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#### There’s uncheck expansion of war powers now

David Gray Adler 11, Director of the Andrus Center for Public Policy @ Boise State University, March 4, “Presidential Ascendancy in Foreign Affairs and the Subversion of the Constitution,” http://www.civiced.org/pdfs/GermanAmericanConf2011/Adler.pdf

Presidential domination of American foreign affairs has become a commonplace after a half - century of unchecked expansion of executive powers. The emergence of a “presidential monopoly” over the conduct of foreign relations, built atop an extraordinary concentration of power in the president, reflects the doctrine of executive supremacy launched by the Supreme Court in United States v. Curtiss - Wright . 11 Across the decades, advocates of expansive presiden tial power in the realm of foreign affairs and national security have sought legal sanction in Justice George Sutherland’s opinion for the Court in Curtiss - Wright . In one way or another, the White House has adduced Sutherland’s characterization of the president as the “sole organ” of American foreign policy, endowed with plenary, inherent and extra - constitutional powers to initiate war, authorize torture, seize and detain American citizens indefinitely, set aside laws, establish military tribunals and s uspe nd and terminate treaties, in addition to assertions of authority to order covert operations, extraordinary rendition and warrantless wiretapping.

#### Only the executive has the resources, power, and flexibility to respond to crises --- outside intervention causes failure

Eric Posner 7, the Kirkland and Ellis Professor of Law @ U-Chicago, and Adrian Vermeule, the John H. Watson, Jr. Professor of Law @ Harvard, Jan 4, “Terror in the Balance: Security, Liberty, and the Courts,” Book, p. 4

A different view, however, is that the history is largely one of political and constitutional success. The essential feature of the emergency is that national security is threatened; because the executive is the only organ of government with the resources, power, and flexibility to respond to threats to national security, it is natural, inevitable, and desirable for power to flow to this branch of government. Congress rationally acquiesces; courts rationally defer. Civil liberties are compromised because civil liberties interfere with effective response to the threat; but civil liberties are never eliminated because they remain important for the well-being of citizens and the effective operation of the government. People might panic, and the government must choose policies that enhance morale as well as respond to the threat, but there is nothing wrong with this. The executive implements bad policies as well as good ones, but error is inevitable, just as error is inevitable in humdrum policymaking during normal times. Policy during emergencies can never be mistake-free; it is enough if policymaking is not systematically biased in any direction, so that errors are essentially random and wash out over many decisions or over time. Both Congress and the judiciary realize that they do not have the expertise or resources to correct the executive during an emergency. Only when the emergency wanes do the institutions reassert themselves, but this just shows that the basic constitutional structure remains unaffected by the emergency. In the United States, unlike in many other countries, the constitutional system has never collapsed during an emergency.

#### Effective executive response is key to prevent global crises --- specifically: Iranian nuclearization, North African terrorism, Russian aggression, and Senkaku conflict

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And while Obama plans to dedicate his efforts to the domestic agenda, a number of brewing international crises are sure to steal his attention and demand his time. Here are a few of the foreign policy issues that, like it or not, may force Obama to divert his focus from domestic concerns in this new term.¶ Syria unraveling: The United Nations says more than 60,000 people have already died in [a civil war t](http://www.cnn.com/2013/01/02/world/meast/syria-civil-war/index.html)hat the West has, to its shame, done little to keep from spinning out of control. Washington[has warned](http://www.nytimes.com/2012/12/04/world/middleeast/nato-prepares-missile-defenses-for-turkey.html?_r=0) that the use of chemical or biological weapons might force its hand. But the regime [may have already used them](http://www.reuters.com/article/2013/01/19/us-syria-chemical-newspaper-idUSBRE90I0JV20130119). The West has failed to nurture a moderate force in the conflict. Now Islamist extremists are growing [more powerful](http://www.al-monitor.com/pulse/originals/2013/01/fighter-syria-aleppo-turkey.html) within the opposition. The chances are growing that worst-case scenarios will materialize. Washington will not be able to endlessly ignore this dangerous war.¶ Egypt and the challenge of democracy: What happens in Egypt strongly influences the rest of the Middle East -- and hence world peace -- which makes it all the more troubling to see liberal democratic forces lose battle after battle for political influence against Islamist parties, and to hear blatantly [anti-Semitic speech](http://www.nytimes.com/2013/01/15/world/middleeast/egypts-leader-morsi-made-anti-jewish-slurs.html) coming from the mouth of Mohammed Morsy barely two years before he became president.¶ Iran's nuclear program: Obama took office promising a new, more conciliatory effort to persuade Iran to drop its nuclear enrichment program. Four years later, he has succeeded in implementing international sanctions, but Iran has continued enriching uranium, leading [United Nations inspectors](http://news.yahoo.com/un-credible-evidence-iran-working-nuke-weapons-153544271.html) to find "credible evidence" that Tehran is working on nuclear weapons. Sooner or later the moment of truth will arrive. If a deal is not reached, Obama will have to decide if he wants to be the president on whose watch a nuclear weapons race was unleashed in the most dangerous and unstable part of the world.¶ North Africa terrorism: A much-neglected region of the world is becoming increasingly difficult to disregard. In recent days, [Islamist extremists](http://edition.cnn.com/2013/01/18/opinion/ghitis-algeria-hostage-crisis/index.html?hpt=op_t1) took American and other hostages in Algeria and France sent its military to fight advancing Islamist extremists in Mali, a country that once represented optimism for democratic rule in Africa, now overtaken by militants who are potentially turning it into a staging ground for international terrorism.¶ Russia repression: As Russian President Vladimir Putin succeeds in [crushing opposition](http://www.france24.com/en/20121027-russian-opposition-leaders-detained-protest-navalny-udaltsov-vladimir-putin) to his [increasingly authoritarian](http://www.freedomhouse.org/report/freedom-world/2013/russia)rule, he and his allies are making anti-American words and policies their favorite theme. A recent ban on adoption of Russian orphans by American parents is only the most vile example. But Washington needs Russian cooperation to achieve its goals at the U.N. regarding Iran, Syria and other matters. It is a complicated problem with which Obama will have to wrestle.¶ Then there are the long-standing challenges that could take a turn for the worse, such as the Israeli-Palestinian conflict. Obama may not want to wade into that morass again, but events may force his hand.¶ And there are the so-called "black swans," events of low probability and high impact. [There is talk](http://www.economist.com/news/asia/21569757-armed-clashes-over-trivial-specks-east-china-sea-loom-closer-drums-war) that China and Japan could go to war over a cluster of disputed islands.¶ A war between two of the world's largest economies could prove devastating to the global economy, just as a sudden and dramatic reversal in the fragile Eurozone economy could spell disaster. Japan's is only the hottest of many territorial disputes between China and its Asian neighbors. Then there's North Korea with its nuclear weapons.¶ We could see regions that have garnered little attention come back to the forefront, such as Latin America, where conflict could arise in a post-Hugo Chavez Venezuela.¶ The president -- and the country -- could also benefit from unexpectedly positive outcomes. Imagine a happy turn of events in Iran, a breakthrough between Israelis and Palestinians, the return of prosperity in Europe, a successful push by liberal democratic forces in the Arab uprising countries, which could create new opportunities, lowering risks around the world, easing trade, restoring confidence and improving the chances for the very agenda Obama described in his inaugural speech.¶ The aspirations he expressed for America are the ones he should express for our tumultuous planet. Perhaps in his next big speech, the State of the Union, he can remember America's leadership position and devote more attention to those around the world who see it as a source of inspiration and encouragement.¶ After all, in this second term Obama will not be able to devote as small a portion of his attention to foreign policy as he did during his inaugural speech.¶ International disengagement is not an option. As others before Obama have discovered, history has a habit of toying with the best laid, most well-intentioned plans of

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#### Reducing war to a question of legal restrictions banalizes global imperial violence. Contemporary warfare is an interconnected process driven by the generation of militarized subjectivities. It’s your foremost ethical task to investigate the affirmative’s imaginary of global war

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This essay addresses the lack of a post-colonial critique of emerging political and cultural theories of global war (Hardt and Negri 2004; Kaldor 2001; Held 2003; Clark 2003). With the exception of Paul Gilroy's study Postcolonial Melancholia (2005) and Gayatri Spivak's essay "Terror: A Speech After 9-11," which in part examine how discourses of racialized violence legitimize contemporary global wars and their "extreme" "civilizing mission" (Spivak 2004, 82), post-colonial theorists have so far been reluctant to engage in a sustained critique of global warfare. On the one hand, this reluctance might derive from the field's preferred critical engagement, as Tim Brennan observes, with Eurocentrism rather than questions of "military occupation" (2004, 132). On the other, such a reluctance seems surprising given that post-colonial studies is traditionally concerned with the ways in which past and contemporary forms of imperial, colonial, and racialized violence have shaped present subjectivities and political, economic, and social relationships. More importantly, the task of post-colonial studies remains the unsettling of contemporary configurations of what Diana Brydon identifies as "imperial and colonial habits of mind" (1995, 10-11), and along with David Goldberg and Ato Quayson, the "dismantling of the conditions that produce [social] violence and anguish" (2002, xiii). Thus, a critical post-colonial anatomy of the social and cultural logic of global civil warfare would seem intrinsic to the field's traditional research concerns. More specifically, while, amongst many others, such theorists and writers as Frantz Fanon, Edward Said, Ngugi Wa Thiongo, Anne McClintock, Wole Soyinka, Ken Saro Wiva, and Bapsi Sidhwa have written extensively about civil and communal warfare, they have done so in the context of particular anti-colonial liberation struggles and post-colonial and neo-colonial nation formation. In part, these writers' works underlie but are not sufficiently acknowledged as a constitutive force in the articulation of dominant contemporary notions of global civil war.

The central argument of this paper builds on the understanding of global civil war which Michael Hardt and Antonio Negri advance in their study Multitude: War and Democracy in the Age of Empire, the sequel to Empire. They suggest that global civil war designates both an absolute "regime of biopower" (2004, 13) and a form of warfare that is no longer fought between two sovereign states but on one, steadily expanding territory not demarcated by conventional national boundaries. In this sense, global civil war is intrinsic to what the two theorists call empire, namely the formation of a new global sovereignty that supersedes colonialism and imperialism, is dissociated from national and supranational institutions, and emerges from the autonomous and immanent logic of capital expansion and management. By the same logic of immanence, empire is a cultural, economic, and political formation that gives rise to its own movement of resistance or counter-empire.1 In contrast to Hardt and Negri's at times limited notion of global civil war, I suggest to conceptualize global civil war as a social and historical formation rooted in the history of imperial and colonial modernity. As with imperial wars, global civil wars both appropriate the guerilla tactics of insurgency warfare ??? an argument also made by Hardt and Negri ??? and, in contrast to their theory of global civil war, rely on the historical deployment of racialized violence and the perpetual brutalization and surveillance of civil society, often ??? but not exclusively ??? in the name of a humanitarian, peacekeeping, or protective cause.2 The notion of the "civil" in "global civil war" is thus frequently synonymous with the dismantling of civil rights and an internationally condoned assignment to "civilize" so-called rogue or failed nation states. In this sense, we may call the US-led "war against terror" a "global civil war" without, however, reducing the latter concept to a post-9-11 phenomenon. For, polemically speaking, despite its involvement of a wide range of global actors, the "war on terror" remains a national project of the United States. It mobilizes patriotic sentiments of US-American national destiny on a global scale and depends on the simultaneous denial and reinvention of the United States' imperial past.

Contextualizing the notion of global civil war in the history of imperial modernity and violence, then, seeks to adumbrate some of the ways in which contemporary theories of global civil war tend to eclipse the post-colonial moment of these wars. In particular, I wish to ask how contemporary representations of war contribute to the construction of a normalizing global imaginary of war. I use the latter term to refer to those hegemonic narratives through which the West comes to imagine itself as a civilizing bulwark against the violent forces of unruly and terrorist rogue states and to accept global war and racial violence as a historical inevitability of the rule of neo-liberal globalization. Furthermore, how should we conceptualize the post-colonial moment of global civil war, and how does identifying and problematizing such a moment expand and trouble present concepts of global warfare?

To engage with these questions, the first part of this paper provides a brief survey of the ways in which a number of post-colonial theorists have begun to address the particular phenomena of global armed conflict but, by and large, refrained from a systematic discussion of global civil warfare. The paper's second part elaborates my critique of dominant notions of global civil war through a discussion of Hardt and Negri's and, to a lesser extent, Jean-Luc Nancy's writings on globalization and war. Their work, I argue, situates global civil war outside earlier narratives of violence, resistance, and imperialism, when, in fact, all of these narratives either underlie or bleed into the present causes, investments, and media representations of global civil war. In order to develop a post-colonial understanding of global civil war that helps us think beyond presentist models of global war, parts four and five of this paper draw from Jean Arasanayagam's and Michael Ondaatje's fictional accounts of Sri Lanka's prolonged civil war to question received ways of legitimizing violence and to reread the putatively biopolitical character of global civil wars through, what Achille Mbembe calls, the "necropolitics" (2003, 11) of global imperialism. Such a rereading, I propose, emphasizes how global civil war operates through the long-term militarization and brutalization of former colonial societies. The sixth and last part of this paper suggests a post-colonial reading of the ways in which the assumed state of a permanent global emergency relies on routinized forms of racial violence and extreme violent global warfare in order to generate disposable human beings and, to use Giorgio Agamben's phrase, "politicize death" (1998, 160).

Post-colonial Readings of Global War

Recent developments in post-colonial studies suggest, according to Brennan, that scholars in the field had to "retool" themselves as "globalization theorists" and consider themselves "as functioning in a larger division of intellectual labor" (2004, 138). What does this "retooling" look like? In particular, how do post-colonial scholars enter and shape debates on global war and violence?3 While there has been prolific research on the construction of diasporic, hybrid, and cosmopolitan subjectivities and transnational imaginaries, or on what Simon Gikandi sees as globalization's discourse of cultural "celebration" (2001, 629), less attention has been paid to globalization as "a discourse of failure and atrophy" (ibid., 638). To understand the latter, for example, Gikandi argues, we have to track back the death of two young Guinean men "whose bodies were found in the cargo hold of a plane in Brussels in August 1998" (ibid., 630) to particular Enlightenment discourses of autonomy and rationality, time, and progress that inform colonial and global modernities. In Gikandi's reading ??? which would warrant a much more detailed analysis than I can offer here ??? the death of these two young African men provides the opportunity to conceptualize globalization as a new version of post-colonialism's critique of Eurocentrism and the failure of the post-colonial nation-state. The global, he maintains, "had to be reinvented as a substitute for nationalism" and the ideologically and politically "vanishing 'Third World'" (ibid., 646) in the wake of the post-Cold War era. In this context, globalization is a violent process that erases the political, historical and cultural presence of the erstwhile colonized from the global present. Their presence seems to be registered only with reference to the ways in which it upsets Eurocentric notions of the nation, belonging, affect, and subjectivity.

Similarly, yet from a different political perspective, Neil Larsen enters the debate on globalization through a "material genealogy of postcolonialism" (2000, 33) and foregrounds the historical and economic continuities between imperialism, colonialism, post-colonialism, and globalization. Larsen traces the role of the nation as the grounding figure that binds all of these terms. Yet, in contrast to those who tend to announce globalization as a new post-national era, Larsen suggests that imperialism and its culmination in World War I and II, along with the wars' concomitant mass migrations, made it impossible, if not obsolete, to reflect on the "world" in terms of homogenous, "particular national histories and experiences" (ibid., 32). Rather, the violent crises of imperialism (WW I and II, Bandung era) gave rise to both a "transeuropean" (ibid., 31) configuration of anti-imperial and revolutionary movements and a cultural conceptualization of the nation as a space of liberation, reflected in national liberation struggles that "re-essentialized, or de-europeanized national space or imaginary" (ibid., 34). Under today's economic pressures of globalization, the Fanonian and Marxian ideal of a transeuropean nation ??? an ideal, which, as Fanon argues, has always been threatened by the co-optation of the colonial elites into a neo-colonial European appropriation of the newly independent nation-state ??? has collapsed. In particular, the transeuropean nation is being transformed into "an institutional/ideological entity that, precisely because it has been rendered inoperative as a site of the accumulation and control of capital, seeks to compensate for this in undergoing a radical reparticularization verging, in the most extreme cases (e.g., Afghanistan, Serbia) on a desecularization" (ibid., 43). In other words, Larsen suggests that contemporary ethnic and civil wars are both a result of the financial restructuring of the globe and its attending disintegration of the nation-state. Yet, what remains troubling and unexplained is why the disintegration of the nation should automatically lead to a violent return to cultural and religious particularism and essentialism. Are we to assume that in all cases of global civil war we are confronted with a return of archaic and primordialist attitudes of ethnic absolutism, to use Paul Gilroy's term, previously kept in check by the authoritative rather than emancipatory operations of the post-colonial nation-state? Indeed, to what extent does a culturalist ??? if not primordialist ??? reading of global war account for the at once global and local politicization and racialization of violence? Larsen, however, reminds us that the destruction of the "nationalized economic regimes in the third (and former 'second' world)" presents a global crisis whose consequences are also "dire" for the "global hegemons [US, Western Europe, Japan]" (ibid., 42). Thus, rather than abandoning the nation-state as politically compromised and ineffective in a global world, he affords it a central and by far not yet resolved role in dealing with the production of a new global order.

If Larsen sees contemporary wars as a product of the economic disempowerment of nation-states, Arjun Appadurai locates the extreme violence of contemporary global civil wars in larger cultural and ideological formations. Although Appadurai concedes that these wars must be read within the context of the crisis of legitimation of the nation-state (1996, 157) and the biopolitics of the colonial and modern nation-state, he suggests that they are culturalist in that they operate through the "conscious mobilization of cultural differences in the service of a larger national and transnational politics" (ibid., 15). Culturalist movements, he suggests, create communities of sentiment that are "comprehensible only within specific cultural frames of meaning and style and larger historical frames of power and discipline" (ibid., 148), the distribution of images, and the "imagination" (ibid., 149). Culturalist or ethnic violence, he argues, should not be conceptualized as a "primordial sentiment" (ibid., 149). Instead, understanding such violence involves addressing the local, social, and cultural construction of intimacy and the physical and psychic embodiment of rage and pain. Here, Appadurai's insistence on a social critique of the embodiment and localization of culturalist violence in a post-national or global context can serve as a possible trajectory for a post-colonial critique of global civil war. Indeed, as I will argue in section three, it is the historical production of pain and death, or of what Mbembe describes as the "necropolitics" (2003, 11) of modernity, that allows us to understand global civil war in localized and historically situated terms.

What all these post-colonial readings of global civil war have in common is their desire to respond to war in an ethical fashion. What does this entail? In her essay "Terror: A Speech After 9-11," Spivak considers the "war on terror" as synonymous with global civil war and emphasizes its archaic and coercive rhetoric of cultural incommensurability. Here the term global war distracts from the fact that the war on terror, despite its involvement of the Northern alliance, refers to an imperial war fought unilaterally by the United States without UN sanction. "The war," Spivak explains, "is part of an alibi every imperialism has given itself, a civilising mission carried to the extreme, as it always must be. It is a war on terrorism reduced at home to due process, to a criminal case???a war zoomed down to a lawsuit and zoomed up to face an abstraction" (2004, 82). In this sense, Spivak's assessment coincides with Hardt and Negri's (2000, 13) observation that the primordialist and Manichaean rhetoric global civil war banalizes war as a form of "police action," creates an absolute enemy, and "sacrilizes" war by grounding military pursuits in putatively ethical claims that protect and reinstate democracy, "order and peace." In other words, global civil war depends on the construction of an enemy by mobilizing and criminalizing cultural Otherness. For this reason, the humanities have an important role to play in responding to and containing global civil war. The foremost pedagogical task, Spivak argues, consists in training "for the eruption of the ethical [understood as] an interruption of the epistemological, which is the attempt to construct the other as object of knowledge" (2004, 83). In other words, a post-colonial critique of global civil war ought to examine how global civil war generates human subjects differentially on a global scale. Thus, what post-colonial studies needs to bring to bear on globalization studies is, first, a detailed analysis of the ways in which post-colonial writing participates in the cultural production of competing narratives of global civil warfare, and, second, a critique of global civil war that accounts for the racialized violence and identity politics that frequently fuel global conflict or are mobilized in its service. Analyzing the ways in which global war generates particular subjectivities is of great importance since global capitalism thrives and depends on both the violent production and commodification of identity and the total militarization of national and global social relationships.

The next section of this paper examines the ways in which a number of cultural narratives of global civil war rearticulate traditional concepts of war. However, by contextualizing war in a presentist and, at times, Eurocentric understanding of globalization, these narratives risk reinforcing rather than destabilizing dominant legitimizing practices of global warfare.

Situating Global Civil War

If globalization refers to the uneven process of restructuring social, political, and economic space within and beyond the nation-state, then a change of the concept of war, its means and purposes, as well as its present ubiquity seem logical effects of globalization. For example, in Empire, Hardt and Negri suggest that although the world has never been at peace, presently war seems to be the single most characteristic feature of "Empire." The latter, they argue, is continuously embroiled in bloodshed, yet "always dedicated to peace ??? a perpetual and universal peace outside of history" (2000, xv). The Kantian allusion provides a first glimpse at how we might begin to address the complex phenomenon of global war. As a preliminary hypothesis, I wish to suggest that global civil war cannot be reduced to exceptional forms of extreme violence enacted in different or unconnected theatres of war. Rather, it relates to indirect yet systemic forms of political and economic coercion. Practically, the concept of global civil war, as, for example, Mary Kaldor suggests, has three characteristics: first, global civil war works through the strategic as well as indiscriminate abuse of human rights, frequently legitimized on grounds of exclusive identity politics; second, the war is not winnable but serves to rally the population around political causes; third, global war generates an economy of plunder and piracy while the state maintains and defends its stakes by deploying mercenaries and engaging in illegal global arms trade. Although this description helps elucidate the global aspects of such historically prolonged armed conflicts as Sri Lanka's and Rwanda's, it brushes over the epistemological dimension of global warfare, namely its frequently dehistoricized conceptualization and its need to mobilize exclusionary identity politics. What remains invisible is that global civil war is intrinsic to predatory global capitalism and aims at maintaining a historically received global order of unequal power relationships. Moreover, the extreme and often genocidal violence of global civil war ??? a phenomenon that connects old and new theatres of war ??? frequently "attempts to eradicate the concept of human altogether, replacing it with the idea of an irrevocable progress towards the eradication of superfluous human beings" (Razack 2004, 160).

Hardt and Negri, then, examine the capitalist, biopolitical, and cultural logic of contemporary warfare by relating global war to both the development of digital technologies for military uses and the increasing importance of immaterial labour, namely, labour engaged in the production of ideas, knowledge, and subjectivities. Their analysis primarily serves to navigate a way out of what they see as a permanent state of exception and to map strategies of resistance for the multitude, their term for a new global class of people loosely and strategically united in their struggle against globalization. Hardt and Negri's reading of global civil war is instructive for its delineation of the ways in which the "war machinery" ??? to use Hardt and Negri's Deleuzean terminology ??? of the United States and its allied partners has appropriated methods of guerrilla and liberation warfare, formerly used in the struggle against colonialism. It seems to me, however, that this kind of appropriation cannot be reduced to the ways in which the non-hierarchical organization of guerrilla troops and warfare have been transformed into an authoritarian chain of command structure, characteristic of conventional armies.

Moreover, emphasizing that war is quickly "becoming a general phenomenon, global and interminable" (2004, 3), they propose to read all contemporary wars as "global civil wars" (ibid., 4) or "netwars" (ibid., 55). Thus, Hardt and Negri tend to conceptualize these wars as postmodern phenomena rather than wars that either pursue particular imperial projects of reordering current global geopolitics or that have long-standing post-colonial roots but have mutated into global civil warfare. Understood as "counterinsurgencies" (ibid., 37), global civil wars change a people's entire social and political makeup, are connected with other war zones, and designate a process in which the distinction between war and civil society has become obsolete. Unlike conventional civil wars, which are considered atavistic remnants of modernity and effects of imperial forms of nation-formation (Horowitz 1985) and emerge out of competing claims to territorial sovereignty, global civil wars are fought by mercenary forces across a global rather than national terrain and aim at population control rather than territorial autonomy.

What, then, is new about global civil war? If war is presumably no longer bound to territorial control and direct conquest but, instead, has become a reflection of media velocity, high-tech combat (Der Derian 2001) and capitalism's need to restructure the planet's markets and geopolitics of resource control, to what extent, we may ask, does global civil war present a qualitatively new phenomenon, rather than, say, a quantitative change of the intensity of warfare, depending on technological development. Furthermore, is global civil war merely another term for the recently revived rhetoric of just wars in a global context? What differentiates Hardt and Negri's notion of "global civil war" from Michael Ignatieff's (1998, 5) notion of "postmodern war," since both terms refer to changes in the organization and modes of contemporary ethnic civil war? Or, how does the term relate to Jean-Luc Nancy's notion of the "confronted community" (2003a, 23)? For, Nancy vehemently opposes such primordialist explanations of contemporary warfare as put forward by Samuel Huntington. Instead, global civil war designates an epistemological and material war of a specific yet globalized civilization, namely of the West, whose values of monotheism, self-presence, and truth have exhausted themselves. Nancy's approach to global war not only makes legible the ways in which global civil war arises as an epistemological problem of Western metaphysics but, by the same token, situates global war within a particularly localized critique of Eurocentrism.

To Nancy, then, contemporary global warfare is symptomatic of the ways in which the idea of community is confronted with itself, with its insistence on and desire for essence, unequivocal identity, propriety, omnipresence, and purity. Indeed, global civil war suggests that Western civilization, understood, in Nancy's words, as a "work of death" (2003a, 24), is finally confronted with its own spiritual emptiness and self-destructive logic of sameness. In this context, global civil war is symptomatic for the disintegration of Western values and truth claims and is interpreted solely as a critique of Eurocentrism, an argument that inadvertently remains indebted to the idea that civil wars result from the disintegration of the nation-state and its attendant epistemologies of belonging. What we find at the horizon of Nancy's critique, then, is the hope of inventing new ways in which the "Euro-Mediterranean world" relates to itself as "Other," to "'value', to the 'absolute', to 'truth'" (2003b, 53). Such a critique of contemporary warfare, however, can think global civil war neither beyond the West's concern with itself nor within different genealogies of both failed and ongoing processes of decolonization. Instead, it begs the question of what or who is the "global" in "global civil war." Indeed, as I argue throughout this essay, the way in which we define the "global" in the context of global war largely determines how we read the particular political investments and interests that underlie global war. For example, if global war is primarily a byproduct of and intrinsic to Empire and its consolidation, it appears to be inevitable and takes place outside discourses of political legitimization and accountability. From a different perspective, conceptualizing global civil war as being engineered by the Global North, that is, predominantly by the United States and its allied nations, reveals the ways in which global war deeply invests in and ensures the continuous accumulation of global capital and centralized practices of uneven capital distribution. Furthermore, if "the global" designates ??? as I think it does ??? a cultural and social space inhabited by those who are impoverished, dispossessed, and violated by the economic and geopolitical restructuring of the world, then the "global" also delineates a process of subject constitution governed by the construction of absolute difference, abjection, and dehumanization.

With its implication of having superseded national politics and interests, the term global civil war appears to require that we accept Hardt and Negri's often criticized assumption that the nation-state no longer mediates claims to sovereignty and power (Tilly 2003; Brennan 2003). For the moment, however, I will refrain from participating in the controversy over the role of the nation in Hardt and Negri's work. Instead, I suggest that while their understanding of global civil war does not explicitly engage in a critique of global violence, but instead focuses on an analysis of the structures of command and strategies of contemporary warfare, it helps raise questions through which to sketch a post-colonial critique of global violence. More specifically, in the next three parts of this paper, I wish to relocate three aspects of their argument in a post-colonial framework: first, the preponderance of biopolitics in their notion of global civil war; second, the construction of normalizing narratives of global civil war, specifically the rhetoric of the archaic; and third, the relationship between global civil war and the notion of the state of exception or emergency. As Hannah Arendt already implied in 1963, the terms global civil war and the state of exception function in tandem as signs and instruments of modern totalitarianism. Today, the state of exception has become globalization's most coercive instrument in regulating the limits of global citizenship and the legal status of particular individuals such as prisoners of war and refugees. More specifically, I suggest that the term "global civil war," specifically when understood as a version of the US-led "war against terror," serves to normalize and legitimize the transformation of constitutional democracy into a permanent but unacknowledged state of exception. The latter is either smothered in a propagandistic rhetoric of fear or shrouded in a misleading public debate over political prevention. From a post-colonial perspective, however, the state of exception, as I propose in the last section of this paper, also designates a cultural and intellectual disposition toward accepting global war and its reliance on the operations of racialized violence as a historical norm and inevitable outcome of Western history. The next part shifts a predominantly biopolitical understanding of global civil war towards an analysis of the necropolitics of these wars.

#### Alternative—Challenge to *conceptual* framework of national security. Only our alternative displaces the source of executive overreach. Legal restraint without conceptual change is futile.

Aziz RANA Law at Cornell 11 [“Who Decides on Security?” Cornell Law Faculty Working Papers, Paper 87, http://scholarship.law.cornell.edu/clsops\_papers/87 p. 45-51]

The prevalence of these continuities between Frankfurter’s vision and contemporary judicial arguments raise serious concerns with today’s conceptual framework. Certainly, Frankfurter’s role during World War II in defending and promoting a number of infamous judicial decisions highlights the potential abuses embedded in a legal discourse premised on the specially-situated knowledge of executive officials and military personnel. As the example of Japanese internment dramatizes, too strong an assumption of expert understanding can easily allow elite prejudices—and with it state violence—to run rampant and unconstrained. For the present, it hints at an obvious question: How skeptical should we be of current assertions of expertise and, indeed, of the dominant security framework itself? One claim, repeated especially in the wake of September 11, has been that regardless of normative legitimacy, the prevailing security concept—with its account of unique knowledge, insulation, and hierarchy—is simply an unavoidable consequence of existing global dangers. Even if Herring and Frankfurter may have been wrong in principle about their answer to the question “who decides in matters of security?” they nevertheless were right to believe that complexity and endemic threat make it impossible to defend the old Lockean sensibility. In the final pages of the article, I explore this basic question of the degree to which objective conditions justify the conceptual shifts and offer some initial reflections on what might be required to limit the government’s expansive security powers. VI. CONCLUSION: THE OPENNESS OF THREATS The ideological transformation in the meaning of security has helped to generate a massive and largely secret infrastructure of overlapping executive agencies, all tasked with gathering information and keeping the country safe from perceived threats. In 2010, The Washington Post produced a series of articles outlining the buildings, personnel, and companies that make up this hidden national security apparatus. According to journalists Dana Priest and William Arkin, there exist “some 1271 government organizations and 1931 private companies” across 10,000 locations in the United States, all working on “counterterrorism, homeland security, and intelligence.”180 This apparatus is especially concentrated in the Washington, D.C. area, which amounts to “the capital of an alternative geography of the United States.”181 Employed by these hidden agencies and bureaucratic entities are some 854,000 people (approximately 1.5 times as many people as live in Washington itself) who hold topsecret clearances.182 As Priest and Arkin make clear, the most elite of those with such clearance are highly trained experts, ranging from scientists and economists to regional specialists. “To do what it does, the NSA relies on the largest number of mathematicians in the world. It needs linguists and technology experts, as well as cryptologists, known as ‘crippies.’”183 These professionals cluster together in neighborhoods that are among the wealthiest in the country—six of the ten richest counties in the United States according to Census Bureau data.184 As the executive of Howard County, Virginia, one such community, declared, “These are some of the most brilliant people in the world. . . . They demand good schools and a high quality of life.”185 School excellence is particularly important, as education holds the key to sustaining elevated professional and financial status across generations. In fact, some schools are even “adopting a curriculum . . . that will teach students as young as 10 what kind of lifestyle it takes to get a security clearance and what kind of behavior would disqualify them.”186 The implicit aim of this curriculum is to ensure that the children of NSA mathematicians and Defense Department linguists can one day succeed their parents on the job. In effect, what Priest and Arkin detail is a striking illustration of how security has transformed from a matter of ordinary judgment into one of elite skill. They also underscore how this transformation is bound to a related set of developments regarding social privilege and status—developments that would have been welcome to Frankfurter but deeply disillusioning to Brownson, Lincoln, and Taney. Such changes highlight how one’s professional standing increasingly drives who has a right to make key institutional choices. Lost in the process, however, is the longstanding belief that issues of war and peace are fundamentally a domain of common care, marked by democratic intelligence and shared responsibility. Despite such democratic concerns, a large part of what makes today’s dominant security concept so compelling are two purportedly objective sociological claims about the nature of modern threat. As these claims undergird the current security concept, by way of a conclusion I would like to assess them more directly and, in the process, indicate what they suggest about the prospects for any future reform. The first claim is that global interdependence means that the U.S. faces near continuous threats from abroad. Just as Pearl Harbor presented a physical attack on the homeland justifying a revised framework, the American position in the world since has been one of permanent insecurity in the face of new, equally objective dangers. Although today these threats no longer come from menacing totalitarian regimes like Nazi Germany or the Soviet Union, they nonetheless create of world of chaos and instability in which American domestic peace is imperiled by decentralized terrorists and aggressive rogue states.187 Second, and relatedly, the objective complexity of modern threats makes it impossible for ordinary citizens to comprehend fully the causes and likely consequences of existing dangers. Thus, the best response is the further entrenchment of Herring’s national security state, with the U.S. permanently mobilized militarily to gather intelligence and to combat enemies wherever they strike—at home or abroad. Accordingly, modern legal and political institutions that privilege executive authority and insulated decisionmaking are simply the necessary consequence of these externally generated crises. Regardless of these trade-offs, the security benefits of an empowered presidency (one armed with countless secret and public agencies as well as with a truly global military footprint)188 greatly outweigh the costs. Yet, although these sociological views have become commonplace, the conclusions that Americans should draw about security requirements are not nearly as clear cut as the conventional wisdom assumes. In particular, a closer examination of contemporary arguments about endemic danger suggests that such claims are not objective empirical judgments but rather are socially complex and politically infused interpretations. Indeed, the openness of existing circumstances to multiple interpretations of threat implies that the presumptive need for secrecy and centralization is not self-evident. And as underscored by high profile failures in expert assessment, claims to security expertise are themselves riddled with ideological presuppositions and subjective biases. All this indicates that the gulf between elite knowledge and lay incomprehension in matters of security may be far less extensive than is ordinarily thought. It also means that the question of who decides—and with it the issue of how democratic or insular our institutions should be—remains open as well. Clearly technological changes, from airpower to biological and chemical weapons, have shifted the nature of America’s position in the world and its potential vulnerability. As has been widely remarked for nearly a century, the oceans alone cannot guarantee our permanent safety. Yet, in truth they never fully ensured domestic tranquility. The nineteenth century was one of near continuous violence, especially with indigenous communities fighting to protect their territory from expansionist settlers.189 But even if technological shifts make doomsday scenarios more chilling than those faced by Hamilton, Jefferson, or Taney, the mere existence of these scenarios tells us little about their likelihood or how best to address them. Indeed, these latter security judgments are inevitably permeated with subjective political assessments, assessments that carry with them preexisting ideological points of view—such as regarding how much risk constitutional societies should accept or how interventionist states should be in foreign policy. In fact, from its emergence in the 1930s and 1940s, supporters of the modern security concept have—at times unwittingly—reaffirmed the political rather than purely objective nature of interpreting external threats. In particular, commentators have repeatedly noted the link between the idea of insecurity and America’s post-World War II position of global primacy, one which today has only expanded following the Cold War. In 1961, none other than Senator James William Fulbright declared, in terms reminiscent of Herring and Frankfurter, that security imperatives meant that “our basic constitutional machinery, admirably suited to the needs of a remote agrarian republic in the 18th century,” was no longer “adequate” for the “20th- century nation.”190 For Fulbright, the driving impetus behind the need to jettison antiquated constitutional practices was the importance of sustaining the country’s “preeminen[ce] in political and military power.”191 Fulbright held that greater executive action and war-making capacities were essential precisely because the United States found itself “burdened with all the enormous responsibilities that accompany such power.”192 According to Fulbright, the United States had both a right and a duty to suppress those forms of chaos and disorder that existed at the edges of American authority. Thus, rather than being purely objective, the American condition of permanent danger was itself deeply tied to political calculations about the importance of global primacy. What generated the condition of continual crisis was not only technological change, but also the belief that the United States’ own ‘national security’ rested on the successful projection of power into the internal affairs of foreign states. The key point is that regardless of whether one agrees with such an underlying project, the value of this project is ultimately an open political question. This suggests that whether distant crises should be viewed as generating insecurity at home is similarly as much an interpretative judgment as an empirically verifiable conclusion.193 To appreciate the open nature of security determinations, one need only look at the presentation of terrorism as a principal and overriding danger facing the country. According to the State Department’s Annual Country Reports on Terrorism, in 2009 “[t]here were just 25 U.S. noncombatant fatalities from terrorism worldwide” (sixteen abroad and nine at home).194 While the fear of a terrorist attack is a legitimate concern, these numbers—which have been consistent in recent years—place the gravity of the threat in perspective. Rather than a condition of endemic danger—requiring everincreasing secrecy and centralization—such facts are perfectly consistent with a reading that Americans do not face an existential crisis (one presumably comparable to Pearl Harbor) and actually enjoy relative security. Indeed, the disconnect between numbers and resources expended, especially in a time of profound economic insecurity, highlights the political choice of policymakers and citizens to persist in interpreting foreign events through a World War II and early Cold War lens of permanent threat. In fact, the continuous alteration of basic constitutional values to fit ‘national security’ aims highlights just how entrenched Herring’s old vision of security as pre-political and foundational has become, regardless of whether other interpretations of the present moment may be equally compelling. It also underscores a telling and often ignored point about the nature of modern security expertise, particularly as reproduced by the United States’ massive intelligence infrastructure. To the extent that political assumptions—like the centrality of global primacy or the view that instability abroad necessarily implicates security at home—shape the interpretative approach of executive officials, what passes as objective security expertise is itself intertwined with contested claims about how to view external actors and their motivations. This means that while modern conditions may well be complex, the conclusions of the presumed experts may not be systematically less liable to subjective bias than judgments made by ordinary citizens based on publicly available information. It further underscores that the question of who decides cannot be foreclosed in advance by simply asserting deference to elite knowledge. If anything, one can argue that the presumptive gulf between elite awareness and suspect mass opinion has generated its own very dramatic political and legal pathologies. In recent years, the country has witnessed a variety of security crises built on the basic failure of ‘expertise.’195 At present, part of what obscures this fact is the very culture of secret information sustained by the modern security concept. Today, it is commonplace for government officials to leak security material about terrorism or external threat to newspapers as a method of shaping the public debate.196 These ‘open’ secrets allow greater public access to elite information and embody a central and routine instrument for incorporating mass voice into state decision-making. But this mode of popular involvement comes at a key cost. Secret information is generally treated as worthy of a higher status than information already present in the public realm—the shared collective information through which ordinary citizens reach conclusions about emergency and defense. Yet, oftentimes, as with the lead up to the Iraq War in 2003, although the actual content of this secret information is flawed,197 its status as secret masks these problems and allows policymakers to cloak their positions in added authority. This reality highlights the importance of approaching security information with far greater collective skepticism; it also means that security judgments may be more ‘Hobbesian’—marked fundamentally by epistemological uncertainty as opposed to verifiable fact—than policymakers admit. If both objective sociological claims at the center of the modern security concept are themselves profoundly contested, what does this mean for reform efforts that seek to recalibrate the relationship between liberty and security? Above all, it indicates that the central problem with the procedural solutions offered by constitutional scholars—emphasizing new statutory frameworks or greater judicial assertiveness—is that they mistake a question of politics for one of law. In other words, such scholars ignore the extent to which governing practices are the product of background political judgments about threat, democratic knowledge, professional expertise, and the necessity for insulated decision-making. To the extent that Americans are convinced that they face continuous danger from hidden and potentially limitless assailants—danger too complex for the average citizen to comprehend independently—it is inevitable that institutions (regardless of legal reform initiatives) will operate to centralize power in those hands presumed to enjoy military and security expertise. Thus, any systematic effort to challenge the current framing of the relationship between security and liberty must begin by challenging the underlying assumptions about knowledge and security upon which legal and political arrangements rest. Without a sustained and public debate about the validity of security expertise, its supporting institutions, and the broader legitimacy of secret information, there can be no substantive shift in our constitutional politics. The problem at present, however, is that no popular base exists to raise these questions. Unless such a base emerges, we can expect our prevailing security arrangements to become ever more entrenched.

### XO CP

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The President of the United States should prohibit the introduction of United States Armed Forces into hostilities based on responsibility to protect

### Politics

#### NSA reforms will pass – found a sweet spot – Obama is key

ROLL CALL 3 – 25 – 14 [Hill’s Bipartisan Deadlock on Phone Records May Be Easing, <http://blogs.rollcall.com/hawkings/obama-nsa-reform-plan-could-ease-congressional-deadlock-on-spying/>]

Eight months ago, in one of its most important and fascinatingly nonpartisan votes of recent memory, the House came up just seven members short of eviscerating the government’s vast effort to keep tabs on American phone habits.

The roll call revealed a profound divide in Congress on how assertively the intelligence community should be allowed to probe into the personal lives of private citizens in the cause of thwarting terrorism. It is a split that has stymied legislative efforts to revamp the National Security Agency’s bulk data collection programs.

Until now, maybe. Senior members with jurisdiction over the surveillance efforts, in both parties and on both sides of the Hill, are signaling generalized and tentative but nonetheless clear support for the central elements of a proposed compromise that President Barack Obama previewed Tuesday and will formally unveil by week’s end.

The president, in other words, may be close to finding the congressional sweet spot on one of the most vexing problems he’s faced — an issue that surged onto Washington’s agenda after the secret phone records collection efforts were disclosed by former NSA contractor Edward Snowden.

If Obama can seal the deal, which he’s pledged to push for by the end of June, it would almost surely rank among his most important second-term victories at the Capitol. It also would create an exception that proves the rule about the improbability of bipartisan agreement on hot-button issues in an election season.

“I recognize that people were concerned about what might happen in the future with that bulk data,” Obama said at a news conference in The Hague, where he’s been working to gain support for containing Russia from a group of European leaders who have their own complaints about U.S. spying on telephone calls. “This proposal that’s been presented to me would eliminate that concern.”

The top two members of the House Intelligence Committee, GOP Chairman Mike Rogers of Michigan and ranking Democrat C.A. Dutch Ruppersberger of Maryland, introduced their own bill to revamp surveillance policy Tuesday — and declared they expect it would track very closely with the language coming from the administration. They said they had been negotiating with White House officials for several weeks and viewed the two proposals as compatible.

At their core, both the Obama and House bills would end the NSA practice of sucking up and storing for five years the date and time, duration and destination of many millions of phone calls placed or received by Americans. Instead, the phone companies would be required to retain this so-called metadata (and comparable information about email and Internet use) for 18 months, their current practice. And the government would have to obtain something like a search warrant from the Foreign Intelligence Surveillance Court, meaning in each discreet case a judge would limit how deeply the telecom companies would have to query their databases in hopes of finding calling patterns that suggest national security threats.

Since both Rogers and Ruppersberger have been prominent defenders of the bulk collection system, any agreement they reach that has Obama’s blessing can be expected to pass the House.

It should garner support from a lopsided majority of the 217 House members (three-fifths of the Republicans and two-fifths of the Democrats) who voted to stick with the status quo last July. And it stands a chance to win over at least some on the other side — an unusual coalition of 94 mostly libertarian-leaning tea party Republicans and 111 liberal Democrats, who say NSA searches of the databases should be limited to information about existing targets of investigations.

But one leader of that camp vowed to work for the defeat of any measure that looks like either the Obama or Intelligence panel plans. Republican Rep. Jim Sensenbrenner of Wisconsin, who as chairman of House Judiciary a decade ago was instrumental in writing the Patriot Act, believes that law has been grossly misapplied by the NSA to invade personal privacy much too easily.

Sensenbrenner said he would continue to push his measure to almost entirely prevent the NSA from looking at telecommunications metadata. But the sponsor of the companion Senate bill, Judiciary Chairman Patrick J. Leahy, D-Vt., said he would remain open to finding the makings of a deal in the Obama plan. Leahy signaled the legislative negotiating would be much smoother if Obama suspended the bulk data collection during the talks.

Much more enthusiastic was Calfornia’s Dianne Feinstein, the Democratic chairwoman of the Senate Intelligence Committee, who said she generally supports the House proposal and views Obama’s plan “a worthy effort.” Her committee’s top Republican, the retiring Saxby Chambliss of Georgia, was a bit more equivocal but gave a strong indication he was eager to cut a deal based on the ideas from the House and the White House.

There are plenty of important points over which to haggle: about the ways the metadata is to be retained, the format for FBI to view the information, the liability for the telecommunications companies, the specificity of the search requests and the reach and secrecy of the judicial oversight.

And the American Civil Liberties Union said it had already found enough differences between the two measures unveiled Tuesday to give its “crucial first step” blessing to the Obama plan while rejecting the Rogers-Ruppersberger bill. The ACLU said that proposal would end up expanding the FBI’s investigative reach instead of limiting it.

But in a year when all sides say they are still ready to share the credit for at least one more top-tier legislative accomplishment, the knot over surveillance may be starting to unravel.

#### PLAN slays Obama’s agenda

Loomis 07 Visiting Fellow at the Center for a New American Security, and Department of Government at Georgetown University [Dr. Andrew J. Loomis, “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.

#### NSA scandal being unhandled risks a rupture in trans-atlantic ties

HEUSER 13 executive director of the Washington, DC-based Bertelsmann Foundation [Annette Heuser, Euractive, The erosion of the transatlantic trust, 10/25/13 http://www.euractiv.com/global-europe/erosion-transatlantic-trust-analysis-531335]

Allegations of the NSA's tapping of German Chancellor Angela Merkel's mobile phone have yet to be proved, but the agency's spying is already causing unprecedented damage to the trans-Atlantic relationship. The controversy has festered for five months, but it reached a new peak with yesterday's call from the chancellor to President Barack Obama. Her message to the president, who is increasingly besieged by his closest allies: Spying on her or her government is unacceptable.

Three things are remarkable about this recent development.

First, the chancellor is known to be a cautious political leader. She takes time to determine her course of action and then still proceeds carefully. But her quick and personal involvement in placing a call to her friend, Barack, would not have occurred if the German intelligence service had not provided her with robust information about US hacking.

Second, President Obama's reportedly cool response to the chancellor reconfirms the skepticism of European leaders and the broader European public about the commander-in-chief's commitment to the trans-Atlantic relationship. Mr Obama is increasingly perceived as a leader who does not see the need to nurture ties with his closest allies or even establish close political ties to his counterparts in Europe and elsewhere. The president is the first in the post-war era who does not appear to be a trans-Atlanticist at heart.

Third, the Obama administration continues to underestimate the short- and long-term effects of the NSA scandal on the trans-Atlantic relationship. Europe is now united in its repugnance of American spying practices, and this abhorrence goes beyond any personal targeting of the German chancellor or her government. Europeans feel that Washington has disregarded and disrespected their privacy, which they, in general, safeguard more than Americans do.

The latest allegations mean the US has likely crossed a line. A European response is now coming, and it will be a collective one. Negotiations for a Transatlantic Trade and Investment Partnership (TTIP) may be put on hold. There have already been calls among high-ranking European officials to do so.

A recent Bertelsmann Foundation study estimated a TTIP could create 740,000 new American jobs. Putting such a deal in jeopardy means the potential loss of a significant economic boon and the only prestigious project in which the US and Europe are currently engaged.

The NSA scandal and its (mis)management by the White House are causing a political tsunami in Europe. Until now it was the Iraq War that defined the recent nadir in trans-Atlantic relations. But that disagreement concerned military intervention. This time the fundamental issue of trust is at hand, and that means the consequences of a rupture are more severe. Americans and Europeans have been profoundly successful over the past seven decades establishing the close ties that, at least until recently, have bound them together. Nothing short of a profound and tragic break in that fragile tradition could now be unfolding.

#### Extinction

**Stivachtis 10** – Director of International Studies Program @ Virginia Polytechnic Institute & State University [Dr. Yannis. A. Stivachtis (Professor of Poli Sci & Ph.D. in Politics & International Relations from Lancaster University), THE IMPERATIVE FOR TRANSATLANTIC COOPERATION,” The Research Institute for European and American Studies, 2010, pg. http://www.rieas.gr/research-areas/global-issues/transatlantic-studies/78.html]

There is no doubt that US-European relations are in a **period of transition**, and that the stresses and strains of globalization are increasing both the number and the seriousness of the challenges that confront transatlantic relations.

The events of 9/11 and the Iraq War have added significantly to these stresses and strains. At the same time, international terrorism, the nuclearization of **North Korea** and especially **Iran**, the proliferation of weapons of mass destruction (WMD), the transformation of **Russia** into a stable and cooperative member of the international community, the growing power of **China**, the political and economic transformation and integration of the **Caucasian** and **Central Asian** states, the integration and stabilization of the **Balkan** countries, the promotion of peace and stability in the **Mid**dle **East**, poverty, climate change, AIDS and other emergent problems and situations require further cooperation among countries at the regional, global and institutional levels.

Therefore, cooperation between the U.S. and Europe is more **imperative** than ever to deal effectively with these problems. It is fair to say that the challenges of crafting a new relationship between the U.S. and the EU as well as between the U.S. and NATO are more regional than global, but the implications of success or failure will be global.

The transatlantic relationship is still in crisis, despite efforts to improve it since the Iraq War. This is not to say that differences between the two sides of the Atlantic did not exist before the war. Actually, post-1945 relations between Europe and the U.S. were fraught with disagreements and never free of crisis since the Suez crisis of 1956. Moreover, despite trans-Atlantic proclamations of solidarity in the aftermath of 9/11, the U.S. and Europe parted ways on issues from global warming and biotechnology to peacekeeping and national missile defense.

Questions such as, the future role of NATO and its relationship to the common European Security and Defense policy (ESDP), or what constitutes terrorism and what the rights of captured suspected terrorists are, have been added to the list of US-European disagreements.

There are two reasons for concern regarding the transatlantic rift. First, if European leaders conclude that Europe must become **counterweight** to the U.S., rather than a partner, it will be difficult to engage in the kind of open search for a common ground than an elective partnership requires. Second, there is a risk that public opinion in both the U.S. and Europe will make it difficult even for leaders who want to forge a new relationship to make the necessary accommodations.

If both sides would actively work to heal the breach, a new opportunity could be created. A vibrant transatlantic partnership remains a real possibility, but only if both sides make the necessary political commitment.

There are strong reasons to believe that the security challenges facing the U.S. and Europe are more shared than divergent. The most dramatic case is terrorism. Closely related is the common interest in halting the spread of weapons of mass destruction and the nuclearization of Iran and North Korea. This commonality of threats is clearly perceived by publics on both sides of the Atlantic.

Actually, Americans and Europeans see eye to eye on more issues than one would expect from reading newspapers and magazines. But while elites on both sides of the Atlantic bemoan a largely illusory gap over the use of military force, biotechnology, and global warming, surveys of American and European public opinion highlight sharp differences over global leadership, defense spending, and the Middle East that threaten the future of the last century’s most successful alliance.

There are other important, shared interests as well. The transformation of Russia into a stable cooperative member of the international community is a priority both for the U.S. and Europe. They also have an interest in promoting a stable regime in Ukraine. It is necessary for the U.S. and EU to form a united front to meet these challenges because first, there is a risk that dangerous materials related to **WMD** will fall into the wrong hands; and second, the **spread of conflict** along those countries’ periphery could destabilize neighboring countries and provide **safe havens for terrorists** and other international criminal organizations. Likewise, in the Caucasus and Central Asia both sides share a stake in promoting political and economic transformation and integrating these states into larger communities such as the OSCE.

This would also minimize the risk of instability spreading and prevent those countries of becoming havens for international terrorists and criminals. Similarly, there is a common interest in integrating the Balkans politically and economically. Dealing with Iran, Iraq, Lebanon, and the Israeli-Palestinian conflict as well as other **political issues in the Mid**dle **East** are also of a great concern for both sides although the U.S. plays a dominant role in the region. Finally, US-European cooperation will be more effective in dealing with the **rising power of China** through engagement but also containment.

The post Iraq War realities have shown that it is no longer simply a question of adapting transatlantic institutions to new realities. The changing structure of relations between the U.S. and Europe implies that a new basis for the relationship must be found if transatlantic cooperation and partnership is to continue. The future course of relations will be **determined above all by U.S. policy towards Europe** and the Atlantic Alliance.

Wise policy can help forge a new, more enduring strategic partnership, through which the two sides of the Atlantic cooperate in meeting the many major challenges and opportunities of the evolving world together. But a policy that **takes Europe for granted** and routinely **ignores or** even **belittles Europe**an concerns, may force Europe to conclude that the costs of continued alliance outweigh its benefits.

### Adv CP

#### The United States federal government should permanently eliminate 33,000 military positions from Europe and 17,000 military positions from Asia as per the recommendations of the Sustainable Defense Task Force. The United States federal government should enact a strong, binding legislative commitment to maintain defense spending at levels at or above four percent of the United States Gross Domestic Product for the next ten fiscal years.

#### Drawing down U.S. military presence in Europe and Asia is key to solve overstretch

Sustainable Defense Task Force—authors include Carl Conetta, Co-director of the Project on Defense Alternatives at the Commonwealth Institute, Benjamin H. Friedman, Research Fellow at the Cato Institute, William D. Hartung, Director of the Arms and Security Initiative at the New America Foundation, Christopher Hellmanm Policy Analyst at the National Priorities Project, Heather Hurlburt, Executive Director of the National Security Network, Charles Knight, Co-director of the Project on Defense Alternatives at the Commonwealth Institute, Lawrence J. Korb, Senior Fellow at the Center for American Progress, Paul Kawika Martin, Organizing, Political, and PAC Director of the Peace Action & Peace Action Education Fund, Laicie Olson, Senior Policy Analyst at the Center for Arms Control and Non-Proliferation at the Council for a Livable World, Prasannan Parthasarathi, Associate Professor of History at Boston College, Miriam Pemberton, Research Fellow at Foreign Policy In Focus at the Institute for Policy Studies, Laura Peterson, Senior Policy Analyst at Taxpayers for Common Sense, Christopher A. Preble, Director of Foreign Policy Studies at the Cato Institute, and Winslow T. Wheeler, Director of the Straus Military Reform Project at the Center for Defense Information, 2010 (“Debt, Deficits, & Defense: A Way Forward,” Report of the Sustainable Defense Task Force, June 11th, Available Online at http://www.comw.org/pda/fulltext/1006SDTFreport.pdf, Accessed 09-28-2010, p. 16-17)

America’s commitments in Asia and Europe also tie down some troops at home. Although most of the troops who forward deploy to these areas do not rotate on a short time cycle, some do – and these require a rotation base. Moreover, those who are stationed overseas for longer periods – one to three years – are normally not available for immediate redeployment when they return home. There is some “down time.” Finally, all duty assignments in the services add to the need for trainees and students. A modest assumption is that the 135,000 personnel who constitute our minimum presence in Europe and Asia tie down as many as an additional 50,000 personnel. Thus, measured in terms of [end page 16] personnel, our total “irreducible” investment in these regions runs as high as 185,000. This is the number of personnel who have been rooted to those regions and, so far, unavailable for use elsewhere.

#### This means the counterplan solves their “strategic reserves” internal link.

Sustainable Defense Task Force—authors include Carl Conetta, Co-director of the Project on Defense Alternatives at the Commonwealth Institute, Benjamin H. Friedman, Research Fellow at the Cato Institute, William D. Hartung, Director of the Arms and Security Initiative at the New America Foundation, Christopher Hellmanm Policy Analyst at the National Priorities Project, Heather Hurlburt, Executive Director of the National Security Network, Charles Knight, Co-director of the Project on Defense Alternatives at the Commonwealth Institute, Lawrence J. Korb, Senior Fellow at the Center for American Progress, Paul Kawika Martin, Organizing, Political, and PAC Director of the Peace Action & Peace Action Education Fund, Laicie Olson, Senior Policy Analyst at the Center for Arms Control and Non-Proliferation at the Council for a Livable World, Prasannan Parthasarathi, Associate Professor of History at Boston College, Miriam Pemberton, Research Fellow at Foreign Policy In Focus at the Institute for Policy Studies, Laura Peterson, Senior Policy Analyst at Taxpayers for Common Sense, Christopher A. Preble, Director of Foreign Policy Studies at the Cato Institute, and Winslow T. Wheeler, Director of the Straus Military Reform Project at the Center for Defense Information, 2010 (“Debt, Deficits, & Defense: A Way Forward,” Report of the Sustainable Defense Task Force, June 11th, Available Online at http://www.comw.org/pda/fulltext/1006SDTFreport.pdf, Accessed 09-28-2010, p. 18)

As noted above, foreign-stationed and deployed troops also tie down some number at home. In the case of the proposed reduction, this number probably does not exceed another 18,000 personnel. These additional positions would not be removed from the force structure, however. Instead, they would add to America’s strategic reserve for use worldwide, as needed.

#### Second, committing 4% of GDP to defense spending is key to maintain U.S. hegemony.

James Jay Carafano, Ph.D., Assistant Director of the Kathryn and Shelby Cullom Davis Institute for International Studies and Senior Research Fellow for National Security and Homeland Security in the Douglas and Sarah Allison Center for Foreign Policy Studies, a division of the Davis Institute, at The Heritage Foundation, et al., with Baker Spring, F. M. Kirby Research Fellow in National Security Policy in the Allison Center, and Mackenzie M. Eaglen, Senior Policy Analyst for National Security in the Allison Center, 2007 (“Four Percent for Freedom: Maintaining Robust National Security Spending,” Heritage Foundation Executive Memorandum #1023, April 10th, Available Online at http://www.heritage.org/Research/NationalSecurity/em1023.cfm, Accessed 09-12-2010)

What the U.S. Should Do. Over the long term, federal spending should be reformed to provide adequate funds for current defense needs, and the shape of the U.S. military should continue to transform to reflect future threats. Rather than decrease defense spending, Congress needs to make a strong commit­ment to fund the nation's war requirements well into the future; indeed, the next President and future Congresses must also commit to providing for the nation's defense through increased defense budgets. Both Congress and the President should also begin the difficult task of changing public opinion, not fol­lowing it, by reminding the American people that the ongoing war is not over, regardless of what happens in Iraq, and that the stakes in this war extend to their lives, liberty, and future prosperity. Conclusion. Spending 4 percent of GDP on national defense will allow the U.S. to keep the nation and its service members properly trained, equipped, and ready. In the long term, continuing to underfund defense and then allowing wild fluctuations in defense budgets during times of war will only cost the country more and compromise national security. Congress and the Administration should commit now to spending at least 4 percent of GDP on national security, and they should move swiftly to reform the major entitlement programs that threaten both the budget and the economy over the long term.

### Solvency

#### Their restriction is a smokescreen and will not be enforced

Nzelibe 7—Professor of Law @ Northwestern University [Jide Nzelibe, “Are Congressionally Authorized Wars Perverse?” Stanford Law Review, Vol. 59, 2007]

These assumptions are all questionable. As a preliminary matter, there is not much causal evidence that supports the institutional constraints logic. As various commentators have noted, Congress's bark with respect to war powers is often much greater than its bite. Significantly, skeptics like Barbara Hinckley suggest that any notion of an activist Congress in war powers is a myth and members of Congress will often use the smokescreen of "symbolic resolutions, increase in roll calls and lengthy hearings, [and] addition of reporting requirements" to create the illusion of congressional participation in foreign policy.' 0 Indeed, even those commentators who support a more aggressive role for Congress in initiating conflicts acknowledge this problem," but suggest that it could be fixed by having Congress enact more specific legislation about conflict objectives and implement new tools for monitoring executive behavior during wartime. 12

Yet, even if Congress were equipped with better institutional tools to constrain and monitor the President's military initiatives, it is not clear that it would significantly alter the current war powers landscape. As Horn and Shepsle have argued elsewhere: "[N]either specificity in enabling legislation ... nor participation by interested parties is necessarily optimal or self-fulfilling; therefore, they do not ensure agent compliance. Ultimately, there must be some enforcement feature-a credible commitment to punish ....Thus, no matter how much well-intentioned and specific legislation Congress passes to increase congressional oversight of the President's military initiatives, it will come to naught if members of Congress lack institutional incentives to monitor and constrain the President's behavior in an international crisis.

Various congressional observers have highlighted electoral disincentives that members of Congress might face in constraining the President's military initiatives. 14 Others have pointed to more institutional obstacles to congressional assertiveness in foreign relations, such as collective action problems. 15 Generally, lawmaking is a demanding and grueling exercise. If one assumes that members of Congress are often obsessed with the prospect of reelection, 16 then such members will tend to focus their scarce resources on district-level concerns and hesitate to second-guess the President's response in an international crisis. 17 Even if members of Congress could marshal the resources to challenge the President's agenda on national issues, the payoff in electoral terms might be trivial or non-existent. Indeed, in the case of the President's military initiatives where the median voter is likely to defer to the executive branch's judgment, the electoral payoff for members of Congress of constraining such initiatives might actually be negative. In other words, regardless of how explicit the grant of a constitutional role to Congress in foreign affairs might be, few members of Congress are willing to make the personal sacrifice for the greater institutional goal. Thus, unless a grand reformer is able to tweak the system and make congressional assertiveness an electorally palatable option in war powers, calls for greater congressional participation in war powers are likely to fall on deaf ears. Pg. 912-913

### Adv 2

Free trade causes war—germany and an overwhelming list of wars based on trade assymetry prove that interdependency theory is a flawed generalization

Denney and Gleason, 5/31 – Steven Denney, master’s candidate at the Graduate School of International Studies, Yonsei University. He received his BA in Political Science from Harding University; Brian Gleason, master’s candidate at the Gradate School of International Studies, Yonsei University. He received his BA in Political Science from the University of Wisconsin-Madison (“ The Political Economy of Trade Policy: A Realist Perspective,” Yonsei University, 5/31/12, <http://sinonk.files.wordpress.com/2012/05/the-political-economy-of-trade-policy-steven_c_denney-brian_d_gleason.pdf>, //JPL)

Realists differ from liberal understanding of interdependency through trade. They do not dismiss the argument that interdependency can be a means to increasing the wealth of a state. They do, however, emphasize that dependency on another state creates vulnerability. This is a consequence of the structural effect of anarchy in the international system. The anarchic structure of the international system forces states to consider their vulnerability vis-à-vis other states; vulnerability compels states to seek ways in which to control the level of dependence on other states. 5 When a state perceives its level of vulnerability has increased to an unacceptable level because of unfavorable trading relationships, war may become a viable, rational option. War as a viable option is buttressed by the basic assumption that in a state of anarchy, security is the highest priority. This is because the nature of the political system forces states to prioritize strategic and political priorities, namely security, over economic concerns. The liberal approach that war is less likely in situations of high trade interdependency cannot be sustained.6 The top priority for states in the international system is protecting and advancing their national interests. As indicated above, the number one priority in the list of competing national interests is security. 7 By what method or mechanism states choose to achieve security is the main point of contention between realists and liberals, particularly regarding the nexus between trade and security. As stated above, liberals believe that trade and interdependency create conditions conducive to peace and stability by making the opportunity costs of war too high, whereas realists believe that high levels of trade and interdependency increase vulnerability which may actually lead to conflict. Moreover, realists emphasize that when economic and security concerns conflict, economic concerns are relegated to a level of secondary importance. Despite macro-level quantitative support for “commercial liberalism,” 8 more nuanced, context-specific analysis finds that strategic factors are more important than economic concerns. 9 It is far too simple and naive to assume that peace and security will naturally follow from an increase in trade leading to interdependence; political concerns play too great a role in a state’s strategic calculus. 10 For a modern approach to the realist position regarding the interaction between political and economic interests in trade, Jonathan Kirshner’s realist interpretation is appropriate. 11 Kirshner, like Copeland, finds the liberal position lacking the necessary concern for security that the realist approach provides, namely that “states must anticipate the possibility of war.” 12 As stated above, this is a core assumption that affects the way realists perceive the interaction between political and economic concerns. Thus, the constant threat of war forces states to prioritize security concerns. The “state will often diverge markedly from the sum of particular interests within society, and the state will act to defend its interests.” The divergence of the state shows the primacy of security in a state’s myriad national interests, which supersedes other concerns and can, at times, lead states “to make economic sacrifices in order to further international political and strategic goals.” 13 Kirshner’s analysis illuminates the priority of security concerns, a core assumption of the realist position, which prioritizes political and strategic goals over economic concerns. The implications behind the notion that the state may make economic sacrifices for political and strategic goals will be more fully addressed in the sections that follow. For now it is sufficient to say that the realist position paints a more accurate picture of state behavior and explains the interaction between economic and political concerns that is downplayed or ignored by the liberal position. From here, this paper will narrow its approach by focusing on the nature of asymmetric trading relationships. First, a more specific theoretical framework will be established by showing the theoretical value of Albert Hirschman’s theory on the relationship between trade and national power and how this theory has been reinterpreted by Jonathan Kirshner. 3. A Hirschmanesque Strategy Now that the liberal-realist debate has been entertained, a more specific theoretical approach can be made based on the realist approach to understanding the nexus between trade and security as it applies to asymmetric trading relationships. Aside from accepting the basic assumptions of the realist position, much of this paper’s theoretical foundation is found in Albert Hirschman’s seminal work National Power and the Structure of Foreign Trade. 14 Hirschman’s analysis of German interwar trading relationships with southeastern European states is instrumental to understanding the nexus between trade and security by focusing on the motives behind the trading relationship. As stated in the introduction, this will provide a theoretical understanding of why states trade in asymmetric relationships. In short, Hirschman finds that during the interwar period Germany used its asymmetric trading relationships with the smaller states of southeastern Europe to control the terms of trade. Specifically, Germany sought to increase its total supply of imported goods and to make it difficult for states to dispense of trade with Germany or shift its trading relationship to another country. 15 The motive behind Germany’s asymmetric trading relationships was to increase political leverage over her trading partners. From Hirschman’s point of view, trade (economics) and national power (political and strategic concerns) are inextricably linked. Specifically, trade, according to Hirschman, is used as an instrument to increase national power. In asymmetrical trading relationships, economic interests are not thrown to the wayside; they are, however, relegated to a status of secondary importance. Hirschman’s theory thus falls within the realm of the realist approach to asymmetric trading relationships. 16 Hirschman’s theory is fundamental to understanding asymmetric trading relationships. However, there is much more to Hirschman’s story than is provided by Hirschman in his book. To provide a modern interpretation of Hirschman’s classical theory, Kirschner will once again be brought to center stage

**Trade makes even small risks of disease global threats**

**Kimball and Hodges 10**

(Kimball, Ann Marie, Professor Emeritus in Epidemiology at the University of Washington’s School of Public Health, and Hodges, Jill, Masters in Public Health, 2010, “Risky Trade and Emerging Infections”, Infectious Disease Movement in a Borderless World: Workshop Summary, Institute of Medicine (US) Forum on Microbial Threats, <http://www.ncbi.nlm.nih.gov/books/NBK45724/>) FS

The foregoing cases have demonstrated how our increasingly global economy, with growing international travel and trade (including trade in services such as transplantation), has ultimately made virtually any emerging microbial risk global in nature. In the examples of foodborne E. coli and BSE, we see the globalization of direct infectious risk. In the instance of the overuse of antimicrobials in food animals, we see the globalization of antimicrobial resistance. With medical travel for organ transplants, we see traveling patients become potential vectors for the spread of disease.While microbial risks have been globalized along with commerce, the corresponding health and protective measures for the most part have not. The second edition of the IHR (2005), which took effect in 2007, provides some important safeguards to help limit the international spread of infectious disease. The IHR require countries to conduct surveillance for and report to the WHO a “public health emergency of international concern,” that is, an event “that may cause international disease spread.” If WHO determines such a threat exists, as it did with the recent H1N1 outbreak, it may issue recommendations to curb the spread of disease, such as quarantine or travel restrictions for affected or potentially affected individuals. As the experience with H1N1 demonstrated, WHO must carefully balance the threat of disease spread with the potential economic consequences of any travel or trade restrictions in order to minimize disincentives for countries to report potential threats. While WHO Director-General Dr. Margaret Chan raised the “Pandemic Alert” level to 6 (the highest), WHO actively discouraged trade and travel restrictions after determining that they would not be effective in curbing the spread of the influenza virus and could needlessly result in significant economic repercussions. Instead, WHO focused on identifying and treating individuals with infection and urged those individuals with illness or symptoms to avoid travel and contact with others. This did not stop some countries from instituting their own travel restrictions. Several nations banned flights to Mexico, and China quarantined more than 70 travelers from Mexico (Browne, 2009). Despite the moderated response, Mexican authorities estimated $2.2 billion losses to the nation’s economy as a result of the outbreak, including more than a 40 percent drop in tourism revenue (Llana, 2009).

Uncontained disease leads to extinction

Toolis, the director of a major television series on the history of plagues, 09

(Kevin, The Express, April 28, 2009 U.K. 1st Edition “Pandemic Pandemonium” lexis)

It destroyed the Roman Empire, wiped out most of the New World and killed millions in Europe. How disease - not just Mexico's swine fever - has shaped the planet SCIENTISTS call it the Big Die Off, when a terrifying new virus rips through a species and kills up to a third of the entire population. And we all now could be facing a new apocalypse, though no one yet knows how potent the new strain of Mexican swine fever will be, or how many millions could die. Yet if history teaches us anything it tells us that the greatest danger the human race faces is not some crackpot North Korean dictator but a six-gene virus that could wipe out one third of the global population. Our real enemy, a new plague virus, is so small you can barely see it even with an advanced electron microscope. It has no morality, no thought or no plan. All it wants to do is reproduce itself inside another human body. We are just another biological opportunity, a nice warm place to feed and replicate. Viruses are as old as life itself. What is startling though is how vulnerable our globalised societies are to the threat of a new deadly plague. Before World Health Organisation scientists could identify this new H1N1 virus it had travelled halfway across the world via international flights.

WTO success causes rapid warming.

Bello, 2008 (Walden, senior analyst at the Bangkok-based research and advocacy institute Focus on the Global South and professor at the University of the Philippines, Derail Doha, Save the Climate, July 28, http://www.fpif.org/fpiftxt/5420)

There’s something surreal about the ongoing World Trade Organization talks in Geneva, which aim at coming up with a new agreement to bring down tariffs in order to expand world trade and resuscitate global growth. In the face of the looming specter of climate change, these negotiations amount to arguing over the arrangement of deck chairs while the Titanic is sinking. Indeed, one of the **most important steps** in the struggle to come up with a viable strategy to deal with climate change would be the derailment of the so-called “Doha Round.” Global trade is carried out with transportation that is heavily dependent on fossil fuels. It’s estimated that about 60% of the world’s use of oil goes to transportation activities which are more than 95% dependent on fossil fuels. An OECD study estimated that the global transport sector accounts for 20-25% of carbon emissions, with some 66% of this figure accounted for by emissions in the industrialized countries. Global Trade: Deeply Dysfunctional From the point of view of environmental sustainability, global trade has become deeply dysfunctional. Take agricultural trade. As the International Forum on Globalization has pointed out, the average plate of food eaten in Western industrial food-importing nations is likely to have traveled 1,500 miles from its source. Long-distance travel contributes to the absurd situation wherein “three times more food is used to produce food in the industrial agricultural model than is derived in consuming it.” The WTO has been a **central factor** in increasing carbon emissions from transport. A study by the OECD done in the mid-nineties estimated that by 2004, the year marking the full implementation of free-trade commitments under the WTO’s Uruguay Round, there would have been an increase in the transport of internationally traded goods by 70% over 1992 levels. This figure, notes the New Economics Foundation, “would make a mockery” of the Kyoto Protocol’s mandatory emissions reduction targets for the industrialized countries. Transportation: More Fossil Intensive than Ever Ocean shipping accounts for nearly 80% of the world’s international trade in goods. The fuel commonly used by ships is a mixture of diesel and low-quality oil known as “Bunker C,” which has high levels of carbon and sulfur. As Jerry Mander and Simon Retallack point out, “If not consumed by ships, it would otherwise be considered a waste product.” Aviation, which has the highest growth rate as a mode of transport, is also the fastest growing source of greenhouse gas emissions, with its consumption of fuel expected to rise by 65% from 1990 levels by 2010, according to one study cited by the New Economics Foundation. Other estimates are more pessimistic, with the Intergovernmental Panel on Climate Change (IPCC) suggesting that fuel consumption by civil aviation is going up at the rate of three percent a year and could rise by nearly 350% from 1992 levels by 2050. Note Mander and Retallack: “Each ton of freight moved by plane uses forty nine times as much energy per kilometer as when it’s moved by ship….A two-minute takeoff by a 747 is equal to 2.4 million lawn mowers running for twenty minutes.” In support of trade expansion and global economic growth, authorities have by and large not taxed aviation fuel as well as marine bunker fuel, which now account for 20% of all emissions in the transport sector. Along with fossil-fuel-intensive air transport, fossil-fuel-intensive road transport has also been favored by the expansion of world trade, instead of modes with less emission intensities like rail and marine traffic. In the European Union, for instance, the focus on building up a road transport network led an OECD study to comment that “the way in which the EU liberalization policy has been implemented has favored the less environment-friendly modes and accelerated the decline of rail and inland waterways.” Decoupling Growth and Energy: a Panacea There has been talk about decoupling trade and growth from energy or shifting from fossil fuels to other, less carbon-intensive energy sources. The reality is that the other energy sources being seriously considered are either dangerous, like nuclear power; with deleterious side-effects, like biofuels’ negative impact on food production; or science fiction as this stage, like carbon sequestration and storage technology. For the foreseeable future, trade expansion and global growth will fall in line with their historical trajectory of being correlated with increased greenhouse gas emissions. A sharp U-turn in consumption and growth in the developed countries and a significant decrease in global trade are unavoidable if we are to have a viable strategy against climate change. This will set the stage for a reduction in greenhouse gas emissions, including from the energy-intensive transportation sector. The outcome of the Doha negotiations will determine whether free trade will intensify or lose momentum. A successful conclusion to Doha will bring us closer to **uncontrollable climate change**. It will continue what the New Economics Foundation describes as “free trade’s free ride on the global climate.” A derailment of Doha won’t be a sufficient condition to formulate a strategy to contain climate change. But given the likely negative ecological consequences of a successful deal, it’s a **necessary condition.**

Warming causes extinction

Dr. Brandenberg, Physicist (Ph.D.) and Paxson a science writer ’99 – John and Monica, Dead Mars Dying Earth p. 232-3

The ozone hole expands, driven by a monstrous synergy with global warming that puts more catalytic ice crystals into the stratosphere, but this affects the far north and south and not the major nations’ heartlands. The seas rise, the tropics roast but the media networks no longer cover it. The Amazon rainforest becomes the Amazon desert. Oxygen levels fall, but profits rise for those who can provide it in bottles. An equatorial high pressure zone forms, forcing drought in central Africa and Brazil, the Nile dries up and the monsoons fail. Then inevitably, at some unlucky point in time, a major unexpected event occurs—a major volcanic eruption, a sudden and dramatic shift in ocean circulation or a large asteroid impact (those who think freakish accidents do not occur have paid little attention to life or Mars), or a nuclear war that starts between Pakistan and India and escalates to involve China and Russia . . . Suddenly the gradual climb in global temperatures goes on a mad excursion as the oceans warm and release large amounts of dissolved carbon dioxide from their lower depths into the atmosphere. Oxygen levels go down precipitously as oxygen replaces lost oceanic carbon dioxide. Asthma cases double and then double again. Now a third of the world fears breathing. As the oceans dump carbon dioxide, the greenhouse effect increases, which further warms the oceans, causing them to dump even more carbon. Because of the heat, plants die and burn in enormous fires which release more carbon dioxide, and the oceans evaporate, adding more water vapor to the greenhouse. Soon, we are in what is termed a runaway greenhouse effect, as happened to Venus eons ago. The last two surviving scientists inevitably argue, one telling the other, “See! I told you the missing sink was in the ocean!”Earth, as we know it, dies. After this Venusian excursion in temperatures, the oxygen disappears into the soil, the oceans evaporate and are lost and the dead Earth loses its ozone layer completely. Earth is too far from the Sun for it to be the second Venus for long. Its atmosphere is slowly lost—as is its water—because of ultraviolet bombardment breaking up all the molecules apart from carbon dioxide. As the atmosphere becomes thin, the Earth becomes colder. For a short while temperatures are nearly normal, but the ultraviolet sears any life that tries to make a comeback. The carbon dioxide thins out to form a thin veneer with a few wispy clouds and dust devils. Earth becomes the second Mars—red, desolate, with perhaps a few hardy microbes surviving.

### Adv 1

#### Casualty aversion checks aggression

Farley 12—JD from Emory University [Benjamin R. Farley (M.A., The George Washington University Elliott Schoolof International Affairs), “Drones and Democracy: Missing Out on Accountability?,” South Texas Law Review, Vol. 54, No. 2, 2012]

Political accountability is particularly important for political leaders making use-of-force decisions. Political accountability acts as a substantial constraint on the willingness of political leaders to choose to use force. In fact, an appreciation for the potency of political accountability as a constraint on use-of-force decisions is responsible in part for the structure of the U.S. Constitution. It also undergirds the democratic peace thesis. However, the importance of political accountability to use-of-force decisionmaking-and the extent to which it limits leaders' ability to use force-depends on the nature of that use-of-force decision, including the scope of the use of force, its expected duration, the risk of U.S. casualties, and whether the use of force is overt or covert.79

In general, "[g]overnments lose popularity in proportion to the war's cost in blood and money."80 After an initial boost in popularity at the outset of hostilities,1 rising casualties, increasing costs, and lengthening duration of a conflict dampen political leaders' chances of reelection. 82 This relationship between casualties and a leader's popular support encourages leaders to avoid potentially costly uses of force. But it is not merely the accumulation of casualties that erodes public support (thereby increasing the threat of negative electoral sanction) for a use of force. Public support also erodes due to marginal casualties. Thus, episodes in which US causalities occur unexpectedly or in which several U.S. service men and women are killed in a single incident can generate precipitous declines in support for a use of force,84 even if there have been relatively few cumulative casualties. Such was the case in Somalia, when a dramatic episode resulting in a relatively small number of casualties-in a historical sense-caused public support for the mission to evaporate, U.S. forces to withdraw, and the mission to fail. Additionally, in the United States, the electorate's sensitivity to casualties-and the attendant risk of political accountability leaders face for casualties-may be increasing. "Casualty for casualty, support ... declined far more quickly [in Iraq] than it did during either the Korean War or the Vietnam War."86 pg. 397-399

## 2NC

### Intervene Adv

#### Lack of public support prevent US intervention

Ignatius 13—Associate editor and columnist for The Washington Post [David Ignatius (Senior Fellow to the Future of Diplomacy Program @ Harvard University), “America the War-Weary,” Real Clear Politics, April 7, 2013, pg. http://www.realclearpolitics.com/articles/2013/04/07/america\_the\_war-weary\_117836.html

ISTANBUL -- Talking with members of Congress at a gathering here last week was an education in the public's wariness of new foreign entanglements -- especially in Syria. It was a reminder that the post-Iraq era is only beginning, and that it may limit America's ability to exercise power for the next few years.

The great advantage (and on occasion, disadvantage) of the House of Representatives is that its members are so close to their constituents. Most of them spend every nearly weekend back home in their districts. So they know what the public is thinking in a personal way that's sometimes missing in Washington foreign-policy debates.

The discussion here arose during an off-the-record conference organized by a Washington group. One of the topics was possible U.S. involvement in Syria, and it provoked an intense conversation. Many members from both parties made clear how uneasy they are about new U.S. adventures in this part of the world, no matter how noble-sounding the cause.

"I can't adequately describe how unwilling the American people are to get involved in another war in the Middle East," said one congressman. "We're almost unable to respond," given what the U.S. has spent in Iraq and Afghanistan, said another. He described intervention proposals as "half-baked," and argued that "the last thing we need is something ineffective." A third member summed up the public mood this way: "We are not just war-weary, we are war-wary."

The skeptical mood was underlined by one member who quoted former German Chancellor Helmut Schmidt as saying: "The problem is that you Americans think every problem has a solution." Well, not anymore -- not after Iraq and Afghanistan.

Both Republicans and Democrats expressed caution about venturing onto Syria's slippery slope. "This is not a tragedy of our making," warned one House veteran. He argued that countries in the region need to decide what they want. "Absent that consensus, you can't act." This longtime member noted that President Obama won't be able to do much in Syria without support from Democrats: "You can't be a war president without having a war party."

Obama recognizes the national war fatigue and made it a subtle centerpiece of his bid for re-election. He was emphatic about bringing troops home from Afghanistan and doing nation-building at home, rather than abroad. Mitt Romney, the Republican nominee, opened the general-election campaign with hawkish rhetoric, but by the last debate he had so trimmed his foreign-policy positions that they were nearly identical to Obama's.

In his caution on Syria, Obama has been reading the public mood correctly. Personally, I hope the president will accept the recommendation of some of his advisers and provide training and other limited military assistance for the Syrian rebels. But he would do so without a solid base of public support, a bad way to begin any new commitment. If Obama does decide to get more involved, he will need to bring the country along with him.

The big question is whether America's war weariness will undermine Obama's pledge to use military force, if necessary, to prevent Iran from obtaining a nuclear weapon. The Iranians seem convinced that, given the public mood, Obama is bluffing. President Mahmoud Ahmadinejad told me pointedly in an interview last September that America was tired of the "back-breaking expenses" of foreign wars. "Will the people of the U.S. accept meddling and intervention in the affairs of others?" he mused. "I don't believe so."

The House members who attended the conference seemed less skeptical about military options for Iran than for Syria. That's partly because the Iranian threat is more obvious toward both the U.S. and Israel. But given the current public mood, Obama will have to work carefully to build support for any U.S. military action against Iran -- convincing people that it's a legal and necessary use of American power.

Visiting this sprawling city was a reminder of the mysterious process through which empires wax and wane. Turkey's neo-imperial prospects seem to be rising for the first time in a century, with Turkish leaders talking about a new Ottoman hegemony in the region. America's cloak of leadership, by contrast, seems a bit faded.

One Arab politician cautioned the group: "American credibility is being doubted in this part of the world." What the members of Congress needed to remember, he said, was that "America remains indispensable." But when the members are back home talking to constituents on weekends, this traditional invocation of global U.S. leadership is not what they're hearing.

#### The only comprehensive study proves no transition impact.

MacDonald & Parent 11—Professor of Political Science at Williams College & Professor of Political Science at University of Miami [Paul K. MacDonald & Joseph M. Parent, “Graceful Decline? The Surprising Success of Great Power Retrenchment,” International Security, Vol. 35, No. 4 (Spring 2011), pp. 7–44]

In this article, we question the logic and evidence of the retrenchment pessimists. To date there has been neither a comprehensive study of great power retrenchment nor a study that lays out the case for retrenchment as a practical or probable policy. This article fills these gaps by systematically examining the relationship between acute relative decline and the responses of great powers. We examine eighteen cases of acute relative decline since 1870 and advance three main arguments.

First, we challenge the retrenchment pessimists’ claim that domestic or international constraints inhibit the ability of declining great powers to retrench. In fact, when states fall in the hierarchy of great powers, peaceful retrenchment is the most common response, even over short time spans. Based on the empirical record, we find that great powers retrenched in no less than eleven and no more than fifteen of the eighteen cases, a range of 61–83 percent. When international conditions demand it, states renounce risky ties, increase reliance on allies or adversaries, draw down their military obligations, and impose adjustments on domestic populations.

Second, we find that the magnitude of relative decline helps explain the extent of great power retrenchment. Following the dictates of neorealist theory, great powers retrench for the same reason they expand: the rigors of great power politics compel them to do so.12 Retrenchment is by no means easy, but necessity is the mother of invention, and declining great powers face powerful incentives to contract their interests in a prompt and proportionate manner. Knowing only a state’s rate of relative economic decline explains its corresponding degree of retrenchment in as much as 61 percent of the cases we examined.

Third, we argue that the rate of decline helps explain what forms great power retrenchment will take. How fast great powers fall contributes to whether these retrenching states will internally reform, seek new allies or rely more heavily on old ones, and make diplomatic overtures to enemies. Further, our analysis suggests that great powers facing acute decline are less likely to initiate or escalate militarized interstate disputes. Faced with diminishing resources, great powers moderate their foreign policy ambitions and offer concessions in areas of lesser strategic value. Contrary to the pessimistic conclusions of critics, retrenchment neither requires aggression nor invites predation. Great powers are able to rebalance their commitments through compromise, rather than conflict. In these ways, states respond to penury the same way they do to plenty: they seek to adopt policies that maximize security given available means. Far from being a hazardous policy, retrenchment can be successful. States that retrench often regain their position in the hierarchy of great powers. Of the fifteen great powers that adopted retrenchment in response to acute relative decline, 40 percent managed to recover their ordinal rank. In contrast, none of the declining powers that failed to retrench recovered their relative position. Pg. 9-10

### 2NC—K Prior

#### In situations where we are confronted with immoral people, we will either beat them or join them. The affirmative’s political strategy is fundamentally reactive because it’s invested in whether or not actions are legal or illegal, rather than are they right or wrong. This leaves them impotent in confrontations with folks like Bush and Cheney who justify invasion, torture, and assassination in the guise of legality. The affirmative’s framing of restrictions as a *means* to achieve security turns their restriction into a force multiplier

Francisco J. CONTRERAS Prf. Philosophy of Law @ Seville AND Ignacio de la RASILLA Ph.D. candidate in international law, Graduate Institute of International Studies, Geneva, 8 [“On War as Law and Law as War” Leiden Journal of International Law Vol. 21 Issue 3 p. 770-773]

Kennedy begins by coldly contradicting those opponents of the Bush administration ‘that have routinely claimed that the United States has disregarded these rules’ (p. 40) by pointing out that both opponents and supporters of the Iraq war as well as both opponents and supporters of the great panoply of US legal measures related to the war on terror ‘were playing with the same deck’ (p. 40) in presenting ‘professional arguments about how recognised rules and standards, as well as recognised exceptions and jurisdictional limitations, should be interpreted’ (p. 40). The author’s only concession with reference to the Bush administration’s legal advisers is to point out that ‘as professionals, these lawyers failed to advise their client adequately about the consequences of the interpretations they proposed, and about the way others would read the same texts – and their memoranda’ (p. 39).Thus Kennedy does not adopt any legal position to the detriment of any other, as his assessment does not seemingly pretend to persuade his reader at the level of the world of legal validity presented in the vocabulary of the UN Charter. The extent to which that excludes the author from the category of being a ‘true jus-internationalist’, according to A. Canc¸ado Trindade’s understanding of those who actually ‘comply with the ineluctable duty to stand against the apology of the use of force which is manifested in our days through distinct “doctrinal” elaborations’,42 is not for us to judge. Suffice it to note that the starting point of Kennedy’s convoluted perspective on the matter is that ‘the law of force’ is a form of ‘vocabulary for assessing the legitimacy’ (p. 41) of a form of conduct (e.g. amilitary campaign) or ‘for defending as well as attacking the “legality”’ (p. 41) of an act (e.g. distinguishing legitimate from illegitimate targets) in which the same law of force becomes a two-edged sword, everybody’s and no one’s strategic partner in a contemporary world where ‘legitimacy has become the currency of power’ (p. 45). For the author, in today’s age of ‘lawfare’ (p. 12), ‘to resist war in the name of law . . . is to misunderstand the delicate partnership of war and law’ (p. 167). In Kennedy’s view, therefore, ‘there is little comfort in knowing that law has become the vernacular for evaluating the legitimacy of war and politics where it has done so by itself becoming a strategic instrument of war and the continuation of politics by similar means’ (p. 132). 3. LAW AS A MODERN LEGAL INSTITUTION Of War and Law seems, indeed, to be animated by a certain philosophical perplexity regarding the ambiguous relation between the apparently antithetical nature of the terms appearing in its title. Since antiquity both jurists and philosophers have taught that the law’s raison d’eˆ tre is that of making social peace possible, of overcoming what would later be commonly known as the Hobbesian state of nature: bellum omnium contra omnes. Kant noted that law should be perceived first and foremost as a pacifying tool – in other words, ‘the establishment of peace constitutes, not a part of, but the whole purpose of the doctrine of law’43 – and Lauterpacht projected that same principle onto the international sphere: ‘the primordial duty’ of international law is to ensure that ‘there shall be no violence among states’.44 The paradox lies, of course, in that law performs its pacifying function not by means of edifying advice, but by the threat of the use of force. In this sense, as Kennedy points out, ‘to use law is also to invoke violence, at least the violence that stands behind legal authority’ (p. 22). Hobbes himself never concealed the fact that the state, ‘that mortal god, to which we owe under the immortal God our peace and defence’,would succeed in eradicating inter-individual violence precisely due to its ability to ‘inspire terror’;45 but Weber – ‘the State is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory’46 – Godwin,47 and Kelsen48 have also provided support for the same proposition. This ambivalent and paradoxical relationship between law and violence,which is obvious in the domestic or intra-state realm, becomes even more obvious in the interstate domain with its classical twin antinomy of ubi jus, ibi pax and inter arma leges silent until the law in war emerges as a bold normative sector which dares to defy this conceptual incompatibility; even war can be regulated, be submitted to conditions and limitations. The hesitations of Kant in addressing jus in bello49 or the very fact that the Latin terms jus ad bellum and jus in bello were coined, as R. Kolb has pointed out,50 at relatively recent dates, seem to confirm that this has never been per se an evident aspiration.51 Kennedy explains his own calling as international lawyer as being partly inspired by his will to participate in the law’s civilizing mission (p. 29)52 as something utterly distinct from war: We think of these rules [law in war] as coming from ‘outside’ war, limiting and restricting the military. We think of international law as a broadly humanist and civilizing force, standing back from war, judging it as just or unjust, while offering itself as a code of conduct to limit violence on the battlefield. (p. 167) The author notes how this virginal confidence in the pacifying efficiency of international law – its presumed ability to forbid, limit, humanize war ‘from outside’ – becomes progressively nuanced, eroded, almost discredited by a series of considerations. The disquieting image of the ‘delicate partnership of war and law’ becomes more and more evidenced; the lawyer who attempts to regulate warfare inevitably also becomes its accomplice. As Kennedy puts it, The laws of force provide the vocabulary not only for restraining the violence and incidence of war – but also for waging war and deciding to go to war. . . . [L]aw no longer stands outside violence, silent or prohibitive. Law also permits injury, as it privileges, channels, structures, legitimates, and facilitates acts of war. (p. 167) Unable to suppress all violence, law typifies certain forms of violence as legally admissible, thus ‘privileging’ them with regard to others and investing some agents with a ‘privilege to kill’ (p. 115). Law thereby becomes, in Kennedy’s view, a tool not so much for the restriction of war as for the legal construction of war.53 Elsewhere we have labeled Kennedy ‘a relative outsider’54 who, peering from the edge of the vocabulary of international law, tries to ‘highlight its inherent structural limits, gaps, dogmas, blind spots and biases’, as someone ‘specialised in speaking the unspeakable, disclosing ambivalences and asking awkward questions’.55 The ‘unspeakable’, in the case of the ‘law of force’, is precisely, in Kennedy’s view, this process of involuntary complicity with the very phenomenon one supposedly wants to prohibit. Prepared to ‘stain his hands’ a` la Sartre, in his attempt to humanize the military machine from within, to walk one step behind the soldier reminding him constantly, as an imaginary CNN camera, of the legal limits of the legitimate use of force, the lawyer starts to realize, in the author’s view, that he is becoming but an accessory to the war machine. Kennedy maintains that law, in its attempt to subject war to its rule, has been absorbed by it and has now become but another war instrument (p. 32);56 law has been weaponized (p. 37).57 Contemporary war is by definition a legally organized war: ‘no ship moves, no weapon is fired, no target selected without some review for compliance with regulation – not because the military has gone soft, but because there is simply no other way to make modern warfare work. Warfare has become rule and regulation’ (p. 33).War ‘has become a modern legal institution’ (p. 5), with the result that the international lawyer finds himself before an evident instance of Marxian reification, in other words ‘the consolidation of our own products as a material power erected above us beyond our control that raises a wall in front of our expectations and destroys our calculations’.58 Ideas and institutions develop ‘a life of their own’, an autonomous, perverted dynamism.

#### Debating the rhetorical *frame* for war-fighting decisions is the only way to address the source of war-fighting abuses. Debate should focus on how we think about problems and not just on particular policy. You should look at systems of militarism and not the singular event of their impact scenarios.

#### The alt is a technique for addressing how war has come to be a naturalized condition. If our process of rhetorical criticism is good, you should endorse and adopt it as a way of reading future policy research.

Jeremy ENGELS Communications @ Penn St. AND William SAAS PhD Candidate Comm. @ Penn ST. 13 [“On Acquiescence and Ends-Less War: An Inquiry into the New War Rhetoric” *Quarterly Journal of Speech* 99 (2) p. 230-231]

The framing of public discussion facilitates acquiescence in contemporary wartime: thus, both the grounds on which war has been justified and the ends toward which war is adjusted are bracketed and hence made infandous. The rhetorics of acquiescence bury the grounds for war under nearly impermeable layers of political presentism and keep the ends of war in a state of perpetual flux so that they cannot be challenged. Specific details of the war effort are excised from the public realm through the rhetorical maneuver of ‘‘occultatio,’’ and the authors of such violence\*the president, his administration, and the broader national security establishment\*use a wide range of techniques to displace their own responsibility in the orchestration of war.28 Freed from the need to cultivate assent, acquiescent rhetorics take the form of a status update: hence, President Obama’s March 28, 2011 speech on Libya, framed as an ‘‘update’’ to Americans ten days after the bombs of ‘‘Operation Odyssey Dawn’’ had begun to fall. Such post facto discourse is a new norm: Americans are called to acquiesce to decisions already made and actions already taken. The Obama Administration has obscured the very definition of ‘‘war’’ with euphemisms like ‘‘limited kinetic action.’’ The original obfuscation, the ‘‘war on terror,’’ is a perpetually shifting, ends-less conflict that denies the very status of war. How do you dissent from something that seems so overwhelming, so inexorable? It’s hard to hit a perpetually shifting target. Moreover, as the government has become increasingly secretive about the details of war, crucial information is kept from citizens\*or its revelation is branded ‘‘treason,’’ as in the WikiLeaks case\*making it much more challenging to dissent. Furthermore, government surveillance of citizens cows citizens into quietism. So what’s the point of dissent? After all, this, too, will pass. Thus even the most critical citizens come to rest in peace with war. The confidence game of the new war rhetoric is one of perpetually shifting ends. In this ‘‘post-9/11’’ paradigm of war rhetoric, citizens are rarely asked to harness their civic energy to support the war effort, but instead are called to passively cede their wills to a greater Logos, the machinery of ends-less war. President Obama has embodied the dramatic role of wartime caretaker more adeptly than his predecessor, repeatedly exhorting citizens to ‘‘look forward’’ rather than to examine the historical grounds upon which the present state of ends-less war was founded and institutionalized.29 All the while, that forward horizon is constantly being reshaped\*from retribution, to prevention, to disarmament, to democratization, to intervention, and so on, as needed. What Max Weber called ‘‘charisma of office’’\*the phenomenon whereby extraordinary political power is passed on between charismatically inflected leaders\*is here cast in bold relief: until and unless the grounds of the new war rhetoric are meaningfully represented and unapologetically challenged, ends-less war can only continue unabated.30 War rhetoric is a mode of display that aims to dispose audiences to certain ways and states of being in the world. This, in turn, is the essence of the new war rhetoric: authorities tell us, don’t worry, we’ve got this, just go about your everyday business, go to the mall, and take a vacation. What we are calling acquiescent rhetorics aim to disempower citizens by cultivating passivity and numbness. Acquiescent rhetorics facilitate war by shutting down inquiry and deliberation and, as such, are anathema to rhetoric’s nobler, democratic ends. Rhetorical scholars thus have an important job to do.We must bring the objective violence of war out into the open so that all affected by war can meaningfully question the grounds, means, and ends of battle.We can do this by describing, and demobilizing, the rhetorics used to promote acquiescence. In sum, we believe that by making the seemingly uncontestable contestable, rhetorical critics can and should begin to invent a pedagogy that would reactivate an acquiescent public by creating space for talk where we have previously been content to remain silent.

### AT: Perm (w/Multilat)

#### The multilateral vision of American leadership is no less Orientalist—they still divide the world between liberal democracies and illiberal peoples. Rejecting the aff’s justifications is a pre-requisite for genuine change.

Richard FALK Emeritus Int’l Law @ Princeton 9 [*Achieving Human Rights* p. 52-53]

The transition to a regulated structure of world order is underway and is assured unless a catastrophic breakdown occurs, due to ecological, economic, or political collapse. That is, the Westphalian form of world order, based on the state system, while resilient, is essentially being displaced from above and below. It is not only the case that the main struggle since 9/11 is being waged by a global state on the one side and a loosely linked headless network on the other side; the impact of multi-dimensional globalization is also making borders less important in most respects (although more important in some-for instance, restricting transnational migrants). And normative developments are now associated with international accountability for gross violations of human rights and for the commission of such crimes as genocide, torture, and ethnic cleansing. Much of the literature that recognizes this emergent global governance stresses the **inevitability** of **American leadership**. The **mainstream** debate is whether this leadership will take a **cooperative**, economic form as it did in the 1990s or move in direction of the unilateralist, coercive form of the early years of the twenty-first century.36 The outcome of the November 2004 American presidential elections, together with the impact of the purported transfer of sovereignty to Iraq on June 30, 2004, as well as the anti-war outcome of the 2006 congressional elections seemed to supply a short-term answer. The main argument being made seems likely to be unaffected by a change in the elected leadership of the United States, although the 2008 presidential elections might produce some **tactical adjustments** associated with the high costs of continuing the Iraq War. **Either** foreign policy **path** is **essentially Orientalist** in the sense of building a future world order on the basis of **American interests**, **an American worldview**, and an **American model** of constitutional democracy. Neither is sensitive, in the slightest, to the ordeal of the Palestinian people, and thus bitter resentments directed at the United States will be kept alive, especially in the Arab world. International law will continue to play a double role, facilitating the pretensions of the American model of "democracy" as an expression of a commitment to the realization of international human rights and offering opponents of this model legal standards and principles by which to validate their anti-imperial, antiAmerican resistance. In my view, only a **non-Orientalist reshaping** of global governance can be beneficial for the peoples of the world and **sustainable** over time. In that process, the **de-Orientalizing** of the **normative order** is of **paramount importance**, providing positive images of accountability, participation, and justice that do not universalize the mythic or existential realities of the American experience and that draw fully upon the creative energies and cultural worldviews of the diverse civilizations that together constitute the world. Such expectations may presently seem utopian , but that is only because our horizons are now clouded by **warmongering "realists"** and **global imperialists**. To **dream freely** of a benevolent future is the only way to encourage the **moral and political imagination** of people throughout the world to take responsibility for their own future, thereby repudiating in the most decisive way the deforming impacts of Orientalism in all of its sinister forms.

### AT: Wohlforth

#### Wohlforth doesn’t account for minor power dissatisfaction.

Monteiro 11—Professor of Political Science at Yale University [Nuno P. Monteiro, “Unrest Assured: Why Unipolarity Is Not Peaceful,” International Security, Vol. 36, No. 3 (Winter 2011/12), pp. 9–40]

This article has laid out a theory of unipolarity that accounts for how a unipolar structure of the international system provides significant incentives for conflict. In doing so, my argument corrects an important problem with extant research on unipolarity—the absence of scholarship questioning William Wohlforth’s view that a unipolar world is peaceful. In this respect, Wohlforth’s words ring as true of extant scholarship today as they did in 1999: “When balance-of-power theorists argue that the post–Cold War world is headed toward conflict, they are not claiming that unipolarity causes conflict. Rather, they are claiming that unipolarity leads quickly to bi- or multipolarity. It is not unipolarity’s peace but its durability that is in dispute.”112 Not anymore. It is not that the core of Wohlforth’s widely shared argument is wrong, however: great power conflict is impossible in a unipolar world. Rather, his claim that unipolarity is peaceful has two important limitations. First, it focuses on great powers. But because unipolarity prevents the aggregation of conflicts involving major and minor powers into conflict between great powers, scholars must look beyond great power interactions when analyzing the structural incentives for war. Second, Wohlforth assumes that the unipole’s only reasonable strategic option is defensive dominance. But given that unipolarity provides the unipole with ample room for defining its foreign policy, offensive dominance and disengagement are equally plausible strategies. This requires a look at how these two additional strategies facilitate conflict. Pg. 37

### AT: Deterrence Empirics

#### Deterrence theory creates spirals of distrust -- Most recent psychological and neuroscience research proves.

Neta CRAWFORD Poli Sci @ Boston University 11 [*Realism and World Politics* Ed. Ken Booth p. 173]

For example, research on fear suggests that long-held assumptions of deterrence theory are probably not simply wrong but dangerously so. Research in political psychology has shown that ‘deterrence is inadequate as an explanatory theory of international relations because the growing body of empirical evidence’ does not support the theory.69 Recent research on fear implies that the notion that deterrence threats can be manipulated with great confidence is folly. We cannot expect decision-makers to respond to threats by doing elaborate (or even boundedly rational) calculations of costs, risks and benefits, yet policy-makers are still counselled as if this were possible. This is not simply because signalling resolve is difficult. Fear, and also anger and perceived humiliation, affect the ways people reason and react to threats: fear is a powerful source and re-enforcer of both the cognitive and motivated biases that interfere with the communication and reception of deterrent threats. Fear can become institutionalized and self-reinforcing. To the extent that our theories, uninformed by research on fear, have guided decision-makers and shaped foreign policies by promoting the use of threats, they have made the world more dangerous rather than less. The path to decreased tension, conflict resolution, and improved security lies in re-examining the relationship between ‘human nature’, political practices and institutions and in devising policies that actually decrease fear and enhance trust.

## 1NR

### Offense

multilateral trade increases risk of war

Martin, Professor of Economics at Paris School of Economics, Mayer, professor of economics at the University of Paris, and Thoenig, Professor of Economics at the University of Geneva, April 12, 2006 [Phillipe, Thierry, and Mathias, Make Trade Not War?]

We test the theoretical predictions that bilateral and multilateral trade have opposite effects on the probability of military conflicts on the 1950-2000 period using a data set from the Correlates Of War (COW) project, that makes available a very precise description of interstate armed conflicts. The mechanism at work in our theoretical model rests on the hypothesis that the absence of peace disrupts trade and therefore puts trade gains at risk. We first test this hypothesis. Using a gravity-type model of trade, we find that bilateral trade costs indeed increase significantly with a bilateral conflict. However, multilateral trade costs do not increase significantly with conflict. Second, using a theory grounded-econometric model, we test the predictions of the model related to the contradictory effects of bilateral and multilateral trade on conflict. In the pooled regressions, we control for potential contamination by co-determinants of conflict and trade. We also control for possible country pairfixed effects. Finally, we use an instrument that exerts a positive shock to multilateral trade anda negative one to bilateral trade, without directly interacting with armed conflicts. We choose the Generalized System of Preferences (GSP) which are schemes of tariff preferences granted by developedc ountries to developing countries. Our results are robust to these different estimation strategies, and are **quantitatively substantial**: historically, between 1960 and 2000, the increase in bilateral openness for the median country pair separated by less than 1000kms, has led to a decrease in the probability of military conflict by 22%. However, during the same period, the growth in multilateral openness has led to an increase in this same probability by 66%.

### 2NC Trade Causes War

Trade doesn’t solve war—even if most trade partners don’t go to war, theres a net increase in conflict escalation due to politics and draw in—prefer our evidence because their research is steeped in confirmation bias

Van de Haar 10

( Edwin van de Haar, PhD in political science and MSc from the London School of Economics in IR, June 2010, “The Liberal Divide over Trade, Peace and War”, International Relations 24: 132, http://ire.sagepub.com/content/24/2/132)FS

A second point for further elaboration is that Hume and Smith note that international trade does not erase other causes of conflict, for example of a geopolitical or religious nature. States may act against their economic interests in the name of some higher goal. The confl ict between Georgia and Russia in 2008 may serve as an example, as Russia was one of Georgia’s main trading partners at the time.138 Regional trade integration does not automatically lead to peace,139 and as Cobden and Bright painfully discovered during the Crimean War, and as has since been repeatedly shown, public opinion is not inherently peaceful either. It hardly ever infl uences foreign policy, prevents the outbreak of war, or determines a termination of a confl ict.140 In general, as Ohlson points out, IR still needs to come to terms with the causes of war and peace, which are multifaceted and complex. People take up arms because they have reasons in the form of grievances and goals, the resources in the form of capabilities and opportunities, and the resolve because they do not see an alternative to violence.141 Commercial ties and economic interdependence are not of more weight in this mix than other common factors promoting war, such as specifi c local conditions, chance, luck, coincidences or of course insensitive, thoughtless, or outright reckless acts of the individuals infl uencing public policy. International commerce is not a ‘perfectly effective anti-war device’, if only because war is a multicausal phenomenon, with many contributing factors and various causal paths.142 Hence, ‘by focussing on single causes, researchers have been trying to place round pegs in square holes, although occasionally they do find the round hole, in which case they argue all holes are round ’. Causes of war are to be found in combined research into risk factors and context.143

### 2NC Impact

#### Influenza and viruses lead to extinction

Yu, Dartmouth Undergraduate Journal of Science, 09

(Victoria, May 22, DUJS aims to increase scientific awareness within the Dartmouth community by providing an interdisciplinary forum, “Human Extinction: The Uncertainty of Our Fate,” http://dujs.dartmouth.edu/spring-2009/human-extinction-the-uncertainty-of-our-fate)

A pandemic will kill off all humans. In the past, humans have indeed fallen victim to viruses. Perhaps the best-known case was the bubonic plague that killed up to one third of the European population in the mid-14th century (7). While vaccines have been developed for the plague and some other infectious diseases, new viral strains are constantly emerging — a process that maintains the possibility of a pandemic-facilitated human extinction. Some surveyed students mentioned AIDS as a potential pandemic-causing virus. It is true that scientists have been unable thus far to find a sustainable cure for AIDS, mainly due to HIV’s rapid and constant evolution. Specifically, two factors account for the virus’s abnormally high mutation rate: 1. HIV’s use of reverse transcriptase, which does not have a proof-reading mechanism, and 2. the lack of an error-correction mechanism in HIV DNA polymerase (8). Luckily, though, there are certain characteristics of HIV that make it a poor candidate for a large-scale global infection: HIV can lie dormant in the human body for years without manifesting itself, and AIDS itself does not kill directly, but rather through the weakening of the immune system. However, for more easily transmitted viruses such as influenza, the evolution of new strains could prove far more consequential. The simultaneous occurrence of antigenic drift (point mutations that lead to new strains) and antigenic shift (the inter-species transfer of disease) in the influenza virus could produce a new version of influenza for which scientists may not immediately find a cure. Since influenza can spread quickly, this lag time could potentially lead to a “global influenza pandemic,” according to the Centers for Disease Control and Prevention (9). The most recent scare of this variety came in 1918 when bird flu managed to kill over 50 million people around the world in what is sometimes referred to as the Spanish flu pandemic. Perhaps even more frightening is the fact that only 25 mutations were required to convert the original viral strain — which could only infect birds — into a human-viable strain (10).

#### That outweighs

Zakaria 05(Fareed Zakaria, “A Threat Worse than Terror,” 10-31, Newsweek, http://www.fareedzakaria.com/ARTICLES/newsweek/103105.html)

A flu pandemic is the most dangerous threat the United States faces today," says Richard Falkenrath, who until recently served in the Bush administration as deputy Homeland Security adviser. "It's a bigger threat than terrorism. In fact it's bigger than anything I dealt with when I was in government." One makes a threat assessment on the basis of two factors: the probability of the event, and the loss of life if it happened. On both counts, a pandemic ranks higher than a major terror attack, even one involving weapons of mass destruction. A crude nuclear device would probably kill hundreds of thousands. A flu pandemic could easily kill millions. Whether this particular virus makes the final, fatal mutation that allows it to move from human to human, one day some virus will. The basic factor that is fueling this surge of viruses is China's growth. (China is the natural habitat of the influenza virus.) As China develops, it urbanizes, and its forests and wetlands shrink. That forces migratory birds to gather closer together-and closer to human habitation--which increases the chances of a virus spreading from one species to the next. Also, growth means a huge rise in chicken consumption. Across thousands of homes in China every day, chickens are slaughtered in highly unhygienic ways. "Every day the chances that this virus or another such virus will move from one species to another grow," says Laurie Garrett, author of "The Coming Plague," who has been writing brilliantly on this topic for years. Nobody really disputes that we are badly unprepared for this threat. "If something like this pandemic were to happen today," says Falkenrath, "the government would be mostly an observer, not a manager." The government can't even give intelligent advice to its citizens because it doesn't actually know what to say. We don't know whether people should stay put, leave cities, stay home or go to the nearest hospital. During the cold war, hundreds of people in government participated in dozens of crisis simulations of nuclear wars, accidents and incidents. These "tabletop exercises" were conducted so that if and when a real crisis hit, policymakers would not be confronting critical decisions for the first time. No such expertise exists for today's deadliest threat.

### 2NC Trade = Disease

trade is the biggest catalyst for disease spread and uniquely facilitates an uncontainable virus strain that’s kimball and hodges several warrants

a. drug resistance—spread of antimicrobials makes every developing country a petri dish for a drug resistant super pathogen

b. disease spread—trade brings new pathogens across borders and disincentivizes disease reporting due to economic consequences—countries will be afraid of losing trade and will therefore remain quiet about the new pathogen

and, trade dramatically lowers the outbreak threshold—the liberal trade economy causes chronic disease which lower immunity

**Labonte et al 11**

(Labonte, Ronald, Institute of Population Health at the University of Ottawa, Mohindra, Katia, Institute of Population Health at the University of Ottawa, Lencucha, Raphael, University of Lethbridge, 2011, “Framing International Trade and Disease”, Globalization and Health, <http://www.biomedcentral.com/content/pdf/1744-8603-7-21.pdf>) FS

’Chronicity’ has been proposed as an appropriate lens to address the complexities associated with rising burden of chronic diseases [18] and has been identified as the theme for this special issue. The concept of chronicity has conventionally been applied to understanding the nature of care of chronic diseases [19]. However, the term is also applicable to the causes of chronic diseases. Specifically, we view chronicity in two ways: first, as the post-1980s reconfiguration of globalization (particularly economic aspects of trade and investment liberalization following what has been characterized as neo-liberal economic principles)[20], which has led to the international transmission of risk factors for non-communicable disease; and second, as the durability of this model even in the face of multiple, and more recently global, financial crises. Trade-related global market integration has essentially made such disease risk factors ‘communicable’ (with food, tobacco and alcohol consumption serving as ‘vectors’), blurring the conventional distinction between communicable and chronic diseases.

and, no quarantine or public health defense—cross border trade makes mitigation impossible

**Kimball and Hodges 10**

(Kimball, Ann Marie, Professor Emeritus in Epidemiology at the University of Washington’s School of Public Health, and Hodges, Jill, Masters in Public Health, 2010, “Risky Trade and Emerging Infections”, Infectious Disease Movement in a Borderless World: Workshop Summary, Institute of Medicine (US) Forum on Microbial Threats, <http://www.ncbi.nlm.nih.gov/books/NBK45724/>) FS

The 2006 multistate outbreak of Escherichia coli O157:H7 across the United States (Grant et al., 2008) linked to spinach grown in California aptly demonstrates how cross-border trade can expand the scope and complexity of outbreaks. Between August 5 and September 5, a total of 84 cases were detected in 20 states. Only one of the 84 cases was in California; the other 83 were spread across the country, from Oregon to Wisconsin to New York to Tennessee. Consequently, there was no ability at the local level to detect the outbreak or identify its source. It was not until investigators conducted the molecular epidemiology across affected states that the cases could be linked and the source identified.

Trade across borders (state or national) creates a new, very direct dissemination of infection and a new challenge for public health, both at the local and the global levels. As Figure 2-9 illustrates, trade and travel are the mechanisms by which local outbreaks become pandemics. And as the blue arrow indicates, it is the growth of transnational trade and travel that enhances the risk of the transnational spread of disease. The E. coli outbreak described above shows that, when agents enter the cross-border trade flow, local public health authorities at the source may not, in fact, be in a position to perceive and address disease clusters.

Trade hurts the environment--- deters regulation

Frankel 9

(Frankel, Jeffery, January 2009, “Environmental Effects of International Trade” Harvard Kennedy School of Government Faculty Working Group Paper Series) FS

The notion of a race to the bottom is perhaps the strongest basis for fearing that international trade and investment specifically (rather than industrialization generally) will put downward pressure on countries’ environmental standards and thus damage the environment across the global system.14 Leaders of industry, and of the unions whose members are employed in industry, are always concerned about competition from abroad. When domestic regulation raises their costs, they fear that they will lose competitiveness against firms in other countries. They warn of a loss of sales, employment, and investment to foreign competitors.15 Thus domestic producers often sound the competitiveness alarm as a way of applying political pressure on their governments to minimize the burden of regulation.16

Extinction

DINER 94 Judge Advocate’s General’s Corps of US Army

[David N., *Military Law Review*, Winter, 143 Mil. L. Rev. 161, LN]

No species has ever dominated its fellow species as man has. In most cases, people have assumed the God-like power of life and death -- extinction or survival -- over the plants and animals of the world. For most of history, mankind pursued this domination with a single-minded determination to master the world, tame the wilderness, and exploit nature for the maximum benefit of the human race. n67 In past mass extinction episodes, as many as ninety percent of the existing species perished, and yet the world moved forward, and new species replaced the old. So why should the world be concerned now? The prime reason is the world's survival. Like all animal life, humans live off of other species. At some point, the number of species could decline to the point at which the ecosystem fails, and then humans also would become extinct. No one knows how many [\*171] species the world needs to support human life, and to find out -- by allowing certain species to become extinct -- would not be sound policy. In addition to food, species offer many direct and indirect benefits to mankind. n68 2. Ecological Value. -- Ecological value is the value that species have in maintaining the environment. Pest, n69 erosion, and flood control are prime benefits certain species provide to man. Plants and animals also provide additional ecological services -- pollution control, n70 oxygen production, sewage treatment, and biodegradation. n71 3. Scientific and Utilitarian Value. -- Scientific value is the use of species for research into the physical processes of the world. n72 Without plants and animals, a large portion of basic scientific research would be impossible. Utilitarian value is the direct utility humans draw from plants and animals. n73 Only a fraction of the [\*172] earth's species have been examined, and mankind may someday desperately need the species that it is exterminating today. To accept that the snail darter, harelip sucker, or Dismal Swamp southeastern shrew n74 could save mankind may be difficult for some. Many, if not most, species are useless to man in a direct utilitarian sense. Nonetheless, they may be critical in an indirect role, because their extirpations could affect a directly useful species negatively. In a closely interconnected ecosystem, the loss of a species affects other species dependent on it. n75 Moreover, as the number of species decline, the effect of each new extinction on the remaining species increases dramatically. n76 4. Biological Diversity. -- The main premise of species preservation is that diversity is better than simplicity. n77 As the current mass extinction has progressed, the world's biological diversity generally has decreased. This trend occurs within ecosystems by reducing the number of species, and within species by reducing the number of individuals. Both trends carry serious future implications. Biologically diverse ecosystems are characterized by a large number of specialist species, filling narrow ecological niches. These ecosystems inherently are more stable than less diverse systems. "The more complex the ecosystem, the more successfully it can resist a stress. . . . [l]ike a net, in which each knot is connected to others by several strands, such a fabric can resist collapse better than a simple, unbranched circle of threads -- which if cut anywhere breaks down as a whole." n79 By causing widespread extinctions, humans have artificially simplified many ecosystems. As biologic simplicity increases, so does the risk of ecosystem failure. The spreading Sahara Desert in Africa, and the dustbowl conditions of the 1930s in the United States are relatively mild examples of what might be expected if this trend continues. Theoretically, each new animal or plant extinction, with all its dimly perceived and intertwined affects, could cause total ecosystem collapse and human extinction. Each new extinction increases the risk of disaster. Like a mechanic removing, one by one, the rivets from an aircraft's wings, [hu]mankind may be edging closer to the abyss.

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It is sufficient to analyse the political situation in 69 countries that have formally recognised Kosovo to be clear that majority of them could experience the Serbian fate in near or distant future due to the secessionist problems they have “pushed under the carpet” for decades

Only kurdistan line

Kurdish people, one of the most numerous ethnic population without formal and internationally recognized state, are adherent to the idea of Kurdistan including parts of Turkey, Syria, Iraq, Iran, Azerbaijan, Armenia in Armenia, Georgia, Israel, Russia, and Lebanon. Each of these countries openly feared for their own territorial integrity taking various type of suppressive measures against Kurds from prohibition of Kurdish language in Syria to mass killing by chemical poisoning in Iraq during the government of Saddam Hussein. Turkish government rejects any notion of the existence of Turkish Kurdistan, although this population is present in even 13 Turkish provinces. In same time the Turkish government has territorial claims over the northern part of the island of Cyprus that is alrea

, Brazil’s diplomacy has experienced a number of major setbacks in recent years. Its campaign to land a permanent seat at the United Nations Security Council fell short of receiving the crucial endorsement of the United States and C hina. Brazilian diplomats have even str uggled to receive backing from their Latin American neighbors : Mexico and Colombia see themselves as possible contestant s for a permanent seat, while Argentina publicly opposed Brazil’s demand in 2004 . The US decision to endorse India's bid 10 and to ignore Brazil’s was a major blow for Brasília . 11 Likewise , Brazil was never able to convince other BRICS to rally around a single candidate for the presidency of the World Bank . O ther example s of Brazil’ s shortcomings were its failed attempts to act as a mediator between Iran and Western powers in 2010 and during the Honduran crisis of 2009 . A possible remedy for these diplomatic setbacks wou ld be to boost the country’s hard power credentials. Proponents of hard power suggest that t o win the respect of its peers, a country must keep a leading edge in the global competition for economic, technologic al and military power. As it happens, Brazil h as recently embarked on an unprecedented “catching up” process which could go a long way towards strengthening the country’s hard power capabilities . First, it is taking steps to consolidat e its status as the world’s sixth largest economy . Second, it is lo oking to gain increased bargaining power from its position as a global supplier of key natural resources. Third, it has become a big source of investment abroad by actively promoting the internationalization of its largest domestic companies. Last but not least, Brazil is slowing establishing itself as a military power with a proactive defense agenda

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. Thus, neither the global nor regional security considerations are, per se, powerful enough incentives to modify Brazil’s restraint on the nuclear question. Prestige issues such as status-seeking recognition, identity-constructed politics, and independent self-image, among others, are recognized as relevant elements in the nuclear debate.[xvi] The search for significance and prominence makes it more likely to build up or obtain nuclear armaments. It is understandable if Brazil seeks greater appreciation by, and participation in, different formal and informal institutions as a key state in world affairs.

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### AT: EKC

#### Rich countries export waste to poor countries—growth increases impacts on the environment.

Korten 95—David Korten, BA in psychology from Stanford University, MBA and Ph.D. degrees from the Stanford Business School, former Associate Professor of the Harvard University Graduate School of Business [1995, *When Corporations Rule the World*, p. 30-31]

Just as wealthy countries import resources when their demands exceed their own limits, they export their surplus wastes. Indeed, waste-disposal practices reveal with particular clarity the relationship between power and the allocation of environmental costs. Pollution factories and waste-disposal sites are so consistently located in poor and minority neighborhoods or communities that we might use them as proxy indicators of the geographical distribution of political power. Adding insult to injury, the rich commonly point to the miserable environmental conditions in which the poor sometimes live as proof that the poor are less environmentally responsible than themselves. Such claims draw attention away from two important realities. First, most environmental stress is a direct function of human consumption, and rich people unquestionably consume far more than do poor people. Second, although it is true that poor people are far more likely to be found living next to waste dumps, polluting factories and other scenes of environmental devastation than are wealthy people, this doesn’t mean that it is their wastes filling those dumps or that they are major consumers of the products produced in these factories. Nor does it mean that they wouldn’t prefer to live in more environmentally pristine settings. It simply means that wealthy people have the economic and political power to make sure that pollutants and wastes are dumped somewhere other than in their neighborhoods and to ensure that their neighborhoods are not stripped bare of trees to become the sites of polluting factories. Poor people do not. What we are seeing is purely a consequence of income inequality, not a difference in environmental awareness and concern. It can be corrected only by equalizing power.