#### An exponential increase in targeted killings is coming in the status quo- Obama's recent speech broadens the target spectrum for drones

Lesley Clark and Jonathan S. Landay May 23, 2013"Obama speech suggests possible expansion of drone killings" http://www.mcclatchydc.com/2013/05/23/192081/obama-promises-anew-to-transfer.html She arrived in Washington in 2006 as a regional reporter for the Miami Herald, and later the Bradenton Herald as well. She was assigned to cover the White House in July 2011. onathan S. Landay, senior national security and intelligence correspondent for McClatchy Newspapers, has written about foreign affairs and U.S. defense, intelligence and foreign policies for more than 25 years.

WASHINGTON — President Barack Obama on Thursday defended his administration’s use of drone strikes to kill terrorists as effective, lawful and “heavily constrained,” but he also appeared to be laying groundwork for an expansion of the controversial targeted killings. In remarks at the National Defense University in Washington, Obama cast the use of such operations as a necessary part of an overall national defense strategy, even as he acknowledged targeted killings risk “creating new enemies” and could “lead a president and his team to view drone strikes as a cure-all for terrorism.” He said the U.S. is at a crossroads of national security issues with a diffuse array of terrorist threats that require a recasting of a war on terror. “Neither I, nor any president, can promise the total defeat of terror,” Obama said, contending that the threat of large-scale attacks like the Sept. 11 2001, terrorist attacks has faded as al Qaida has been weakened, but that threats like the Boston Marathon bombing and attacks in Benghazi remain. “What we can do – what we must do – is dismantle networks that pose a direct danger, and make it less likely for new groups to gain a foothold, all while maintaining the freedoms and ideals that we defend.” As part of that, he renewed a first term campaign promise to close the detention center at Guantanamo Bay, announcing that he’d lift a ban on detainee transfers to Yemen – homeland of half of the 166 captives at the detention facility. The speech served to counter critics who say the drone program has been bathed in secrecy, as Obama offered more details on when the U.S. will deploy drone strikes. But Obama’s speech appeared to expand those who are targeted in drone strikes and other undisclosed “lethal actions” in apparent anticipation of an overhaul of the 2001 congressional resolution authorizing the use of force against al Qaida and allied groups that supported the 9/11 attacks on the United States. In every previous speech, interview and congressional testimony, Obama and his top aides have said that drone strikes are restricted to killing confirmed “senior operational leaders of al Qaida and associated forces” plotting imminent violent attacks against the United States. But Obama dropped that wording Thursday, making no reference at all to senior operational leaders. While saying that the United States is at war with al Qaida and its associated forces, he used a variety of descriptions of potential targets, from “those who want to kill us” and “terrorists who pose a continuing and imminent threat” to “all potential terrorist targets.” The previous wording also was absent from a fact sheet distributed by the White House. Targeted killings outside of “areas of active hostilities,” it said, could be used against “a senior operational leader of a terrorist organization or the forces that organization is using or intends to use to conduct terrorist attacks.” The preconditions for targeted killings set out by Obama and the fact sheet appear to correspond to the findings of a McClatchy review published in April of U.S. intelligence reports that showed the CIA killed hundreds of lower-level suspected Afghan, Pakistani and unidentified “other” militants in scores of drone attacks in Pakistan’s tribal are during the height of the operations in 2010-11. Nearly 4,000 people are estimated to have died in U.S. drone strikes since 2004, the vast majority if them conducted by the CIA in Pakistan’s tribal area bordering Afghanistan. The fact sheet also said that those who can be killed must pose a “continuing and imminent threat” to “U.S. persons,” setting no geographic limits. Previous administration statements have referred to imminent threats to the United States – the homeland or its interests. “They appear to be broadening the potential target set,” said Christopher Swift, an international legal expert who teaches national security studies at Georgetown University and closely follows the targeted killing issue. At the same time, new presidential guidance on targeted killings that Obama signed Wednesday appeared designed to address charges by some legal scholars and civil and human rights groups that the administration has relied on an overly broad definition of “imminent” that exceeds the international legal standard. In his speech, Obama introduced the phrase “continuing and imminent” in what Swift saw as an effort to better define when the U.S. government can use lethal force. “The standard for the use of force appears to be narrowing because they’ve introduced the standard of imminent and continuing,” Swift said. “Imminent means that the threat poses clear, credible and immediate risk of violence.” Swift said he still has serious problems with the administration’s criteria for targeted killing because it has yet to publicly identify beyond the Afghan Taliban and al Qaida’s regional affiliates the groups that it considers “associated forces” of the terrorist network and the criteria it uses to define them. Several other experts said they also remained troubled because Obama continued to keep secret details of the procedures that the administration uses in deciding who can be targeted in drone strikes and other lethal operations off traditional battlefields. “I don’t think anyone should feel reassured by anything that President Obama said about the use of lethal force,” said Zeke Johnson of Amnesty International. The speech came as the administration has been rattled by a series of controversies, and Obama sought to stem growing criticism of the drone program from members of Congress and civil and human rights groups that charge it’s killed hundreds of civilians and violates U.S. and international law. Obama said the guidelines he signed Wednesday include working with other countries and only using strikes when the U.S. – or other governments – do not have the ability to capture terrorists. He said the U.S. preference is to detain and prosecute, and that drone strikes are not used as “punishment” but to prevent attacks waged by terrorists who pose a “continuing and imminent threat to the American people.”

#### Target killings deconstruct the norms of warfare- 3 warrants

Paul Kahn 2011 "Imagining Warfare" http://ejil.oxfordjournals.org/content/24/1/199.abstractPaul W. Kahn is the Robert W. Winner Professor of Law and the Humanities at Yale Law School and the Director of the Orville H. Schell, Jr. Center for International Human Rights.

This new, high-tech weaponry disrupts many of our traditional expectations about warfare. Gone are long-established ideas about the place or time of combat. Gone too is the traditional idea of the combatant. The drone targets a particular individual, not a class or category of combatants. The victim is targeted for what he has done or is planning to do, not for his status. A person identified in this way has been eliminated; he may have been targeted while he was engaging in the most ordinary activities of private life. The drone is the technological equivalent of the assassin, but without the risk of personal presence.4 That absence means that the drone operates in a zone of asymmetrical violence. The operator kills, but is so removed from battle that he is unlikely even to think of himself as a combatant. He may work a desk job in an office building in an American suburb. Cumulatively, these three categories of disturbance canvas the basic elements of the political imaginary of warfare. Borrowing from Kant, we can call the first category the “aesthetics” of warfare: the spatial and temporal frame of the experience. We can call the second, the subjectivity of the combatant: is the combatant an individual or a corporate subject? The third category is that of the internal morality of combat. Traditionally, combat established a relationship of reciprocal risk – killing was linked to a willingness to be killed. Does the combatant’s privilege of killing depend upon some such reciprocity? At issue in these three categories are the where, the who, and the ethos of political violence. These categories locate us in a common world of meaning. Responding to these categories one way located us in world of warfare; answering them another way located us in a world of law enforcement. Each has been its own world. These worlds, however, are intersecting in contemporary conflicts. One consequence of that intersection is that we don’t know what body of law to apply: international humanitarian law or criminal procedure. Each of these dimensions – the aesthetics, subjectivity, and ethos of combat – must be investigated. That is a large task that can only be sketched here. The problem we confront is not the absence of norms with respect to violence, but rather a surfeit of norms that are not well ordered with respect to each other. There is not one right way to kill and be killed for the sake of political ends. Elsewhere and at other times practices have been different. We can only proceed by examining our own political imaginary as it constructs an image of the ends and means of responding to violence.

#### Allowing these norms to collapse situates the political imaginary of asymmetrical states towards policing and away from sovereignty- war dictates politics instead of the other way around

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There is a banal question that the United States often faces with respect to military deployments around the world. Who, we are asked, made you the policeman to the world? The answer is no one. Communities should be free to make their law for themselves and to struggle with issues of enforcement. The history of nations is not a story of progress, but of struggle. If we believe that national politics is of value, then it is their struggle. We are remarkably obtuse to the lessons of our own history, if we fail to recognize this. What if Britain, prior to the Civil War, had invaded the United States in order to end the practice of slavery? Despite the justice of the end, would the nation have united in resistance? As I argued above, every war can become one of self-defense. Of course, as with any principle, there are exceptions. Nevertheless, our own practices suggest how narrow they are.81 Acknowledging that we are not the world’s policeman, however, does not answer the question of whether we can or should deploy violence abroad. The United States has been more than willing to go to war against its enemies. Indeed, America has been at war or preparing for war for most of the last 100 years. War is not to be explained in terms of justice – the end of law – but in terms of existence. It is the response to the perception of an existential challenge to the popular sovereign. As long as such threats are imagined, war will shape our politics. War and law enforcement are not just formal categories. They refer to structures of the political imaginary before they refer to structures of law. I have tried to delineate the basic categories through which this framing takes place: the aesthetics of war, the subjectivity of the combatant, and the ethos of war. Together, these elements produce a picture of what war is, what it is about, and what norms should govern it. Today, however, we are in an uncertain time. The old pattern of war between sovereign states is breaking apart in the face of new threats. The different elements no longer exist in relationships of mutual support. The balance among the technology of violence, the politics of war, and our normative understanding of the character of the practice no longer holds. Political violence is no longer between states with roughly symmetrical capacities to injure each other; violence no longer occurs on a battlefield between masses of faceless combatants; and those involved no longer seem morally innocent. The drone is both a symbol and a part of the dynamic destruction of what had been a stable imaginative structure. It captures all of these changes: the enemy is not a state, the target is not innocent, the engagement occurs in a normalized time and space, and there is no reciprocity of risk. We can call this situation “war,” but it is no longer clear exactly what that means. If terrorism is with us to stay, we are going to have to have to move beyond criminal or enemy. The confrontation with terror will evolve its own norms, borrowing from the traditional categories of both law enforcement and war. We will need to imagine violence organized around forms of administrative rationality. This is something we have been reluctant to do, given the history of administrative death in the 20th century. Perhaps this time the need will make us more responsive to international institutions than our practice of sacrifice of the corporate body. We simply don’t know. We cannot know, for it is not up to us alone. The terrorist who is presently neither criminal nor enemy will have a good deal to say about this.

#### The paradigm shift destroys the legal distinction between criminal and enemy

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This relationship of representation to identity provides the fundamental structures of the modern political imagination.16 Unless we keep both dimensions of the modern state in mind, we will be at a loss to understand its deeply paradoxical character. The state promised individual well-being under the rule of law, but it also made a total claim on the lives and property within its jurisdiction. The Hobbesian sovereign ended one state of nature only to establish another. The war of individuals ended, while that of states began. It is not at all clear which should be thought of as the more dangerous condition: to be murdered in the state of nature or to die for one’s country. The state was simultaneously the vehicle for peace and war, for life and death. The logic of law pointed to individual well-being as the ground of legitimacy, while sovereign presence depended upon citizens willing to sacrifice themselves. The modern state has been this curious combination of well-being and sacrifice. We hear echoes of this duality today when the American war on terror is simultaneously criticized for its failure to comply with law and for its failure to call on the entire population to share in sacrifice. Political identity in the modern state has been a negotiation of these basic categories. The double character of the state as both an inward order and an outward threat is seen in the multiple pairings of our basic political concepts: law and sovereignty, peace and war, well-being and sacrifice. Carl Schmitt was standing within this tradition when he identified the friend/enemy distinction as the defining political conception.17 That pairing, however, is no more basic than any of the others, including criminal and enemy.

#### That's key to the legitimacy of the state- absent concrete political definitions violence and war become forces that must always be confronted

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Criminal or enemy made literally a world of difference. Entire bodies of law, substantive and procedural, turned on this distinction. More important, our understanding of ourselves – who we are and what we are doing – continues to turn on it.5 Are we defending the state or enforcing the law? Are we killing the enemy or punishing the criminal? Despite the importance of the distinction, there is no formal check list and no single characteristic by which we can determine whether the object of our violence is criminal or enemy. We are long past the time when the declaration of war might have marked the difference.6 We cannot even confidently rely on the presence of the military to tell us that we confront the enemy.7 Especially in a democracy, the question is one of perception: do we see a criminal act or an act of war? Before there is legal distinction, there is an act of the imagination. Getting this distinction right, then, has less to do with law than with popular perception. It is a political decision – some might say the political decision.8 A government that sees criminals where the populace sees the enemy will be judged ineffective or weak. If it sees enemies where the populace sees criminals, it will be judged illegitimate and authoritarian. Governments, of course, are not merely passive in this regard. They try to shape public opinion, but they do not control it. Criminal and enemy amount to different, even opposing, ways of ordering elements within what Clifford Geertz called “webs of significance.”9 Those elements range across the three categories of aesthetics, subjectivity, and ethos. All of these factors are related through habits of thought and perception; all of them are contestable, for we deal here with matters of interpretation. A change in any one factor can lead to a different weighting of the others. Where we once saw an enemy, we may come to see a criminal – and vice versa. Max Weber can help us to begin to frame the inquiry as one that juxtaposes law to sovereignty, which will in turn provide the broad foundation for the distinction of the criminal from the enemy. Weber famously defined the state as a community that successfully claims a monopoly on the legitimate use of violence within a territorial jurisdiction.10 His definition drew on several centuries of imaginative political framing, beginning with Hobbes’s idea of exit from the state of nature. The state of nature is precisely the situation in which there is no successful monopoly on violence. Without that, individuals and groups may be stronger or weaker, they may win or lose over some period of time, but they constantly confront the explicit or implicit threat of violence from others. Only a common belief in legitimacy brings stability.

#### Micro militarism and hot spot management is the kiss of death for unipolar hegemons and accelerates the collapse.

McCoy ’10MONDAY, DEC 6, 2010 02:01 PM CST [How America will collapse (by 2025)](http://www.salon.com/2010/12/06/america_collapse_2025/) Four scenarios that could spell the end of the United States as we know it -- in the very near future BY ALFRED MCCOY <http://www.salon.com/2010/12/06/america_collapse_2025/>Alfred W. McCoy is the J.R.W. Smail Professor of History at the University of Wisconsin-Madison. He is the author of A Question of Torture: CIA Interrogation, "From the Cold War to the War on Terror." Later this year, "Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State," a forthcoming book of his, will explore the influence of overseas counterinsurgency operations on the spread of internal security measures here at home

Counterintuitively, as their power wanes, empires often plunge into ill-advised military misadventures. This phenomenon is known among historians of empire as “micro-militarism” and seems to involve psychologically compensatory efforts to salve the sting of retreat or defeat by occupying new territories, however briefly and catastrophically. These operations, irrational even from an imperial point of view, often yield hemorrhaging expenditures or humiliating defeats that only accelerate the loss of power. Embattled empires through the ages suffer an arrogance that drives them to plunge ever deeper into military misadventures until defeat becomes debacle. In 413 BCE, a weakened Athens sent 200 ships to be slaughtered in Sicily. In 1921, a dying imperial Spain dispatched 20,000 soldiers to be massacred by Berber guerrillas in Morocco. In 1956, a fading British Empire destroyed its prestige by attacking Suez. And in 2001 and 2003, the U.S. occupied Afghanistan and invaded Iraq. With the hubris that marks empires over the millennia, Washington has increased its troops in Afghanistan to 100,000, expanded the war into Pakistan, and [extended its commitment](http://www.tomdispatch.com/blog/175324/tomgram%3A_engelhardt%2C_general_petraeus%27s_two_campaigns/) to 2014 and beyond, courting disasters large and small in this guerilla-infested, nuclear-armed graveyard of empires.

#### **The decline of American power creates transnational corporations and multilateral forces degrading the earth to urban and rural wastelands with feral failed cities littered with explosions and suicide bombers.**

McCoy ’10MONDAY, DEC 6, 2010 02:01 PM CST [How America will collapse (by 2025)](http://www.salon.com/2010/12/06/america_collapse_2025/) Four scenarios that could spell the end of the United States as we know it -- in the very near future BY ALFRED MCCOY <http://www.salon.com/2010/12/06/america_collapse_2025/>Alfred W. McCoy is the J.R.W. Smail Professor of History at the University of Wisconsin-Madison. He is the author of A Question of Torture: CIA Interrogation, "From the Cold War to the War on Terror." Later this year, "Policing America's Empire: The United States, the Philippines, and the Rise of the Surveillance State," a forthcoming book of his, will explore the influence of overseas counterinsurgency operations on the spread of internal security measures here at home

As U.S. power recedes, the past offers a spectrum of possibilities for a future world order. At one end of this spectrum, the rise of a new global superpower, however unlikely, cannot be ruled out. Yet both China and Russia evince self-referential cultures, recondite non-roman scripts, regional defense strategies, and underdeveloped legal systems, denying them key instruments for global dominion. At the moment then, no single superpower seems to be on the horizon likely to succeed the U.S. In a dark, dystopian version of our global future, a coalition of transnational corporations, multilateral forces like NATO, and an international financial elite could conceivably forge a single, possibly unstable, supra-national nexus that would make it no longer meaningful to speak of national empires at all. While denationalized corporations and multinational elites would assumedly rule such a world from secure urban enclaves, the multitudes would be relegated to urban and rural wastelands. In “Planet of Slums,” Mike Davis offers at least a partial vision of such a world from the bottom up. He argues that the billion people already packed into fetid favela-style slums worldwide (rising to two billion by 2030) will make “the ‘feral, failed cities’ of the Third World… the distinctive battlespace of the twenty-first century.” As darkness settles over some future super-favela, “the empire can deploy Orwellian technologies of repression” as “hornet-like helicopter gun-ships stalk enigmatic enemies in the narrow streets of the slum districts… Every morning the slums reply with suicide bombers and eloquent explosions.”

#### **Targeted Killing blurs the lines of war and peace- creates endless warfare and intervention.**

Kitfield ’13 Updated: February 3, 2013 | 9:29 a.m.  January 31, 2013 | 8:20 p.m. <http://www.nationaljournal.com/magazine/targeted-killings-obama-s-endless-war-20130131> James Kitfield has written on defense, national security and foreign policy issues from Washington, D.C. for over two decades. He is a three-time winner of the Gerald R. Ford Award for Distinguished Reporting on National Defense, most recently in 2009 for his first-hand reporting on the Afghan War and other ongoing conflicts and threats. He has twice won the Military Reporters and Editors Association award and the Medill School of Journalism’s top prize for excellence in reporting for his first hand coverage of the war in Afghanistan (2009) and the surge in Iraq (2008). He is a recipient of the 2002 Stewart Alsop Media Excellence Award, sponsored by the Association of Former Intelligence Officers, for his coverage of the September 11, 2001 terrorist attacks and follow-on events. He received the 2001 Peter R. Weitz Prize from the German Marshall Fund for excellence in reporting on European affairs, and the 2000 Edwin Hood Award for Diplomatic Correspondence given annually by the National Press Club to recognize excellence in reporting on diplomatic and foreign policy issues

A more transparent debate about the program at Brennan’s confirmation hearings is also likely to highlight just how dramatically a decade of war has transformed America. Before the 9/11 terrorist attacks, U.S. officials routinely criticized Israel for its targeted-assassination program aimed at Palestinian terrorists. Today, deadly strikes by armed robotic drones are so routine that the media give them only passing mention. The U.S. targeted killing program also enjoys support from a majority of the public and from a relatively compliant Congress. As the government has honed the ability to eliminate enemies of the state in a clandestine war without end, however, the once clear lines between all-out warfare and peacetime law enforcement continue to fade. Some Al-Qaida suspects are granted Miranda rights and charged in federal courts, while others are kept in military prisons and prosecuted by military commissions or simply held indefinitely. Still others are eviscerated far from any acknowledged battlefield by an executive branch that claims the authority to act as judge, jury, and executioner. In a nation in a state of perpetual conflict, the danger is that those lines between war and peace will continue to blur until Americans have forgotten the difference.

## Credibility

#### Obama has a unique opportunity to revive American soft power in his second term but the plan is key

Hayes 2012 (Nick Hayes, professor of history who holds the university chair in critical thinking at Saint John's University, December 3, 2012, Minnesota Post, http://www.minnpost.com/politics-policy/2012/12/troubling-questions-about-obama-s-drone-warfare)

My last post argued that, in the wake of his election victory and on the eve of his second term, President Obama stands at what could be his “Truman moment” as a “post war” president. More than a decade of war consumed the two terms of the Bush administration and Obama’s first term. He now faces an historic opportunity to articulate the doctrine and design the framework for an imperfect but lasting peace.

The post stirred up quite of reaction of a number of you. Some readers trashed my interpretation of the past and the present. One reader remembered that long, long ago, I was an aspiring poet and pacifist.

Several readers took me to task for not mentioning Obama’s third war. He has withdrawn from one conventional war in Iraq and promised to complete the withdrawal from the second -- the war in Afghanistan -- by the end of 2014. He is not relenting from a third, highly unconventional war: U.S. drone warfare against suspected terrorist targets in the Middle East and South Asia.

The drone warfare campaign threatens to cost the president much of his political capital abroad. Last week, the PEW Global Attitudes Project released a report with mixed news for Obama. The good news confirmed that world public opinion cheered Obama’s victory over Mitt Romney in the election. The bad news lay in the increasing and widespread disapproval of his foreign policy in general, and especially his use of drone attacks.

World criticism

Criticism of Obama’s drone warfare campaign stands at 80 percent in Egypt, Turkey and Jordan; 75 percent in Spain and Japan; 63 percent in France, and 59 percent in Germany. His personal popularity gives Obama valuable political capital abroad that he should spend wisely to build support for his diplomatic initiatives, especially in the Middle East, and not waste it to vindicate drone warfare that generates more enemies than it kills.

#### Drones now tank US cred—no oversight

Zenko 13, (Micah, fellow at the Council on Foreign Relations, with expertise in Conflict Prevention; US national security policy, military planning and operations and nuclear weapons policy. “Reforming U.S. Drone Strike Policies”, Council on Foerign Relations Special Report no. 65, January 2013 <http://www.cfr.org/wars-and-warfare/reforming-us-drone-strike-policies/p29736>, pg15)

The problem with maintaining that drone strikes are covert is that both the American and international publics often misunderstand how drones are used. And in affected states, citizens often blame the United States for collateral damage that could have been caused by the host states’ own weapon systems. According to a recent report from Yemen: It’s extremely difficult to figure out who is responsible for any given strike. . . . It could be a manned plane from the Yemeni Air Force or the U.S. military. Or it could be an unmanned drone flown by the U.S. military or the CIA. . . . But no matter who launches a particular strike, Yemenis are likely to blame it on the Americans. What’s more, we found that many more civilians are being killed than officials acknowledge.37 Congressional oversight of drone strikes varies depending on whether the CIA or the U.S. military is the lead executive authority. The CIA, according to the chair of the Senate Select Committee on Intelligence, Senator Dianne Feinstein, meets its “fully and currently informed” legal obligations through “monthly in-depth oversight meetings to review strike records and question every aspect of the program.” 38 Individual JSOC strikes are not reported to the relevant armed services committees, but are covered under the broad special access program biannual reporting to Congress. According to senior staff members on the Senate Foreign Relations Committee and House Foreign Affairs Committee, many of their peers have little understanding of how drone strikes are conducted within the countries for which they are responsible for exercising oversight. Even serving White House officials and members of Congress repeatedly make inaccurate statements about U.S. targeted killings and appear to be unaware of how policies have changed over the past decade.39 At the same time, the judiciary committees have been repeatedly denied access to the June 2010 Office of Legal Counsel memorandum that presented the legal basis for the drone strike that killed U.S. citizen and alleged leader of AQAP Anwar al-Awlaki in September 2011.40 Finally, despite nearly ten years of nonbattlefield targeted killings, no congressional committee has conducted a hearing on any aspect of them.

#### **Generic Soft-Power defense doesn't apply, The US’s new role in global public health means that it has to take different steps to get people on board**

Kickbush ’02 Influence And Opportunity: Reflections On The U.S. Role In Global Public Health¶ [Ilona Kickbusch](http://content.healthaffairs.org/search?author1=Ilona+Kickbusch&sortspec=date&submit=Submit) doi: 10.1377/hlthaff.21.6.131¶ Health Aff November 2002 vol. 21 no. 6 131-141http://content.healthaffairs.org/content/21/6/131.long lona Kickbusch is head of the Division of Global Health at the Yale University School of Medicine, Department of Epidemiology and Public Health. From 1994 to 1998 she was director of communication at the World Health Organization in Geneva

Building a soft-power leadership role.¶ What could be the first steps in building a soft-power leadership role for the United States, taking into account its tendency toward global unilateralism within the administration and political system, on the one hand, and the collective intentionality for recognizing health as a global public good in the nongovernmental community, on the other? It is not helpful to give a long list of “shoulds,” ranging from financial contributions to world agreements, when what is needed is a change in mindset.¶ A first step would be to initiate a truly high-profile public debate on America’s role in global health that gives voice to the many actors, including government, NGOs, the private sector, universities, foundations, the media, and professional organizations. Such a debate would include a series of public hearings on the issues of equity, trade, access to drugs, governance mechanisms, financing global public goods, and the like, thus moving the agenda beyond disease control. It would therefore need not only to be a dialogue of health experts but also to include foreign policy, security, and other policy arenas of relevance.¶ Such a dialogue would go far beyond analyzing the U.S. role in international health agencies and beyond the financial contributions it makes either in multilateral or bilateral actions. It would focus in a much broader fashion on how the United States as a whole—its government, its private sector, its NGOs and foundations, its academic institutions, and its citizens—contributes to and is affected by the global distribution of health and disease. It would take global health from a technical focus into the political arena and identify the political choices that are at stake as well as priority responses.

#### Specifically its key to deal with pandemics and climate change.

Joseph S. Nye, pub. date: 2-16-07, former assistant secretary of defense and president of Harvard's Kennedy school of government, “The long view on China, political Islam and American power,” Financial Times, Lexis Nexis

The third determinant will be American power and how it is used. The US will remain the most powerful country in 2020, but the paradox is that the strongest state since Rome will not be able to protect its citizens acting alone. The US's military might is not adequate to deal with threats such as global pandemics, climate change, terrorism and international crime. These issues require cooperation and the soft power of attracting support. Defeating Islamist terrorism, for example, requires international intelligence and police co-operation, as well as drying up the sources of radical recruits. While hard military power will remain crucial for deterrence, alliances and stability, if we use it in the wrong way, we will undercut the soft power we need to win. Thus far, intelligence reports that US policies have created more new terrorists than they have destroyed. One of the determinants of the future will be whether the US recovers the ability it once had in the cold war to combine hard and soft power into smart power.

#### AND alliances key to global co-op Kreisher 12 (Otto Kreisher, Former Naval Officer/veteran Washington correspondent and defense journalist, “Chuck Hagel, Touted As Next SecDef, Argues For Soft Power, Allies”, December 10 2012, Breaking Defense, http://breakingdefense.com/2012/12/10/chuck-hagel-touted-as-next-secdef-argues-for-soft-power-allie/ )

Perhaps with an eye toward America losing its preeminent military position, Hagel argued that “engagement” is the key to address many international problems. In the national security world, engagement generally encompasses negotiations or multinational efforts. It has never been a popular tactic among most Republicans and some pro-military Democrats. However, Hagel insisted that “engagement is not surrender, it’s not appeasement,” clearly taking on some of his GOP colleagues, who have slung around appeasement — associated with the foolish actions of British Prime Minister Neville Chamberlain as he tried to avert war with Germany — to describe some of President Barack Obama’s efforts to prevent international tensions from flaring into conflict. Engagement is “an opportunity to better understand” others, Hagel said, and to bring “mutual self respect” among contesting parties. As the U.S. faces a litany of problems and potential crises in the future, he said, “we will need to turn our receivers on and our transmitters off.” The emerging issues, Hagel said, “are beyond the control of any great power” and the U.S. “cannot solve them alone.” Instead, they must be addressed through alliances, through “joint thinking,” he said.

#### Arctic warming is bringing new diseases-threatens the human population

Cooke 6/10 With rising temperatures comes strong evidence that the Arctic is seeing a spike in the rate of various diseases. ¶ 'We should recognize disease as a harbinger of a warming world.'¶ By Kieran Cooke Climate News Network June 10, 2013 <http://wwwp.dailyclimate.org/tdc-newsroom/2013/06/arctic-disease> Kieran has carried out writing and editing projects for, among others, the World Wildlife Fund ([WWF](http://www.wwf.org.uk/)), the United Nations Environment Programme ([UNEP](http://lightershadeofgreen.com/www.unep.org)) and the Forests and the European Union Research Network ([FERN](http://www.fern.org/))

LONDON – A cow grazing on the lush pasturelands of Cornwall in southwest England and a seal swimming in the ice cold waters of the Arctic might not appear to have much in common.¶ Yet the two are increasingly linked by tuberculosis, with a strain of the disease threatening cattle populations in Britain and elsewhere now showing up among seals in the high Arctic.¶ Claire Heffernan, a veterinarian and a specialist in global health and disease interaction between animals and humans, said that as the climate warms in Arctic regions, more and more diseases from Europe and elsewhere are spreading there, threatening both animal and human populations.¶ "In the past diseases might not have survived in the cold temperatures and the ice of the Arctic but as the region warms a new dynamic is introduced," Heffernan told Climate News Network.¶ "We need to fundamentally alter the way we look at disease in the context of climate change. We should recognize disease as a harbinger of a warming world."

#### And risks biodiversity loss- migration patterns.

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Wide variety of diseases¶ Heffernan, a senior fellow at the Smith School for Enterprise and the Environment in Oxford and director of the livestock development group at the University of Reading, said a wide variety of diseases have recently become evident among Arctic animal populations.¶ Toxoplasma, a parasite common in European cat populations, is now being found in polar bears in Greenland. Erysipelas, a disease of domestic pigs, is being found in musk oxen in the Canadian Arctic: The animals have also been found to have contracted Giardiasis, an intestinal parasite of humans. Meanwhile West Nile virus has been found in wolf pups in the Canadian Arctic Such diseases could have been transmitted in a variety of ways, said Heffernan. The spread of Toxoplasma, for example, might be the result of people flushing cat feces down toilets in the United States and Europe which are then carried by tides to the Arctic. More people are visiting the region. Tourists defecating in the wilds might be the cause of the spread of Erysipelas.¶ "The Arctic is like a Heathrow airport in terms of bird, seal and other migration patterns so that's another way disease is easily spread," said Heffernan. And the disease pathway is not all one way, she added: Pathogens can also be transmitted from the Arctic to elsewhere in the world.

#### **Climate change is releasing new diseases and uncovering old ones in the Arctic- Anthrax, TB, and other ancient diseases**

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New disease transmission cycle¶ "The point is no one is really joining up the dots between climate change and the spread of disease," Heffernan said. "There's a whole new disease transmission cycle appearing in the Arctic which we just don't understand."¶ Human disease levels in the Arctic are a continuing concern, she noted. Rates of TB among the Inuit of northern Canada are far higher than in the general populationMajor economic change and development now taking place in the Arctic means previously nomadic people are moving to towns in search jobs. Ice melt is also forcing more into settlements. With people living in close proximity to each other, disease tends to spread faster. Infant mortality in the Arctic, much of it due to diseases curable elsewhere in the world, is considerably higher than elsewhere."In 1930s there was a temperature spike in the Arctic which led to an outbreak of malaria," said Heffernan. "In subsequent years chloroquine was used to combat it. But what happens now, with temperatures rising and the prevalence of chloroquine-resistant malaria?"¶ Early in the last century there were periodic outbreaks of anthrax in the Russian Arctic, resulting in the deaths of thousands of deer and cattle. Some Russian scientists and officials have warned that burial sites of those anthrax infected animals are now being exposed.¶ "As the Arctic melts, ancient pathogens can suddenly escape," Heffernan said. "No one knows for certain how many livestock burial sites there are in the Russian Arctic – I've seen estimates ranging from 400 to 13,000."¶ In recent years there have been several anthrax outbreaks affecting both cattle and people reported in the region, particularly among communities of the indigenous Yakut communities, who often live near to such burial sites.¶ With Arctic temperatures rising at more than twice the rate of the rest of the world, Heffernan said there's an urgent need to link disease and climate change and tackle health issues.

#### **Soft power is crucial to the region- needs common agreements and uniform laws.**

Cooke 6/10 With rising temperatures comes strong evidence that the Arctic is seeing a spike in the rate of various diseases. ¶ 'We should recognize disease as a harbinger of a warming world.'¶ By Kieran Cooke Climate News Network June 10, 2013**¶**Preventing action¶ But there are a number of problems preventing concerted action: the Arctic is governed by different states with different laws. There's not even a common agreement among Arctic nation states on the region's boundaries. There's a dearth of trained medical staff and research across the region. When it comes to statistics, the Arctic is something of a black hole with health data subsumed into more general country-wide statistics.¶ "There's very little biosecurity work going on in the Arctic," said Heffernan. "We have the means to control so many of these diseases. There must be urgent, concerted, joined-up action."

#### **Russia is at huge risk for favorable disease outbreak- multiple warrants**

Revich et. al ’12 Boris Revich,1,\* [Nikolai Tokarevich](http://www.ncbi.nlm.nih.gov/pubmed/?term=Tokarevich%20N%5Bauth%5D),2 and [Alan J. Parkinson](http://www.ncbi.nlm.nih.gov/pubmed/?term=Parkinson%20AJ%5Bauth%5D)3¶ 1Institute of Forecasting, Russian Academy of Sciences, Moscow, Russia¶ 2Paster Institute of Epidemiology and Microbiology, Saint-Petersburg, Russia¶ 3Arctic Investigations Program, Division of Preparedness and Emerging Infections, National Center for Emerging and Zoonotic Infectious Diseases, Centers for Disease Control and Prevention, Alaska, Anchorage, USA 2012 Boris Revich et al http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3417549/

A warming Russian Arctic will be associated with a northward expansion of plants and animal associations including their bacterial viral and parasitic flora. These associations will create favourable conditions for the emergence of infectious diseases in regions that were previously free of these pathogens. Several conclusions can be made regarding the potential emergence of zoonotic infectious diseases and their possible influence on the public health of the population of the Russian Arctic:¶ Monitoring of many zoonotic infectious diseases in the Russian Arctic is insufficient; The Russian Arctic is sparsely populated. Many people live in remote settlements with limited access to medical and public health services. Thus many infectious diseases may go undetected and result in an underestimate of the true rate of infection. Efforts should be made to evaluate and improve existing monitoring systems.¶ There is a need to improve laboratory diagnostics for many of these diseases. The finding suggest the need for improved diagnostics of tick-borne infections.¶ There is a need to educate medical providers, public health officials and the public on the role of climate change in the emergence of zoonotic infectious diseases and prevention strategies that can be used. A warming Arctic may also change social behavioural. In a warmer climate people tend to spend more time outdoors in recreational activities, which increases their contacts with vectors of zoonotic infectious diseases emphasizing the need to educate the population on measures that may prevent their exposure.¶ There is a need to raise awareness of at-risk populations to the potential for infection. These may include hunters and workers in the deer breeding and meat handling industries to the potential of infection from contact with meat, skins, and hides.¶ Anthrax cattle burial sites need to be more carefully monitored, for example, by regular visual check-ups of soil condition and bacteriologic analyses of soil samples.

## Plan

#### Text: The United States federal government should statutorily restrict war powers authority of the President of the United States to authorize drone targeted killing through the AUMF

## Solvency

#### Congressional authority is key to check mission creep and perpetual war

James Jay Carafano, Ph.D. March 24, 2011 "Should the President Have Asked Congress for a Declaration of War Against Libya Before Bombing? No" http://www.heritage.org/research/commentary/2011/03/should-the-president-have-asked-congress-for-a-declaration-of-war-against-libya-before-bombing-no James Jay Carafano, a leading expert in national security and foreign policy challenges, is The Heritage Foundation’s Vice President, Foreign and Defense Policy Studies, E. W. Richardson Fellow, and Director of the Kathryn and Shelby Cullom Davis Institute for International Studies.

No one declares war anymore! Not since World War II has any nation declared war on another — with the possible exception of a 1967 declaration against Israel by five Arab countries. While fighting remains as common as ever, the practice of issuing formal declarations has gone out of style.¶ It's not the first time that's happened. Formal declarations of war fell out of fashion during the 17th century, too. Our Founding Fathers thought that was wrong, and so they stuck a requirement in the Constitution saying Congress must approve a declaration before the nation went to war.¶ But that provision was never intended as an absolute check on executive power. Not all military operations constitute wars. Nor is a war declaration the only legitimate way Congress can signal support for military operations.¶ As "The Heritage Guide to the Constitution" points out, there have been only five declared wars in our nation's history, but numerous other hostilities "have been specifically authorized by Congress through instruments other than formal declarations." The framers of the Constitution, however, did think there was something important about "formal" declarations. Democracies, they felt, were fundamentally different from other states and ought to be as open and transparent as possible about what they were doing.¶ War declarations are part of that transparency regimen. When you declare war, you specify your grievances and how you expect to resolve them. That is actually a good practice, and it is too bad democracies have gotten away from it.¶ Yet, clearly, President Barack Obama has the authority to order the current operations in Libya. The Constitution divides the powers of initiating military actions between the executive and Congress to foster deliberation and consultation to the extent possible under the circumstances. But at the end of the day, the president is the commander in chief. He alone bears the legal and moral responsibility for ordering U.S. armed forces into action.¶ What rankles most about the president's decision on Libya is the lack of open deliberation and discussion. Certainly he had time to consult Congress and the American people, yet he spent much more time consulting the U.N. Security Council.¶ It is discomforting to see an American president seemingly defer to the United Nations rather than lead the country. Moreover, the U.N. resolution he got does not help much. The United Nations is not sovereign, nor do we need its permission to act.¶ Furthermore, the resolution is vague and open-ended. And Obama so far has done little to provide clarity about our objectives and our commitment.¶ These are serious concerns. The lack of congressional consultation and the vagueness of the mission deny Americans what the Constitution intended: a clear statement of purpose about U.S. military action. It is vital to avoid "mission creep" and perpetual fighting.¶ All that said, a declaration of war against Libya would be a bad idea, because going to war in Libya is a bad idea. That is not to say that the United States should do nothing, but Libya does not merit significant, protracted operations by U.S. forces.¶ You fight wars to protect vital national interests. The United States has legitimate interests in the outcome of the Libyan turmoil: seeing Gadhafi brought to justice, and not seeing a new terrorist haven established, a humanitarian crisis, or civil war spreading to nearby nations. But these concerns fall short of being vital national interests and can be addressed through measures short of war.¶

#### Mission creep makes intervention inevitable- endless wars justified by liberal internationalism wreck the economy and dilute diplomacy

Gordon N. Bardos May 24, 2013 "A Foreign Policy of Mission Creep"http://nationalinterest.org/commentary/foreign-policy-mission-creep-8514?page=1 Gordon N. Bardos is the assistant director of the Harriman Institute at Columbia University.

In an eye-opening article in these spaces a few weeks ago, James Joyner cited the words of an American general in Afghanistan who, in reciting his troops’ successes in Helmand province, noted that "Roads have been paved and markets secured, allowing commerce to grow in places like Marja, Nad Ali and Lashkar Gah . . ." Both the general and his troops undoubtedly performed the mission their country gave them professionally and with dedication. But the exchange still begs utterly valid questions: how, when and why did the growth of commerce in Marja, Nad Ali and Lashkar Gah become worth American lives or taxpayer dollars? And what might this portend for our potential involvement in Syria? Liberal internationalism, so popular in Washington over the past two decades, has transformed the traditional purpose of American foreign policy—historically understood as systematizing relations between sovereign states and attempting to influence the behavior of other countries—into the much more grandiose attempt to remake the political cultures and economic systems of states and societies thousands of miles from our shores. The result of this transformation of U.S. foreign-policy goals has been what Andrew Bacevich once aptly described as “endless war,” in which the U.S. military is used as an instrument for nation- and state-building in open-ended missions around the world. Consider, as outlined below, the record of some of our recent interventions, and the discrepancy in the time required to achieve their respective military and civilian objectives. Needless to say, long-running interventions cost real money. The post-WWII reconstruction of Germany is estimated to have cost some $35 billion in 2011 dollars. Bosnia after 1995 received more money than any country in Europe under the Marshall Plan. As of April 2013, the United States had spent $60 billion on reconstruction in Iraq and $93 billion in Afghanistan (and as of 2005 Kosovo had received twenty-five times the amount provided to Afghanistan in per capita terms). These amounts do not even include these wars’ financial costs, or their costs in human lives. The enormous discrepancy between achieving the military and civilian objectives of our foreign interventions is intimately connected to the recent Washingtonian vogue for Clausewitz’s conflation of war with politics and diplomacy. Thus, in the 1990s Richard Holbrooke became a proponent of “diplomacy backed by force,” and in a memorable exchange between Madeleine Albright and her UK counterpart in the UN Security Council, Albright claimed that “after all, war is merely an extension of politics by other means.” To which her British colleague replied “Yes, Madeleine, that is exactly what Clausewitz said. But he was a German, and the Germans listened to him. Look what happened to them, twice.” The obvious problem here is that with the militarization of U.S. foreign policy and our increasingly grandiose ambitions abroad, we have gone down an intellectual slippery slope: if war is the equivalent of diplomacy and diplomacy is equal to nation-building, it therefore follows that war is the same as nation-building. This equation perhaps explains why the U.S. Army now has considerably more civil-affairs personnel than the U.S. State Department has foreign-service officers. Unfortunately, our grandiose ambition to effect transformative change in far-off countries has not achieved any notable successes. Consider Washington’s pet project in Bosnia, the Muslim-Croat Federation. After Bosnia’s October 2010 elections, it took some six months for the federation to form a government, which Bosnia’s own Central Electoral Commission then ruled had been formed illegally. Bosnia’s international colonial administration, the Office of the High Representative (OHR), however, suspended the ruling. Some twelve months later, political winds in Bosnia shifted, the questionable government fell apart, and a party in the prior ruling coalition went to the federation’s constitutional court to prevent its cadres from being purged from the new government. Unfortunately, the constitutional court could not rule on the issue, since for the past five years Muslim and Croat parties have been unable to agree on replacing the court’s four missing judges. Many of these problems stem from an internationally approved effort to substitute two Bosnian-Croat parties representing some 90 percent of the Bosnian-Croat electorate with a marginal (but malleable) party which scraped up about two percent of the Croat vote. Unfortunately for the international architects of this plan, even this small party has fallen apart, with a faction loyal to the federation president forming a new microparty. Its chances for success at Bosnia’s next elections seem slim, however, since said federation president has recently been arrested. The divided city of Mostar does not have a functioning legal government because it was unable to hold elections in 2012. The OHR imposed a specific electoral regime on the city in 2004, but its solution to the problem has been ruled unconstitutional. In December 2009, the European Court of Human Rights ruled that Bosnia’s current electoral law violates the rights of ethnic minorities to be elected to statewide office, but Muslim and Croat politicians can’t agree on how to amend the constitution. A few months ago, the American ambassador in Sarajevo announced an attempt to reform this chaos, but he is leaving his post in a few weeks. In Iraq, contra Marx’s proposed sequence of events, the farce that has become our Bosnian state-building project is repeated as tragedy. Consider the reality of Iraq in April 2013, a full decade after “mission accomplished” was proclaimed. On April 12, bomb attacks in mosques in Baghdad and Diyala province killed eleven people and wounded 30 more. On April 15, thirty-one people were killed and over two hundred wounded in coordinated bombings in Baghdad, Tuz Khurmatu, Kirkuk, and Nasiriyah. On April 18, twenty-seven people were killed and dozens more injured in a Baghdad café bombing. On April 23, twenty people were killed in clashes between security forces and anti-government Sunni protesters near Kirkuk. On April 24, seven people were killed and more than twenty injured in a car bombing in the Shia district of al-Husseiniyah near Baghdad. On April 25, ten policemen and thirty gunmen were killed in clashes in Mosul. On April 29, eighteen people were killed and dozens injured after five car bombs went off in Shia-majority provinces in southern Iraq. All told, surveying the nation-building achievements of our foreign policy over the past couple of decades is not encouraging. Last summer, seventeen years after the ostensible end of the Bosnian conflict, a local politician told his constituents “The war is not over. We are still fighting the same war.” Iraqi prime minister Nuri al-Maliki recently warned that Iraq is in danger of returning to “sectarian war,” and notwithstanding Donald Rumsfeld’s view that “freedom is untidy” and “stuff happens,” an Iraq on the cusp of civil war under increasing Iranian influence is not where the country was supposed to be ten years after the fall of Saddam Hussein. And in Afghanistan, by this time next year there is a good chance the Taliban will again be calling the shots. The lessons of recent decades suggest that American military might can probably (at least eventually) remove Assad from power, but there is precious little historical evidence to show that we can substantively shape the end-state in Syria—the “end-state” here being understood as the six to twelve months after the Washington war lobby and the media lose interest and move on to some more fashionable crisis. President Obama’s inability to get four senators from his own party to vote for gun reform is a stark, telling reminder of the limits of U.S. power, executive and otherwise. Against Clausewitz and his latter-day enthusiasts, the late scholar of international relations Edwin Fedder frequently noted that if you have to resort to military force, your diplomacy has already failed. As the Obama administration debates the pros and cons of intervening in Syria, understanding the differences between diplomacy, waging war and nation-building become more urgent—as does developing a realistic appreciation for what military intervention can and cannot achieve.

#### Restricting the AUMF solves inevitable warfare- creates structural checks to a riskless system

BENJAMIN H. FRIEDMAN JUNE 19, 2012 "Drones, Special Operations, and Whimsical Wars" http://www.cato.org/blog/drones-special-operations-whimsical-wars Benjamin H. Friedman is a research fellow in defense and homeland security studies. His areas of expertise include counter-terrorism, homeland security and defense politics.

Asked the last week on 60 Minutes how many shooting wars the United States is in, Secretary of Defense Leon Panetta took a moment to answer. He eventually said we are going after al Qaeda in Pakistan and its “nodes” in Somalia, Yemen, and North Africa. Somehow, he left out the indefinite war we have going in Afghanistan. It’s no wonder that Panetta can’t keep track of the wars he’s supposed to manage. On top of Afghanistan and the drone campaigns, 12,000 U.S. special operations forces are distributed around dozens of countries, increasingly outside declared war zones, where they train foreign militaries, collect intelligence, and occasionally launch lethal raids. As just reported in the Washington Post, some of these forces are now operating a dozen bases across Northern Africa, where their activities include overseeing contractors flying surveillance aircraft. Despite the Obama administration’s claims of great progress in fighting al Qaeda, the global shadow war shows no signs of abating. The official rationale for using force across the world is that al Qaeda is global. But that’s true only thanks to a capacious definition of al Qaeda that imposes a sense of false unity of disparate groups. The always-overrated remnant of the organization that sponsored the 9/11 attacks barely exists anymore, even in Pakistan. Our counterterrorism efforts are directed mostly against others: terrorists that take up al Qaeda’s name and desire to kill westerners but have limited links to the real McCoy, as in Yemen and North Africa, and insurgents friendly to jihadists but mostly consumed by local disputes, like the Taliban in Afghanistan, al Shabaab in Somalia, and al Qaeda’s Islamist allies in southern Yemen. Like the phony Communist monolith in the Cold War, the myth of a unified, global “al Qaeda” makes actions against vaguely-linked entities—many with no obvious interest in the United States—seem like a coherent campaign against globe trotting menace bent on our destruction. The real reason we are fighting so much these days is that war is too easy. International and domestic restraints on the use of U.S. military power are few. And unrestrained power tends to be exercised. Presidents can use it whimsically, at least until they do something costly that creates a backlash and wakes up public opposition. Drones and special operations forces made this problem worse. Most of the world is what the military calls a permissive environment, especially since the end of the Cold War. Most places lack forces capable of keeping our military out. Many potential allies invite it. The risks traditionally associated with war—invasion, mass death, etc.—are now alien to Americans. Since the draft ended, the consequences of even bad wars for most of us are minor: unsettling media stories and mildly higher taxes deferred by deficits. That’s why, as Nuno Monteiro argues, the U.S. military was already quite busy in the 1990s despite the absence of real enemies. Because war is so cheap, the public has little reason to worry much about it. That leaves elected representatives without any electoral incentive to restrain presidential war powers. No surprise then that the imperial presidency grew as American power did. Technology gains and secrecy exacerbate the problem. Even more than strategic bombing from high altitude, which already prevented U.S. casualties, drones cheapen warfare. Covert raids are riskier, of course, but secrecy limits public appreciation of those risks. The president and his advisors assure us that they use these forces only after solemn debate and nights spent (badly) reading just war theory. But a White House that debates the use of force only with itself short-circuits the democratic process. That is not just a constitutional problem but a practical one. Broad debate among competing powers generally produces better decisions than narrower, unilateral ones. That is why is it is naïve to suggest, as John Fabian Witt did last week in a New York Times op-ed, that the executive branch is developing sensible legal institutions to manage the gray area between war and peace occupied by drone strikes. What’s needed are checks and balances. That means Congress needs to use its war powers. First, Congress should rewrite the 2001 Authorization of Military Force, which has morphed into a legal rationale for doing whatever presidents want in the name of counterterrorism. That bill authorized force against the organizers of the September 11 attacks and those who aided them, which seemed to mean al Qaeda and the Taliban in Afghanistan and maybe Pakistan. The new law should state that acts of war, including drone strikes, in other places require a new authorization of force. If Congress is for bombing stuff in Yemen and Somalia, it should debate those missions. Second, Congress should reform the convoluted laws governing the deployment of special operations forces, making their use more onerous and transparent. Those forces should engage in covert action only after a presidential finding, as with the CIA. Third, Congress should require that taxes or offsets fund wars. That would increase debate about their worth. The trouble, as already noted, is that Congress has no interest in doing these things. Congressional leaders are today more interested in policing leaks about the president’s unilateral exercise of war powers than in restraining them. Short of a military disaster involving special operations forces or drones, this seems unlikely to change in the short term. In the longer term, we need a restoration of Congress’ institutional identity. Even without an electoral reason, politicians should want to exercise war powers simply because they can—because people like power. That’s the assumption behind Edward Corwin’s notion that the constitution’s is an “invitation to struggle” over foreign policy. Something has obstructed Congress’ desire to struggle. Those concerned by the president’s promiscuous use of force should try to identify and remove the obstruction.

#### US needs to alter law to be a first mover – international responses to drone proliferation crumble without domestic accountability- restores US cred.

Alston 2011 (Philip, professor of law at NYU School of Law and former UN Special Rapporteur on extrajudicial executions, “The CIA and Targeted Killings Beyond Borders”, Harvard National Security Journal, Vol. 2) PY

It might be argued in response by the United States that the standard of accountability required is lower in relation to non-international armed conflicts, which is how the conflicts in Afghanistan and Pakistan would be categorized by most observers. This lower standard might be said to be evidenced by the fact that states are not obligated to give full access to the International Committee of the Red Cross ("ICRC") in such conflicts. But the ICRC's review of customary law makes it abundantly clear that the obligation to ensure accountability applies fully in both international and non-international armed conflicts. This is based on military manuals, including that of the United States, explicit state practice, requirements imposed by the Security Council, and norms endorsed by a range of other international bodies. n88¶ For its part, IHRL, developed by a wide range of international and regional institutions, and reflected in customary law principles, places a particular emphasis on the obligation of states to investigate, prosecute, and punish any alleged violation of the norms banning extrajudicial executions. United States officials, as well as some American commentators, have tended to assume that the duty to investigate alleged violations of the right to life, a duty that has been elaborated upon at length in the jurisprudence of bodies such as the Human Rights Committee n89 and the European Court [\*313] of Human Rights, flows only from specific treaty obligations. n90 By noting that the United States is not a party to the European Convention, and by arguing that the ICCPR does not obligate the United States extraterritorially, n91 they assume that the well-developed jurisprudence emanating from these two bodies has no relevance in determining the United States' obligations in relation to a practice such as extraterritorial targeted killings. Leaving aside the contentious debates over the extraterritorial nature of ICCPR obligations, this approach incorrectly assumes that the duty to investigate killings has no existence in customary international law, independent of treaty obligations. The right to life has long been acknowledged as part of custom, and a duty to investigate has long been assumed to be a central part of that norm, not least by the United States when it consistently calls upon other governments to investigate killings without invoking any specific treaty-based obligations binding upon the governments concerned. n94¶ [\*314] Customary and treaty-based obligations to investigate alleged violations of the right to life can only be met if states accept the need for a degree of transparency which makes it possible to satisfy the obligations to ensure accountability. In explaining what human rights law requires, the European Court of Human Rights has long insisted that "[t]here must be a sufficient element of public scrutiny of the investigation or its results to secure accountability in practice as well as in theory, maintain public confidence in the authorities' adherence to the rule of law and prevent any appearance of collusion in or tolerance of unlawful acts." n95 In the same context, the Court has made it clear that there is no single formula by which this is to be achieved, by acknowledging that "[t]he degree of public scrutiny required may well vary from case to case." n96¶ There is thus compelling evidence that both applicable bodies of law require transparency and accountability. Nevertheless, in view of the tendency of those advocating the use of targeted killings to suggest that counter-terrorism requires different rules or that intelligence agencies must operate on a different basis, it is appropriate to consider whether there are circumstances that would warrant the adoption of significantly less demanding standards of accountability. In relation to terrorism, it is often argued that there are unavoidable tradeoffs between security and respect for human rights as well as between security and transparency. In other words, secrecy and limits on rights are part of the price that must be paid for security in a world subject to terrorist threats. While these claims have been thoroughly canvassed in other contexts n97 they call for two particular responses in the present setting. The first is to acknowledge that, in relation [\*315] to targeted killing operations, there are major security and effectiveness concerns that require a strong element of secrecy, rather than disclosure. For example, disclosing the identity of an intelligence source or putting an informant at risk of retaliation will limit the extent to which the information justifying a given targeting decision can be publicly divulged. Similarly, it might be argued that significant disclosure would eliminate the fear or uncertainty factor that is designed to constrain the activities of groups who might conclude from published criteria that they were unlikely to be subject to drone attacks. n98 There will thus be certain limits as to how much transparency can be required.¶ The second response to the argument about necessary tradeoffs is that "security" in this context must be interpreted not only as a goal in itself, but also as a means by which to protect the fundamental values of human rights and democracy. n99 There can thus be no question of simply trading off one value against the other, or of assuming that constraining freedoms increases security. In rejecting what he evocatively describes as the "hydraulic liberty-security metaphor," n100 Stephen Holmes argues that there are in fact many ways in which respect for liberty contributes to enhanced security. While others have also stressed the importance of empirical justifications favoring a degree of transparency on the part of the CIA and other intelligence actors, n101 Holmes invokes what are essentially prudential and efficiency based reasons in support of what he terms "rule-governed counterterrorism." They include the efficiency-enhancing effect of being forced to give reasons for decisions, the greater likelihood that visceral and punitive reactions--which can generally be assumed to be inefficient--will be constrained by following accepted guidelines, the need [\*316] to expose groups of like-minded decision-makers to counter-arguments coming from other perspectives, and the need to deter official reliance on claims of an emergency in order to avoid scrutiny. n102¶ The other argument that suggests the appropriateness of less demanding standards of accountability relates to the special situation of intelligence agencies. In response, it is appropriate to acknowledge the deep tensions between the need for accountability and the inherent bias of such agencies towards unaccountability. It is clearly paradoxical to be seeking transparency and encouraging information sharing from agents whose very existence is premised on secrecy and absolute discretion. The need for intelligence services to be accountable has always been strong simply because of the power that they exercise and the otherwise unlimited potential for abuse of that power. But over the past decade the importance of accountability has grown dramatically for various reasons. Reaction to the events of 9/11 placed intelligence agencies at the forefront of efforts to combat terrorism and put a premium on rapid action, efficiency, and the exercise of only very loosely constrained agency discretion, often at the expense of transparency, respect for human rights, and meaningful congressional consultation. Agency personnel numbers and budgets increased greatly, special operations became far more common, and double-hatting served to make scrutiny more difficult. In addition, joint operations as well as intelligence-sharing with foreign counterpart agencies, often working for authoritarian regimes, became widespread and increased the likelihood of human rights abuses occurring. n103¶ But the challenges to accountability have also multiplied since 9/11. In an age of enhanced global terror operations the structural predisposition to secrecy on the part of intelligence officials has only been strengthened. The heterogeneity and geographical spread of actual and potential terrorist groups, the reality of homegrown terror, and the potential for large-scale acts of terrorism, have all contributed to support for secrecy. This goes beyond the mere need to ensure operational secrecy. Intelligence agencies cannot operate in a traditional hierarchical fashion for fear that a leak at one point in the chain of command will undermine the entire operation. Individual officers are thus given considerable discretion and even relative [\*317] autonomy according to the circumstances. Moreover, the centrality of the notion of "plausible deniability" means that such agencies are often required to act in ways that not only leave no fingerprints, but also leave (almost) no internal paper trail. These factors in turn make the agency less disposed towards, and less accessible to, either internal or external oversight. But the response is not to reinforce these pathological tendencies, but rather to reassert the primacy of IHRL and IHL standards and thus the need for appropriate levels of transparency and accountability, albeit tailored to reflect the legitimate exigencies faced by such actors.¶ Before moving to consider the Obama administration's approach to these issues, it is important to underscore the fact that we are talking about two different levels of accountability. The first is that national procedures must meet certain standards of transparency and accountability in order to meet existing international obligations. The second is that the national procedures must themselves be sufficiently transparent to international bodies as to permit the latter to make their own assessment of the extent to which the state concerned is in compliance with its obligations. In other words, even in situations in which states argue that they put in place highly impartial and reliable accountability mechanisms, the international community cannot be expected to take such assurances on the basis of faith rather than of convincing information. Assurances offered by other states accused of transgressing international standards would not be accepted by the United States in the absence of sufficient information upon the basis of which some form of verification is feasible. Since the 1980s, the phrase "trust but verify" n104 has been something of a mantra in the arms control field, but it is equally applicable in relation to IHL and IHRL. The United States has consistently demanded of other states that they demonstrate to the international community the extent of their compliance with international standards. A great many examples could be cited, not only from the annual State Department reports on the human rights practices of other states, but also from a range of statements by the President and the Secretary of State in relation to countries like Egypt, Libya, and Syria in the context of the Arab Spring of 2011.

#### Squo drone strategy unsustainable--- host-state and domestic backlash--- plan solves and establishes global norms for drone use

Zenko 2013 (Micah Zenko, Douglas Dillon fellow in the Center for Preventive Action at CFR, previously worked at Harvard Kennedy School and State Department, January 2013, “Reforming U.S. Drone Strike Policies,” CFR Special Report No 56)

Over the past decade, the use of unmanned aerial systems—commonly referred to as drones—by the U.S. government has expanded exponentially in scope, location, and frequency.1 From September 2001 to April 2012, the U.S. military increased its drone inventory from fifty to seventy-five hundred—of which approximately 5 percent can be armed.2 Yet despite the unprecedented escalation of its fleet and mis- sions, the U.S. government has not provided a clear explanation of how drone strikes in nonbattlefield settings are coordinated with broader foreign policy objectives, the scope of legitimate targets, and the legal framework. Drones are critical counterterrorism tools that advance U.S. interests around the globe, but this lack of transparency threatens to limit U.S. freedom of action and risks proliferation of armed drone technology without the requisite normative framework.

Existing practices carry two major risks for U.S. interests that are likely to grow over time. The first comes from operational restrictions on drones due to domestic and international pressure. In the United States, the public and policymakers are increasingly uneasy with limited transparency for targeted killings.3 If the present trajectory continues, drones may share the fate of Bush-era enhanced interrogation techniques and warrantless wiretapping—the unpopularity and illegality of which eventually caused the policy’s demise. Internationally, objections from host states and other counterterrorism partners could also severely circumscribe drones’ effectiveness. Host states have grown frustrated with U.S. drone policy, while opposition by nonhost partners could impose additional restrictions on the use of drones. Reforming U.S. drone strike policies can do much to allay concerns internationally by ensuring that targeted killings are defensible under international legal regimes that the United States itself helped estab- lish, and by allowing U.S. officials to openly address concerns and counter misinformation.

3 The second major risk is that of proliferation. Over the next decade, the U.S. near-monopoly on drone strikes will erode as more countries develop and hone this capability. The advantages and effectiveness of drones in attacking hard-to-reach and time-sensitive targets are com- pelling many countries to indigenously develop or explore purchasing unmanned aerial systems. In this uncharted territory, U.S. policy pro- vides a powerful precedent for other states and nonstate actors that will increasingly deploy drones with potentially dangerous ramifications. Reforming its practices could allow the United States to regain moral authority in dealings with other states and credibly engage with the international community to shape norms for responsible drone use.

The current trajectory of U.S. drone strike policies is unsustainable. Without reform from within, drones risk becoming an unregulated, unaccountable vehicle for states to deploy lethal force with impunity. Consequently, the United States should more fully explain and reform aspects of its policies on drone strikes in nonbattlefield settings by ending the controversial practice of “signature strikes”; limiting tar- geted killings to leaders of transnational terrorist organizations and individuals with direct involvement in past or ongoing plots against the United States and its allies; and clarifying rules of the road for drone strikes in nonbattlefield settings. Given that the United States is currently the only country—other than the United Kingdom in the tra- ditional battlefield of Afghanistan and perhaps Israel—to use drones to attack the sovereign territory of another country, it has a unique opportunity and responsibility to engage relevant international actors and shape development of a normative framework for acceptable use of drones.

## Overstretch

## Cred

### Biodiversity

#### Loss of biodiversity threatens the planet- rapid disease spread

Platt’10 [Humans are more at risk from diseases as biodiversity disappears](http://blogs.scientificamerican.com/extinction-countdown/2010/12/07/humans-are-more-at-risk-from-diseases-as-biodiversity-disappears/)¶ By [John R. Platt](javascript:void(0)) | December 7, 2010 <http://blogs.scientificamerican.com/extinction-countdown/2010/12/07/humans-are-more-at-risk-from-diseases-as-biodiversity-disappears/> Platt, a journalist specializing in environmental issues and technology, does his part to slow the countdown. Platt won the IFAW's Animal Action Award in 2012 for his work writing about endangered species, climate change, trophy hunting, poaching and the illegal wildlife trade.

People often ask me, "Why should I care if a species goes extinct? It’s not essential to my daily life, is it?"¶ Well, according to new research published December 2 in Nature, the answer is yes—healthy biodiversity is essential to human health. As species disappear, infectious diseases rise in humans and throughout the animal kingdom, so extinctions directly affect our health and chances for survival as a species. (Scientific American is part of Nature Publishing Group.)¶ "Biodiversity loss tends to increase pathogen transmission across a wide range of infectious disease systems," the study’s first author, Bard College ecologist [Felicia Keesing](http://biology.bard.edu/faculty/keesing/), said in a prepared [statement](http://7thspace.com/headlines/366026/loss_of_species_threatens_human_health.html).¶ These pathogens can include viruses, bacteria and fungi. And humans are not the only ones at risk: all manner of other animal and plant species could be affected.¶ The rise in diseases and other pathogens seems to occur when so-called "buffer" species disappear. Co-author [Richard Ostfeld](http://www.ecostudies.org/people_sci_ostfeld.html) of the Cary Institute of Ecosystem Studies points to the growing number of cases of Lyme disease in humans as an example of how this happens. Opossum populations in the U.S. are down due to the fragmentation of their forest habitats. The marsupials make poor hosts for the pathogen that causes Lyme disease; they can also better defend themselves from the black-legged ticks that carry the affliction to humans than can white-footed mice, which, on the other hand, are thriving in the altered habitat—and along with them disease-carrying ticks. "The mice increase numbers of both the black-legged tick vector and the pathogen that causes Lyme disease," Ostfeld said.¶ The authors focused on diseases—including Lyme, West Nile virus, hantavirus and nine others—around the world. In each case they found that the maladies have become more prevalent during the time in which local biodiversity shrank.¶ Three of the cases they studied found that the rise of West Nile virus in the U.S. corresponded to decreases in bird population density.¶ The researchers also conclude that humans and wildlife really shouldn’t interact. Direct contact with wildlife—say, in the form of the often illegal bushmeat trade—could in turn cause more diseases to jump from animals to humans.¶ The best solution to both situations: "Preserving large intact areas and minimizing contact with wildlife would go a big step of the way to reducing disease," Keesing said in Nature.¶ So should you care? Yes you should, if you value your health. A healthy planet equals healthy humans, a lesson it’s really time we learned.

### Warming

#### Climate change causes destruction of civilization.

James Hansen, 2012, heads the NASA Goddard Institute for Space Studies in New York City, a part of the Goddard Space Flight Center in Greenbelt, Maryland, is also an adjunct professor in the Department of Earth and Environmental Sciences at Columbia University, "Scientific Case for Avoiding Dangerous Climate Change to Protect Young People and Nature,” Our Children’s Trust, http://ourchildrenstrust.org/sites/default/files/Hansen%27s Latest Declaration.pdf

#### Fossil fuel emissions to date are only a small fraction of potential emissions from known reserves and potentially recoverable resources (Fig. P1). Although there are uncertainties in reserves and resources, ongoing fossil fuel subsidies and continuing technological advances ensure that more and more of these fuels will be economically recoverable. Burning all fossil fuels would create a very different planet than the one that humanity knows. The paleoclimate record and ongoing climate change make it clear that the climate system would be pushed beyond tipping points, setting in motion irreversible changes, including ice sheet disintegration with a continually adjusting shoreline, extermination of a substantial fraction of species on the planet, and increasingly devastating regional climate extremes. Earth’s paleoclimate history helps us assess levels of global temperature consistent with maintaining a planet resembling that to which civilization is adapted, for example, avoiding sea level rise of many meters. Earth's measured energy imbalance during a time of minimum solar irradiance, with Earth absorbing more solar energy than the heat energy it radiates to space, confirms the dominant effect of increasing atmospheric CO2 on global temperature (11) and allows us to determine fossil fuel emission reductions needed to restore Earth's energy balance, which is the basic requirement for stabilizing climate. We conclude that initiation of phase-out of fossil fuel emissions is urgent. For example, if emission reductions begin this year the required rate of decline is 6%/year to restore Earth’s energy balance, and thus approximately stabilize climate, by the end of this century. If emissions reductions had begun in 2005, the required rate was 3%/year. If reductions are delayed until 2020, the required reductions are 15%/year. And these scenarios all assume a massive 100 GtC reforestation program, essentially restoring biospheric carbon content to its natural level.

## Vagueness

### VAGUENESS GOOD

#### Our interpretation is that the affirmative can be vague so long as they are topical- topicality is a better way for determining the division of ground and solves all of their offense- it is based off of the resolution and has a distinct brightline to preserve clash and education

1. We are not vague- <insert specifics>
2. Infinintely regressive- there is no clear brightline as to the point at which we are no longer “vague” or create a clear enough distinction of neg from aff ground- proves the arbitrariness of their argument
3. Increases ground- they can run all of their agent counterplans and more disads on top of case turns because there is more room for them to generate a link
4. Incresed specification makes PICs to easy- this is bad for debate
   1. Steals aff ground–PICs moot the entirety of the 1AC by retaining any good parts, making it impossible for us to use the 1AC as leverage and forcing us to generate offense a small aspect of the CP destroying clash and education
   2. Infinitely regressive – justifies arbitrary and minute counterplans like exclude a penny and a risk of a bad disad means PICs would be impossible to predict.
   3. Intellectual plagiarism- decreasing critical thinking by allowing the neg to moot 8 minutes of our offense and steal our work
5. The alternative is worse- hyper-specification makes affirmative squirrelly and unpredictable meaning that even if the neg got their ground they couldn’t use it
6. Cross-x checks abuse- You ask the questions, we clarify our intent.
7. Ad hoc theory bad - there’s no resolutional basis for their argument – just because debate could be better doesn’t make it a voter – that justifies arbitrarily rejecting fair teams.
8. Potential abuse isn’t a voter- we didn’t do it and its impossible to quantify. Since the ballot doesn’t set a precedent, in-round abuse is the fairest, most objective way to view theory.

## Flexibility

#### War powers are unnecessary and cause more wars than they prevent

By Margaret Talev - May 24, 2013 3:01 PM CT  
Obama Sees Sunset on Sept. 11 War Powers in Drone Limits

<http://www.bloomberg.com/news/2013-05-24/obama-sees-sunset-on-sept-11-war-powers-in-drone-limits.html>

President [Barack Obama](http://topics.bloomberg.com/barack-obama/) said the broad war powers Congress approved to fight al-Qaeda after the Sept. 11, 2001, attacks shouldn’t continue forever and that he’s reining in drone strikes and paving the way to close the prison at Guantanamo Bay, Cuba. “In the years to come, not every collection of thugs that labels themselves al-Qaeda will pose a credible threat to the [United States](http://topics.bloomberg.com/united-states/),” the president said in an hour-long address yesterday at National Defense University in Washington. “Unless we discipline our thinking, our definitions, our actions, we may be drawn into more wars we don’t need to fight, or continue to grant presidents unbound powers more suited for traditional armed conflicts between nation states,” Obama said. “This war, like all wars, must end. That’s what history advises. That’s what our democracy demands.” The president’s speech was months in the works and came a day after he signed a classified document shared with key members of Congress containing details of the changes. While calling the U.S. drone campaign justified and legal, Obama said he was tightening the rules governing who can be targeted in the strikes by unmanned aircraft. The U.S. military, instead of the Central Intelligence Agency, will be the lead authority for drone strikes, administration officials said. Obama said he will work with Congress on how to add scrutiny to a largely secret program.

**Unfettered presidential powers cause nuclear war**

Forrester 89 - Professor, Hastings College of the Law (Ray, August 1989, ESSAY: Presidential Wars in the Nuclear Age: An Unresolved Problem, 57 Geo. Wash. L. Rev. 1636)

On the basis of this report, the startling fact is that **one** man **[person] alone has the ability to start a nuclear war**. A basic theory--if not the basic theory of our Constitution--is that **concentration of power** **in any one person**, or one group, **is dangerous to** mankind **[humanity]. The Constitution**, therefore, **contains a strong system of checks and balances, starting** **with the separation of powers** between the President, Congress, and the Supreme Court. The message is that no one of them is safe with unchecked power. Yet, in what is probably the most dangerous governmental power ever possessed, we find the potential for world destruction lodged in the discretion of one person. As a result of public indignation aroused by the Vietnam disaster, in which tens of thousands lost their lives in military actions initiated by a succession of Presidents, Congress in 1973 adopted, despite presidential veto, the War Powers Resolution. Congress finally asserted its checking and balancing duties in relation to the making of presidential wars. Congress declared in section 2(a) that its purpose was to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations. The law also stated in section 3 that [t]he President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated. . . . Other limitations not essential to this discussion are also provided. The intent of the law is clear. Congress undertook to check the President, at least by prior consultation, in any executive action that might lead to hostilities and war.  [\*1638]  President Nixon, who initially vetoed the resolution, claimed that it was an unconstitutional restriction on his powers as Executive and Commander in Chief of the military. His successors have taken a similar view. Even so, some of them have at times complied with the law by prior consultation with representatives of Congress, but obedience to the law has been uncertain and a subject of continuing controversy between Congress and the President. Ordinarily, the issue of the constitutionality of a law would be decided by the Supreme Court. But, despite a series of cases in which such a decision has been sought, the Supreme Court has refused to settle the controversy. The usual ground for such a refusal is that a "political question" is involved. The rule is well established that the federal judiciary will decide only "justiciable" controversies. "Political questions" are not "justiciable." However, the standards established by the Supreme Court in 1962 in [Baker v. Carr, 369 U.S. 186,](http://www.lexisnexis.com/us/lnacademic/mungo/lexseestat.do?bct=A&risb=21_T9842011382&homeCsi=7338&A=0.48452774259109876&urlEnc=ISO-8859-1&&citeString=369%20U.S.%20186&countryCode=USA) to determine the distinction between "justiciable controversies" and "political questions" are far from clear. One writer observed that the term "political question" [a]pplies to all those matters of which the court, at a given time, will be of the opinion that it is impolitic or inexpedient to take jurisdiction. Sometimes this idea of inexpediency will result from the fear of the vastness of the consequences that a decision on the merits might entail. Finkelstein, Judicial Self-Limitation, 37 HARV. L. REV. 338, 344 (1924)(footnote omitted). It is difficult to defend the Court's refusal to assume the responsibility of decisionmaking on this most critical issue. The Court has been fearless in deciding other issues of "vast consequences" in many historic disputes, some involving executive war power. It is to be hoped that the Justices will finally do their duty here. But **in the meantime the spectre of single-minded power persists, fraught with all of the frailties** of human nature **that each human possesses, including the President**. World history is filled with tragic examples. Even if the Court assumed its responsibility to tell us whether the Constitution gives Congress the necessary power to check the President, the War Powers Resolution itself is unclear. Does the Resolution require the President to consult with Congress before launching a nuclear attack? It has been asserted that "introducing United States Armed Forces into hostilities" refers only to military personnel and does not include the launching of nuclear missiles alone. In support of this interpretation, it has been argued that Congress was concerned about the human losses in Vietnam and in other presidential wars, rather than about the weaponry. Congress, of course, can amend the Resolution to state explicitly that "the introduction of Armed Forces" includes missiles as well as personnel. However, the President could continue to act without prior consultation by renewing the claim first made by President  [\*1639]  Nixon that the Resolution is an unconstitutional invasion of the executive power. Therefore, the real solution, in the absence of a Supreme Court decision, would appear to be a constitutional amendment. All must obey a clear rule in the Constitution. The adoption of an amendment is very difficult. Wisely, Article V requires that an amendment may be proposed only by the vote of two-thirds of both houses of Congress or by the application of the legislatures of two-thirds of the states, and the proposal must be ratified by the legislatures or conventions of three-fourths of the states. Despite the difficulty, the Constitution has been amended twenty-six times. Amendment can be done when a problem is so important that it arouses the attention and concern of a preponderant majority of the American people. But the people must be made aware of the problem. It is hardly necessary to belabor the relative importance of the control of nuclear warfare. A constitutional amendment may be, indeed, the appropriate method. But the most difficult issue remains. What should the amendment provide? How can the problem be solved specifically? The Constitution in section 8 of Article I stipulates that "[t]he Congress shall have power . . . To declare War. . . ." The idea seems to be that only these many representatives of the people, reflecting the public will, should possess the power to commit the lives and the fortunes of the nation to warfare. This approach makes much more sense in a democratic republic than entrusting the decision to one person, even though he may be designated the "Commander in Chief" of the military forces. His power is to command the war after the people, through their representatives, have made the basic choice to submit themselves and their children to war. There is a recurring relevation of a paranoia of powerthroughout human historythat has impelled one leader after another to draw their people **into wars** which, in hindsight, were foolish, unnecessary, and, in some instances, downright insane. Whatever may be the psychological influences that drive the single decisionmaker to these irrational commitments of the lives and fortunes of others, the fact remains that the **behavior is a predictable** one **in any government that does not provide an effective check and balance against uncontrolled power in the hands of one human**. We, naturally, like to think that our leaders are above such irrational behavior. Eventually, however, human nature, with all its weakness, asserts itself whatever the setting. At least that is the evidence that experience and history give us, even in our own relatively benign society, where the Executive is subject to the rule of law.  [\*1640]  Vietnam and other more recent engagements show that it can happen and has happened here. But the "nuclear football"--the ominous "black bag" --remains in the sole possession of the President. And, most important, his **[the] decision to launch a nuclear missile would be**, in fact if not in law, a **declaration of nuclear war, one which** the nation and, indeed, **humanity** in general, probably **would be unable to survive**.

#### Prez powers bad outweighs their flex turn

Lobel 2008 (Jules Lobel, Professor of Law at University of Pittsburgh Law School, Ohio State Law Journal, 69 Ohio St. L.J. 391, Lexis)

One might argue, however, that the potential danger that Congress could enact impractical, and unduly restrictive legislation controlling the movement of troops in battle supports a constitutional rule that accords the President sole power in this area, even if the line that was drawn was somewhat vague or logically indefensible.¶ That argument fails for two reasons. First, such a line is unnecessary. Congress has never interfered with battle plans or troop movements in the course of battle, even during the Civil War when congressional intermeddling in military matters was at its height. There is no reason to believe that Congress is even remotely likely to do so in the future, or that it is even capable of doing so. The line drawing would not be in response to a real problem, but a speculative, highly remote hypothetical. Important constitutional distinctions ought not be based on imaginary problems.¶ Worse still, the purely speculative danger that Congress might in the future interfere with battle plans or troops movements in the course of warfare must be balanced against the very real and present danger that Presidents will use an exclusive power over troop movements to expand their power dramatically at Congress's expense.¶ Modern Presidents have done just that. They have sought to expand their narrow constitutional power to repel sudden attacks into a power to introduce U.S. troops into hostilities anywhere in the world where, in the President's opinion, the United States' national interests are threatened. They have argued that the President's narrow power to protect our troops precludes Congress from limiting offensive actions that significantly expand a war.¶ The current administration has gone further, arguing that the President's power to direct the movement of troops precludes Congress from absolutely forbidding torture, or warrantless spying against Americans. The potential for abuse of a narrow but theoretically expandable rule is enormous, ever-present, and demonstrated by history.¶ Congress has also generally not restricted the President's power to repel attacks on American troops. 288 But the President's power to repel attacks [\*462] should be viewed as an independent power that permits the Executive to act with speed and flexibility in the absence of congressional authority, but that Congress has the right to regulate and limit that power.

#### Group the \_\_\_\_\_\_\_\_ impact debate, their internal link evidence assumes that U.S. gets drawn in and that causes nuclear annihilation but the aff's statutory restrictions legitimize Congress's ability regulate foreign policy and check mission creep- that's Carafono 11

#### No chance of rollback- an emboldened Congress would defund any presidential intervention that doesn't comply with legislation

GENE HEALY JULY 9, 2008 "The Power to Consult about War?" http://www.cato.org/blog/power-consult-about-war Gene Healy is a vice president at the Cato Institute. His research interests include executive power and the role of the presidency, as well as federalism and overcriminalization.

“In no part of the Constitution is more wisdom to be found,” James Madison wrote in 1793, “than in that clause which asks the president to give Congress a courtesy call whenever he’s picked a new country to invade.” Well, no, that’s not actually what he said. It went more like this: In no part of the constitution is more wisdom to be found, than in the clause which confides the question of war or peace to the legislature, and not to the executive department. Beside the objection to such a mixture to heterogeneous powers, the trust and the temptation would be too great for any one man. How to check that temptation? In 1973, Congress tried the War Powers Resolution, a deeply flawed piece of legislation that has never so much as inconvenienced a president bent on war. Former Secretaries of State Jim Baker and Warren Christopher – and a bipartisan panel of DC bigwigs – have a new answer: semi-mandatory consultation with Congress backed up by a dread “resolution of disapproval” (that the president can veto!). Somehow I don’t think this is going to work. I haven’t had a chance to read the full report yet, but judging from the coverage and the op-ed Baker and Christopher penned for yesterday’s Times, the Commission’s proposal seems like an exercise in High Broderism. For some serious attempts at putting teeth in the War Powers Resolution, check here and here. However, as I explain in the Cult of the Presidency, I’m skeptical that any of these megastatute solutions are going to work. Because no Congress can truly bind a future Congress and no statute can force the courts to resolve separation of powers fights they’d rather duck, such legislative solutions tend to be about as effective as a dieter’s note on the refrigerator. Unless and until ordinary voters demand that Congress stand and be counted on issues of war and peace–and defund unauthorized wars–we’ll continue as before. Hey, maybe we are the change we’ve been waiting on.

#### Ext Bardos 13- Mission creep justified by liberal internationalism is the main reason the U.S. gets involved in regional escalatory conflicts- the aff prevents military conflation and avoids the threat of nuclear escalation

## Politics

#### Uniqueness overwhelms the link- the PQD protects Obama from impeachment after he raises the debt ceiling by himself Eric Posner 9/30/13 a professor at the University of Chicago Law School, is a co-author of The Executive Unbound: After the Madisonian Republic and Climate Change Justice. <http://www.slate.com/articles/news_and_politics/view_from_chicago/2013/09/obama_can_t_stop_a_government_shutdown_but_he_can_raise_the_debt_ceiling.html?wpisrc=burger_bar>

As I have argued [before](http://www.slate.com/articles/news_and_politics/view_from_chicago/2013/01/debt_ceiling_president_obama_has_the_power_to_raise_the_debt_limit_without.html), the president has the constitutional authority to lift the debt ceiling on his own. If Congress won’t vote to do this, then it will have commanded him to spend vast sums on valued programs, but not given him enough money to do so. Where the president is given conflicting commands, he can use his discretion to resolve the conflict, bolstered here by his inherent administrative powers and his emergency powers to protect the nation, both sanctioned by constitutional tradition. Since a default on public debt would result in an economic catastrophe, he can borrow with or without Congress behind him. And if this comes to pass, Congress will have little recourse. If lawmakers complain that the president failed to let the government default, they’ll get little sympathy from the public. Conceivably, the House could launch impeachment proceedings against the president, claiming that he has violated the law. But impeachment would be fruitless; a conviction requires a two-thirds majority in the Senate, which the Democrats control. And while an impeachment would further bog down the presidency, it would be politically risky for Republicans as well. If Republicans in the House tried to stop the president by going to court, they would probably lose there, too. The courts would refuse to intervene under the [political question doctrine,](http://www.law.cornell.edu/wex/political_question_doctrine) which directs courts to stay out of disputes between the legislature and the executive. Most private individuals would lack standing to bring a challenge because they would not be able to show how increased borrowing specifically injured them. Maybe people who own credit-default swaps that pay off in the case of default would claim that raising the debt ceiling harmed them, but courts would probably dodge such claims under the political question doctrine as well

#### Won’t pass- not enough votes in the house and they won’t overcome health care **Paul Kane 9/11/13** House Republican leaders delay vote on new budget bill until next week

<http://www.washingtonpost.com/business/economy/house-republicans-battle-over-leaders-new-budget-bill/2013/09/11/798165d6-1af6-11e3-82ef-a059e54c49d0_story.html>

With a government shutdown looming in less than three weeks, Republican House leaders conceded Wednesday that they have yet to muster enough votes to approve a plan to keep federal agencies open. A vote on the measure, set for Thursday, was postponed until at least next week after conservatives balked, demanding that any deal to fund the government include a provision to cut off funding for President Obama’s signature health-care initiative. Unless Congress acts, the government will shut down Oct. 1. The Treasury also faces a potential default as soon as Oct. 18, according to independent estimates. House Speaker John A. Boehner (R-Ohio) has said he wants to avoid a shutdown and a default.

#### No PC for budget deals- Syria thumps the link **AP September 09, 2013**

Syria strike campaign sidelines push for immigration bill, other debates

<http://www.foxnews.com/politics/2013/09/09/syria-vote-in-congress-expected-to-have-far-reaching-impact-on-obama/>

President Obama’s decision to ask lawmakers to back a military strike on Syria could have a far-reaching impact on the rest of his administration's and Congress' agenda, as the debate pushes off votes on some critical items early in the president's second term. Congress has to put on the backburner a laundry list of pressing issues as members return this week to debate whether to punish the Syrian government for ordering a deadly nerve-gas attack last month. But no issue will likely be more critical to Obama than immigration. Providing a path to citizenship for at least some of this country’s estimated 11 million illegal immigrants is a major plank of Obama’s second-term agenda, and passage would no doubt be a highlight of his two-term presidency, along with his signature Affordable Care Act. The White House successfully lobbied Republican senators to back the legislation in that chamber in June. But with the debate now focused squarely on Syria, few are talking about an immigration overhaul right now. The bill has been parked in the Republican-led House with no votes on the horizon. “I don’t think [Syria] helps the president on immigration,” Dan Holler, a spokesman for the conservative Heritage Action for American, said Monday. “He’s had to spend his political capital.” Still, Holler argues, House Republicans were already walking away from the Senate plan. “This was never a sure-fire bet,” he said. After Syria, Congress's most immediate task is passing a temporary spending bill to prevent much of the government from shutting down on Oct. 1, the start of the new budget year. The spending measure is typically passed every 12 months with considerable wrangling. But this year’s negotiations are expected to be even tougher with a small-but-vocal group of congressional Republicans saying they will not include money for the president’s signature health care law, with enrollment starting in about three weeks.

#### The plan is popular- senate leaders and congress is tired of the law

Michael McAuliff AUMF Repeal Bill Would End Extraordinary War Powers Granted After 9/11

Posted: 06/10/2013 3:12 pm EDT | Updated: 06/10/2013 7:39 pm EDT

http://www.huffingtonpost.com/2013/06/10/aumf-repeal-bill-war-powers\_n\_3416689.html

WASHINGTON -- The sweeping law that allows the president to wage an unlimited global war on terror would be repealed under a bill set to be offered this week. The repeal measure, crafted by Rep. Adam Schiff (D-Calif.), would end the 2001 Authorization to Use MIlitary Force, or AUMF, in 2015, as the U.S. finally exits the war in Afghanistan. Two administrations have relied upon the AUMF to use military force in Afghanistan and around the world. They have also used the law to justify practices that lately have become more controversial, including drone strikes that have killed at least four Americans and the indefinite detention of terror suspects at Guantanamo Bay, Cuba, where more than 100 detainees are currently on a hunger strike. President Barack Obama recently called for the repeal of the authorization, saying it promotes perpetual war and grants presidents too much power. Leaders in the Senate have also called for its repeal or revision, noting that while the AUMF is supposed to target al Qaeda, the Taliban and allies who helped carry out the Sept. 11 attacks, it has been interpreted to be used far more broadly. "The nature of the threat we face is different now," said Schiff. "The authorities that we're using are straining at their legal edges to authorize force against groups that didn't exist on 9/11 or that may be only loosely affiliated with al Qaeda." "I think the timing is right, particularly given the president's speech 10 days ago," he added, arguing that Congress can no longer afford to "kick the can" down the road on such a vital piece of national security law, one that is now 12 years removed from the event that sparked it. "Congress has a long history over the last decade of abdicating these tough questions because they're difficult," he said. The questions around the AUMF are indeed difficult. In addition to being used to answer for indefinite detentionand the targeted killings of Americans overseas, Congress has used the measure as a basis to pass laws expressly permitting the military to detain Americans without trial. The Obama administration has declared it will not hold U.S. citizens under that authority, but reserves the right to detain the 166 captives at Guantanamo.

#### Either (a) PC is already low -or- (b) Congress won’t use the plan against the president--- quantitative studies prove

Holm 2007 (Peter M. Holm, Department of Political Science, University of Wisconsin, Madison, and Timothy Werner,

Department of Political Science, University of Wisconsin, Madison, March 2007, “Political Capital and Presidential War Powers: Sources of Congressional Assertiveness on the Use of Force,” http://users.polisci.wisc.edu/Holm/uof-march2007-draft.pdf)

The results we have presented offer strong support for the contentions that Congress matters and¶ that it can force presidents to think twice before sending troops abroad. The institution’s willingness to¶ assert itself on war powers issues, however, is far from constant. Our ﬁndings suggest that it is primarily¶ the political strength of Congress vis–à–vis the president that gives legislators the impetus to challenge¶ him on the use of force. The electoral strength of key members, along with signals of presidential weakness and public demand for action, are powerful predictors of force deployments. The informational¶ resources available to Congress, however, appear to have little to no independent effect beyond some¶ general gains made after the passage of the WPR.¶ This research suggests that calls for greater informational parity between Congress and the president¶ in foreign policy may be misplaced, or at least are not likely to lead to greater congressional assertiveness in checking the president’s war powers. It is not so much that Congress lacks the ability to challenge¶ and constrain the executive, especially after the WPR, but rather that it is only conditionally willing to¶ do so. As Mayhew (1974) and countless others have noted, members of Congress are primarily driven by¶ the quest to retain ofﬁce, and their actions reﬂect that. Confronting the president on war powers issues¶ is a genuinely risky endeavor, and for most members of Congress, a good store of political capital is a¶ prerequisite to doing so. When the institution and its foreign policy leaders enjoy such political strength,¶ Congress can and often does put its considerable tools to use to limit the president’s international ambitions. In the absence of such strength, however, we should not be surprised to ﬁnd the legislative branch¶ remaining on the sidelines, content to avoid potential punishment lest a major military endeavor go bad.

#### Fiat solves the link

#### Bold moves boost capital

Green, 2010 (David Michael Green, professor of political science at Hofstra University, “The Do-Nothing 44th President” June 11, google)

Moreover, there is a continuously evolving and reciprocal relationship between presidential boldness and achievement. In the same way that nothing breeds success like success, nothing sets the president up for achieving his or her next goal better than succeeding dramatically on the last go around. This is absolutely a matter of perception, and you can see it best in the way that Congress and especially the Washington press corps fawn over bold and intimidating presidents like Reagan and George W. Bush. The political teams surrounding these presidents understood the psychology of power all too well. They knew that by simultaneously creating a steamroller effect and feigning a clubby atmosphere for Congress and the press, they could leave such hapless hangers-on with only one remaining way to pretend to preserve their dignities. By jumping on board the freight train, they could be given the illusion of being next to power, of being part of the winning team. And so, with virtually the sole exception of the now retired Helen Thomas, this is precisely what they did.

#### Logical policymakers do both

\*Edwards 2000 [Distinguished Professor of Political Science, director of the Center for Presidential Studies, Texas A&M University (George C. III, March. “Building Coalitions.” Presidential Studies Quarterly, Vol. 30, Iss. 1.)]

Besides not considering the full range of available views, **members of Congress are not generally in a position to make trade-offs between policies. Because of its decentralization, Congress usually considers policies serially,** that is, **without reference to other policies. Without an integrating mechanism, members have few means by which to set and enforce priorities** and to emphasize the policies with which the president is most concerned. This latter point is especially true when the opposition party controls Congress.

#### Political capital theory is bankrupt

Dickinson2009 (Matthew Dickinson, professor of political science at Middlebury College and taught at Harvard University, where he also received his Ph.D., “Sotomayor, Obama and Presidential Power” May, google)

What is of more interest to me, however, is what her selection reveals about the basis of presidential power. Political scientists, like baseball writers evaluating hitters, have devised numerous means of measuring a president’s influence in Congress. I will devote a separate post to discussing these, but in brief, they often center on the creation of legislative “box scores” designed to measure how many times a president’s preferred piece of legislation, or nominee to the executive branch or the courts, is approved by Congress. That is, how many pieces of legislation that the president supports actually pass Congress? How often do members of Congress vote with the president’s preferences? How often is a president’s policy position supported by roll call outcomes? These measures, however, are a misleading gauge of presidential power – they are a better indicator of congressional power. This is because how members of Congress vote on a nominee or legislative item is rarely influenced by anything a president does. Although journalists (and political scientists) often focus on the legislative “endgame” to gauge presidential influence – will the President swing enough votes to get his preferred legislation enacted? – this mistakes an outcome with actual evidence of presidential influence. Once we control for other factors – a member of Congress’ ideological and partisan leanings, the political leanings of her constituency, whether she’s up for reelection or not – we can usually predict how she will vote without needing to know much of anything about what the president wants. (I am ignoring the importance of a president’s veto power for the moment.) Despite the much publicized and celebrated instances of presidential arm-twisting during the legislative endgame, then, most legislative outcomes don’t depend on presidential lobbying. But this is not to say that presidents lack influence. Instead, the primary means by which presidents influence what Congress does is through their ability to determine the alternatives from which Congress must choose. That is, presidential power is largely an exercise in agenda-setting – not arm-twisting. And we see this in the Sotomayer nomination. Barring a major scandal, she will almost certainly be confirmed to the Supreme Court whether Obama spends the confirmation hearings calling every Senator or instead spends the next few weeks ignoring the Senate debate in order to play Halo III on his Xbox. That is, how senators decide to vote on Sotomayor will have almost nothing to do with Obama’s lobbying from here on in (or lack thereof). His real influence has already occurred, in the decision to present Sotomayor as his nominee.

#### Congress introduces the bill and votes no- vote aff to vote neg.

### Econ D

#### Bank failures have short lived economic impact

Carlos Ramirez and Philip Shivley (Department of economics at George Mason University) June 2005 “Do Bank Failures Affect Real Economic Activity? State-level evidence from the pre-depression era” http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=742418

Lastly, we measure the size and dynamic effect of bank failures and commercial failures at the aggregate U.S. level. Using a structural moving-average model, we find that bank failures account for about 25% of commercial failures at all forecast horizons, and that bank failures have only a short-lived impact in the banking sector. These results provide additional evidence to a long-standing debate as to whether financial panics amplify recessions. For example, De Long and Summers (1986) argue that the effect of financial panics on the real side of the economy may have been small because their impact on variables such as interest rates was short-lived. Calomiris and Hubbard (1989), on the other hand, argue that financial panics may have had large recessionary effects because of the inevitable contraction in the supply of credit during periods of financial distress. The evidence that bank failures account for as much as 25% of commercial failures, despite the evidence that episodes of bank failures appear to be short lived, is compelling evidence that a credit channel existed at the turn of the 20th century, and not just during the Depression years. Moreover, the effect may be large enough to help explain why the variability of the business cycle was higher in the Pre-World War II period than afterwards.1

#### Economy resilient – economic collapses in ’87, ’92, ’97, ’98, and 2000 were bigger and deeper – your evidence is alarmist

#### Other even bigger crises prove resilience

Mark Skousen. "What have we learned." Forecasts&Strategies. 2 Jun. 2003. http://www.markskousen.com/article.php?id=1096

The second lesson is that the global economy is far more resilient than anyone imagined. During the past 20 years, we have suffered through two major energy crises, double digit inflation, stock market and real estate crashes in the U.S. and Japan, an unprecedented credit crunch, mammoth federal deficits, the AIDS crisis, several major wars, terrorist attacks, the collapse of the Soviet Union and many other mini-panics, and yet we continue to survive and even prosper. We are not depression-proof, but we are surprisingly depression-resistant. Armageddon has again been postpone

## Schmidt

#### Role of the ballot is to evaluate effects of the plan- criticisms of the 1AC are only a reason to vote neg if they prove plan implementation is a bad idea

#### Prefer it-

#### a. Fairness- any other interp is arbitrary, self-serving and eviscerates 9 minutes of aff offense- infinitely regressive- makes it impossible to be aff

#### b. Education- topic changes every year- learning about war powers policy key to informed citizens- only framing k as a response to the plan solves unique education about intersection of topical advocacy and critical literature

#### Voter for competitive equity

#### Perm do both – alt overcomes links or it can’t overcome SQuo

#### Perm plan plus noncompetitive parts of the alternative

#### Perm plan and alternative in every other instance.

#### Competition should be both textual and functional – centers the Aff thesis while avoiding alphabet soup

#### Ignoring the question of action because of ontology causes lack of action.

David McClean, 2001, philosopher, writer and business consultant, conducted graduate work in philosophy at NYU, “The cultural left and the limits of social hope,” http://www.american-philosophy.org/archives/past\_conference\_programs/pc2001/Discussion%20papers/david\_mcclean.htm

#### There is a lot of philosophical prose on the general subject of social justice. Some of this is quite good, and some of it is quite bad. What distinguishes the good from the bad is not merely the level of erudition. Displays of high erudition are gratuitously reflected in much of the writing by those, for example, still clinging to Marxian ontology and is often just a useful smokescreen which shrouds a near total disconnect from empirical reality. This kind of political writing likes to make a lot of references to other obscure, jargon-laden essays and tedious books written by other true believers - the crowd that takes the fusion of Marxian and Freudian private fantasies seriously. Nor is it the lack of scholarship that makes this prose bad. Much of it is well "supported" by footnotes referencing a lode of other works, some of which are actually quite good. Rather, what makes this prose bad is its utter lack of relevance to extant and critical policy debates, the passage of actual laws, and the amendment of existing regulations that might actually do some good for someone else. The writers of this bad prose are too interested in our arrival at some social place wherein we will finally emerge from our "inauthentic" state into something called "reality." Most of this stuff, of course, comes from those steeped in the Continental tradition (particularly post-Kant). While that tradition has much to offer and has helped shape my own philosophical sensibilities, it is anything but useful when it comes to truly relevant philosophical analysis, and no self-respecting Pragmatist can really take seriously the strong poetry of formations like "authenticity looming on the ever remote horizons of fetishization." What Pragmatists see instead is the hope that we can fix some of the social ills that face us if we treat policy and reform as more important than Spirit and Utopia.

#### The perm solves best – we must express contradictions in drawing us/them exceptions in order to subvert the slide into abstract universalism.

Chantal **Mouffe**, pub. date: **1999**, a Belgian political theorist, she holds a professorship at the University of Westminster in the United Kingdom, The challenge of Carl Schmitt, p. 43-4, Google Books

Contrary to those who believe in a necessary harmony between liberalism and democracy, Schmitt makes us see how they conflict, and the dangers the dominance of liberal logic can bring to the exercise of democracy. No doubt there is an opposition between the liberal ‘grammar’ of equality, which postulates universality and reference to ‘humanity’, and the practice of democratic equality, which requires the political moment of discrimination between ‘us’ and ‘them’. However, I think that Schmitt is wrong to present this conflict as a contradiction that is bound to lead liberal democracy to self-destruction. We can accept his insight perfectly well without agreeing with the conclusions he draws. I propose to acknowledge the crucial difference between the liberal and the democratic conceptions of equality, while envisaging their articulation and its consequences in another way. Indeed, such an articulation can be seen as the locus of a tension that installs a very important dynamic, which is constitutive of the specificity of liberal democracy as a new political form of society. The democratic logic of constituting the people, and inscribing rights and equality into practices, is necessary to subvert the tendency towards abstract universalism inherent in liberal discourse. But the articulation with the liberal logic allows us constantly to challenge – through reference to ‘humanity’ and the polemical use of ‘human rights’ – the forms of exclusion that are necessarily inscribed in the political practice of installing those rights and defining ‘the people’ which is going to rule. 12 Notwithstanding the ultimate contradictory nature of the two logics, their articulation therefore has very positive consequences, and there is no reason to share Schmitt’s pessimistic verdict concerning liberal democracy. However, we should not be too sanguine about its prospect either. No final resolution or equilibrium between those two conflicting logics is ever possible, and there can be only temporary, pragmatic, unstable and precarious negotiations of the tension between them. Liberal-democratic politics consists, in fact, in the constant process of negotiation and renegotiation – through different hegemonic articulations – of this constitutive paradox.

#### Realism is inevitable – you’re alt cant change it.

Stefano Guzzini, 1998, Assis. Prof at Central European U, Realism in Int’l Relations, p. 212

#### Therefore, in a third step, this chapter also claims that it is impossible just to heap realism onto the dustbin of history and start anew. This is a non-option. Although realism as a strictly causal theory has been a disappointment, various realist assumptions are well alive in the minds of many practitioners and observers of international affairs. Although it does not correspond to a theory which helps us to understand a real world with objective laws, it is a world-view which suggests thoughts about it, and which permeates our daily language for making sense of it. Realism has been a rich, albeit very contestable, reservoir of lessons of the past, of metaphors and historical analogies, which, in the hands of its most gifted representatives, have been proposed, at times imposed, and reproduced as guides to a common understanding of international affairs. Realism is alive in the collective memory and self-understanding of our (i.e. Western) foreign policy elite and public whether educated or not. Hence, we cannot but deal with it. For this reason, forgetting realism is also questionable. Of course, academic observers should not bow to the whims of daily politics. But staying at distance, or being critical, does not mean that they should lose the capacity to understand the languages of those who make significant decisions not only in government, but also in firms, NGOs, and other institutions. To the contrary, this understanding, as increasingly varied as it may be, is a prerequisite for their very profession. More particularly, it is a prerequisite for opposing the more irresponsible claims made in the name although not always necessarily in the spirit, of realism.

#### Extinction outweighs – as long as there is some life there’s only a risk they retain ontological capacity.

Hans Jonas, 1996, Former Alvin Johnson Prof. Phil. – New School for Social Research and Former Eric Voegelin Visiting Prof. – U. Munich, “Morality and Mortality: A Search for the Good After Auschwitz,” p. 111-2

#### With this look ahead at an ethics for the future, we are touching at the same time upon the question of the future of freedom. The unavoidable discussion of this question seems to give rise to misunderstandings. My dire prognosis that not only our material standard of living but also our democratic freedoms would fall victim to the growing pressure of a worldwide ecological crisis, until finally there would remain only some form of tyranny that would try to save the situation, has led to the accusation that I am defending dictatorship as a solution to our problems. I shall ignore here what is a confusion between warning and recommendation. But I have indeed said that such a tyranny would still be better than total ruin; thus, I have ethically accepted it as an alternative. I must now defend this standpoint, which I continue to support, before the court that I myself have created with the main argument of this essay. For are we not contradicting ourselves in prizing physical survival at the price of freedom? Did we not say that freedom was the condition of our capacity for responsibility—and that this capacity was a reason for the survival of humankind?; By tolerating tyranny as an alternative to physical annihilation are we not violating the principle we established: that the How of existence must not take precedence over its Why? Yet we can make a terrible concession to the primacy of physical survival in the conviction that the ontological capacity for freedom, inseparable as it is from man's being, cannot really be extinguished, only temporarily banished from the public realm. This conviction can be supported by experience we are all familiar with. We have seen that even in the most totalitarian societies the urge for freedom on the part of some individuals cannot be extinguished, and this renews our faith in human beings. Given this faith, we have reason to hope that, as long as there are human beings who survive, the image of God will continue to exist along with them and will wait in concealment for its new hour. With that hope—which in this particular case takes precedence over fear—it is permissible, for the sake of physical survival, to accept if need be a temporary absence of freedom in the external affairs of humanity. This is, I want to emphasize, a worst-case scenario, and it is the foremost task of responsibility at this particular moment in world history to prevent it from happening. This is in fact one of the noblest of duties (and at the same time one concerning self-preservation), on the part of the imperative of responsibility to avert future coercion that would lead to lack of freedom by acting freely in the present, thus preserving as much as possible the ability of future generations to assume responsibility. But more than that is involved. At stake is the preservation of Earth's entire miracle of creation, of which our human existence is a part and before which man reverently bows, even without philosophical "grounding." Here too faith may precede and reason follow; it is faith that longs for this preservation of the Earth (fides quaerens intellectum), and reason comes as best it can to faith's aid with arguments, not knowing or even asking how much depends on its success or failure in determining what action to take. With this confession of faith we come to the end of our essay on ontology.