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#### The United States Federal Judiciary should restrict the president’s war powers authority to enter nonhuman animals into hostilities.

#### Court empirically resolved a host of war power disputes

Fisher 2005 (Louis Fisher, senior specialist in separation of Powers with the Congressional Research Service, September 2005, “Judicial Review of the War Power,” Presidential Studies Quarterly, Vol 35, No 3, <http://www.constitutionproject.org/pdf/422.pdf>)

The sharp disagreements between Judges Silberman and Tatel in the D.C. Circuit ¶ underscore the rift that still exists among federal "judges on war power issues and the ¶ political question doctrine. Contrary to the general impression that war power disputes ¶ present delicate political issues beyond the scope of judicial scrutiny, courts have generally regarded the exercise of war powers by the political departments as subject to independent judicial scrutiny. Throughout the past two centuries, federal courts accepted and ¶ decided a broad range of issues involving military operations. Most of those lawsuits ¶ were brought by private individuals who expected their legal claims to be settled on the ¶ legal and constitutional merits. ¶ While courts often acknowledge the president's broad discretionary powers in ¶ foreign policy and military actions, they usually do so after interpreting what Congress ¶ has authorized by statute. Even at the height of judicial unwillingness to reach the constitutional merits of the Vietnam War, the courts looked for some form of congressional ¶ approval or at least ratification of presidential war initiatives. They also intimated, ¶ repeatedly, that absent such a support (express or implicit) the decisions they reached ¶ might have turned against the president.

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#### US domestic politics will make or break Iran deal---Obama is successfully holding off new sanctions but opponents are looking for an opportunity to get back in the game

Omestad-U.S. Institute of Peace-2/18/14

<http://www.foreignpolicy.com/articles/2014/02/17/icebergs_ahead_iran_nuclear_talks>

American Politics. Similarly, Obama is bound by political fights at home. Any long-term nuclear deal with Iran will have to run a political gauntlet on Capitol Hill, where mistrust of Iran has only grown ever since the 1979 U.S. Embassy hostage crisis following Iran's revolution. "Moving toward a final agreement, the internal politics of the United States will be critical," said the European official. A warning flare of sorts has gone up in the form of an Iran sanctions bill introduced by Sen. Robert Menendez (D-NJ) and Sen. Mark Kirk (R-IL) after the interim deal was reached. For now, the administration has gotten a reprieve. White House opposition has peeled off some Senate Democratic support. Menendez changed course on Feb. 6 and asked that no vote take place for now. An influential lobby supporting the bill, the American Israel Public Affairs Committee, did likewise. The episode nonetheless is a reminder of political uncertainties on the American side of the nuclear talks. Fifty-nine senators have signed on as sponsors of the bill, which backers term a "diplomatic insurance policy" to strengthen Washington's hand in negotiations. It would create a framework for new sanctions -- which could be temporarily waived by the president -- unless Iran met certain conditions, including on non-nuclear issues like terrorism and missile tests. It also calls on the United States to support Israel if it strikes Iranian nuclear sites in "legitimate self-defense." Einhorn calls some of its provisions "poison pills." The proposal ran head-on into the White House strategy to wall off the nuclear talks from the other disputes with Iran, which have inspired their own sanctions. The interim deal bars new nuclear-related sanctions on Iran during its six months in force. Administration officials charged that new sanctions would derail the talks and, as one put it, "undermine the sanctions regime that we have built so meticulously over the course of the last several years." Similarly, Zarif told journalist Robin Wright that talks are "dead" if new sanctions materialize. Obama, who is said to be more engaged in internal Iran discussions than he has been in the nuclear dispute with North Korea, vowed to veto the bill if it reaches him. Current and former officials insist that ample leverage with Iran already exists. "Iran is still facing crippling sanctions. Iran already has a tremendous incentive to negotiate seriously," said Einhorn. Yet the lead U.S. negotiator in the Iran talks, Wendy Sherman, assured edgy senators on Feb. 4, "We have made it clear to Iran that, if it fails to live up to its commitments, or if we are unable to reach agreement on a comprehensive solution, we would ask the Congress to ramp up new sanctions." No doubt, the administration could get them. Both Republicans and Democrats who are wary of the Iran talks will be watching for them to break down -- and create a new opening to act.

#### The plan’s authority restriction is a loss for Obama—causes defections

Dr. Andrew J. Loomis, Visiting Fellow at the Center for a New American Security, and Department of Government at Georgetown University, 3/2/2007, Leveraging legitimacy in the crafting of U.S. foreign policy, 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.

#### The GOP will exploit this to flip Democratic votes on Iran—causes sanctions

Josh Rogin, Daily Beast, 2/5/14, GOP Will Force Reid to Save Obama’s Iran Policy—Over and Over Again, www.thedailybeast.com/articles/2014/02/05/gop-will-force-reid-to-save-obama-s-iran-policy-over-and-over-again.html

Dozens of Republican senators joined Wednesday to demand that Harry Reid allow a floor vote on a new Iran sanctions bill. If he doesn’t, they are planning to make his life miserable.

The Republican Senate caucus is planning to use every parliamentary trick in the book to push Senate Majority Leader Harry Reid to allow a floor vote on a new Iran sanctions bill that the Obama administration strenuously opposes. The Obama White House has succeeded in keeping most Democrats in line against supporting quick passage of the “Nuclear Weapon Free Iran Act,” which currently has 59 co-sponsors, including 13 Democrats. Reid has faithfully shelved the bill, pending the outcome of negotiations between Iran and the world’s major powers—the so-called “P5+1.” But tomorrow, Republicans plan to respond by using an array of floor tactics—including bringing up the bill and forcing Reid to publicly oppose it—as a means of putting public pressure on Reid and Democrats who may be on the fence. “Now we have come to a crossroads. Will the Senate allow Iran to keep its illicit nuclear infrastructure in place, rebuild its teetering economy and ultimately develop nuclear weapons at some point in the future?” 42 GOP senators wrote in a letter sent to Reid late Wednesday and obtained by The Daily Beast. “The answer to this question will be determined by whether you allow a vote on S. 1881, the bipartisan Nuclear Weapon Free Iran Act, which is cosponsored by more than half of the Senate.” The GOP letter calls on Reid to allow a vote on the bill during the current Senate work period—in other words, before the chamber’s next recess. Senate GOP aides said that until they get a vote, GOP senators are planning to use a number of procedural tools at their disposal to keep this issue front and center for Democrats. Since the legislation is already on the Senate’s legislative calendar, any senator can bring up the bill for a vote at any time and force Democrats to publicly object. Senators can also try attaching the bill as an amendment to future bills under consideration. Senate Minority Leader Mitch McConnell has been a harsh critic of Reid’s shelving of the bill, so he could demand a vote on it as a condition of moving any other legislation. If those amendments are blocked by Reid, Senators can then go to the floor and make speech after speech calling out Reid for ignoring a bill supported by 59 senators—and calling on fence-sitting Democrats to declare their position on the bill. “This letter is a final warning to Harry Reid that if Democrats want to block this bipartisan legislation, they will own the results of this foreign policy disaster,” one senior GOP senate aide said. The Republican senators believe, based on recent polls, that the majority of Americans support moving forward with the Iran sanctions bill now. They also believe that if Reid did allow a vote, the bill would garner more than the 59 votes of its co-sponsors and that Democrats vulnerable in 2014 races would support it, pushing the vote total past a veto-proof two-thirds supermajority.

#### New sanctions cause negotiation collapse and Middle East War

Rachel Kleinfeld, Carnegie Endowment For International Peace, 1/31/14, Sanctions Could Disrupt Negotiations With Iran, carnegieendowment.org/2014/02/03/sanctions-could-disrupt-negotiations-with-iran/h02v

Facing skyrocketing inflation, a collapsing currency and a sudden loss of imported goods, Iranians voted last year to kick out Mahmoud Ahmadinejad and elected a government they thought might jump-start their economy.

The new government of President Hassan Rouhani is not "moderate" - but it is practical. It would like a nuclear weapon, but it wants economic relief more. Rouhani knows his only bargaining chip to end sanctions is to stop the nuclear weapons program.

But the Rouhani government is on a short leash. Iran's supreme leader, Ali Khamenei, holds the ultimate power - and he is skeptical that a deal can be struck. Hardliners in Iran who benefit from sanctions are against it, as are many in the U.S. Congress. Khamenei needs to walk a careful line: If he looks like he's capitulating too much, then he'll face domestic backlash. He knows he has only a few months to deliver.

That is why the congressional threat of more sanctions - even if they take effect only if the deal fails - is so dire. Hardliners and Khamenei will take such legislation as proof that the United States wants regime change, not an end to Iran's nuclear program. Rouhani himself has said that if sanctions legislation passes, negotiations are off.

So why have more than 50 senators signed up as co-sponsors of new sanctions? Some do want regime change. So would we all - Iran is a noxious, terrorist-supporting, human-rights-destroying government. But regime change wouldn't end the security threat. Even the "Green Movement" that marched for democracy a few years ago wanted to obtain a nuclear weapon.

Others think that sanctions got Iran to the negotiating table, so more sanctions will push them even harder. This is a miscalculation. Negotiations have begun. Iran has allowed nuclear inspectors to seal up their nuclear plants. More sanctions will simply seem like bad faith on our part. They also could provide the excuse other countries are looking for to break with the sanctions regime. Bans on oil imports are causing real economic hardship to allies such as Japan who depended on Iran for much of their energy, and export bans are hurting European companies desperate to restart growth. If the United States looks like the bad guy, these governments are likely to give in to domestic pressure and reduce their sanctions against Iran.

Finally, the American Israel Public Affairs Committee is lobbying Congress hard with the message that a vote against sanctions is a vote against Israel. To me, as a Jew and a Zionist, this is not only hogwash: It is allowing an unelected American nongovernmental organization to wrap itself in the Israeli flag while suggesting actions that threaten Israel.

If we cannot end Iran's nuclear program with diplomacy, we will end it through war. Two years ago, the national security organization I founded worked with Pentagon planners on a simulation game to look at what would happen after the United States bombed Iran. In all the possible scenarios, Iran was likely to do one thing: attack Israel to open up a two-front war and further drag America into conflict in the Middle East. A vote for sanctions at this point is a vote for war - and for Iranian missile attacks on Israel.

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#### Text: The United States federal government should ban slaughterhouses.

#### We adopt an ethic of care towards the animal.

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#### The roll of the ballot is to answer the resolutional question “whether topical action is better than the status quo or competitive option”

#### “Resolved” before a colon reflects a legislative forum

**Army Officer School 2005**

(“# 12, Punctuation – The Colon and Semicolon”, 5-12, <http://usawocc.army.mil/IMI/wg12.htm>)

The colon introduces the following: a. A list, but only after "as follows," "the following," or a noun for which the list is an appositive: Each scout will carry the following: (colon) meals for three days, a survival knife, and his sleeping bag. The company had four new officers: (colon) Bill Smith, Frank Tucker, Peter Fillmore, and Oliver Lewis. b. A long quotation (one or more paragraphs): In The Killer Angels Michael Shaara wrote: (colon) You may find it a different story from the one you learned in school. There have been many versions of that battle [Gettysburg] and that war [the Civil War]. (The quote continues for two more paragraphs.) c. A formal quotation or question: The President declared: (colon) "The only thing we have to fear is fear itself." The question is: (colon) what can we do about it? d. A second independent clause which explains the first: Potter's motive is clear: (colon) he wants the assignment. e. After the introduction of a business letter: Dear Sirs: (colon) Dear Madam: (colon) f. The details following an announcement For sale: (colon) large lakeside cabin with dock g. A *formal* resolution, after the word "resolved:" Resolved: (colon) That this council petition the mayor.

#### “USFG should” means the debate is solely about a policy established by governmental means

**Ericson, California Polytechnic dean emeritus, 2003**

(Jon, The Debater’s Guide, Third Edition, pg 4)

The Proposition of Policy: Urging Future Action In policy propositions, each topic contains certain key elements, although they have slightly different functions from comparable elements of value-oriented propositions. 1. An agent doing the acting ---“The United States” in “The United States should adopt a policy of free trade.” Like the object of evaluation in a proposition of value, the agent is the subject of the sentence. 2. The verb should—the first part of a verb phrase that urges action. 3. An action verb to follow *should* in the *should*-verb combination. For example, should adopt here **means to put a** program or **policy into action though governmental means**. 4. A specification of directions or a limitation of the action desired. The phrase *free trade*, for example, gives direction and limits to the topic, which would, for example, eliminate consideration of increasing tariffs, discussing diplomatic recognition, or discussing interstate commerce. Propositions of policy deal with future action. Nothing has yet occurred. The entire debate is about whether something ought to occur. What you agree to do, then, when you accept the affirmative side in such a debate is to offer sufficient and compelling reasons for an audience to perform the future action that you propose.

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#### Restricting war powers risks terrorist attacks, WMD proliferation and Rouge State aggression

Yoo 12 (John, professor of law at the University of California, Berkeley, “War Powers Belong to the President,” http://www.abajournal.com/magazine/article/war\_powers\_belong\_to\_the\_president)

This time, President Obama has the Constitution about right. His exercise of war powers rests firmly in the tradition of American foreign policy. Throughout our history, neither presidents nor Congresses have acted under the belief that the Constitution requires a declaration of war before the U.S. can conduct military hostilities abroad. We have used force abroad more than 100 times but declared war in only five cases: the War of 1812, the Mexican-American and Spanish-American wars, and World War I and II. Without any congressional approval, presidents have sent forces to battle Indians, Barbary pirates and Russian revolutionaries; to fight North Korean and Chinese communists in Korea; to engineer regime changes in South and Central America; and to prevent human rights disasters in the Balkans. Other conflicts, such as the 1991 Persian Gulf war, the 2001 invasion of Afghanistan and the 2003 Iraq war, received legislative “authorization” but not declarations of war. The practice of presidential initiative, followed by congressional acquiescence, has spanned both Democratic and Republican administrations and reaches back from President Obama to Presidents Abraham Lincoln, Thomas Jefferson and George Washington. Common sense does not support replacing the way our Constitution has worked in wartime with a radically different system that mimics the peacetime balance of powers between president and Congress. If the issue were the environment or Social Security, Congress would enact policy first and the president would faithfully implement it second. But the Constitution does not duplicate this system in war. Instead, our framers decided that the president would play the leading role in matters of national security. Those in the pro-Congress camp call upon the anti-monarchical origins of the American Revolution for support. If the framers rebelled against King George III’s dictatorial powers, surely they would not give the president much authority. It is true that the revolutionaries rejected the royal prerogative, and they created weak executives at the state level. Americans have long turned a skeptical eye toward the growth of federal powers. But this may mislead some to resist the fundamental difference in the Constitution’s treatment of domestic and foreign affairs. For when the framers wrote the Constitution in 1787 they rejected these failed experiments and restored an independent, unified chief executive with its own powers in national security and foreign affairs. The most important of the president’s powers are commander in chief and chief executive. As Alexander Hamilton wrote in Federalist 74, “The direction of war implies the direction of the common strength, and the power of directing and employing the common strength forms a usual and essential part in the definition of the executive authority.” Presidents should conduct war, he wrote, because they could act with “decision, activity, secrecy and dispatch.” In perhaps his most famous words, Hamilton wrote: “Energy in the executive is a leading character in the definition of good government. ... It is essential to the protection of the community against foreign attacks.” The framers realized the obvious. Foreign affairs are unpredictable and involve the highest of stakes, making them unsuitable to regulation by pre-existing legislation. Instead, they can demand swift, decisive action—sometimes under pressured or even emergency circumstances—that is best carried out by a branch of government that does not suffer from multiple vetoes or is delayed by disagreements. Congress is too large and unwieldy to take the swift and decisive action required in wartime. Our framers replaced the Articles of Confederation, which had failed in the management of foreign relations because they had no single executive, with the Constitution’s single president for precisely this reason. Even when it has access to the same intelligence as the executive branch, Congress’ loose, decentralized structure would paralyze American policy while foreign threats grow. Congress has no political incentive to mount and see through its own wartime policy. Members of Congress, who are interested in keeping their seats at the next election, do not want to take stands on controversial issues where the future is uncertain. They will avoid like the plague any vote that will anger large segments of the electorate. They prefer that the president take the political risks and be held accountable for failure. Congress’ track record when it has opposed presidential leadership has not been a happy one. Perhaps the most telling example was the Senate’s rejection of the Treaty of Versailles at the end of World War I. Congress’ isolationist urge kept the United States out of Europe at a time when democracies fell and fascism grew in their place. Even as Europe and Asia plunged into war, Congress passed the Neutrality Acts designed to keep the United States out of the conflict. President Franklin Roosevelt violated those laws to help the Allies and draw the nation into war against the Axis. While pro-Congress critics worry about a president’s foreign adventurism, the real threat to our national security may come from inaction and isolationism. Many point to the Vietnam War as an example of the faults of the “imperial presidency.” Vietnam, however, could not have continued without the consistent support of Congress in raising a large military and paying for hostilities. And Vietnam ushered in a period of congressional dominance that witnessed American setbacks in the Cold War and the passage of the ineffectual War Powers Resolution. Congress passed the resolution in 1973 over President Richard Nixon’s veto, and no president, Republican or Democrat, George W. Bush or Obama, has ever accepted the constitutionality of its 60-day limit on the use of troops abroad. No federal court has ever upheld the resolution. Even Congress has never enforced it. Despite the record of practice and the Constitution’s institutional design, critics nevertheless argue for a radical remaking of the American way of war. They typically base their claim on Article I, Section 8, of the Constitution, which gives Congress the power to “declare war.” But these observers read the 18th century constitutional text through a modern lens by interpreting “declare war” to mean “start war.” When the Constitution was written, however, a declaration of war served diplomatic notice about a change in legal relations between nations. It had little to do with launching hostilities. In the century before the Constitution, for example, Great Britain—where the framers got the idea of the declare-war power—fought numerous major conflicts but declared war only once beforehand. Our Constitution sets out specific procedures for passing laws, appointing officers and making treaties. There are none for waging war because the framers expected the president and Congress to struggle over war through the national political process. In fact, other parts of the Constitution, properly read, support this reading. Article I, Section 10, for example, declares that the states shall not “engage” in war “without the consent of Congress” unless “actually invaded, or in such imminent danger as will not admit of delay.” This provision creates exactly the limits desired by anti-war critics, complete with an exception for self-defense. If the framers had wanted to require congressional permission before the president could wage war, they simply could have repeated this provision and applied it to the executive. Presidents, of course, do not have complete freedom to take the nation to war. Congress has ample powers to control presidential policy, if it wants to. Only Congress can raise the military, which gives it the power to block, delay or modify war plans. Before 1945, for example, the United States had such a small peacetime military that presidents who started a war would have to go hat in hand to Congress to build an army to fight it. Since World War II, it has been Congress that has authorized and funded our large standing military, one primarily designed to conduct offensive, not defensive, operations (as we learned all too tragically on 9/11) and to swiftly project power worldwide. If Congress wanted to discourage presidential initiative in war, it could build a smaller, less offensive-minded military. Congress’ check on the presidency lies not just in the long-term raising of the military. It can also block any immediate armed conflict through the power of the purse. If Congress feels it has been misled in authorizing war, or it disagrees with the president’s decisions, all it need do is cut off funds, either all at once or gradually. It can reduce the size of the military, shrink or eliminate units, or freeze supplies. Using the power of the purse does not even require affirmative congressional action. Congress can just sit on its hands and refuse to pass a law funding the latest presidential adventure, and the war will end quickly. Even the Kosovo war, which lasted little more than two months and involved no ground troops, required special funding legislation. The framers expected Congress’ power of the purse to serve as the primary check on presidential war. During the 1788 Virginia ratifying convention, Patrick Henry attacked the Constitution for failing to limit executive militarism. James Madison responded: “The sword is in the hands of the British king; the purse is in the hands of the Parliament. It is so in America, as far as any analogy can exist.” Congress ended America’s involvement in Vietnam by cutting off all funds for the war. Our Constitution has succeeded because it favors swift presidential action in war, later checked by Congress’ funding power. If a president continues to wage war without congressional authorization, as in Libya, Kosovo or Korea, it is only because Congress has chosen not to exercise its easy check. We should not confuse a desire to escape political responsibility for a defect in the Constitution. A radical change in the system for making war might appease critics of presidential power. But it could also seriously threaten American national security. In order to forestall another 9/11 attack, or to take advantage of a window of opportunity to strike terrorists or rogue nations, the executive branch needs flexibility. It is not hard to think of situations where congressional consent cannot be obtained in time to act. Time for congressional deliberation, which leads only to passivity and isolation and not smarter decisions, will come at the price of speed and secrecy. The Constitution creates a presidency that can respond forcefully to prevent serious threats to our national security. Presidents can take the initiative and Congress can use its funding power to check them. Instead of demanding a legalistic process to begin war, the framers left war to politics. As we confront the new challenges of terrorism, rogue nations and WMD proliferation, now is not the time to introduce sweeping, untested changes in the way we make war.

#### The plan would be catastrophic for readiness

**NDM 2001**

(National Defense Magazine, “Environmental Regulations Limit Training of U.S. Troops “, July, <http://www.nationaldefensemagazine.org/archive/2001/July/Pages/Environmental6997.aspx>, ldg)

Such factors as urban sprawl, endangered species and regulatory restrictions on live-fire training are beginning to interfere with military readiness, Pentagon officials told the 27th Environmental Symposium and Exhibition, held recently in Austin, Texas. The event was sponsored by the National Defense Industrial Association. "Range encroachment is a significant challenge in the United States today," said Curtis M. Bowling, assistant deputy undersecretary of defense for force protection. "It cuts across all elements of the Defense Department. The causes are many and complex, and the impact is broad." The issue is attracting growing attention on Capitol Hill. "Defense Department training ranges here and overseas are under siege," said Rep. Dan Burton, R.-Ind., chairman of the House Committee on Government Reform. The situation is "affecting the ability of our forces to fight, and this administration needs to tackle this problem before it gets out of control." In all, the Defense Department owns 519 fixed installations, located on 18 million acres of land in more than 140 countries, making the department the federal government’s third-largest property owner, after the Interior and Agriculture Departments. Among the Pentagon’s holdings are literally thousands of firing ranges, where generations of U.S. troops have learned to use their weapons before going to war. They vary from small facilities for pistol practice–found on nearly every major base–to Nevada’s 3 million-acre Nellis Air Force Range, where combat pilots receive advanced training. The Navy maintains ranges at San Clemente, Calif.; Vieques Island, Puerto Rico, and Farallon De Medinilla, near Guam. They are the only U.S.-owned locations on the east and west coasts and in the Western Pacific Ocean where Navy ships can conduct live-fire training before being deployed, said Rear Adm. Larry C. Baucom, director of environmental protection, safety and occupational health for the Navy Department. This live-fire training, however, is coming under increasing public attack. After a civilian security guard was killed by an errant bomb at Vieques, in 1999, protesters occupied the site, and Puerto Rico’s governor called for an immediate halt to live fire. The practice is a danger not only to the 9,300 human residents of Vieques, opponents said, but also to sea turtles, which nest on the island’s beaches and are protected by the Endangered Species Act. Navy officials respond that live fire is not a threat to humans outside of the range, which is located more than eight miles from the nearest town. As for the range’s sea turtles, they are being managed carefully, Vice Adm. James F. Amerault, deputy chief of naval operations, told a recent Senate hearing. "The Navy’s practice has been to relocate turtle eggs during amphibious landings and other military exercises," Amerault said. A decade ago, the Navy built a sea-turtle hatchery on Vieques. Since then, more than 17,000 turtles have been hatched and successfully introduced into the environment. The Navy has been conducting training at Vieques since 1941, and it wants to continue to do so. "Vieques is a superb training range, the best in the entire Atlantic," according to Pentagon spokesman Rear Adm. Craig Quigley. It is "absolutely essential" to the readiness of U.S. forces preparing to deploy, he said. To settle the dispute, island voters are scheduled to vote in a referendum on Nov. 6, 2001, to decide whether to end all training and have the Navy leave the island by May 1, 2003. Meanwhile, the Navy is looking for alternative training sites in the Atlantic region, thus far without success. The Navy has agreed to provide $40 million in economic aid to Vieques and promises another $50 million if islanders will permit the resumption of live-fire training. Until the vote is taken, training continues on Vieques, but without live fire. In April of this year, sailors and Marines from the USS Enterprise carrier battle group–on their way to the Arabian Gulf–conducted a short exercise there, using inert bombs and shells. More than 100 demonstrators tried unsuccessfully to block the exercise. Range Management During the nation’s early history–when it had a vast western frontier–the services had little need for training ranges. Just in the past century or so have they been used, said Army Maj. Gen. Robert T. Van Antwerp, assistant chief of staff for installation management. For most of this period, the ranges were managed with little concern for environmental issues, he said. "Only over the last 30 years has the United States begun to understand and regulate the potential environmental impacts of a wide variety of civil and industrial practices," Van Antwerp said. During the 1970s, Congress passed a number of laws aimed at protecting the environment, including the Clean Water and Clean Air Acts and the Endangered Species Act. Over time, Congress and the courts have made it clear that these laws apply to federal agencies–including the armed services–just as they do to everybody else. The services have implemented programs to comply, and they have had some success. Since 1993, according to a spokesman for the Defense Department’s Office for Environmental Security, the department has: To reduce the contamination on firing ranges, the services also are switching to lead-free bullets, known as green ammunition. This year, the Army plans to produce 50 million 5.56 mm rounds for the M-16 family of rifles and the Squad Automatic Weapon. Some of these actions, however, "have come at the expense of training capabilities," said Van Antwerp. As an example, he cited the Army’s Fort Hood, in Texas. Erosion control practices designed to comply with the Clean Water Act prohibit digging on more than two thirds of the base’s 185,000 acres of ranges and training land, he explained. "This means," he said, "no digging for vehicle fighting positions, survivability positions, maneuver obstacles or individual fighting positions–all of which are required to meet doctrinal training standards for many units on Fort Hood." To comply with the Clean Air Act, no smoke, flares, chemical grenades or pyrotechnics are allowed on about 25 percent of the base’s training acreage. From March through August each year, vehicle and dismounted maneuver training is restricted to established trails, and halts in restricted areas are limited to two hours in designated endangered species core areas. Artillery firing, smoke generation and chemical grenades are prohibited within 100 meters of those areas. Fort Hood’s training areas also contain more than 2,400 archeological and culturally significant sites, where digging is prohibited. On more than 1,000 acres, artillery and Multiple Launch Rocket Systems cannot be fired because of noise regulations. In all, only about 17 percent of Fort Hood’s training lands are available for use without restriction, Van Antwerp said. Cease Fire Army leaders are "very concerned," he noted, about the recent cessation of all live-fire training at the Massachusetts Military Reserve. Compliance cost the 22,000-acre reserve an estimated $60 million. If similar restrictions were applied to a major training facility, such as Fort Hood, he said, "the results could be catastrophic, both from a fiscal and a readiness perspective." In fiscal year 2001, he explained, Army units at Fort Hood were authorized to fire 35.4 million rounds of ammunition at its 33 small-arms ranges, 24 major-weapons facilities and several field-artillery and mortar firing points. Live-fire training is necessary, "to provide soldiers the opportunities to practice their skills in combat-like conditions," Van Antwerp said. "The fact that the Army’s mission increasingly includes peacekeeping operations does not reduce the need for combat training. "In fact, ‘policing’ requires soldiers to be highly proficient with pinpoint target identification and engagement procedures," he explained. "This only can be accomplished by practicing with the actual weapon in specifically designed training exercises on our ranges and training areas designed for that purpose."

Loss of mission effectiveness risks multiple nuclear wars

Kagan and O’Hanlon 7 Frederick, resident scholar at AEI and Michael, senior fellow in foreign policy at Brookings, “The Case for Larger Ground Forces”, April 2007, http://www.aei.org/files/2007/04/24/20070424\_Kagan20070424.pdf

We live at a time when wars not only rage in nearly every region but threaten to erupt in many places where the current relative calm is tenuous. To view this as a strategic military challenge for the United States is not to espouse a specific theory of America’s role in the world or a certain political philosophy. Such an assessment flows directly from the basic bipartisan view of American foreign policy makers since World War II that overseas threats must be countered before they can directly threaten this country’s shores, that the basic stability of the international system is essential to American peace and prosperity, and that no country besides the United States is in a position to lead the way in countering major challenges to the global order. Let us highlight the threats and their consequences with a few concrete examples, emphasizing those that involve key strategic regions of the world such as the Persian Gulf and East Asia, or key potential threats to American security, such as the spread of nuclear weapons and the strengthening of the global Al Qaeda/jihadist movement. The Iranian government has rejected a series of international demands to halt its efforts at enriching uranium and submit to international inspections. What will happen if the US—or Israeli—government becomes convinced that Tehran is on the verge of fielding a nuclear weapon? North Korea, of course, has already done so, and the ripple effects are beginning to spread. Japan’s recent election to supreme power of a leader who has promised to rewrite that country’s constitution to support increased armed forces—and, possibly, even nuclear weapons— may well alter the delicate balance of fear in Northeast Asia fundamentally and rapidly. Also, in the background, at least for now, Sino Taiwanese tensions continue to flare, as do tensions between India and Pakistan, Pakistan and Afghanistan, Venezuela and the United States, and so on. Meanwhile, the world’s nonintervention in Darfur troubles consciences from Europe to America’s Bible Belt to its bastions of liberalism, yet with no serious international forces on offer, the bloodletting will probably, tragically, continue unabated. And as bad as things are in Iraq today, they could get worse. What would happen if the key Shiite figure, Ali al Sistani, were to die? If another major attack on the scale of the Golden Mosque bombing hit either side (or, perhaps, both sides at the same time)? Such deterioration might convince many Americans that the war there truly was lost—but the costs of reaching such a conclusion would be enormous. Afghanistan is somewhat more stable for the moment, although a major Taliban offensive appears to be in the offing. Sound US grand strategy must proceed from the recognition that, over the next few years and decades, the world is going to be a very unsettled and quite dangerous place, with Al Qaeda and its associated groups as a subset of a much larger set of worries. The only serious response to this international environment is to develop armed forces capable of protecting America’s vital interests throughout this dangerous time. Doing so requires a military capable of a wide range of missions—including not only deterrence of great power conflict in dealing with potential hotspots in Korea, the Taiwan Strait, and the Persian Gulf but also associated with a variety of Special Forces activities and stabilization operations. For today’s US military, which already excels at high technology and is increasingly focused on re-learning the lost art of counterinsurgency, this is first and foremost a question of finding the resources to field a large-enough standing Army and Marine Corps to handle personnel intensive missions such as the ones now under way in Iraq and Afghanistan. Let us hope there will be no such large-scale missions for a while. But preparing for the possibility, while doing whatever we can at this late hour to relieve the pressure on our soldiers and Marines in ongoing operations, is prudent. At worst, the only potential downside to a major program to strengthen the military is the possibility of spending a bit too much money. Recent history shows no link between having a larger military and its overuse; indeed, Ronald Reagan’s time in office was characterized by higher defense budgets and yet much less use of the military, an outcome for which we can hope in the coming years, but hardly guarantee. While the authors disagree between ourselves about proper increases in the size and cost of the military (with O’Hanlon preferring to hold defense to roughly 4 percent of GDP and seeing ground forces increase by a total of perhaps 100,000, and Kagan willing to devote at least 5 percent of GDP to defense as in the Reagan years and increase the Army by at least 250,000), we agree on the need to start expanding ground force capabilities by at least 25,000 a year immediately. Such a measure is not only prudent, it is also badly overdue.

### 1NC – Case

#### Any fundamentalist strategy will be coopted by factory farmers, fur ranchers, etc. – only an approach of pragmatism is effective

Sztybel 8 (David, Ph.D., animal rights activist, “ Playing into the Hands of Animal Exploiters”, http://davidsztybel.blogspot.ca/2008/06/playing-into-hands-of-animal-exploiters.html)

I would like to comment on the animal rights fundamentalist threat to the alliance of animal rights pragmatists and "welfarists." This is a point I mentioned in my outline of ha rms to the animal rights movement posed by the fundamentalists, and I will now expand on it. Animal rights fundamentalist movement strategy plays right into the hands of the arch-animal-exploiters' own Napoleonic strategy of "divide and conquer." When I speak of animal industries I refer to the factory farmers, fur ranchers, vivisectors, and so on. They do not mind so much if there is a minority of animal rights advocates in society. They do not really find that threatening. What they are concerned about, and may well be prepared to pay millions of dollars to offset, is "welfarist" legislation which would protect animals and cost industrialists a lot of money. So as a strategy, these animal industries favour a "divide and conquer" strategy with animal "welfare" proponents. The best way to kill chances of animal "welfare" laws, from the point of view of animal enslavers and destroyers, would logically consist of several different prongs: I. To weaken support for "welfare" reforms by taking animal rightists, together with their outspoken and influential advocacy, right out of the picture. II. Industries want to pit their enemies (the animal rights people and the "welfarists") against each other, and this is accomplished through (a) fundamentalists attacking the pragmatist-and-traditional-welfarist alliance, and (b) the ongoing bitter and strategically costly conflict that ensues. III. Taking out animal rights advocates of suffering-reduction takes a lot of oomph out of the reform movement, since animal rights people are more highly motivated, serious and passionate about animal interests. Even Francione is a very demanding "welfarist," I have argued, although he would disagree with that assessment. Traditional reformists might just say, "Well, it's OK to use animals, but can't we agree to make things a bit better?" When they are already willing to kill animals for a taste of their flesh that is an indication that animal interests will be much less strongly championed as a matter of psychological fact. IV. Try to make animal rights fundamentalism, which sabotages strong "welfare" measures in the law, seem like the "only" approach to animal rights. This is done by Francione calling his site "The Abolitionist Approach," as there is only his way or no way, and him calling his followers animal rightists or abolitionists, and animal rights pragmatists are just mistakenly called "new welfarists" (see "Animal Rights Law," especially MIRROR PRODUCTIONS version, for a discussion of "new welfarism" as a misnomer) V. Stir up hate against animal rights pragmatists and speciesists. See my earlier post on "Insults and Illusions." Using insults makes people hate or at least dislike each other and undermines chances of animal rights/welfarist people working together. It is not only profitable to disrupt alliances between animal rightists and animal rights pragmatists, but if traditional animal "welfarists" are compared to "Simon the Sadist" or Jeffrey Dahmer, there will be very little chance of humanist legislatures being receptive to the hateful animal rights message. VI. Make animal rights industries seem committed to animal welfare and respecting the law. Francione furthers this goal by his definition of "legal welfarism" as mere rhetoric in favor of humane treatment which merely means adopting measures that make the exploitation of animals more profitable. This move makes "legal welfarism" the preserve of industry and exploiters, rather than of people who seek anything more progressive for animals such as Martin Balluch (whose contributions are discussed in earlier posts). Francione ironically states that any "welfare" laws will just make animal exploiters earn more money. Meanwhile, abstaining from strong "welfare" laws saves them a lot of money. Francione himself notes that factory farming's cramming saves money in rent, crap food costs less, as does no veterinary care, not cleaning up, etc. It follows logically that anti-factory farming measures will cost "producers" of misery money. However, Francione's urging that animal rightists abstain from political/legal reforms saves money to animal industrialists, not animals. Now the fundamentalists help out a great deal with all of these goals, and are fervently animated in this general direction. So this is what futilitarians would have, a convergence of animal-rights-enemy and their own animal-rights-proponent strategy. This explains why, in my conversations with others, some fundamentalists are repeatedly suspected of being collaborators with "the other side." Even if they are not paid by animal industries, I would say they usually do an effective enough job to earn such a salary. The industries must be delighted that they are getting so much free work. By the way, I am neither stating nor implying that any given fundamentalist is an infiltrator. Such an interpretation would be mistaken. I am merely exploring the fascinating territory of trying to understand why some people in my experience (whose identity will be protected by me) have thought that way.Ironically, fundamentalists often believe that animal rights pragmatists play into the hands of exploiters by posing legislation that is not animal rights. However, such legislation is not possible in the short-term anyway, so it is neither here nor there for the exploiters' agenda. Rather, again, it is "welfare" laws that are the real thing the industries are averse to, and animal rights pragmatists are much more likely to foil the animal industrialists' agenda in that respect as I have argued (i.e., fundamentalists staying as outsiders to the legal process may have something to do with that). Also, animal rights pragmatists are generally more effective in cultivating animal rights for the long-term, which means the pragmatists foil the exploiters' agenda more effectively in the big picture as well. It is a bitter turnaround for the fundamentalists that yet again they are guilty of that which they accuse others.

Ethic of responsibility only moral framework

**Murray 97** (Alastair, Professor of Politics at U. Of Wales-Swansea, *Reconstructing Realism*, p. 110)

Weber emphasised that, while the 'absolute ethic of the gospel' must be taken seriously, it is inadequate to the tasks of evaluation presented by politics. Against this 'ethic of ultimate ends' — Gesinnung — he therefore proposed the 'ethic of responsibility' — Verantwortung. First, whilst the former dictates only the purity of intentions and pays no attention to consequences, the ethic of responsibility commands acknowledgement of the divergence between intention and result. Its adherent 'does not feel in a position to burden others with the results of his [OR HER] own actions so far as he was able to foresee them; he [OR SHE] will say: these results are ascribed to my action'. Second, the 'ethic of ultimate ends' is incapable of dealing adequately with the moral dilemma presented by the necessity of using evil means to achieve moral ends: Everything that is striven for through political action operating with violent means and following an ethic of responsibility endangers the 'salvation of the soul.' If, however, one chases after the ultimate good in a war of beliefs, following a pure ethic of absolute ends, then the goals may be changed and discredited for generations, because responsibility for consequences is lacking. The 'ethic of responsibility', on the other hand, can accommodate this paradox and limit the employment of such means, because it accepts responsibility for the consequences which they imply. Thus, Weber maintains that only the ethic of responsibility can cope with the 'inner tension' between the 'demon of politics' and 'the god of love'. 9 The realists followed this conception closely in their formulation of a political ethic.10 This influence is particularly clear in Morgenthau.11 In terms of the first element of this conception, the rejection of a purely deontological ethic, Morgenthau echoed Weber's formulation, arguing tha/t:the political actor has, beyond the general moral duties, a special moral responsibility to act wisely ... The individual, acting on his own behalf, may act unwisely without moral reproach as long as the consequences of his inexpedient action concern only [HER OR] himself. What is done in the political sphere by its very nature concerns others who must suffer from unwise action. What is here done with good intentions but unwisely and hence with disastrous results is morally defective; for it violates the ethics of responsibility to which all action affecting others, and hence political action par excellence, is subject.12 This led Morgenthau to argue, in terms of the concern to reject doctrines which advocate that the end justifies the means, that the impossibility of the logic underlying this doctrine 'leads to the negation of absolute ethical judgements altogether'.13

#### Human/animal dichotomy doesn’t justify violence or genocide

FOTOPOULOS & SARGIS, EDITOR AND CONTRIBUTER, 2006 (Takis and John, “Human liberation vs. animal "liberation"” The International Journal of INCLUSIVE DEMOCRACY, June http://www.inclusivedemocracy.org/journal/vol2/vol2\_no3\_Takis\_Sargis\_animal.htm)

Also, **the causes and dynamics of the oppression of humans on the one hand and animals on the other, are completely different.** **The domination of animals is not a power relationship,[11] properly defined, but a relationship of force or violence**. The object of using force against animals has always been not power per se, but to compel animals to be used as instruments in meeting basic human needs initially and, later on, in meeting the growth objectives of the elites. This is why the attempt to dominate Nature in general and animals in particular was greatly enhanced after the establishment of the growth economy --the outcome being the present ecological crisis. **On the other hand, the domination of human beings is a power relationship arising out of the need of various elites to concentrate political, economic and social power in their hands as against the mass of the population. Power relations, properly speaking, are therefore relevant only to the relations among human beings who are capable of self-determination and autonomy**. Needless to add that the way we see these power relations depends on our own political position. This is not the case with animals, as Best admits when he points out that **“unlike the issue of class struggle and labour justice, one can advocate compassion for animals from any political position.”** **In this sense**, and quite apart from the historical validity of the relevant claim by some anthropologists**, it does not stand to rational analysis to assume that the cruel forms of domesticating animals at the dawn of agricultural society ten thousand years ago created the conceptual model for hierarchy, statism, and the exploitation of other human beings and that, therefore, slavery and the sexual subjugation of women is but the extension of animal domestication by humans.** This is **because,** on the basis of the above problematic about the nature of power relations, **hierarchical relations between human beings are qualitatively very different from those between humans and animals.** The practical implication of this is that the differences between human beings and animals bear no comparison to the differences among human beings themselves on the grounds of race, gender etc-- as the AL philosophy suggests when it compares racism, sexism etc to speciesism and the corresponding movements. **People of different colour or gender, unlike animals, are capable of liberating themselves. But liberation, like freedom, cannot be granted. It can only be taken, through struggle. Even though it was whites who eventually granted freedom to slaves, following their struggle, it was, nevertheless, the ex-slaves themselves who were able to maintain and expand their freedom through their continuous struggle** (e.g. the civil rights movement), **or else their freedom would have been reversible at any moment —exactly as would be the case if animal liberation were granted by humans.**

#### ---Turn Space Colonization --- Animal experimentation and exploitation is key to NASA zero gravity birthing research and a prerequisite to space colonization.

Lakdawala 2000

Seema, BORN IN SPACE 3..2..1..BLASTOFF, http://www.cse.emory.edu/sciencenet/undergrad/SURE/Articles/2000\_art\_lakdawala.html

**Human kind has** always had a need to explore, first the exploration of the new world and now as the majority of the world has been explored and mapped, we have set our sights a bit higher. We now have **a craving for** the outer limits; **exploration of the solar systems** of other galaxies isn’t very far away. **Along with exploration comes colonization. As space exploration increases, the need for colonization will come soon. We have already begun taking preliminary steps with the NASA Space Station.** Hopefully the **Medaka fish birth and** the **research on zebra fish will give us the key we need to understand how to make it possible for future vertebrate animals to be born in space**.

#### ---Space colonization is the only way to prevent multiple scenarios for extinction.

Britt 2001

Robert Roy, Senior science writer at space.com, “The Top 3 reasons to colonize space,” http://www.space.com/missionlaunches/colonize\_why\_011008-4.html

It's no secret. Sooner or later, Earth's bell will be rung. A giant asteroid or comet will slam into the planet, as has happened [many times before](http://www.space.com/scienceastronomy/solarsystem/tj_extinction_010511-1.html), and a deadly dark cloud will envelop the globe, killing much of whatever might have survived the initial impact. "We live on a small planet covered with the bones of extinct species, proving that such catastrophes do occur routinely," says J. Richard Gott, III, a professor of astrophysics at Princeton and author of "Time Travel in Einstein's Universe." Gott cites the presumably hardy Tyrannosaurus rex, which lasted a mere 2.5 million years and was [the victim of an asteroid attack](http://www.space.com/scienceastronomy/planetearth/asteroid_jello_001122.html), as an example of what can happen if you don't plan ahead. But space rocks may not be the only threat. Epidemics, climatological or ecological catastrophes or even man-made disasters could do our species in, Gott says. And so, he argues, we need a life insurance policy to guarantee the survival of the human race. "Spreading out into space gives us more chances," he says. And the time is now: History instructs that technological hay should be made while the economic sun shines. "There is a danger we will end the human space program at some point, leaving us stranded on the Earth," Gott warns. "History shows that expensive technological projects are often abandoned after awhile. For example, the Ancient Egyptians quit building pyramids. So we should be colonizing space now while we have the chance."

#### ---Turn Medical Industry --- Rejecting anthropocentrism collapses the American biomedical and behavioral research efforts.

American Medical Association 1996

Animal Rights: Opposing Viewpoints, pg 79

**The** fundamental **issue raised by the philosophy of the animal rights movement** is whether man has the right to use animals in a way that causes them to suffer and die. To accept the philosophical and moral viewpoint of the animal rights movement **would require a total ban on the use of animals in any scientific research and testing**. **The consequences of such a step were set forth by the** Office of Technology Assessment (**OTA**) in its report to Congress: “Implementation of this option **would effectively arrest most basic biomedical and behavioral research and toxicological testing in the** **U**nited **S**tates.” **The economic** and public health **consequences of that**, the OTA warned Congress, “**are so unpredictable** and speculative **that this course of action should be considered dangerous**.”

#### ---Causes the industry to shift to China which has even less concern for animal welfare --- Internal link turns their offense.

Pocha 2006

Jehangir, Outsourcing animal testing, The Boston Globe, http://www.propeller.com/viewstory/2006/11/26/outsourcing-animal-testing/?url=http%3A%2F%2Fwww.boston.com%2Fbusiness%2Fhealthcare%2Farticles%2F2006%2F11%2F25%2Foutsourcing\_animal\_testing%2F&frame=true

Because **animal rights groups make it difficult for drug companies to build or expand animal-testing laboratories in the U**nited **S**tates, Europe, and India, Rice, chief executive of **Bridge Pharmaceuticals** Inc., **is outsourcing the work to China**, **where** scientists are cheap and plentiful and **animal-rights activists are muffled by an authoritarian state**."This is a country with a large number of canines and primates, and if we establish pre-clinical testing facilities here, we can change the dynamics of the industry," said Rice, who in 2004 created his San Francisco-based company out of the life sciences department at the Stanford Research Institute in Menlo Park, Calif. "**Animal testing** also **does not have the political issues it has in the US** or Europe or even India, where there are religious issues as well," he said. "**So now big pharma is looking to move to China in a big way**."

#### Nature has no value absent its value to human beings—means their affirmative projects a *human ethic* onto animals which is the definition of anthropocentric thought

Robert JamesBidinotto, Director of Development and Special Projects at the Institute for Objectivist Studies, 2003 “Environmentalism or Individualism,” <http://www.econot.com/page4.html>

**The basic premise of preservationism is that all of nature--except, of course,** *human* **nature--has "intrinsic value**" in itself, **and thus a "right" not to be affected by Man. But this premise**, which is the moral core of modern environmentalism, **is a colossal fraud**. **The simple little question that punctures the balloon of intrinsic value is:** *Why***? Why is the status quo of nature good in itself**? **No one has ever offered an intelligible answer**. To declare that a Northern spotted owl, a redwood tree, or the course of a river has "intrinsic" or "inherent value in itself," is to speak gibberish. **There's no inherent "value" or "meaning" residing in nature,** or anything else."Value" presupposes a valuer**, and some** *purpose***. It's only in relation to some valuer and purpose that something can be said to "have value." Thus, there's no such thing as "intrinsic value**." The concept is meaningless. **There are only the moral values and meanings that are created and imposed upon an otherwise meaningless nature by a conceptual consciousness. Animals, lacking any rational capacity, survive by adapting themselves to nature. Human beings survive only by utilizing reason to adapt the rest of nature to themselves. This means that even to subsist, Man must unavoidably use and disrupt animals and their habitats,** transforming natural resources into food, clothing, shelter, and tools (capital). Yes, we too are part of nature; but our nature is that of a *developer*. As **the only entity on earth having both the conceptual ability to define "good" and "evil," and the power to choose between them,** Man is the only natural source of moral values. **The environmen**t, then, **acquires moral value** and meaning **only insofar as it's perceived**, developed, **used**, and enjoyed *by human beings*. **That's why it's morally appropriate to regard the rest of nature as our environment**--as a bountiful palette and endless canvass for our creative works. To Enlightenment thinkers, this was Man's power and his glory. To environmentalists, however, Man is the only thorn in an otherwise perfect Garden of Eden. But again--why? By the only moral standards there are--ours**--human creativity is not a vice, but a virtue; our products are not evils, but--literally--"goods"; and the term "developer" is not an epithet, but a title of honor**. **If we reject the idea of nature's intrinsic value, we may** also **reject** its corollary: **the notion that animals have inherent rights** *not* **to be bothered by people**. **Rights are moral principles that define the boundary lines necessary for peaceful interaction in society. Any intelligible theory of rights presupposes entities capable of defining and respecting moral boundary lines. But since animals are**, by nature, **unable to know, respect, or exercise rights, the principle of rights simply can't be applied to, or by, animals**. Practically**,** the notion of animal rights entails an absurd moral double standard. **It declares that animals have the "inherent right" to survive as** *their* **nature demands, but that Man doesn't**. **It declares that the only entity capable of recognizing moral boundaries is to sacrifice** his **interests to entities that can't**. Ultimately, **it means that** *only* **animals have rights: since nature consists entirely of animals, their food, and their habitats, to recognize "animal rights," Man logically must cede to them the entire planet. All animals may be equal in animal rights theory; but**--as Orwell pointed out in *Animal Farm*--**some animals are more equal than others.**

#### Framing issue: vote neg despite prior questions or their role of the ballot—impact timeframe means you gotta act on the best info available

Kratochwil, professor of international relations – European University Institute, 2008 (Friedrich, “The Puzzles of Politics,” pg. 200-213)

The lesson seems clear. Even at the danger of “fuzzy boundaries”, when we deal with “practice” ( just as with the “pragmatic turn”), we would be well advised to rely on the use of the term rather than on its reference (pointing to some property of the object under study), in order to draw the bounds of sense and understand the meaning of the concept. My argument for the fruitful character of a pragmatic approach in IR, therefore, does not depend on a comprehensive mapping of the varieties of research in this area, nor on an arbitrary appropriation or exegesis of any specific and self-absorbed theoretical orientation. For this reason, in what follows, I will not provide a rigidly specified definition, nor will I refer exclusively to some prepackaged theoretical approach. Instead, I will sketch out the reasons for which a pragmatic orientation in social analysis seems to hold particular promise. These reasons pertain both to the more general area of knowledge appropriate for praxis and to the more specific types of investigation in the field. The follow- ing ten points are – without a claim to completeness – intended to engender some critical reflection on both areas. Firstly, a pragmatic approach does not begin with objects or “things” (ontology), or with reason and method (epistemology), but with “acting” (prattein), thereby preventing some false starts. Since, **as historical beings placed in a** specific situations**, we do not have the luxury** of deferring decisions **until we have** found the “truth”, **we have to act and must do so always under time pressures and in the face of incomplete information.** Pre- cisely because the social world is characterised by strategic interactions, what a situation “is”, is hardly ever clear ex ante, because it is being “produced” by the actors and their interactions, and the multiple possibilities are rife with incentives for (dis)information. This puts a premium on quick diagnostic and cognitive shortcuts informing actors about the relevant features of the situ- ation, and on leaving an alternative open (“plan B”) in case of unexpected difficulties. Instead of relying on certainty and universal validity gained through abstraction and controlled experiments, we know that completeness and attentiveness to detail, rather than to generality, matter. To that extent, likening practical choices to simple “discoveries” of an already independently existing “reality” which discloses itself to an “observer” – or relying on optimal strategies – is somewhat heroic. These points have been made vividly by “realists” such as Clausewitz in his controversy with von Bülow, in which he criticised the latter’s obsession with a strategic “science” (Paret et al. 1986). While Clausewitz has become an icon for realists, only a few of them (usually dubbed “old” realists) have taken seriously his warnings against the misplaced belief in the reliability and use- fulness of a “scientific” study of strategy. Instead, most of them, especially “neorealists” of various stripes, have embraced the “theory”-building based on the epistemological project as the via regia to the creation of knowledge. A pragmatist orientation would most certainly not endorse such a position. Secondly, since acting in the social world often involves acting “for” someone, special responsibilities arise that aggravate both the incompleteness of knowledge as well as its generality problem. Since we owe special care to those entrusted to us, for example, as teachers, doctors or lawyers, we cannot just rely on what is generally true, but have to pay special attention to the particular case. Aside from avoiding the foreclosure of options, we cannot refuse to act on the basis of incomplete information or insufficient know- ledge, and the necessary diagnostic will involve typification and comparison, reasoning by analogy rather than generalization or deduction. Leaving out the particularities of a case, be it a legal or medical one, in a mistaken effort to become “scientific” would be a fatal flaw. Moreover, **there still remains the crucial element of “timing” –** of knowing when to act. Students of crises have always pointed out the importance of this factor but, in attempts at building a general “theory” of international politics analogously to the natural sci- ences, such elements are neglected on the basis of the “continuity of nature” and the “large number” assumptions. Besides, “timing” seems to be quite recalcitrant to analytical treatment.

# 2NC

### T

#### Restrictions are prohibitions on action --- excludes conditions

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

## CP

The Executive branch should restrict the president’s war powers authority to enter nonhuman animals into hostilities.

### spec

#### ---Failure to specify your agent is a voting issue-The allocation of war power IS the core of the topic---they eliminate germane mechanism counterplans and separation of power disads which is the majority of aff and neg ground---the last 200 years of war power debates have been all about who has authority!

Waxman 13 (Matthew Waxman is a law professor at Columbia Law School, where he co-chairs the Roger Hertog Program on Law and National Security, Adjunct Senior Fellow for Law and Foreign Policy at the Council on Foreign Relations, “The Constitutional Power to Threaten War,” http://www.lawfareblog.com/2013/08/the-constitutional-power-to-threaten-war/)

The implicit consensus that the President is constitutionally empowered to threaten military force in this situation is, in my view, correct, but it presents an anomaly: proponents of drawing that line argued that doing so was necessary to prevent a war (or at least a bigger and more destructive war) down the road, while critics argued that it would needlessly provoke or drag the United States into a war — the very sorts of concerns that usually animate strident war powers debates. More generally, the allocation of constitutional war powers is thought to be of paramount import because it could affect whether or when the United States goes to war and it implicates core questions about how our democracy should decide matters of such consequence. Yet legal discourse in this area excludes almost completely some central ways in which the United States actually wields its military power, namely, with threats of war or force. This Article breaks down that barrier and connects the legal issues with the strategic ones. As to the constitutional issues, there is wide agreement among legal scholars on the general historical saga of American war powers – by which I mean here the authority to use military force, and not the specific means or tactics by which war is waged once initiated – though there remains intense disagreement about whether this is an optimistic or pessimistic story from the perspective of constitutional values and protection of American interests. Generally speaking, the story goes like this: The Founders placed decisions whether actively to engage in military hostilities in Congress’s hands, and Presidents mostly (but not always) respected this allocation for the first century and a half of our history. At least by the Cold War, however, Presidents began exercising this power unilaterally in a much wider set of cases, and Congress mostly allowed them to; an effort to realign legislatively the allocation after the Vietnam War failed, and today the President has a very free hand in using military force that does not rise to the level of “war” (in constitutional terms, which is usually confined to large-scale and long-duration uses of ground forces). From a functional standpoint, this dramatic shift in constitutional power is seen as either good, because decisions to use force require policy dexterity inherent in the presidency, or bad, because unilateral presidential decisions to use force are more prone than congressionally-checked ones to be dangerously rash. With this story and split in resulting views in mind, lawyers and legal scholars continue to debate a series of familiar constitutional questions: Does the historical gloss of practice among the political branches – the patterns of behavior by the President and Congress with respect to using force – provide legal justification for this shift toward executive power? Without requiring congressional authorization before engaging in hostilities, are there sufficient checks on executive action? Does this shift in power lead the United States into needless and costly wars, and if so should it be remedied with more potent checks, whether led by Congress or courts, to reestablish a constitutional formula closer to the original one?

### Xo

#### A. It severs congressional action

Kershner-JD Candidate, Cardoza-10 (Joshua, Articles Editor, Cardozo Law Review. J.D. Candidate (June 2011), Benjamin N. Cardozo School of Law, “Political Party Restrictions and the Appointments Clause: The Federal Election Commission's Appointments Process Is Constitutional” Cardozo Law Review de novo 2010 Cardozo L. Rev. De Novo 615)

n17 The phrase "statutory restrictions" is used hereinafter to mean statutory language that restricts the President's powers of nomination and appointment to those individuals meeting specific criteria. Examples include gender, state of residence, and most importantly political party. n18 Since 1980, more than one hundred Presidential signing statements have specifically mentioned the Appointments Clause. See The Public Papers of the Presidents, AM. PRESIDENCY PROJECT, http://www.presidency.ucsb.edu/ws (search for "Appointments Clause"). n19 These signing statements typically invoke the authority of the Appointments Clause to argue that statutory restrictions on appointment or removal of Officers of the United States are merely advisory. For numerous examples, see id. See also infra note 175. n20 The phrase "hyper-partisan atmosphere" has been frequently used by the news media and commentators to describe the political gridlock in Washington during the first years of the Obama administration. See, e.g., Eric Moskowitz, Hundreds Brave Cold to Hear From Scott Brown, THE BOSTON GLOBE, Jan. 29, 2010, http://www.boston.com/news/local/breaking\_news/2010/01/scores\_wait\_for.html (reporting on then Senator-Elect Scott Brown explaining that "he felt the hyper-partisan atmosphere in Washington was already changing as a result of his election" ten days earlier); Editorial, Bayh Bailout No Cause to Mourn Moderation, ORANGE COUNTY REG., Feb. 17, 2010, at H, available at http://www.ocregister.com/opinion/bayh-234673-sen-one.html (describing Senator Bayh's verbal attacks on the operation of the Senate after announcing his decision not to run for reelection as "using the occasion to decry the hyperpartisan atmosphere in Washington"). n21 As political battles over delays in approving Presidential nominations continue to be the norm, it is progressively more likely that Presidents will seek to bypass the Senate in the nomination process. This could include recess appointments bypassing both the "advice and consent" of the Senate, as well as any statutory restrictions. See, e.g., Scott Wilson, Obama Considers Recess Appointments, WASH. POST, Feb. 9, 2010 ("President Obama is considering recess appointments to fill some or all of the nominations held up in the Senate. President Bush used a recess appointment to make John Bolton the U.S. ambassador to the United Nations bypassing Democrats."). n22 Statutory restrictions date back to the first Congress and continue today. See infra notes 116, 118, 122. n23 See discussion infra Part I.D and note 128. n24 The phrase "political party restrictions" is used hereinafter to mean statutory restrictions on the President's powers of nomination and appointment by political party.

#### It severs judicial restrictions

Singer 7 (Jana, Professor of Law, University of Maryland School of Law, SYMPOSIUM A HAMDAN QUARTET: FOUR ESSAYS ON ASPECTS OF HAMDAN V. RUMSFELD: HAMDAN AS AN ASSERTION OF JUDICIAL POWER, Maryland Law Review 2007 66 Md. L. Rev. 759)

n25. See, e.g., Dep't of the Navy v. Egan, 484 U.S. 518, 530 (1988) (noting the reluctance of courts "to intrude upon the authority of the Executive in military and national security affairs"); see also Katyal, supra note 1, at 84 (noting that "in war powers cases, the passive virtues operate at their height to defer adjudication, sometimes even indefinitely"); Harold Hongju Koh, Why the President (Almost) Always Wins in Foreign Affairs: Lessons of the Iran-Contra Affair, 97 Yale L.J. 1255, 1313-17 (1988) (discussing the Court's use of justiciability doctrines to refuse to hear challenges to the President's authority in cases involving foreign affairs); Gregory E. Maggs, The Rehnquist Court's Noninterference with the Guardians of National Security, 74 Geo. Wash. L. Rev. 1122, 1124-38 (2006) (discussing the Rehnquist Court's general policy of nonintervention in cases concerning actions of governmental agencies and political entities in national security matters); Peter E. Quint, Reflections on the Separation of Powers and Judicial Review at the End of the Reagan Era, 57 Geo. Wash. L. Rev. 427, 433-34 (1989) (discussing the use of the political question doctrine as a means to avoid judicial restrictions on presidential power in cases involving military force).

#### B. Severance is illegitimate and a voting issue. It destroys negative ground since no counterplan would compete if the 2AC could pick and choose what parts of the plan to defend. It also makes the plan a moving target and conditional. Affirmative conditionality is worse than negative conditionality because the plan is the focus of the debate.

### Doesn’t link

#### Executive action avoids politics and are fast

Sovacool-Research Fellow Public Policy, University of Singapore-9

Dr. Benjamin K. Sovacool 2009 is a Research Fellow in the Energy Governance Program at the Centre on Asia and Globalization., Kelly E. Sovacool is a Senior Research Associate at the Lee Kuan Yew School of Public Policy at the National University of SingaporeArticle: Preventing National Electricity-Water Crisis Areas in the United States, Columbia Journal of Environmental Law 2009 34 Colum. J. Envtl. L. 333,

¶ Executive Orders also save time in a second sense. The President does not have to expend scarce political capital trying to persuade Congress to adopt his or her proposal. Executive Orders thus save ¶ ¶ presidential attention for other topics. Executive Orders bypass congressional debate and opposition, along with all of the horsetrading and compromise such legislative activity entails.¶ ¶ 292¶ ¶ Speediness of implementation can be especially important when challenges require rapid and decisive action. After the September ¶ ¶ 11, 2001 attacks on the Pentagon and World Trade Center, for ¶ ¶ instance, the Bush Administration almost immediately passed ¶ ¶ Executive Orders forcing airlines to reinforce cockpit doors and ¶ ¶ freezing the U.S. based assets of individuals and organizations ¶ ¶ involved with terrorist groups.¶ ¶ 293¶ ¶ These actions took Congress ¶ ¶ nearly four months to debate and subsequently endorse with ¶ ¶ legislation. Executive Orders therefore enable presidents to ¶ ¶ rapidly change law without having to wait for congressional action ¶ ¶ or agency regulatory rulemaking.

#### Executive orders reduce expenditure of political capital – Clinton proves

Kassop-prof political science, SUNY-2

The Presidency and the Law: The Clinton Legacy, ed. Alder, p. 6

As a president facing an opposition party in Congress, it is not surprising that President Clinton made bold use of executive orders as a means of circumventing the uncertainties of a legislature that was unlikely to be friendly to his initiatives. Here, too, as in war powers, Clinton followed in the paths of his Republican predecessors, who also operated under conditions of divided government. Thus, Clinton may not have blazed new trails for his successors by his use of executive orders to accomplish indirectly what he was unwilling to spend political capital on to accomplish directly.

#### CP preserves political capital - avoids having to rally and compromise

Howell-Harvard-05

(William, Associate Prof @ Harvard, “Unilateral Powers: A Brief Overview”, September 2005, Presidential Quarterly, <http://www.blackwell-synergy.com/doi/full/10.1111/j.1741-5705.2005.00258.x>)

The actions that Bush and his modern predecessors have taken by fiat do not fit easily within a theoretical framework of executive power that emphasizes weakness and dependence, and offers as recourse only persuasion. For at least two reasons, the ability to act unilaterally is conceptually distinct from the array of powers presidents rely upon within a bargaining framework. First, **when presidents act unilaterally, they move policy first and thereby place upon Congress and the courts the burden of revising a new political landscape.** If they choose not to retaliate, either by passing a law or ruling against the president, then the president's order stands. Only by taking (or credibly threatening to take) positive action can either adjoining institution limit the president's unilateral powers. Second, when the president acts unilaterally, he acts alone. Now of course, he relies upon numerous advisers to formulate the policy, to devise ways of protecting it against congressional or judicial encroachment, and to oversee its implementation (more on this below). **But in order to issue the actual policy, the president need not rally majorities, compromise with adversaries, or wait for some interest group to bring a case to court. The president, instead, can strike out on his own**. Doing so**, the modern president is in a unique position to lead, to break through the stasis that pervades the federal government, and to impose his will in new areas of governance.**

### Util

#### Nuclear Winter is bad for animals- Sets Off Extinction Cascade

Greene et al ‘85

[Owen, Expert on Security issues, Director of Bradford U. Centre for Int’l Coop and Security, Arms Consultant to UN and EU, Ian Percival, Phys Prof, & Irene Ridge, Biologist, *Nuclear Winter: The Evidence and the Risks,* New York: Polity Press, 1985, 122//uwyo-ajl]

Apart from food chains **there are many other essential links between animals and plants - pollination, for example**. Bees would starve if there were no flowers to provide pollen and nectar. So would the adults of other pollinators such as butterflies, small beetles and flies and they would almost certainly be unable to lay eggs. **If populations of these insects declined** (and most do not have such powers of rapid reproduction as' aphids and blowflies), **then the first effect felt by human survivors would be a shortage of fruit and some vegetable**s. **Nearly all the cultivated apples and plums, not to mention numerous wild fruits, require cross pollination by insects**;beehives are commonly placed in orchards at a density of about one to the acre. In the extreme case that pollinating insects became extinct over large areas, **insect-pollinated plants would be unable to set seed and they too might become extinct** in the longer term plant-pollinator relationships can be wonderfully intriJcate, with flowers having precise adaptations that allow pollination by just one species of insect, which in turn is totally dependent on that plant for survival. There are numerous similar examples **where species are interdependent and extinction for one spells disaster for the other. In the first report of the biological effects of nuclear winter cascades of extinctions' were predicted extending over many years**,14 and **all the available evidence seems to support this conclusion**

### 2NC – A/T V2L

#### “No value to life” doesn’t outweigh---prioritize existence because value is subjective

Torbjörn Tännsjö 11, the Kristian Claëson Professor of Practical Philosophy at Stockholm University, 2011, “Shalt Thou Sometimes Murder? On the Ethics of Killing,” online: http://people.su.se/~jolso/HS-texter/shaltthou.pdf

I suppose it is correct to say that, if Schopenhauer is right, if life is never worth living, then according to utilitarianism we should all commit suicide and put an end to humanity. But this does not mean that, each of us should commit suicide. I commented on this in chapter two when I presented the idea that utilitarianism should be applied, not only to individual actions, but to collective actions as well.¶ It is a well-known fact that people rarely commit suicide. Some even claim that no one who is mentally sound commits suicide. Could that be taken as evidence for the claim that people live lives worth living? That would be rash. Many people are not utilitarians. They may avoid suicide because they believe that it is morally wrong to kill oneself. It is also a possibility that, even if people lead lives not worth living, they believe they do. And even if some may believe that their lives, up to now, have not been worth living, their future lives will be better. They may be mistaken about this. They may hold false expectations about the future.¶ From the point of view of evolutionary biology, it is natural to assume that people should rarely commit suicide. If we set old age to one side, it has poor survival value (of one’s genes) to kill oneself. So it should be expected that it is difficult for ordinary people to kill themselves. But then theories about cognitive dissonance, known from psychology, should warn us that we may come to believe that we live better lives than we do.¶ My strong belief is that most of us live lives worth living. However, I do believe that our lives are close to the point where they stop being worth living. But then it is at least not very far-fetched to think that they may be worth not living, after all. My assessment may be too optimistic.¶ Let us just for the sake of the argument assume that our lives are not worth living, and let us accept that, if this is so, we should all kill ourselves. As I noted above, this does not answer the question what we should do, each one of us. My conjecture is that we should not commit suicide. The explanation is simple. If I kill myself, many people will suffer. Here is a rough explanation of how this will happen: ¶ ... suicide “survivors” confront a complex array of feelings. Various forms of guilt are quite common, such as that arising from (a) the belief that one contributed to the suicidal person's anguish, or (b) the failure to recognize that anguish, or (c) the inability to prevent the suicidal act itself. Suicide also leads to rage, loneliness, and awareness of vulnerability in those left behind. Indeed, the sense that suicide is an essentially selfish act dominates many popular perceptions of suicide. ¶ The fact that all our lives lack meaning, if they do, does not mean that others will follow my example. They will go on with their lives and their false expectations — at least for a while devastated because of my suicide. But then I have an obligation, for their sake, to go on with my life. It is highly likely that, by committing suicide, I create more suffering (in their lives) than I avoid (in my life).

Live to fight another day – value to life can always be gotten back

Etzioni, 2009 (Amitai, Ph.D. in Sociology from Berkeley, professor of international affairs at The George Washington University, “The Obama Doctrine,” July 21, http://blog.amitaietzioni.org/2009/07/index.html)

Still, one should not overlook that it also has a clear and strong normative underpinning. The observation that we value the right to life more than any other is reflected in the finding that in the criminal codes of all free nations, taking a life is punished much more severely than any other violation of rights. Moreover, ranking the value of life over most, if not all, other values reflects on the elementary but profound truth that the respect for all other rights depends on the sanctity of life. People who are shot dead gain little if they have right to freedom of speech, religion, assembly, and so on. In contrast, those whose lives are well protected can live to fight another day, to struggle to gain their other rights. Hence the profound value of promoting security first.

Existence outweighs value to life

Schwartz, Professor of Medicine, Dartmouth, 2002 [Lisa, Medical Ethics, http://www.fleshandbones.com/readingroom/pdf/399.pdf]

This assertion suggests that the determination of the value of the quality of a given life is a subjective determination to be made by the person experiencing that life. The important addition here is that the decision is a personal one that, ideally, ought not to be made externally by another person but internally by the individual involved. Katherine Lewis made this decision for herself based on a comparison between two stages of her life. So did James Brady. Without this element, decisions based on quality of life criteria lack salient information and the patients concerned cannot give informed consent. Patients must be given the opportunity to decide for themselves whether they think their lives are worth living or not. To ignore or overlook patients’ judgment in this matter is to violate their autonomy and their freedom to decide for themselves on the basis of relevant information about their future, and comparative consideration of their past. As the deontological position puts it so well, to do so is to violate the imperative that we must treat persons as rational and as ends in themselves.

### A/T – Let them speak

#### ---Letting nature speak for itself is impossible --- Their arguments presuppose a false positionality.

Braun 2002

Bruce, assistant professor of geography at Univ. of Minnesota, *The Intemperate Rainforest*, pg. 74-75

It would likewise be a mistake to assume that all photographic genres are approached equally. Documentary photography and photographic journalism arguably retain a privileged claim to objectivity, as the medi­um that most accurately “records” history. Likewise, nature photogra­phy, despite its highly aestheticized mode, continues to aspire to “let na­ture speak for itself.” Yet neither entirely escapes issues of positionality. As John Tagg (1988, 187) explained: The photographer turns his or her camera on a world of objects al­ready constructed as a world of uses, values and meanings, though in the perceptual process these may not appear as such but only as quali­ties discerned in the “natural” recognition of “what is there.” ... The image is therefore to be seen as a composite of signs. . . . Its meanings are multiple, concrete and most important, constructed. This recognition that, in the famous words of Ansel Adams, “[a] photo­graph is not an accident—it is a concept,” bears directly on how we read On the Wild Side. As documentary, it makes a claim to a reality that lies outside the photographic device and its human operator; yet it reveals as much about the environmental discourses that provide the frame as it does about the nature represented. No less than MacMillan Bloedel’s publications, this book and its photographs must be approached as pro­foundly ideological entities, although in very different ways.

# 1NR

## 1NR – Warfighting

#### Plan sends a signal of presidential weakness

**Bolton, former UN ambassador, 2009**

(John, “The danger of Obama's dithering”, 10-18, <http://articles.latimes.com/2009/oct/18/opinion/oe-bolton18>, ldg)

Weakness in American foreign policy in one region often invites challenges elsewhere, because our adversaries carefully follow diminished American resolve. Similarly, presidential indecisiveness, whether because of uncertainty or internal political struggles, signals that the United States may not respond to international challenges in clear and coherent ways. Taken together, weakness and indecisiveness have proved historically to be a toxic combination for America's global interests. That is exactly the combination we now see under President Obama. If anything, his receiving the Nobel Peace Prize only underlines the problem. All of Obama's campaign and inaugural talk about "extending an open hand" and "engagement," especially the multilateral variety, isn't exactly unfolding according to plan. Entirely predictably, we see more clearly every day that diplomacy is not a policy but only a technique. Absent presidential leadership, which at a minimum means clear policy direction and persistence in the face of criticism and adversity, engagement simply embodies weakness and indecision.

## 1NR - Politics

### Impact Calc

#### Middle east war outweighs---nonstate actors disrupt deterrence, lack of communication lines make escalation likely, first strike advantages incentivizes using wmd

James A. Russell**,** Senior Lecturer, National Security Affairs, Naval Postgraduate School, ‘9 (Spring) “Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East” IFRI, Proliferation Papers, #26, http://www.ifri.org/downloads/PP26\_Russell\_2009.pdf

Strategic stability in the region is thus undermined by various factors: (1) asymmetric interests in the bargaining framework that can introduce unpredictable behavior from actors; (2) the presence of non-state actors that introduce unpredictability into relationships between the antagonists; (3) incompatible assumptions about the structure of the deterrent relationship that makes the bargaining framework strategically unstable; (4) perceptions by Israel and the United States that its window of opportunity for military action is closing, which could prompt a preventive attack; (5) the prospect that Iran’s response to pre-emptive attacks could involve unconventional weapons, which could prompt escalation by Israel and/or the United States; (6) the lack of a communications framework to build trust and cooperation among framework participants. These systemic weaknesses in the coercive bargaining framework all suggest that escalation by any the parties could happen either on purpose or as a result of miscalculation or the pressures of wartime circumstance. Given these factors, it is disturbingly easy to imagine scenarios under which a conflict could quickly escalate in which the regional antagonists would consider the use of chemical, biological, or nuclear weapons. It would be a mistake to believe the nuclear taboo can somehow magically keep nuclear weapons from being used in the context of an unstable strategic framework. Systemic asymmetries between actors in fact suggest a certain increase in the probability of war – a war in which escalation could happen quickly and from a variety of participants. Once such a war starts, events would likely develop a momentum all their own and decision-making would consequently be shaped in unpredictable ways. The international community must take this possibility seriously, and muster every tool at its disposal to prevent such an outcome, which would be an unprecedented disaster for the peoples of the region, with substantial risk for the entire world.

#### Deal failure by itself sufficient to trigger miscalc and global war

PressTV, 13 (“Global nuclear conflict between US, Russia, China likely if Iran talks fail,” <http://www.presstv.ir/detail/2013/11/13/334544/global-nuclear-war-likely-if-iran-talks-fail/>)

A global conflict between the US, Russia, and China is likely in the coming months should the world powers fail to reach a nuclear deal with Iran, an American analyst says.

“If the talks fail, if the agreements being pursued are not successfully carried forward and implemented, then there would be enormous international pressure to drive towards a conflict with Iran before [US President Barack] Obama leaves office and that’s a very great danger that no one can underestimate the importance of,” senior editor at the Executive Intelligence Review Jeff Steinberg told Press TV on Wednesday.

“The United States could find itself on one side and Russia and China on the other and those are the kinds of conditions that can lead to miscalculation and general roar,” Steinberg said.

“So the danger in this situation is that if these talks don’t go forward, we could be facing a global conflict in the coming months and years and that’s got to be avoided at all costs when you’ve got countries like the United States, Russia, and China with” their arsenals of “nuclear weapons,” he warned.

#### Deal failure triggers Israeli strike

Robert Satloff, Feb 2014, Will Israel and the U.S. Break Up over Iran?, www.washingtoninstitute.org/policy-analysis/view/will-israel-and-the-u.s.-break-up-over-iran

Looking forward, even President Obama gave no more than 50/50 odds that U.S. diplomats will reach a comprehensive agreement with Iran. The alternative would likely be to extend the temporary deal, triggering a deeper crisis with Israel. That could heighten the potential for a unilateral Israeli military attack on Iran's nuclear sites, with U.S.-Israel ties suffering massive collateral damage. Since Israel needs American support when the dust clears, that might not qualify as the worst of times, but it comes close.

So let's hope 2014 sees U.S. diplomats pulling a nuclear rabbit out of the hat with a final Iran deal that meets Israel's concerns, consigning this moment of crisis to a chapter in some future history book. Otherwise, Israelis will have a lot more on their minds than the price of cottage cheese.

#### Strikes cause extinction

Masko, 2/9/12

[Dave Masko is an Air Force News veteran who's filed stories from Washington, D.C., the Middle East, the Balkans and Europe. These days, he's a freelance writer based in Florence, Oregon. Masko's articles have appeared in European Stars and Stripes, The Washington Post, Rolling Stone and other publications. From 1977-1999 he was a reporter for the Defense Department, <http://www.huliq.com/10282/iran-nuclear-ambitions-alarming-israel-brink-war-say-experts>]

There’s always been the danger of something “going nuclear” in our fragile world where countries such as Iran and Israel seem to like rattling sabers at each other was once viewed as “same old, same old,” by political science experts when referring to these countries threats of war remaining the same. However, it’s not same old, same old, when President Obama told NBC News in a TV interview Feb. 5 that while he does not think Israel has decided whether to attack Iran, the United States is “going to be sure that we work in lockstep as we proceed to try to solve this… hopefully diplomatically.” Thus, if Israel does attack Iran’s nuclear facilities and war breaks out, “even a small-scale, regional nuclear war could produce as many direct fatalities as all of World War II and disrupt the global climate for a decade or more, with environmental effects that could be devastating for everyone on Earth, university researchers have found,” stated a report on the University of California Los Angeles website aasc.ucla.edu; while pointing to “a team of scientists” at Rutgers, the State University of New Jersey; the University of Colorado at Boulder and UCLA who’ve researched the implications of such an attack. What's at stake for the world? Overall, the stakes could not be any greater for a world that fears war after more than 20 years of sabre rattling by Israel over Iran’s nuclear ambitions. In turn, President Obama and other world leaders seem very concerned that it’s not if but when “an Israeli military attack on the Islamic Republic of Iran” will leave in its wake a new war in the Middle East, with more terrorism worldwide laced with even broader economic woes at a time when many countries are already at a breaking point. Moreover, the top U.S. intelligence official told Congress Jan. 31 – in an annual report about threats facing the nation – that “Iran’s leaders seem prepared to attack U.S. interests overseas, particularly if they feel threatened by possible U.S. action.” Jim Clapper, director of National Intelligence, also told the Senate Intelligence Committee Jan. 31 in an MSNBC TV report that America “now faces many interconnected enemies, including terrorists, criminals and foreign powers, who may try to strike via nuclear weapons or cyberspace, with the movement's Yemeni offshoot and ‘lone wolf’ terror attacks posing key threats.” Middle East nuclear confrontation feared “While a regional nuclear confrontation – such as the one feared between Iran and Israel – among emerging third-world nuclear powers might be geographically constrained,” report this noted team of U.S. scientists, “the environmental impacts could be worldwide.” Thus, even the great Atlantic Ocean – that sits between the U.S. and the Middle East – would not buffer the “fallout” that will be in the “global atmosphere” impacting an already fragile world climate situation. While these conclusions of dark days ahead for the world if the so-called “nuclear genie gets out of the bottle” -- by U.S. scientists during a meeting of the American Geophysical Union – was back in 2006, the UCLA website that presented these nuclear war fears, has updated such conclusions about a clear and present danger of possible nuclear confrontation if Israel attacks Iran, and as of Feb. 9, 2012, the news from Israel is not good at all, state experts.

#### Err neg on impact calculus—their arguments are based on human judgments about animals’ wants, there is no way to know how animals even feel about their supposedly second-class status.

J. Neil Schulman**,** novelist, screenwriter, journalist, radio personality, filmmaker, composer, and actor, 2000

“Fifty Things Animals Can't Do,” http://www.pulpless.com/jneil/fifty.html

First, **human beings are the dominant species on this planet, making decisions regarding use of the land, the sea, the air, and the near space above the air. Man rules and animals have to take what we do with them and lump it.** Second, **there are no animals petitioning mankind, their "oppressor," for an elevated status or recognition of their rights.** Third, **this entire discussion is made by some human beings attempting to play on the ethics and esthetics of other human beings so as to cause them to alter the way they act with respect to animals** **Why doesn't it mean something to the advocates of animal rights that none of the animals they wish to place in contention for having rights is capable of even joining this discussion on their own behalf**? They can't give testimony or answer questions**. Doesn't that observation** have impact? Doesn't it **suggest that before we can get to the acknowledgement of rights we have to get past the concept of the moral pillars of a rights-based system and before that we have to get past the concept of choice being fundamental to moral behavior and before that we have to get past the concept of intelligence sufficient to handle linguistic abstractions necessary to perceive choices -- and that animals don't even get to that lowest threshold**? An animal-rights advocate is in the position of a lawyer bringing a case to court, with a species of animal or representative of that species as the client. **A petition for animal rights is,** in effect, a **petition for emancipation for species***,* and members of species, that are currently the legal wards of mankind at best -- **and our outright property without proof there is even standing to consider them as candidates for a conservatorship. It is a case which is brought by the lawyer without either request or even understanding by the client.** Moreover, **even if we could somehow raise the intelligence and communication abilities of an animal to make it cognizant of the possibility, we don't even know whether their natural metaphysics would prefer dominion over themselves or continued rule by mankind, their "gods**."

### AT: Link

#### First is power perception – even if the plan doesn’t limit warfighting capability, it’s still a perceived as a loss-saps capital

**Loomis, Georgetown government professor, 2007**

(Andrew, “Leveraging legitimacy in the crafting of U.S. foreign policy”, 3-2, <http://citation.allacademic.com//meta/p_mla_apa_research_citation/1/7/9/4/8/pages179487/p179487-36.php>, ldg)

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.

#### Second is riders - Plan passage enables Iran sanction passage—only potential bill for amendment

JTA, staff writer, 2/6/14, GOP senators press Reid on Iran sanctions vote, www.jta.org/2014/02/06/news-opinion/politics/gop-senators-press-reid-on-iran-sanctions-vote

Reid has so far resisted bringing the bill to the floor. Proponents of the new sanctions say they would strengthen the West’s hand in Iran negotiations, adding that without new sanctions, the momentum in the talks is moving in Iran’s favor.

According to the Daily Beast, Republicans may attempt to attach the bill to must-pass legislation as an amendment, and could refuse cooperation on other bills in order to force Reid to call a vote.

#### Third is focus – Obama is refocusing his agenda – the plan distracts him by igniting a debate over the plan

Reuters 9/11/13

Delay in Syria vote frees Obama to shift to hefty domestic agenda

http://www.reuters.com/article/2013/09/11/us-usa-obama-agenda-idUSBRE98A0Z920130911

Putting off a decision on military strikes on Syria allows President Barack Obama to shift his attention back to a weighty domestic agenda for the fall that includes budget fights, immigration and selecting a new chairman of the Federal Reserve. Obama and his aides have immersed themselves for a week and a half in an intensive effort to win support in Congress for U.S. military action in Syria after a suspected chemical weapons attack last month killed more than 1,400 people. But the effort, which included meetings by Obama on Capitol Hill on Tuesday followed by his televised speech to Americans, seemed headed for an embarrassing defeat, with large numbers of both Democrats and Republicans expressing opposition. The push for a vote on Syria - which has now been delayed - had threatened to crowd out the busy legislative agenda for the final three months of 2013 and drain Obama's political clout, making it harder for him to press his priorities. But analysts said a proposal floated by Russia, which the Obama administration is now exploring, to place Syria's weapons under international control may allow Obama to emerge from a difficult dilemma with minimal political damage. "He dodges a tough political situation this way," said John Pitney, professor of politics at Claremont McKenna College in California. Pitney said the delay in the Syria vote removes a big burden for Obama, given that Americans, who overwhelmingly opposed military intervention in Syria, will now be able to shift their attention to other matters. He said Obama could suffer some weakening of his leverage with Congress. The administration's "full court press" to try to persuade lawmakers to approve military force on Syria was heavily criticized and did not yield much success. "He probably has suffered some damage in Congress because there are probably many people on (Capitol Hill) who have increasing doubts about the basic competence of the administration and that's a disadvantage in any kind of negotiation," Pitney said.

### AT: Bills Been Shelved

#### Iran sanctions have stalled but could come back-would collapse negotiations

Armbruster-Center for American Progress-2/18/14

Bipartisan Expert Group Says New Iran Sanctions Will Undermine Diplomacy

A new report from a bipartisan group of experts at the Iran Project released on Tuesday finds that opponents of new sanctions on Iran at this time are largely correct in that they would lead to a break-down of diplomacy, isolate the U.S. from its negotiating partners and embolden hard-liners in Tehran. The Iran sanctions battle in the Senate has stalled for now, but it’s unclear if the House will take up the matter again, as Majority Leader Eric Cantor (R-VA) is reportedly working on language with other House leaders. The Iran Project’s report analyzes arguments for and against the Senate Iran sanctions bill that was introduced last December by Sens. Mark Kirk (R-IL) and Robert Menendez (D-NJ), who have argued that new sanctions will give the U.S. more leverage in nuclear talks with Iran. But, the report says, “It is diﬃcult to argue that a new sanctions bill is intended to support the negotiations when all the countries doing the negotiating oppose it.” Kirk, Menendez and other supporters of the bill say the sanctions have a delayed trigger and will kick in in six months or if Iran backs out of the deal. Not so, the Iran Project says. “After carefully reading the bill line by line and consulting with both current and retired Senate staff the relevant committees, it appears that the critics are correct: the change in sanctions law takes eﬀect upon passage,” the report says, which would most likely put the United States in violation of the interim nuclear agreement reached in Geneva in November On whether new sanctions will weaken the international coalition on imposing existing sanctions, “some countries would continue to honor some sanctions,” the Iran Project says if the Senate sanctions bill passes. “Still, it would seem that on balance, the net result would be less pressure on Iran.” The report also says that unilateral congressional action on sanctions now “would feed an unwelcome narrative” to America’s partners, the U.K., France, China, Russia, Germany and others, that the U.S. can’t live up to its promises and is an unreliable partner. Many, like Sen. Patrick Murphy (D-CT), have argued that placing new sanctions on Iran will undermine relative moderate Iranian President Hassan Rouhani, who supports a diplomatic approach with the U.S. The Iran Project agrees. “It is very diﬃcult to imagine that the sanctions bill would do anything but undermine Rouhani, as he attempts to steer Iran on a diﬀerent path. This is an assessment shared not only by Iran experts, and Iranian expats who have opposed the regime, but also by Israeli military intelligence, which has concluded that Rouhani may represent a fundamental shift in Iranian politics.” “[I]t is diﬃcult to escape the conclusion that a new sanctions bill would increase the probability of war, even if it does not guarantee such an outcome,” the report says. The bipartisan Iran Project has issued several reports on the Iran nuclear issue. In 2012, the group concluded that attacking Iran would risk an “all out regional war” lasting “several years” and that In order to achieve regime change, the report says, “the occupation of Iran would require a commitment of resources and personnel greater than what the U.S. has expended over the past 10 years in the Iraq and Afghanistan wars combined.” The anti-sanctions movement in Congress gained steam last week when 104 House members, including some Republicans, signed a letter to President Obama supporting his diplomatic approach to Iran and calling on Congress to avoid passing any new Iran nuclear related “bills or resolutions” while talks — which are set to resume this week — are taking place.

Even if sanctions never pass, GOP would push legislation to constrain negotiations

Laura Rozen, Al-Monitor, 2/4/14, US negotiator hears, amid skepticism, Senate support for diplomacy with Iran, backchannel.al-monitor.com/index.php/2014/02/7686/us-negotiator-hears-amid-skepticism-senate-support-for-iran-diplomacy/#more-7686

With support waning for Iran sanctions legislation, top US Iran negotiator Wendy Sherman and Treasury Undersecretary David Cohen testified on the Iran nuclear deal to the Senate foreign relations panel Tuesday.

Despite sinking prospects for the Iran sanctions bill he co-sponsored, Senate Foreign Relations Committee chair Robert Menendez (D-NJ) expressed continued deep skepticism about the terms of the interim Iran nuclear deal which went into effect on Jan. 20, and to be looking for ways to constrain the administration’s hand for negotiating a comprehensive Iran nuclear deal.

That kills negotiations

Ryan Costello, National Iranian American Council Policy Fellow, 1/29/14, Obama Warns Congress Off Iran Sanctions, www.huffingtonpost.com/ryan-costello/obama-warns-congress-off\_b\_4686422.html

Let's hope the president's message sinks in, because reflexive congressional support for punishing Iran regardless of the consequences remains one of the key obstacles to shattering 34 years of mutual enmity and securing a nuclear deal -- and the possibility of a brighter future for the people of the United States and Iran. Over the past few weeks, a determined push by Sens. Robert Menendez and Mark Kirk to impose new sanctions on Iran gathered 59 cosponsors (16 Democrats, 43 Republicans), before stalling in the face of determined opposition from Senate Democrats and the looming threat of a presidential veto. Now, cosponsors of the sanctions bill, including Sens. Joe Manchin and Richard Blumenthal have indicated that the bill shouldn't come up for a vote. Supporters are falling off, not joining. There were numerous problems with the Menendez-Kirk bill, including that it would violate the terms of the nuclear agreement by imposing new sanctions, despite the U.S. promising, along with our negotiating partners, to abstain from doing so in the first phase of the nuclear agreement. To delay the implementation of those sanctions, the president would have to certify measures above and beyond what Iran agreed to in the nuclear deal, including certifying that Iran is not conducting missile tests or supporting terrorist groups. Further, the bill would set unnecessary and unattainable red lines for a final deal, including that Iran must dismantle its entire enrichment infrastructure -- violating a clear Iranian red line in talks. Now opponents of diplomacy are seeking to scrap the sanctions provisions of the bill and move forward with congressional resolutions that define expectations for the end game. This would provide an opportunity for opponents of diplomacy and a nuclear deal -- both inside and outside Congress -- to sabotage negotiations by setting unrealistic expectations. Any language requiring Iran to dismantle facilities or certain numbers of centrifuges, for example, or mandating that Iran abandon any enrichment capacity -- would reduce leverage for a final deal and make one more difficult, if not impossible, to attain. Congress shouldn't make our negotiators' job more difficult than it already is. Ultimately, Congress needs to move away from threatening to play spoiler to making sure the President has the authority to leverage existing sanctions in exchange for concrete nuclear concessions. With decades of congressional sanctions on the books, including recent sanctions that only provide the president with temporary waiver authorities, Congress needs to work with the administration in order to obtain the authority to permanently lift sanctions to extract the best deal possible. Such a move would provide clear assurances that we can uphold our end of the bargain. Without those assurances, our negotiators have a weak hand and might only be able to obtain a weak and reversible deal that distances but fails to eliminate the threats of war and an Iranian nuclear weapon.

#### Sanctions are failing, but GOP is trying to revive the push

Greg Sargent, WaPo, 2/3/14, Another big blow to the Iran sanctions bill, www.washingtonpost.com/blogs/plum-line/wp/2014/02/03/another-big-blow-to-the-iran-sanctions-bill/

The push for a new Iran sanctions bill may have stalled in the Senate, but it’s still alive and kicking in the House, where leaders are telling members such a measure could still be considered this year. Indeed, proponents of more sanctions appear to be clinging to the hope that if something passes the House with broad bipartisan support, it could pressure the Senate to act. But here’s something that could help block that from happening — in the process delivering yet another big blow to the prospects of a new Iran sanctions measure. I’m told more than 70 House Dems — from a diverse ideological background — have now signed a new letter coming out against any new sanctions measure and calling for diplomacy to be given a chance. This represents the first public statement from House Dems en masse against the measure and for diplomacy, matching what we’ve been seeing in the Senate. Here’s the text, which hasn’t yet been released but was sent over by a source: Dear Mr. President: As Members of Congress — and as Americans — we are united in our unequivocal commitment to prevent Iran from obtaining a nuclear weapon. The proliferation of nuclear weapons in the Middle East would threaten the security of the United States and our allies in the region, particularly Israel. The ongoing implementation of the Joint Plan of Action agreed to by Iran and the “P5+1 nations last November increases the possibility of a comprehensive and verifiable international agreement. We understand that there is no assurance of success and that, if talks break down or Iran reneges on pledges it made in the interim agreement, Congress may be compelled to act as it has in the past by enacting additional sanctions legislation. At present, however, we believe that Congress must give diplomacy a chance. A bill or resolution that risks fracturing our international coalition or, worse yet, undermining our credibility in future negotiations and jeopardizing hard-won progress toward a verifiable final agreement, must be avoided. We remain wary of the Iranian regime. But we believe that robust diplomacy remains our best possible strategic option, and we commend you and your designees for the developments in Geneva. Should negotiations fail or falter, nothing precludes a change in strategy. But we must not imperil the possibility of a diplomatic success before we even have a chance to pursue it. Dem Rep. Lloyd Doggett — a senior member of the House Ways and Means Committee who spearheaded this letter along with Dem Rep. David Price – tells me in a statement: “Iranian hard liners may ultimately obstruct a meaningful permanent agreement, but Congress should not give them a pretext for doing so. The support for this letter from a broad and growing coalition of more than 70 Members sends a strong signal that Democrats stand for peace and diplomacy.” Aides who have seen the letter tell me it’s been signed by some prominent Jewish Democrats and at least one member of the Dem leadership (James Clyburn). This comes after former Secretary of State Hillary Clinton (belatedly) weighed in against the sanctions bill, another blow to its prospects. While it does appear that the push for a sanctions vote has run aground, it’s worth reiterating that if something goes wrong in the talks, those who want a vote — including Republicans who appear to be using this as a way to divide Dems, and Democrats who refuse to be swayed by the administration’s insistence that a vote could derail diplomacy — could have a hook to revive their push. Eric Cantor is still said to want to move an Iran sanctions bill, and Dems have been wary of the possibility that Steny Hoyer — the number two Dem in the House — could join Cantor’s effort, thus giving it bipartisan legitimacy and perhaps leading more Dems to support it. The new letter from around six dozen House Dems opposing such a move could make that outcome that much less likely — particularly if it continues to pick up more signatures.