# Round 5—Aff vs Mary Wash MP

## 1AC

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#### We’ll set the stage with a quote from Stanley Kubrick’s *Doctor Strangelove*—

He [Clemenceau] said war was too important to be left to the generals. When he said that, 50 years ago, he might have been right. But today, war is too important to be left to politicians. They have neither the time, the training, nor the inclination for strategic thought.

#### 50 years later, General Jack D. Ripper’s words still hold weight within contemporary nuclear politics. Listening to our military officials, one might get the idea that nuclear decisionmaking is too important to be left to public deliberation—it instead is characterized by the centralization of classified information within a unitary executive and its subordinates.

#### This regime of secrecy demands further investigation. The nuclear presidency is directly threatened by the potential of dissensus to undermine its authority and thus establishes rhetorical conditions that foreclose democratic deliberation. Any counter-hegemonic approach must begin from that moment of rhetorical and deliberative closure—any other strategy keeps nuclear policy in the hands of elites.

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(Bryan, “‘The Means to Match Their Hatred’: Nuclear Weapons, Rhetorical Democracy, and Presidential Discourse”, Presidential Studies Quarterly, Vol. 37, No. 4, Shadows of Democracy in Presidential Rhetoric (Dec., 2007), pp. 667-692, dml)

Liberal scholars and other commentators who assess the relationship between nuclear weapons and democracy balance cynicism and optimism (see, for example, Falk 1982; Mitchell 2000; Peterson 2007). Their tone frequently evokes the morbid genres of diagnosis, autopsy, and obituary, but their grieving, condemnation, and pleading also seek a healing—if not outright resurrection—of the nuclear-democratic body. This activity typically **grows more active during periods of nuclear instability**, **in which possibilities for** reconfiguring the relationship **between nuclear officials and citizens are at least temporarily opened**. During the late Cold War and post-Cold War periods, then, several speakers addressed this relationship in the context of extraordinary changes in international politics (Deudney 1995; Falk 1982; Rosen 1989; Rosow 1989; Stegenga 1988). Collectively, these speakers considered how institutions sediment around the artifact of nuclear weapons and how that process yields rhetoric that **undermines the possibility of robust democratic speech**.

To varying degrees, these critiques all **assert a** fundamental incompatibility **between nuclear weapons and the ideals of the democratic state**. They argue that oppres sive conditions surrounding the development of nuclear weapons **subvert the capabilities of citizens to** acquire**,** deliberate**, and** act **on information concerning nuclear policy**. As a result, the nuclear public is characterized as fragmented, alienated, uninformed, **and unable to participate in deliberation with** forceful **and** reasoned **discourse**. Commonly listed elements in this indictment include: **an** official regime of secrecy **which** suppresses **and** distorts **nuclear information**; official cultivation of a climate of permanent emergency that **promotes public inertia and** acquiescence to authoritarian rule; undue deference **by** nominal agents of **congressional oversight** to the interests of military elites and corporate defense contractors; a timid and amnesiac news media; and official **demonization** of anti-nuclear dissent as extreme, irrelevant, and unpatriotic (Rosen 1989). "This long train of official lies," argues James Stegenga (1988, 89), "**has made truly informed consent** an impossibility" (emphasis in original).

These critiques grow more valuable as they conceptualize **the relationships between rhetoric, democracy, and nuclear weapons**. One provocative claim here addresses how, under conditions of MAD, all aspects of postwar American society were enrolled in the semiotic project of signifying to the Communist enemy both capability and willingness to use nuclear weapons in the national defense. Rhetorical scholars have largely failed to appreciate how, under these conditions, **the demos itself** was conscripted and disciplined as an element in this apparatus:

The continuous task of the president **and his subordinates is to make their essentially incredible threats seem credible**. So leaders have wanted to present themselves as **speaking forcefully on behalf of a** monolithically supportive **American population**. Naysayers needed to be discouraged, **the democratic debate on these matters** minimized**,** in the interest of promoting the credibility of the threats. The people are meant or **supposed to** avoid **thinking about or speaking out on these matters**. (Stegenga 1988, 89, emphasis in original; see also Bok 1989)

Clarifying this condition **helps us to conceptualize nuclear weapons as** an ontological tangle **of discursive and material phenomena**. It also establishes that—far from being a mere adornment of policy language—**rhetoric is an** inherent**,** inevitable**, and** reflexive **challenge for the nuclear nation-state**. Official rhetoric, in other words, must be developed and deployed in tandem with nuclear weapons to ensure that the whispers, conversation, and shouts of the people **do not subvert the** principal—and, according to Jacques Derrida's (1984) famous critique, sole—**function of those weapons as** rhetoric**.**

This interdependency between security and rhetoric is further clarified in argu ments conceptualizing nuclear weapons as a legitimation crisis for the liberal-democratic nation-state (Deudney 1995, 209). Rosow (1989) argues that **traditional conceptualization of nuclear deterrence as a strategic issue** obscures its status as **"**a system of social relations**"** (564). In adopting this alternate perspective, Rosow argues, **we may** reclaim **nuclear weapons from official discourses** that have sheared off from their necessary grounding in—and authorization by—the discourses of the nuclear life world: "[Strate gic] debate **scarcely touches on the experience of nuclear deterrence as a cultural and political-economic production**. . . . **The result is a** serious discontinuitybetween the claims on which the validity of nuclear policy rests . . . and the actual effects of nuclear deterrence on the material well-being and consciousness in the advanced capitalist West" (564). Rosow's argument establishes the democratic status of nuclear weapons as a rhetorical problem: he conceptualizes nuclear deterrence as a discourse composed of "interpretive claims" and imperative expressions and theorizes its mediation of both institutional structures and forms of identity. Viewed in this light, we can recognize how, as artifacts, **nuclear weapons clarify a** fundamental contradiction **between their destructive potential and their legitimating cultural discourses**: "The same forces that are to produce peace and prosperity, i.e., science, knowledge, rationality, **also produce the tools for destroying the very civilization they are designed to protect** and whose values and future they embody." Richard Falk (1982, 9) has suggested the implications of this condition for a nuclear-rhetorical democracy: "Normative opposition to nuclear weapons or doctrines inevitably draws into question **the legitimacy of state power and is**, therefore, more threatening to governmental process **than a mere debate about the property of nuclear weapons as instruments of statecraft**." As a result, Rosow concludes, changes in nuclear policy may exacerbate inherent conflict between "the [cultural] consciousness of democratic citizenship" and the legitimacy of the state (1989, 581). As the state increas ingly rests its security on weapons systems **requiring centralized control and automated decision making, it becomes** increasingly difficult **to assert that the legitimacy of those weapons arises from authentic popular consent**. Fault lines in this hegemony **are opened when public rhetoric informs Americans about the international consequences of nuclear imperialism** and encourages their identification with negatively affected groups. In the post-Cold War era, Rosow predicted, it will become increasingly difficult for the state to normalize nuclear weapons as a familiar and legitimate icon.

#### This has been mirrored in debate where the strategic disadvantage of reading a nuclear aff due to topicality evidence written by nuclear elites functions as a form of censorship to deny the intimate relationship between nuclear rhetoric and executive power—refuse this nuclear elitism

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First, there is general agreement that nuclear weapons constitute the extreme case of secrecy in that regime (Bok 1989; Hudson 2004; Kinsella 2005). Nuclear weapons are not only a highly cherished and protected technology but **are also** the impetus **for** policies **and** procedures **that restrict the circulation of information necessary for adequate deliberation** by the public and elected officials. Here, classification and censorship buffer nuclear elites **from democratic oversight and** inhibit their accountabilityfor neglect, mistakes, fraud, and abuse.

Secrecy is arguably inherent to nuclear weapons. A wartime climate of urgency led to their covert development, and thus their introduction to the American public as a fait accompli, rather than a potential innovation requiring collective authorization of its development. Bok (1989) has argued that this secrecy **both isolated and empowered early nuclear elites**, investing them with a grave sense of professional responsibility. This structure of feeling, however, can easily shade into presumptuous entitlement. Coercive regimes of secrecy, Bok (1989) notes, also enabled Manhattan Project workers to mini mize and suppress doubts about the morality of their work and to accommodate strategic redefinition by officials of its purpose (see also Hales 1997).

Secrecy can thus **debilitate the reasoning and moral judgment of nuclear-political actors**. Institutionalized as a postwar tradition, **it has also** constrained nuclear deliberation **by facilitating** a regime of authoritarian rule (Kinsella 2005, 61). This regime is rife with irony and paradox. **It is**, for example, self-perpetuating: secrecy **limits public knowledge** of nuclear matters, and this limitation is in turn **used to justify excluding an "uninformed" public from subsequent deliberation**. Additionally, "national security" is commonly invoked to discourage public debate of nuclear policy on the assumption that such debate might damage national security itself. As discussed above, however, the symptomatic concern with "revealing secrets" discloses larger official unease with democracy's potential to subvert the necessary supporting role that public discourse itself plays in the apparatus of deterrence. This condition **makes nuclear officials** highly anxious **about the potential for oppositional discourse to create national vulnerability and to subvert their autonomy**. Far from being the ground of authority, **the public is rhetorically conceptualized and managed as** an unpredictable threat **to the stability of nuclear order** (Tannenwald 1999). Further, declared nuclear secrets are often already more publicized, and the actual effects of their disclosure less significant, than officials concede. In this way, the nuclear "secret" is less an objective, preexisting referent of security discourse than **a symbolic resource to be strategically invoked in institutional practices that produce desired effects** (see Masco 2002; Taylor 2002). Finally, notes Howard Morland (2000,54), "One of the most pernicious effects of secrecy is to cause nuclear weapons to be overvalued. . . . The United States encourages the world to copy its free market economy and its democratic institutions, but **it quakes in fear that 'rogue' nations might copy** a tenth of one percent **of its nuclear arsenal**." I will explore below the implications of Morland's claim; its relevance here involves the role of secrecy in fueling the political fetish of weaponry.

Second, as this discussion of secrecy has introduced, nuclear weapons exemplify **centralization as a condition which** limits the range of voices **in deliberation** of U.S. foreign policy and military strategy. Under this condition, "**democratic procedures are said to be** too cumbersome **for the** swiftness **and** decisiveness **required for . . . [such] decision making**" (Hudson 2004, 299). This condition is exacerbated by secrecy in that **only elites with restricted access to information are deemed responsible for nuclear decisions**. It is also intensified by the tremendously high stakes created by the destructive power of nuclear weapons and the strategic imperatives of MAD. These conditions **drastically shorten decision-making windows** in attack situations and require careful maintenance of the balance between centralized control and the predelegation of launch authority. Indeed, the risk posed by unsecured nuclear weapons has led technology scholar Langdon Winner (1980) to argue that they inherently require rigid and hierarchical institutions of governance. These systems "must be authoritarian: there is no other way" (131). Indeed, democratic states must labor to ensure that **this authoritarianism does not "spin off or** spill over into the polity as a whole" (131). As a result, Winner concludes, the democratic hopes of anti-nuclear activists are "dead wrong" (135).

This is a rhetorical matter in that centralization has historically been produced and maintained through **a discourse of nuclear "guardianship"** that shadows the more benevolent image of nuclear control as "stewardship" (Taylor and Hendry 2006; Taylor 2007). Historically, this image arises from a logical entailment constructed in nuclear discourse between the sublime "mystery" of nuclear phenomena and **the** quasi-theological authority **of officials charged with their understanding and control** (Kinsella 2005). More specifically, it has been developed in accounts of the tense relationship between civilian and military systems of control of U.S. nuclear weapons (Born 2006; Feaver 1992; Nolan 1989). Commenting on the political debate that culminated in the 1946 passage of the Atomic Energy Act, for example, Bazerman (2001, 267) notes, "At no point, interest ingly, **did the definition of civilian control [ever]** seriously includethe actual voting citizenry of the United States or other nations, nor did the issue of access to information This become framed in relation to general public access." And even in the relatively open system of postwar American democracy, note Dalton et al. (1999, 12), "a corporate culture [of nuclear weapons production] was created in which **a broader public accountability was** systematically de-emphasized **from the top down**."

Dahl (1985) argues that guardianship has been **the de facto system** of U.S. nuclear governance in the Cold War era. In this system, a minority of technocratic and military elites contrasts their expert knowledge and patriotic commitment with that of the general citizenry. Because these elites control the ideological terms on which that contrast is performed, **they are able to conclude that the needs of citizens are best served by** the elites' exclusive control of decisions concerning nuclear security and risk. In presuming that citizens are inherently unqualified to participate in arcane matters of nuclear gov ernance, and in perpetuating conditions of secrecy to inhibit that participation, **guardianship is both** anti-democratic **and** autonomous. It fosters an authoritative "priesthood" culture among nuclear professionals, in which their sense of entitlement **protects them from inconvenient challenges raised by popular voice**. In the discourse of guardianship, formal responsibility for and custody of nuclear weapons are infused with a solemn morality (Taylor 2007, 205).

The implications of this condition for nuclear democracy generally—**and constitutional constraints on presidential war powers, specifically**—are quite serious. The president is believed to be **the only one who can authorize the launch of nuclear weapons** and is commonly viewed as having the right to do so under conditions of attack. Although he is required to discuss options with advisors before transmitting his decision (and launch command codes) to military commanders, the president also has the right to predelegate launch authority to those commanders (Born 2006, 26-27). This right has been exercised throughout the Cold War in periods of crisis, and historians have demonstrated that those commanders have subsequently exercised their operational autonomy in ways that undermine declared policies (Nolan 1989; Rosenberg 1983). Additionally, Falk notes (1982, 3), "Political leaders in the United States have failed throughout the nuclear age to consult with, or disclose to, the public the occasions on which the use of nuclear weapons was seriously contemplated." This situation has created **a frightening and** largely unacknowledged **gap** between official policies of nuclear control and actual military practices **that has** heightened nuclear risk and created an ongoing mystery regarding whether and how the ideals of democratic rule are preserved in moments of crisis. Throughout the Cold War, **this problem plagued demophobic Realists** who feared on the one hand that "excessive [nuclear] power in the hands of an aroused or angry citizenry could lead to more than political upheaval and revolution; it **could lead to annihilation**" (Rosenthal 1991, 123) and, on the other, that near-disasters such as the 1962 Cuban missile crisis demonstrated an unacceptable level of risk created by nuclear elites. For philosopher Elaine Scarry (1990), **the problem of centralization is** fundamentally moral: the semi automated status of nuclear weapons subverts a requirement of democratic rule that bodies which may be destroyed in war must have the opportunity to consent to their conscription and deployment.

#### A failure to challenge this centralization of knowledge within the bureaucracy both within and outside debate is disastrous—this consensus implicitly displaces decisionmaking into the hands of elites—this makes nuclear warfare inevitable

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(Edward, *Defining Reality: Definitions and the Politics of Meaning* pg 138-139, dml)

Farrell and Goodnight have suggested that the status of deliberative argument is constrained by “prevailing conceptions of the public” (1981, 299). It is clear that with regard to nuclear issues, the public has been and still is conceived **as a crowd to be calmed rather than** co-creators of public policy (cf. Park 1972). Demonstrating that the relationship between language and public attitudes has been recognized almost from the start, the 1950 book How to Survive an Atomic Bomb laments the fact that people have been scared by the words “radiation” and “radioactivity” and condemns the “loose talk” about the atomic bomb and the “rays” it makes (Gerstell 1950, 22). The public’s fears concerning atomic war in the early 1950s are well known. Accordingly, it is hard to believe that it was an accident that in 1953 the Atomic Energy Commission named measured amounts of radiation as “Sunshine Units” (Hilgartner, Bell, and O’Connor 1982, 219). During the development and testing of the hydrogen bomb, President Dwight D. Eisenhower reportedly suggested to the chairman of the Atomic Energy Commission in May of 1953 that “we leave ‘thermonuclear’ out of press releases and speeches. Also ‘fusion’ and hydrogen.’” Eisenhower was reported to have said, “[K]eep them confused as to ‘fission’ and ‘fusion’” (U.S. Congress 1979, 151). Domestication of nuclear issues renders them accessible to the public, but in a trivial manner. **There is no need to deliberate over that which is not a problem or threat**. **Bureaucratization of nuclear issues** insulates them **from public inspection and critical appraisal**; indeed, as rhetorical critic Rebecca S. Bjork notes, technological issues “are shielded from public debate **due to the** cult of expertise surrounding technology, the specialized language of technicians, and the sense of awe and wonder concerning technology” (1992, 116). **The result of nukespeak is a** further decline **in** the public sphere of argumentation. Nukespeak “covertly tends to **quell citizen involvement and decision-making about the nuclear arms race**” (Totten 1984, 44). Maxine Greene, in an essay advocating that peace education be critical of positivism and “technical talk and control,” warned that “danger lies” in **the public’s acceptance of a reality** defined by “official others” (1982, 130). In Greene’s view, failure to critique self-confirming interpretations is disastrous: “The more people are drawn into technical talk and **the belief that some Other has the right to define the world**, the more likely a nuclear war will be” (134).

#### The attempt to render nuclear weapons controllable in the hands of bureaucratic elites is a quixotic task that maintains the possibility of collective nuclear suicide.

Masco 12. Joseph Masco, Professor of Anthropology and of the Social Sciences at the University of Chicago, “The Ends of Ends,” Anthropological Quarterly [Volume 85, Number 4, Fall 2012](http://muse.jhu.edu/journals/anthropological_quarterly/toc/anq.85.4.html), pg. 1118

The scale of destruction detailed in sIOP-62 is a distinctive moment in human history and is, in Kant’s strict technical sense of the term, sublime. It is beyond comprehension, which raises a crucial issue about how the nuclear state resolves such terror/complexity. In national security plan- ning, the compensation for this experience of cognitive overload was a fixation on command and control, as well as the articulation of specific war calculations, marking degrees of violence for different nuclear war scenarios (see Kahn 1960, Eden 2004). What would likely be an unknown chaos of missiles and bombs launched for the first time from a vast range of technologies, located all over the planet under deeply varied condi- tions, appears on paper as a rational program of cause and effect, threat and preemption, attack and counter attack. this was an apocalyptic vi- sion presented simply as math. From 1962 until today, the sIOP nuclear war plan has been continually revised and rationalized for different global political contexts but never truly abandoned (McKinzie, cochran, Norris, and Arkin 2001). the US maintains the ability to destroy all major popula- tion centers outside the continental US within a few minutes of nuclear conflict. It is important to recognize that this technical capacity to deliver overwhelming violence to any part of the world in mere minutes has relied on structures of the imagination as well as on machines, threat projec- tions, and fantasies, as well as physics and engineering.

US policymakers have experienced many moments of rupture in their global vision, shocks that might have recalibrated how threat, security, fears, and technology were organized. After U-2 pilot Gary Powers was shot down over the soviet Union in 1960, covert spy flights over the Ussr were stopped, leaving policy makers in the Us with no definitive intelligence on soviet military activities. It is difficult today to imagine a period more fraught, more susceptible to paranoid fantasy and projection, and more primed for nuclear conflict. US policymakers lacked basic information about Soviet society and military capabilities, creating a huge information gap that invited speculation and fantasy, as well as paranoia. In a national security culture rehearsing surprise attack, and negotiating increasing confrontations in Europe, southeast Asia, Africa, and Latin America, what could provoke a de-escalation in this nuclear system, which by the early 1960s was already primed for nuclear war on a minute-to-minute basis? the corona system offered a radically new perspective on cold War reali- ties but its role has been historically and culturally limited to revealing the objective facts of soviet nuclear capabilities, not the American fantasies that generated the “missile gap” in the first place.

the corona system was both cutting edge technology and a new form of expressive culture, an early planetary technology mobilized to com- bat official panic. The missed opportunity provided by the first corona photographs was to evaluate the fantasies and paranoia of an American military system that had so thoroughly misjudged the scale of the soviet technological capabilities that preemptive nuclear war was under consid- eration. Instead, the “missile gap” narrative was never publicly retracted, and the satellite photographs that proved this major discourse of the cold War to be false were classified top secret until 1995. Classification pro- tected the technology, but also the self-critique that corona photographs might have generated of official US projections. thus, an opportunity for a public discussion of how national fears are constituted out of a lack of information, fantasy, and political demonology was lost. Instead, a new effort to normalize nuclear crisis was pursued. the Us nuclear stockpile grew to over 30,000 weapons by the end of the 1960s, and space became an increasingly militarized domain. the sIOP target list would continue to grow through the 1980s, eventually including tens of thousands of global targets and constituting a nuclear war system so complex that it is very likely that no single human being understood its internal logics or likely effects. American ideologies of nuclear fear constantly threaten to over- whelm the material evidence of danger, and have become a core part of a now multigenerational commitment to militarism for its own sake. by 2011, the result is that the US spends as much as the rest of the world combined on military matters but has not yet achieved anything like “security.”

The corona system offers us, in Benjamin’s terms, an important oppor- tunity to “brush history against the grain” as it was both a technological marvel—a demonstration of the power of instrumental rationality—and a stark reality check on Us national security culture itself, offering a new optics on the psychopolitics of cold War (Orr 2006). the first photographic survey of the soviet Union from outer space showed that US policymakers took the world to the brink of nuclear war in response to their fantasies of soviet power, not the reality of soviet capabilities. this well documented insight might have produced a fundamental rethinking of how threat, secu- rity, and nuclear power were organized in the Us, establishing a caution- ary tale at the very least. but instead the corona photographs remained a highly classified set of facts through the cold War. this secrecy enabled a system of nuclear normalization to be reinforced rather than interrogated, securing the project of cold War for the next 30 years. In the end, the new optics offered by corona (on both soviet machines and American fanta- sies) were reduced simply to a push for new space technology—higher resolution photographs, better real time transition of data, and so on. In other words, the structure of the security state did not change even when confronted with evidence of its own fantasy projections and error. the “success” of corona ultimately produced an American cold War project even more focused on technological innovation and the projection of nu- clear power rather than one capable of re-thinking its own cultural terms, expert logics, or institutional practices.

The constant slippages between crisis, expertise, and failure are now well established in an American political culture. the cultural history of cold War nuclear crisis helps us understand why. Derrida (1984), work- ing with the long running theoretical discourse on the sublimity of death (which links Kant, Freud, and benjamin), describes the problem of the nuclear age as the impossibility of contemplating the truly “remainderless event” or the “total end of the archive.” For him, nuclear war is “fabulously textual” because until it occurs all you can do is tell stories about it, and because to write about it is to politically engage in a form of future making that assumes a reader, thus performing a kind of counter-militarization and anti-nuclear practice. In the early 1960s, the US nuclear war policy was officially known as “overkill,” referencing the redundant use of hydrogen bombs to destroy targets (rosenberg 1983). This “overkill” installs a new kind of biopower, which fuses an obliteration of the other with collective suicide. the means to an end here constitutes an actual and total end, making the most immediate problem of the nuclear age the problem of dif- ferentiating comprehension from compensation in the minute-to-minute assessment of crisis.

this seems to be a fundamental problem in Us national security cul- ture—an inability to differentiate the capacity for war with the act itself, or alternatively to evaluate the logics of war from inside war. today, space is filled with satellites offering near perfect resolution on the surface of the earth and able to transmit that data with great speed and precision to com- puters and cell phones, as well as early warning systems, missiles, and drones. What we cannot seem to do is find an exterior viewpoint on war itself—a perspective that would allow an assessment not only of the real- ity of conflict but also of the motivations, fantasies, and desires that sup- port and enable it. Indeed expert systems of all sorts—military, economic, political, and industrial—all seem unable to learn from failure and instead in the face of crisis simply retrench and remobilize longstanding and obvi- ously failed logics. War, for example, is not the exception but the norm in the US today—which makes peace “extreme.” so what would it take for Americans to consider not only the means to an end—that is, the tactics, the surges, the preemptions, and surgical strikes—but also to reevaluate war itself? What would it take to consider an actual end to such ends?

#### The United States federal government should substantially increase restrictions on the President of the United States’ war powers authority over the introduction of nuclear Armed Forces into hostilities.

#### The 1AC establishes a counter-hegemonic structure of deliberation to check executive excess—the president’s ability to set the terms of debate as inaccessible to the public represents the imposition of an authoritarian telos on the future of nuclear policy—our act of dissensus serves as an irruption of a radically unknown nuclear future into the present—this is critical to correct course from an insulated executive characterized by utter ressentiment

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(Simon, “The ticking bomb: Speed, liberalism and ressentiment against the future”, Contemporary Political Theory10.2 (May 2011): 147-165, dml)

The notion of a 'rift in time', and experiences of radical newness, do not just challenge the validity of a particular narrative. Instead they challenge **the very possibility of this kind of teleological narrative** of a mechanical unfolding of time. The awareness of the rift in time which speed brings produces what Rosa calls the ' " de-temporalization of life " where life is no longer planned along a line that stretches from the past into the future' (Rosa, 2003, p. 19). In doing so, the rift functions as an existential threat to a community's self-understanding. Connolly says 'Attention to the rift ... sow(s) anxiety in those who seek closure in ... territorial conceptions of politics and ethical sensibilities' (2002, p. 146). Speed is one of the vectors that can force attention to the rift. And a generalized social acceleration means many more such experiences of speed, and hence more moments of anxiety (Rosa, 2003, p. 19). Speed puts pressure on the universals and implicit teleologies of liberalism and thus challenges its sense of identity. Connolly continues by saying 'When the tempo of life accelerates it now takes more political work to protect the assumption that the identities layered into us conform to a universal model commanded by a god or decreed by nature' (2002, p. 158). This anxiety, **this sense of existential crisis, can crystallize into** what Nietzsche terms ressentiment, a reactive cultural dynamic which is unable to come to terms with a temporality **which seems unresponsive to the demand for universal norms and a teleological narrative of political identity**. This ressentiment against an open future - against an ateleological future - then **expresses itself through an attempt to** impose a telos on the future.

In this context, **the move to** **increasing executive power takes on a new coloring**. I read this shift to governance via executive prerogative not solely as a political maneuver, done for the sake of expediency, but rather as **an existential maneuver**, **to secure an** identity **and a** narrative. In times of crisis says Connolly, there is always a tendency to 'reinstate forcefully authoritative understandings' (p. 146). A unitary executive **is ideally suited to provide** a unitary account **of events**, one that will challenge the collective identity as little as possible, or at the very least, re-establish **the conditions of possibility for a stable narrative and identity**. The executive's right of 'authority' is linked to a duty of 'authorship', to write a new narrative; or rather, to write new events into the old narrative, to make the new gibe with the old, to extend the present into the future.

At this point, one might ask **why can this job not be carried out by the legislative branch**, which is to say by a democratic, pluralistic decision-making body? After all, **under normal conditions this is not viewed as a threat** to the collective narrative and identity. Well, the key term there is 'normal conditions'. Under the everyday functioning of government the historical narrative and identity of the polity are relatively intact and awareness of the rift in time is suppressed. As such debate and negotiation **can be trusted** not to upset the existential apple cart. But in times of crisis, narrative and identity are called into question, and as such **there is** no telling **what sorts of renegotiations might emerge** from democratic debate and what changes might be made to the narratives and identities with which we have become comfortable. And when a generalized social acceleration expands this time of crisis, producing a general existential anxiety, and this anxiety becomes crystallized into a general ressentiment against the future, **a move towards government via** executive fiat **becomes increasingly attractive.**

In the case of liberalism then, what we see is an ideology torn between its democratic ideals, and a temporal narrative which seeks to project these ideals (in the form of a particular political community) into the future. In principle, these two should work together in tandem. But in practice, the rift in time puts the second in jeopardy, and therefore puts the two at odds. In such a situation, the political community is forced to decide **between its ideals or the security of a settled narrative of political identity** (ironically even when that identity is rooted in those same ideals). Thus we are treated to the paradoxical image of, for example, the Bush administration authoring a narrative of advancing freedom, democracy and liberty, **through a campaign premised on** ignoring **the rule of law, and** marginalizing democratic deliberation.

This is not to say that liberalism, or liberal democracies, are inherently doomed to shift away from democracy.3 However, **avoiding this desire to hand over control to a** unitary**,** authoritative **executive means**, in at least someway, learning **to loosen one's attachment to a particular teleological narrative**, and to reaffirm one's commitment **to** **democratic deliberation,** even (or especially) in the face of **an** open **and** uncertain **future**. Such an approach would require the development and reinforcement of a liberalism that is willing to accede to the event, to think in terms of an open future and, in at least some way, to embrace speed. 4

This is by no means an easy task, and requires **the ability to** give up the sense of security **that a stable teleological projection of identity provides**. 'That is why', says Connolly, 'so many queasy democrats want to slow the world down in the name of democracy. They are worn out by the workload imposed upon them' (p. 158). That workload however, is the very thing **that is supposed to be the** central function **of democracy**: the collective production of identity and community. If we are unwilling to accept democracy in the face of an uncertain future, **then we were never truly democrats in the first place**.

What is more, far from being inefficient, this reaffirmation to democracy **can have** potentially positive effectsin terms of legislation. If we return to the discussion of the ticking bomb with which this article begins, we might notice that one of the frequent arguments for the expansion of executive power lies in what John Yoo refers to as **the 'cost of inaction'** (2005, p. x). It is important to note he does not mention a concomitant danger of action; **the danger of acting** too quickly. Indeed, in retrospect, in the case of the Iraq war, we can see that **it would have been exceedingly** desirable **if the 'vetoes of multiple decisionmakers' had been allowed 'to block warmaking**' (p. x). In this case, the political process **would have been** well served **with a touch of inefficiency** (**or rather**, with a touch of more patience **and** thoughtfulness). A willingness to accept the uncertainty and insecurity of the rift in time might also make us **more willing to accept bouts of 'inaction'**, **to allow for additional** debate **and** discussion**, thus hopefully avoiding overreaction and** unnecessary violence.

With this analysis we begin to see that the apparently urgent rush through deliberation is frequently not simply necessitated by the pace of events, but rather **by a** fear **and** ressentiment **over where that deliberation might lead**. **None of this is to** deny **the fact that are not some real 'ticking bombs' in the world** (though none so pure and ideal as the one laid out in the thought experiment). **But they are** few **and** far between. And the idea that they are, universally, incapable of being dealt with through democratic deliberation, **is** by no means **an established fact or a foregone conclusion.**

#### Debate is a uniquely important space for this—the impulse to constrain deliberation within certain rhetorical frames naturalizes the nuclear demophobia at the heart of militaristic policymaking—the impact is endless war—even if they win a nuclear topicality argument, we’ll win our aff is still an important aspect of the topic because nuclear rhetoric is crucial to justify executive power

**Taylor 7**—University of Colorado-Boulder [ableist language modified]

(Bryan, “‘The Means to Match Their Hatred’: Nuclear Weapons, Rhetorical Democracy, and Presidential Discourse”, Presidential Studies Quarterly, Vol. 37, No. 4, Shadows of Democracy in Presidential Rhetoric (Dec., 2007), pp. 667-692, dml)

Rhetorical scholars thus view speech in democracy as "the medium within which **the** ethical self-government **of autonomous individuals can be articulated** with the imperatives of democratic governance" (Hicks 2002, 224). They reconceptualize ideals of deliberative democracy such as inclusion, equality, and reason to rigorously assess their associated discursive practices. They raise questions about how these practices hail citizens to participate in the democratic process as particular kinds of acting subjects, endow them with a sense of entitlement and agency, mediate their understanding of others' interests and the effects of their actions upon those interests, and develop their ability to not only competently reason together within existing structures **but to** critique **and** transform **those structures to ensure that their limitations as means do not subvert democratic ends** (Cloud 2004, 79)- Of particular concern here is the hegemony in democracy of "reason" as **a framing standard** (i.e., of rationality) and a conventional practice of accountability **that** constrains deliberation **through normalized assumptions** **concerning the** source **and** range **of legitimate support for expression** and the ontological status of political interests in relation to language (Welsh 2002). **In challenging those assumptions**, rhetorical scholars rigorously critique the ethics and politics of self described democratic discourse. They ensure that it **does not** prematurely foreclose **the expression of relevant interests** and that it **encourages their** patient **and** ethical **cultivation** as a resource for innovative transformation of self and other. Finally, rhetorical scholars of democracy oppose corrosive discourse which forecloses the possibility of achieving mutual identification between opponents and thus cooperation.

In his related critique of rhetoric surrounding the global war on terror, Robert Ivie (2005) establishes that the continued degradation of American political culture **stems from long-standing** "demophobia." In this condition, democracy is an ideal that **must be enforced on international others** to preserve essential American interests. Simultaneously, however, **it is viewed as a** threatening source of domestic dissent **and change** that offends the republican and federalist sense of political order. Ivie unflinchingly probes this throbbing paradox in the history of U.S. war making: even as they claim to serve democracy through military adventurism abroad, U.S. officials **consistently distort the interests of their opponents** and ~~cripple~~ [devastate] citizen deliberation. They do so through use of **a "decivilizing" rhetoric** that blends irrational, aggressive, rigid, paranoid, and exceptionalist discourses to **demonize Other-ness** **and** delegitimate domestic dissent. The conse quences of this practice, Ivie argues, are grave indeed. It **degrades cultural diversity required for** successful adaptation **to changing political conditions**; it suppresses the contradiction between the ideal of deliberation and the coercive use of armed force; it **exacerbates tensions that lead to** war's irrevocable destruction; **and it** marginalizes alternate formats(such as poetry) that may serve political deliberation. Ivie's solution to these problems is neither direct nor simple: he calls for nothing less than a radical reorientation to the possibilities of political discourse. Here, political speakers would privilege the comic pole of Burkean discourse and reject short-sighted, cynical, desperate, and self-indulgent discourses. Instead, political actors resign themselves to **continuous and "adventurous" struggle** (Peterson 2007) and cultivate **the civil possibilities of rhetoric and performance for achieving** tolerance**,** coexistence**, and** dialogue. As a result, militarist and imperialist discourses of national security that have **attained unwarranted authority and autonomy may be rejoined with a** full range **of democratic voices**.

The presidency is a rich site for this inquiry. It is an article of faith among rhetoricians that presidents not only represent "the people" in their public speech but also strategically **constitute citizen identities**—and influence associated actions—**by symbolically depicting the demos in ways that** serve administration agendas (Campbell and Jamieson 1990, 5-6; Ivie 2005, 162; Medhurst 1996, xvii). In characterizing its tradi tions, essences, and missions, **presidential rhetoric shapes how the American public imagines** the possibilities for its participation in deliberation. Their rhetoric also scripts the content of frames and arguments that **citizens might bring to that activism** (Stuckey and Antczak 1998, 420). Here, critics note how presidential rhetoric provides specific, persuasive definitions of conditions, events, actors, and policies (Kuypers 1997) and also, more broadly, constitutes political culture as the source of meanings and practices that sustain or subvert robust democracy. One example here includes the negotiation by Cold War-era presidents of the diminishing possibilities for heroic action created by mutual assured destruction (MAD) as a castrating institutionalization of vulnerability (Beasley 2001, 22; Chaloupka 1992; Engelhardt 1998).

#### Nuclear weapons are fabulously textual—the text is what matters.

**Derrida 84**—analyst for Fox News

(Jacques, “No Apocalypse, Not Now (Full Speed Ahead, Seven Missiles, Seven Missives)”, Diacritics, Vol. 14, No. 2, Nuclear Criticism (Summer, 1984), pp. 20-31, dml)

Now I shall venture to say that in spite of all appearances this specialty is what entitles us, and doubly so, to concern ourselves seriously with the nuclear issue. And by the same token, if we have not done so before, this entitlement, this responsibility that we would thus have been neglecting until now, directs us to concern ourselves with the nuclear issue- first, inasmuch as we are representatives of humanity and of the incompetent humanities which have to think through as rigorously as possible the problem of competence, given that the stakes of the nuclear question are those of humanity, of the humanities. How, in the face of the nuclear issue, are we to get speech to circulate not only among the self-styled competent parties and those who are alleged to be incompetent, but among the competent parties themselves. For we are more than just suspicious; we are certain that, in this area in par- ticular, there is a multiplicity of dissociated, heterogeneous competencies. Such knowledge is neither coherent nor totalizable. Moreover, between those whose competence is techno- scientific (those who invent in the sense of unveiling or of "constative" discovery as well as in the sense of production of new technical or "performing" mechanisms) and those whose competence is politico-military, those who are empowered to make decisions, the deputies of performance or of the performative, the frontier is more undecidable than ever, as it is between the good and evil of all nuclear technology. If on the one hand it is apparently the first time that these competencies are so dangerously and effectively dissociated, on the other hand and from another point of view, they have never been so terribly accumulated, concentrated, entrusted as in a dice game to so few hands: the military men are also scien- tists, and they find themselves inevitably in the position of participating in the final decision, whatever precautions may be taken in this area. All of them, that is, very few, are in the posi- tion of inventing, inaugurating, improvising procedures and giving orders where no model- we shall talk about this later on - can help them at all. Among the acts of observing, reveal- ing, knowing, promising, acting, simulating, giving orders, and so on, the limits have never been so precarious, so undecidable. Today it is on the basis of that situation- the limit case in which the limit itself is suspended, in which therefore the krinein, crisis, decision itself, and choice are being subtracted from us, are abandoning us like the remainder of that subtrac- tion - it is on the basis of that situation that we have to re-think the relations between know- ing and acting, between constative speech acts and performative speech acts, between the invention that finds what was already there and the one that produces new mechanisms or new spaces. In the undecidable and at the moment of a decision that has no common ground with any other, we have to reinvent invention or conceive of another "pragmatics."

Third reason. In our techno-scientifico-militaro-diplomatic incompetence, we may con- sider ourselves, however, as competent as others to deal with a phenomenon whose essen- tial feature is that of being fabulously textual, through and through. Nuclear weaponry depends, more than any weaponry in the past, it seems, upon structures of information and communication, structures of language, including non-vocalizable language, structures of codes and graphic decoding. But the phenomenon is fabulously textual also to the extent that, for the moment, a nuclear war has not taken place: one can only talk and write about it. You will say, perhaps: but it is not the first time; the other wars, too, so long as they hadn't taken place, were only talked about and written about. And as to the fright of imaginary anticipation, what might prove that a European in the period following the war of 1870 might not have been more terrified by the "technological" image of the bombings and extermina- tions of the Second World War (even supposing he had been able to form such an image) than we are by the image we can construct for ourselves of a nuclear war? The logic of this argument is not devoid of value, especially if one is thinking about a limited and "clean" nuclear war. But it loses its value in the face of the hypothesis of a total nuclear war, which, as a hypothesis, or, if you prefer, as a fantasy, or phantasm, conditions every discourse and all strategies. Unlike the other wars, which have all been preceded by wars of more or less the same type in human memory (and gunpowder did not mark a radical break in this respect), nuclear war has no precedent. It has never occurred, itself; it is a non-event. The explosion of American bombs in 1945 ended a "classical," conventional war; it did not set off a nuclear war. The terrifying reality of the nuclear conflict can only be the signified referent, never the real referent (present or past) of a discourse or a text. At least today apparently. And that sets us to thinking about today, our day, the presence of this present in and through that fabulous textuality. Better than ever and more than ever. The growing multiplication of the discourse- indeed, of the literature-on this subject may constitute a process of fearful domestication, the anticipatory assimilation of that unanticipatable entirely-other. For the moment, today, one may say that a non-localizable nuclear war has not occurred; it has exis- tence only through what is said of it, only where it is talked about. Some might call it a fable, then, a pure invention: in the sense in which it is said that a myth, an image, a fiction, a utopia, a rhetorical figure, a fantasy, a phantasm, are inventions. It may also be called a speculation, even a fabulous specularization. The breaking of the mirror would be, finally, through an act of language, the very occurrence of nuclear war. Who can swear that our unconscious is not expecting this? dreaming of it, desiring it? You will perhaps find it shock- ing to find the nuclear issue reduced to a fable. But then I haven't said simply that. I have recalled that a nuclear war is for the time being a fable, that is, something one can only talk about. But who can fail to recognize the massive "reality" of nuclear weaponry and of the ter- rifying forces of destruction that are being stockpiled and capitalized everywhere, that are coming to constitute the very movement of capitalization. One has to distinguish between this "reality" of the nuclear age and the fiction of war. But, and this would perhaps be the imperative of a nuclear criticism, one must also be careful to interpret critically this critical or diacritical distinction. For the "reality" of the nuclear age and the fable of nuclear war are perhaps distinct, but they are not two separate things. It is the war (in other words the fable) that triggers this fabulous war effort, this senseless capitalization of sophisticated weaponry, this speed race in search of speed, this crazy precipitation which, through techno-science, through all the techno-scientific inventiveness that it motivates, structures not only the army, diplomacy, politics, but the whole of the human socius today, everything that is named by the old words culture, civilization, Bildung, schol, paideia. "Reality," let's say the encom- passing institution of the nuclear age, is constructed by the fable, on the basis of an event that has never happened (except in fantasy, and that is not nothing at all),\* an event of which one can only speak, an event whose advent remains an invention by men (in all the senses of the word "invention") or which, rather, remains to be invented. An invention because it depends upon new technical mechanisms, to be sure, but an invention also because it does not exist and especially because, at whatever point it should come into existence, it would be a grand premiere appearance.

Fourth reason. Since we are speaking of fables, of language, of fiction and fantasy, writing and rhetoric, let us go even further. Nuclear war does not depend on language just because we can do nothing but speak of it - and then as something that has never occurred. It does not depend on language just because the "incompetents" on all sides can speak of it only in the mode of gossip or of doxa (opinion)- and the dividing line between doxa and episteme starts to blur as soon as there is no longer any such thing as an absolutely legitimizable competence for a phenomenon which is no longer strictly techno-scientific but techno-militaro-politico-diplomatic through and through, and which brings into play the doxa or incompetence even in its calculations. There is nothing but doxa, opinion, "belief." One can no longer oppose belief and science, doxa and epistemb, once one has reached the decisive place of the nuclear age, in other words, once one has arrived at the critical place of the nuclear age. In this critical place, there is no more room for a distinction between belief and science, thus no more space for a "nuclear criticism" strictly speaking. Nor even for a truth in that sense. No truth, no apocalypse. (As you know. Apocalypse means Revelation, of Truth, Un-veiling.) No, nuclear war is not only fabulous because one can only talk about it, but because the extraordinary sophistication of its technologies-which are also the technologies of delivery, sending, dispatching, of the missile in general, of mission, missive, emission, and transmission, like all techne-the extraordinary sophistication of these technologies coexists, cooperates in an essential way with sophistry, psycho-rhetoric, and the most cursory, the most archaic, the most crudely opinionated psychagogy, the most vulgar psychology.

## 2AC

### first t

#### This evidence also substantiates a we meet argument—intellectual discussion is a restriction

**Taylor and Hendry 8**—University of Colorado-Boulder AND Department of Communications at the University of New Mexico [SSP=Stockpile Stewardship Program]

(Bryan and Judith, “INSISTING ON PERSISTING: THE NUCLEAR RHETORIC OF "STOCKPILE STEWARDSHIP"”, Rhetoric & Public Affairs11.2 (Summer 2008): 303-334, dml)

As a result, we judge official SSP rhetoric to be an institutional defense mounted **against the possibility of undesirable, externally imposed change** created as U.S. citizens consider the need for continued nuclear deterrence in the absence of a traditional superpower enemy. Our critique demonstrates **the need to** reinvigorate **the dormant nuclear-public sphere so that citizens**-and their elected officials-**can** adequately deliberate **issues surrounding management of the nuclear arsenal**. To achieve this goal, significant support **must be provided** for remedies that **empower public understanding** of associated technical, value, **and** policy **issues**. Ideally, robust programs ofeducation **and** debate would enable speakers to develop

**a** framework for discussion **that allows explicit room for** diverse interpretations, to make it possible to **recognize common goals** where they exist, acknowledge **the internal consistency of other positions**, and articulate clearly those areas where **participants can** agree to disagree.84

Subsequent deliberation should consider not only narrow technical arguments but also cherished Maintainer premises, including that SSP officials are **the sole credible and dispassionate judges of nuclear safety and reliability;** that claims of "confidence" in stockpile "reliability" are referential in nature, and not constitutive or performative; that alleged decreases of warhead safety and reliability resulting from the CTBT genuinely compromise national security; and that nuclear weapons are a necessary or effective instrument of that security. As a result, **new options for** thought **and** action **may emerge** for nuclear officials, workers, and citizens **who are currently producing**-whether by direct action or tacit consent-**the future of nuclear weapons.**

In the absence of such efforts, **deliberation** surrounding stockpile stewardship **will default to its** traditional "guardianship" structure, in which scientific, military, and policy elites presume to control that process **in order to protect the public from itself**. Indeed, this presumption is exacerbated by the SSP's "surprisingly strong assumption that the function of the stockpile as a deterrent is based on the credibility of weapons designers and engineers, rather than the technical characteristics of the weapons themselves."85 One means of transforming this rhetorical situation, then, **involves** directly engaging **the incongruity** between nuclear officials' nominal deference to the demos as owner of the nuclear object, **and their actual wariness of citizen voice**. Far from intruding on the domain of nuclear policy, citizens **and** scholars **engaging in this debate** **would be performing** necessary-and otherwise neglected-oversight functions. As rhetorical critic David J. Tietge notes, it is a characteristic of the Cold War that nuclear scientists had time to create, but not to adequately anticipate or reflect upon the appropriations and consequences of their creations.86

### second t

#### Presidential authority over armed forces includes nukes

DOD 13—Department of Defense Directive (4/24/13, DoD Nuclear Weapons Surety Program, <http://www.dtic.mil/whs/directives/corres/pdf/315002p.pdf>, RBatra)

3. POLICY.

It is DoD policy that:

a. The President, as Commander in Chief of the Armed Forces, is the sole authority for the employment of U.S. nuclear weapons.

#### Deployed nuclear weapons are part of the Armed Forces

**DOD 5**—from the Dictionary of Military and Associated Terms, hosted on the Free Dictionary

(“deployed nuclear weapons”, <http://www.thefreedictionary.com/deployed+nuclear+weapons>, dml)

2. Those nuclear weapons specifically authorized by the Joint Chiefs of Staff to be transferred to the custody of the storage facilities or carrying or delivery units of the Armed Forces.

#### Counterinterpretation: USAF is the 4 branches, not just troops, and hostilities means violent actions, any other interpretation is a fiction

**Horton 11** (Scott Horton, lecturer at Columbia Law School, former president of the International League for Human Rights, “Up in Smoke,” 11/25/11) http://www.foreignpolicy.com/articles/2011/10/25/up\_in\_smoke?page=full

The Obama team also stepped around the War Powers Resolution. It issued brief reports to Congress after hostilities had been commenced, but it did not recognize the resolution as being applicable to the Libya campaign. The Obama view was not, as Republican administrations since Nixon have asserted, that the resolution was an unconstitutional intrusion on presidential prerogatives. Rather, it took aim at the resolution's definition of "hostilities" -- a term consciously adopted to include actions far short of war -- and argued that the operations in Libya could not be viewed as covered. State Department Legal Advisor Harold Koh advanced this view in a hearing before Congress on June 15, the same date on which the Obama team delivered its report on actions in Libya. At this point, U.S. involvement in the Libyan campaign consisted of "occasional strikes by unmanned Predator UAVs," the report argued. The administration was trying to saddle the term "hostilities" with the relatively narrow constitutional sense of the word "war," but Congress plainly opted to use "hostilities" in order to capture a far wider array of military actions. As various scholars have noted, "hostilities" has a well-established meaning in international humanitarian law: "the (collective) resort by the parties to the conflict to means and methods of injuring the enemy." House Speaker John Boehner and Senate Majority Whip Dick Durbin shared the same assessment: The notion that lethal drone strikes are not "hostilities" under the War Powers Resolution "doesn't pass a straight-face test." Obama's engagement with the Constitution and domestic law thus consisted of a rubber-stamp legal opinion from the OLC that made policy assumptions publicly contradicted by senior administration national security spokesmen, and a series of cute word games to deny application of the War Powers Resolution. Congress, moreover, failed to stand up for its prerogatives either by explicitly authorizing the campaign or by challenging it. Congressional leaders were too obsessed with partisan gamesmanship and too indifferent to the fate of their own constitutional powers to do either. The Libya campaign thus turns into another vindication of executive war-making powers, and a demonstration of Congress's institutional lack of gravitas when dealing with minor foreign conflict.

#### Armed forces includes nuclear weapons

**Manuel 12**

JD @ U San Diego Law, has practiced criminal defense, mainly before federal courts. His practice includes representing clients in all areas of criminal law, limited civil litigation, and civil rights violations

(Victor, “Is the Second Amendment outdated?,” <http://www.victortorreslaw.com/blog/is-the-second-amendment-outdated.html>)

The Second Amendment to the Constitution prevents the government from infringing individual rights to keep and bear arms. As a part of the Bill of Rights, the Second Amendment.is apart of the bulwark of individual rights protections that the Framers felt necessary to include in the Constitution. But where did the right originate and what was its purpose?¶ As with most of our laws, their origin was in England. For many years prior to the American Revolution the English folk were in conflict with the King and Parliament. Part of the conflict was over attempts by the King to disarm his subjects and whether there should be a standing army during peacetime. These were times in which the most lethal weapons were muskets and canon.¶ Times have changed. Today, no one questions the need for the government to maintain a standing army for the common defense, even in peacetime. Today’s modern armed forces include nuclear weapons, cruise missiles and smart bomb technology. In the event that a tyrannical government overcomes the will of the people is it realistic to believe that groups of citizens will be able to use armed revolt with assault weapons and other legally available firearms to successfully defeat the government? The result of such thinking is playing out today in Syria. Fighting in the streets, mass civilian slaughters and untold human suffering.

#### Specifically they’re in the air force

**Gale Group 13**

(“The U.S. Armed Forces,” <http://ic.galegroup.com/ic/ovic/ReferenceDetailsPage/ReferenceDetailsWindow?zid=4340464f1a188e44d93d0820d3aa2151&action=2&catId=GALE%7CAAA000008432&documentId=GALE%7CPC3010999001&userGroupName=centpenn_itc1&jsid=3eb14c1ea53ebe29fcaddb2652a5e1bc>)

While the overall aim of the U.S. Armed Forces is to protect the United States and its people, each of the service branches has a specific role. The role of the U.S. Army, for example, is to defend and protect the United States as well as its interests through use of ground troops, tactical nuclear weapons, tanks, artillery, and helicopters. As of 31 July 2010, there were 567,167 personnel in the U.S. Army.¶The Air Force defends and protects the United States and any U.S. interests in space and air, often using tanker aircraft, bomber aircraft, transport aircraft, and helicopters. The U.S. Air Force is in charge of the nuclear ballistic missiles and military satellites, as well. As of 31 July 2010, there were 336,031 personnel in the U.S. Air Force.

#### Prefer our definition – construing the phrase narrowly is ahistorical nonsense that kills precision, nuking someone is entering our forces into hostilities

**Fisher 11** (Louis Fisher, Scholar in Residence, The Constitution Project, testimony to the Committee on Senate Foreign Relations, “LIBYA AND WAR POWERS,” 6/28/11)

The Obama administration has been preoccupied with efforts to interpret words beyond their ordinary and plain meaning. On April 1, the Office of Legal Counsel reasoned that ``a planned military engagement that constitutes a `war` within the meaning of the Declaration of War Clause may require prior congressional authorization.`` But it decided that the existence of ``war`` is satisfied ``only by prolonged and substantial military engagements, typically involving exposure of U.S. military personnel to significant risk over a significant period.``15 Under that analysis, OLC concluded that the operations in Libya did not meet the administration`s definition of ``war.`` If U.S. casualties can be kept low, no matter the extent of physical destruction to another nation and loss of life, war to OLC would not exist within the meaning of the Constitution. If another nation bombed the United States without suffering significant casualties, would we call it war? Obviously we would. When Pearl Harbor was attacked on December 7, 1941, the United States immediately knew it was at war regardless of the extent of military losses by Japan. 4. No ``Hostilities`` Under the WPR In response to a House resolution passed on June 3, the Obama administration on June 15 submitted a report to Congress. A section on legal analysis (p. 25) determined that the word ``hostilities`` in the War Powers Resolution should be interpreted to mean that hostilities do not exist with the U.S. military effort in Libya: ``U.S. operations do not involve sustained fighting or active exchanges of fire with hostile forces, nor do they involve the presence of U.S. ground troops, U.S. casualties or a serious threat thereof, or any significant chance of escalation into a conflict characterized by those factors.`` This interpretation ignores the political context for the War Powers Resolution. Part of the momentum behind passage of the statute concerned the decision by the Nixon administration to bomb Cambodia.16 The massive air campaign did not involve ``sustained fighting or active exchanges of fire with hostile forces,`` the presence of U.S. ground troops, or substantial U.S. casualties. However, it was understood that the bombing constituted hostilities. According to the administration`s June 15 report, if the United States conducted military operations by bombing at 30,000 feet, launching Tomahawk missiles from ships in the Mediterranean, and using armed drones, there would be no ``hostilities`` in Libya under the terms of the War Powers Resolution, provided that U.S. casualties were minimal or nonexistent. Under the administration`s June 15 report, a nation with superior military force could pulverize another country (perhaps with nuclear weapons) and there would be neither hostilities nor war. The administration advised Speaker John Boehner on June 15 that ``the United States supports NATO military operations pursuant to UNSCR 1973 . . . .``17 By its own words, the Obama administration is supporting hostilities. Although OLC in its April 1 memo supported President Obama`s military actions in Libya, despite the lack of statutory authorization, it did not agree that ``hostilities`` (as used in the War Powers Resolution) were absent in Libya. Deprived of OLC support, President Obama turned to White House Counsel Robert Bauer and State Department Legal Adviser Harold Koh for supportive legal analysis.18 It would have been difficult for OLC to credibly offer its legal justification. The April 1 memo defended the ``use of force`` in Libya because President Obama ``could reasonably determine that such use of force was in the national interest.`` OLC also advised that prior congressional approval was not constitutionally required ``to use military force`` in the limited operations under consideration.19 The memo referred to the ``destruction of Libyan military assets.``20 It has been recently reported that the Pentagon is giving extra pay to U.S. troops assisting with military actions in Libya because they are serving in ``imminent danger.`` The Defense Department decided in April to pay an extra $225 a month in ``imminent danger pay`` to service members who fly planes over Libya or serve on ships within 110 nautical miles of its shores. To authorize such pay, the Pentagon must decide that troops in those places are ``subject to the threat of physical harm or imminent danger because of civil insurrection, civil war, terrorism or wartime conditions.``21 Senator Richard Durbin has noted that ``hostilities by remote control are still hostilities.`` The Obama administration chose to kill with armed drones ``what we would otherwise be killing with fighter planes.``22 It is interesting that various administrations, eager to press the limits of presidential power, seem to understand that they may not - legally and politically - use the words ``war`` or ``hostilities.`` Apparently they recognize that using words in their normal sense, particularly as understood by members of Congress, federal judges, and the general public, would acknowledge what the framers believed. Other than repelling sudden attacks and protecting American lives overseas, Presidents may not take the country from a state of peace to a state or war without seeking and obtaining congressional authority. Non-Kinetic Assistance

#### The WPR is outdated

**Chen 12**—Boston College Law

(Julia, “RESTORING CONSTITUTIONAL BALANCE: ACCOMMODATING THE EVOLUTION OF WAR”, Boston College Law Review 53 B.C. L. Rev 1767, November 2012, lexis, dml)

The War Powers Resolution was an attempt to check unbounded executive war power, but it was clearly written for a 1973-era war. n327 Technological innovation and the changing face of warfare have evolved to put modern military actions outside the scope of the Resoltion. n328 [\*1800] The result of this evolution is nearly unbounded war powers for the executive branch. n329 Nonetheless, modern military actions should be subject to the system of checks and balances established in the Constitution. n330 Without this political dialogue, the executive could spend millions of dollars, endanger American lives, and embroil the nation in international disputes more easily. n331 As stated by George Mason, the constitutional check should "clog" rather than facilitate war, and guarantee that decisions are made in the best interests of the nation. n332 To ensure a broader congressional role and achieve the appropriate balance of war powers, a new statutory framework is needed. n333

### case

#### Prolif is r00d

Gusterson 09. Hugh Gusterson, professor of anthropology at George Mason, American Anthropological Association, MIT; "Weapons and the Other in the Western Imagination": Cultural Anthropology, Vol. 14, No. 1, February 1999, pg. 111-143, muse

Thus in Western discourse nuclear weapons are represented so that "theirs" are a problem whereas "ours" are not. During the Cold War the Western discourse on the dangers of "nuclear proliferation" defined the term in such a way as to sever the two senses of the word proliferation. This usage split off the "vertical" proliferation of the superpower arsenals (the development of new and im- proved weapons designs and the numerical expansion of the stockpiles) from the "horizontal" proliferation of nuclear weapons to other countries, presenting only the latter as the "proliferation problem." Following the end of the Cold War, the American and Russian arsenals are being cut to a few thousand weapons on each side. However, the United States and Russia have turned back appeals from various nonaligned nations, especially India, for the nuclear powers to open discussions on a global convention abolishing nuclear weapons. Article 6 of the Non-Proliferation Treaty notwithstanding, the Clinton administration has declared that nuclear weapons will play a role in the defense of the United States for the indefinite future. Meanwhile, in a controversial move, the Clinton administration has broken with the policy of previous administrations in basically formalizing a policy of using nuclear weapons against nonnuclear states to deter chemical and biological weapons (Panofsky 1998; Sloyan 1998). The dominant discourse that stabilizes this system of nuclear apartheid in Western ideology is a specialized variant within a broader system of colonial and postcolonial discourse that takes as its essentialist premise a profound Otherness separating Third World from Western countries.6 This inscription of Third World (especially Asian and Middle Eastern) nations as ineradicably different from our own has, in a different context, been labeled "Orientalism" by Edward Said (1978). Said argues that orientalist discourse constructs the world in terms of a series of binary oppositions that produce the Orient as the mirror image of the West: where "we" are rational and disciplined, "they" are impulsive and emotional; where "we" are modern and flexible, "they" are slaves to ancient passions and routines; where "we" are honest and compassionate, "they" are treacherous and uncultivated. While the blatantly racist orientalism of the high colonial period has softened, more subtle orientalist ideologies endure in contemporary politics. They can be found, as Akhil Gupta (1998) has argued, in discourses of economic development that represent Third World nations as child nations lagging behind Western nations in a uniform cycle of development or, as Lutz and Collins (1993) suggest, in the imagery of popular magazines, such as National Geographic. I want to suggest here that another variant of contemporary orientalist ideology is also to be found in U.S. national security discourse. Following Anthony Giddens (1979), I define ideology as a way of constructing political ideas, institutions, and behavior which (1) makes the political structures and institutions created by dominant social groups, classes, and nations appear to be naturally given and inescapable rather than socially constructed; (2) presents the interests of elites as if they were universally shared; (3) obscures the connections between different social and political antagonisms so as to inhibit massive, binary confrontations (i.e., revolutionary situations); and (4) legitimates domination. The Western discourse on nuclear proliferation is ideological in all four of these senses: (1) it makes the simultaneous ownership of nuclear weapons by the major powers and the absence of nuclear weapons in Third World countries seem natural and reasonable while problematizing attempts by such countries as India, Pakistan, and Iraq to acquire these weapons; (2) it presents the security needs of the established nuclear powers as if they were everybody's; (3) it effaces the continuity between Third World countries' nuclear deprivation and other systematic patterns of deprivation in the underdeveloped world in order to inhibit a massive north-south confrontation; and (4) it legitimates the nuclear monopoly of the recognized nuclear powers.

### cp

#### Vote aff, not neg. Comparative evidence.

**Foucault 88**—DHeidt’s crime-fighting alter-ego

(Michel, interview with Alessandro Fontana, *Politics, Philosophy, Culture: Interviews and Other Writings, 1977-1984* pg 51-52, dml)

FOUCAULT I believe too much in truth **not to suppose that there are different truths and different ways of speaking the truth**. Of course, **one** can't expect **the government to tell the truth**, the whole truth, and nothing but the truth. On the other hand, **we can demand of those who govern us** a certain truth **as to** their ultimate aims**,** the general choices of their tactics**, and** a number of particular points in their programs: this is the parrhesia (free speech) of the governed, **who** can **and** must **question those who govern them**, in the name of the knowledge, the experience they have, **by virtue of being citizens**, of what those who govern do, of the meaning of their action, of the decisions they have taken.

However, **one must** avoid a trap in which **those who govern try to catch intellectuals** and into which they often fall: "Put yourselves in our place and tell us what you would do." **It is** not **a question one has to answer**. To make a decision on some question **implies a knowledge of evidence that is refused us**, an analysis of the situation that we have not been able to make. This is a trap. Nevertheless, as governed, **we have a** perfect right **to ask questions about the truth**: "What are you doing, for example, when you are hostile to Euromissiles, or when, on the contrary, you support them, when you restructure the Lorraine steel industry, when you open up the question of private education."

#### Bioterror rhetoric obscures structural violence and has no basis

Finnegan 11 [Cara A., Associate Professor in the Departments of Speech Communication and Art History at the University of Illinois at Urbana-Champaign Quarterly Journal of Speech Volume 97, Issue 2, 2011 Review Essay: Addressing the Epidemic of Epidemics: Germs, Security, and a Call for Biocriticism View full text Download full text Full access DOI:10.1080/00335630.2011.565785 Cara A. Finnegan pages 224-244 Available online: 29 Apr 2011]

Second, the proliferation of risk discourses surrounding contagion demands ongoing rhetorical analysis. Price-Smith, Wald, and Klotz and Sylvester suggest in varying degrees that inaccurate risk perception fuels germ panic that can disrupt economic and social relations. By contrast, the essays in Biosecurity Interventions and Dread stress the mismatch between planning for imagined risks and the empirical data detailing actual infections and known killers. For instance, since 9/11 the US government has spent more than $50 billion on civilian biodefense, representing $2 billion for each known victim of bioterrorism.32 By contrast, tens of thousands of our citizens die each year from medical mistakes and other preventable conditions.33 Given that germ discourses chiefly are configured in terms of risk with tangible personal, political, and economic outcomes, rhetoricians should be playing a greater role in demonstrating the underlying logics, deployments, and outcomes of the discourses of risk—and in disentangling their economic, political, and cultural stakes. By tracking risk constructions surrounding both real and envisioned epidemics, rhetoricians can show how the “communicability” of risks influences policy and practice. The anticipatory and imagined aspects of biosecurity planning, with their ubiquitous role plays and risk modeling, simulations and speculations, deserve special scrutiny because these modes of rhetorical invention drive future political and scientific action.34 Here, rhetoricians and communication scholars can build on the theoretical work on risk by Ulrich Beck, Anthony Giddens, Joost Van Loon, and Barbara Adam, and add to the rhetorical scholarship of Jeffrey Grabill and Michele Simmons, Robert Danisch, J. Blake Scott, and Beverly Sauers, by tracing the constitution, contestation, elaboration, and consequences of our rhetorics of pathogenic risk.35

### ptx

**Pol cap theory is false**

**Jacobs and King 10**, University of Minnesota, Nuffield College, (Lawrence and Desmond, “Varieties of Obamaism: Structure, Agency, and the Obama Presidency,” Perspectives on Politics (2010), 8: 793-802)

But personality is not a solid foundation for a persuasive explanation of presidential impact and the shortfalls or accomplishments of Obama's presidency. Modern presidents have brought divergent individual traits to their jobs and yet they have routinely failed to enact much of their agendas. Preeminent policy goals of Bill Clinton (health reform) and George W. Bush (Social Security privatization) met the same fate, though these presidents' personalities vary widely. And presidents like Jimmy Carter—whose personality traits have been criticized as ill-suited for effective leadership—enjoyed comparable or stronger success in Congress than presidents lauded for their personal knack for leadership—from Lyndon Johnson to Ronald Reagan.7 Indeed, a personalistic account provides little leverage for explaining the disparities in Obama's record—for example why he succeeded legislatively in restructuring health care and higher education, failed in other areas, and often accommodated stakeholders. Decades of rigorous research find that impersonal, structural forces offer the most compelling explanations for presidential impact.8 Quantitative research that compares legislative success and presidential personality finds no overall relationship.9 In his magisterial qualitative and historical study, Stephen Skowronek reveals that institutional dynamics and ideological commitments structure presidential choice and success in ways that trump the personal predilections of individual presidents.10 Findings point to the predominant influence on presidential legislative success of the ideological and partisan composition of Congress, entrenched interests, identities, and institutional design, and a constitutional order that invites multiple and competing lines of authority. The widespread presumption, then, that Obama's personal traits or leadership style account for the obstacles to his policy proposals is called into question by a generation of scholarship on the presidency. Indeed, the presumption is not simply problematic analytically, but practically as well. For the misdiagnosis of the source of presidential weakness may, paradoxically, induce failure by distracting the White House from strategies and tactics where presidents can make a difference. Following a meeting with Obama shortly after Brown's win, one Democratic senator lamented the White House's delusion that a presidential sales pitch will pass health reform—“Just declaring that he's still for it doesn't mean that it comes off life support.”11 Although Obama's re-engagement after the Brown victory did contribute to restarting reform, the senator's comment points to the importance of ideological and partisan coalitions in Congress, organizational combat, institutional roadblocks, and anticipated voter reactions. Presidential sales pitches go only so far.

#### No war scenario

Daniel W. Drezner 12, Professor, The Fletcher School of Law and Diplomacy, Tufts University, October 2012, “The Irony of Global Economic Governance: The System Worked,” <http://www.globaleconomicgovernance.org/wp-content/uploads/IR-Colloquium-MT12-Week-5_The-Irony-of-Global-Economic-Governance.pdf>

The final outcome addresses a dog that hasn’t barked: the effect of the Great Recession on cross-border conflict and violence. During the initial stages of the crisis, multiple analysts asserted that the financial crisis would lead states to increase their use of force as a tool for staying in power.37 Whether through greater internal repression, diversionary wars, arms races, or a ratcheting up of great power conflict, there were genuine concerns that the global economic downturn would lead to an increase in conflict. Violence in the Middle East, border disputes in the South China Sea, and even the disruptions of the Occupy movement fuel impressions of surge in global public disorder.

The **aggregate data** suggests otherwise, however. The Institute for Economics and Peace has constructed a “Global Peace Index” annually since 2007. A key conclusion they draw from the 2012 report is that “The average level of peacefulness in 2012 is approximately the same as it was in 2007.”38 Interstate violence in particular has declined since the start of the financial crisis – as have military expenditures in most sampled countries. Other studies confirm that the Great Recession has not triggered any increase in violent conflict; the secular decline in violence that started with the end of the Cold War has not been reversed.39 Rogers Brubaker concludes, “the crisis has not to date generated the surge in protectionist nationalism or ethnic exclusion that might have been expected.”40

None of these data suggest that the global economy is operating swimmingly. Growth remains unbalanced and fragile, and has clearly slowed in 2012. Transnational capital flows remain depressed compared to pre-crisis levels, primarily due to a drying up of cross-border interbank lending in Europe. Currency volatility remains an ongoing concern. Compared to the aftermath of other postwar recessions, growth in output, investment, and employment in the developed world have all lagged behind. But the Great Recession is not like other postwar recessions in either scope or kind; expecting a standard “V”-shaped recovery was unreasonable. One financial analyst characterized the post-2008 global economy as in a state of “contained depression.”41 The key word is “contained,” however. Given the severity, reach and depth of the 2008 financial crisis, **the proper comparison** is with Great Depression. And by that standard, the outcome variables look impressive. As Carmen Reinhart and Kenneth Rogoff concluded in This Time is Different: “that its macroeconomic outcome has been only the most severe global recession since World War II – and not even worse – must be regarded as fortunate.”42

### deterrence

#### Delaying nuclear responses doesn’t hurt deterrence or perception—their evidence relies on outdated theories

**Buchan et al 3**—RAND Corporation

(Glen, with David Matonick, Calvin Shipbaugh, and Richard Mesic, “FUTURE ROLES OF U.S. NUCLEAR FORCES”, <http://www.rand.org/pubs/monograph_reports/2005/MR1231.pdf>, dml)

The effect of a delay in a U.S. nuclear response is clearer. There is nothing about a strategy of deterrence based on nuclear retaliation that requires a prompt response. There never has been. The only rationale for a quick response during the Cold War was the fragility of U.S. forces and command and control systems. The choice might have been between a quick response and no response at all. Nothing about the target base ever required a quick response,13 which is even more true in the current world. Indeed, as we have discussed in other sections of this report and elsewhere, a prerequisite for credible contemporary deterrence enforced by a threat of nuclear retaliation is certainty about what happened and who is to blame. That puts a premium on being able to delay a response. Thus, a dealerted U.S. nuclear force, assuming it can be made survivable, should still be capable of enforcing a strategy of deterrence based on a threat of nuclear retaliation.

**Faith in deterrence leads to a mentality of invincibility that leads to nuclear war – additionally their perceptions are not objective – only part of the fantasy of deterrence**

**Chernus 91 –** Professor of Religious Studies at UC Boulder, Ira, Nuclear Madness: on Religion and Psychology in the Nuclear Age, p19-20

The omnipotence fantasy is also reflected in the various strategies of nuclear deterrence. With the amount of violence at our disposal apparently infinite, it seems possible to compel the whole world to live within our chosen deterrence fantasy forever. But deterrence images speak more loudly of the complementary fantasy: just as freedom behind the false self means omnipotence, so security means isolation and invulnerability. Ontological insecurity makes every relationship a potential pitfall. Relationships can only be arenas for self-preservation at best, never for true self-enhancement. Thus the best relationship is one in which the other is unable to touch the self. Of course once the self is cut off from the other it can have no real knowledge of the other; it can only relate to its fantasy images of the other.

The world of mutual deterrence is a perfect image of a society of schizoids. Deterrence strategies are based not on what “the other side” is actually doing, but on our perceptions (and fears) of what the other might do—or merely be able to do—at any time in the future in a worst case scenario. Psychologists have long noted that deterrence strategies make it increasingly difficult for us to have any real knowledge of “the other side”; instead they persuade us to believe ever more firmly in our frightening fantasies. Inevitably those fantasies convince us that we must be absolutely invulnerable. It is hardly suprising that each side also strives to develop whatever defensive system it can technologically and economically afford. The American Strategic Defense Initiative (SDI or “Star Wars”) plan, as originally proposed by Ronald Reagan in 1983, is perhaps the ultimate analogue to the false self—a fantasy of a shield providing perfect protection against whatever attack the other might mount.

As long as there is reality and life in the world, however, the world remains independent, unpredictable, and threatening. The schizoid can feel completely secure only by imagining the world as a vast empire of inert objects ruled by the self’s unfettered will. The appeal of nuclear deterrence rests in part on such a fantasy. Each side renders the other too petrified to make a move. Each side maps out its global strategy as if every other nation were merely a piece in the strategists’ puzzle—an object that can be manipulated at will. The ultimate result is the Pentagon officer (and no doubt his Moscow counterpart) choosing nuclear targets at random, never stopping to think that each new pin in the map may represent several million dead human beings**.**

**Japan should develop a nuclear deterrent – North Korean provocations**

**USA Today 12/10/10** (“ Japan girds its own defense amid rising tensions in Asia ” <http://www.usatoday.com/news/world/2010-12-10-korea10_ST_N.htm>)

TOKYO — Japan's usual quiet approach to tensions with its neighbors is giving way to more military exercises, critical statements and discussions of what was once unthinkable: development of a nuclear arsenal. In recent weeks, Japan has issued blunt positions against North Korea and China over the North's attacking of a South Korean island and China's refusal to rein in its Korean ally. This month, Japan refused to renounce its claim to islands to its south whose waters are rich in minerals and that China says is its property. Today marks the eighth day of military drills with the U.S. aimed at countering a ballistic missile attack on Japan. Many in Japan believe a full-blown war is unlikely. Even so, if "North Korea has enough power to wage an attack against (South Korea), there is a possibility Japan will be targeted," says Shihori Komatsu, 31. Chairman of the Joint Chiefs of Staff Adm. Michael Mullen, in Tokyo, said China must do more to lead North Korea away from escalating the threat of war. North Korea's attack Nov. 23 on a small island belonging to the South left four dead. Last year, the North fired a ballistic missile over Japan. In September, Japan held the captain of a China fishing boat for days after he rammed two Japanese vessels. "China must lead and guide North Korea to a better future," said Mullen. On Thursday, Chinese State Councilor Dai Bingguo, Beijing's top foreign policy official, turned up in Pyongyang for talks with North leader Kim Jong Ilon, the official Korean Central News Agency reported. But in Beijing, Foreign Ministry spokeswoman Jiang Yu hit back. "I'd like to ask the people who make accusations against China, what efforts have they made toward regional stability and peace? Military threat cannot solve problems, can only increase tensions," Jiang said Thursday. In Japan, polls showed trust of China plummeting after a territorial dispute over uninhabited islands flared up in September. A record 87% of Japanese respondents said China is untrustworthy, according to a poll by The Yomiuri Shimbun newspaper. Meanwhile, some say the North's continued enrichment of uranium, which can be used to make atomic bombs, poses a threat not only to South Korea but also to Japan, which is within the North's striking distance. The confrontation between the Koreas is likely to generate more support in Japan for developing nuclear weapons, says Kazuhiro Araki, a professor of international relations at Takushoku University. Japan should consider developing nuclear weapons because of the "urgent circumstances." Japan is using nuclear energy to produce electricity, but it has vowed not to possess or build nuclear weapons. For now, many prefer the current agreement, in which the United States provides for Japan's military protection. More than 40,000 U.S. and Japanese servicemembers were taking part in the drills off Okinawa this week. The military maneuvers are effective, says Tsutomu Nishioka, a Korean studies professor at Tokyo Christian University, because they let North Korea know that "its provocations will have consequences."

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#### Counter-interpretation – “war powers” in the context of the President, is the power to conduct war

Linn 2k (Alexander C., JD -- College of William and Mary School of Law, “International Security and the War Powers Resolution,” William & Mary Bill of Rights Journal, 8 Wm. & Mary Bill Rts. J.725 (2000), <http://scholarship.law.wm.edu/wmborj/vol8/iss3/9/>)

American military deployments are increasingly part of a multilateral U.N. Security Council ("Security Council") effort to counter threats to international security and human rights.2 Arguably, this creates a mandate for a greater centralization of the war power 3 in the Executive, with authority to act swiftly and decisively through the American delegate to the U.N.4 Such an argument seeks to expand executive authority in military affairs by relying on the President's constitutional role as "Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual Service of the United States."5 Alternatively, the trend towards multilateral U.N. military actions may bolster the mandate for Congress to assert a stronger role in the use of the U.S. military to pursue U.N. objectives. If American military involvement is challenged by congressional discontent or even by congressional approval when approval comes too slowly to give certainty to American commitments, the commitment to protect international security may prove unenforceable when the Security Council decides to counter a belligerent state,. This argument seeks to expand legislative authority in military affairs by relying on the legislature's constitutional power to declare war and maintain military forces.6 Arguably, a swift framework for assessing legislative approval would enhance international security by allowing for a more rapid deployment.

[Continues to Footnote 3]

"War Power" is defined as "[the constitutional authority of Congress to declare war and maintain armed forces (U.S. Const. art. I, § 8, cls. 11-14), and of the President to conduct war as commander-in-chief (U.S. Const. art. II, § 2, cl. 1)." BLACK'S LAW DICTIONARY 1578-79 (7th ed. 1999).

#### Their sole focus on governmental action is flawed – the world only exists in terms of individual power relations, altering our own practices are a necessary prerequisite

Nayar 99 – Professor in the School of Law at the University of Warwick (Jayan, “Orders of Inhumanity,” Transnational Law & Contemporary Problems, Fall 1999)

The "world," as we perceive it today, did not exist in times past. It does not exist today. There is no such thing as the global "one world." The world can only exist in the locations and experiences revealed through and in human relationships. It is often that we think that to change the world it is necessary to change the way power is exercised in the world; so we go about the business of exposing and denouncing the many power configurations that dominate. Power indeed does lie at the core of human misery, yet we blind ourselves if we regard this power as the power out there. Power, when all the complex networks of its reach are untangled, is personal; power does not exist out there, [\*630] it only exists in relationship. To say the word, power, is to describe relationship, to acknowledge power, is to acknowledge our subservience in that relationship. There can exist no power if the subservient relationship is refused--then power can only achieve its ambitions through its naked form, as violence. Changing the world therefore is a misnomer for in truth it is relationships that are to be changed. And the only relationships that we can change for sure are our own. And the constant in our relationships is ourselves--the "I" of all of us. And so, to change our relationships, we must change the "I" that is each of us. Transformations of "structures" will soon follow. This is, perhaps, the beginning of all emancipations. This is, perhaps, the essential message of Mahatmas.