacy in the crafting of U.S. foreign policy”, March 2, 2007, pg 36-37, http://citation.allacademic.com//meta/p\_mla\_apa\_research\_citation/1/7/9/4/8/pages179487/p179487-36.php

Declining political authority encourages defection. American political analyst Norman Ornstein writes of the domestic context, In a system where a President has limited formal power, **perception matters.** The reputation for success—the belief by other political actors that even when he looks down, a president will find a way to pull out a victory—is the most valuable resource a chief executive can have. Conversely, the widespread belief that the Oval Office occupant is on the defensive, on the wane or without the ability to win under adversity can lead to disaster, as individual lawmakers calculate who will be on the winning side and negotiate accordingly. In simple terms, winners win and losers lose more often than not. Failure begets failure. In short, a president experiencing declining amounts of political capital has diminished capacity to advance his goals. As a result, **political allies perceive a decreasing benefit** in publicly tying themselves to the president, and an increasing benefit in allying with rising centers of authority. A president’s incapacity and his record of success are interlocked and reinforce each other. Incapacity leads to political failure, which reinforces perceptions of incapacity. This feedback loop accelerates decay both in leadership capacity and defection by key allies. The central point of this review of the presidential literature is that the sources of presidential influence—and thus their prospects for enjoying success in pursuing preferred foreign policies—go beyond the structural factors imbued by the Constitution. Presidential authority is affected by ideational resources in the form of public perceptions of legitimacy. The public offers and rescinds its support in accordance with normative trends and historical patterns, non-material sources of power that affects the character of U.S. policy, foreign and domestic.

#### Ensures Israel strikes.

Perr 12/24/13 – B.A. in Political Science from Rutgers University; technology marketing consultant based in Portland, Oregon. Jon has long been active in Democratic politics and public policy as an organizer and advisor in California and Massachusetts. His past roles include field staffer for Gary Hart for President (1984), organizer of Silicon Valley tech executives backing President Clinton's call for national education standards (1997), recruiter of tech executives for Al Gore's and John Kerry's presidential campaigns, and co-coordinator of MassTech for Robert Reich (2002). (Jon, “Senate sanctions bill could let Israel take U.S. to war against Iran” Daily Kos, http://www.dailykos.com/story/2013/12/24/1265184/-Senate-sanctions-bill-could-let-Israel-take-U-S-to-war-against-Iran#

As 2013 draws to close, the negotiations over the Iranian nuclear program have entered a delicate stage. But in 2014, the tensions will escalate dramatically as a bipartisan group of Senators brings a new Iran sanctions bill to the floor for a vote. As many others have warned, that promise of new measures against Tehran will almost certainly blow up the interim deal reached by the Obama administration and its UN/EU partners in Geneva. But Congress' highly unusual intervention into the President's domain of foreign policy doesn't just make the prospect of an American conflict with Iran more likely. As it turns out, the Nuclear Weapon Free Iran Act essentially empowers Israel to decide whether the United States will go to war against Tehran. On their own, the tough new sanctions imposed automatically if a final deal isn't completed in six months pose a daunting enough challenge for President Obama and Secretary of State Kerry. But it is the legislation's commitment to support an Israeli preventive strike against Iranian nuclear facilities that almost ensures the U.S. and Iran will come to blows. As Section 2b, part 5 of the draft mandates: If the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapon program, the United States Government should stand with Israel and provide, in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence. Now, the legislation being pushed by Senators Mark Kirk (R-IL), Chuck Schumer (D-NY) and Robert Menendez (D-NJ) does not automatically give the President an authorization to use force should Israel attack the Iranians. (The draft language above explicitly states that the U.S. government must act "in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force.") But there should be little doubt that an AUMF would be forthcoming from Congressmen on both sides of the aisle. As Lindsey Graham, who with Menendez co-sponsored a similar, non-binding "stand with Israel" resolution in March told a Christians United for Israel (CUFI) conference in July: "If nothing changes in Iran, come September, October, I will present a resolution that will authorize the use of military force to prevent Iran from developing a nuclear bomb." Graham would have plenty of company from the hardest of hard liners in his party. In August 2012, Romney national security adviser and pardoned Iran-Contra architect Elliott Abrams called for a war authorization in the pages of the Weekly Standard. And just two weeks ago, Norman Podhoretz used his Wall Street Journal op-ed to urge the Obama administration to "strike Iran now" to avoid "the nuclear war sure to come." But at the end of the day, the lack of an explicit AUMF in the Nuclear Weapon Free Iran Act doesn't mean its supporters aren't giving Prime Minister Benjamin Netanyahu de facto carte blanche to hit Iranian nuclear facilities. The ensuing Iranian retaliation against to Israeli and American interests would almost certainly trigger the commitment of U.S. forces anyway. Even if the Israelis alone launched a strike against Iran's atomic sites, Tehran will almost certainly hit back against U.S. targets in the Straits of Hormuz, in the region, possibly in Europe and even potentially in the American homeland. Israel would face certain retaliation from Hezbollah rockets launched from Lebanon and Hamas missiles raining down from Gaza. That's why former Bush Defense Secretary Bob Gates and CIA head Michael Hayden raising the alarms about the "disastrous" impact of the supposedly surgical strikes against the Ayatollah's nuclear infrastructure. As the New York Times reported in March 2012, "A classified war simulation held this month to assess the repercussions of an Israeli attack on Iran forecasts that the strike would lead to a wider regional war, which could draw in the United States and leave hundreds of Americans dead, according to American officials." And that September, a bipartisan group of U.S. foreign policy leaders including Brent Scowcroft, retired Admiral William Fallon, former Republican Senator (now Obama Pentagon chief) Chuck Hagel, retired General Anthony Zinni and former Ambassador Thomas Pickering concluded that American attacks with the objective of "ensuring that Iran never acquires a nuclear bomb" would "need to conduct a significantly expanded air and sea war over a prolonged period of time, likely several years." (Accomplishing regime change, the authors noted, would mean an occupation of Iran requiring a "commitment of resources and personnel greater than what the U.S. has expended over the past 10 years in the Iraq and Afghanistan wars combined.") The anticipated blowback? Serious costs to U.S. interests would also be felt over the longer term, we believe, with problematic consequences for global and regional stability, including economic stability. A dynamic of escalation, action, and counteraction could produce serious unintended consequences that would significantly increase all of these costs and lead, potentially, to all-out regional war.

#### Strikes escalate – global nuclear war.

Trabanco 9 [José Miguel Alonso Trabanco, Degree in international relations @ Monterrey Institute of Technology and Higher Studies, Mexico City & frequent contributor to Global Research, “The Middle Eastern Powder Keg Can Explode at Anytime,” Global Research, January 13, 2009, pg. http://www.globalresearch.ca/index.php?context=va&aid=11762]

Israel fears a nuclear Iran would mean the end of the Israeli monopoly over nuclear weapons in the region. An Iran armed with nuclear weapons (even if it is ruled by hardline Mahmud Ahmadinejad) would not be foolish enough to attack Israel first because Teheran is well aware of Israel's menacing stockpile of nuclear weapons. So what the Israeli government really is scared of is the possibility that any rival of Israel, covered by a hypothetical Iranian nuclear umbrella, would feel less intimidated by Israel. Moreover, such scenario could encourage other Middle Easter States to develop their own nuclear weapons. So far, the Israelis have implemented a policy of dispensing carrots (negotiation proposals) and sticks (air strikes) to Damascus in an attempt to seduce Syria away from Iran. On the other hand, the West is not afraid of a nuclear Iran per se. One can infer that from their refusal to do anything meaningful to prevent the acquisition of nuclear weapons by States like India, Israel or Pakistan. Rather, the Americans and the Europeans cannot accept a 'Pax Iranica' in the Middle East because Teheran would, de facto, control a zone which contains the world's largest oil reserves, a resource the Western economies have to import because their domestic supplies are not enough to meet their consumption needs. In case of an Israeli and/or American attack against Iran, Ahmadinejad's government will certainly respond. A possible countermeasure would be to fire Persian ballistic missiles against Israel and maybe even against American military bases in the regions. Teheran will unquestionably resort to its proxies like Hamas or Hezbollah (or even some of its Shiite allies it has in Lebanon or Saudi Arabia) to carry out attacks against Israel, America and their allies, effectively setting in flames a large portion of the Middle East. The ultimate weapon at Iranian disposal is to block the Strait of Hormuz. If such chokepoint is indeed asphyxiated, that would dramatically increase the price of oil, this a very threatening retaliation because it will bring intense financial and economic havoc upon the West, which is already facing significant trouble in those respects. In short, the necessary conditions for a major war in the Middle East are given. Such conflict could rapidly spiral out of control and thus a relatively minor clash could quickly and dangerously escalate by engulfing the whole region and perhaps even beyond. There are many key players: the Israelis, the Palestinians, the Arabs, the Persians and their respective allies and some great powers could become involved in one way or another (America, Russia, Europe, China). Therefore, any miscalculation by any of the main protagonists can trigger something no one can stop. Taking into consideration that the stakes are too high, perhaps it is not wise to be playing with fire right in the middle of a powder keg.

### K

#### 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

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

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

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.

### DA

#### Obama’s ignoring human rights with China now – he doesn’t think he has the moral authority

Roth 10

Kenneth Roth, Foreign Affairs, Executive Director of Human Rights Watch, “Empty Promises: Obama's Hesitant Embrace of Human Rights”, 89 Foreign Aff. 10 2010 //jchen

Similarly, in China, Obama followed in the footsteps of successive U.S. presidents by downplaying the importance of human rights in favor of promoting trade, economic ties, and diplomatic cooperation. Before a handpicked audience of "future Chinese leaders" in Shanghai, he spoke of the United States' journey up from slavery and the struggles for women's and workers' rights, making clear that the United States, too, has a far-from-perfect human rights record. He affirmed the United States' bedrock belief "that all men and women are created equal, and possess certain fundamental rights." However, in a question-and-answer session, he seemed to suggest that China's draconian "great firewall" on the Internet was a reflection of different "traditions," rather than demanding that itbe torn down. That remark led to a storm of criticism from Chinese bloggers, and Obama left the country appearing to be in thrall to Chinese economic power and barely interested in risking anything to protect the rights of the 1.3 billion Chinese still living under a dictatorship. In a speech at Georgetown University a few weeks later, Secretary of State Hillary Clinton justified this approach as "principled pragmatism," and administration officials have spoken privately of building up political capital to press China on human rights in the future. But there is no such pressure today. From Clinton's February 2009 statement that human rights "can't interfere" with other U.S. interests in China to Obama's refusal to meet with the Dalai Lama in October, Washington has consistently failed to confront China's authoritarian rulers on questions of religious and political freedom.

#### Ending Gitmo human rights violations restores credibility – causes resurgence of US international influence

Shattuck, 08, MA International Law Cambridge & CEO of the John F. Kennedy Library Foundation, served as assistant secretary of state for democracy, human rights and labor, and ambassador to the Czech Republic in the Clinton administration,

John, 8/2 “How US can get its groove back,” http://www.boston.com/bostonglobe/editorial\_opinion/oped/articles /2008/08/02/how\_us\_can\_get\_its\_groove\_back/) atw

One of the biggest challenges facing the next president is how to restore US credibility in the world. Despite military assets unparalleled in history, US global standing has hit rock bottom. The United States government is widely perceived today to be a violator of human rights. A poll conducted by the British Broadcasting Corp. last year in 18 countries on all continents revealed that 67 percent disapproved of US detention and interrogation practices in Guantanamo. Another poll in Germany, Great Britain, Poland, and India found that majorities or pluralities condemned the United States for torture and other violations of international law. A third poll by the Chicago Council on Foreign Relations showed that majorities in 13 countries, including traditional allies, believe "the US cannot be trusted to act responsibly in the world." The gap between America's values and its actions has severely eroded US global influence. How does it get it back? First, by obeying the law. The United States was founded on the rule of law. Human rights are defined and protected by the Constitution and international treaties ratified and incorporated into domestic law. By flouting basic rules - such as habeas corpus, the Convention Against Torture, and the Geneva Conventions - the US government has created a series of "law-free zones." In these zones detainees have been abused, thousands held indefinitely without charges, and human rights trampled on. Second, by practicing what we preach. The United States loses credibility when it charges others with human rights violations that it is also committing. The State Department routinely criticizes other countries for engaging in torture, detention without trial, and warrantless electronic surveillance, despite its own recent abysmal record in these areas. Fortunately, history shows that US influence in the world can be restored when its values and policies are brought into alignment. A series of bipartisan human rights initiatives during five recent presidencies - three Republican and two Democratic - enhanced the stature of American foreign policy. President Gerald Ford signed the Helsinki Accords, leading to international recognition of the cause of human rights inside the Soviet bloc. President Jimmy Carter mobilized democratic governments to press for release of political prisoners by repressive regimes. President Ronald Reagan signed the Convention Against Torture and persuaded the Senate to ratify it. President George H.W. Bush joined with other governments in the Organization for Security and Cooperation in Europe to nurture new democracies of the post-Cold War era. And President Bill Clinton worked with NATO and the UN to implement the Genocide Convention and bring an end to the human rights catastrophe in the Balkans. The next president can restore US influence by reconnecting the nation's values and policies on human rights and the rule of law. He should announce three initiatives.

#### Refocusing on human rights entrenches an ideological divide and reignites a cool war

Feldman 13

Noah Feldman, Bemis Professor of International Law at Harvard Law School, senior adjunct fellow at the Council on Foreign Relations, Salon, 5/19/13, “How Guantanamo affects China: Our human rights hypocrisies ”, http://www.salon.com/2013/05/19/how\_guantanamo\_affects\_china\_our\_human\_rights\_hypocrisies/ //jchen

How Guantanamo affects China: Our human rights hypocrisies

In May 2012, Secretary of State Hillary Clinton and Secretary of Treasury Timothy Geithner were poised to make a rare double visit to China for a high-level strategic and economic dialogue. The presence of both of these key cabinet officials at a delicate moment in the relationship between the two countries marked the importance of the issues. For once, economic interdependence and geopolitics were on the agenda at the same moment.

But on April 22, in the tiny village of Dongshigu in the eastern Shandong province, something happened that would eclipse the visit. Chen Guangcheng, a blind dissident lawyer-activist, managed to scale a high wall to escape the building where he had been under house arrest for two years. Chen broke his foot in the process, yet over the next several days, with the help of other activists, he managed to make his way four hundred miles to Beijing, where he was taken into the U.S. embassy. On April 27, when he was inside the embassy, a YouTube video was posted in which Chen informed Premier Wen Jiabao that he had escaped and demanding punishment for the local officials who had detained him.

In the days that followed, Chen’s future became an international incident of the highest order. Chen first insisted he did not want to leave China. Then, after he was transferred to a Chinese hospital to have his foot treated, he changed his mind. In an emblematic piece of cool war theater, Chen, from his hospital bed, used a borrowed mobile phone to address an open hearing of the U.S. Congress in Washington. He told the congressmen — and the world — that he was worried for his family’s safety and wanted to come to the United States.

Chen’s predicament, featured for days on the front pages of the U.S. press, drew Western eyes away from the secretarial visit. Finally, after days of intense negotiations between ranking U.S. diplomats and their Chinese counterparts, Chen obtained permission to travel to the United States as a special student, a “solution” that spared China the embarrassment of having Chen granted asylum status. The pressing questions of politics and economics that were supposed to be the subject of the visit were ignored, replaced by the subject of human rights.

The Chen Guangcheng episode hints at the hugely complicated and hugely important way that human rights will figure in the cool war. The United States showed a willingness to put human rights issues front and center, even when other issues were supposed to be on the table. The upstaging of a major diplomatic encounter by a focus on China’s human rights violations may conceivably have been planned by someone within the U.S. government, since the whole story of Chen’s escape seems highly improbable without help. Even if the timing of Chen’s escape was accidental, the U.S. embassy still had to decide to take Chen in, creating an inevitable crisis. Either way, the United States knowingly put human rights first in a highly public forum.

From the Chinese standpoint, the whole episode must have been frustrating and embarrassing. Enormous diplomatic resources went into discussing the fate of one previously little-known human rights activist. Instead of being treated respectfully as a rising global power, China was being scolded as a rights violator. The United States seemed to be using human rights to weaken China and give itself an edge in discussions between them.

The emerging historical moment is creating a new context for the rhetoric and practice of human rights. For the first time since the fall of the Soviet Union, the United States now has a major incentive to promote the international human rights agenda. So long as China continues to violate human rights, there may be no better ideological tool for the United States to gain advantage under cool war circumstances.

#### Causes US China War – ideology is comparatively more important than other interests

Feldman 13

Noah Feldman is Bemis Professor of International Law at Harvard Law School, senior adjunct fellow at the Council on Foreign Relations, “Cool War”, 2013 //jchen

The Cold War was a battle of ideals. Communism and liberal de-mocracy each claimed the moral high ground, and each claimed to be superior in practice. As systems, they were mutually exclusive. Only one side could win.

Will the cool war be ideological in the same way? Today, is either China or the United States advocating a universal ideology meant to apply to everyone everywhere? If not, then perhaps in the absence of ideological struggle, the two nations could craft a kind of competitive partnership. Each would have its sphere of influence and shared responsibility for maintaining global security and stability. An Asia dominated by China could be counterbalanced by a West dominated by the United States. Everyone would get along. There would be neither cold war nor cool war. Each would be a “responsible stakeholder” in the international system, as Robert Zoellick, George W. Bush’s deputy secretary of state, optimisti¬cally put it in 2007.

This scenario of shared maintenance of the international order sounds appealing. For the United States, after all, being the sole superpower has had its drawbacks. The financial burden of main¬taining global stability has been high. Even more costly have been America’s unforced errors during two decades of unquestioned dominance. A strategic counterpart might help keep it honest. One reason that the United States invaded Iraq and Afghanistan was that it could.

But if cool war ideologies are sufficiently universal and mutually exclusive, they will pose genuine barriers to peaceful, cooperative strategic coexistence. Ideas about how people should be governed and what states are for exert a tremendous influence on international politics. Political ideas are among the tools we use to define what our interests are. These ideas can be even more important than what realists describe as enduring interests. In interna¬tional affairs, as in every area of life, interests are not facts like the laws of nature. They are, rather, objectives that we choose based on our ideas—the product of what we believe our interests to be.

Of course, countries with very different political ideas and sys¬tems cooperate with one another for mutual benefit. The United States and Saudi Arabia have been close allies for decades despite the fact that one is a democracy with no established religion and the other is an Islamic monarchy. Each side has something the other wants. The United States offers security and a market, and Saudi Arabia offers oil. Even countries at war with each other can reach limited agreements in narrow domains.1

But when political ideologies are opposed and aggressive, then any accommodation cannot be more than temporary—an opportunity for both sides to gather resources for the final battle between them. Cooperation strengthens the enemy and is therefore not to be undertaken except under limited, exceptional circumstances and to avoid disastrous breakdown, like the modest cooperation between the Soviet Union and the United States during the Cold War.

#### Extinction.

White 11 [Mr. Hugh White is professor of strategic studies at the Australian National University in Canberra and a visiting fellow at the Lowy Institute in Sydney. The Obama Doctrine WSJ, 11/25/11 http://online.wsj.com/article/SB10001424052970204452104577057660524758198.html]

One risk is that escalating strategic competition will disrupt the vital economic relationship between the U.S. and China. Many hope that the two countries' deep interdependence will prevent their rivalry getting out of hand. But that will only happen if both sides are willing to forgo strategic objectives to protect their economic cooperation. With the Obama Doctrine, the President has declared that he has no intention of doing that. Why should we expect the Chinese to act any different? So it is more likely that escalating rivalry will soon start to erode economic interdependence between the two nations, at great cost to both. The other risk is the growing chance of conflict. A war with China over Taiwan or the Spratly Islands is simple to start but hard to end, and could very easily escalate. China is a nuclear-armed power capable of destroying American cities, and the threshold for nuclear exchanges in a U.S.-China clash might be dangerously unclear and disastrously low.

### Case

#### Restricting detention policies means we kill and extradite prisoners

Jack Goldsmith 09, a professor at Harvard Law School and a member of the Hoover Institution Task Force on National Security and Law, assistant attorney general in the Bush administration, 5/31/09, “The Shell Game on Detainees and Interrogation,” <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/29/AR2009052902989.html>

The cat-and-mouse game does not end there. As detentions at Bagram and traditional renditions have come under increasing legal and political scrutiny, the Bush and Obama administrations have relied more on other tactics. They have secured foreign intelligence services to do all the work -- capture, incarceration and interrogation -- for all but the highest-level detainees. And they have increasingly employed targeted killings, a tactic that eliminates the need to interrogate or incarcerate terrorists but at the cost of killing or maiming suspected terrorists and innocent civilians alike without notice or due process.¶ There are at least two problems with this general approach to incapacitating terrorists. First, it is not ideal for security. Sometimes it would be more useful for the United States to capture and interrogate a terrorist (if possible) than to kill him with a Predator drone. Often the United States could get better information if it, rather than another country, detained and interrogated a terrorist suspect. Detentions at Guantanamo are more secure than detentions in Bagram or in third countries.¶ The second problem is that terrorist suspects often end up in less favorable places. Detainees in Bagram have fewer rights than prisoners at Guantanamo, and many in Middle East and South Asian prisons have fewer yet. Likewise, most detainees would rather be in one of these detention facilities than be killed by a Predator drone. We congratulate ourselves when we raise legal standards for detainees, but in many respects all we are really doing is driving the terrorist incapacitation problem out of sight, to a place where terrorist suspects are treated worse.¶ It is tempting to say that we should end this pattern and raise standards everywhere. Perhaps we should extend habeas corpus globally, eliminate targeted killing and cease cooperating with intelligence services from countries that have poor human rights records. This sentiment, however, is unrealistic. The imperative to stop the terrorists is not going away. The government will find and exploit legal loopholes to ensure it can keep up our defenses.¶ This approach to detention policy reflects a sharp disjunction between the public's view of the terrorist threat and the government's. After nearly eight years without a follow-up attack, the public (or at least an influential sliver) is growing doubtful about the threat of terrorism and skeptical about using the lower-than-normal standards of wartime justice.¶ The government, however, sees the terrorist threat every day and is under enormous pressure to keep the country safe. When one of its approaches to terrorist incapacitation becomes too costly legally or politically, it shifts to others that raise fewer legal and political problems. This doesn't increase our safety or help the terrorists. But it does make us feel better about ourselves.

#### Must evaluate consequences

Issac 2 [Jeffrey, professor of political science at Indiana University, Dissent, Spring, ebsco]

As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness undercuts political responsibility. The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one’s intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the clean conscience of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics—as opposed to religion—pacifism is always a potentially immoral stand. In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that politics is as much about unintended consequences as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with “good” may engender impotence, it is often the pursuit of “good” that generates evil. This is the lesson of communism in the twentieth century: it is not enough that one’s goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goals and to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

#### No biopower impact

Dickinson 4 [Edward Ross, University of Cincinnati, “Biopolitics, Fascism, Democracy: Some Reflections on Our Discourse About “Modernity,” Central European History, vol. 37, no. 1, March]

In an important programmatic statement of 1996 Geoff Eley celebrated the fact that Foucault’s ideas have “fundamentally directed attention away from institutionally centered conceptions of government and the state . . . and toward a dispersed and decentered notion of power and its ‘microphysics.’”48 The “broader, deeper, and less visible ideological consensus” on “technocratic reason and the ethical unboundedness of science” was the focus of his interest.49 But the “power-producing effects in Foucault’s ‘microphysical’ sense” (Eley) of the construction of social bureaucracies and social knowledge, of “an entire institutional apparatus and system of practice” ( Jean Quataert), simply do not explain Nazi policy.50 The destructive dynamic of Nazism was a product not so much of a particular modern set of ideas as of a particular modern political structure, one that could realize the disastrous potential of those ideas. What was critical was not the expansion of the instruments and disciplines of biopolitics, which occurred everywhere in Europe. Instead, it was the principles that guided how those instruments and disciplines were organized and used, and the external constraints on them. In National Socialism, biopolitics was shaped by a totalitarian conception of social management focused on the power and ubiquity of the völkisch state. In democratic societies, biopolitics has historically been constrained by a rights-based strategy of social management. This is a point to which I will return shortly. For now, the point is that what was decisive was actually politics at the level of the state. A comparative framework can help us to clarify this point. Other states passed compulsory sterilization laws in the 1930s — indeed, individual states in the United States had already begun doing so in 1907. Yet they did not proceed to the next steps adopted by National Socialism — mass sterilization, mass “eugenic” abortion and murder of the “defective.” Individual figures in, for example, the U.S. did make such suggestions. But neither the political structures of democratic states nor their legal and political principles permitted such policies actually being enacted. Nor did the scale of forcible sterilization in other countries match that of the Nazi program. I do not mean to suggest that such programs were not horrible; but in a democratic political context they did not develop the dynamic of constant radicalization and escalation that characterized Nazi policies.

#### Extinction first

Nick Bostrom, Department of Philosophy, Yale University, 2002, “Existential Risks: Analyzing Human Extinction Scenarios and Related Hazards,” [http://www.transhumanist.com/volume9/risks.html //](http://www.transhumanist.com/volume9/risks.html%20//) vkoneru

Our approach to existential risks cannot be one of trial-and-error. There is no opportunity to learn from errors. The reactive approach – see what happens, limit damages, and learn from experience – is unworkable. Rather, we must take a proactive approach. This requires foresight to anticipate new types of threats and a willingness to take decisive preventive action and to bear the costs (moral and economic) of such actions. We cannot necessarily rely on the institutions, moral norms, social attitudes or national security policies that developed from our experience with managing other sorts of risks. Existential risks are a different kind of beast. We might find it hard to take them as seriously as we should simply because we have never yet witnessed such disasters.[5] Our collective fear-response is likely ill calibrated to the magnitude of threat. Reductions in existential risks are global public goods [13] and may therefore be undersupplied by the market [14]. Existential risks are a menace for everybody and may require acting on the international plane. Respect for national sovereignty is not a legitimate excuse for failing to take countermeasures against a major existential risk. If we take into account the welfare of future generations, the harm done by existential risks is multiplied by another factor, the size of which depends on whether and how much we discount future benefits [15,16].

#### They have the equation backwards – the bias is AGAINST making doomsday predictions – our form of calculations are necessary

Bostrom, 2k2

(Bostrom, Professor of Philosophy at Oxford University and Director of the Future of Humanity Institute, ’02 Nick, March, “Existential Risks: Analyzing Human Extinction Scenarios and Related Hazards” Journal of Evolution and Technology, Vol 9, http://www.nickbostrom.com/existential/risks.html)

8.5 Psychological biases? The psychology of risk perception is an active but rather messy field [80] that could potentially contribute indirect grounds for reassessing our estimates of existential risks. Suppose our intuitions about which future scenarios are “plausible and realistic” are shaped by what we see on TV and in movies and what we read in novels. (After all, a large part of the discourse about the future that people encounter is in the form of fiction and other recreational contexts.) We should then, when thinking critically, suspect our intuitions of being biased in the direction of overestimating the probability of those scenarios that make for a good story, since such scenarios will seem much more familiar and more “real”. This Good-story bias could be quite powerful. When was the last time you saw a movie about humankind suddenly going extinct (without warning and without being replaced by some other civilization)? While this scenario may be much more probable than a scenario in which human heroes successfully repel an invasion of monsters or robot warriors, it wouldn’t be much fun to watch. So we don’t see many stories of that kind. If we are not careful, we can be mislead into believing that the boring scenario is too farfetched to be worth taking seriously. In general, if we think there is a Good-story bias, we may upon reflection want to increase our credence in boring hypotheses and decrease our credence in interesting, dramatic hypotheses. The net effect would be to redistribute probability among existential risks in favor of those that seem to harder to fit into a selling narrative, and possibly to increase the probability of the existential risks as a group.

1NR

#### Top of the agenda and a toss-up vote is coming soon.

Sargent 1/14 [Greg, Washington Post, Morning Plum http://www.washingtonpost.com/blogs/plum-line/wp/2014/01/14/morning-plum-obamacare-derangement-fades-among-republicans-a-bit/]

\* PRESSURE MOUNTS ON HARRY REID OVER IRAN: The New York Times reports on the battle inside the Senate over whether Democrats and Republicans will pass the Iran sanctions bill, with a focus on Harry Reid’s role in the fight. Reid will not allow a vote at least until the end of January, but: Democrats said the current lull can hold only for a matter of weeks, not months….Aides say enough Senate Democrats would support the sanctions bill to override a presidential veto, and the House probably has a veto-proof margin as well. The fate of the bill, some on Capitol Hill said, is likely to rest with news from Iran. If newspapers begin running front-page articles about a resurgent Iranian economy or news breaks of burgeoning trade between Iran and its allies, Mr. Reid may be pressured to allow a vote. As noted here yesterday, around 30 Senate Democrats remain mum on where they stand on this. Yet a vote — and a subsequent veto override — remain real possibilities.

#### Obama spent all week pushing back.

Reuters 1/13 [PATRICIA ZENGERLE AND TIMOTHY GARDNER, Iran deal progress dampens push for new U.S. sanctions bill, http://www.reuters.com/article/2014/01/14/us-iran-nuclear-congress-idUSBREA0D02T20140114]

The Obama administration has been pushing U.S. lawmakers hard not to support the Senate sanctions bill. Wendy Sherman, the Under Secretary of State for Political Affairs, and the lead U.S. negotiator with Iran, held a conference call with lawmakers and senior staff on Sunday night. State Department officials held another on Monday morning, and congressional staff members said they anticipated one or more classified briefings for lawmakers during the week. Obama has also invited the entire Senate Democratic caucus to the White House on Wednesday evening for a discussion of issues expected to include Iran, congressional sources said. Obama on Monday called on Congress to hold off and said the international community will be able to verify whether Iran is complying with the interim deal. "My preference is for peace and diplomacy and this is one of the reasons why I've sent a message to Congress that now is not the time for us to impose new sanctions," Obama told reporters. "Now is the time for us to allow the diplomats and technical experts to do their work."

#### And the threshold is low, but all the remaining undecided Dems matter.

Sargent 1/13 [Greg, The Plum Line, Washington Post An odd silence among Senate Dems on Iran, online]

The White House has invited the entire Senate Democratic caucus to meet privately with the president on Wednesday evening, a Dem aide confirms, adding that Dems expect one of the topics to be Iran. Which raises a question: Where are all the Senate Democrats on the bill to impose sanctions on Iran that is being pushed by Senators Robert Menendez and Chuck Schumer? How many of them are really prepared to support this bill, and how many oppose it? By my count, more than half the Democratic caucus have been mum on where they stand. Will the announcement that the six month deal to curb Iran’s nuclear program is moving forward undercut the momentum of those pushing for a new sanctions bill? The White House says such a bill could derail negotiations and make war more likely, right at the moment when the process is showing preliminary signs of working. Right now, the current count of Senators who are co-sponsoring the Iran sanctions bill is at 58, with 16 Democratic Senators supporting it. Meanwhile, 10 Democratic committee chairs have come out against the bill. Harry Reid is said to be against it, too. That leaves nearly 30 Senate Dems unaccounted for. The basic storyline in recent days has been that the pro-sanctions-bill side is gaining in numbers, while the anti-sanctions-bill side hasn’t — even though the White House has been lobbying Dems very aggressively to back off on this bill, on the grounds that it could imperil the chances for a historic long-term breakthrough with Iran. As Josh Rogin puts it, “the White House’s warnings have had little effect.” We’re very close now to the 60 votes it needs to pass. The Dem leadership has no plans to bring it to the floor, but there are other procedural ways proponents could try to force a vote. And if the numbers in favor of the bill continue to mount, it could increase pressure on Harry Reid to move it forward. Yes, the president could veto it if it did pass. But we’re actually not all that far away from a veto-proof majority. And in any case, having such a bill pass and get vetoed by the president is presumably not what most Democrats want to see happen. So it’s a bit puzzling that we’ve heard so little from Senate Dems who might be inclined to support the White House in holding the line against the sanctions bill right now. Peter Beinart had a great piece the other day arguing that the antiwar left is not bringing the necessary pressure to bear on Senate Democrats to oppose this measure: A few years ago, the backlash against such a bill would have been deafening…But back then, rank and file Democrats were still shaking with rage over Iraq. Over the last few years, the winding down of George W. Bush’s wars plus the financial crisis and rise of the Tea Party has radically reoriented the left’s focus. It’s a sign of the times that the party’s hottest star, Elizabeth Warren, is an anti-Wall Street crusader with no distinct foreign policy views whatsoever. [...] …polls show that Democrats overwhelmingly back Obama’s Iran policy. The more these senators are forced to publicly defend their positions on Iran, the more politically costly those positions will become. What we don’t know is whether the left can generate a movement strong enough to force that public debate….The American left is very good at punishing politicians for supporting disastrous wars. Its challenge in 2014 is to show that it can stop politicians from promoting those wars in the first place. Now, it’s possible that you may hear more Dems come out against the sanctions bill after meeting with Obama on Wednesday. What’s more, there is another way to look at this. Perhaps the fact that so many Senate Dems have been silent on this carries hidden benefits for the White House. In this telling, these Democrats are inclined to give the White House the space it needs to try to make negotiations with Iran work; by staying silent, a large chunk of Democrats are signaling they are not on board with the sanctions bill. But we really don’t know either way. And even if this were the case, this conspicuous public silence — even as the White House is making a very public plea for Dems to stand down, and even as large majorities of Americans support the current nuclear deal – is a sign of just how cautious Dems are being about the domestic politics of negotiating with Iran right now.

#### A. Obama can only hold the line if he maintains his capital – optimistic ev about the state of the veto threat doesn’t assume the monkey wrench the plan throws into political calculations.

ABC 1/17 [With Iran Sanctions Bill on Hold, Republicans Seek Pre-Scheduled Vote for July 3:35PM Friday January 17, 2014]

(WASHINGTON) -- The White House appears to be holding the line against new sanctions on Iran, with Majority Leader Harry Reid promising not to bring up a bipartisan bill for a vote while the short-term nuclear deal plays out. President Obama’s personal outreach of the past week has been described by some lawmakers as persistent and compelling. But Thursday, following a classified briefing with the lead U.S. negotiator with Iran, Wendy Sherman, several Republican senators said they remain skeptical of the deal and are looking for new ways to keep the pressure on. “I’m more concerned now, after the briefing,” said Sen. Lindsey Graham, R-S.C. “The idea of Congress not acting really does offend me.” “Sanctions are necessary to stop a breakout that’s happening right now in front of us,” he said. The short-term deal takes effect on Monday. One proposal raised: pre-schedule a vote on new Iran sanctions for the first day after the six-month temporary nuclear agreement expires, on July 21. Another: allow the Senate to craft a resolution stating its view of what the nuclear endgame should be. There’s “momentum towards a way for the Senate and House to weigh in in a way that matters,” said Sen. Bob Corker, R-Tenn. “I think it [the meeting with Sherman] did build momentum towards those sanctions.”

#### B. AIPAC and Republicans smell blood – they’ll keep after vulnerable Dems.

Rosenberg 1/17 [MJ, Huffington Post, Tikkun, Washington Spectator Obama Starts To Turn Tide Against Lobby's Sanctions Bill Posted: 01/17/2014 9:44 pm]

It's the weekend and the tide may have turned President Obama's way in his battle to prevent Congress from enacting new Iran sanctions, sanctions that would almost surely kill the agreement the P5+1 reached with Iran to restrict its nuclear program. According to National Journal, Majority Leader Harry Reid is strongly resisting demands from AIPAC Senators to bring its sanctions bill to the floor for a vote. It reports that Sen. John McCain's plan will be to get local Jewish communities to put the pressure on their senators and, if Reid resists, to keep bringing the bill up and forcing Reid to block it.

#### Obama receives blame for controversial court decisions like the aff

Mr. Mirengoff 10 is an attorney in Washington, D.C. A.B., Dartmouth College J.D., Stanford Law School, June 23 The Federalist Society Online Debate Series, http://www.fed-soc.org/debates/dbtid.41/default.asp

The other thing I found interesting was the degree to which Democrats used the hearings to attack the "Roberts Court." I don't recall either party going this much on the offensive in this respect during the last three sets of hearings. What explains this development? My view is that liberal Democratic politicians (and members of their base) think they lost the argument during the last three confirmation battles. John Roberts and Samuel Alito "played" well, and Sonia Sotomayor sounded like a conservative. The resulting frustration probably induced the Democrats to be more aggressive in general and, in particular, to try to discredit Roberts and Alito by claiming they are not the jurists they appeared to be when they made such a good impression on the public. I'm pretty sure the strategy didn't work. First, as I said, these hearings seem not to have attracted much attention. Second, Senate Democrats are unpopular right now, so their attacks on members of a more popular institution are not likely to resonate. Third, those who watched until the bitter end saw Ed Whelan, Robert Alt and others persuasively counter the alleged examples of "judicial activism" by the Roberts Court relied upon by the Democrats -- e.g., the Ledbetter case, which the Democrats continue grossly to mischaracterize. There's a chance that the Democrats' latest **partisan innovation** will **come back to haunt them**. Justice Sotomayor and soon-to-be Justice Kagan are on record having articulated a **traditional, fairly minimalist view of the role of judges**. If a liberal majority were to emerge -- or even **if the liberals prevail in a few high profile cases** -- the charge of "deceptive testimony" could be turned against them. And if Barack **Obama** is still president at that time, he likely **will receive** some of **the blame**.

#### Implementation of court decision ensures link to politics

Canon and Johnson 99 (Bradley Canon, professor of political science at the University of Kentucky, and Charles Johnson, professor of political science and head of the Department of Political Science at Texas A&M University, Judicial Policies: Implementation and Impact, 1999, p. 1)

President Andrew Jackson, unhappy with a Supreme Court decision, is said to have retorted: "John Marshall has made his decision, now let him enforce it." His remark reminds us of a central fact of American democracy: judicial policies do not implement themselves. In virtually all instances, courts that formulate policies must rely on other courts or on nonjudicial actors to translate those policies into action. Inevitably, just as making judicial policies is a political process, so too is the implementation of the policies-the issues are essentially political, and the actors are subject to political pressures.

#### Turns case – sets a precedent to delegate authority – devastates credibility and draws the U.S. into war.

Rosenberg 1/17 [MJ, was formerly a Senior Foreign Policy Fellow at Media Matters Action Network. Prior to this, he worked on Capitol Hill for 15 years for various Democratic members of the House and Senate. Huffington Post, Tikkun, Washington Spectator Obama Starts To Turn Tide Against Lobby's Sanctions Bill Posted: 01/17/2014 9:44 pm]

But it appears that AIPAC's effort to overturn the agreement that the P5+1 reached with Iran may be a bridge too far. The agreement, one that President Obama signed on behalf of the United States, will lift sanctions on Iran in exchange for Iran freezing certain of its nuclear activities. Prime Minister Netanyahu doesn't like that. He wants the United States to either bomb Iran's nuclear facilities or allow Israel to do the job (with U.S. help). And so he has AIPAC lining up Congress to enact new sanctions and cause the deal to collapse. What would likely happen then. War**,** as is spelled out in the AIPAC bill. Here is the bill's language referring to what would happen if Israel felt "compelled" to attack Iran: The United States Government should stand with Israel and provide, in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel... Not only U.S. "military force" but also "military support." So nice, they say it twice. How incredible! The U.S. Congress would never have passed such a resolution promising to go to war for the United Kingdom in 1940. Even after the Japanese bombed Pearl Harbor, Roosevelt could not declare war on Nazi Germany (Japan's ally) but had to wait until Germany declared war on us. But then the United Kingdom did not have a lobby promising to elect or threatening to defeat Members of Congress based on their support of Britain. AIPAC is entirely unique. And so it must operate in the dark. If Congress passes a resolution imposing sanctions, following by an Obama veto, that is overturned by a Congress acting at AIPAC's behest, how will that look? Imagine, destroying a presidency and the credibility of our diplomatic commitments to please a foreign government's lobby.

#### They have the equation backwards – the bias is AGAINST making doomsday predictions – our form of calculations are necessary

Bostrom, 2k2

(Bostrom, Professor of Philosophy at Oxford University and Director of the Future of Humanity Institute, ’02 Nick, March, “Existential Risks: Analyzing Human Extinction Scenarios and Related Hazards” Journal of Evolution and Technology, Vol 9, http://www.nickbostrom.com/existential/risks.html)

8.5 Psychological biases? The psychology of risk perception is an active but rather messy field [80] that could potentially contribute indirect grounds for reassessing our estimates of existential risks. Suppose our intuitions about which future scenarios are “plausible and realistic” are shaped by what we see on TV and in movies and what we read in novels. (After all, a large part of the discourse about the future that people encounter is in the form of fiction and other recreational contexts.) We should then, when thinking critically, suspect our intuitions of being biased in the direction of overestimating the probability of those scenarios that make for a good story, since such scenarios will seem much more familiar and more “real”. This Good-story bias could be quite powerful. When was the last time you saw a movie about humankind suddenly going extinct (without warning and without being replaced by some other civilization)? While this scenario may be much more probable than a scenario in which human heroes successfully repel an invasion of monsters or robot warriors, it wouldn’t be much fun to watch. So we don’t see many stories of that kind. If we are not careful, we can be mislead into believing that the boring scenario is too farfetched to be worth taking seriously. In general, if we think there is a Good-story bias, we may upon reflection want to increase our credence in boring hypotheses and decrease our credence in interesting, dramatic hypotheses. The net effect would be to redistribute probability among existential risks in favor of those that seem to harder to fit into a selling narrative, and possibly to increase the probability of the existential risks as a group.

#### No prior questions—focus on critical theory makes it impossible to describe the world and act

Owen 02**,** David Owen, Reader of Political Theory at the Univ. of Southampton, Millennium Vol 31 No 3 2002 p. 655-7

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