## 1nc

### 1nc debt ceiling da

#### Obama’s pressuring the GOP with a strong display of Presidential strength and staying on message – the GOP will blink

**Dovere, 10/1/13** (Edward, Politico, “Government shutdown: President Obama holds the line”

<http://www.politico.com/story/2013/10/government-shutdown-president-obama-holds-the-line-97646.html?hp=f3>)

President Barack Obama started September in an agonizing, extended display of how little sway he had in Congress. He ended the month with a display of resolve and strength that could redefine his presidency. All it took was a government shutdown. This was less a White House strategy than simply staying in the corner the House GOP had painted them into — to the White House’s surprise, Obama was forced to do what he so rarely has as president: he said no, and he didn’t stop saying no. For two weeks ahead of Monday night’s deadline, Obama and aides rebuffed the efforts to kill Obamacare with the kind of firm, narrow sales pitch they struggled with in three years of trying to convince people the law should exist in the first place. There was no litany of doomsday scenarios that didn’t quite come true, like in the run-up to the fiscal cliff and the sequester. No leaked plans or musings in front of the cameras about Democratic priorities he might sacrifice to score a deal. After five years of what’s often seen as Obama’s desperation to negotiate — to the fury of his liberal base and the frustration of party leaders who argue that he negotiates against himself. Even his signature health care law came with significant compromises in Congress. Instead, over and over and over again, Obama delivered the simple line: Republicans want to repeal a law that was passed and upheld by the Supreme Court — to give people health insurance — or they’ll do something that everyone outside the GOP caucus meetings, including Wall Street bankers, seems to agree would be a ridiculous risk. “If we lock these Americans out of affordable health care for one more year,” Obama said Monday afternoon as he listed examples of people who would enjoy better treatment under Obamacare, “if we sacrifice the health care of millions of Americans — then they’ll fund the government for a couple more months. Does anybody truly believe that we won’t have this fight again in a couple more months? Even at Christmas?” The president and his advisers weren’t expecting this level of Republican melee, a White House official said. Only during Sen. Ted Cruz’s (R-Texas) 21-hour floor speech last week did the realization roll through the West Wing that they wouldn’t be negotiating because they couldn’t figure out anymore whom to negotiate with. And even then, they didn’t believe the shutdown was really going to happen until Saturday night, when the House voted again to strip Obamacare funding. This wasn’t a credible position, Obama said again Monday afternoon, but rather, bowing to “extraneous and controversial demands” which are “all to save face after making some impossible promises to the extreme right wing of their political party.” Obama and aides have said repeatedly that they’re not thinking about the shutdown in terms of political gain, but the situation’s is taking shape for them. Congress’s approval on dealing with the shutdown was at 10 percent even before the shutters started coming down on Monday according to a new CNN/ORC poll, with 69 percent of people saying the House Republicans are acting like “spoiled children.” “The Republicans are making themselves so radioactive that the president and Democrats can win this debate in the court of public opinion” by waiting them out, said Jim Manley, a Democratic strategist and former aide to Senate Majority Leader Harry Reid who has previously been critical of Obama’s tactics. Democratic pollster Stan Greenberg said the Obama White House learned from the 2011 debt ceiling standoff, when it demoralized fellow Democrats, deflated Obama’s approval ratings and got nothing substantive from the negotiations. “They didn’t gain anything from that approach,” Greenberg said. “I think that there’s a lot they learned from what happened the last time they ran up against the debt ceiling.” While the Republicans have been at war with each other, the White House has proceeded calmly — a breakthrough phone call with Iranian President Hassan Rouhani Friday that showed him getting things done (with the conveniently implied juxtaposition that Tehran is easier to negotiate with than the GOP conference), his regular golf game Saturday and a cordial meeting Monday with his old sparring partner Israeli Prime Minister Benjamin Netanyahu. White House press secretary Jay Carney said Monday that the shutdown wasn’t really affecting much of anything. “It’s busy, but it’s always busy here,” Carney said. “It’s busy for most of you covering this White House, any White House. We’re very much focused on making sure that the implementation of the Affordable Care Act continues.” Obama called all four congressional leaders Monday evening — including Boehner, whose staff spent Friday needling reporters to point out that the president hadn’t called for a week. According to both the White House and Boehner’s office, the call was an exchange of well-worn talking points, and changed nothing. Manley advised Obama to make sure people continue to see Boehner and the House Republicans as the problem and not rush into any more negotiations until public outrage forces them to bend. “He may want to do a little outreach, but not until the House drives the country over the cliff,” Manley said Monday, before the shutdown. “Once the House has driven the country over the cliff and failed to fund the government, then it might be time to make a move.” The White House believes Obama will take less than half the blame for a shutdown – with the rest heaped on congressional Republicans. The divide is clear in a Gallup poll also out Monday: over 70 percent of self-identifying Republicans and Democrats each say their guys are the ones acting responsibly, while just 9 percent for both say the other side is. If Obama is able to turn public opinion against Republicans, the GOP won’t be able to turn the blame back on Obama, Greenberg said. “Things only get worse once things begin to move in a particular direction,” he said. “They don’t suddenly start going the other way as people rethink this.”

#### **Having to defend authority derails the current agenda**

Kriner 10 Douglas L. Kriner (assistant professor of political science at Boston University) “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, University of Chicago Press, Dec 1, 2010, page 68-69.

While congressional support leaves the president’s reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president’s foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president’s political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War. 60 In addition to boding ill for the president’s perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson’s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush’s highest second-term domestic proprieties, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.61 When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

#### That takes Obama off-message – it undermines his constant pressure on the GOP

**Milbank, 9/27/13** – Washington Post Opinion Writer (Dana, “Obama should pivot to Dubya’s playbook” Washington Post, <http://www.washingtonpost.com/opinions/dana-milbank-obama-should-try-pivoting-to-george-bushs-playbook/2013/09/27/c72469f0-278a-11e3-ad0d-b7c8d2a594b9_story.html>)

If President Obama can stick to his guns, he will win his October standoff with Republicans. That’s an awfully big “if.” This president has been consistently inconsistent, predictably unpredictable and reliably erratic. Consider the events of Thursday morning: Obama gave a rousing speech in suburban Washington, in defense of Obamacare, on the eve of its implementation. “We’re now only five days away from finishing the job,” he told the crowd. But before he had even left the room, his administration let slip that it was delaying by a month the sign-up for the health-care exchanges for small businesses. It wasn’t a huge deal, but it was enough to trample on the message the president had just delivered. Throughout his presidency, Obama has had great difficulty delivering a consistent message. Supporters plead for him to take a position — any position — and stick with it. His shifting policy on confronting Syria was the most prominent of his vacillations, but his allies have seen a similar approach to the Guantanamo Bay prison, counterterrorism and climate change. Even on issues such as gun control and immigration where his views have been consistent, Obama has been inconsistent in promoting his message. Allies are reluctant to take risky stands, because they fear that Obama will change his mind and leave them standing alone. Now come the budget showdowns, which could define the rest of his presidency. Republican leaders are trying to shift the party’s emphasis from the fight over a government shutdown to the fight over the debt-limit increase, where they have more support. A new Bloomberg poll found that Americans, by a 2-to-1 margin, disagree with Obama’s view that Congress should raise the debt limit without any conditions. But Obama has a path to victory. That poll also found that Americans think lawmakers should stop trying to repeal Obamacare. And that was before House Republicans dramatically overplayed their hand by suggesting that they’ll allow the nation to default if Obama doesn’t agree to their laundry list of demands, including suspending Obamacare, repealing banking reforms, building a new oil pipeline, easing environmental regulations, limiting malpractice lawsuits and restricting access to Medicare. To beat the Republicans, Obama might follow the example of a Republican, George W. Bush. Whatever you think of what he did, he knew how to get it done: by simplifying his message and repeating it, ad nauseam, until he got the result he was after. Obama instead tends to give a speech and move along to the next topic. This is why he is forever making “pivots” back to the economy, or to health care. But the way to pressure Congress is to be President One Note. In the debt-limit fight, Obama already has his note: He will not negotiate over the full faith and credit of the United States. That’s as good a theme as any; it matters less what the message is than that he delivers it consistently. The idea, White House officials explained to me, is to avoid getting into a back-and-forth over taxes, spending and entitlement programs. “We’re right on the merits, but I don’t think we want to argue on the merits,” one said. “Our argument is not that our argument is better than theirs; it’s that theirs is stupid.” This is a clean message: Republicans are threatening to tank the economy — through a shutdown or, more likely, through a default on the debt — and Obama isn’t going to negotiate with these hostage-takers. Happily for Obama, Republicans are helping him to make the case by being publicly belligerent. After this week’s 21-hour speech on the Senate floor by Sen. Ted Cruz (R-Tex.), the publicity-seeking Texan and Sen. Mike Lee (R-Utah) objected to a bipartisan request to move a vote from Friday to Thursday to give House Republicans more time to craft legislation avoiding a shutdown. On the Senate floor, Sen. Bob Corker (R-Tenn.) accused them of objecting because they had sent out e-mails encouraging their supporters to tune in to the vote on Friday. The Post’s Ed O’Keefe caught Cruz “appearing to snicker” as his colleague spoke — more smug teenager than legislator. Even if his opponents are making things easier for him, Obama still needs to stick to his message. As in Syria, the president has drawn a “red line” by saying he won’t negotiate with those who would put the United States into default. If he retreats, he will embolden his opponents and demoralize his supporters.

#### It consumes his capital, undermines Dem unity and breaches debt ceiling

**Lillis, 9/7/13** (Mike, The Hill, “Fears of wounding Obama weigh heavily on Democrats ahead of vote”

Read more: http://thehill.com/homenews/house/320829-fears-of-wounding-obama-weigh-heavily-on-democrats#ixzz2gWiT9H8u

The prospect of wounding President Obama is weighing heavily on Democratic lawmakers as they decide their votes on Syria. Obama needs all the political capital he can muster heading into bruising battles with the GOP over fiscal spending and the debt ceiling. Democrats want Obama to use his popularity to reverse automatic spending cuts already in effect and pay for new economic stimulus measures through higher taxes on the wealthy and on multinational companies. But if the request for authorization for Syria military strikes is rebuffed, some fear it could limit Obama's power in those high-stakes fights. That has left Democrats with an agonizing decision: vote "no" on Syria and possibly encourage more chemical attacks while weakening their president, or vote "yes" and risk another war in the Middle East. “I’m sure a lot of people are focused on the political ramifications,” a House Democratic aide said. Rep. Jim Moran (D-Va.), a veteran appropriator, said the failure of the Syria resolution would diminish Obama's leverage in the fiscal battles. "It doesn't help him," Moran said Friday by phone. "We need a maximally strong president to get us through this fiscal thicket. These are going to be very difficult votes."

#### Economic collapse

**Davidson, 9/10/13** – co-founder of NPR’s Planet Money (Adam, “Our Debt to Society” New York Times, <http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all>)

If the debt ceiling isn’t lifted again this fall, some serious financial decisions will have to be made. Perhaps the government can skimp on its foreign aid or furlough all of NASA, but eventually the big-ticket items, like Social Security and Medicare, will have to be cut. At some point, the government won’t be able to pay interest on its bonds and will enter what’s known as sovereign default, the ultimate national financial disaster achieved by countries like Zimbabwe, Ecuador and Argentina (and now Greece). In the case of the United States, though, it won’t be an isolated national crisis. If the American government can’t stand behind the dollar, the world’s benchmark currency, then the global financial system will very likely enter a new era in which there is much less trade and much less economic growth. It would be, by most accounts, the largest self-imposed financial disaster in history. Nearly everyone involved predicts that someone will blink before this disaster occurs. Yet a small number of House Republicans (one political analyst told me it’s no more than 20) appear willing to see what happens if the debt ceiling isn’t raised — at least for a bit. This could be used as leverage to force Democrats to drastically cut government spending and eliminate President Obama’s signature health-care-reform plan. In fact, Representative Tom Price, a Georgia Republican, told me that the whole problem could be avoided if the president agreed to drastically cut spending and lower taxes. Still, it is hard to put this act of game theory into historic context. Plenty of countries — and some cities, like Detroit — have defaulted on their financial obligations, but only because their governments ran out of money to pay their bills. No wealthy country has ever voluntarily decided — in the middle of an economic recovery, no less — to default. And there’s certainly no record of that happening to the country that controls the global reserve currency. Like many, I assumed a self-imposed U.S. debt crisis might unfold like most involuntary ones. If the debt ceiling isn’t raised by X-Day, I figured, the world’s investors would begin to see America as an unstable investment and rush to sell their Treasury bonds. The U.S. government, desperate to hold on to investment, would then raise interest rates far higher, hurtling up rates on credit cards, student loans, mortgages and corporate borrowing — which would effectively put a clamp on all trade and spending. The U.S. economy would collapse far worse than anything we’ve seen in the past several years.

#### Nuclear war

**Friedberg and Schoenfeld 8**

[Aaron, Prof. Politics. And IR @ Princeton’s Woodrow Wilson School and Visiting Scholar @ Witherspoon Institute, and Gabriel, Senior Editor of Commentary and Wall Street Journal, “The Dangers of a Diminished America”, 10-28, <http://online.wsj.com/article/SB122455074012352571.html>]

Then there are the dolorous consequences of a potential collapse of the world's financial architecture. For decades now, Americans have enjoyed the advantages of being at the center of that system. The worldwide use of the dollar, and the stability of our economy, among other things, made it easier for us to run huge budget deficits, as we counted on foreigners to pick up the tab by buying dollar-denominated assets as a safe haven. Will this be possible in the future? Meanwhile, traditional foreign-policy challenges are multiplying. The threat from al Qaeda and Islamic terrorist affiliates has not been extinguished. Iran and North Korea are continuing on their bellicose paths, while Pakistan and Afghanistan are progressing smartly down the road to chaos. Russia's new militancy and China's seemingly relentless rise also give cause for concern. If America now tries to pull back from the world stage, it will leave a dangerous power vacuum. The stabilizing effects of our presence in Asia, our continuing commitment to Europe, and our position as defender of last resort for Middle East energy sources and supply lines could all be placed at risk. In such a scenario there are shades of the 1930s, when global trade and finance ground nearly to a halt, the peaceful democracies failed to cooperate, and aggressive powers led by the remorseless fanatics who rose up on the crest of economic disaster exploited their divisions. Today we run the risk that rogue states may choose to become ever more reckless with their nuclear toys, just at our moment of maximum vulnerability. The aftershocks of the financial crisis will almost certainly rock our principal strategic competitors even harder than they will rock us. The dramatic free fall of the Russian stock market has demonstrated the fragility of a state whose economic performance hinges on high oil prices, now driven down by the global slowdown. China is perhaps even more fragile, its economic growth depending heavily on foreign investment and access to foreign markets. Both will now be constricted, inflicting economic pain and perhaps even sparking unrest in a country where political legitimacy rests on progress in the long march to prosperity. None of this is good news if the authoritarian leaders of these countries seek to divert attention from internal travails with external adventures.

### 1nc t surrender

#### Surrender is not topical—it’s a declaration to an opposing party, independent of any legal restriction—topical version is just to repeal the AUMF

**Anderson 2011** – Professor at Washington College of Law, American University; and Hoover Institution visiting fellow, member of Hoover Task Force on National Security and Law; nonresident senior fellow, Brookings Institution (5/19, Kenneth, Volokh, “State Department’s Harold Koh on OBL Raid”, http://www.volokh.com/2011/05/19/state-departments-harold-koh-on-obl-raid/comment-page-1/#comment-1202080)

“Finally, consistent with the laws of armed conflict and U.S. military doctrine, the U.S. forces were prepared to capture bin Laden if he had surrendered in a way that they could safely accept. The laws of armed conflict require acceptance of a genuine offer of surrender that is clearly communicated by the surrendering party and received by the opposing force, under circumstances where it is feasible for the opposing force to accept that offer of surrender. But where that is not the case, those laws authorize use of lethal force against an enemy belligerent, under the circumstances presented here.”

This statement is important and useful. This is the international law standard in the laws of war for surrender, and it is the standard applied in operational law by US JAG in operations in Afghanistan on a regular basis – in conventional operations as well as special operations. I had some fears that, in order to present what was apparently a marvelously clean operation in terms of targeting and collateral damage in its most favorable light, the administration might be tempted to raise the bar on the law of surrender. It is an act in the law of war that is much more fraught and difficult in many circumstances than it might appear. But the Legal Adviser has stated the law as it is, and as it is operationally applied by US forces on a regular basis. I welcome the Legal Adviser’s statement, and, with the additional statement on surrender, believe that it covers the major jus in bello legal issues in the Bin Laden raid.

The statement does not directly address jus ad bellum issues – the question of whether the use of force was lawful, particularly in crossing the border into Pakistan to carry out the raid. The administration has asserted, in keeping with longstanding US views of international law, that sovereignty is not a bar, other things equal, where a state is unwilling or unable to deal with terrorists in its territory. In addition, this being a defense of the OBL operation, it did not address questions of targeted killing in general – apart from the general considerations given in the 2010 address – but offered only a defense in this particular case.

#### Vote neg:

#### 1. Ground—external enforcement measures bypass core neg gorund and comparative lit on actual restrictions while inflating solvency—independent voter for object fiat.

#### 2. Predictability—blurring mechanisms makes them a conditional moving target, which un-limits the topic.

### 1nc terrorism da

#### Al Qaeda is weak but still a threat—surrender leads to unmitigated attacks

**Stimson, 13** – Charles, Manager, National Security Law Program and Senior Legal Fellow at Heritage (“Law of Armed Conflict and the Use of Military Force,” Testimony Before Armed Services Committee United States Senate, 5/16/13, http://www.heritage.org/research/testimony/2013/05/the-law-of-armed-conflict //Red)

The AUMF, by its own language, does not have an expiration date, nor should it. While it is true that over the decade we have made hard-fought gains against the al Qaeda leadership, and key members of the Taliban and associated forces, other elements of those organizations stillpose a **continuing** threat to the United States. I base this opinion not on current intelligence briefings—to which I no longer have access—but my reading of open source materials. That said, Congress does have access to classified intelligence briefings, and I encourage a thorough and dispassionate evaluation of the current threats by the Congress. As to the Committee’s question regarding the geographic scope of the AUMF, both administrations have taken the unremarkable position that by its terms, and in practice, there is no geographic limit or scope to the AUMF. Rather, the AUMF gives the President the authority to confront the enemy wherever he deems the enemy resides. Just last year, in a major address at Northwestern University, Attorney General Eric Holder stated, “Our legal authority is not limited to the battlefields in Afghanistan. Indeed, neither Congress nor our federal courts have limited the geographic scope of our ability to use force to the current conflict in Afghanistan.”[9] The notion that we are at war, and that the war (and by implication the AUMF) has no geographical boundaries is anathema to some, but is nevertheless lawful and consistent with the law of armed conflict and our national and international obligations. It is also not the boundless source of tyranny and infringement upon other nations’ sovereignty that detractors profess; rather, the national security power of the politically accountable branches are subject to all of the checks and balances within our constitutional form of government, as well as the more modern checks detailed by fellow witness Jack Goldsmith in his book Power and Constraint. And it is commensurate, in this case, with the enemy**, an international terrorist movement that does not respect political or any other boundaries** and that considers the people and assets of the United States and its allies, wherever they may be, to be its targets. As to the Committee’s question regarding whether the AUMF should be modified, or by implication repealed, I would suggest that repeal**ing the AUMF** prematurely **would be unwise.** Repealing the AUMF would signal, legally, that the war against al Qaeda is over, at a time when al Qaeda and associated forces continue in fact to wage war against the United States. And it may have more specific consequences, for example, involving the continued detention of those terrorists currently in captivity and not subject to military commission or federal court proceedings. Repealing or substantially narrowing the existing AUMF could also have substantial repercussions on other sensitive operations, including but not limited to the targeted killing program. In short, the current AUMF **should remain in place** unless and until the narrow class of persons under its scope no longer poses a substantial threat to our national security. Keeping the current AUMF does not authorize a permanent state of war, as some critics have alleged. It merely retains the legal framework that has worked and served us well, to date, and acknowledges that those subject to the AUMF, although greatly diminished in number and efficacy, **should not be allowed to regain their footing.** In the context of the AUMF, **keeping the AUMF as is does not necessarily mean that the Executive Branch, this one or the next, will want to or need to employ the full extent of its authority.** We cannot foresee with precision when or if the threats posed by those subject to the narrow jurisdiction of the AUMF will be defeated or become so insignificant as to not warrant this particular AUMF.

#### A violent war on terror is the only way to solve

Hanson 10—Senior Fellow, Hoover. Former visiting prof, classics, Stanford. PhD in classics, Stanford (Victor Davis, The Tragic Truth of War, 19 February 2010, http://www.victorhanson.com/articles/hanson021910.html)

Victory has usually been defined throughout the ages as forcing the enemy to accept certain political objectives. “Forcing” usually meant killing, capturing, or wounding men at arms. In today’s polite and politically correct society we seem to have forgotten that nasty but eternal truth in the confusing struggle to defeat radical Islamic terrorism. What stopped the imperial German army from absorbing France in World War I and eventually made the Kaiser abdicate was the destruction of a once magnificent army on the Western front — superb soldiers and expertise that could not easily be replaced. Saddam Hussein left Kuwait in 1991 when he realized that the U.S. military was destroying his very army. Even the North Vietnamese agreed to a peace settlement in 1973, given their past horrific losses on the ground and the promise that American air power could continue indefinitely inflicting its damage on the North. When an enemy finally gives up, it is for a combination of reasons — material losses, economic hardship, loss of territory, erosion of civilian morale, fright, mental exhaustion, internal strife. But we forget that central to a concession of defeat is often the loss of the nation’s soldiers — or even the threat of such deaths. A central theme in most of the memoirs of high-ranking officers of the Third Reich is the attrition of their best warriors. In other words, among all the multifarious reasons why Nazi Germany was defeated, perhaps the key was that hundreds of thousands of its best aviators, U-boaters, panzers, infantrymen, and officers, who swept to victory throughout 1939–41, simply perished in the fighting and were no longer around to stop the allies from doing pretty much what they wanted by 1944–45. After Stalingrad and Kursk, there were not enough good German soldiers to stop the Red Army. Even the introduction of jets could not save Hitler in 1945 — given that British and American airmen had killed thousands of Luftwaffe pilots between 1939 and 1943. After the near destruction of the Grand Army in Russia in 1812, even Napoleon’s genius could not restore his European empire. Serial and massive Communist offensives between November 1950 and April 1951 in Korea cost Red China hundreds of thousands of its crack infantry — and ensured that, for all its aggressive talk, it would never retake Seoul in 1952–53. But aren’t these cherry-picked examples from conventional wars of the past that have no relevance to the present age of limited conflict, terrorism, and insurgency where ideology reigns? Not really. We don’t quite know all the factors that contributed to the amazing success of the American “surge” in Iraq in 2007–08. Surely a number of considerations played a part: Iraqi anger at the brutish nature of al-Qaeda terrorists in their midst; increased oil prices that brought massive new revenues into the country; General Petraeus’s inspired counterinsurgency tactics that helped win over Iraqis to our side by providing them with jobs and security; much-improved American equipment; and the addition of 30,000 more American troops. But what is unspoken is also the sheer cumulative number of al Qaeda and other Islamic terrorists that the U.S. military killed or wounded between 2003 and 2008 in firefights from Fallujah to Basra. There has never been reported an approximate figure of such enemy dead — perhaps wisely, in the post-Vietnam age of repugnance at “body counts” and the need to create a positive media image. Nevertheless, in those combat operations, the marines and army not only proved that to meet them in battle was a near death sentence, but also killed thousands of low-level terrorists and hundreds of top-ranking operatives who otherwise would have continued to harm Iraqi civilians and American soldiers. Is Iraq relatively quiet today because many who made it so violent are no longer around? Contemporary conventional wisdom tries to persuade us that there is no such thing as a finite number of the enemy. Instead, killing them supposedly only incites others to step up from the shadows to take their places. Violence begets violence. It is counterproductive, and creates an endless succession of the enemy. Or so we are told. We may wish that were true. But military history suggests it is not quite accurate. In fact, there was a finite number of SS diehards and kamikaze suicide bombers even in fanatical Nazi Germany and imperial Japan. When they were attrited, not only were their acts of terror curtailed, but it turned out that far fewer than expected wanted to follow the dead to martyrdom. The Israeli war in Gaza is considered by the global community to be a terrible failure — even though the number of rocket attacks against Israeli border towns is way down. That reduction may be due to international pressure, diplomacy, and Israeli goodwill shipments of food and fuel to Gaza — or it may be due to the hundreds of Hamas killers and rocketeers who died, and the thousands who do not wish to follow them, despite their frequently loud rhetoric about a desire for martyrdom. Insurgencies, of course, are complex operations, but in general even they are not immune from eternal rules of war. Winning hearts and minds is essential; providing security for the populace is crucial; improving the economy is critical to securing the peace. But all that said, we cannot avoid the pesky truth that in war — any sort of war — killing enemy soldiers stops the violence. For all the much-celebrated counterinsurgency tactics in Afghanistan, note that we are currently in an offensive in Helmand province to “secure the area.” That means killing the Taliban and their supporters, and convincing others that they will meet a violent fate if they continue their opposition. Perhaps the most politically incorrect and Neanderthal of all thoughts would be that the American military’s long efforts in both Afghanistan and Iraq to kill or capture radical Islamists has contributed to the general safety inside the United States. Modern dogma insists that our presence in those two Muslim countries incited otherwise non-bellicose young Muslims to suddenly prefer violence and leave Saudi Arabia, Yemen, or Egypt to flock to kill the infidel invader. A more tragic view would counter that there was always a large (though largely finite) number of radical jihadists who, even before 9/11, wished to kill Americans. They went to those two theaters, fought, died, and were therefore not able to conduct as many terrorist operations as they otherwise would have, and also provided a clear example to would-be followers not to emulate their various short careers. That may explain why in global polls the popularity both of bin Laden and of the tactic of suicide bombing plummeted in the Middle Eastern street — at precisely the time America was being battered in the elite international press for the Iraq War. Even the most utopian and idealistic do not escape these tragic eternal laws of war. Barack Obama may think he can win over the radical Islamic world — or at least convince the more moderate Muslim community to reject jihadism — by means such as his Cairo speech, closing Guantanamo, trying Khalid Sheikh Mohammed in New York, or having General McChrystal emphatically assure the world that killing Taliban and al-Qaeda terrorists will not secure Afghanistan. Of course, such soft- and smart-power approaches have utility in a war so laden with symbolism in an age of globalized communications. But note that Obama has upped the number of combat troops in Afghanistan, and he vastly increased the frequency of Predator-drone assassination missions on the Pakistani border. Indeed, even as Obama damns Guantanamo and tribunals, he has massively increased the number of targeted assassinations of suspected terrorists — the rationale presumably being either that we are safer with fewer jihadists alive, or that we are warning would-be jihadists that they will end up buried amid the debris of a mud-brick compound, or that it is much easier to kill a suspected terrorist abroad than detain, question, and try a known one in the United States. In any case, the president — immune from criticism from the hard Left, which is angrier about conservative presidents waterboarding known terrorists than liberal ones executing suspected ones — has concluded that one way to win in Afghanistan is to kill as many terrorists and insurgents as possible. And while the global public will praise his kinder, gentler outreach, privately he evidently thinks that we will be safer the more the U.S. marines shoot Taliban terrorists and the more Hellfire missiles blow up al-Qaeda planners. Why otherwise would a Nobel Peace Prize laureate order such continued offensive missions? Victory is most easily obtained by ending the enemy’s ability to resist — and by offering him an alternative future that might appear better than the past. We may not like to think all of that entails killing those who wish to kill us, but it does, always has, and tragically always will — until the nature of man himself changes.

#### Risk is high now

Matthew, et al, 10/2/13 [ Bunn, Matthew, Valentin Kuznetsov, Martin B. Malin, Yuri Morozov, Simon Saradzhyan, William H. Tobey, Viktor I. Yesin, and Pavel S. Zolotarev. "Steps to Prevent Nuclear Terrorism." Paper, Belfer Center for Science and International Affairs, Harvard Kennedy School, October 2, 2013, Matthew Bunn. Professor of the Practice of Public Policy at Harvard Kennedy School andCo-Principal Investigator of Project on Managing the Atom at Harvard University’s Belfer Center for Science and International Affairs. • Vice Admiral Valentin Kuznetsov (retired Russian Navy). Senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, Senior Military Representative of the Russian Ministry of Defense to NATO from 2002 to 2008. • Martin Malin. Executive Director of the Project on Managing the Atom at the Belfer Center for Science and International Affairs. • Colonel Yuri Morozov (retired Russian Armed Forces). Professor of the Russian Academy of Military Sciences and senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, chief of department at the Center for Military-Strategic Studies at the General Staff of the Russian Armed Forces from 1995 to 2000. • Simon Saradzhyan. Fellow at Harvard University’s Belfer Center for Science and International Affairs, Moscow-based defense and security expert and writer from 1993 to 2008. • William Tobey. Senior fellow at Harvard University’s Belfer Center for Science and International Affairs and director of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, deputy administrator for Defense Nuclear Nonproliferation at the U.S. National Nuclear Security Administration from 2006 to 2009. • Colonel General Viktor Yesin (retired Russian Armed Forces). Leading research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences and advisor to commander of the Strategic Missile Forces of Russia, chief of staff of the Strategic Missile Forces from 1994 to 1996. • Major General Pavel Zolotarev (retired Russian Armed Forces). Deputy director of the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, head of the Information and Analysis Center of the Russian Ministry of Defense from1993 to 1997, section head - deputy chief of staff of the Defense Council of Russia from 1997 to 1998.<http://belfercenter.ksg.harvard.edu/publication/23430/steps_to_prevent_nuclear_terrorism.html>]

I. Introduction In 2011, Harvard’s Belfer Center for Science and International Affairs and the Russian Academy of Sciences’ Institute for U.S. and Canadian Studies published “The U.S. – Russia Joint Threat Assessment on Nuclear Terrorism.” The assessment analyzed the means, motives, and access of would-be nuclear terrorists, and concluded that the threat of nuclear terrorism is urgent and real. The Washington and Seoul Nuclear Security Summits in 2010 and 2012 established and demonstrated a consensus among political leaders from around the world that nuclear terrorism poses a serious threat to the peace, security, and prosperity of our planet. For any country, a terrorist attack with a nuclear device would be an immediate and catastrophic disaster, and the negative effects would reverberate around the world far beyond the location and moment of the detonation. Preventing a nuclear terrorist attack requires international cooperation to secure nuclear materials, especially among those states producing nuclear materials and weapons. As the world’s two greatest nuclear powers, the United States and Russia have the greatest experience and capabilities in securing nuclear materials and plants and, therefore, share a special responsibility to lead international efforts to prevent terrorists from seizing such materials and plants. The depth of convergence between U.S. and Russian vital national interests on the issue of nuclear security is best illustrated by the fact that bilateral cooperation on this issue has continued uninterrupted for more than two decades, even when relations between the two countries occasionally became frosty, as in the aftermath of the August 2008 war in Georgia. Russia and the United States have strong incentives to forge a close and trusting partnership to prevent nuclear terrorism and have made enormous progress in securing fissile material both at home and in partnership with other countries. However, to meet the evolving threat posed by those individuals intent upon using nuclear weapons for terrorist purposes, the United States and Russia need to deepen and broaden their cooperation. The 2011 “U.S. - Russia Joint Threat Assessment” offered both specific conclusions about the nature of the threat and general observations about how it might be addressed. This report builds on that foundation and analyzes the existing framework for action, cites gaps and deficiencies, and makes specific recommendations for improvement. “The U.S. – Russia Joint Threat Assessment on Nuclear Terrorism” (The 2011 report executive summary): • Nuclear terrorism is a real and urgent threat. Urgent actions are required to reduce the risk. The risk is driven by the rise of terrorists who seek to inflict unlimited damage, many of whom have sought justification for their plans in **radical interpretations of Islam;** by the spread of information about the decades-old technology of nuclear weapons; by the increased availability of weapons-usable nuclear materials; and by globalization, which makes it easier to move people, technologies, and materials across the world. • Making a crude nuclear bomb would not be easy, but is potentially within the capabilities of a technically sophisticated terrorist group, as numerous government studies have confirmed. Detonating a stolen nuclear weapon would likely be difficult for terrorists to accomplish, if the weapon was equipped with modern technical safeguards (such as the electronic locks known as Permissive Action Links, or PALs). Terrorists could, however, cut open a stolen nuclear weapon and make use of its nuclear material for a bomb of their own. • The nuclear material for a bomb is small and difficult to detect, making it a major challenge to stop nuclear smuggling or to recover nuclear material after it has been stolen. Hence, a primary focus in reducing the risk must be to keep nuclear material and nuclear weapons from being stolen by continually improving their security, as agreed at the Nuclear Security Summit in Washington in April 2010. • Al-Qaeda has sought nuclear weapons for almost two decades. The group has repeatedly attempted to purchase stolen nuclear material or nuclear weapons, and has repeatedly attempted to recruit nuclear expertise. Al-Qaeda reportedly conducted tests of conventional explosives for its nuclear program in the desert in Afghanistan. The group’s nuclear ambitions continued after its dispersal following the fall of the Taliban regime in Afghanistan. Recent writings from top al-Qaeda leadership are focused on justifying the mass slaughter of civilians, including the use of weapons of mass destruction, and are in all likelihood intended to provide a formal religious justification for nuclear use. While there are significant gaps in coverage of the group’s activities, al-Qaeda appears to have been frustrated thus far in acquiring a nuclear capability; it is unclear whether the the group has acquired weapons-usable nuclear material or the expertise needed to make such material into a bomb. Furthermore, pressure from a broad range of counter-terrorist actions probably has reduced the group’s ability to manage large, complex projects, but has not eliminated the danger. However, there is no sign the group has abandoned its nuclear ambitions. On the contrary, leadership statements as recently as 2008 indicate that the intention to acquire and use nuclear weapons is as strong as ever.

#### Extinction

Owen B. Toon 7, chair of the Department of Atmospheric and Oceanic Sciences at CU-Boulder, et al., April 19, 2007, “Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism,” online: http://climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf

To an increasing extent, people are congregating in the world’s great urban centers, creating megacities with populations exceeding 10 million individuals. At the same time, advanced technology has designed nuclear explosives of such small size they can be easily transported in a car, small plane or boat to the heart of a city. We demonstrate here that a single detonation in the 15 kiloton range can produce urban fatalities approaching one million in some cases, and casualties exceeding one million. Thousands of small weapons still exist in the arsenals of the U.S. and Russia, and there are at least six other countries with substantial nuclear weapons inventories. In all, thirty-three countries control sufficient amounts of highly enriched uranium or plutonium to assemble nuclear explosives. A conflict between any of these countries involving 50-100 weapons with yields of 15 kt has the potential to create fatalities rivaling those of the Second World War. Moreover, even a single surface nuclear explosion, or an air burst in rainy conditions, in a city center is likely to cause the entire metropolitan area to be abandoned at least for decades owing to infrastructure damage and radioactive contamination. As the aftermath of hurricane Katrina in Louisiana suggests, the economic consequences of even a localized nuclear catastrophe would most likely have severe national and international economic consequences. Striking effects result even from relatively small nuclear attacks because low yield detonations are most effective against city centers where business and social activity as well as population are concentrated. Rogue nations and terrorists would be most likely to strike there. Accordingly, an organized attack on the U.S. by a small nuclear state, or terrorists supported by such a state, could generate casualties comparable to those once predicted for a full-scale nuclear “counterforce” exchange in a superpower conflict. Remarkably, the estimated quantities of smoke generated by attacks totaling about one megaton of nuclear explosives could lead to significant global climate perturbations (Robock et al., 2007). While we did not extend our casualty and damage predictions to include potential medical, social or economic impacts following the initial explosions, such analyses have been performed in the past for large-scale nuclear war scenarios (Harwell and Hutchinson, 1985). Such a study should be carried out as well for the present scenarios and physical outcomes.

#### Turns case—successful attack would reverse any social change the aff creates

**Robsinson ’10.**Sara Robinson social futurist, Why Are Conservatives Targeting Muslims? And Why Now?” <http://www.huffingtonpost.com/sara-robinson/why-are-conservatives-tar_b_737007.html>

Having identified such a great potential target, the next logical step was to whip up public outrage and give people emotionally satisfying reasons to adopt this group as a worthy object of hate. Fortunately for the right wing, conservative PR folks have made an art form out of creating calculated, protracted media crises that drag on for weeks, during which they get to suck up all the news time and create "teachable moments" that put some new agenda item on dramatic public display. Take two past examples: Terry Schiavo and the Minutemen. Both were ginned-up controversies carefully designed to create a public crisis around a new right-wing political initiative.The goal in both cases was to create a public outcry that someone in a back room somewhere hoped would galvanize the nation into mass political action. Sometimes this works; sometimes, it doesn't. Schiavo was a spectacular failure. Americans of all persuasions took one look at that situation and recoiled: it turned out nobody in the country wanted Congress and/or the Southern Baptists making their end-of-life decisions for them. But the Minutemen's summer campouts on the border succeeded in bringing immigration and border security to the front burner, ultimately feeding into the militancy of the Tea Party and leading to the building of the border wall. And that's what the Ground Zero Mosque tantrum was -- yet another conservative PR confection designed to put a new boogeyman on the public agenda. (And the media, as usual, went right after the fake throw -- again. My dog is too smart for that trick, but our corporate media can be counted on to go for it every time.) The Right Wing has put us on notice that after nine years, they've abandoned Bush Era restraint here Islam is concerned, and are now declaring the entire Muslim world to be the new Devil who will fill that yawning void at the center of their cosmology. As a target, Muslims were just too tempting to resist any longer. They can be killed with impunity. They can be used to justify endless war. As a demon, they’re likely to have tremendous staying power: after all, in the white, straight, Christian enclaves where most American conservatives live, Muslims are far rarer on the ground than even gays, Latinos, or liberals.

### 1nc aumf reform cp

#### COUNTERPLAN: The United States Congress should amend the Authorization for Use of Military Force to prohibit use of force outside battlefields or against targets not directly linked to Al Qaida.

#### Repeal fails—only results in vagueness and Article II authority—minor modification creates an effective but durable limit

**WP 5/29/13**—the Washington Post

(“Contradiction flaws new policy on how to combat terrorism”, <http://www.morningjournal.com/articles/2013/06/01/opinion/doc51a96ec712c67086021869.txt>, dml)

So why repeal the Authorization for Use of Military Force (AUMF), the September 2001 legislation the president cited? Mr. Obama worries about “keeping America on a perpetual wartime footing”; he says that “unless we discipline our thinking and our actions, we may be drawn into more wars we don’t need to fight, or continue to grant presidents unbounded powers more suited for traditional armed conflicts between nation-states.” Those are legitimate concerns; we have argued for more transparency, congressional oversight and executive-branch accountability in the fight against al-Qaida, particularly when it comes to the use of drones. Yet there’s a danger that dropping the AUMF - as opposed to tailoring it to the new conditions Mr. Obama described - will result in less restraint on presidential power, not more. Mr. Obama didn’t delve into legal details in his speech. But the top legal advisers at the State and Defense departments during his first term have publicly argued that if the AUMF no longer applies, military attacks on terrorists can still be carried out under Article II of the Constitution, which grants the president power to defend the country against imminent attack. Most legal experts agree with that view. But as Harvard professor Jack Goldsmith argued in a recent blog post, for Mr. Obama or future presidents to conduct military operations on the scale of those now underway outside Afghanistan under Article II - as opposed to an act of Congress - “would be an unprecedented expansion of (presidential) authority.” Mr. Obama or a future president could, of course, seek specific congressional authorization to begin operations against a new terrorist threat. But another approach would be a proposal by Mr. Goldsmith and several other legal experts to revise the AUMF so as to grant the president authority to pursue al-Qaida spinoffs, subject to congressional review, while enacting legal constraints on the use of force outside conventional battlefields as well as reporting requirements to Congress. Mr. Obama has adopted some of those strictures in a presidential policy guidance and said all drone strikes were being reported to congressional committees. But these policies could be revoked with the stroke of a presidential pen.

### 1nc solvency

#### Nobody cares about their hippie therapy platform

Ferguson 2009 (Niall, American Interest, http://www.the-american-interest.com/ai2/article.cfm?Id=335&MId=16)

So much for the American predicament. What of Posen’s alternative grand strategy based on American self-restraint? The terms he uses are themselves revealing. The United States needs to be more “reticent” about its use of military force, more “modest” about its political goals overseas, more “distant” from traditional allies, and more “stingy” in its aid policies. Good luck to the presidential candidate who laces his next foreign policy speech with those adjectives: “My fellow Americans, I want to make this great country of ours more reticent, modest, distant and stingy!” Let us, however, leave aside this quintessentially academic and operationally useless rhetoric. What exactly does Posen want the United States to do? I count six concrete recommendations. The United States should: 1) Abandon the Bush Doctrine of “preemption”, which in the case of Iraq has been a policy of preventive war. Posen argues that this applies even in cases of nuclear proliferation. By implication, he sees preventive war as an inferior option to deterrence, though he does not make clear how exactly a nuclear-armed Iran would be deterred, least of all if his second recommendation were to be implemented. 2) Reduce U.S. military presence in the Middle East (“the abode of Islam”) by abandoning “its permanent and semi-permanent land bases in Arab countries.” Posen does not say so, but he appears to imply the abandonment of all these bases, not just the ones in Iraq, but also those in, for example, Qatar. It is not clear what would be left of Central Command after such a drastic retreat. Note that this would represent a break with the policy not just of the last two Presidents, but with that of the last 12. 3) Ramp up efforts to provide relief in the wake of natural disasters, exemplified by Operation Unified Assistance after the Indian Ocean tsunami of December 26, 2004. No doubt the American military did some good in the wake of the tsunami, but Posen needs to explain why a government that so miserably bungled the aftermath of Hurricane Katrina less than a year later should be expected to be consistently effective in the wake of natural disasters. 4) Assist in humanitarian military interventions only “under reasonable guidelines” and “in coalitions, operating under some kind of regional or international political mandate.” Does Posen mean that he would favor sending American troops to Darfur at the same time as he is withdrawing them from other “abodes of Islam?” He does not say. 5) Promote not democracy abroad but “the rule of law, press freedom and the rights of collective bargaining.” Here again I am experiencing cognitive dissonance. The government that sought systematically to evade the Geneva Conventions in order to detain indefinitely and torture suspected terrorists as an upholder of the rule of law? 6) Stop offering “U.S. security guarantees and security assistance, [which] tend to relieve others of the need to do more to ensure their own security.” This is in fact the most important of all Posen’s recommendations, though he saves it until last. He envisages radical diminution of American support for other members of NATO. Over the next ten years, he writes, the United States “should gradually withdraw from all military headquarters and commands in Europe.” In the same timeframe it should “reduce U.S. government direct financial assistance to Israel to zero”, as well as reducing (though not wholly eliminating) assistance to Egypt. And it should “reconsider its security relationship with Japan”, whatever that means. Again, this represents a break with traditional policy so radical that it would impress even Noam Chomsky, to say nothing of Osama bin Laden (who would, indeed, find little here to object to). Posen, in other words, has proceeded from relatively familiar premises (the limits of American “hyperpower”) to some quite fantastic policy recommendations, which are perhaps best summed up as a cross between isolationism and humanitarianism. Only slightly less fantastic than his vision of an American military retreat from the Middle East, Europe and East Asia is Posen’s notion that it could be sold to the American electorate—just six years after they were the targets of the single largest terrorist attack in history—in the language of self-effacement. Coming from a man who wants to restart mainstream debate on American grand strategy, that is pretty rich.

#### Greenwald agrees—the AUMF is a fig leaf—the government will continue to wage the war on terror

Greenwald 13—Glenn, Columnist on civil liberties and US national security issues for the Guardian [“Washington gets explicit: its 'war on terror' is permanent,” theguardian.com, May 17, 2013 http://www.theguardian.com/commentisfree/2013/may/17/endless-war-on-terror-obama]

On Thursday, the Senate Armed Services Committee held a hearing on whether the statutory basis for this "war" - the 2001 Authorization to Use Military Force (AUMF) - should be revised (meaning: expanded). This is how Wired's Spencer Ackerman (soon to be the Guardian US's national security editor) described the most significant exchange:

"Asked at a Senate hearing today how long the war on terrorism will last, Michael Sheehan, the assistant secretary of defense for special operations and low-intensity conflict, answered, 'At least 10 to 20 years.' . . . A spokeswoman, Army Col. Anne Edgecomb, clarified that Sheehan meant the conflict is likely to last 10 to 20 more years from today - atop the 12 years that the conflict has already lasted. Welcome to America's Thirty Years War."

That the Obama administration is now repeatedly declaring that the "war on terror" will last at least another decade (or two) is vastly more significant than all three of this week's big media controversies (Benghazi, IRS, and AP/DOJ) combined. The military historian Andrew Bacevich has spent years warning that US policy planners have adopted an explicit doctrine of "endless war". Obama officials, despite repeatedly boasting that they have delivered permanently crippling blows to al-Qaida, are now, as clearly as the English language permits, openly declaring this to be so.

It is hard to resist the conclusion that this war has no purpose other than its own eternal perpetuation. This war is not a means to any end but rather is the end in itself. Not only is it the end itself, but it is also its own fuel: it is precisely this endless war - justified in the name of stopping the threat of terrorism - that is the single greatest cause of that threat.

In January, former Pentagon general counsel Jeh Johnson delivered a highly-touted speech suggesting that the war on terror will eventually end; he advocated that outcome, arguing:

'War' must be regarded as a finite, extraordinary and unnatural state of affairs. We must not accept the current conflict, and all that it entails, as the 'new normal.'"

In response, I wrote that the "war on terror" cannot and will not end on its own for two reasons: (1) it is designed by its very terms to be permanent, incapable of ending, since the war itself ironically ensures that there will never come a time when people stop wanting to bring violence back to the US (the operational definition of "terrorism"), and (2) the nation's most powerful political and economic factions reap a bonanza of benefits from its continuation. Whatever else is true, it is now beyond doubt that ending this war is the last thing on the mind of the 2009 Nobel Peace Prize winner and those who work at the highest levels of his administration. Is there any way they can make that clearer beyond declaring that it will continue for "at least" another 10-20 years?

The genius of America's endless war machine is that, learning from the unplesantness of the Vietnam war protests, it has rendered the costs of war largely invisible. That is accomplished by heaping all of the fighting burden on a tiny and mostly economically marginalized faction of the population, by using sterile, mechanized instruments to deliver the violence, and by suppressing any real discussion in establishment media circles of America's innocent victims and the worldwide anti-American rage that generates.

Though rarely visible, the costs are nonetheless gargantuan. Just in financial terms, as Americans are told they must sacrifice Social Security and Medicare benefits and place their children in a crumbling educational system, the Pentagon remains the world's largest employer and continues to militarily outspend the rest of the world by a significant margin. The mythology of the Reagan presidency is that he induced the collapse of the Soviet Union by luring it into unsustainable military spending and wars: should there come a point when we think about applying that lesson to ourselves?

Then there are the threats to Americans' security. Having their government spend decades proudly touting itself as "A Nation at War" and bringing horrific violence to the world is certain to prompt more and more people to want to attack Americans, as the US government itself claims took place just recently in Boston (and as clearly took place multiple other times over the last several years).

And then there's the most intangible yet most significant cost: each year of endless war that passes further normalizes the endless rights erosions justified in its name. The second term of the Bush administration and first five years of the Obama presidency have been devoted to codifying and institutionalizing the vast and unchecked powers that are typically vested in leaders in the name of war. Those powers of secrecy, indefinite detention, mass surveillance, and due-process-free assassination are not going anywhere. They are now permanent fixtures not only in the US political system but, worse, in American political culture.

Each year that passes, millions of young Americans come of age having spent their entire lives, literally, with these powers and this climate fixed in place: to them, there is nothing radical or aberrational about any of it. The post-9/11 era is all they have been trained to know. That is how a state of permanent war not only devastates its foreign targets but also degrades the population of the nation that prosecutes it.

This war will end only once Americans realize the vast and multi-faceted costs they are bearing so that the nation's political elites can be empowered and its oligarchs can further prosper. But Washington clearly has no fear that such realizations are imminent. They are moving in the other direction: aggressively planning how to further entrench and expand this war.

One might think that if there is to be a debate over the 12-year-old AUMF, it would be about repealing it. Democratic Congresswoman Barbara Lee, who heroically cast the only vote against it when it was originally enacted by presciently warning of how abused it would be, has been advocating its repeal for some time now in favor of using reasonable security measures to defend against such threats and standard law enforcement measures to punish them (which have proven far more effective than military solutions). But just as happened in 2001, neither she nor her warnings are deemed sufficiently Serious even to consider, let alone embrace.

Instead, the Washington AUMF "debate" recognizes only two positions: (1) Congress should codify expanded powers for the administration to fight a wider war beyond what the 2001 AUMF provides (that's the argument recently made by the supreme war-cheerleaders-from-a-safe-distance at the Washington Post editorial page and their favorite war-justifying think tank theorists, and the one being made by many Senators from both parties), or (2) the administration does not need any expanded authority because it is already free to wage a global war with very few limits under the warped "interpretation" of the AUMF which both the Bush and Obama DOJs have successfully persuaded courts to accept (that's the Obama administration's position). In other words, the shared premise is that the US government must continue to wage unlimited, permanent war, and the only debate is whether that should happen under a new law or the old one.

Just to convey a sense for how degraded is this Washington "debate": Obama officials at yesterday's Senate hearing repeatedly insisted that this "war" is already one without geographical limits and without any real conceptual constraints. The AUMF's war power, they said, "stretches from Boston to the [tribal areas of Pakistan]" and can be used "anywhere around the world, including inside Syria, where the rebel Nusra Front recently allied itself with al-Qaida's Iraq affiliate, or even what Sen. Lindsey Graham (R-SC) called 'boots on the ground in the Congo'". The acting general counsel of the Pentagon said it even "authorized war against al-Qaida's associated forces in Mali, Libya and Syria". Newly elected independent Sen. Angus King of Maine said after listening to how the Obama administration interprets its war powers under the AUMF:

This is the most astounding and most astoundingly disturbing hearing that I've been to since I've been here. You guys have essentially rewritten the Constitution today."

Former Bush DOJ official Jack Goldsmith, who testified at the hearing, summarized what was said after it was over: Obama officials argued that "they had domestic authority to use force in Mali, Syria, Libya, and Congo, against Islamist terrorist threats there"; that "they were actively considering emerging threats and stated that it was possible they would need to return to Congress for new authorities against those threats but did not at present need new authorities"; that "the conflict authorized by the AUMF was not nearly over"; and that "several members of the Committee were surprised by the breadth of DOD's interpretation of the AUMF." Conveying the dark irony of America's war machine, seemingly lifted right out of the Cold War era film Dr. Strangelove, Goldsmith added:

Amazingly, there is a very large question even in the Armed Services Committee about who the United States is at war against and where, and how those determinations are made."

Nobody really even knows with whom the US is at war, or where. Everyone just knows that it is vital that it continue in unlimited form indefinitely.

In response to that, the only real movement in Congress is to think about how to enact a new law to expand the authorization even further. But it's a worthless and illusory debate, affecting nothing other than the pretexts and symbols used to justify what will, in all cases, be a permanent and limitless war. The Washington AUMF debate is about nothing other than whether more fig leafs are needed to make it all pretty and legal.

The Obama administration already claims the power to wage endless and boundless war, in virtually total secrecy, and without a single meaningful check or constraint. No institution with any power disputes this. To the contrary, the only ones which exert real influence - Congress, the courts, the establishment media, the plutocratic class - clearly favor its continuation and only think about how further to enable it. That will continue unless and until Americans begin to realize just what a mammoth price they're paying for this ongoing splurge of war spending and endless aggression.

#### Legal restrictions are temporary and unenforceable in the long term

**Posner and Vermeule, 10** - \*professor of law at the University of Chicago AND \*\*professor of law at Harvard (Eric and Adrian, The Executive Unbound, p. 41-45)

Liberal legalists, following Madison, describe Congress as the deliberative institution par excellence. On this view, Congress is a summation of local majorities, bringing local information and diverse perspectives to national issues. The bicameral structure of Congress aids deliberation; the House shifts rapidly in response to changing conditions and national moods, while the Senate provides a long-term perspective, and cools off overheated or panicky legislation. The Madisonian emphasis on the cooling-off function of the Senate functions as a check on executive claims that an emergency is at hand. The application of the Madisonian view to crises or emergencies is the default position among legal academics. On this view, even in crisis situations the executive may act only on the basis of clear congressional authorization that follows public deliberation, and the executive’s actions must presumptively be subject to judicial review. A proviso to the Madisonian view is that if immediate action is literally necessary, the executive may act, but only until Congress can convene to deliberate; if the executive’s interim actions were illegal, it must seek ratification from Congress and the public after the fact.53 In the Schmittian view, by contrast, the Madisonian vision of Congress seems hopelessly optimistic. Even in normal times, Schmitt believed, the deliberative aspirations of classical parliamentary democracy have become a transparent sham under modern conditions of party discipline, interest-group conflict, and a rapidly changing economic and technical environment. Rather than deliberate, legislators bargain, largely along partisan lines. Discussion on the legislative floor, if it even occurs, is carefully orchestrated posturing for public consumption, while the real work goes on behind closed doors, in party caucuses. How does this picture relate to Schmitt’s point that legislatures invariably “come too late” to a crisis? Crises expose legislative debility to view, but do not create it. Indeed, legislative failure during crises is in part a consequence of legislative failure during the normal times that precede crises. The basic dilemma for legislators, is that before a crisis, they lack the motivation and information to provide for it in advance, while after the crisis has begun, they lack the capacity to manage it themselves. We will describe each horn of the dilemma in detail. BEFORE THE CRISIS In the precrisis state, legislatures mired in partisan conflict about ordinary politics lack the motivation to address long-term problems. Legislators at this point act from behind a veil of uncertainty about the future, and may thus prove relatively impartial; at least high uncertainty obscures the distributive effects of legislation for the future, and thus reduces partisan opposition. However, by virtue of these very facts, there is no strong partisan support for legislation, and no bloc of legislators has powerful incentives to push legislation onto the crowded agenda. The very impartiality that makes ex ante legislation relatively attractive, from a Madisonian perspective, also reduces the motivation to enact it. This point is related to, but distinct from, Schmitt’s more famous claim about the “norm” and the “exception.” In a modern rendition, that claim holds that ex ante legal rules cannot regulate crises in advance, because unanticipated events will invariably arise. Legislatures therefore either decline to regulate in advance or enact emergency statutes with vague standards that defy judicial enforcement ex post. Here, however, a different point is at issue: even if ex ante legal rules could perfectly anticipate all future events, legislatures will often lack the incentive to adopt them in advance. Occasionally, when a high-water mark of public outrage against the executive is reached, legislatures do adopt framework statutes that attempt to regulate executive behavior ex ante; several statutes of this kind were adopted after Watergate. The problem is that new presidents arrive, the political coalitions that produced the framework statute come apart as new issues emerge, and public outrage against executive abuses cools. Congress soon relapses into passivity and cannot sustain the will to enforce, ex post, the rules set out in the framework statutes. As we will discuss more fully in chapter 3, the post-Watergate framework statutes have thus, for the most part, proven to impose little constraint on executive action in crisis, in large part because Congress lacks the motivation to enforce them. DURING THE CRISIS The other horn of the dilemma arises after the crisis has begun to unfold. Because of their numerous memberships, elaborate procedures, and internal structures, such as bicameralism and the committee system, and internal problems of collective action, legislatures can rarely act swiftly and decisively as events unfold. The very complexity and diversity that make legislatures the best deliberators, from a Madisonian perspective, also raise the opportunity costs of deliberation during crises and disable legislatures from decisively managing rapidly changing conditions. After 9/11, everyone realized that another attack might be imminent; only an immediate, massive response could forestall it. In September 2008, the financial markets needed immediate reassurance: only credible announcements from government agencies that they would provide massive liquidity could supply such reassurance. Indeed, though commentators unanimously urged Congress to take its time, within weeks the Bush administration was being criticized for not acting quickly enough. In such circumstances, legislatures are constrained to a reactive role, at most modifying the executive’s response at the margins, but not themselves making basic policy choices. Liberal legalists sometimes urge that the executive, too, is large and unwieldy; we pointed out in the introduction that the scale of executive institutions dwarfs that of legislative and judicial institutions. On this view, the executive has no systematic advantages in speed and decisiveness. Yet this is fatally noncomparative. The executive is internally complex, but it is structured in a far more hierarchical fashion than is Congress, especially the Senate, where standard procedure requires the unanimous consent of a hundred barons, each of whom must be cosseted and appeased. In all the main cases we consider here, the executive proved capable of acting with dispatch and power, while Congress fretted, fumed, and delayed. The main implication of this contrast is that crises in the administrative state tend to follow a similar pattern. In the first stage, there is an unanticipated event requiring immediate action. Executive and administrative officials will necessarily take responsibility for the front-line response; typically, when asked to cite their legal authority for doing so, they will either resort to vague claims of inherent power or will offer creative readings of old statutes. Because legislatures come too late to the scene, old statutes enacted in different circumstances, and for different reasons, are typically all that administrators have to work with in the initial stages of a crisis. “Over time, the size and complexity of the economy will outgrow the sophistication of static financial safety buffers”54—a comment that can also be made about static security safety buffers, which the advance of weapons technology renders obsolete. In this sense, administrators also “come too late”—they are forced to “base decisions about the complex, ever-changing dynamics of contemporary economic [and, we add, security] conditions on legal relics from an oftentimes distant past.”55 Thus Franklin Roosevelt regulated banks, in 1933, by offering a creative reading of the Trading with the Enemy Act of 1917, a statute that needless to say was enacted with different problems in mind. Likewise, when in 2008 it became apparent on short notice that the insurance giant AIG had to be bailed out, lest a systemwide meltdown occur, the Treasury and Federal Reserve had to proceed through a strained reading of a hoary 1932 statute. While the statute authorized “loans,” it did not authorize government to purchase private firms; administrators structured a transaction that in effect accomplished a purchase in the form of a loan. Ad hoc “regulation by deal,”56 especially in the first phase of the financial crisis, was accomplished under the vague authority of old statutes. The pattern holds for security matters as well as economic issues, and for issues at the intersection of the two domains. Thus after 9/11, the Bush administration’s attempts to choke off Al Qaeda’s funding initially proceeded in part under provisions of the International Emergency Economic Powers Act, a 1977 statute whose purpose, when enacted, was actually to restrict the president’s power to seize property in times of crisis.57

#### But even temporary restraints undermine speed and flexibility

**Posner and Vermeule, 7** – \*Kirkland and Ellis Professor of Law at the University of Chicago Law School AND \*\*professor at Harvard Law School (Eric and Adrian, Terror in the Balance: Security, Liberty, and the Courts p. 170)

A requirement of ex post statutory authorization thus seems more plausible than the ex ante statutory framework approach, but it does not seem better than the judicial deference approach. As we discussed in chapter 1, the involvement of Congress produces costs as well as benefits. On the cost side, congressional deliberation is slow and unsuited for emergencies. Congress has trouble keeping secrets and is always vulnerable to obstruction at the behest of members of Congress who place the interests of their constituents ahead of those of the nation as a whole. It is implicitly for these reasons that Ackerman gives the president the freedom to act unilaterally at the start of the emergency. But there is no reason to think that the problem of congressional obstruction and inefficiency will decline over time.

What are the benefits of congressional involvement? One possible benefit is that Congress has technical information about the advantages and disadvantages of various security measures and, relying on this information, will be able to block poorly considered security measures. But it is doubtful that Congress’s information is better than the executive branch’s, and in any event Congress can share this information with the executive branch if necessary. The modern national security system deprives Congress of useful information about threats to national security, and Congress by necessity must play a passive role.

The main possible benefit from congressional involvement is that Congress can prevent the executive from using the emergency as an opportunity to engage in self-aggrandizement, to obtain new powers, and to entrench them so that the executive will be more powerful even after the emergency ends. As we argued in chapter 1, however, it is not at all clear that executive aggrandizement during emergencies is a problem, and even if it is, congressional involvement might make things worse, not better. The value of congressional authorization is ambiguous as a theoretical matter. It slows down executive action, which is costly during emergencies, but may (or may not) block efforts by the executive to aggrandize its power. We also argued in chapter 1 that the historical evidence suggests that Congress is too weak an institution, during emergencies, to provide the asserted benefits. Congress defers to the executive during emergencies because it agrees that the executive alone has the information and the means necessary to respond to imminent threats. The added risk of executive abuse is a cost that Congress and voters have been willing to bear.

### 1nc harms

#### No risk of superpower syndrome and their hardline anti-Obama stance only causes backlash

Robert J. Lifton 11, aff guy, 2011, Witness to an Extreme Century: A Memoir, p. 405-406

With all of the American angst during the first year or so of the Obama administration, one may readily forget the power of the historical moment of his election in 2008. BJ and I had a few friends in to watch the returns on the sleek television set in our living room, which we had purchased four years earlier for a similar gathering that had resulted in a roomful of despair and suspicion of fraud in relation to the Bush victory. But this time, in 2008, the television set did not betray us, and my reaction of not just joy but ecstasy, including tears, was hardly mine alone. What was special to me, though, was the quick realization that the outcome meant an end to the country's superpower syndrome. But was that the case? Only partly, it turns out. Certainly Obama and his administration have renounced the principle of American omnipotence in favor of more modest claims about our capacities and influence in the world. Apocalypticism and totalistic behavior have given way to something closer to Camus's "philosophy of limits" with an acceptance of ambiguity, nuance, and complexity. And most important, there has been a specific rejection of nuclearism and a call for abolition of the weapons.

Yet despite all that, the syndrome lingers in crucial areas that specifically connect with my work. Concerning nuclear abolition, Obama has not followed through with clear American policies, despite an impressive convocation of world leaders on the subject of nuclear danger. On revelations of torture, and more recently of illegitimate medical experiments in relation to torture, Obama has mostly tried to sidestep the issue and avoid legal culpability of those involved. Finally, his decision to send added troops to Afghanistan seems to me to be the stuff of war-making, and atrocity-producing, blunder. In all three cases there is a certain clinging to the very American omnipotence being renounced. I have found myself torn between joining a considerable segment of the left in a condemnation of shortcomings that perpetuate elements of the superpower syndrome, and an alternative inclination to defend Obama as an incremental reformer who needs more time.

**I took the latter position** in a series of discussions with Howard Zinn, who denounced Obama as "a Chicago politician" and a hypocrite. I still don't agree with that judgment but I am also willing to take a public stand of strong opposition to Obama policies on Afghanistan and on American torture and recently revealed experimentation. Yet I remain sensitive as well to the importance of supporting the Obama administration in the face of new waves of right-wing American totalism and potential violence in the backlash over the election of our first African-American president.

#### No impact – Lifton is all rhetoric

Ira Chernus, Univ. of Colorado Boulder, Journal of the American Academy of Religion Dec 2004

All of the hallmarks of Lifton's work are here: careful research, deft interweaving of psychology and politics, stimulating insights, a fluid readable style, and above it all a sensitive conscience pointing toward a better human future. As always, Lifton's rhetoric is so compelling that it seems to offer a powerful analytical argument. As so often, though, there is ultimately more fine rhetoric than fine logical argumentation. Trying to reconstruct Lifton's logic with analytical precision is often like trying to nail Jell-O to the wall. This may be a minor sin in a writer with such a refined moral compass and such a large audience. But for those who study the interface between contemporary politics and religion, the result is a somewhat frustrating mix of sharp insight and murky overall argument. Lifton's master trope here is "apocalypticism" (hence the subtitle: "America's Apocalyptic Confrontation with the World"). He finds a worldwide trend toward apocalypticism throughout the twentieth century. He warns that the Bush administration accelerated this trend by pushing U.S. policy far too much in apocalyptic directions. But what, precisely, is this apocalypticism? At times, Lifton seems to be talking about the classic Jewish and Christian vision of apocalypse: a cataclysm that destroys the entire existing world to usher in a new and perfect world. Most often, though, he uses the words apocalypse and apocalyptic more loosely to refer to any act of large-scale violence intended to purify some part of the world of evil and thereby renew it. Although Lifton always places acts of apocalyptic violence in their particular historical contexts, he has little interest in analyzing or classifying the differences among them. His persistent theme is to find a psychological thread connecting all apocalyptic gestures. All are ultimately efforts to fend off vulnerability, particularly vulnerability to death, he suggests; all aim at transcendent life. But all apocalyptic believers know, if only unconsciously, that their gestures are futile. Therefore, they are very likely to feel threatened and see themselves as potential or actual victims. To still their own doubts (and guilt feelings), they identify the threat as coming from some evil other. Then they set out to erase their doubts by destroying that other. Apocalypticists also battle their death anxiety by identifying themselves with God or some equally cosmic force or symbol. This totalizing impulse constantly raises the stakes: every frustration becomes evidence of radical victimization at the hands of absolute evil. The logical response is to plan greater acts of violence commensurate with the scale of the victimization and evil. So the whole process must unfold on a grandiose scale, creating visions of a final battle between global good and global evil. Thus apocalypticists see themselves as serving the ultimate force in control of history; they wield their violence to bring history to a purified, perfect end. This is all very thought-provoking stuff (though perhaps familiar to specialists in apocalyptic studies). And Lifton hangs numerous smaller insights on his overall structure. But when he comes to the meat of his subject—the conflict between the U.S. government and "Islamic terrorists" as represented by Osama bin Laden and Al-Qaeda—the structure sometimes seems to run too quickly past demonstrable facts. For Lifton, the violent form of jihad practiced by Al-Qaeda and other Islamist groups reflects "a powerful, amorphous impulse to destroy a tainted world and renew it through Islamist purity" (75). This impulse emerges from Muslims' sense of humiliation at the hands of the West. Yet Lifton's own words, and words he cites from Muslims and scholars of Islam, suggest that the dominant impulse in today's violent jihad is not an aggressive effort to transform the world. It is, rather, "a defense of the worldwide Islamic community ... an impulse to reassert the health of Islam" (75, 82), aiming to return Muslim lands to the purity of a "holy era, the founding period" (78). The battle must continue "until all other lands that were Muslim are returned to us so that Islam will reign again" (79). Although Lifton is usually quite respectful of empirical political facts, here he barely mentions the specific grievances voiced repeatedly by Osama bin Laden: U.S. troops stationed in Muslim lands, the U.S. attack on Iraq through both military force and economic sanctions, and U.S. support for the Israeli occupation of Palestine. Those goals comport well with a defensive stance. There is no convincing evidence that violent Islamists want to wreak violence on non-Muslims in order to destroy the world as we know it and pave the way for global Muslim domination. Yet that is the erroneous impression so many Americans have. By forcing the data into his vaguely defined and generalized model of apocalypticism, Lifton may inadvertently reinforce that error. Nearly half the book is devoted to the response to Al-Qaeda under George W. Bush after September 11. Here, too, Lifton finds humiliation the key: "The 'war on terrorism' represents an impulse to undo violently precisely the humiliation ofthat day" (107). The feeling of vulnerability and death anxiety spawned on 9/11 was especially galling because such things are not supposed to happen to a superpower. Possession of overwhelming nuclear power has imbued the United States with a "superpower syndrome," a sense that we have a right to eternal invulnerability and control of history. The 9/11 attack challenged that assumption and turned all Americans into survivors. Lifton brings all his previous psychological analyses of the survivor's anxiety, numbing, and guilt to bear here quite effectively. He suggests that the need to find meaning in survival reinforces the innate American tendency to believe in America's sacred mission and to seek national regeneration through violence. He offers specific evidence that the George W. Bush administration leaned heavily on these traditions to promote its "war on terrorism." Ultimately, he claims, the Bush administration sought "an empire oí fluid world control... total sway over human endeavors" (175,177). In the course of explaining why Bush and his advisers were so powerfully driven to military solutions for every problem, Lifton offers a damning indictment of Bush policy and a persuasive explanation of its dangers. The "war on terrorism" is perhaps most dangerous because it is self-perpetuating and therefore self-defeating. It has created "a sense of fear and insecurity among Americans, which is then mobilized in support of further aggressive plans" (115). We must continue to fight against "evil" to cleanse ourselves of our own fear as well as humiliation. Therefore, this is a war "without limits of time or place ... it has no clear end" (112). But is apocalypticism indeed the master key here? Again, Lifton's own words suggest an alternative view: "The war on terrorism, then, took amorphous impulses toward combating terrorism and used them as a pretext for realizing a prior mission aimed at American global hegemony . . . spreading our own version of democracy and open markets" (114, 121). This is a mission that any U.S. president would have pursued both before and after 9/11. Bush and company gave it a more apocalyptic tinge than others might (as Lifton demonstrates at length), and this led to somewhat more militaristic and unilateralist policies. However, the hegemonic mission was created before George W. Bush was born, for essentially the same kind of reason that Al-Qaeda wages its jihad: to defend what U.S. leaders believed to be the one true and right way to live and to defend the nations where that true and right way of life is practiced. Unlike Al-Qaeda, the U.S. foreign policy elite does demand that its hegemony encompass the whole world. According to its faith, any challenge to global democratic capitalism could well be the seed ofthat precarious system's demise. Apart from this one difference, the two opposing systems are in many ways mirror images, as Lifton suggests. And he is right that both now employ elements of apocalypticism to legitimate their violence. But it seems misleading to describe this as essentially a conflict of competing apocalyptic systems. It is far more a conflict of competing defensive systems, each built on a master narrative that casts the other as the major threat to its existence. An analysis starting from this premise, incorporating many of Lifton's very helpful insights along the way, would take us far to understanding the complex web of political, psychological, and religious threads that weave together to create the reality of our world.

#### Reject their psychoanalysis garbage

Adam Rosen-Carole 10, Visiting Professor of Philosophy at Bard College, 2010, “Menu Cards in Time of Famine: On Psychoanalysis and Politics,” Psychoanalytic Quarterly, Vol. LXXIX, No. 1, p. 205-207

On the other hand, though in these ways and many others, psychoanalysis seems to promote the sorts of subjective dispositions and habits requisite for a thriving democracy, and though in a variety of ways psychoanalysis contributes to personal emancipation— say, by releasing individuals from self-defeating, damaging, or petrified forms action and reaction, object attachment, and the like—in light of the very uniqueness of what it has to offer, one cannot but wonder: to what extent, if at all, can the habits and dispositions—broadly, the forms of life—cultivated by psychoanalytic practice survive, let alone flourish, under modern social and political conditions? If the emancipatory inclinations and democratic virtues that psychoanalytic practice promotes are systematically crushed or at least regularly unsupported by the world in which they would be realized, then isn’t psychoanalysis implicitly making promises it cannot redeem? Might not massive social and political transformations be the condition for the efficacious practice of psychoanalysis? And so, under current conditions, can we avoid experiencing the forms of life nascently cultivated by psychoanalytic practice as something of a tease, or even a source of deep frustration?

(2) Concerning psychoanalysis as a politically inclined theoretical enterprise, the worry is whether political diagnoses and proposals that proceed on the basis of psychoanalytic insights and forms of attention partake of a fantasy of interpretive efficacy (all the world’s a couch, you might say), wherein our profound alienation from the conditions for robust political agency are registered and repudiated?

Consider, for example, Freud and Bullitt’s (1967) assessment of the psychosexual determinants of Woodrow Wilson’s political aspirations and impediments, or Reich’s (1972) suggestion that Marxism should appeal to psychoanalysis in order to illuminate and redress neurotic phenomena that generate disturbances in working capacity, especially as this concerns religion and bourgeois sexual ideology. Also relevant are Freud’s, Žižek’s (1993, 2004), Derrida’s (2002) and others’ insistence that we draw the juridical and political consequences of the hypothesis of an irreducible death drive, as well as Marcuse’s (1970) proposal that we attend to the weakening of Eros and the growth of aggression that results from the coercive enforcement of the reality principle upon the sociopolitically weakened ego, and especially to the channeling of this aggression into hatred of enemies. Reich (1972) and Fromm (1932) suggest that psychoanalysis be employed to explore the motivations to political irrationality, especially that singular irrationality of joining the national-socialist movement, while Irigaray (1985) diagnoses the desire for the Same, the One, the Phallus as a desire for a sociosymbolic order that assures masculine dominance.

Žižek (2004) contends that only a psychoanalytic exposition of the disavowed beliefs and suppositions of the United States political elite can get at the fundamental determinants of the Iraq War. Rose (1993) argues that it was the paranoiac paradox of sensing both that there is every reason to be frightened and that everything is under control that allowed Thatcher “to make this paradox the basis of political identity so that subjects could take pleasure in violence as force and legitimacy while always locating ‘real’ violence somewhere else—illegitimate violence and illicitness increasingly made subject to the law” (p. 64). Stavrakakis (1999) advocates that we recognize and traverse the residues of utopian fantasy in our contemporary political imagination.1

Might not the psychoanalytic interpretation of powerful figures (Bush, Bin Laden, or whomever), collective subjects (nations, ethnic groups, and so forth), or urgent “political” situations register an anxiety regarding political impotence or “castration” that is pacified and modified by the fantasmatic frame wherein the psychoanalytically inclined political theorist situates him- or herself as diagnosing or interpretively intervening in the lives of political figures, collective political subjects, or complex political situations with the idealized efficacy of a successful clinical intervention? If so, then the question is: are the contributions of psychoanalytically inclined political theory anything more than tantalizing menu cards for meals it cannot deliver**?**

As I said, the worry is twofold. These are two folds of a related problem, which is this: might the very seductiveness of psychoanalytic theory and practice—specifically, the seductiveness of its political promise—register the lasting eclipse of the political and the objectivity of the social, respectively? In other words, might not everything that makes psychoanalytic theory and practice so politically attractive indicate precisely the necessity of wide-ranging social/institutional transformations that far exceed the powers of psychoanalysis?

And so, might not the politically salient transformations of subjectivity to which psychoanalysis can contribute overburden subjectivity as the site of political transformation, blinding us to the necessity of largescale institutional reforms? Indeed, might not massive institutional transformations be necessary conditions for the efficacy of psychoanalytic practice, both personally and politically? Further, might not the so-called interventions and proposals of psychoanalytically inclined political theory similarly sidestep the question of the institutional transformations necessary for their realization, and so conspire with our blindness to the enormous institutional impediments to a progressive political future?

#### This is a solvency takeout and a case turn. The act of imagination they call for overstates the political value of psychoanalysis and is a neurotic projection of personal alienation

Adam Rosen-Carole 10, Visiting Professor of Philosophy at Bard College, 2010, “Menu Cards in Time of Famine: On Psychoanalysis and Politics,” Psychoanalytic Quarterly, Vol. LXXIX, No. 1, p. 226-229

The second approach to the problem has to do with psychoanalytic contributions to political theory that avoid Freud’s methodological individualism, but nevertheless run into the same problem. An expanding trend in social criticism involves a tendency to discuss the death or aggressive drives, fantasy formations, traumas, projective identifications, defensive repudiations, and other such “psychic phenomena” of collective subjects as if such subjects were ontologically discrete and determinate. Take the following passage from Žižek (1993) as symptomatic of the trend I have in mind:

In Eastern Europe, the West seeks for its own lost origins, its own lost original experience of “democratic invention.” In other words, Eastern Europe functions for the West as its Ego-Ideal (Ich-Ideal): the point from which [the] West sees itself in a likable, idealized form, as worthy of love. The real object of fascination for the West is thus the gaze, namely the supposedly naive gaze by means of which Eastern Europe stares back at the West, fascinated by its democracy. [p. 201, italics in original]

Also, we might think here of the innumerable discussions of “America’s death drive” as propelling the recent invasions in the Middle East, or of the ways in which the motivation for the Persian Gulf Wars of the 1990s was a collective attempt “to kick the Vietnam War Syndrome”— that is, to solidify a national sense of power and prominence in the recognitive regard of the international community—or of the psychoanalytic speculations concerning the psychodynamics of various nations involved in the Cold War (here, of course, I have in mind Segal’s [1997] work), or of the collective racist fantasies and paranoiac traits that organize various nation-states’s domestic and foreign policies.7

Here are some further examples from Žižek, who, as a result of his popularity, might be said to function as a barometer of incipient trends:

• What is therefore at stake in ethnic tensions is always the possession of the national Thing. We always impute to the “other” [ethnic group, race, nation, etc.] an excessive enjoyment: he wants to steal our enjoyment (by ruining our way of life) and/or he has access to some secret, perverse enjoyment. [1993, pp. 202-203]

• Beneath the derision for the new Eastern European post- Communist states, it is easy to discern the contours of the wounded narcissism of the European “great nations.” [2004, p. 27, italics added]

• There is in fact something of a neurotic symptom in the Middle Eastern conflict—everyone recognizes the way to get rid of the obstacle, yet nonetheless, no one wants to remove it, as if there is some kind of pathological libidinal profit gained by persisting in the deadlock. [2004, p. 39, italics added]

• If there was ever a passionate attachment to the lost object, a refusal to come to terms with its loss, it is the Jewish attachment to their land and Jerusalem . . . . When the Jews lost their land and elevated it into the mythical lost object, “Jerusalem” became much more than a piece of land . . . . It becomes the stand-in for . . . all that we miss in our earthly lives. [2004, p. 41]

Rather than explore collective subjects through analyses of their individual members, this type of psychoanalytically inclined engagement with politics treats a collective subject (a nation, a region, an ethnic group, etc.) as if it were simply amenable to explanation, and perhaps even to intervention, in a manner identical to an individual psyche in a therapeutic context.

But if the transpositions of psychoanalytic concepts into political theory are epistemically questionable, as I believe they are,8 the question is: why are they so prevalent? Perhaps the psychoanalytic interpretation of collective subjects (nations, regions, etc.), or even the psychoanalytic interpretation of powerful political figures, registers a certain anxiety regarding political impotence and provokes a fantasy that, to an extent, pacifies and modifies—defends against—that anxiety. Perhaps such engagements, which are increasingly prevalent in these days of excruciating political alienation, operate within a fantasmatic frame wherein the anxiety of political exclusion and “castration”—that is, anxieties pertaining to a sense of oneself as politically inefficacious, a non-agent in most relevant senses—is both registered and mitigated by the fantasmatic satisfaction of imagining oneself interpretively intervening in the lives of political figures or collective political subjects with the efficacy of a clinically successful psychoanalytic interpretation.

To risk a hypothesis: as alienation from political efficacy increases and becomes more palpable, as our sense of ourselves as political agents diminishes, fantasies of interpretive intervention abound. Within such fantasy frames, one approaches a powerful political figure (or collective subject) as if s/he were “on the couch,” open and amenable to one’s interpretation. 9 One approaches such a powerful political figure or ethnic group or nation as if s/he (or it) desired one’s interpretations and acknowledged her/his suffering, at least implicitly, by her/his very involvement in the scene of analysis.

Or if such fantasies also provide for the satisfaction of sadistic desires provoked by political frustration and “castration” (a sense of oneself as politically voiceless, moot, uninvolved, irrelevant), as they very well might, then one’s place within the fantasy might be that of the all-powerful analyst, the sujet supposé savoir, the analyst presumptively in control of her-/himself and her/his emotions, etc. Here the analyst becomes the one who directs and organizes the analytic encounter, who commands psychoanalytic knowledge, who knows the analysand inside and out, to whom the analysand must speak, upon whom the analysand depends, who is in a position of having something to offer, whose advice—even if not directly heeded—cannot but make some sort of impact, and in the face of whom the analysand is quite vulnerable, who is thus powerful, in control . . . perhaps the very figure whom the psychoanalytically inclined interpreter fears.

Minimally, what I want to underscore here is that (1) a sense of political alienation may be registered and fantasmatically mitigated by treating political subjects, individual or collective, as if they were “on the couch”; and (2) expectations concerning the expository and therapeutic efficacy of psychoanalytic interpretations of political subjects may be conditioned by such a fantasy.

#### Biopolitics not so bad

**Dickinson** **2004** – University of Cincinnati (Edward Ross, “Biopolitics, Fascism, Democracy: Some Reflections on Our Discourse About “Modernity,” Central European History, vol. 37, no. 1, March)

In short, the continuities between early twentieth-century biopolitical discourse and the practices of the welfare state in our own time are unmistakasble. Both are instances of the “disciplinary society” and of biopolitical, regulatory, social-engineering modernity, and they share that genealogy with more authoritarian states, including the National Socialist state, but also fascist Italy, for example. And it is certainly fruitful to view them from this very broad perspective. But that analysis can easily become superficial and misleading, because it obfuscates the profoundly different strategic and local dynamics of power in the two kinds of regimes. Clearly the democratic welfare state

is not only formally but also substantively quite different from totalitarianism. Above all, again, it has nowhere developed the fateful, radicalizing dynamic that characterized National Socialism (or for that matter Stalinism), the psychotic logic that leads from economistic population management to mass murder. Again, there is always the potential for such a discursive regime to generate coercive policies. In those cases in which the regime of rights does not successfully produce “health,” such a system can —and historically does— create compulsory programs to enforce it. But again, there are political and policy potentials and constraints in such a structuring of biopolitics that are very different from those of National Socialist Germany. Democratic biopolitical regimes require, enable, and incite a degree of self-direction and participation that is functionally incompatible with authoritarian or totalitarian structures. And this pursuit of biopolitical ends through a regime of democratic citizenship does appear, historically, to have imposed increasingly narrow limits on coercive policies, and to have generated a “logic” or imperative of increasing liberalization. Despite limitations imposed by political context and the slow pace of discursive change, I think this is the unmistakable message of the really very impressive waves of legislative and welfare reforms in the 1920s or the 1970s in Germany.90

Of course it is not yet clear whether this is an irreversible dynamic of such systems. Nevertheless, such regimes are characterized by sufficient degrees of autonomy (and of the potential for its expansion) for sufficient numbers of people that I think it becomes useful to conceive of them as productive of a strategic configuration of power relations that might fruitfully be analyzed as a condition of “liberty,” just as much as they are productive of constraint, oppression, or manipulation. At the very least, totalitarianism cannot be the sole orientation point for our understanding of biopolitics, the only end point of the logic of social engineering.

This notion is not at all at odds with the core of Foucauldian (and Peukertian) theory. Democratic welfare states are regimes of power/knowledge no less than early twentieth-century totalitarian states; these systems are not “opposites,” in the sense that they are two alternative ways of organizing the same thing. But they are two very different ways of organizing it. The concept “power” should not be read as a universal stifling night of oppression, manipulation, and entrapment, in which all political and social orders are grey, are essentially or effectively “the same.” Power is a set of social relations, in which individuals and groups have varying degrees of autonomy and effective subjectivity. And discourse is, as Foucault argued, “tactically polyvalent.” Discursive elements (like the various elements of biopolitics) can be combined in different ways to form parts of quite different strategies (like totalitarianism or the democratic welfare state); they cannot be assigned to one place in a structure, but rather circulate. The varying possible constellations of power in modern societies create “multiple modernities,” modern societies with quite radically differing potentials.

#### Things are getting better

**Goldstein, 12/7/11** [Joshua, professor of international relations at American University, National Public Radio, “War and Violence on the Decline in Modern Times”, http://www.npr.org/2011/12/07/143285836/war-and-violence-on-the-decline-in-modern-times]

GOLDSTEIN: Well, think about that war that started 70 years ago, World War II. That was a war in which the levels of violence were 100 times higher than the wars today. And if you measure it, the 1990s were double today. The Cold War years were triple.

So in the United States, we've had a hard decade of war, no doubt about it, and one war is one too many. The things that still happen are heartbreaking and terrible. But overall, the trend is downward. And the big piece of this trend is that the most terrible, destructive wars are between the large national armies with their tank formations and their submarines and airplanes, and nowhere in the world today anymore are two of those large national armies fighting each other head-to-head.

This is a **huge change from history**, when they were fighting each other most of the time, and it means that what we're left with are smaller wars, still terrible but smaller, more limited in size and geographically limited civil wars. And that's a big change.

CONAN: Well, saying that there are fewer war deaths this past decade than at any time in the past 100 years, isn't that another way of indicting the past 100 years and maybe this decade is the anomaly?

GOLDSTEIN: Well, no, because the past 100 years were - there was a big explosion of violence in the early part of the 20th century, but the 17th century was no picnic either. The Thirty Years' War destroyed a third of the population of Germany, and back through history there have been terrible wars much of the time.

And even in prehistoric times, as many as a quarter of the men in a society not infrequently died in wars. So it's actually a new thing and something that's developed in the least 60 years and especially the last 20 years. And we can talk about why it is, and Steven Pinker will have more to say about that also, but the big change is that people are finding other ways to solve their problems, not through war, and we're seeing an actual shrinking in the number of people killed worldwide.

#### Ethical obligations are tautological—the only coherent rubric is to maximize number of lives saved

**Greene 2010** – Associate Professor of the Social Sciences Department of Psychology Harvard University (Joshua, Moral Psychology: Historical and Contemporary Readings, “The Secret Joke of Kant’s Soul”, [www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf](http://www.fed.cuhk.edu.hk/~lchang/material/Evolutionary/Developmental/Greene-KantSoul.pdf), WEA)

What turn-of-the-millennium science is telling us is that human moral judgment is not a pristine rational enterprise, that our moral judgments are driven by a hodgepodge of emotional dispositions, which themselves were shaped by a hodgepodge of evolutionary forces, both biological and cultural. Because of this, it is exceedingly unlikely that there is anyrationallycoherentnormativemoral theory that can accommodateourmoral intuitions. Moreover, anyone who claims to have such a theory, or even part of one, almost certainly doesn't. Instead, what that person probably has is a moral rationalization.

It seems then, that we have somehow crossed the infamous "is"-"ought" divide.  How did this happen? Didn't Hume (Hume, 1978) and Moore (Moore, 1966) warn us against trying to derive an "ought" from and "is?" How did we go from descriptive scientific theories concerning moral psychology to skepticism about a whole class of normative moral theories? The answer is that we did not, as Hume and Moore anticipated, attempt to derive an "ought" from and "is." That is, our method has been inductive rather than deductive. We have inferred on the basis of the available evidence that the phenomenon of rationalist deontological philosophy is best explained as a rationalization of evolved emotional intuition (Harman, 1977).

Missing the Deontological Point  
I suspect that rationalist deontologists will remain unmoved by the arguments presented here. Instead, I suspect, they will insist that I have simply misunderstoodwhatKant and like-minded deontologistsare all about. Deontology, they will say, isn't about this intuition or that intuition. It's not defined by its normative differences with consequentialism. Rather, deontology is about taking humanity seriously. Above all else, it's about respect for persons. It's about treating others as fellow rational creatures rather than as mere objects, about acting for reasons rational beings can share. And so on (Korsgaard, 1996a; Korsgaard, 1996b).This is, no doubt, how many deontologists see deontology. But this insider's view, as I've suggested, may be misleading. The problem, more specifically, is that it defines deontology in terms of values that are notdistinctivelydeontological, though they may appear to be from the inside. Consider the following analogy with religion. When one asks a religious person to explain the essence of his religion, one often gets an answer like this: "It's about love, really. It's about looking out for other people, looking beyond oneself. It's about community, being part of something larger than oneself." This sort of answer accurately captures the phenomenology of many people's religion, but it's nevertheless inadequate for distinguishing religion from other things. This is because many, if not most, non-religious people aspire to love deeply, look out for other people, avoid self-absorption, have a sense of a community, and be connected to things larger than themselves. In other words, secular humanists and atheists can assent to most of what many religious people think religion is all about. From a secular humanist's point of view, in contrast, what's distinctive about religion is its commitment to the existence of supernatural entities as well as formal religious institutions and doctrines. And they're right. These things really do distinguish religious from non-religious practices, though they may appear to be secondary to many people operating from within a religious point of view.  
In the same way, I believe that most of the standard deontological/Kantian self-characterizatons fail to distinguish deontology from other approaches to ethics. (See also Kagan (Kagan, 1997, pp. 70-78.) on the difficulty of defining deontology.) It seems to me that consequentialists, as much as anyone else, have respect for persons, are against treating people asmereobjects, wish to act for reasons that rational creatures can share, etc. A consequentialist respects other persons, and refrains from treating them as mere objects, by counting every person's well-beingin the decision-making process. Likewise, a consequentialist attempts to act according to reasons that rational creatures can share by acting according to principles that give equal weight to everyone's interests, i.e. that are impartial. This is not to say that consequentialists and deontologists don't differ. They do. It's just that the real differences may not be what deontologists often take them to be.  
What, then, distinguishes deontology from other kinds of moral thought? A good strategy for answering this question is to start with concrete disagreements between deontologists and others (such as consequentialists) and then work backward in search of deeper principles. This is what I've attempted to do with the trolley and footbridge cases, and other instances in which deontologists and consequentialists disagree. If you ask a deontologically-minded person why it's wrong to push someone in front of speeding trolley in order to save five others, you will getcharacteristically deontological answers. Some will betautological: "Because it's murder!"Others will be more sophisticated: "The ends don't justify the means." "You have to respect people's rights." But, as we know, these answers don't really explain anything, because if you give the same people (on different occasions) the trolley case or the loop case (See above), they'll make the opposite judgment, even though their initial explanation concerning the footbridge case applies equally well to one or both of these cases. Talk about rights, respect for persons, and reasons we can share are natural attempts to explain, in "cognitive" terms, what we feel when we find ourselves having emotionally driven intuitions that are odds with the cold calculus of consequentialism. Although these explanations are inevitably incomplete, there seems to be "something deeply right" about thembecause they give voice to powerful moral emotions. But, as with many religious people's accounts of what's essential to religion, they don't really explain what's distinctive about the philosophy in question.

#### No risk of runaway interventions

**Weiner 2007**

Michael Anthony, J.D. Candidate, Vanderbilt School of Law, 2007, “A Paper Tiger with Bite: A Defense of the War Powers Resolution,” http://www.vanderbilt.edu/jotl/manage/wp-content/uploads/Weiner.pdf

IV. CONCLUSION: THE EXONERATED WPR AND THE WOLF IN SHEEP'S CLOTHING The WPR is an effective piece of war powers legislation. As Part III made clear, no presidential unilateral use of force since 1973 has developed into a conflict that in any way resembles the WPR's impetus, Vietnam. Rather, the great majority of these conflicts have been characterized by their brevity, safety, and downright success. Yes, there have been tragic outcomes in Lebanon and Somalia; but what happened in response to those tragedies? In Lebanon, President Reagan actually submitted to being Congress's "messengerboy," 203 asking for its permission, per the WPR, to continue the operation. And in Somalia, at the first sight of a looming disaster, it was President Clinton who cut short the operation. Thus, from 1973 on, it is easy to argue that sitting Executives have made responsible use of their power to act unilaterally in the foreign affairs realm. The WPR has even contributed to a congressional resurgence in the foreign affairs arena. In many of these conflicts, we have seen Congress conducting numerous votes on whether and how it should respond to a unilaterally warring Executive. In some of the conflicts, Congress has come close to invoking the WPR against rather impetuous Executives. 20 4 In Lebanon, Congress actually succeeded in the task.20 5 It is this Note's contention, though, that even when Congress failed to legally invoke the WPR, these votes had normative effects on the Executives in power. Such votes demonstrate that Congress desires to be, and will try to be, a player in foreign affairs decisions. So, perhaps the enactment of the WPR, the rise of Congress (at least in the normative sense) and the successful string of unilateral presidential uses of force are just a series of coincidences. This Note, however, with common sense as its companion, contends that they are not. Rather, it is self-evident that the WPR has played a significant role in improving the implementation of presidential unilateral uses of force.

#### No risk of tyranny

Rosman 96 [Michael E. Rosman (General Counsel @ Center for Individual Rights; JD from Yale); Review of “FIGHTING WORDS: INDIVIDUALS, COMMUNITIES AND LIBERTIES OF SPEECH”; Constitutional Commentary 96 (Winter, p. 343-345)]

Of course, the other branches also shove at the boundaries of branch power--FDR's Court-packing plan being one notable example of this practice. Sometimes the law of unintended consequences grabs hold. Perhaps the Court-packing plan concentrated the Justices' minds on finding ways to hold New Deal legislation constitutional, but it also blew up in FDR's face politically.

At least for the last two hundred years, however, no branch has managed to expand its power to the point of delivering an obvious knock-out blow to another branch. Seen from this broader perspective, cases such as Morrison,(33) Bowsher v. Synar,(34) and Mistretta v. United States(35) surely alter the balance of branch power at a given historical moment, but do not change the fundamental and brute fact that the Constitution puts three institutional heavyweights into a ring where they are free to bash each other.

Judicialocentrism tends to obscure this obvious point because it causes people to dwell on the hard cases that reach the Supreme Court. The power of separation of powers, however, largely resides in its ability to keep the easy cases from ever occurring. For instance, Congress, although it tries to weaken the President from time to time, has not tried to reduce the President to a ceremonial figurehead a la the Queen of England. Similarly, Congress does not make a habit of trying cases that have been heard by the courts. This list could be continued indefinitely.

The Supreme Court has had two hundred years to muck about with separation-of-powers doctrine. Over that time, scores of Justices--each with his or her own somewhat idiosyncratic view of the law--have sat on the bench. Scholars have denounced separation-of-powers jurisprudence as a mess. But the Republic endures, at least more or less. These historical facts tend to indicate that the Court need not rush to change its approach to separation of powers to prevent a slide into tyranny.

## 2nc

### topicality

#### Extra T/effects T are voters—make it no cost option to add superfluous language and is untopical in a vacuum—each word must be given meaning

**O’Connor, 1** – US Supreme Court Justice (George Duncan, Superintendent, Great Meadow Correctional Facility V. Sherman Walker No. 00-121 Supreme Court of the United States 533 U.S. 167; 121 S. Ct. 2120; 150 L. Ed. 2d 251; 2001 U.S. LEXIS 4493; 69 U.S.L.W. 4473; 2001 Cal. Daily Op. Service 4989; 2001 Daily Journal DAR 6129; 2001 Colo. J. C.A.R. 3099 March 26, 2001, Argued June 18, 2001, Decided)

Further, were we to adopt respondent's construction of the statute, we would render the word "State" insignificant, if not wholly superfluous.  "It is our duty 'to give effect, if possible, to every clause and word of a statute.'" United States v. Menasche, 348 U.S. 528, 538-539, 99 L. Ed. 615, 75 S. Ct. 513 (1955) (quoting Montclair v. Ramsdell, 107 U.S. 147, 152, 27 L. Ed. 431, 2 S. Ct. 391 (1883)); see also Williams v.Taylor, 529 U.S. 362, 404, 146 L. Ed. 2d 389, 120 S. Ct. 1495 (2000) (describing this rule as a "cardinal principle of statutory construction"); Market Co. v. Hoffman, 101 U.S. 112, 115, 25 L. Ed. 782 (1879) ("As early as in Bacon's Abridgment, sect. 2, it was said that 'a statute ought, upon the whole, to be so construed that, if it can be prevented, no clause, sentence, or word shall be superfluous, void, or insignificant'"). We are thus "reluctant to treat statutory terms as surplusage" in any setting. Babbitt v. Sweet Home Chapter, Communities for Great Ore., 515 U.S. 687, 698, 132 L. Ed. 2d 597, 115 S. Ct. 2407 (1995); see also Ratzlaf v. United States, 510 U.S. 135, 140, 126 L. Ed. 2d 615, 114 S. Ct. 655 (1994). We are especially unwilling to do so when the term occupies so pivotal a place in the statutory scheme as does the word "State" in the federal habeas statute. But under respondent's rendition of § 2244(d)(2), Congress' inclusion of the word "State" has no operative effect on the scope of the provision. If the phrase "State post-conviction or other collateral review" is construed to encompass both state and federal collateral review, then the word "State" places no constraint on the class of applications for review that toll the limitation period. The clause instead would have precisely the same content were it to read "post-conviction or other collateral review.

#### Allows them to fiat no war

**Cambridge 2013** – access date 10/1/2013 (Cambridge Dictionaries Online, http://dictionary.cambridge.org/us/dictionary/american-english/surrender\_1)

English definition of “surrender”

surrender

/səˈren·dər/ v [I] (ACCEPT DEFEAT)

› to stop fighting and accept defeat:

They would rather die than surrender.

#### Includes broader aff ground, like pulling out our troops

**McKenna 2013** (1/10, Christopher, Roll Over Jefferson, “Our Planned Surrender in Afghanistan”, http://rolloverjefferson.wordpress.com/author/kombiguy/)

So, it appears that we will pull out of Afghanistan, which almost certainly means out of Pakistan and Uzbekistan, as well, along with wherethehellistan. Leaving in charge, of course, the Taliban. Who was in charge 11 years ago? The Taliban. Whether or not we ever went into Afghanistan, the end result is the same. I’m pretty sure that meets the definition of surrender.

#### Also, including resolutional language in the plan fails for the same reason—yes, the plan text says Congressional restrictions, but surrender as MECHANISM is far beyond the scope of those topical restrictions—the best description of the aff is an expression of Congressional will, which is non-statutory

**Swaine, 10 -** Associate Professor, George Washington University Law School (Edward, “THE POLITICAL ECONOMY OF YOUNGSTOWN” <http://scholarship.law.gwu.edu/cgi/viewcontent.cgi?article=1017&context=faculty_publications>)

Furthermore, Justice Jackson’s framework also suggested that congressional will

could be expressed non-statutorily – again, at least insofar as its negative was involved. Assessing Truman’s seizure, Jackson appeared to reason that the absence of circumstances qualifying for Category One or Category Two necessarily meant that Category Three applied; where “the President cannot claim that [his action was] necessitated or invited by failure of Congress to legislate,” he suggested, such an action must be incompatible with the implied will of Congress.104 That implied will might be expressed informally,105 as clarified by passages from the other concurrences to which Justice Jackson expressly subscribed.106 Justices Black and Frankfurter, in particular, each invoked congressional inaction – namely, the fact that Congress had refused amendments to the Taft-Hartley Act that would have clearly given President Truman seizure authority.107 If congressional will can be informally expressed, as by refusing to take action, it suggests the relevance of acts by a subset of Congress rather than Congress as a whole. Individual legislators, certainly, may rise in sufficient opposition to defeat a statutory initiative, and a committee may prevent a bill from making the requisite progress. Presumably other “soft law” measures – like simple resolutions passed by the majority of one house only, or concurrent resolutions passed by both houses but not presented to the President – would be even better indicia.108

### aumf cp

#### It’s also case offense—Article II wars are qualitatively worse—only our counter-thought experiment makes sense

**Goldsmith 5/28/13**—Henry L. Shattuck Professor at Harvard Law School

(Jack, “Eight Thoughts on the Broad Reading of Article II Inherent in Bobby’s Conjecture”, <http://www.lawfareblog.com/2013/05/eight-thoughts-on-the-broad-reading-of-article-ii-inherent-in-bobbys-conjecture/>, dml)

Fifth, if it continues at anything like its current scale in a post-AUMF world, war based on Article II would be in even more need of congressional oversight and transparency than the AUMF war – especially in light the unboundedness described above, the Armed Services Committee’s apparent cluelessness about how DOD interprets its authorities today, and the Obama-era innovations of classified annexes to War Powers Resolution reports and the potential exclusion of many drone attacks from the WPR framework altogether. The revised AUMF that Bobby, Ben, Matt, and I proposed was designed precisely to bring accountability and oversight to such an extra-AUMF war. We have been criticized for wanting to expand the “war.” That was not our intention, for we assumed that the “war” would continue beyond the AUMF in any event and aimed to bring more accountability and oversight to it. Whether one likes our proposal or not, the nation must find some framework that interjects Congress into reviewing and approving the forthcoming self-defensive extra-AUMF Article II war. (A good place to begin, and indeed a book devoted in large part to establishing a congressional legal framework to check unilateral self-defensive presidential uses of force, and excessive reliance on covert action, is Harold Koh’s The National Security Constitution.) Sixth, between the Obama administration’s very expansive conception of “associated forces” (on display in the Armed Services Committee a few weeks ago) and its broad conception of an “imminent threat” that would justify the exercise of Article II uses of force, one can understand why the Executive branch is comfortable with its current authorities and does not want to change them, especially since the administration is allergic to military detention that a revised AUMF might (but needn’t) entail.

#### We internal link turned their offense—their hardline ethical stance undercuts accountability—that was the Article II stuff—they should lose

**Isaac 02** – Professor of political science at Indiana-Bloomington, Director of the Center for the Study of Democracy and Public Life, PhD from Yale (Jeffery C., Dissent Magazine, Vol. 49, Iss. 2, “Ends, Means, and Politics,” p. Proquest)

As a result, the most important political questions are simply not asked. It is assumed that U.S. military intervention is an act of "aggression," but no consideration is given to the aggression to which intervention is a response. The status quo ante in Afghanistan is not, as peace activists would have it, peace, but rather terrorist violence abetted by a regime--the Taliban--that rose to power through brutality and repression. This requires us to ask a question that most "peace" activists would prefer not to ask: What should be done to respond to the violence of a Saddam Hussein, or a Milosevic, or a Taliban regime? What means are likely to stop violence and bring criminals to justice? Calls for diplomacy and international law are well intended and important; they implicate a decent and civilized ethic of global order. But they are also vague and empty, because they are not accompanied by any account of how diplomacy or international law can work effectively to address the problem at hand. The campus left offers no such account. To do so would require it to contemplate tragic choices in which moral goodness is of limited utility. Here what matters is not purity of intention but the intelligent exercise of power.

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

### solvency

#### Get real—this is the same Congress that tries to defund Obama care every other week—the only thing you can expect from giving war power to people like Eric Cantor is intellectual diarrhea

Gene Healy 2009 (vice president at the Cato Institute) “Reclaiming the War Power” http://object.cato.org/sites/cato.org/files/serials/files/cato-handbook-policymakers/2009/9/hb111-10.pdf

Each of these proposals has the merit of demanding that Congress carry the burden the Constitution places upon it: responsibility for the decision to go to war. The Gelb-Slaughter plan shows particular promise. Although Congress hasn’t declared war since 1942, reviving the formal declaration would make it harder for legislators to punt that decision to the president, as they did in Vietnam and Iraq. Hawks should see merit in making declarations mandatory, since a declaration commits those who voted for it to support the president and provide the resources he needs to prosecute the war successfully. Doves too should find much to applaud in the idea: forcing Congress to take a stand might concentrate the mind wonderfully and reduce the chances that we will find ourselves spending blood and treasure in conflicts that were not carefully examined at the outset. But we should be clear about the difficulties that comprehensive war powers reform entails. Each of these reforms presupposes a Congress eager to be held accountable for its decisions, a judiciary with a stomach for interbranch struggles, and a voting public that rewards political actors who fight to put the presidency in its place. Representative Jones’s Consti- tutional War Powers Resolution, which seeks to draw the judiciary into the struggle to constrain executive war making, ignores the Court’s resistance to congressional standing, as well as the 30-year history of litigation under the War Powers Resolution, a history that shows how adept the federal judiciary is at constructing rationales that allow it to avoid picking sides in battles between Congress and the president. Even if Jones’s Constitutional War Powers Resolution or Ely’s Combat Authorization Act could be passed today, and even if the courts, defying most past practice, grew bold enough to rule on whether hostilities were imminent, there would be still another difficulty; as Ely put it: ‘‘When we got down to cases and a court remanded the issue to Congress, would Congress actually be able to follow through and face the issue whether the war in question should be permitted to proceed? Admittedly, the matter is not entirely free from doubt.’’ It’s worth thinking about how best to tie Ulysses to the mast. But the problem with legislative schemes designed to force Congress to ‘‘do the right thing’’ is that Congress seems always to have one hand free. **Statutory schemes** designed to precommit legislators to particular procedures do not have a terribly promising track record. Historically, many such schemes have proved little more effective than a dieter’s note on the refrigerator. **No mere statute** can truly bind a future Congress, and in areas ranging from agricultural policy to balanced budgets, Congress has rarely hesitated to undo past agreements in the pursuit of short-term political advantage. A : 14431$CH10 11-11-08 14:18:58 Page 113 Layout: 14431 : Odd 113 C ATO H ANDBOOK FOR P OLICYMAKERS If checks on executive power are to be restored, we will need far less Red Team–Blue Team politicking—and many more legislators than we currently have who are willing to put the Constitution ahead of party loyalty. That in turn will depend on a public willing to hold legislators accountable for ducking war powers fights and ceding vast authority to the president. Congressional courage of the kind needed to reclaim the war power will not be forthcoming unless and until American citizens demand it.

#### Congressional attention deficit

**Pillar ’10** [Paul, 28-year veteran of the Central Intelligence Agency (CIA), a visiting professor at Georgetown University for security studies and a member of the Center for Peace and Security Studies, PhD and MA from Princeton, “The Importance and Limits of Congressional Oversight,” Dec. 7, <http://nationalinterest.org/blog/paul-pillar/the-importance-limits-congressional-oversight-4532>]

A more commonly perceived function of oversight is whip-cracking: riding herd on executive agencies that are seen as prone to screwing up if someone else isn't nagging them about their deficiencies. But this presumed function not only is unlikely to be changed by any rearrangement of committees; it is a function that barely gets performed at all, and is unlikely ever to be performed effectively. One reason is that it assumes a superior level of dedication and/or knowledge in the legislative branch over the executive branch. One can always find centers of lousy performance, of course, that would benefit from someone else poking into the center's business. But there is no general reason to presume that executive branch managers are any less motivated than members of Congress to try to conduct the nation's business well, and there is a plenty of reason to believe that they are more knowledgeable about their particular part of the nation's business.¶ A more fundamental reason this presumed oversight function will never get performed well is that Congress is not disposed to pay good, sustained, careful attention to just about anything. With members who are distracted by countless other matters, preoccupied with the hot issues of the day, and more interested in the politics than the substance of most issues, Congressional attention is highly episodic. Even on recognizably important issues, if there is no political percentage in going into the details of the issue, attention is scant. Work of the intelligence community on Iraq, for example, that Congress would later pick apart in excruciating detail after the Bush administration's war went sour got very little attention before the war began—and other work even more relevant to the later souring got no attention at all. It is usually only after, not before, a failure or flap that Congress gets engaged. And then it engages in, as Ignatius puts it, “finger-pointing and second guessing,” which is not to be confused with oversight.¶ The intensified partisanship on Capitol Hill has made the prospects for good oversight even worse. Over three decades of dealing with the House and Senate intelligence committees, I saw a marked increase in partisanship and with it a significant deterioration in the committees' effectiveness.¶ Yes, let us hope that Congress does what it can to improve its end of intelligence and homeland security. But don't get your hopes up about how much positive difference any changes that occur will make in how well Congress does its business, much less in how well the executive branch works.

#### The public and party structures are committed to an aggressive foreign policy—it’s what the people want—and any outbreak of terrorism will turn us more neocon

McDonough 9 (David. S. McDonough, Fellow at the Centre for Foreign Policy Studies at Dalhousie University, “Beyond Primacy: Hegemony and ‘Security Addiction’ in U.S. Grand Strategy”, Winter 2009, Orbis, ScienceDirect)

The reason that the current debate is currently mired in second-order issues of multilateral versus unilateral legitimacy can be attributed to the post 9/11 security environment. A grand strategy is, after all, ‘‘a state’s theory about how it can best cause security for itself.’’ 35 It would be prudent to examine why the neoconservative ‘‘theory’’ proved to be so attractive to American decision-makers after the 9/11 attacks, and why the Democrats have begun to rely on an equally primacist ‘‘theory’’ of their own. As Charles Kupchan has demonstrated, a sense of vulnerability is often directly associated with dramatic shifts in a state’s grand strategy. Kupchan is, of course, largely concerned with vulnerability to changes in the global distribution of power. 36 Even so, the 9/11 terrorist attacks have dramatically increased the U.S. sense of strategic vulnerability to both global terrorist organizations like Al Qaeda and even to more traditional threats that are seen, as Donald Rumsfeld said, ‘‘in a dramatic new light–through the prism of our experience on 9/11.’’ 37 Perhaps more than any previous terrorist action, these attacks demonstrated the potential inﬂuence of non-state terrorist groups like Al Qaeda. U.S. strategic primacy makes conventional responses unattractive and ultimately futile to potential adversaries. The country’s societal vulnerability to terrorist attacks will likewise lead to extremely costly defensive reactions against otherwise limited attacks. For both the United States and its asymmetrical adversaries, the advantage clearly favors the offense over the defense. With the innumerable list of potential targets, ‘‘preemptive and preventive attacks will accomplish more against. . .[terrorists or their support structures], dollar for dollar, than the investment in passive defenses.’’ 38 As former Undersecretary of Defense for Policy Douglas Feith has argued, a primary reliance on defense requires instrusive security measures that would inevitably endanger American civil liberties and curtail its free and open society. 39 Strategic preponderance ensures that the United States will continue to face adversaries eager to implement asymmetrical tactics, even as it offers the very resources necessary to implement both offensive and less effective defensive measures. Unfortunately, terrorist groups with strategic reach (i.e., capable of inﬂuencing the actions of states) will likely increase in the coming years due to a combination of factors, including the ‘‘democractization of technology,’’ the ‘‘privatization of war’’ and the ‘‘miniaturization of weaponry.’’ As more groups are imbued with sophisticated technological capabilities and are able to employ increasingly lethal weapons, the United States will be forced to rely even further on its unprecedented global military

capabilities to eliminate this threat. The global war on terror, even with tactical successes against al Qaeda, will likely result in an inconclusive ending marked by the fragmentation and proliferation of terrorist spoiler groups. The ‘‘Israelization’’ of the United States, in which ‘‘security trumps everything,’’ will be no temporary phenomenon. 40 Realism provides an insufﬁcient means for understanding the current post-9/11 strategic threat environment and underestimates the potential impact of the terrorist threat on the American sense of vulnerability. Globalized terrorism must be confronted by proactive measures to reduce the domestic vulnerability to attack and to eliminate these organizations in their external sanctuaries. Even then, these measures will never be able to ensure ‘‘perfect security.’’ As a result, signiﬁcant public pressure for expanded security measures will arise after any attack. The United States will be consumed with what Frank Harvey has termed security addiction: ‘‘As expectations for acceptable levels of pain decrease, billions of dollars will continue to be spent by both parties in a never-ending competition to convince the American public that their party’s programs are different and more likely to succeed.’’ 41 This addiction has an important impact on the dramatically rising levels of homeland security spending. Indeed, while this increased spending is an inevitable and prudent reaction to the terrorist threat, it also creates high public expectations that will only amplify outrage in a security failure. 42 Relatedly, American strategic preponderance plays an important role in facilitating a vigorous international response to globalized terrorism, including the use of coercive military options and interventions. A primacist strategy has the dual attraction of both maximizing U.S. strategic dominance and convincing the public of a party’s national security credentials. Indeed, the Republicans had developed a strong advantage in electoral politics by its adherence to a strong military and aggressive strategy, and the Democrats in turn ‘‘learned the lesson of its vulnerability on the issue and [...] explicitly declared its devotion to national security and support for the military.’’ 43 The 9/11 attacks may not have altered the distribution of power amongst major states, but it has directly created a domestic political situation marked by an addiction to expansive security measures that are needed to satisfy increasingly high public expectations. In such a climate, it is easy to see why the neo-conservatives were so successful in selling their strategic vision. The fact that the United States has effectively settled on a grand strategy of primacy in the post-9/11 period should come as no surprise. **It is simply inconceivable that a political party could successfully advocate a grand strategy that does not embrace military preeminence and interventionism**, two factors that are seen to provide a deﬁnite advantage in the pursuit of a ‘‘global war on terror.’’ Political parties may disagree on the necessary tactics to eliminate the terrorist threat. But with increased vulnerability and security addiction, the United States will continue to embrace strategies of primacy– rather than going ‘‘beyond primacy’’–for much of the Long War.

### psychoanalysis

#### Not a prior question. Default to specific, testable truth claims

Yudkowsky 6 (Eliezer, Singularity Institute for AI Research Fellow and Director, 8/31, Cognitive Biases Potentially Affecting Judgment of Global Risk, http://www.singinst.org/ourresearch/publications/cognitive-biases.pdf)

Every true idea which discomforts you will seem to match the pattern of at least one psychological error.

Robert Pirsig said: "The world's biggest fool can say the sun is shining, but that doesn't make it dark out." if you believe someone is guilty of a psychological error, then demonstrate your competence by first demolishing their consequential factual errors. If there are no factual errors, then what matters the psychology? The temptation of psychology is that, knowing a little psychology, we can meddle in arguments where we have no technical expertise - instead sagely analyzing the psychology of the disputants. If someone wrote a novel about an asteroid strike destroying modern civilization, then someone might criticize that novel as extreme, dystopian, apocalyptic; symptomatic of the author's naive inability to deal with a complex technological society. We should recognize this as a literary criticism, not a scientific one; it is about good or bad novels, not good or bad hypotheses. To quantify the annual probability of an asteroid strike in real life, one must study astronomy and the historical record: no amount of literary criticism can put a number on it. Garreau (2005) seems to hold that a scenario of a mind slowly increasing in capability, is more mature and sophisticated than a scenario of extremely rapid intelligence increase. But that's a technical question, not a matter of taste; no amount of psychologizing can tell you the exact slope of that curve. It's harder to abuse heuristics and biases than psychoanalysis. Accusing someone of conjunction fallacy leads naturally into listing the specific details that you think are burdensome and drive down the joint probability. Even so, do not lose track of the real- world facts of primary interest; do not let the argument become about psychology. Despite all dangers and temptations, it is better to know about psychological biases than to not know. Otherwise we will walk directly into the whirling helicopter blades of life. But be very careful not to have too much fun accusing others of biases. That is the road that leads to becoming a sophisticated arguer - someone who, faced with any discomforting argument, finds at once a bias in it. The one whom you must watch above all is yourself. Jerry Cleaver said: "what does you in is not failure to apply some high-level, intricate, complicated technique. It's overlooking the basics. Not keeping your eye on the ball." analyses should finally center on testable real-world assertions. Do not take your eye off the ball.

#### Terrible oversimplication to say states are collectives of individuals—proves you should have no trust in the discipline

**Gordon, 01 -** psychotherapist living and working in London. (Paul, Race & Class, “Psychoanalysis and racism: the politics of defeat”, April, sage publications database)

Cohen's work unavoidably raises the question of the status of psycho- analysis as a social or political theory, as distinct from a clinical one. Can psychoanalysis, in other words, apply to the social world of groups, institutions, nations, states and cultures in the way that it does, or at least may do, to individuals? Certainly there is now a considerable body of literature and a plethora of academic courses, and so on, claim- ing that psychoanalysis is a social theory. And, of course, in popular discourse, it is now a commonplace to hear of nations and societies spoken of in personalised ways. Thus `truth commissions' and the like, which have become so common in the past decade in countries which have undergone turbulent change, are seen as forms of national therapy or catharsis, even if this is far from being their purpose. Never- theless, the question remains: does it make sense, as Michael Ignatieff puts it, to speak of nations having psyches the way that individuals do? `Can a nation's past make people ill as we know repressed memories sometimes make individuals ill? . . . Can we speak of nations ``working through'' a civil war or an atrocity as we speak of individuals working through a traumatic memory or event?'47

The problem with the **application of psychoanalysis to social institutions** is that there can be no testing of the claims made. If someone says, for instance, that nationalism is a form of looking for and seeking to replace the body of the mother one has lost, or that the popular appeal of a particular kind of story echoes the pattern of our earliest relationship to the maternal breast, how can this be proved? The pioneers of psychoanalysis, from Freud onwards, all derived their ideas in the context of their work with individual patients and their ideas can be examined in the everyday laboratory of the therapeutic encounter where the validity of an interpretation, for example, is a matter for dialogue between therapist and patient. Outside of the consulting room, there can be no such verification process, and the further one moves from the individual patient, the less purchase psycho- analytic ideas can have. Outside the therapeutic encounter, anything and everything can be true, psychoanalytically speaking. But if every- thing is true, then nothing can be false and therefore nothing can be true.

## 1nr

### case—at: society capitulates

#### You have it backwards – elites cant manipulate democratic structures to justify violence – citizens always check decisions to engage in and escalate war

Laron K. **Williams** (Department of Political Science Texas Tech University) David J. **Brulé** (Department of Political Science University of Tennessee) **and** Michael **Koch** (Department of Political Science Texas A&M University) **2009** “WAR VOTING: INTERSTATE DISPUTES, THE ECONOMY, AND ELECTORAL OUTCOMES” http://people.tamu.edu/~mtkoch/War%20and%20Voting.pdf

Elite leadership arguments are based on the premise that political elites lead public opinion such that it is in line with the elites‘ policy preferences (e.g., Foyle 2004). When faced with a dramatic foreign policy event, leaders choose a course of action and marshal sufficient public support for the effort. According to these arguments, a leader‘s competence in handling foreign policy crises yields increased approval ratings, which translate into electoral rewards at the polls – the ―rally ‗round the flag effect‖ (MacKuen 1983; Mueller 1973). The rally effect provides leaders with incentives to use force in an effort to reverse declining approval ratings (e.g., DeRouen 1995; Morgan and Bickers 1992) or to divert attention from deteriorating economic conditions (e.g., Hess and Orphanides 1995) – the diversionary use of force. Diversionary theory suggests that democratic leaders make trade-offs between economic performance and foreign policy in their quest for votes (e.g., Miller 1995; Brulé and Williams 2009). When the economy is performing poorly, leaders expect electoral punishment; but using force abroad may reverse the leader‘s dire prospects if voters reward the leadership for competence in foreign affairs (e.g., Richards, et al. 1993). But the ability of leaders to capitalize on foreign policy exploits is uncertain for a number of reasons. First, boosts in leader approval following crises tend to be small and short-lived, if they occur at all (Lian and Oneal 1993). Second, it is not clear whether increases in approval ratings translate into improved electoral prospects. As Baum (2004: 192) observes, ―short-term support is an unreliable predictor of the eventual political ramifications of a policy, because many of today‘s supporters are likely to become tomorrow‘s opponents should the policy be perceived as failing.‖It is also unclear whether leaders can successfully shape public opinion and take advantage of potentially beneficial events. Indeed, the relationship may flow in the opposite direction: democratic citizens may constrain decisions on the use of military force (Sobel 2001). Efforts to emphasize foreign policy over the economy may backfire. In his analysis of US intervention in Somalia, Baum (2004) suggests that military intervention increased when the public paid the least attention toward foreign policy. George H.W. Bush realized that an attentive public would be unimpressed with any dramatic foreign policy attempts as the economy slowed. Consequently, Bush chose not to send ground troops into Somalia during the summer and fall of 1992 (Baum 2004). Conventional wisdom suggests that sending ground troops was a reasonable option. Foreign policy was considered Bush‘s strength vis-à-vis Clinton, and the public and Congress largely supported the intervention. Ultimately, Bush did not want to escalate the conflict when the economy was performing poorly. He was already fighting the perception that he cared more about foreign policy than domestic policy. For example, his campaign advisors were ― ‗fearful of accusations that all the President cared about was foreign policy‘ and had urged him to take a low public profile on all foreign policy issues until after the election‖ (Oberdorfer 1992, quoted in Baum 2004: 203).

### at: islamophobia

#### Challenging Muslim groups that target civilians is not Islamophobic. Islamophobia instead results from conflating cultural characteristics and violence

**Ramadan ‘10** – Tariq, professor of Islamic Studies at the Faculty of Theology at Oxford (Good Muslim, Bad Muslim”, Middle East Online, First Published: 2010-03-17, http://www.middle-east-online.com/english/?id=37897)

There are those in the west today who are keen to define moderate Muslims as those who are invisible, or look just like us, who support us, or even as those who have accepted the terms of their subjection. In turn, they want to declare all the rest as fundamentalists or extremists. Such self-serving judgements are ideological in nature and lead only to an intellectual confusion that prevents us from grasping the essentially political and economic nature of the debate. They cannot help us to understand the complex dynamics at work in Muslim societies. Once we have condemned the violent -- extremist groups that murder innocent civilians supposedly in the name of Islam, we must move forward and place their political positions in context.

There exists a strictly religious debate, couched in the language of Islamic jurisprudence and the fundamentals of faith, over the notion of moderation. If this is grasped - as it must be - it becomes possible to approach the more relevant political questions with far less prejudice and naivety. We should never forget that religious moderation, however it is defined, is perfectly compatible with a radical, non-violent, democratic political stance that rejects all forms of domination, exploitation and oppression.

#### Challenging violence itself is the best way to challenge Islamophobia—there's no strict connection between religious and political moderation – in fact when we raided Bin Laden’s compound we found a huge porn stash

**Ramadan 2010** – Tariq, professor of Islamic Studies at the Faculty of Theology at Oxford (Good Muslim, Bad Muslim”, Middle East Online, First Published: 2010-03-17, http://www.middle-east-online.com/english/?id=37897)

Not only is political "moderation" an ill-¬defined concept, but the confusion between religious and political spheres makes analysis even more problematic. People are quick, far too quick, to assume that because a woman or a man is religiously "liberal" with regard to Islamic practices such as wearing the hijab or drinking alcohol, for instance, she or he will hold equally "liberal" political views. In my ¬experience, nothing could be further from the truth. There are innumerable cases of political personalities, intellectuals and civil society activists who are indeed Muslims with liberal views and practices but who publicly support the most hardline dictatorial regimes and/or the most violent resistance groups everywhere from Algeria to France. So moderation in religion cannot be correlated with its supposed political equivalent. In the western-generated analysis, however, there is a tendency to conflate these categories.

#### They don’t solve it:

#### --Law enforcement

**C**hristian **S**cience **M**onitor, January 08, 20**10**, “Muslim Americans and US law enforcement: not enemies, but vital partners”

America can’t afford that.The US must identify and apprehend terrorists while avoiding the alienation of its mainstream Muslim communities. And it is critical that tactics used by law enforcement agencies to achieve the first goal do not undermine the second, as it is not only contrary to the values of a free and democratic society, it creates counterproductive counterterrorism. In the current climate of fear, it’s difficult to gain trust. In order to heal relations between Muslim American communities and law enforcement, and create a more effective barrier against terrorists, both sides need to revise their respective approaches to extremism and violence. Many Muslims Americans are concerned by news that paid FBI informants, including ex-con men such as Craig Monteilh in southern California and Shahed Hussain in New York, have been targeting impressionable Muslim Americans to incite and then entrap them. The Muslim community is also concerned by reports that law enforcement agents are coercing Muslim Americans to serve as informants in exchange for immigration ease. This should matter to all Americans, because fearful communities are less willing to talk to law enforcement �" and we need all the help we can get from Muslim Americans. After years of building trust with local law enforcement, the Pakistani community in Lodi, Calif., is trying repair relations that were tattered by the highly questionable use of an FBI informant in a counterterrorism investigation just after Sept. 11.

### at: dehumanization

#### Dehumanizing language is practiced by terrorists – to be a terrorist, a person has to do something; all you have to do to be an infidel is be born.

**Elshtain, 2003**

Jean Bethke, Laura Spelman Rockefeller Professor of Social and Political Ethics at the University of Chicago Divinity School, and is a contributing editor for The New Republic. “Just War Against Terror”

One description condemns an intentional attack using instruments of peaceful travel—commercial airliners—against buildings in which com­merce was conducted and people worked to support their families, and the other revels in it. Labeling their victims—calling them "infidels," the Islamist term for non-Muslims or Muslims who do not share their ha­tred; "bacilli," a Nazi term for Jews; or "bourgeois reactionaries," a Communist term for any who opposed their violent revolution—is but one way in which some human beings strip others of their protected status as noncombatants or, even more radically, of their very human­ness. Such rhetoric is endemic to terror that knows no limit and traffics in strategies of exculpation and denial. Islamist fanatics tell themselves that the infidel is a lower order of being and a menace, and they are do­ing a good deed by eliminating a threat to the purity of their faith and all the faithful.

### at: endless war

#### Resolve to fight is key to an effective and limited campaign

**Brook and Ghate 2005**

(Yaron, Exec Director of the Ayn Rand Institute, Onkar, Ph.D in Philosophy and Senior Fellow at ARI, “The Foreign Policy of Guilt,” August 1, <http://www.aynrand.org/site/News2?page=NewsArticle&id=11269>)

Support for totalitarian Islam will wither only when the Islamic world is convinced that the West will fight--and fight aggressively. As long as the insurgents continue with their brutal acts in Iraq, unharmed by the mightiest military force in human history, as long as the citizens of London return to "normal" lives with subways exploding all around them, as long as the West continues to negotiate with Iran on nuclear weapons--as long as the West continues to appease its enemies, because it believes it has no moral right to destroy them, totalitarian Islam is emboldened. It is the West's moral weakness that feeds terrorism and brings it fresh recruits. It is the prospect of success against the West, fueled by the West's apologetic response, that allows totalitarian Islam to thrive. Bush has said repeatedly, in unguarded moments, that this war is un-winnable. By his foreign policy, it is. But if the British and American people gain the self-esteem to assert our moral right to exist--with everything this entails--victory will be ours.

#### Yes, the war on terror will go on for a long time – this isn’t a reason to give up and will be true regardless of our strategy

**Peters, 2002**

Ralph, retired Army officer and the author of 19 books, as well as of hundreds of essays and articles, experience, military or civilian, in 60 countries, and is a frequent contributor to Parameters, Parameters, Autumn 2002, “[Rolling Back Radical Islam”](http://www.freerepublic.com/focus/f-news/1015395/posts)”

Driven by the ferocity of events, we have begun to react militarily to the violence in Islam’s borderlands, from the Caucasus to the Philippines, as well as in that eternal frontier state, Afghanistan. And much more military engagement will be necessary in the future. But our military can address only the problems of the moment, problems rooted in yesterday. We must begin to examine the dilemmas and opportunities of each new day with greater interest, so that we may help (to the degree we can) struggling societies discover paths to a more peaceful, cooperative tomorrow. Whatever we do or fail to do, our military will be busy throughout the lifetimes of anyone reading these freshly printed lines. Success will never be final, but always a matter of degree—though, sometimes, of high degree: the difference between a bloody contest of civilizations and the routine ebb and flow of lesser conflicts. Our lack of involvement—indeed, our lack of interest—in Islam’s efforts to define its character for the 21st century and beyond has abandoned the field to our mortal enemies. Over the past few decades, Middle Eastern oil wealth has been used by the most restrictive, oppressive states to export a regressive, ferociously intolerant and anti-Western form of Islam to mosques and madrassas abroad, from the immigrant quarters of London to the back-country of Indonesia. When we noticed anything at all, we dismissed it as no more than an annoyance, our attitude drifting between the Pollyanna notion that everyone is entitled to his or her own form of religion (no matter if it preaches hatred and praises mass murder) and the “serious” policymaker’s view that religion is a tertiary issue, far less instructive and meaningful than GDP numbers or arms deals.

#### Anarchists were harder to defeat, and we did. If we unilaterally surrender, terrorists will force an all out confrontation.

**Card 2003**

(Orson Scott, Author of Ender’s Game, etc, “War Watch,” Oct 26, http://www.ornery.org/essays/warwatch/2003-10-26-1.html)

But at the same time, just as it happened a century ago, the governments of the civilized world are divided against each other and riven with internal dissent. What finally ended Anarchism as a source of terrorism? World War I. Bloody revolutions in Russia and elsewhere. Fascism. Nothing like having a million men die in the trenches, or having the population oppressed by state terrorism far worse than the feeble efforts of Anarchists, or suffering through the chaos of genuine, bloody anarchy. All the ideas of the Anarchists were disproven or shown to be trivial. My fear is that the only way to end the wave of terrorism that is finding recruits among impoverished and frustrated and extremist Muslims in so many nations of the world will be similar. The best answer to extremist Muslim views is to live in a country ruled by extremist Muslims. Citizens of Iran under the ayatollahs and Afghanistan under the Taliban are far less likely a recruiting ground for anti-western terrorism. But the fanatical Taliban and the fascist Ba'ath parties were not brought down by internal revolution -- they were brought down by outside invasion (with much cooperation from the people who hated the fanatic regimes). And I fear that the only thing that will cure the Muslim people of their current love affair with terrorism (for even though the terrorists are few, those who openly sympathize with their barbarities are many and their critics are virtually silent) is the savagery of total war. The only alternative is the kind of limited, surgical war that America has been waging in Afghanistan and Iraq. The cost of such a war is not trivial, but it is also not total. But if America and Britain lose heart and do not complete this kind of war, the terrorists will regard our retreat as proof that they were right and Allah supports their actions. More terrorism will surely follow, and the war we failed to complete now our children will have to complete later -- and under far less advantageous circumstances. The terrorists want a world war between all of Islam and everybody else, because they believe that in such a war Allah will give them the victory and the entire world will become Muslim (or at least be ruled by Muslims). So leaving them alone will not cause them to leave us alone -- it will encourage them to provoke us more. Giving more aid or support to Muslim nations will not be seen as generosity, it will be seen as tribute or ransom money, and the credit will go to the terrorists ... thereby inviting further acts of terror. (This is the pattern that the Palestinian terrorists have already demonstrated for years.) That is the thing that the advocates of "peace" just don't seem to understand: Peace cannot be achieved unilaterally. When an enemy is determined to make war -- even a pathetically weak and under-armed enemy -- then a war will be fought ... or the enemy will become your conqueror.

### at: police state

#### This is hardly the stuff of police states – your overblown rhetoric stops intelligent debate and makes it harder to responsibly monitor the government

**Elshtain, 2003**

Jean Bethke, Laura Spelman Rockefeller Professor of Social and Political Ethics at the University of Chicago Divinity School, and is a contributing editor for The New Republic. “Just War Against Terror”

The Patriot Act requires a review of cases of aliens held as suspected terrorists every six months. This requirement is scarcely the stuff out of which police states are made. The Palmer Raids and World War II detentions of entire families of Japanese and Japanese Americans bear no similarity to the carefully targeted and delimited detentions, with built-in safeguards, of today. To reiterate: It is not only appropriate but necessary for vigilant citizens and watchdog civil liberties groups to raise questions about these matters. There is real danger, however, in hyperbolic accusations that the government has run amok. When the hysteria charged to government is instead to be found in words of accusation that are demonstrably false, our confidence in responsible criticism and careful examination of what is happening to civil liberties may be undermined. Alarmist accusations based on flawed analogies do not—as their defenders sometimes claim—“open up” debate. Instead, they have the opposite effect. These accusations push subtlety into the shadows and lead persons who may have qualms about the government’s actions to defend the government against outlandish charges. Whether charges of government abuse come from the left, the right, or the middle, it is vital to politics that concrete and accurate evidence lie at the heart of any argument. At present, the overheated distortion emanate primarily from the far left. Michael Walzer describes these efforts as a search for “the moral purism of blaming America first,” rather than assessing with the seriousness it deserves what can be laid at the doorstep of America, or of a particular administration, and what cannot.

### AT: Blum/root cause

#### Their card says the US has to do a lot of stuff to solve that the aff clearly doesn’t do – and proves the link to the DA

Blum, 2004[Willian, William Blum is an author, historian, and renowned critic of U.S. foreign policy. He is the author of [*Killing Hope: U.S. Military and CIA Interventions Since World War II*](http://williamblum.org/books/killing-hope/) and [*Rogue State: A Guide to the World’s Only Superpower*](http://williamblum.org/books/rogue-state/). In early 2006, Blum briefly became the subject of widespread media attention when [Osama bin Laden](http://en.wikipedia.org/wiki/Osama_bin_Laden) issued [a public statement](http://en.wikipedia.org/wiki/19_January_2006_Osama_bin_Laden_tape) in which he quoted Blum and recommended that all Americans read [*Rogue State: A Guide to the World's Only Superpower*](http://en.wikipedia.org/wiki/Rogue_State:_A_Guide_to_the_World%27s_Only_Superpower). As a result of the mention sales of his book greatly increased. "I was quite surprised and even shocked and amused when I found out what he'd said," Blum said. "I was glad. I knew it would help the book's sales and I was not bothered by who it was coming from. If he shares with me a deep dislike for certain aspects of US foreign policy, then I'm not going to spurn any endorsement of the book by him. I think it's good that he shares those views and I'm not turned off by that."[[4]](http://en.wikipedia.org/wiki/William_Blum#cite_note-4) On the Bin Laden endorsement Blum stated "This is almost as good as being an Oprah book."[[1]](http://en.wikipedia.org/wiki/William_Blum#cite_note-Montgomery-1) <http://williamblum.org/chapters/freeing-the-world-to-death/myth-and-denial-in-the-war-against-terrorism>]

as long as US foreign policy continues with its bloody and oppressive interventions, the “War on Terrorism” is as doomed to failure as the war on drugs has been. If I were the president, I could stop terrorist attacks against the United States in a few days. Permanently. I would first apologize – very publicly and very sincerely – to all the widows and orphans, the impoverished and the tortured, and all the many millions of other victims of American imperialism. Then I would announce to every corner of the world that America’s global military interventions have come to an end. I would then inform Israel that it is no longer the 51st state of the union but -ññ oddly enough -ññ a foreign country. Then I would reduce the military budget by at least 90% and use the savings to pay reparations to the victims and repair the damage from the many American bombings, invasions and sanctions. There would be more than enough money. One year’s military budget in the United States is equal to more than $20,000 per hour for every hour since Jesus Christ was born. That’s one year. That’s what I’d do on my first three days in the White House. On the fourth day, I’d be assassinated.

#### Focusing on the root cause of terrorism does nothing to prevent it

**Elshtain, 3**

Jean Bethke Elshtain, Professor of Social and Politics Ethics @ U of Chicago-Divinity School, 2003 (Just War Against Terror: The Burden of American Power in a Violent World) p. 3

Certain critical events in the past remind us of this mordant fact. Looking back on twentieth-century fascism, we do not wring our hands and blame everyone but the Nazis for their murderous policies. Of course, it is important for historians and political analysts to take account of the political, social, and economic milieu out of which National Socialism emerged. But the difficulty and desperation of post-World War I conditions-runaway inflation, a war-torn econ­omy, and war reparations, all of which Germany faced-do not add up to the inevitability of the evil that was Nazism. To claim such is to set in motion an exculpatory strategy that, whether intentionally or inadvertently, rationalizes political pathology. The overriding truth and most salient fact of National Socialism is simply stated: A group of people took over state power, aimed to expand an Aryan Empire through ruthless force, and, as dictated by their ideology of biologi­cal racism, murdered whole categories of people not because of any­thing they had done but because of who they were. Why, then, in the context of America's war against terrorism, do so many tick off a list of American "failures" or even insist that America brought the horrors of September 11, 2001, on herself? Let me be clear that I exempt from this mode of argument the ludicrous claims that have arisen since that day, such as the slander that Israel carried out the attacks after having first warned Jews who worked in New York's World Trade Center towers to stay home that day, or the preposterous charge that American officials, up to and including the president of the United States, engineered the attacks to bolster their popularity. This sort of in­flammatory madness exists outside the boundary of political debate and festers instead in the fever swamps of conspiracy theory. Conducted within the boundary of reasonable political debate, how­ever, are those arguments that an international "war on poverty and de­spair," or a change in the direction of U.S. Middle Eastern policy, or a different U.S. policy toward Iraq will stay the hands of murderous terror­ists in the future. Certainly these arguments deserve a hearing. Pushing more programs that deal with poverty and despair or rethinking Ameri­can foreign policy, including our approach to Iraq, may have desirable outcomes. But no such change, either singly or together, will deter Osama bin Laden and those like him. To believe such is to plunge head­first into the strategy of denial characteristic of the citizens of Oran in Camus's novel. We could do everything demanded of us by those who are critical of America, both inside and outside our boundaries, but Islamist fundamentalism and the threat it poses would not be deterred.

### at: mueller

#### Mueller’s wrong about everything

**Allison, 9** – Douglas Dillon Professor of Government and Director of the Belfer Center for Science and International Affairs at Harvard University's Kennedy School of Government ( Graham “A Response to Nuclear Terrorism Skeptics” Brown Journal of World Affairs, Hein Online)

What drives Mueller and other skeptics to arrive at such different conclusions?

They make four major claims that merit serious examination and reflection.

CLAIM 1: No ONE IS SERIOUSLY MOTIVATED TO CONDUCT A NUCLEAR TERRORIST ATTACK.

More than a decade ago, no one could have imagined that a Japanese doomsday cult would be sufficiently motivated to disseminate sarin gas on the Tokyo subway. Indeed, at the time of that attack, the consensus among terrorism experts was that terrorists wanted an audience and sympathy-not casualties. The leading American student of terrorism, Brian Jenkins, summarized the consensus judgment in 1975: "terrorists seem 34 to be more interested in having a lot of people watching, not a lot of people dead.""

As intelligence officials later testified, an inability to recognize the shifting modus operandi of some terrorist groups was part of the reason why members of Aum Shinrikyo "were simply not on anybody's radar screen."" This, despite the fact that the group owned a 12-acre chemical weapons factory in Tokyo, had $1 billion in its bank account, and had a history of serious nuclear ambitions.'9

Similarly, before the 9/11 attacks on the World Trade Center and Pentagon that extinguished 3,000 lives, few imagined that terrorists could mount an attack upon the American homeland that would kill more Americans than the Japanese attack at Pearl Harbor. As Secretary Rice testified to the 9/11 Commission, "No one could have imagined them taking a plane, slamming it into the Pentagon and into the World Trade Center, using planes as a missile." 20 For most Americans, the idea of international terrorists mounting an attack on our homeland and killing thousands of citizens was not just unlikely, but inconceivable. But assertions about what is "imaginable" or "conceivable" are propositions about individuals' mental capacities, not about what is objectively possible.

In fact, Al Qaeda's actions in the decade prior to the 9/11 attacks provided clear evidence both of intent and capability. While its 1993 attack on the World Trade Center succeeded in killing only six people, Ramzi Yousef, the key operative in this case, had planned to collapse one tower onto the second, killing 40,000. In the summer of 1996, Osama bin Laden issued a fatwa declaring war upon the United States. Two years later, Al Qaeda attacked the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, killing more than 200 people. In October 2000, Al Qaeda attacked the warship USS Cole. Throughout this period, Al Qaeda's leadership was running thousands of people through training camps, preparing them for mega-terrorist attacks.

Notwithstanding Aum Shinrikyo's brazen attack, Al Qaedas audacious 9/11 attack, and the recent attacks in Mumbai that killed 179 people, Mueller maintains that "terrorists groups seem to have exhibited only limited desire... they have discovered that the tremendous effort required is scarcely likely to be successful." He asserts that the evidence about Al Qaedas nuclear intentions ranges from the "ludicrous to the merely dubious," and that those who take Al Qaeda's nuclear aspiration seriously border on "full-on fantasyland."1

Even scholars who would have been inclined to agree with this point of view have revised their judgment as new facts have accumulated. In 2006, for example, Jenkins reversed the basic proposition that he had set forth three decades earlier. In his summary: "In the 1970s the bloodiest incidents caused fatalities in the tens. In the 1980s, fatalities from the worst incidents were in the hundreds; by the 1990s, attacks on this scale had become more frequent. On 9/11 there were thousands of fatalities, and there could have been far more. We now contemplate plausible scenarios in which tens of 35 thousands might die." Underlining the contrast with his own 1975 assessment, Jenkins now says: "Jihadists seem ready to murder millions, if necessary. Many of today's terrorists want a lot of people watching and a lot of people dead."22 (Emphasis added.)

Al Qaeda has been deadly clear about its ambitions. In 1998, Osama bin Laden declared that he considered obtaining weapons of mass destruction "a religious duty."" In December 2001, he urged his supporters to trump the 9/11 attacks: "America is in retreat by the grace of God Almighty..but it needs further blows."2 A few months later, Al Qaeda announced its goal to "kill four million Americans."5 It eVen managed to gain religious sanction from a radical Saudi cleric in 2003 to kill "ten million Americans" with a nuclear or biological weapon.26

We also now know that Al Qaeda has been seriously seeking a nuclear bomb. According to the Report of the 9/11 Commission, "Al Qaeda has tried to acquire or make nuclear weapons for at least ten years... and continues to pursue its strategic goal of obtaining a nuclear capability." It further reveals "bin Laden had reportedly been heard to speak of wanting a 'Hiroshima." The Commission provides evidence of Al Qaedas effort to recruit nuclear expertise-including evidence about the meeting between two Pakistani nuclear weapon scientists, bin Laden, and his deputy Ayman al-Zawahiri in Afghanistan to discuss nuclear weapons.2 These scientists were founding members of Ummah Tamer-e-Nau (UTN), a so-called charitable agency to support projects in Afghanistan. The foundation's board included a fellow nuclear scientist knowledgeable about weapons construction, two Pakistani Air Force generals, one Army general, and an industrialist who owned Pakistan's largest foundry.28

In his memoir, former CIA Director George Tenet offers his own conclusion that "the most senior leaders of Al Qaeda are still singularly focused on acquiring WMD" and that "the main threat is the nuclear one." In Tenet's view, Al Qaedas strategic goal is to obtain a nuclear capability. He concludes as follows: "I am convinced that this is where Osama bin Laden and his operatives desperately want to go."2 9

CLAIM 2: IT IS IMPOSSIBLE FOR TERRORISTS TO ACQUIRE FISSILE MATERIAL.

Assuming that terrorists have the intent-could they acquire the necessary materials for a Hiroshima-model bomb? Tenet reports that after 9/11, President Bush showed President Putin his briefing on UTN. In Tenet's account of the meeting, Bush "asked Putin point blank if Russia could account for all of its material." Putin responded that he could guarantee it was secure during his watch, underlying his inability to provide assurance about events under his predecessor, Boris Yeltsin.3o

When testifying to the Senate Intelligence Committee in February 2005, Commit- 36 tee Vice-Chairman John Rockefeller (D-WV) asked CIA Director Porter Goss whether the amount of nuclear material known to be missing from Russian nuclear facilities was sufficient to construct a nuclear weapon. Goss replied, "There is sufficient material unaccounted for that it would be possible for those with know-how to construct a weapon.. .I can't account for some of the material so I can't make the assurance about its whereabouts."

Mueller sidesteps these inconvenient facts to assert a contrary claim. According to his telling, over the last 10 years, there have been only 10 known thefts of highly enriched uranium (HEU), totaling less than 16 pounds, far less than required for an atomic explosion. He acknowledges, however, that "There may have been additional thefts that went undiscovered."32

Yet, as Matthew Bunn testified to the Senate in April 2008, "Theft of HEU and plutonium is not a hypothetical worry, it is an ongoing reality." He notes that "nearly all of the stolen HEU and plutonium that has been seized over the years had never been missed before it was seized." The IAEA Illicit Nuclear Trafficking Database notes 1,266 incidents reported by 99 countries over the last 12 years, including 18 incidents involving HEU or plutonium trafficking. 130 research reactors around the world in 40 developing and transitional countries still hold the essential ingredient for nuclear weapons. As Bunn explains, "The world stockpiles of HEU and separated plutonium are enough to make roughly 200,000 nuclear weapons; a tiny fraction of one percent of these stockpiles going missing could cause a global catastrophe."

Consider the story of Russian citizen Oleg Khinsagov. Arrested in February 2006 in Georgia, he was carrying 100 grams of 89-percent enriched HEU as a sample and attempting to find a buyer for what he claimed were many additional kilograms. Mueller asserts that "although there is a legitimate concern that some material, particularly in Russia, may be somewhat inadequately secured, it is under lock and key, and even sleepy, drunken guards, will react with hostility (and noise) to a raiding party.""

CLAIM 3: IT IS EXTREMELY DIFFICULT TO CONSTRUCT A NUCLEAR DEVICE THAT WORKS.

Rolf Mowatt-Larssen, former director of the Department of Energy's Office of Intelligence and Counterintelligence, testified that, "The 21s' century will be defined first by the desire and then by the ability of non-state actors to procure or develop crude nuclear weapons."6 In contrast, Mueller contends that, "Making a bomb is an extraordinarily difficult task... the odds, indeed, are stacked against the terrorists, perhaps massively so." 37

Mueller argues that his conclusion follows from an analysis of 20 steps an atomic terrorist would have to accomplish in what he judges to be the most likely nuclear terrorism scenario. On the basis of this list, he claims that there is "worse than one in a 37 million" chance of success. 38

His approach, however, misunderstands probabilistic risk assessment. For example, some of the steps on the list would have to be completed before an attempt to acquire material could begin (therefore, the success rate for any of those steps during the path would, by definition, be 100 percent). Other steps are unnecessary, such as having a technically sophisticated team pre-deployed in the target country. Although he assumes that stolen materials will be missed, in none of the 18 documented cases mentioned earlier had the seized material been reported missing."

At U.S. weapons labs and among the U.S. intelligence community, experts who have examined this issue largely agree. John Foster, a leading American bomb maker and former director of the Lawrence Livermore National Laboratories, wrote a quarter century ago, "If the essential nuclear materials are at hand, it is possible to make an atomic bomb using information that is available in the open literature." 4 Similarly, Theodore Taylor, the nuclear physicist who designed America's smallest and largest atomic bombs, has repeatedly stated that, given fissile material, building a bomb is "very easy. Double underline. Very Easy." 4

Inquiring into such claims, then-Senator Joe Biden (D-DE) asked the major nuclear weapons laboratories whether they could make such a device if they had nuclear materials. All three laboratories answered affirmatively. The laboratories built a gun-type device using only components that were commercially available and without breaking a single U.S. law.

The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, known as the Silberman-Robb Commission, reported in 2005 that the intelligence community believed Al Qaeda "probably had access to nuclear expertise and facilities and that there was a real possibility of the group developing a crude nuclear device." It went on to say that "fabrication of at least a 'crude' nuclear device was within Al Qaedas capabilities, if it could obtain fissile material."43

Skeptics argue that terrorists cannot replicate the effort of a multi-billion dollar nuclear program of a state. This claim does not distinguish between the difficulty of producing nuclear materials for a bomb (the most difficult threshold) and the difficulty of making a bomb once the material has been acquired. The latter is much easier. In the Iraq case, for example, the CIA noted that if Saddam Hussein had stolen or purchased nuclear materials from abroad, this would have cut the time Iraq needed to make a bomb from years to months.1 Moreover, terrorists do not require a state-of-the art weapon and delivery system, since for blowing up a single city a crude nuclear device would suffice.

The grim reality of globalization's dark underbelly is that non-state actors are 38 increasingly capable of enacting the kind of lethal destruction heretofore the sole reserve of states.

CLAIM 4: IT IS TOO DIFFICULT TO DELIVER A NUCLEAR DEVICE TO THE UNITED STATES.

In the spring of 1946, J. Robert Oppenheimer was asked whether units of the atom bomb could be smuggled into New York and then detonated. He answered, "Of course it could be done, and people could destroy New York." As for how such a weapon smuggled in a crate or a suitcase might be detected, Oppenheimer opined, "with a screwdriver." He went on to explain that because the HEU in a nuclear weapon emits so few radioactive signals, a bomb disguised with readily available shielding would not be detected when inspectors opened the crates and examined the cargo.41

The nuclear weapon that terrorists would use in the first attack on the United States is far more likely to arrive in a cargo container than on the tip of a missile. In his appearance before a Senate subcommittee in March 2001, six months before 9/11, National Intelligence Officer Robert Walpole testified that "non-missile delivery means are less costly, easier to acquire, and more reliable and accurate."' 6

Citing the 1999-2003 U.S. Congressional Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (the Gilmore Commission), Mueller states that transporting an improvised nuclear device would require overcoming "Herculean challenges.""

He does not explain, however, why bringing a crude nuclear weapon into an American city would be materially different than the challenge faced by drug smugglers or human traffickers. According to the Government Accountability Organization, an average of 275 metric tons of cocaine have arrived in Mexico each year for transshipment to the United States since 2000. Reported seizures averaged about 36 tons a year, a 13 percent success rate for the intelligence and law enforcement community. Three million illegal immigrants enter the country each year, and only one in three gets caught."

### at: critical terrorism studies

#### Their argument essentializes terror scholarship – it’s not a monolithic entity – defer to specific research

Michael J. **Boyle '8**, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

Some CTS advocates have positioned the CTS project against something usually called ‘terrorism studies’, ‘Orthodox terrorism studies’ or, alternatively, ‘terrorology’. Whatever these bodies of literature are (or at least are imagined by those who have created them as such), they are recent intellectual constructions, the product of an over-generalization that has emerged from the identification of (1) the limitations associated with terrorism research to date, coupled with (2) a less than complete understanding of the nature of research on terrorism. A cursory review of the terrorism literature reveals that attempts to generalize about something called Orthodox Terrorism Studies are deeply problematic. Among terrorism scholars, there are wide disagreements about, among others, the definition of terrorism, the causes of terrorism, the role and value of the concept of ‘radicalization’ and ‘extremism’, the role of state terror, the role that foreign policy plays in motivating or facilitating terrorism, the ethics of terrorism, and the proper way to conduct ‘counter-terrorism’. A cursory examination of the contents of the two most well-known terrorism journals Terrorism and Political Violence and Studies in Conflict and Terrorism quickly reveals this. These differences, and the concomitant disagreements that result in the literature, cut across disciplines – principally political science and psychology, but also others, such as anthropology, sociology, theology, and philosophy – and even within disciplines wide disagreements about methods (for example, discourse analysis, rational choice, among others) persist. To suggest that they can be lumped together as something called ‘terrorology’ or ‘Orthodox Terrorism Studies’ belies a narrow reading of the literature. This is, in short, a ‘straw man’ which helps position CTS in the field but is not based on a well-grounded critique of the current research on terrorism.

#### Terrorism studies are epistemologically and methodologically valid---our authors are self-reflexive

Michael J. **Boyle '8**, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

Jackson (2007c) calls for the development of an explicitly CTS on the basis of what he argues preceded it, dubbed ‘Orthodox Terrorism Studies’. The latter, he suggests, is characterized by: (1) its poor methods and theories, (2) its state centricity, (3) its problemsolving orientation, and (4) its institutional and intellectual links to state security projects. Jackson argues that the major defining characteristic of CTS, on the other hand, should be ‘a skeptical attitude towards accepted terrorism “knowledge”’. An implicit presumption from this is that terrorism scholars have laboured for all of these years without being aware that their area of study has an implicit bias, as well as definitional and methodological problems. In fact, terrorism scholars are not only well aware of these problems, but also have provided their own searching critiques of the field at various points during the last few decades (e.g. Silke 1996, Crenshaw 1998, Gordon 1999, Horgan 2005, esp. ch. 2, ‘Understanding Terrorism’). Some of those scholars most associated with the critique of empiricism implied in ‘Orthodox Terrorism Studies’ have also engaged in deeply critical examinations of the nature of sources, methods, and data in the study of terrorism. For example, Jackson (2007a) regularly cites the handbook produced by Schmid and Jongman (1988) to support his claims that theoretical progress has been limited. But this fact was well recognized by the authors; indeed, in the introduction of the second edition they point out that they have not revised their chapter on theories of terrorism from the first edition, because the failure to address persistent conceptual and data problems has undermined progress in the field. The point of their handbook was to sharpen and make more comprehensive the result of research on terrorism, not to glide over its methodological and definitional failings (Schmid and Jongman 1988, p. xiv). Similarly, Silke’s (2004) volume on the state of the field of terrorism research performed a similar function, highlighting the shortcomings of the field, in particular the lack of rigorous primary data collection. A non-reflective community of scholars does not produce such scathing indictments of its own work.

#### Jackson and critical terror studies are wrong – no evidence to substantiate their claims and no viable alternative

Jones and Smith, 9 - \* University of Queensland, Queensland, Australia AND \*\* King's College, University of London, London, UK (David and M.L.R.,“We're All Terrorists Now: Critical—or Hypocritical—Studies “on” Terrorism?,” Studies in Conflict & Terrorism, Volume 32, Issue 4 April 2009 , pages 292 **–** 302**,** Taylor and Francis)

The journal, in other words, is not intended, as one might assume, to evaluate critically those state or non-state actors that might have recourse to terrorism as a strategy. Instead, the journal's ambition is to deconstruct what it views as the ambiguity of the word “terror,” its manipulation by ostensibly liberal democratic state actors, and the complicity of “orthodox” terrorism studies in this authoritarian enterprise. Exposing the deficiencies in any field of study is, of course, a legitimate scholarly exercise, but what the symposium introducing the new volume announces questions both the research agenda and academic integrity of journals like *Studies in Conflict and Terrorism* and those who contribute to them. Do these claims, one might wonder, have any substance?

Significantly, the original proposal circulated by the publisher Routledge and one of the editors, Richard Jackson, suggested some uncertainty concerning the preferred title of the journal. *Critical Studies on Terrorism* appeared last on a list where the first choice was *Review of Terror Studies*. Evidently, the concision of a review fails to capture the critical perspective the journal promotes. Criticism, then, is central to the new journal's philosophy and the adjective connotes a distinct ideological and, as shall be seen, far from pluralist and inclusive purpose. So, one might ask, what exactly does a critical approach to terrorism involve?

What it Means to be Critical

The editors and contributors explore what it means to be “critical” in detail, repetition, and opacity, along with an excessive fondness for italics, in the editorial symposium that introduces the first issue, and in a number of subsequent articles. The editors inform us that the study of terrorism is “a growth industry,” observing with a mixture of envy and disapproval that “literally thousands of new books and articles on terrorism are published every year” (pp. l-2). In adding to this literature the editors premise the need for yet another journal on their resistance to what currently constitutes scholarship in the field of terrorism study and its allegedly uncritical acceptance of the Western democratic state's security perspective.

Indeed, to be critical requires a radical reversal of what the journal assumes to be the typical perception of terrorism and the methodology of terrorism research. To focus on the strategies practiced by non-state actors that feature under the conventional denotation “terror” is, for the critical theorist, misplaced. As the symposium explains, “acts of clandestine non-state terrorism are committed by a tiny number of individuals and result in between a few hundred and a few thousand casualties *per year over the entire world*” (original italics) (p. 1). The United States's and its allies' preoccupation with terrorism is, therefore, out of proportion to its effects.1 At the same time, the more pervasive and repressive terror practiced by the state has been “silenced from public and … academic discourse” (p. 1).

The complicity of terrorism studies with the increasingly authoritarian demands of Western, liberal state and media practice, together with the moral and political blindness of established terrorism analysts to this relationship forms the journal's overriding assumption and one that its core contributors repeat ad nauseam. Thus, Michael Stohl, in his contribution “Old Myths, New Fantasies and the Enduring Realities of Terrorism” (pp. 5-16), not only discovers ten “myths” informing the understanding of terrorism, but also finds that these myths reflect a “state centric security focus,” where analysts rarely consider “the violence perpetrated by the state” (p. 5). He complains that the press have become too close to government over the matter. Somewhat contradictorily Stohl subsequently asserts that media reporting is “central to terrorism and counter-terrorism as political action,” that media reportage provides the oxygen of terrorism, and that politicians consider journalists to be “the terrorist's best friend” (p. 7).

Stohl further compounds this incoherence, claiming that “the media are far more likely to focus on the destructive actions, rather than on … grievances or the social conditions that breed [terrorism]—to present episodic rather than thematic stories” (p. 7). He argues that terror attacks between 1968 and 1980 were scarcely reported in the United States, and that reporters do not delve deeply into the sources of conflict (p. 8). All of this is quite contentious, with no direct evidence produced to support such statements. The “media” is after all a very broad term, and to assume that it is monolithic is to replace criticism with conspiracy theory. Moreover, even if it were true that the media always serves as a government propaganda agency, then by Stohl's own logic, terrorism as a method of political communication is clearly futile as no rational actor would engage in a campaign doomed to be endlessly misreported.

Nevertheless, the notion that an inherent pro-state bias vitiates terrorism studies pervades the critical position. Anthony Burke, in “The End of Terrorism Studies” (pp. 37-49), asserts that established analysts like Bruce Hoffman “specifically exclude states as possible perpetrators” of terror. Consequently, the emergence of “critical terrorism studies” “may signal the end of a particular kind of traditionally state-focused and directed 'problem-solving' terrorism studies—at least in terms of its ability to assume that its categories and commitments are immune from challenge and correspond to a stable picture of reality” (p. 42).

Elsewhere, Adrian Guelke, in “Great Whites, Paedophiles and Terrorists: The Need for Critical Thinking in a New Era of Terror” (pp. 17-25), considers British government-induced media “scare-mongering” to have legitimated an “authoritarian approach” to the purported new era of terror (pp. 22-23). Meanwhile, Joseba Zulaika and William A. Douglass, in “The Terrorist Subject: Terrorist Studies and the Absent Subjectivity” (pp. 27-36), find the War on Terror constitutes “*the* single,” all embracing paradigm of analysis where the critical voice is “not allowed to ask: what is the reality itself?” (original italics) (pp. 28-29). The construction of this condition, they further reveal, if somewhat abstrusely, reflects an abstract “desire” that demands terror as “an ever-present threat” (p. 31). In order to sustain this fabrication: “Terrorism experts and commentators” function as “realist policemen”; and not very smart ones at that, who while “gazing at the evidence” are “unable to read the paradoxical logic of the desire that fuels it, whereby *lack* turns to*excess*” (original italics) (p. 32). Finally, Ken Booth, in “The Human Faces of Terror: Reflections in a Cracked Looking Glass” (pp. 65-79), reiterates Richard Jackson's contention that state terrorism “is a much more serious problem than non-state terrorism” (p. 76).

Yet, one searches in vain in these articles for evidence to support the ubiquitous assertion of state bias: assuming this bias in conventional terrorism analysis as a fact seemingly does not require a corresponding concern with evidence of this fact, merely its continual reiteration by conceptual fiat. A critical perspective dispenses not only with terrorism studies but also with the norms of accepted scholarship. Asserting what needs to be demonstrated commits, of course, the elementary logical fallacy *petitio principii*. But critical theory apparently emancipates (to use its favorite verb) its practitioners from the confines of logic, reason, and the usual standards of academic inquiry.

Alleging a constitutive weakness in established scholarship without the necessity of providing proof to support it, therefore, appears to define the critical posture. The unproved “state centricity” of terrorism studies serves as a platform for further unsubstantiated accusations about the state of the discipline. Jackson and his fellow editors, along with later claims by Zulaika and Douglass, and Booth, again assert that “orthodox” analysts rarely bother “to interview or engage with those involved in 'terrorist' activity” (p. 2) or spend any time “on the ground in the areas most affected by conflict” (p. 74). Given that Booth and Jackson spend most of their time on the ground in Aberystwyth, Ceredigion, not a notably terror rich environment if we discount the operations of *Meibion Glyndwr* who would as a matter of principle avoid *pob sais* like Jackson and Booth, this seems a bit like the pot calling the kettle black. It also overlooks the fact that *Studies in Conflict and Terrorism* first advertised the problem of “talking to terrorists” in 2001 and has gone to great lengths to rectify this lacuna, if it is one, regularly publishing articles by analysts with first-hand experience of groups like the Taliban, Al Qaeda and *Jemaah Islamiyah*.

A consequence of avoiding primary research, it is further alleged, leads conventional analysts uncritically to apply psychological and problem-solving approaches to their object of study. This propensity, Booth maintains, occasions another unrecognized weakness in traditional terrorism research, namely, an inability to engage with “the particular dynamics of the political world” (p. 70). Analogously, Stohl claims that “the US and English [sic] media” exhibit a tendency to psychologize terrorist acts, which reduces “structural and political problems” into issues of individual pathology (p. 7). Preoccupied with this problem-solving, psychopathologizing methodology, terrorism analysts have lost the capacity to reflect on both their practice and their research ethics.

By contrast, the critical approach is not only self-reflective, but also and, for good measure, self-reflexive. In fact, the editors and a number of the journal's contributors use these terms interchangeably, treating a reflection and a reflex as synonyms (p. 2). A cursory encounter with the *Shorter Oxford Dictionary* would reveal that they are not. Despite this linguistically challenged misidentification, “reflexivity” is made to do a lot of work in the critical idiom. Reflexivity, the editors inform us, requires a capacity “to challenge dominant knowledge and understandings, is sensitive to the politics of labelling … is transparent about its own values and political standpoints, adheres to a set of responsible research ethics, and is committed to a broadly defined notion of emancipation” (p. 2). This covers a range of not very obviously related but critically approved virtues. Let us examine what reflexivity involves as Stohl, Guelke, Zulaika and Douglass, Burke, and Booth explore, somewhat repetitively, its implications.

Reflexive or Defective?

Firstly, to challenge dominant knowledge and understanding and retain sensitivity to labels leads inevitably to a fixation with language, discourse, the ambiguity of the noun, terror, and its political use and abuse. Terrorism, Booth enlightens the reader unremarkably, is “a politically loaded term” (p. 72). Meanwhile, Zulaika and Douglass consider terror “the dominant tropic [sic] space in contemporary political and journalistic discourse” (p. 30). Faced with the “serious challenge” (Booth p. 72) and pejorative connotation that the noun conveys, critical terrorologists turn to deconstruction and bring the full force of postmodern obscurantism to bear on its use. Thus the editors proclaim that terrorism is “one of the most powerful signifiers in contemporary discourse.” There is, moreover, a “yawning gap between the 'terrorism' signifier and the actual acts signified” (p. 1). “[V]irtually all of this activity,” the editors pronounce *ex cathedra*, “refers to the *response* to acts of political violence not the violence itself” (original italics) (p. 1). Here again they offer no evidence for this curious assertion and assume, it would seem, all conventional terrorism studies address issues of homeland security.

In keeping with this critical orthodoxy that he has done much to define, Anthony Burke also asserts the “instability (and thoroughly politicized nature) of the unifying master-terms of our field: 'terror' and 'terrorism'” (p. 38). To address this he contends that a critical stance requires us to “keep this radical instability and inherent politicization of the concept of terrorism at the forefront of its analysis.” Indeed, “without a conscious reflexivity about the most basic definition of the object, our discourse will not be critical at all” (p. 38). More particularly, drawing on a jargon-infused amalgam of Michel Foucault's identification of a relationship between power and knowledge, the neo-Marxist Frankfurt School's critique of democratic false consciousness, mixed with the existentialism of the Third Reich's favorite philosopher, Martin Heidegger, Burke “*questions the question*.” This intellectual *potpourri* apparently enables the critical theorist to “question the ontological status of a 'problem' before any attempt to map out, study or resolve it” (p. 38).

Interestingly, Burke, Booth, and the symposistahood deny that there might be objective data about violence or that a properly focused strategic study of terrorism would not include any prescriptive goodness or rightness of action. While a strategic theorist or a skeptical social scientist might claim to consider only the complex relational situation that involves as well as the actions, the attitude of human beings to them, the critical theorist's radical questioning of language denies this possibility.

The critical approach

h to language and its deconstruction of an otherwise useful, if imperfect, political vocabulary has been the source of much confusion and inconsequentiality in the practice of the social sciences. It dates from the relativist pall that French radical post structural philosophers like Gilles Deleuze and Felix Guattari, Foucault, and Jacques Derrida, cast over the social and historical sciences in order to demonstrate that social and political knowledge depended on and underpinned power relations that permeated the landscape of the social and reinforced the liberal democratic state. This radical assault on the possibility of either neutral fact or value ultimately functions unfalsifiably, and as a substitute for philosophy, social science, and a real theory of language.

The problem with the critical approach is that, as the Australian philosopher John Anderson demonstrated, to achieve a genuine study one must either investigate the facts that are talked about or the fact that they are talked about in a certain way. More precisely, as J.L. Mackie explains, “if we concentrate on the uses of language we fall between these two stools, and we are in danger of taking our discoveries about manners of speaking as answers to questions about what is there.”2 Indeed, in so far as an account of the use of language spills over into ontology it is liable to be a confused mixture of what should be two distinct investigations: the study of the facts about which the language is used, and the study of the linguistic phenomena themselves.

It is precisely, however, this confused mixture of fact and discourse that critical thinking seeks to impose on the study of terrorism and infuses the practice of critical theory more generally. From this confused seed no coherent method grows.

What is To Be Done?

This ontological confusion notwithstanding, Ken Booth sees critical theory not only exposing the dubious links between power and knowledge in established terrorism studies, but also offering an ideological agenda that transforms the face of global politics. “[*C*]*ritical knowledge*,” Booth declares, “*involves understandings of the social world that attempt to stand outside prevailing structures, processes, ideologies and orthodoxies while recognizing that all conceptualizations within the ambit of sociality derive from particular social/historical conditions*” (original italics) (p. 78). Helpfully, Booth, assuming the manner of an Old Testament prophet, provides his critical disciples with “*big-picture* navigation aids” (original italics) (p. 66) to achieve this higher knowledge. Booth promulgates fifteen commandments (as Clemenceau remarked of Woodrow Wilson's nineteen points, in a somewhat different context, “God Almighty only gave us ten”). When not stating the staggeringly obvious, the Ken Commandments are hopelessly contradictory. Critical theorists thus should “avoid exceptionalizing the study of terrorism,”3 “recognize that states can be agents of terrorism,” and “keep the long term in sight.” Unexceptional advice to be sure and long recognized by more traditional students of terrorism. The critical student, if not fully conversant with critical doublethink, however, might find the fact that she or he lives within “Powerful theories” that are “constitutive of political, social, and economic life” (6th Commandment, p. 71), sits uneasily with Booth's concluding injunction to “stand outside” prevailing ideologies (p. 78).

In his preferred imperative idiom, Booth further contends that terrorism is best studied in the context of an “academic international relations” whose role “is not only to interpret the world but to change it” (pp. 67-68). Significantly, academic—or more precisely, critical—international relations, holds no place for a realist appreciation of the status quo but approves instead a Marxist ideology of praxis. It is within this transformative praxis that critical theory situates terrorism and terrorists.

The political goals of those non-state entities that choose to practice the tactics of terrorism invariably seek a similar transformative praxis and this leads “critical global theorizing” into a curiously confused empathy with the motives of those engaged in such acts, as well as a disturbing relativism. Thus, Booth again decrees that the gap between “those who hate terrorism and those who carry it out, those who seek to delegitimize the acts of terrorists and those who incite them, and those who abjure terror and those who glorify it—is not as great as is implied or asserted by orthodox terrorism experts, the discourse of governments, or the popular press” (p. 66). The gap “between us/them is a slippery slope, not an unbridgeable political and ethical chasm” (p. 66). So, while “terrorist actions are always—without exception—wrong, they nevertheless might be contingently excusable” (p. 66). From this ultimately relativist perspective gang raping a defenseless woman, an act of terror on any critical or uncritical scale of evaluation, is, it would seem, wrong but potentially excusable.

On the basis of this worrying relativism a further Ken Commandment requires the abolition of the discourse of evil on the somewhat questionable grounds that evil releases agents from responsibility (pp. 74-75). This not only reveals a profound ignorance of theology, it also underestimates what Eric Voeglin identified as a central feature of the appeal of modern political religions from the Third Reich to Al Qaeda. As Voeglin observed in 1938, the Nazis represented an “attractive force.” To understand that force requires not the abolition of evil [so necessary to the relativist] but comprehending its attractiveness. Significantly, as Barry Cooper argues, “its attractiveness, [like that of al Qaeda] cannot fully be understood apart from its evilness.”4

The line of relativist inquiry that critical theorists like Booth evince toward terrorism leads in fact not to moral clarity but an inspissated moral confusion. This is paradoxical given that the editors make much in the journal's introductory symposium of their “responsible research ethics.” The paradox is resolved when one realizes that critical moralizing demands the “ethics of responsibility to the terrorist other.” For Ken Booth it involves, it appears, empathizing “with the ethic of responsibility” faced by those who, “in extremis” “have some explosives” (p. 76). Anthony Burke contends that a critically self-conscious normativism requires the analyst, not only to “critique” the “strategic languages” of the West, but also to “take in” the “side of the Other” or more particularly “engage” “with the highly developed forms of thinking” that provides groups like Al Qaeda “with legitimizing foundations and a world view of some profundity” (p. 44). This additionally demands a capacity not only to empathize with the “other,” but also to recognize that both Osama bin Laden in his *Messages to the West* and Sayyid Qutb in his Muslim Brotherhood manifesto *Milestones* not only offer “well observed” criticisms of Western decadence, but also “converges with elements of critical theory” (p. 45). This is not surprising given that both Islamist and critical theorists share an analogous contempt for Western democracy, the market, and the international order these structures inhabit and have done much to shape.

Histrionically Speaking

Critical theory, then, embraces relativism not only toward language but also toward social action. Relativism and the bizarre ethicism it engenders in its attempt to empathize with the terrorist other are, moreover, histrionic. As Leo Strauss classically inquired of this relativist tendency in the social sciences, “is such an understanding dependent upon our own commitment or independent of it?” Strauss explains, if it is independent, I am committed as an actor and I am uncommitted in another compartment of myself in my capacity as a social scientist. “In that latter capacity I am completely empty and therefore completely open to the perception and appreciation of all commitments or value systems.” I go through the process of empathetic understanding in order to reach clarity about my commitment for only a part of me is engaged in my empathetic understanding. This means, however, that “such understanding is not serious or genuine but histrionic.”5 It is also profoundly dependent on Western liberalism. For it is only in an open society that questions the values it promotes that the issue of empathy with the non-Western other could arise. The critical theorist's explicit loathing of the openness that affords her histrionic posturing obscures this constituting fact.

On the basis of this histrionic empathy with the “other,” critical theory concludes that democratic states “do not always abjure acts of terror whether to advance their foreign policy objectives … or to buttress order at home” (p. 73). Consequently, Ken Booth asserts: “If terror can be part of the menu of choice for the relatively strong, it is hardly surprising it becomes a weapon of the relatively weak” (p. 73). Zulaika and Douglass similarly assert that terrorism is “always” a weapon of the weak (p. 33).

At the core of this critical, ethicist, relativism therefore lies a syllogism that holds all violence is terror: Western states use violence, therefore, Western states are terrorist. Further, the greater terrorist uses the greater violence: Western governments exercise the greater violence. Therefore, it is the liberal democracies rather than Al Qaeda that are the greater terrorists.

In its desire to empathize with the transformative ends, if not the means of terrorism generally and Islamist terror in particular, critical theory reveals itself as a form of Marxist unmasking. Thus, for Booth “*terror has multiple forms*” (original italics) and the real terror is economic, the product it would seem of “global capitalism” (p. 75). Only the *engagee* intellectual academic finding in deconstructive criticism the philosophical weapons that reveal the illiberal neo-conservative purpose informing the conventional study of terrorism and the democratic state's prosecution of counterterrorism can identify the real terror lurking behind the “manipulation of the politics of fear” (p. 75).

Moreover, the resolution of this condition of escalating violence requires not any strategic solution that creates security as the basis for development whether in London or Kabul. Instead, Booth, Burke, and the editors contend that the only solution to “the world-historical crisis that is facing human society globally” (p. 76) is universal human “emancipation.” This, according to Burke, is “the normative end” that critical theory pursues. Following Jurgen Habermas, the godfather of critical theory, terrorism is really a form of distorted communication. The solution to this problem of failed communication resides not only in the improvement of living conditions, and “the political taming of unbounded capitalism,” but also in “the telos of mutual understanding.” Only through this telos with its “strong normative bias towards non violence” (p. 43) can a universal condition of peace and justice transform the globe. In other words, the only ethical solution to terrorism is conversation: sitting around an un-coerced table presided over by Kofi Annan, along with Ken Booth, Osama bin Laden, President Obama, and some European Union pacifist sandalista, a transcendental communicative reason will emerge to promulgate norms of transformative justice. As Burke enunciates, the panacea of un-coerced communication would establish “a secularism that might create an enduring architecture of basic shared values” (p. 46).

In the end, un-coerced norm projection is not concerned with the world as it is, but how it ought to be. This not only compounds the logical errors that permeate critical theory, it advances an ultimately utopian agenda under the guise of *soi-disant* cosmopolitanism where one somewhat vaguely recognizes the “human interconnection and mutual vulnerability to nature, the cosmos and each other” (p. 47) and no doubt bursts into spontaneous chanting of Kumbaya.

In analogous visionary terms, Booth defines real security as emancipation in a way that denies any definitional rigor to either term. The struggle against terrorism is, then, a struggle for emancipation from the oppression of political violence everywhere. Consequently, in this Manichean struggle for global emancipation against the real terror of Western democracy, Booth further maintains that universities have a crucial role to play. This also is something of a concern for those who do not share the critical vision, as university international relations departments are not now, it would seem, in business to pursue dispassionate analysis but instead are to serve as cheerleaders for this critically inspired vision.

Overall, the journal's fallacious commitment to emancipation undermines any ostensible claim to pluralism and diversity. Over determined by this transformative approach to world politics, it necessarily denies the possibility of a realist or prudential appreciation of politics and the promotion not of universal solutions but pragmatic ones that accept the best that may be achieved in the circumstances. Ultimately, to present the world how it ought to be rather than as it is conceals a deep intolerance notable in the contempt with which many of the contributors to the journal appear to hold Western politicians and the Western media.6

It is the exploitation of this oughtistic style of thinking that leads the critic into a Humpty Dumpty world where words mean exactly what the critical theorist “chooses them to mean—neither more nor less.” However, in order to justify their disciplinary niche they have to insist on the failure of established modes of terrorism study. Having identified a source of government grants and academic perquisites, critical studies in fact does not deal with the notion of terrorism as such, but instead the manner in which the Western liberal democratic state has supposedly manipulated the use of violence by non-state actors in order to “other” minority communities and create a politics of fear.

Critical Studies and Strategic Theory—A Missed Opportunity

Of course, the doubtful contribution of critical theory by no means implies that all is well with what one might call conventional terrorism studies. The subject area has in the past produced superficial assessments that have done little to contribute to an informed understanding of conflict. This is a point readily conceded by John Horgan and Michael Boyle who put “A Case Against 'Critical Terrorism Studies'” (pp. 51-74). Although they do not seek to challenge the agenda, assumptions, and contradictions inherent in the critical approach, their contribution to the new journal distinguishes itself by actually having a well-organized and well-supported argument. The authors' willingness to acknowledge deficiencies in some terrorism research shows that critical self-reflection is already present in existing terrorism studies. It is ironic, in fact, that the most clearly reflective, original, and *critical* contribution in the first edition should come from established terrorism researchers who critique the critical position.

Interestingly, the specter haunting both conventional and critical terrorism studies is that both assume that terrorism is an existential phenomenon, and thus has causes and solutions. Burke makes this explicit: “The inauguration of this journal,” he declares, “indeed suggests broad agreement that there is a phenomenon called terrorism” (p. 39). Yet this is not the only way of looking at terrorism. For a strategic theorist the notion of terrorism does not exist as an independent phenomenon. It is an abstract noun. More precisely, it is merely a tactic—the creation of fear for political ends—that can be employed by any social actor, be it state or non-state, in any context, without any necessary moral value being involved.

Ironically, then, strategic theory offers a far more “critical perspective on terrorism” than do the perspectives advanced in this journal. Guelke, for example, propounds a curiously orthodox standpoint when he asserts: “to describe an act as one of terrorism, without the qualification of quotation marks to indicate the author's distance from such a judgement, is to condemn it as absolutely illegitimate” (p. 19). If you are a strategic theorist this is an invalid claim. Terrorism is simply a method to achieve an end. Any moral judgment on the act is entirely separate. To fuse the two is a category mistake. In strategic theory, which Guelke ignores, terrorism does not, ipso facto, denote “absolutely illegitimate violence.”

Intriguingly, Stohl, Booth, and Burke also imply that a strategic understanding forms part of their critical viewpoint. Booth, for instance, argues in one of his commandments that terrorism should be seen as a conscious human choice. Few strategic theorists would disagree. Similarly, Burke feels that there does “appear to be a consensus” that terrorism is a “form of instrumental political violence” (p. 38). The problem for the contributors to this volume is that they cannot emancipate themselves from the very orthodox assumption that the word terrorism is pejorative. That may be the popular understanding of the term, but inherently terrorism conveys no necessary connotation of moral condemnation. “Is terrorism a form of warfare, insurgency, struggle, resistance, coercion, atrocity, or great political crime,” Burke asks rhetorically. But once more he misses the point. All violence is instrumental. Grading it according to whether it is insurgency, resistance, or atrocity is irrelevant. Any strategic actor may practice forms of warfare. For this reason Burke's further claim that existing definitions of terrorism have “specifically excluded states as possible perpetrators and privilege them as targets,” is wholly inaccurate (p. 38). Strategic theory has never excluded state-directed terrorism as an object of study, and neither for that matter, as Horgan and Boyle point out, have more conventional studies of terrorism.

Yet, Burke offers—as a critical revelation—that “the strategic intent behind the US bombing of North Vietnam and Cambodia, Israel's bombing of Lebanon, or the sanctions against Iraq is also terrorist.” He continues: “My point is not to remind us that states practise terror, but to show how mainstream *strategic doctrines* are terrorist in these terms and undermine any prospect of achieving the normative consensus if such terrorism is to be reduced and eventually eliminated” (original italics) (p. 41). This is not merely confused, it displays remarkable nescience on the part of one engaged in teaching the next generation of graduates from the Australian Defence Force Academy. Strategic theory conventionally recognizes that actions on the part of state or non-state actors that aim to create fear (such as the allied aerial bombing of Germany in World War II or the nuclear deterrent posture of Mutually Assured Destruction) can be terroristic in nature.7 The problem for critical analysts like Burke is that they impute their own moral valuations to the term terror. Strategic theorists do not. Moreover, the statement that this undermines any prospect that terrorism can be eliminated is illogical: you can never eliminate an abstract noun.

Consequently, those interested in a truly “critical” approach to the subject should perhaps turn to strategic theory for some relief from the strictures that have traditionally governed the study of terrorism, not to self-proclaimed critical theorists who only replicate the flawed understandings of those whom they criticize. Horgan and Boyle conclude their thoughtful article by claiming that critical terrorism studies has more in common with traditional terrorism research than critical theorists would possibly like to admit. These reviewers agree: they are two sides of the same coin.

Conclusion

In the looking glass world of critical terror studies the conventional analysis of terrorism is ontologically challenged, lacks self-reflexivity, and is policy oriented. By contrast, critical theory's ethicist, yet relativist, and deconstructive gaze reveals that we are all terrorists now and must empathize with those sub-state actors who have recourse to violence for whatever motive. Despite their intolerable othering by media and governments, terrorists are really no different from us. In fact, there is terror as the weapon of the weak and the far worse economic and coercive terror of the liberal state. Terrorists therefore deserve empathy and they must be discursively engaged.

At the core of this understanding sits a radical pacifism and an idealism that requires not the status quo but communication and “human emancipation.” Until this radical post-national utopia arrives both force and the discourse of evil must be abandoned and instead therapy and un-coerced conversation must be practiced. In the popular ABC drama *Boston Legal* Judge Brown perennially referred to the vague, irrelevant, jargon-ridden statements of lawyers as “jibber jabber.” The Aberystwyth-based school of critical internationalist utopianism that increasingly dominates the study of international relations in Britain and Australia has refined a higher order incoherence that may be termed Aber jabber. The pages of the journal of *Critical Studies on Terrorism* are its natural home.

## 2nr

### yes terrorism

**Their evidence is all just like “there are a lot of steps” --- ya obviously, and our authors considered all of them --- the risk is real**

Peter **Beinart 8**, associate professor of journalism and political science at CUNY, The Good Fight; Why Liberals – and only Liberals – Can Win the War on Terror and Make America Great Again, 106-7

For all these reasons, jihadists seem less intent on acquiring a finished nuclear weapon than on acquiring weapons- grade uranium and building the bomb themselves. In the early 1990s, Al Qaeda bought a 3- foot- long cylinder from a Sudanese military officer who said it contained South African highly enriched uranium. It turned out to be a hoax. Jihadists have reportedly made other failed attempts as well. Eventually, however, they could succeed. Moscow may adequately protect its nuclear weapons, but the National Academy of Sciences has warned that “large inventories of SNM [fissile material] are stored at many sites that apparently lack inventory controls.” And the Russians reportedly experience one or two attempted thefts of that material a year—that they know of. ¶ If Al Qaeda obtained 50 kilograms of weapons-g rade uranium, the hardest part would be over. The simplest nuke to build is the kind the United States dropped on Hiroshima, a “gun- type,” in which a mass of highly enriched uranium is fired down a large gun barrel into a second uranium mass. Instructions for how to make one are widely available. Just how widely available became clear to an elderly nuclear physicist named Theodore Taylor in 2002, when he looked up “atomic bomb” in the World Book Encyclopedia in his upstate New York nursing home, and found much of the information you’d need. ¶ Even with directions, building a nuclear bomb would still be a monumental task. According to a New York Times Magazine article by Bill Keller, in 1986 five Los Alamos nuke builders wrote a paper called “Can Terrorists Build Nuclear Weapons?” They concluded that it would require people who understood “the physical, chemical and metallurgical proper-¶ 107¶ ties of the various materials to be used, as well as characteristics affecting their fabrication; neutronic properties; radiation effects, both nuclear and biological; technology concerning high explosives and/or chemical pro- pellants; some hydrodynamics; electrical circuitry.” That sounds daunting. **Yet, at the end of the paper, the scientists answered their question: “Yes, they can.”** ¶Finally, once terrorists built a nuclear weapon, they’d still have to smuggle it into the United States. The best way might be to put it in a shipping container, on one of the many supertankers that bring oil into American ports every day. The containers are huge, more than big enough to fit a gun-t ype nuke, which could be as small as 6 feet in length and 6 inches in diameter. Highly enriched uranium emits much less radiation than plutonium, and inside a supertanker’s thick double-steel hull it would be hard for sensors to detect. What’s more, a single ship can carry several thousand containers, most of which are never searched. On September 11, 2002, ABC News smuggled a 15- pound cylinder of depleted uranium in a cargo container past U.S. customs. On September 11, 2003, they performed the same exercise—and got the uranium past customs again.