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### Contention One: SOP

#### Status quo power projection is structurally bankrupt– disconnect from political will, lack of congressional approval, and Presidential variance

Gallagher, 2011 (Joseph, served as an F/A-18C Pilot, Air Officer, and F/A-18C/D Flight Instructor in the US Marine Corps operating forces, He worked Security Assistance initiatives for the US European Command and most recently as a Joint Planner in the USEUCOM J3 and J5, Gallagher is currently assigned to the Joint Staff, Pakistan-Afghanistan Coordination Cell; “Unconstitutional War: Strategic Risk in the Age of Congressional Abdication”, Parameters, summer, http://strategicstudiesinstitute.army.mil/pubs/parameters/articles/2011summer/gallagher.pdf)

Understanding the Gap Since World War II, a wide gap has developed between Congress and the executive branch with respect to the critical issue of war powers. Like a black hole, this gap draws in the roles and abilities of the branches to execute foreign policy. Ostensibly, this gap has resulted from two symbiotic behaviors: executive aggressiveness and congressional abdication. The historical record reveals the evolution of this phenomenon. But history does not clearly reveal the structural and political dimensions of this phenomenon. The Constitution grants most foreign policy prerogative to Congress in Article I. Article II grants the president very limited authority in the foreign policy arena.49 This results in a structural dichotomy because the executive branch is better positioned to lead and execute, but congressional actions are more indirect and diffuse. Congress’s bicameral design and widely dispersed support base do not optimize the expeditious exercise of its power. Consequently, considerable power has flowed from Congress to the president.50 Execution of US foreign policy is fraught with political uncertainty and vulnerability. Compared to domestic issues, foreign policy decisions and initiatives are susceptible to greater unpredictability.51 Therefore, when dealing with high levels of uncertainty, Congress often finds it easier to defer to the executive branch, thereby reducing congressional members’ exposure or liability.52 Because most Americans elect their congressional representatives based on domestic issues, they tend to pay little attention to foreign policy; members of Congress often defer acting on foreign policy matters as a safer political option.53 This political safe haven of indecision, however, does not serve the nation well because it encourages concentrating power in the executive branch. Likewise, it severs the link between the electorate, the constitutionally intended legislative process, and the executor. Matters of war, however, require the collective involvement of the people. Militaries fight wars, but nations go to war. In the final analysis, congressional abdication of its Article I authority to oversee the nation’s foreign policy has exposed America to unacceptable strategic risk. War, Strategy, and the Constitution One of Clausewitz’ greatest contributions to the study of war is his emphasis on the conceptual link between politics and war. “War is never a separate phenomenon,” Clausewitz wrote, “but the continuation of politics by other means.”54 Behind this proposition is a deeply textured argument about the intrinsic political purpose of war. This political purpose encompasses the components comprising war: societal disposition, economic capability, and strategy. Clausewitz advised leaders to thoroughly consider any use of violence. So the link between war and politics “should never be overlooked.”55 Even in the 21st century, war retains this political dimension despite the recent emergence of nonstate actors and transnational groups.56 In other words, success at the tactical level of war first requires careful preparations at the political and strategic levels. The enabling institutions for success in war—Congress, the president, the cabinet, and other advisors—all need to be fully engaged in the development of feasible, suitable, and acceptable strategy.57 And this carefully crafted strategy needs to include legitimate justification for violence, rigorous calculation and valuation of political objectives, and commitment of resources sufficient to achieve strategic objectives.58 Since 1945, the United States has built the world’s most capable war-fighting machine. So why, then, have most of the nation’s large military interventions since World War II ended in defeat or, at best, stalemate? Political leaders should attend more to what Clausewitz calls the political dimensions of war—national unity and the political value of the objective—as inseparable from national and military strategy. War theorists have long emphasized the importance of national unity and the political value of the war objective. Thousands of years ago, Sun Tzu identified the necessary pre-condition of national unity for successful war strategy.59 National unity enables political leaders to muster resources needed to win wars and to amass the human capital that makes an army. Clausewitz advised, “to discover how much of our resources must be mobilized for war, we must first examine our own political aim.”60 National unity underwrites the commitment the nation needs to successfully prosecute war, provided the war has political value commensurate to the effort expended.61 The founders directed this nation to use a collaborative process to assess the political value of a war. So the Constitution requires Congress to deliberate on the decision to go to war and, when it so decides, to declare war. Therefore, the Constitution serves as the guarantor of ensuring national unity and a legitimate valuation of the war’s political objective—provided through the mechanism of the war declaration. Consider the language of the 1941 war declaration against Japan. It captures the national unity, the political value of the objective, and the will and support of Congress to support the war.62 A Risk to Strategy As the practice of declaring war has become passé, American strategy has likewise become disjointed and disconnected from national security objectives. Following World War II, an acquiescent Congress and an aggressive presidency have, for decades, fostered a strategic climate that failed to maintain the links between the political dimensions of the state and its strategy. The predominant “NSC-68 thinking,” largely a product of executive national security panels that administrations have embraced and Congress has blithely followed, provided inadequate guidance on how objectives and capabilities should be joined to produce coherent overall strategy.63 This connection, Clausewitz observed, is necessary for success in war. For example, US strategy following World War II ironically came to resemble the German strategy of the early 20th century, relying heavily on military ways and means that failed to address the political and economic components of warfare.64 Historians are quick to extol the superiority of the German military machine, but Germany lost two world wars. Similarly, the United States has pursued a strategy built on loosely linked operational and tactical successes. Unfortunately, without concretely defined end states specified in a coherent all-encompassing strategy, these successes have not achieved national strategic ends. In Vietnam, Afghanistan, and Iraq, our leaders failed to properly define the national strategic ends, so the attendant strategies have been inchoate. Leaders’ attempts to match ways and means to fluctuating or poorly defined ends resulted in unacceptable levels of uncertainty and risk. These protracted and strategically uncertain conflicts are alien to America’s strategic culture, which has little tolerance for long, risky, or uncertain conflicts.65 More recently, as the executive branch exercises greater authority in directing military interventions, the gap between risk and strategy becomes wider. Theater commanders charged with developing adequate or complete strategies with sound ends and feasible ways to achieve them lack confidence in congressional support to provide the means necessary to achieve these strategic objectives.66 As the world’s only superpower, the United States can expect asymmetrical conflict as the norm. Future adversaries will increasingly focus on the strategic target of the American people’s collective will in their efforts to subvert our national strategy.67 Vietnam Strategy The tragic military and political experience of Vietnam was spawned by an aggressive president promoting foreign policy absent congressional and public blessings.68 Vietnam War strategy affirms how congressional abdication on war matters resulted in protracted disaster. As historian George Herring points out, “America’s failure in Vietnam and the tragedy that resulted also make clear what can happen when major decisions are made without debate or discussion.”69 After Congress passed the Gulf of Tonkin Resolution, the strategy formulation and decision process operated vacuously, failing to determine strategic objectives and the means to obtain them.70 President Johnson made numerous decisions concerning the strategy and operations of the war, resulting in a strategy of incremental gradualism. Despite some tactical successes, Vietnam strategy never developed sufficient coherence nor the sustained support of the American people. Through executive design, Congress and the people never fully vetted the value of the political objective in the context of large-scale military intervention before President Johnson committed forces to combat.71 As a result, President Johnson lacked the top cover of a war declaration. This prevented him from unleashing the nation’s enormous military capability to achieve full, quick military success. Instead, he implemented a strategy that he thought was least likely to jeopardize his legislative agenda, upset the domestic apple cart, or threaten his reelection.72 In retrospect, the incoherence of the Vietnam strategy reflected the real value of the political objective in the eyes of the American people; they could not have cared less about Vietnam.73 Afghanistan and Iraq Strategies The strategies for the ongoing conflicts in Iraq and Afghanistan have both failed to properly incorporate national strategic ends, ways, and means in a consistent manner across the whole of government. In the absence of a national consensus on strategic ends, Congressman James Marshall (D-GA) not surprisingly identified: The mismatches among the needs of post-conflict stability operations in Afghanistan and Iraq, the size and the types of military forces available, and the pitiful scarcity of capability in the civilian branches of our government to effect nation-building efforts, as well as, our utter incompetence as a government in strategic communications.74 US Afghanistan strategy has continually morphed from 2001 to the present. The sweeping language in the September 2001 congressional resolution did little to shape the effort and focus the nation on acceptable long-term national ends.75 A careful analysis of coalition command and control structures indicates how the United States, partners, and allies prosecuted any number of operational strategies.76 Strategic priorities changed from counterterrorism to counterinsurgency, to nation building, back to counterterrorism, then eventually to a combination of all of them. During the lead-up to Operation Iraqi Freedom, significant executive power may have subjected the strategy to unnecessary risk. Indeed, failure of Congress to deliberate a declaration of war may have resulted in poorly defined national objectives and shoddy strategy.77 Significant executive powers facilitated side-stepping full disclosure of policy risk. The president’s obsession with regime change subordinated other key elements crucial to a comprehensive strategy, particularly with respect to clear strategic ends. This obsession obscured full debate and railroaded the nation into a course of action fraught with unexamined risk. Additionally, it masked the real cost of the strategy in terms of lives and dollars and inevitably compromised support for the effort when the strategy did not unfold as planned.78 Eventually, the wars in Iraq and Afghanistan and their strategies became focal points in the 2008 presidential campaign. Similar to President Johnson on Vietnam, candidate Obama politicized the Iraq and Afghanistan conflicts, promising on the campaign trail that, if elected, he would redeploy US combat forces out of Iraq and refocus on Afghanistan as the central front on the war against extremism. This politicalization of the war efforts may have removed strategic considerations from decisionmaking, exposing the strategies to additional, unnecessary risk at a crucial time.79 Another Cry for Reform In 2009, The National War Powers Commission, a bipartisan group commissioned under the auspices of the University of Virginia’s Miller Center for Public Affairs, reviewed the existing WPR and addressed executive overreach with respect to military intervention. Chaired by Warren Christopher and James Baker, the 2009 War Powers Commission concluded that the 1973 WPR does not function as intended and needs replacement.80 Commission members testified before the House Foreign Affairs Committee and Senate Foreign Relations Committee recommending a policy to restore the constitutional grounding for mandatory congressional war declaration for “large” force deployments and “significant armed conflict.”81 The Commission recommended replacing the 1973 WPR with the War Powers Consultation Act of 2009 that adds fidelity to the size, scope, and types of conflict subject to the Act. Most significantly, it directs the president to consult with Congress before introducing troops into “significant armed conflict.”82 Despite the bipartisan clout of former Secretaries of State Warren Christopher and James Baker, the Commission’s recommendations still lacked the necessary political power to prevent the president from deploying forces into significant armed conflict without the full blessing of Congress.83 Conclusion Reminiscent of the 1973 WPR, the National War Powers Commission’s effort to redress war power authority hoists another warning flag about war power overreach and executive presumption of constitutional power. But it is insufficient to have an academic debate over the constitutionality of war authority. Since the end of World War II, an assertive executive branch has run roughshod over an abdicating Congress, which has compromised US military efficacy. It has repeatedly resulted in the expenditure of national blood and treasure for strategically hollow ends. The Constitution is, in itself, a strategic national security document. The founders’ wisdom imbued within Articles I and II capture, in the Clausewitzian sense, the necessary prerequisites for successful prosecution of war. As the executive and congressional branches deviate from US constitutional foundations with respect to war authority, they increasingly leave the military—and the nation—vulnerable to unacceptable strategic risk. The current interpretations or disregard for war power authority, as practiced today, no longer maintain the necessary connective tissue between political and military muscle movements. As a result, US national and military strategy has become disjoined from legitimate political will. American military operations are hampered by the leadership’s inability to harness the national will. If this nation declared war when it engaged in war, as the Constitution requires, the United States would wage fewer of them—and be far better positioned to win them.

#### Presidential discretion results in miscalc and war – Congressional deliberation must be revived

Adler, 2011 (David, Director of the Andrus Center for Public Policy at Boise State University, where he holds an appointment as the Cecil Andrus Professor of Public Affairs; “Presidential Ascendancy in Foreign Affairs and the Subversion of the Constitution”, Presented to the German-American Conference on “Comparisons of Parliamentary and Coordinated Power (Presidential) Systems, March 4-8, 2011, Bloomington, Indiana; http://www.civiced.org/pdfs/GermanAmericanConf2011/Adler.pdf)

A considerable literature urges executive supremacy, and extols the supposed virtues of presidential assertion, domination and control; yet this body of work often ignores the dimensions of executive flaws, foibles, and frailties. The electoral process is not infallible; an elected president may lack the wisdom, temperament and judgment, not to mention perception, expertise and emotional intelligence to produce success in matters of war and peace. Those qualities which, to be sure, are attributes of the occupant and not of the office, cannot be conferred by election. 104 Champions of a unilateral executive war power have ignored and, perhaps, forgotten the institutional safeguards of separation of powers, checks and balances and collective decision making urged by the Framers as protection from the flaws of unilateral judgment and the temptations of power. Among those who have lost their memory of the virtues and values of those institutional safeguards, apparently, are those many members of Congress and dozens of judges over the years, who have acquiesced in the face of presidential usurpation in the realm of national security. Perhaps seduced by the allure of swift, bold military action under the banner of nationalism, patriotism and ideological and political certainty, these representatives, some elected and others appointed, have forgotten their institutional duties and responsibilities. It is not probable, but certain, that the Imperial Presidency would be brought to heel if the other branches duly exercised their powers and responsibilities, but they have lost their way. No less a personage than the late Senator Sam Ervin questioned, in the course of hearings in 1973 on the unchecked executive practice of impoundment, whether the Congress of the United States will remain a viable institution or whether the current trend toward the executive use of legislative power is to continue unabated until we have arrived at a presidential form of government.” Senator Ervin justly criticized executive aggrandizement of legislative authority, but he also found Congress culpable for the rise of presidential dominance: “The executive branch has been able to seize power so brazenly only because the Congress has lacked the courage and foresight to maintain its constitutional position.” 105 What was true of impoundment, is true of the war power. Only “Congress itself,” to borrow from Justice Robert H. Jackson, “can prevent power from slipping through its fingers.”106 The siren song of unilateral presidential war making ignores the tragedies of Korea, Vietnam and Iraq, and the cost to America of its precious blood and treasure as well as denied and stolen. The American constitutional system is grounded in the conviction, as James Iredell explained it, that there is “nothing more fallible than human judgment.” 107 It is sometimes observed that the intentions of the Framers are outdated and irrelevant. But before we too readily acquiesce in that verdict, we might do well to recall the policy considerations that underlay the decision to vest the war power in Congress and not the president. Painfully aware of the horror and destructive consequences of warfare, the Framers wisely determined that before the very fate of the nation were put to risk that there ought to be some discussion, some deliberation by Congress, the people’s representatives. The Founders did not, as James Wilson explained it, want “one man to hurry us into war.”108 As things stand in the United States today, however, the president has been exercising that power. The “accretion of dangerous power,” Justice Frankfurter has reminded us, occurs when power is freed from institutional restraints, checks and safeguards. The eminently sound rationales that convinced the Framers to vest the war power 21 exclusively in Congress, however, have been ignored and abandoned in recent decades. There is a cost in that, too. It was the artist, Goya, who in one of his etchings, graphically portrayed the consequences of ignoring reason with the inscription: “The sleep of reason brings forth monsters.”109 There is no comfort to be found in a practice which permits unilateral executive war making, particularly in the age of nuclear weapons, when war might lead to the incineration of the planet. When it comes to the constitutional design for war making, it is clear that the Framers’ policy concerns are even more compelling today than they were two centuries ago.

#### Power projection is a controlling impact – the alternative risks global hotspot escalation

Thayer, 2006 (Bradley A., Assistant Professor of Political Science at the University of Minnesota, Duluth, The National Interest, November -December, “In Defense of Primacy”, lexis)

A remarkable fact about international politics today--in a world where American primacy is clearly and unambiguously on display--is that countries want to align themselves with the United States. Of course, this is not out of any sense of altruism, in most cases, but because doing so allows them to use the power of the United States for their own purposes--their own protection, or to gain greater influence. Of 192 countries, 84 are allied with America--their security is tied to the United States through treaties and other informal arrangements--and they include almost all of the major economic and military powers. That is a ratio of almost 17 to one (85 to five), and a big change from the Cold War when the ratio was about 1.8 to one of states aligned with the United States versus the Soviet Union. Never before in its history has this country, or any country, had so many allies. U.S. primacy--and the bandwagoning effect--has also given us extensive influence in international politics, allowing the United States to shape the behavior of states and international institutions. Such influence comes in many forms, one of which is America's ability to create coalitions of like-minded states to free Kosovo, stabilize Afghanistan, invade Iraq or to stop proliferation through the Proliferation Security Initiative (PSI). Doing so allows the United States to operate with allies outside of the UN, where it can be stymied by opponents. American-led wars in Kosovo, Afghanistan and Iraq stand in contrast to the UN's inability to save the people of Darfur or even to conduct any military campaign to realize the goals of its charter. The quiet effectiveness of the PSI in dismantling Libya's WMD programs and unraveling the A. Q. Khan proliferation network are in sharp relief to the typically toothless attempts by the UN to halt proliferation. You can count with one hand countries opposed to the United States. They are the "Gang of Five": China, Cuba, Iran, North Korea and Venezuela. Of course, countries like India, for example, do not agree with all policy choices made by the United States, such as toward Iran, but New Delhi is friendly to Washington. Only the "Gang of Five" may be expected to consistently resist the agenda and actions of the United States. China is clearly the most important of these states because it is a rising great power. But even Beijing is intimidated by the United States and refrains from openly challenging U.S. power. China proclaims that it will, if necessary, resort to other mechanisms of challenging the United States, including asymmetric strategies such as targeting communication and intelligence satellites upon which the United States depends. But China may not be confident those strategies would work, and so it is likely to refrain from testing the United States directly for the foreseeable future because China's power benefits, as we shall see, from the international order U.S. primacy creates. The other states are far ~~weaker~~ than China. For three of the "Gang of Five" cases--Venezuela, Iran, Cuba--it is an anti-U.S. regime that is the source of the problem; the country itself is not intrinsically anti-American. Indeed, a change of regime in Caracas, Tehran or Havana could very well reorient relations. THROUGHOUT HISTORY, peace and stability have been great benefits of an era where there was a dominant power--Rome, Britain or the United States today. Scholars and statesmen have long recognized the irenic effect of power on the anarchic world of international politics. Everything we think of when we consider the current international order--free trade, a robust monetary regime, increasing respect for human rights, growing democratization--is directly linked to U.S. power. Retrenchment proponents seem to think that the current system can be maintained without the current amount of U.S. power behind it. In that they are dead wrong and need to be reminded of one of history's most significant lessons: Appalling things happen when international orders collapse. The Dark Ages followed Rome's collapse. Hitler succeeded the order established at Versailles. Without U.S. power, the liberal order created by the United States will end just as assuredly. As country and western great Ral Donner sang: "You don't know what you've got (until you lose it)." Consequently, it is important to note what those good things are. In addition to ensuring the security of the United States and its allies, American primacy within the international system causes many positive outcomes for Washington and the world. The first has been a more peaceful world. During the Cold War, U.S. leadership reduced friction among many states that were historical antagonists, most notably France and West Germany. Today, American primacy helps keep a number of complicated relationships aligned--between Greece and Turkey, Israel and Egypt, South Korea and Japan, India and Pakistan, Indonesia and Australia. This is not to say it fulfills Woodrow Wilson's vision of ending all war. Wars still occur where Washington's interests are not seriously threatened, such as in Darfur, but a Pax Americana does reduce war's likelihood, particularly war's worst form: great power wars. Second, American power gives the United States the ability to spread democracy and other elements of its ideology of liberalism. Doing so is a source of much good for the countries concerned as well as the United States because, as John Owen noted on these pages in the Spring 2006 issue, liberal democracies are more likely to align with the United States and be sympathetic to the American worldview.3 So, spreading democracy helps maintain U.S. primacy. In addition, once states are governed democratically, the likelihood of any type of conflict is significantly reduced. This is not because democracies do not have clashing interests. Indeed they do. Rather, it is because they are more open, more transparent and more likely to want to resolve things amicably in concurrence with U.S. leadership. And so, in general, democratic states are good for their citizens as well as for advancing the interests of the United States. Critics have faulted the Bush Administration for attempting to spread democracy in the Middle East, labeling such an effort a modern form of tilting at windmills. It is the obligation of Bush's critics to explain why democracy is good enough for Western states but not for the rest, and, one gathers from the argument, should not even be attempted. Of course, whether democracy in the Middle East will have a peaceful or stabilizing influence on America's interests in the short run is open to question. Perhaps democratic Arab states would be more opposed to Israel, but nonetheless, their people would be better off. The United States has brought democracy to Afghanistan, where 8.5 million Afghans, 40 percent of them women, voted in a critical October 2004 election, even though remnant Taliban forces threatened them. The first free elections were held in Iraq in January 2005. It was the military power of the United States that put Iraq on the path to democracy. Washington fostered democratic governments in Europe, Latin America, Asia and the Caucasus. Now even the Middle East is increasingly democratic. They may not yet look like Western-style democracies, but democratic progress has been made in Algeria, Morocco, Lebanon, Iraq, Kuwait, the Palestinian Authority and Egypt. By all accounts, the march of democracy has been impressive. Third, along with the growth in the number of democratic states around the world has been the growth of the global economy. With its allies, the United States has labored to create an economically liberal worldwide network characterized by free trade and commerce, respect for international property rights, and mobility of capital and labor markets. The economic stability and prosperity that stems from this economic order is a global public good from which all states benefit, particularly the poorest states in the Third World. The United States created this network not out of altruism but for the benefit and the economic well-being of America. This economic order forces American industries to be competitive, maximizes efficiencies and growth, and benefits defense as well because the size of the economy makes the defense burden manageable. Economic spin-offs foster the development of military technology, helping to ensure military prowess. Perhaps the greatest testament to the benefits of the economic network comes from Deepak Lal, a former Indian foreign service diplomat and researcher at the World Bank, who started his career confident in the socialist ideology of post-independence India. Abandoning the positions of his youth, Lal now recognizes that the only way to bring relief to desperately poor countries of the Third World is through the adoption of free market economic policies and globalization, which are facilitated through American primacy.4 As a witness to the failed alternative economic systems, Lal is one of the strongest academic proponents of American primacy due to the economic prosperity it provides. Fourth and finally, the United States, in seeking primacy, has been willing to use its power not only to advance its interests but to promote the welfare of people all over the globe. The United States is the earth's leading source of positive externalities for the world. The U.S. military has participated in over fifty operations since the end of the Cold War--and most of those missions have been humanitarian in nature. Indeed, the U.S. military is the earth's "911 force"--it serves, de facto, as the world's police, the global paramedic and the planet's fire department. Whenever there is a natural disaster, earthquake, flood, drought, volcanic eruption, typhoon or tsunami, the United States assists the countries in need. On the day after Christmas in 2004, a tremendous earthquake and tsunami occurred in the Indian Ocean near Sumatra, killing some 300,000 people. The United States was the first to respond with aid. Washington followed up with a large contribution of aid and deployed the U.S. military to South and Southeast Asia for many months to help with the aftermath of the disaster. About 20,000 U.S. soldiers, sailors, airmen and marines responded by providing water, food, medical aid, disease treatment and prevention as well as forensic assistance to help identify the bodies of those killed. Only the U.S. military could have accomplished this Herculean effort. No other force possesses the communications capabilities or global logistical reach of the U.S. military. In fact, UN peacekeeping operations depend on the United States to supply UN forces. American generosity has done more to help the United States fight the War on Terror than almost any other measure. Before the tsunami, 80 percent of Indonesian public opinion was opposed to the United States; after it, 80 percent had a favorable opinion of America. Two years after the disaster, and in poll after poll, Indonesians still have overwhelmingly positive views of the United States. In October 2005, an enormous earthquake struck Kashmir, killing about 74,000 people and leaving three million homeless. The U.S. military responded immediately, diverting helicopters fighting the War on Terror in nearby Afghanistan to bring relief as soon as possible. To help those in need, the United States also provided financial aid to Pakistan; and, as one might expect from those witnessing the munificence of the United States, it left a lasting impression about America. For the first time since 9/11, polls of Pakistani opinion have found that more people are favorable toward the United States than unfavorable, while support for Al-Qaeda dropped to its lowest level. Whether in Indonesia or Kashmir, the money was well-spent because it helped people in the wake of disasters, but it also had a real impact on the War on Terror. When people in the Muslim world witness the U.S. military conducting a humanitarian mission, there is a clearly positive impact on Muslim opinion of the United States. As the War on Terror is a war of ideas and opinion as much as military action, for the United States humanitarian missions are the equivalent of a blitzkrieg. THERE IS no other state, group of states or international organization that can provide these global benefits. None even comes close. The United Nations cannot because it is riven with conflicts and major cleavages that divide the international body time and again on matters great and trivial. Thus it lacks the ability to speak with one voice on salient issues and to act as a unified force once a decision is reached. The EU has similar problems. Does anyone expect Russia or China to take up these responsibilities? They may have the desire, but they do not have the capabilities. Let's face it: for the time being, American primacy remains humanity's only practical hope of solving the world's ills.

#### And, there’s strong statistical support

Drezner, 2005 (Daniel, professor of international politics at the Fletcher School of Law and Diplomacy at Tufts University, “Gregg Easterbrook, War, and the Dangers of Extrapolation”, May 25, http://www.danieldrezner.com/archives/002087.html)

Via Oxblog's Patrick Belton, I see that Gregg Easterbrook has a cover story in The New Republic entitled "The End of War?" It has a killer opening: Daily explosions in Iraq, massacres in Sudan, the Koreas staring at each other through artillery barrels, a Hobbesian war of all against all in eastern Congo--combat plagues human society as it has, perhaps, since our distant forebears realized that a tree limb could be used as a club. But here is something you would never guess from watching the news: War has entered a cycle of decline. Combat in Iraq and in a few other places is an exception to a significant global trend that has gone nearly unnoticed--namely that, for about 15 years, there have been steadily fewer armed conflicts worldwide. In fact, it is possible that a person's chance of dying because of war has, in the last decade or more, become the lowest in human history. Is Easterbrook right? He has a few more paragraphs on the numbers: The University of Maryland studies find the number of wars and armed conflicts worldwide peaked in 1991 at 51, which may represent the most wars happening simultaneously at any point in history. Since 1991, the number has fallen steadily. There were 26 armed conflicts in 2000 and 25 in 2002, even after the Al Qaeda attack on the United States and the U.S. counterattack against Afghanistan. By 2004, Marshall and Gurr's latest study shows, the number of armed conflicts in the world had declined to 20, even after the invasion of Iraq. All told, there were less than half as many wars in 2004 as there were in 1991. Marshall and Gurr also have a second ranking, gauging the magnitude of fighting. This section of the report is more subjective. Everyone agrees that the worst moment for human conflict was World War II; but how to rank, say, the current separatist fighting in Indonesia versus, say, the Algerian war of independence is more speculative. Nevertheless, the Peace and Conflict studies name 1991 as the peak post-World War II year for totality of global fighting, giving that year a ranking of 179 on a scale that rates the extent and destructiveness of combat. By 2000, in spite of war in the Balkans and genocide in Rwanda, the number had fallen to 97; by 2002 to 81; and, at the end of 2004, it stood at 65. This suggests the extent and intensity of global combat is now less than half what it was 15 years ago. Easterbrook spends the rest of the essay postulating the causes of this -- the decline in great power war, the spread of democracies, the growth of economic interdependence, and even the peacekeeping capabilities of the United Nations. Easterbrook makes a lot of good points -- most people are genuinely shocked when they are told that even in a post-9/11 climate, there has been a steady and persistent decline in wars and deaths from wars. That said, what bothers me in the piece is what Easterbrook leaves out. First, he neglects to mention the biggest reason for why war is on the decline -- there's a global hegemon called the United States right now. Easterbrook acknowledges that "the most powerful factor must be the end of the cold war" but he doesn't understand why it's the most powerful factor. Elsewhere in the piece he talks about the growing comity among the great powers, without discussing the elephant in the room: the reason the "great powers" get along is that the United States is much, much more powerful than anyone else. If you quantify power only by relative military capabilities, the U.S. is a great power, there are maybe ten or so middle powers, and then there are a lot of mosquitoes. [If the U.S. is so powerful, why can't it subdue the Iraqi insurgency?--ed. Power is a relative measure -- the U.S. might be having difficulties, but no other country in the world would have fewer problems.] Joshua Goldstein, who knows a thing or two about this phenomenon, made this clear in a Christian Science Monitor op-ed three years ago: We probably owe this lull to the end of the cold war, and to a unipolar world order with a single superpower to impose its will in places like Kuwait, Serbia, and Afghanistan. The emerging world order is not exactly benign – Sept. 11 comes to mind – and Pax Americana delivers neither justice nor harmony to the corners of the earth. But a unipolar world is inherently more peaceful than the bipolar one where two superpowers fueled rival armies around the world. The long-delayed "peace dividend" has arrived, like a tax refund check long lost in the mail. The difference in language between Goldstein and Easterbrook highlights my second problem with "The End of War?" Goldstein rightly refers to the past fifteen years as a "lull" -- a temporary reduction in war and war-related death. The flip side of U.S. hegemony being responsible for the reduction of armed conflict is what would happen if U.S. hegemony were to ever fade away. Easterbrook focuses on the trends that suggest an ever-decreasing amount of armed conflict -- and I hope he's right. But I'm enough of a realist to know that if the U.S. should find its primacy challenged by, say, a really populous non-democratic country on the other side of the Pacific Ocean, all best about the utility of economic interdependence, U.N. peacekeeping, and the spread of democracy are right out the window. UPDATE: To respond to a few thoughts posted by the commenters: 1) To spell things out a bit more clearly -- U.S. hegemony important to the reduction of conflict in two ways. First, U.S. power can act as a powerful if imperfect constraint on pairs of enduring rivals (Greece-Turkey, India-Pakistan) that contemplate war on a regular basis. It can't stop every conflict, but it can blunt a lot of them. Second, and more important to Easterbrook's thesis, U.S. supremacy in conventional military affairs prevents other middle-range states -- China, Russia, India, Great Britain, France, etc. -- from challenging the U.S. or each other in a war. It would be suicide for anyone to fight a war with the U.S., and if any of these countries waged a war with each other, the prospect of U.S. intervention would be equally daunting.

#### Statutory restrictions solve the reliability dilemmas inherent to Presidential discretion

Manzi, 9/5 (Jim, a senior fellow at the Manhattan Institute and founder and chairman of Applied Predictive Technologies (APT), an applied artificial intelligence software company; “A Dissent on Syria”, The National Review, 2013, http://www.nationalreview.com/corner/357680/dissent-syria-jim-manzi)

On Tuesday, this magazine again endorsed military action in Syria. I disagree. Though it is difficult to know precisely what action is being contemplated, I hope and expect that if the U.S. does launch such an attack, that our military would accomplish its defined tasks, and that we would more likely than not avoid some kind of a disaster. But the risks of a terrible outcome are not trivial, and not worth the putative benefits. The most common argument for attacking Syria is that we must maintain our credibility when the sitting president issues ultimatums (even if they are ill-advised). The problem with this is that while the president of the United States has awesome powers under the Constitution, they do not include declaring war. He can declare “red lines” all he wants, but he can’t constitutionally commit the nation to preemptive military action in the event they are crossed. If this “loss of credibility” means in practical terms that U.S. presidents are less able to make credible insinuations that they can unilaterally commit us to wars, then this would likely result in: fewer such presidential assertions being issued; more consultation and consideration before they are issued; and more reliable delivery on the threats when the situation calls for it. Such a loss of credibility would be a feature, not a bug. The best argument for attacking Syria is that it is necessary to maintain a credible deterrent against the use of chemical weapons in order to protect ourselves. This argument should carry great weight, but unfortunately we are on the horns of a dilemma. On one hand, if the attack is not severe enough to force Assad from power, then where is the deterrence? If he is prepared to order (or at least tolerate) the gassing of thousands of citizens of his own country, why would the prospect of losing some soldiers and military facilities deter him or others like him? Even if it entirely eliminated his chemical-weapons capacity, he would still be in power, would have gotten the benefit of using them, and would have shown both that he can take a punch from the U.S. and that he is tough enough to do anything to win. Even after the fact and in full knowledge of such a U.S. attack, he would likely view using the weapons as having a positive net outcome. But on the other hand, forcing Assad from power represents a far larger and more uncertain undertaking than has been publicly discussed. This is the course of action advocated by the editors: “a broader, longer-term plan to topple Assad and defeat his allies.” Those are smooth words for a rough job. How would we accomplish this? How many people would we kill, and how much public money would we spend? Why do we believe that the rebels would form a government that would not be worse for us? How would Iran attempt to counter such an intervention, since they have an extremely strong interest in the outcome? And so on. The litany of costs and dangers ought to be familiar to anybody after Iraq and Afghanistan. Would you voluntarily take on one-tenth the cost in deaths and money of either of those wars to replace Assad with whatever is likely to follow him? Wandering into that kind of a commitment based on what has been presented to the American people so far would be extremely rash. In summary, either an attack would be too small to accomplish deterrence against future users of chemical weapons, or it would be a much broader war to force regime change with enormous costs and risks. In contrast, the arguments against attacking Syria at this time are direct and persuasive: As yet, there are no clearly stated objectives that define victory. Any attempt to define a vital national interest for America requires extremely dubious extrapolations of the effect of actions in Syria today on some hypothetical future actors. The risks of open-ended entanglement are severe. We have other means of protecting ourselves against the threat of chemical attack, including deterrence with existing chemical weapons, which proved itself largely successful even against Hitler in the midst of total war. It is deeply unpopular, and our closest militarily significant ally has declined to participate. While we should not want war by plebiscite, this last point is important. In movies, dictators and their hive societies are often portrayed as almost invincible war machines. In the real world, free societies since the time of the democracy in Athens have done pretty well for themselves in wars. Partly, this is because the support of the society prior to starting a war leads to sustained support in the face of inevitable setbacks. And partly it is because public support provides very useful information about the wisdom of the war in the first place. You might think that the last dozen years would have taught the most influential foreign-policy “experts” a little humility about their judgment in these matters. Apparently, you would be wrong.

#### Executive flexibility cannot be properly controlled – ensures entanglement – plan redistributes power and checks circumvention

Brookings, 2013 (Brookings Institution, Summary of a discussion “The Road to War: Presidential Commitments and Congressional Responsibility”, Moderator: Martin Indyk, Vice President and Director of Foreign Policy at Brookings; Featured Speaker: Marvin Kalb, Guest Scholar in foreign Policy at Brookings, Discussant: Michael O’Hanlon, Director of Research in Foreign Policy at Brookings, June 20, http://www.brookings.edu/events/2013/06/20-war-presidential-power)

At a Brookings event on June 20, 2013, veteran political journalist and Brookings Guest Scholar Marvin Kalb, author of The Road to War: Presidential Commitments Honored and Betrayed (Brookings Press, 2013), argued that presidents have “unbounded” powers over matters of national security. Kalb began his remarks explaining the dangers of presidential control over military action and the impact that treaty commitments have on U.S. chances to avoid war. Although the United States has been involved in many conflicts throughout its history, it has only declared war five times formally through Congress: the War of 1812, the Mexican-American War, the Spanish-American War, World War I, and World War II. Kalb noted that the key reason why presidents do not go to Congress for formal declarations of war is because Congress has abrogated responsibilities in foreign policy decision-making to the executive. Furthermore, Congress has essentially become “irrelevant in conduct and execution of American foreign policy.” Kalb explained that Congress has imparted foreign policy decision-making to the executive out of “laziness and fear” because members focus their time on raising money, not war and peace. Ever since WWII, Kalb said that “history has led us into conflicts that we don’t understand” because presidents do not seek approval from Congress for declarations of war. The country has reached a point now where “presidential power is so great, words out of his mouth become policy for the United States.” Kalb used the Syrian civil war and President Obama’s “red line” policy as an example of how a president’s words become strategy for the United States. Kalb argued that this presidential “flexibility” in foreign policy decision-making has repeatedly led the country into one misguided war to the next such as the Vietnam and Iraq wars. To nullify these poor decisions, Kalb believes that formal congressional declarations of war will help “trigger the appreciation for the gravity of war” and assist in “unifying the nation” behind a strategic military intervention, resulting in more positive outcomes for the United States. He concluded his remarks by noting that declarations of war by Congress are “stark commitments,” and statements by the president of the United States must be thoroughly discussed to make well-informed decisions that will be in the best interest of the American people. Conflicts must be understood before the decision is made to send American troops to war, and presidents of the United States should converse with Congress before taking any military action.

### Contention Two: Credibility

\*\*hair-trigger waters down all alliances – risk of over-commitment or adventurism “elsewhere” trades off with reliability to allies

#### Presidential hair-trigger diminishes America’s international position – refocusing war processes is critical

Haass, 2013 (Richard, Council on Foreign Relations President, “Is the U.S. Overreaching Abroad?” PBS News Hour, Conversation with Richard Haass, Interviewer, Margaret Warner, May 28, <http://www.pbs.org/newshour/bb/world/jan-june13/haas_05-28.html>)

**MARGARET WARNER:** Now, let me ask you this. The last three presidents, if you start with Bill Clinton, George W. Bush and Barack Obama, all essentially campaigned initially on this theme. And, of course, then Kosovo and Bosnia wars. Then you had 9/11. Then you had Afghanistan and Iraq wars. Why -- one, were those misplaced for the presidents to get so involved in those? Why was it so hard for them to resist getting involved overseas? **RICHARD HAASS:** To a large extent, they were misplaced. Yes, there were some things we needed to do after 9/11, but most of what we have done abroad in the last 20 or so years I would say were wars of choice. And in many cases, our vital national interests weren't at stake. Presidents got pressured. And more often than not, they gave into the pressure. In some cases, the president just decided, like George W. Bush, that we would embark on a major adventure to remake the Middle East. And I simply think it was ill-advised. At the same time, they didn't tend for the most part on things at home. So we funded, for example, a new prescription drug benefit program. Well, where's that going to come from? Or we had the Simpson-Bowles commission under this administration. It gets reintroduced and then essentially it gets orphaned. And we're not doing anything now, so five, 10, 20 years from now when all the baby boomers are retired, we have got enough to take care of them. MARGARET WARNER: Now, you're not saying all wars are to be avoided. Only, we have to be more discriminating. RICHARD HAASS: Absolutely. MARGARET WARNER: What's the criteria? RICHARD HAASS: This is not an isolationist book. I actually want us to do more in Asia, where the great powers, the economic powers of the day are increasingly colliding. Wars of necessity, where our vital national interests are at stake, where there are not good alternatives, we ought to fight those. But something like Syria, which is very much in the news, is not a vital national interest. There are alternatives to the United States getting heavily involved. We have always got to ask ourselves two questions: Can we make a difference, given local realities? And, second of all, do we have the luxury, if you will, of focusing on one square of a chessboard, given everything else in the world and everything here at home? And what I try to write is something of a guide to working through those challenges. MARGARET WARNER: All right, but that is where your doctrine will be most immediately put to the test is what to do about Syria. So what are the alternatives? You're saying don't get involved at all militarily? Are you say no to no-fly zone? Are you saying no to even further arming the rebels? RICHARD HAASS: I'm OK with selectively arming rebels. That's an indirect form of involvement. I'm OK conceivably with certain very, very limited military actions, for example, cruise missile strikes if chemical weapons are used. But, no, I don't want to set up no-fly zones. I don't want the U.S. Air Force involved. I certainly don't want soldiers on the ground. I don't want to be responsible for trying to put Humpty Dumpty back together again. If and when the Assad regime goes, that's when the really difficult stuff is going to begin. That's what we should have learned from Afghanistan. That's what we should have learned from Iraq, a little bit of humility. There are limits to what American to power can do. Instead, we ought to focus it in foreign policy, where we really know our tools can be useful. And, more important, we ought to focus it here at home. We want to be a leader for the long haul. We don't want to be a short-term power. I have recently written, we want the 21st century to be a second American century. It will only be that if we first get strong again, and that means fixing things here at home. MARGARET WARNER: And what are the consequences if we don't? RICHARD HAASS: Interesting enough, the alternative to an American-led world, it is not a China-led world. It's not an India- or Europe- or Japan-led world. It's a world that no one leads. That's a world that's chaotic. And what we have learned is the world is not Las Vegas. What happens there doesn't stay there. It comes here. So a world in which there's chaos out there, that chaos will come here in the form of terrorists, the form of a breakdown of economic relations, in the form of climate change, in the form of nuclear proliferation. We have got to stay involved, but, again, we will only be able to do it if we're strong.

#### Congressional approval ensures common purpose – signals credible foreign policy and affirms international coalition-building while preserving the military option

Frye, 2002 (Alton, President Senior Fellow Emeritus, “Applying the War Powers Resolution to the War on Terrorism”, Council on Foreign Relations, April 17, http://www.cfr.org/terrorism/applying-war-powers-resolution-war-terrorism/p4514)

4. CONSENSUS IS ESSENTIAL TO NATIONAL COHESION The case for active, continuing congressional engagement on the many issues of high policy presented by an open-ended campaign against terrorism does not rest on an instinct for institutional self-aggrandizement. It is grounded in the critical need to forge and maintain America’s social cohesion as a nation caught up in war. War, especially prolonged war, always poses the risk of depleting that cohesion, so vital to domestic harmony and international effectiveness. Members of Congress should also realize how essential their involvement is to the morale and cohesion of the military men and women sent to do violence on our behalf. One of our most distinguished and thoughtful military leaders, former Army Chief of Staff, General Edward Meyer, emphasized that point some months ago. In a letter to Congressman Thomas Campbell, who was then seeking a definitive judicial ruling on the constitutional balance of war powers, General Meyer wrote, “I believe it is essential that when American ~~servicemen~~ [servicepeople] are sent into combat that they have the support of their fellow Americans. The War Powers Act causes the people’s representatives (the Congress) to take a position, and not leave the troops dangling on threads of definition and interpretation.” The parallel, policy-centered procedures outlined here would serve that same need. Congress’s stand on how our nation uses the mighty arsenal at its disposal also bears crucially on America’s standing in the world. Even among our closest allies, American power elicits mixed emotions: awe and fear, respect and anxiety. That should surprise no one. Military and economic capabilities of the magnitude America possesses cannot fail to cause alarm in other countries, however benign our intentions. That alarm is heightened to the degree that American force appears to be too easily deployed. In the eyes of others, no less than of our own citizens, American military action may be seen as most legitimate when it is demonstrably subject to democratic governance. This insight is akin to Justice Jackson’s memorable formulation that the President’s power is at its maximum only when he acts “pursuant to an explicit or implied authorization of Congress.” Marshaling international coalitions to wage the war on terrorism will depend importantly on giving our allies confidence that American power is guided and restrained by a disciplined relationship between Congress and President. Absent attentive, persistent congressional involvement, public diplomacy in the war on terrorism could lose much of the credibility that arises from the perception of America as a model of representative government. There is thus an enduring necessity to balance executive potency in military endeavors with the legislative review that provides democratic legitimacy. The challenge is not to enchain the presidency but to harness both branches to common purpose. On that insight the War Powers Resolution was founded, and in that insight may be found the germ of other innovations to guarantee that Congress will play its proper constitutional role in the war on terrorism.

\*edited for gendered language

#### And, presidential discretion collapses our ability to sustain global alliances and multilateral institutions

Schiffer and Currier, 2008 (Adam, an assistant professor of political science at Texas Christian University; Carrie Liu, an assistant professor of political science at Texas Christian University; “War Powers, International Alliances, the President, and Congress”, http://apcentral.collegeboard.com/apc/public/repository/US\_Gov\_Balance\_of\_Power\_SF.pdf)

The president’s advantages over Congress in the foreign policy realm have consequences far beyond the intra-governmental struggle over power and accountability. In recent years, the use of military force by the United States to compel other countries to abide by international norms or laws has generated criticism from members of the global community. Specifically the fear is that U.S. foreign policy in the post–Cold War era has become the pursuit of a new world order that essentially reflects American hegemony. The “war on terror,” the Bush doctrine, and the war efforts in Afghanistan and Iraq have all showcased the commitment of the United States to unilateralism rather than coalition building, and raise concern about the powers of the American presidency. During the Cold War, the absence of multilateralism in U.S. foreign policy was not as problematic as it appears today. However, the strengthening of presidential authority under the second Bush administration has raised alarm in many countries around the world. In the past, the bipolar nature of the international system and the lack of consensus found among the five permanent members of the United Nations Security Council decreased the likelihood the United States could draw on multilateral action to counter its adversaries. In contrast, the post–Cold War era is one where countries are expected to fully utilize institutions like the United Nations to garner international support and establish coalitions, rather than resorting to unilateralism. Thus, the international community has been critical of countries that appear to circumvent these norms when dealing with global conflicts in the contemporary period. To highlight some of the differences in the international community’s post–Cold War support for U.S. military action abroad, we briefly examine the cases of the Persian Gulf War (1991) and the war in Iraq (2003). Both cases effectively demonstrate how two presidents, George H. W. Bush and George W. Bush, utilized the spirit of the War Powers Resolution in consulting with Congress but then reveal how their use of presidential authority led to very disparate degrees of support from the international community. These two examples of U.S. military action in the Middle East offer several useful bases for comparison. In both conflicts there were underlying interests in securing oil resources, a desire to remove Saddam Hussein from power, and a sense that Iraq was seeking regional hegemony and defying international law based on its invasion of Kuwait in 1990 and its continued development of a weapons of mass destruction program. The contrasting responses of President George H. W. Bush and his son George W. Bush, however, illustrate how much discretion is left to the president in the current practice of war powers. In the first Gulf War, President George H. W. Bush fully utilized the international structures in place by getting the UN Security Council to adopt Resolution 678 authorizing member states to use “all necessary means,” including military force, to drive Iraq out of Kuwait and comply with international law. In accordance with the War Powers Resolution the president reported to Congress on Iraq’s refusal to adhere to the Security Council resolution, and indicated he was prepared to craft a multilateral strategy to respond to the crisis. He did not march the troops north to Baghdad and overthrow Saddam Hussein at this time because he had neither the approval nor the support of the UN to take these initiatives at the time. The Iraq policy set forth by the Bush administration thus relied on the use of a multilateral coalition to generate a sense of domestic and international legitimacy to the military actions taken by the United States and its allies, and was acknowledged as within the acceptable parameters as determined by the global community. In contrast, the 2003 war in Iraq did not gain the support of the UN Security Council and was largely a unilateral effort by President George W. Bush. This unilateralist strategy can be seen on two levels, in the sense that he did not consult with allies and that his actions were rather declaratory with minimum consultation with Congress (Dumbrell 2002, 284). Global leaders warned that preemptive war and “American-led military action was illegitimate, threatened the future of the United Nations, undermined international support for the ‘war on terrorism,’ and created new threats to international peace and security” (Dombrowski and Payne 2003, 395). The “coalition of the willing” that supported U.S. initiatives in Iraq was negligible in both size and relative power and was not an attempt at true multilateralism. UN Resolution 1441, indicating Iraq was in material breach with regard to its WMD program, had been carefully worded so as not to permit an American military operation to enforce Iraq’s compliance. Instead, the Security Council was only willing to reopen discussions of weapons inspections and engage in further fact-finding. The terrorism rhetoric used by the second Bush administration established the urgent need for a U.S. response, and further served the president’s unilateralist efforts by instilling a sense of danger in waiting for other actors to give legitimacy to the U.S.-led war. The battle between the unilateralists and multilateralists with regard to U.S. foreign policy raises concerns about presidents whose actions promote American exceptionalism. The idea that the United States operates with an authority above supranational institutions like the UN gives the impression that the country and the president have the ability to engage in reckless foreign policy behavior with few repercussions. The post–Cold War increase in UN action raises concerns about whether the War Powers Resolution should be amended to either facilitate or restrain the president’s ability to supply troops for UN missions without congressional approval (Grimmett 2004). Until then, the two cases of U.S. military action in the Middle East demonstrate important comparisons in how multilateralism and unilateralism are viewed by the global community and how they are used to establish the legitimacy of American foreign policy.

#### Restrained use of force is the only way to preserve institutions globally – the alternative is extinction

Ikenberry, 2011 (G. John, Albert G. Milbank Professor of Politics and International Affairs at Princeton University, “A World of Our Making”, Democracy Journal, Issue 21, Summer, http://www.democracyjournal.org/21/a-world-of-our-making-1.php?page=all)

Grand Strategy as Liberal Order Building American dominance of the global system will eventually yield to the rise of other powerful states. The unipolar moment will pass. In facing this circumstance, American grand strategy should be informed by answers to this question: What sort of international order would we like to see in place in 2020 or 2030 when America is less powerful? Grand strategy is a set of coordinated and sustained policies designed to address the long-term threats and opportunities that lie beyond the country’s shores. Given the great shifts in the global system and the crisis of liberal hegemonic order, how should the United States pursue grand strategy in the coming years? The answer is that the United States should work with others to rebuild and renew the institutional foundations of the liberal international order and along the way re-establish its own authority as a global leader. The United States is going to need to invest in alliances, partnerships, multilateral institutions, special relationships, great-power concerts, cooperative security pacts, and democratic security communities. That is, the United States will need to return to the great tasks of liberal order building. It is useful to distinguish between two types of grand strategy: positional and milieu oriented. With a positional grand strategy, a great power seeks to diminish the power or threat embodied in a specific challenger state or group of states. Examples are Nazi Germany, Imperial Japan, the Soviet bloc, and perhaps—in the future—Greater China. With a milieu-oriented grand strategy, a great power does not target a specific state but seeks to structure its general international environment in ways that are congenial with its long-term security. This might entail building the infrastructure of international cooperation, promoting trade and democracy in various regions of the world, and establishing partnerships that might be useful for various contingencies. My point is that under conditions of unipolarity, in a world of diffuse threats, and with pervasive uncertainty over what the specific security challenges will be in the future, this milieu-based approach to grand strategy is necessary. The United States does not face the sort of singular geopolitical threat that it did with the fascist and communist powers of the last century. Indeed, compared with the dark days of the 1930s or the Cold War, America lives in an extraordinarily benign security environment. Rather than a single overriding threat, the United States and other countries face a host of diffuse and evolving threats. Global warming, nuclear proliferation, jihadist terrorism, energy security, health pandemics—these and other dangers loom on the horizon. Any of these threats could endanger Americans’ lives and way of life either directly or indirectly by destabilizing the global system upon which American security and prosperity depends. What is more, these threats are interconnected—and it is their interactive effects that represent the most acute danger. And if several of these threats materialize at the same time and interact to generate greater violence and instability, then the global order itself, as well as the foundations of American national security, would be put at risk. What unites these threats and challenges is that they are all manifestations of rising security interdependence. More and more of what goes on in other countries matters for the health and safety of the United States and the rest of the world. Many of the new dangers—such as health pandemics and transnational terrorist violence—stem from the ~~weakness~~ of states rather than their strength. At the same time, technologies of violence are evolving, providing opportunities for ~~weak~~ states or nonstate groups to threaten others at a greater distance. When states are in a situation of security interdependence, they cannot go it alone. They must negotiate and cooperate with other states and seek mutual restraints and protections. The United States can-not hide or protect itself from threats under conditions of rising security interdependence. It must get out in the world and work with other states to build frameworks of cooperation and leverage capacities for action against this unusually diverse, diffuse, and unpredictable array of threats and challenges. This is why a milieu-based grand strategy is attractive. The objective is to shape the international environment to maximize your capacities to protect the nation from threats. To engage in liberal order building is to invest in international cooperative frameworks—that is, rules, institutions, partnerships, networks, standby capacities, social knowledge, etc.—in which the United States operates. To build international order is to increase the global stock of “social capital”—which is the term Pierre Bourdieu, Robert Putnam, and other social scientists have used to define the actual and potential resources and capacities within a political community, manifest in and through its networks of social relations, that are available for solving collective problems. If American grand strategy is to be organized around liberal order building, what are the specific objectives and what is the policy agenda? There are five such objectives. First, the United States needs to lead in the building of an enhanced protective infrastructure that helps prevent the emergence of threats and limits the damage if they do materialize. Many of the threats mentioned above are manifest as socioeconomic backwardness and failure that cause regional and international instability and conflict. These are the sorts of threats that are likely to arise with the coming of global warming and epidemic disease. What is needed here is institutional cooperation to strengthen the capacity of governments and the international com-munity to prevent epidemics or food shortages or mass migrations that create global upheaval—and mitigate the effects of these upheavals if they occur. The international system already has a great deal of this protective infrastructure—institutions and networks that pro-mote cooperation over public health, refugees, and emergency aid. But as the scale and scope of potential problems grow in the twenty-first century, investments in these preventive and management capacities will also need to grow. Early warning systems, protocols for emergency operations, standby capacities, etc.—these safeguards are the stuff of a protective global infrastructure. Second, the United States should recommit to and rebuild its security alliances. The idea is to update the old bargains that lie behind these security pacts. In NATO, but also in the East Asia bilateral partner-ships, the United States agrees to provide security protection to the other states and brings its partners into the process of decision-making over the use of force. In return, these partners agree to work with the United States—providing manpower, logistics, and other types of support—in wider theaters of action. The United States gives up some autonomy in strategic decision-making, although it is more an informal restraint than a legally binding one, and in exchange it gets cooperation and political support. Third, the United States should reform and create encompassing global institutions that foster and legitimate collective action. The first move here should be to reform the United Nations, starting with the expansion of the permanent membership on the Security Council. Several plans have been proposed. All of them entail adding new members—such as Germany, Japan, India, Brazil, South Africa, and others—and reforming the voting procedures. Almost all of the candidates for permanent membership are mature or rising democracies. The goal, of course, is to make them stakeholders in the United Nations and thereby strengthen the primacy of the UN as a vehicle for global collective action. There really is no substitute for the legitimacy that the United Nations can offer to emergency actions—humanitarian interventions, economic sanctions, uses of force against terrorists, and so forth. Public support in advanced democracies grows rapidly when their governments can stand behind a UN-sanctioned action. Fourth, the United States should accommodate and institution-ally engage China. China will most likely be a dominant state, and the United States will need to yield to it in various ways. The United States should respond to the rise of China by strengthening the rules and institutions of the liberal international order—deepening their roots, integrating rising capitalist democracies, sharing authority and functional roles. The United States should also intensify cooperation with Europe and renew joint commitments to alliances and multilateral global governance. The more that China faces not just the United States but the entire world of capitalist democracies, the better. This is not to argue that China must face a grand counterbalancing alliance against it. Rather, it should face a complex and highly integrated global system—one that is so encompassing and deeply entrenched that it essentially has no choice but to join it and seek to prosper within it. The United States should also be seeking to construct a regional security order in East Asia that can provide a framework for managing the coming shifts. The idea is not to block China’s entry into the regional order but to help shape its terms, looking for opportunities to strike strategic bargains at various moments along the shifting power trajectories and encroaching geopolitical spheres. The big bargain that the United States will want to strike is this: to accommodate a rising China by offering it status and position within the regional order in return for Beijing’s acceptance and accommodation of Washington’s core strategic interests, which include remaining a dominant security provider within East Asia. In striking this strategic bargain, the United States will also want to try to build multilateral institutional arrangements in East Asia that will tie China to the wider region. Fifth, the United States should reclaim a liberal internationalist public philosophy. When American officials after World War II championed the building of a rule-based postwar order, they articulated a distinctive internationalist vision of order that has faded in recent decades. It was a vision that entailed a synthesis of liberal and realist ideas about economic and national security, and the sources of stable and peaceful order. These ideas—drawn from the experiences with the New Deal and the previous decades of war and depression—led American leaders to associate the national interest with the building of a managed and institutionalized global system. What is needed today is a renewed public philosophy of liberal internationalism—a shift away from neoliberal-ism—that can inform American elites as they make trade-offs between sovereignty and institutional cooperation. Under this philosophy, the restraint and the commitment of American power went hand in hand. Global rules and institutions advanced America’s national interest rather than threatened it. The alternative public philosophies that have circulated in recent years—philosophies that champion American unilateralism and disentanglement from global rules and institutions—did not meet with great success. So an opening exists for America’s postwar vision of internationalism to be updated and rearticulated today. The United States should embrace the tenets of this liberal public philosophy: Lead with rules rather than dominate with power; provide public goods and connect their provision to cooperative and accommodative policies of others; build and renew international rules and institutions that work to reinforce the capacities of states to govern and achieve security and economic success; keep the other liberal democracies close; and let the global system itself do the deep work of liberal modernization. As it navigates this brave new world, the United States will find itself needing to share power and rely in part on others to ensure its security. It will not be able to depend on unipolar power or airtight borders. It will need, above all else, authority and respect as a global leader. The United States has lost some of that authority and respect in recent years. In committing itself to a grand strategy of liberal order building, it can begin the process of gaining it back.

### Contention Three: Solvency

#### Congress should approve each use of military force – it is quick, effective, and key to military effectiveness

Frye, 2002 (Alton, President Senior Fellow Emeritus, “Applying the War Powers Resolution to the War on Terrorism”, Council on Foreign Relations, April 17, http://www.cfr.org/terrorism/applying-war-powers-resolution-war-terrorism/p4514)

Three decades’ experience under the War Powers Act has been mixed, but on balance disappointing. Senator Javits had hoped that the measure would provide the basis for orderly cooperation between the branches on decisions regarding the use of force. The resistance of every President to the law, beginning with President Nixon’s unsuccessful veto, and the Supreme Court’s refusal to provide a definitive ruling on the law’s constitutionality have left a worrisome cloud over legislative-executive relations in this crucial field. Rather than leaving this unwholesome situation to fester and to hamper future interbranch cooperation in the war on terrorism or other military crises, there is evidently a need to try a new approach. In the spirit of brainstorming I would offer a preliminary suggestion. Focusing on the initial premise that animated Senator Javits, Senator Stennis and others, is there a way to make certain that Congress reaches the high policy questions in a timely and appropriate way? Perhaps the course of wisdom lies in doing less than the War Powers Resolution attempted. By and large the executive has complied with the reporting requirements set forth in the 1973 Act, although it has played word games by filing such reports as “consistent with” rather than “in compliance with” the resolution. Those reports could be the basis for a different response by the Congress. Instead of linking the congressional determination on the wisdom of a particular use of force with mandated deadlines for withdrawal or other stipulations of executive actions, Congress could address the basic policy question in pristine form: Does the Congress authorize the use of American military power in this situation and for purposes recommended by the President? Using expedited procedures similar to those in the War Powers Resolution and possibly framing the issue in concurrent resolution form, Congress could deal with that question as a distinct one, reserving for separate consideration whether and how to apply its power of the purse or other authority to enforce its verdict. Even when not connected directly to legal mandates, constraints or budgets, freestanding policy resolutions can establish the political context and the practical premise for implementing and enforcing the policy decision. As courts often separate verdict from sentencing, Congress may find it wise to separate policy verdict from pragmatic consequences.

#### Statutory restrictions are the ONLY effective mechanism

Martin, 2011 (Craig, Visiting Assistant Professor at the University of Baltimore Law School, “Taking War Seriously: A Model for Constitutional Constraints on the Use of Force in Compliance with International Law”, Brooklyn Law Review, Winter, 76 Brooklyn L. Rev. 611, Lexis)

Turning to the second element of the Model--the provision that would require legislative approval of decisions to use force--there is of course considerable theoretical support for such a constitutional structure. As we have already discussed, the concept dates back at least to the development of the American Articles of Confederation, and the war powers provisions of the U.S. Constitution continues to be a model of the principle. It is also one of the central issues in the war powers debate that has been raging in the United States for over a hundred years. But much of the modern debate in the United States is over the precise meaning and exact scope of the war powers provisions of the U.S. Constitution, and the particulars of many of those arguments need not concern us [\*680] here. n257 As we have already reviewed, however, the primary motive of many of the drafters of the U.S. Constitution, as expressed most clearly by Madison, was to reduce the likelihood of war. n258 And the theoretical arguments of Madison, Kant, and others in support of such a separation of powers related to both the domestic objectives of the state: putting an important check on the state's rush to war and increasing the democratic accountability of the process of deciding on war; and the broader goals of reducing the incidence of war generally in the international system. In this sense, the arguments in support of this element of the Model again relate to the causes of war at both the domestic level and the international level. The starting point is the insight that requiring legislative approval of executive decision making on the use of force will likely reduce the risk of rash decisions to go to war for the wrong reasons. This argument was initially advanced by Madison and Kant, among others, and indeed can be traced all the way back to Thucydides. n259 Madison and John Jay both argued that the executive is more likely to be motivated by parochial self-interest and narrow perspectives, and thus more likely to enter into armed conflict than the legislature. n260 Madison further argued that there ought to be a separation between those who are charged with the conduct of war, as the President is as the Commander in Chief, and those who have the authority to decide on the commencement of war. n261 But the argument becomes more compelling when unpacked and explained in a little more detail, with the support of more modern theory. We need to explore the question of how exactly the legislative involvement improves decision making or [\*681] engages the causes of war in a manner that would reduce the incidence of war. It is helpful to begin by recalling the functions of legislatures. n262 In addition to passing legislation, the legislature in virtually all liberal democracies, whether parliamentary or presidential in structure, performs the core functions of representation, oversight, and control over government expenditure. n263 Representation and oversight in particular are important to the argued benefit of legislative involvement in the decision to use force. Both functions are tied to the core notions of democratic accountability and to deliberative democracy, which overlap in important ways. Democratic accountability is understood to include the idea that the people who are likely to be impacted by decisions ought to be able to participate in the decision making. Participation in this sense means not only having some expectation that the collective will of constituents will be taken into consideration in the decision-making process, but that the public debate and deliberation that is part of the parliamentary process of decision making will also serve the vital function of informing constituents and affording them some sense of access to the decision-making process. n264 Obviously, this process of debate and information exchange is also at the heart of ideas of deliberative democracy. The perspective here, though, is not so much on the importance of making the process accountable to and representative of the people, but on the extent to which the very process of deliberation among the representatives of disparate stake-holders and interests will result in the generation of sounder judgments. The argument is that the process results in better decisions due to the attenuation of extreme positions, the canvassing of a wider range of perspectives and sources of information, and the vigorous public interrogation of reasons [\*682] and motives underlying proposals. n265 More specifically, theories of deliberative democracy hold that the deliberative process, of which the parliamentary debate and decision-making process is a key feature, actually involves the transformation of preferences through the consideration of the justifications offered by various perspectives, rather than merely serving as a means by which society can aggregate preferences. n266 The oversight function of legislatures also feeds into both these aspects of democracy, in that the employment of specialized committees to engage in public inquiries into policy choices or proposed courses of action, provides a deeper level of deliberation that ensures a more thorough interrogation of policy justifications and the underlying information upon which policy proposals are based. Senate committee hearings during the Vietnam War illustrate how such oversight can reveal important information underlying policy debates, which in turn can influence public opinion and better inform the policy preferences of the representatives of the people. In 1967, the Senate Armed Services Committee held hearings on the escalation of the strategic bombing of North Vietnam. After the representatives of the Joint Chiefs, and in particular the Chief of the Air Force, had testified before the committee on the necessity of the continued strategic bombing, Secretary of Defense Robert S. McNamara stunned the committee, the government, and the public by testifying that the bombing was entirely ineffective. n267 The performance of these functions of the legislature, to the extent that they are permitted or required to operate in the decision-making process on the use of force, engage the domestic causes of war in important ways. The fuller realization of the representative and oversight functions--serving as they do to both incorporate the will of the broader population and to arguably contribute to the arrival at sounder judgments through the deliberative process--would result in those structural aspects of democratic states that comprise the Image II factors most related to the causes of the "democratic [\*683] peace," being brought to bear more directly on the decision-making process. In other words, the structure would thus more perfectly reflect the theoretical ideal that is part of the structural explanations of the democratic peace. n268 The institutional structure of the decision-making process created by the Model's separation of powers element would also affect the political costs of going to war in a manner that would further engage the Image II causes of war. Absent an overwhelming or obvious threat, the procedural requirements to obtain the support of the majority of the legislature would impose significant political costs upon the executive. n269 The structure would effectively create a sliding scale, in the sense that the greater the threat or the more obvious the case for war--such as the use of force in self-defense against an ongoing armed attack--the lower the costs would be in obtaining legislative approval. Conversely, the more tenuous the case for engaging in armed conflict, the more [\*684] politically costly it would be to win over the majority of the legislature for support. This is precisely the kind of structural characteristic that reduces the Image II causes of war. The second element of the Model would also engage the Image I causes of war, which include particular psychological traits that are common in many executive officers, systemic problems of misperception among decision makers, and the irrational behavior of small-group decision making reflected in "groupthink" and the "bureaucratic politics model" of decision making. n270 The risks that such tendencies could lead to irrational or suboptimal decisions to use armed force would be reduced, in the case of each of these particular phenomenon, by spreading the decision-making process more widely through the inclusion of the legislative body. The requirement to obtain legislative approval, bringing to bear the core functions of deliberative democracy on the decision-making process, such that a wider set of perspectives and criteria are brought to the process, as well as a more public interrogation of reasons and rationales, would significantly reduce the potential for these potential features of government decision making to manifest themselves in the form of unsound or dangerous decisions regarding the use of force. n271

#### “Presidential credibility” is a garbage term – summoned to justify rash decision-making – coherent military and diplomatic commitments are the only internal to effective foreign policy

Larison, 9/10 (Daniel, PhD in history from the University of Chicago, “Credibility and Reputation”, The American Conservative, 2013, http://www.theamericanconservative.com/larison/credibility-and-reputation/?utm\_source=rss&utm\_medium=rss&utm\_campaign=credibility-and-reputation)

Like Noah Millman, I was not persuaded by Ross Douthat’s column on the possible consequences of a Congressional no vote on Syria. Douthat writes: But it’s important to recognize just how unprecedented such a vote would be, and how far the ripples might ultimately spread. It wouldn’t just be a normal political rebuke of President Obama. It would be a remarkable institutional rebuke of his presidency, with unknowable consequences for the credibility of American foreign policy, not only in Syria but around the world. Presidential credibility is an intangible thing, and the term has been abused over the years by overeager hawks and cult-of-the-presidency devotees. But the global system really does depend on other nations’ confidence that the United States means what it says — that the promises the White House and the State Department make are binding, that our military commitments aren’t just so much bluster, and that when the president speaks on foreign policy he has the power to live up to his words. It’s true that we can’t know for certain what the consequences of a no vote would be, but we can be reasonably sure that it won’t include the parade of horribles that advocates for intervention have been describing in the last three weeks. There is no reason to think that anyone will doubt U.S. security commitments elsewhere in the world, and it seems very far-fetched that refusing to attack Syria now will prompt other governments to start amassing or using chemical weapons. Authoritarian regimes that have resisted U.S. demands in the past will continue to do so for their own reasons, but it is implausible that they will determine their future behavior based on how the U.S. treats the Syrian government in this case. In short, the commitments that the U.S. has seriously made and kept for many years or decades are not in jeopardy, but the ability or at least the willingness of the president to commit the U.S. to military action through careless and ill-conceived rhetoric may be constrained. As Jim Manzi pointed out, this is a feature, not a bug. The problem with talking about credibility is that the discussion tends towards vagueness. When pressed to give examples of how lost credibility would be damaging to the U.S., the examples are almost always absurd and easily dismissed. The more specifically that we focus on individual issues, the more we realize that credibility (like “resolve” or “leadership”) is a term that is used with the greatest frequency when the merits of a specific policy proposal are lacking. When a policy doesn’t make sense to most people, advocates have to fall back on warnings about lost credibility. They do this not so much because they believe that U.S. credibility elsewhere is at stake, but because they want to obscure the flaws in the policy they are promoting. It’s worth recalling that most of the real damage done to America’s reputation and its ability to conduct an effective foreign policy came from policy decisions that committed the U.S. to take action in several ways that trampled on international law and imposed enormous fiscal and human costs on the U.S. and the countries affected by those decisions. Whether it is torturing detainees, holding people in indefinite detention, or launching illegal wars, we have seen the kinds of behavior from the U.S. that actually undermines relationships with other countries and destroys America’s reputation even in allied countries, and even after doing all these destructive things U.S. foreign policy was not “~~crippled~~.” It is inconceivable that refusing to attack another country would cause the U.S. very much grief at all. As for Obama, he will suffer politically from a no vote, but it is also possible that he will then be able to shut the door to any greater U.S. involvement in Syria for the rest of his time in office. If he does that, that would make the next three years much less risky and dangerous for the U.S. than they would be following a U.S. attack.

#### Only the plan solves – congressional approval generates clarity

Koh, 2006 (Harold Hongju, Dean and Gerald C. & Bernice Latrobe Smith Professor of International Law at the Yale Law School, The Most Dangerous Branch? Mayors, Governors, Presidents, and the Rule of Law: A Symposium on Executive Power, “Setting the World Right”, Yale Law Journal, 115 Yale L.J. 2350, Lexis)

Remarkably, the authors suggest that recent setbacks in the Iraq War support their case, by disproving a positive correlation "between ex ante statutory authorization and American success" on the battlefield. n106 In Iraq, they claim, prior congressional deliberation about entering a war failed to produce a sense of public buy-in and lasting support for the war effort. Nor did the "inclusion of Congress, ex ante, in the decision to use force ... lead to any greater accuracy in decision-making," they claim, because "Congress brought no independent collection or analysis of information to bear" on the decision. n107 Nzelibe and Yoo acknowledge that Congress's "decision to authorize the use of force against Iraq [was based on] on the intelligence and analysis presented by the Bush Administration," which falsely, it turned out, reported the existence of weapons of mass destruction in Iraq. n108 Thus, Iraq is an exceedingly poor example to support their claim that the executive can better gather accurate information than Congress because it was not Congress's intelligence-gathering process, but the executive's own National Intelligence Estimate, that proved fatally flawed. To cite the latest Iraq War as a reason to dispense with congressional participation in warmaking decisions would reward the executive for secrecy or presentation of false or misleading information and relieve the executive from any obligation to subject its war justifications and plans to rigorous public scrutiny. Nzelibe and Yoo also argue that by acting as a natural brake on going to war, congressional participation might also cause "errors of omission,

" namely, wars we should rationally have fought but did not. n109 But again, their claim that a President can more rationally choose to engage in war assumes that the executive branch is better able than Congress to weigh the likely costs and benefits of going to war. In fact, Iraq provides a devastating counterexample. [\*2377] As one recent account has made clear, the current Iraq occupation "was made possible only through the [executive's] intellectual acrobatics of simultaneously "worst-casing' the threat posed by Iraq, even while "best-casing' the subsequent cost and difficulty of occupying the country." n110 In January 2003, for example, Defense Secretary Donald Rumsfeld projected the cost of waging the war as "a number that's something under $ 50 billion"; only three years later, Nobel Prize-winning economist Joseph Stiglitz projected the likely actual cost to be between $ 1 and 2 trillion.

### Plan Text

**Plan: The United States federal government should increase statutory restrictions on the War Powers Resolution by requiring congressional approval for preemptive use of military force.**

## 2AC

### 2AC

#### Framework – the aff should get to weigh the implementation of the plan vs a competitive alternative – this is best

#### A Predictability – the rez says USFG so it is most predictable that we should defend that – anything else moots the 1AC and makes fair debate impossible

#### B Education – Debates about policy solutions are necessary to effectuate political change – we need to know the specifics of different policies – they still get a K just need to win the alt competes with the aff – solves all their offense because we can still ethically interrogate the aff but the aff can use the 1AC as a justification of it’s ethical stance

Mellor 2013

[Ewan, European University Institute, “Why policy relevance is a moral necessity: Just war theory, impact, and UAVs”, http://www.academia.edu/4175480/Why\_policy\_relevance\_is\_a\_moral\_necessity\_Just\_war\_theory\_impact\_and\_UAVs\]

This section of the paper considers more generally the need for just war theorists to engage with policy debate about the use of force, as well as to engage with the more fundamental moral and philosophical principles of the just war tradition. It draws on John Kelsay’s conception of just war thinking as being a social practice,35 as well as on Michael Walzer’s understanding of the role of the social critic in society.36 It argues that the just war tradition is a form of “practical discourse” which is concerned with questions of “how we should act.”37 Kelsay argues that: [T]he criteria of jus ad bellum and jus in bello provide a framework for structured participation in a public conversation about the use of military force . . . citizens who choose to speak in just war terms express commitments . . . [i]n the process of giving and asking for reasons for going to war, those who argue in just war terms seek to influence policy by persuading others that their analysis provides a way to express and fulfil the desire that military actions be both wise and just.38 He also argues that “good just war thinking involves continuous and complete deliberation, in the sense that one attends to all the standard criteria at war’s inception, at its end, and throughout the course of the conflict.”39 This is important as it highlights the need for just war scholars to engage with the ongoing operations in war and the specific policies that are involved. The question of whether a particular war is just or unjust, and the question of whether a particular weapon (like drones) can be used in accordance with the jus in bello criteria, only cover a part of the overall justice of the war. Without an engagement with the reality of war, in terms of the policies used in waging it, it is impossible to engage with the “moral reality of war,”40 in terms of being able to discuss it and judge it in moral terms. Kelsay’s description of just war thinking as a social practice is similar to Walzer’s more general description of social criticism. The just war theorist, as a social critic, must be involved with his or her own society and its practices. In the same way that the social critic’s distance from his or her society is measured in inches and not miles,41 the just war theorist must be close to and must understand the language through which war is constituted, interpreted and reinterpreted.42 It is only by understanding the values and language that their own society purports to live by that the social critic can hold up a mirror to that society to demonstrate its hypocrisy and to show the gap that exists between its practice and its values.43 The tradition itself provides a set of values and principles and, as argued by Cian O’Driscoll, constitutes a “language of engagement” to spur participation in public and political debate.44 This language is part of “our common heritage, the product of many centuries of arguing about war.”45 These principles and this language provide the terms through which people understand and come to interpret war, not in a deterministic way but by providing the categories necessary for moral understanding and moral argument about the legitimate and illegitimate uses of force.46 By spurring and providing the basis for political engagement the just war tradition ensures that the acts that occur within war are considered according to just war criteria and allows policy-makers to be held to account on this basis. Engaging with the reality of war requires recognising that war is, as Clausewitz stated, a continuation of policy. War, according to Clausewitz, is subordinate to politics and to political choices and these political choices can, and must, be judged and critiqued.47 Engagement and political debate are morally necessary as the alternative is disengagement and moral quietude, which is a sacrifice of the obligations of citizenship.48 This engagement must bring just war theorists into contact with the policy makers and will require work that is accessible and relevant to policy makers, however this does not mean a sacrifice of critical distance or an abdication of truth in the face of power. By engaging in detail with the policies being pursued and their concordance or otherwise with the principles of the just war tradition the policy-makers will be forced to account for their decisions and justify them in just war language. In contrast to the view, suggested by Kenneth Anderson, that “the public cannot be made part of the debate” and that “[w]e are necessarily committed into the hands of our political leadership”,49 it is incumbent upon just war theorists to ensure that the public are informed and are capable of holding their political leaders to account. To accept the idea that the political leadership are stewards and that accountability will not benefit the public, on whose behalf action is undertaken, but will only benefit al Qaeda,50 is a grotesque act of intellectual irresponsibility. As Walzer has argued, it is precisely because it is “our country” that we are “especially obligated to criticise its policies.”51

#### C The necessity of a competitive alt means that they should not be allowed to fiat utopia – they should defend a mechanism for alt solvency – anything short of that means that we literally cannot win offense to the alt – makes debate impossible – this is not to say they never get alternative fiat but that they must defend a predictable mechanism

#### Fairness should be prioritized

**Steinberg & Freeley 8** \*Austin J. Freeley is a Boston based attorney who focuses on criminal, personal injury and civil rights law, AND \*\*David L. Steinberg , Lecturer of Communication Studies @ U Miami, Argumentation and Debate: Critical Thinking for Reasoned Decision Making pp45-

Debate is a means of settling differences, so there must be a difference of opinion or a conflict of interest before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate cannot produce effective decisions without clear identification of a question or questions to be answered. For example, general argument may occur about the **broad topic** of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a particular question and identification of a line demarcating sides in the controversy. To be discussed and resolved effectively, controversies must be stated clearly. **Vague understanding** results in unfocused deliberation and poor decisions, frustration, and emotional distress, as evidenced by the failure of the United States Congress to make progress on the immigration debate during the summer of 2007. Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but without a focus for their discussions, they could easily agree about the sorry state of education **without** finding points of clarity or potential solutions. A gripe session would follow. But if a precise question is posed—such as "What can be done to improve public education?"—then a more profitable area of discussion is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference. To have a productive debate, which facilitates effective decision making by directing and placing limits on the decision to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an interesting discussion but not to establish profitable basis for argument. For example, the statement "Resolved: That the pen is mightier than the sword" is debatable, yet fails to provide much basis for clear argumentation. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose. Although we now have a general subject, we have not yet stated a problem. It is still too broad, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that good debates cannot occur over competing interpretations of the controversy; in fact, these sorts of debates may be very engaging. The point is that debate is best facilitated by the guidance provided by **focus on a particular point of difference**, which will be outlined in the following discussion.

#### Our discourse is not tied to orientalism – roleplaying solves

Hanghoj 8 http://static.sdu.dk/mediafiles/Files/Information\_til/Studerende\_ved\_SDU/Din\_uddannelse/phd\_hum/afhandlinger/2009/ThorkilHanghoej.pdf Thorkild Hanghøj, Copenhagen, 2008 Since this PhD project began in 2004, the present author has been affiliated with DREAM (Danish Research Centre on Education and Advanced Media Materials), which is located at the Institute of Literature, Media and Cultural Studies at the University of Southern Denmark. Research visits have taken place at the Centre for Learning, Knowledge, and Interactive Technologies (L-KIT), the Institute of Education at the University of Bristol and the institute formerly known as Learning Lab Denmark at the School of Education, University of Aarhus, where I currently work as an assistant professor.

Joas’ re-interpretation of Dewey’s pragmatism as a “theory of situated creativity” raises a critique of humans as purely rational agents that navigate instrumentally through meansends- schemes (Joas, 1996: 133f). This critique is particularly important when trying to understand how games are enacted and validated within the realm of educational institutions that by definition are inscribed in the great modernistic narrative of “progress” where nation states, teachers and parents expect students to acquire specific skills and competencies (Popkewitz, 1998; cf. chapter 3). However, as Dewey argues, the actual doings of educational gaming cannot be reduced to rational means-ends schemes. Instead, the situated interaction between teachers, students, and learning resources are played out as contingent re-distributions of means, ends and ends in view, which often make classroom contexts seem “messy” from an outsider’s perspective (Barab & Squire, 2004). 4.2.3. Dramatic rehearsal The two preceding sections discussed how Dewey views play as an imaginative activity of educational value, and how his assumptions on creativity and playful actions represent a critique of rational means-end schemes. For now, I will turn to Dewey’s concept of dramatic rehearsal, which assumes that social actors deliberate by projecting and choosing between various scenarios for future action. Dewey uses the concept dramatic rehearsal several times in his work but presents the most extensive elaboration in Human Nature and Conduct: Deliberation is a dramatic rehearsal (in imagination) of various competing possible lines of action… [It] is an experiment in finding out what the various lines of possible action are really like (...) Thought runs ahead and foresees outcomes, and thereby avoids having to await the instruction of actual failure and disaster. An act overtly tried out is irrevocable, its consequences cannot be blotted out. An act tried out in imagination is not final or fatal. It is retrievable (Dewey, 1922: 132-3). This excerpt illustrates how Dewey views the process of decision making (deliberation) through the lens of an imaginative drama metaphor. Thus, decisions are made through the imaginative projection of outcomes, where the “possible competing lines of action” are resolved through a thought experiment. Moreover, Dewey’s compelling use of the drama metaphor also implies that decisions cannot be reduced to utilitarian, rational or mechanical exercises, but that they have emotional, creative and personal qualities as well. Interestingly, there are relatively few discussions within the vast research literature on Dewey of his concept of dramatic rehearsal. A notable exception is the phenomenologist Alfred Schütz, who praises Dewey’s concept as a “fortunate image” for understanding everyday rationality (Schütz, 1943: 140). Other attempts are primarily related to overall discussions on moral or ethical deliberation (Caspary, 1991, 2000, 2006; Fesmire, 1995, 2003; Rönssön, 2003; McVea, 2006). As Fesmire points out, dramatic rehearsal is intended to describe an important phase of deliberation that does not characterise the whole process of making moral decisions, which includes “duties and contractual obligations, short and long-term consequences, traits of character to be affected, and rights” (Fesmire, 2003: 70). Instead, dramatic rehearsal should be seen as the process of “crystallizing possibilities and transforming them into directive hypotheses” (Fesmire, 2003: 70). Thus, deliberation can in no way guarantee that the response of a “thought experiment” will be successful. But what it can do is make the process of choosing more intelligent than would be the case with “blind” trial-and-error (Biesta, 2006: 8). The notion of dramatic rehearsal provides a valuable perspective for understanding educational gaming as a simultaneously real and imagined inquiry into domain-specific scenarios. Dewey defines dramatic rehearsal as the capacity to stage and evaluate “acts”, which implies an “irrevocable” difference between acts that are “tried out in imagination” and acts that are “overtly tried out” with real-life consequences (Dewey, 1922: 132-3). This description shares obvious similarities with games as they require participants to inquire into and resolve scenario-specific problems (cf. chapter 2). On the other hand, there is also a striking difference between moral deliberation and educational game activities in terms of the actual consequences that follow particular actions. Thus, when it comes to educational games, acts are both imagined and tried out, but without all the real-life consequences of the practices, knowledge forms and outcomes that are being simulated in the game world. Simply put, there is a difference in realism between the dramatic rehearsals of everyday life and in games, which only “play at” or simulate the stakes and risks that characterise the “serious” nature of moral deliberation, i.e. a real-life politician trying to win a parliamentary election experiences more personal and emotional risk than students trying to win the election scenario of The Power Game. At the same time, the lack of real-life consequences in educational games makes it possible to design a relatively safe learning environment, where teachers can stage particular game scenarios to be enacted and validated for educational purposes. In this sense, educational games are able to provide a safe but meaningful way of letting teachers and students make mistakes (e.g. by giving a poor political presentation) and dramatically rehearse particular “competing possible lines of action” that are relevant to particular educational goals (Dewey, 1922: 132). Seen from this pragmatist perspective, the educational value of games is not so much a question of learning facts or giving the “right” answers, but more a question of exploring the contingent outcomes and domain-specific processes of problem-based scenarios.

### Top Level

#### Case outweighs – They haven’t denied any specific truth claims of the 1AC – Unchecked executive authority damages credibility and makes sustaining multilateral institutions impossible – also Presidents are prone to miscalculation – ensures conflicts escalate – err aff

#### Inherent equality of all beings requires utilitiarianism

David Cummiskey, Associate Professor of Philosophy @ Bates College & a Ph.D. from UM, 1996, Kantian Consequentialism, Pg. 145-146

In the next section, I will defend this interpretation of the duty of beneficence. For the sake of argument, however, let us first simply assume that beneficence does not require significant self-sacrifice and see what follows. Although Kant is unclear on this point, we will assume that significant self-sacrifices are supererogatory. Thus, if I must harm one in order to save many, the individual whom I will harm by my action is not morally required to affirm the action. On the other hand, I have a duty to do all that I can for those in need. As a consequence **I am faced with a dilemma: If I act, I harm a person in a way that a rational being need not consent to; if I fail to act, then I do not do my duty to those in need and thereby fail to promote an objective end.** Faced with such a choice, which horn of the dilemma is more consistent with the formula of the end-in-itself? **We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract “social entity.” It is not a question of some persons having to bear the cost for some elusive “overall social good.”** Instead, **the question is whether some persons must bear the inescapable cost for the sake of other persons.** Robert Nozick, for example, argues that “**to use a person in this way does not sufficiently respect and take account of the fact that he [or she] is a separate person, that** ~~his~~ **is the only life he [or she] has.” But why is this not equally true of all those whom we do not save through our failure to act? By emphasizing solely the one who must bear the cost if we act, we fail to sufficiently respect and take account of the many other separate persons, each with only one life, who will bear the cost of our inaction.** In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? **A morally good agent recognizes that the basis of all particular duties is the principle that “rational nature exists as an end in itself.”** Rational nature as such is the supreme objective end of all conduct. **If one truly believes that all** rational beings **have an equal value then the rational solution to such a dilemma involves maximally promoting the lives and liberties of as many** rational beings **as possible**. **In order to avoid this** conclusion, **the non-consequentialist** Kantian **needs to justify agent-centered constraints.** As we saw in chapter 1, however, even most Kantian **deontologists recognize that agent-centered constraints require a non-value based rationale.** But we have seen that Kant’s normative theory is based on an unconditionally valuable end. How can a concern for the value of rational beings lead to a refusal to sacrifice rational beings even when this would prevent other more extensive losses of rational beings? If the moral law is based on the value of rational beings and their ends, then what is the rationale for prohibiting a moral agent from maximally promoting these two tiers of value? **If I sacrifice some for the sake of others, I do not use them arbitrarily, and I do not deny the unconditional value of rational beings. Persons may have “dignity,** that is, **an unconditional and incomparable worth” that transcends any market value, but persons also have a fundamental equality that dictates that some must sometimes give way for the sake of others. The concept of the end-in-itself does not support the view that we may never force another to bear some cost in order to benefit others**. If on focuses on the equal value of all rational beings, then **equal consideration suggests that one may have to sacrifice some to save many**.

#### Extinction outweighs – we can’t come back from it and it affects everyone

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Even if we use the most conservative of these estimates, which entirely ignores the possibility of space colonization and software minds, we find that the expected loss of an existential catastrophe **is greater** than the value of 1018 human lives. This implies that the expected value of reducing existential risk by a mere one millionth of one percentage point is at least ten times the value of a billion human lives. The more technologically comprehensive estimate of 1054 human-brain-emulation subjective life-years (or 1052 lives of ordinary length) makes the same point even more starkly. Even if we give this allegedly lower bound on the cumulative output potential of a technologically mature civilization a mere 1% chance of being correct, we find that the expected value of reducing existential risk by **a mere one billionth of one billionth of one percentage point** is worth a **hundred billion times** as much as **a billion** human **lives**. One might consequently argue that **even the tiniest reduction** of existential risk has an expected value greater than that of the definite provision of any “ordinary” good, such as the direct benefit of saving 1 billion lives. And, further, that the absolute value of the indirect effect of saving 1 billion lives on the total cumulative amount of existential risk—positive or negative—is almost certainly larger than the positive value of the direct benefit of such an action.

#### Prior questions fail and makes effective politics impossible

Owen 2 [David Owen, Reader of Political Theory at the Univ. of Southampton, Millennium Vol 31 No 3 2002 p. 655-7]

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritise issues of ontology and epistemology over explanatory and/or interpretive power as if the latter two were merely a simple function of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), it is by no means clear that it is, in contrast, wholly dependent on these philosophical commitments. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical ~~weakness~~—but this does not undermine the point that, for a certain class of problems, rational choice theory may provide the best account available to us. In other words, while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, it is not the only or even necessarily the most important kind. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates a theory-driven rather than problem-driven approach to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip on the action, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a question for social-scientific inquiry, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the pursuit of generality over that of empirical validity. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one theoretical approach which gets things right, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.

### Perm

#### Perm do the plan and refuse orientalism in the 1AC

#### Perm do the plan and all non-competitive parts of the 1AC

#### No link to the plan – the 1AC is a stance against unrestrained executive power in the status quo – our Brookings evidence says that status quo war powers authority necessitates ongoing conflict because the president is allowed to create threats and act on them without any check. The Martin evidence says that mandating congressional authorization would allow for broader debate about conflict which ensures some check

#### Their Liberal Islamaphobia arguments don’t apply to the plan – the 1AC outlines a reason why an unrestrained executive is bad – Yes the aff defends liberal institutions but no the aff doesn’t defend all of the bad things their epistemology indicts talk about

#### And don’t view our 1AC as non-falsifiable – 1. No evidence is actually about the scenarios of the 1AC – our scenario planning works and is effective

Whitt, 2009(Richard, Washington Telecom and Media Counsel at Google, “Adaptive Policymaking: Evolving and Applying Emergent Solutions for U.S. Communications Policy”, Federal Communications Law Journal, vol. 61, issue 3, Questia)

Emergence Economics tells us that prognostication and planning are difficult, if not impossible, to get right. The inevitable personal limitations of information, perception, and cognition, coupled with a dynamic and unpredictable environment, makes failure far more common than success. Attempting long-range planning can also clash with the adaptive principle of making contextual, evidence-based decisions. **Still, appreciating this reality should not lead to decisional ~~paralysis~~**. Those making public policy must do what they can to peer into the fog and discern some patterns that can help shape analysis. There are a number of possible ways to project into the present and future, using a mix of reason and imagination, to solve problems. I will briefly touch on three that are based more on policy option scenarios rather than outfight predictions. Peter Schwartz has devised what he calls "the art of the long view," which is **premised on developing and using scenarios to help cabin uncertainty and improve decision making**. (332) This multi-stage process involves (1) **identifying a focal decision**, (2) listing the key factors influencing the success or failure of that decision, (3) listing the driving forces (social, economic, political, environmental, and technological) that influence the key factors, (4) ranking the key factors and driving forces based on relative importance and degree of uncertainty, (5) **selecting the potential scenarios along a matrix**, (6) **fleshing out the scenarios**, (7) **assessing the implications**, and (8) selecting leading indicators and signposts. (333) An important takeaway here is that **the use of scenarios can help identify the various environmental forces that can affect implementation of a policy decision, reducing to some degree the uncertainty** that otherwise surrounds that process. Closer to the near-term, Richard Ogle talks about utilizing "the idea-spaces of the extended mind," which he identifies as including qualities like imagination, intuition, and insight. (334) As Ogle sees it, reason proceeds cautiously and looks backward, while the imagination and its allied capacities look more boldly forward. (335) More specifically, the Cartesian model of thinking is based on continuity, because logical and probabilistic reasoning cannot abide gaps. (336) By contrast, creative breakthroughs typically involve leaps into the unknown. (337) Because the imagination is the mind's supreme faculty for dealing with the future, and it reaches places where reason cannot go, Ogle suggests ways to harness the imagination to improve one's decision-making abilities. (338) As Ogle quotes Einstein, "Logic will get you from A to B, imagination will take you everywhere." (339) Finally, Thomas Homer-Dixon argues for the necessity to develop a "prospective mind ... comfortable with constant change, radical surprise, and even breakdown." (340) He sees each of these as inevitable features of our world, requiring us constantly to anticipate a wide variety of futures. "We need to exercise our imaginations so that we can challenge the unchallengeable and conceive the inconceivable." (341) He also argues: **"Precise prediction is impossible because our complex and nonlinear world is full of unknown unknowns-**-things we do not know that we do not know." (342) **But a mind open to numerous possibilities is better equipped to anticipate and deal with change than a mind closed off to such possibilities**.

#### If they win the State’s uniformly racist in current form, still vote Aff. Ignores reconstructive liberalism, and what the State \*could yet become\*. Contextualizes to plan and perm

Ward ‘99

Cynthia V. Ward – Professor of Law, College of William and Mary. WILLIAM AND MARY LAW REVIEW Vol. 40:719 – http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1554andcontext=wmlr

However bruised by the continuous attacks of its radical critics, "liberal legalism" has so far survived the critical onslaught. But like all battles between powerful opponents the fight has produced casualties on both sides. Liberal theorists have responded to radical attacks by re-examining certain facile assumptions about the priority of individual autonomy, the nature of rationality, and the possibility of state neutrality, and replacing them with a rich and provocative literature that affirmatively defends liberal values and celebrates liberal legal institutions as the best-perhaps the only-way of respecting and encouraging human "difference" while also maximizing freedom and equality. On the other side, the work of radical critics of liberalism has begun to reflect the idea that liberal values-appropriately modified-are worth examining in a reconstructive light. Without losing sight of the injustices that have been inflicted on vulnerable groups under the liberal American Constitution, at least some radical theorists seem willing to concede that something precious, perhaps even irreplaceable, would be lost were liberal rights and institutions, with their vision of respect for individual dignity and their desire to maximize individual freedom, to be rejected wholesale along with the scourges of racism and sexism that have always shadowed them. It is tempting to oversimplify. One should take seriously the declared motivations and concerns of one's opponents, and be careful not to discover casually that they have been on one's side all along, although somehow without realizing it. Let me therefore emphasize that I think there are important and irreconcilable differences, at many levels, between liberal visions of the person, of politics, and of the law, and the visions articulated by liberalism's communitarian, critical race, feminist, and postmodern critics. What I find most fascinating in recent legal theory, though, is the increasingly apparent intuition that amid such basic differences there is also a growing area of common ground. Ironically, it may be that the reconstruction of liberal legalism, in some recognizable form, will become the single most dramatic result of radical legal theory.

#### Your idealist rejection of democracy is irrelevant – those channels of power are key to effective resistance and reform

Ramirez 2004 [Steven A., Professor ofLaw, Washburn University School ofLaw; Director, Washburn Business & Transactional Law Center Games CEOs Play and Interest Convergence Theory: Why Diversity Lags in America's Boardrooms and What To Do About **It,** *61 WASH* & *LEE L. REV* 1583 *(2004)*

The United States is a capitalist democracy. Consequently, the law in the United States responds to political and economic power. The American legal system is also a highly diffused system. Therefore, reformers must orchestrate political and economic power to bring pressure to bear upon the specific legal actors vested with responsibility over a particular issue if they wish to achieve durable reform. Interest convergence theory is the key to reform and progress in any area of law from race to corporate governance. As Derrick Bell has correctly stated: "Further progress to fulfill the mandate of*Brown* is possible to the extent that the divergence of racial interests can be avoided or minimized. ,,162 The converse of Bell's observation is equally true: To the extent interest convergence is maximized, reform opportunities are maximized. This Article seeks to extend interest convergence theory to its logical endsspecifically, to include the possibility that interests can be aligned to further the goal ofreform, racial or otherwise. This possibility can come to fruition when individuals seeking specific reforms can convince specific individuals with economic or political power over that specific issue. This is essentially what the NAACP achieved in the *Brown* decision. This alignment of interests was achieved in the *Grutter* opinion fifty years later, where it succeeded in securing qualified support for affirmative action from a fundamentally conservative Court. It also explains Richard Painter's efforts to relandscape professional responsibility for attorneys representing publicly held companies. In each case, economic and political power was brought to bear on lawmakers vested with specific power over a specific issue.

### Link Args

#### Their Link arguments describe the status quo – overreliance on the executive is rooted in orientalist expertise

Kbiri 8 (Hamid, Major in the Royal Moroccan Air Force, http://www.scribd.com/doc/12070695/The-Influence-of-Orientalism-on-American-Perceptions-and-Policies-in-the-MiddleEast)

More recently, Orientalist expertise has loomed large in the initiation and conduct of OIF. As Deputy Defense Secretary, Paul Wolfowitz, paid a glowing tribute to the veteran Orientalist Bernard Lewis, via video phone at a special ceremony held in Tel Aviv to honor Lewis in March 2002: “Bernard has taught [us] how to understand the complex and important history of the Middle-East and use it to guide us where we will go next to build a better world for generations”165 Even before the 9/11 tragedy occurred, Lewis actively lobbied for war in Iraq in a collective open letter addressed to President Clinton in 1998.166 Lewis is actually the father of what the Wall Street journal calls the “Lewis Doctrine”167 which consists of “making Iraq a Westernized polity, reconstituted and imposed from above like Kemal’s Turkey, which is to become a bulwark of security for America and a model for the region.”168 He also wrote an article for Newsweek International in early 2003, in which he made a case for American intervention in Iraq and argued that “worries about Iraqi civilians --fighting in the streets, popular resistance-- were overblown.”169 Other Orientalists whose expertise has turned out misplaced, if not misleading, are Fouad Ajami and Kanan Makiya, who along with Bernard Lewis advised the Bush administration in the run-up to the Iraq war.170 Downplaying the risks of insurgency in post-Saddam era, they argued that the Iraqis were going to meet American troops “with flowers and sweets.”171 The remarks of Vice President Dick Cheney to the Veterans of Foreign Wars 103rd National Convention are very telling in this regard: As for the reaction of the Arab ‘street,’ the Middle-East expert Professor Fouad Ajami predicts that after liberation, the streets in Basra and Baghdad are ‘sure to erupt in joy in the same way the throngs in Kabul greeted the Americans.’ Extremists in the region would have to rethink their strategy of Jihad. Moderates throughout the region would take heart.172 But most disturbing of all are the words of Bernard Lewis, hailed as the Dean of the Orientalists, as he counseled the Vice President and Secretary of Defense on the coming war in Iraq: “I believe that one of the things you’ve got to do to Arabs is hit them between the eyes with a big stick. They respect power.”173 Apart from the racist tones of these remarks, they reflect a long-standing Orientalist bias which consists of “underestimating the locals. ”174 Such remarks seem to highlight, at best, a lack of scientific neutrality and distance between the intellectual and his subject. They also somehow give credence to the reproaches made by Lewis’ detractors that although his work “purports to be liberal objective scholarship, it is in reality very close to being propaganda against his subject material”175 Last but not least, during the 2006 Hezbollah-Israel War, Bernard Lewis went so far as to warn, in the Wall Street Journal, that Teheran might drop a nuclear bomb—a bomb that Iran by all accounts did not have—on Israel on August 22, 2006, coinciding with the day that the prophet Muhammad went to Jerusalem and then to heaven.176 In his own words: “this might well be deemed an appropriate date for the apocalyptic ending of Israel and if necessary of the world. It is far from certain that Mr. Ahmadinajad plans any such cataclysmic events precisely for August 22. But it would be wise to bear the possibility in mind.”177 Orientalists definitely seem to think that their stature as renowned scholars would lend unlimited authority to their pronouncements on contemporary conflicts in the Middle-East and the Muslim world, even when they clearly go against common sense.

#### Responding constitutionally is critical

Diana Ralph 6, PhD in Psychology and a Master of Social Work. She is an Associate Professor of Social Work at Carleton University, "ISLAMOPHOBIA AND THE ‘‘WAR ON TERROR’’: THE CONTINUING PRETEXT FOR U.S. IMPERIAL CONQUEST", The Hidden History of 9-11-2001 (Research in Political Economy, Volume 23), Emerald Group Publishing Limited, pp.261-298, 911blogger.com/node/16381

4. Standing with Muslims against the “War on Terror”¶ In this chapter, I have demonstrated that:¶ The overriding motive for Bush’s ‘‘war on terror’’ is to secure control over the Middle East and Central Asia for U.S. oil, military, and corporate interests.¶ Bush’s handlers have been planning imperial conquest of the world since the Soviet Union collapsed in 1989.¶ From the evidence here and elsewhere, it is difficult to draw another conclusion than that Bush’s associates organized the 9-11 attacks to kick start popular support for this war. They have continued to justify the ‘‘war on terror’’ by claiming that Muslim terrorists pose an immanent danger to Americans.¶ In fact, however, terrorism actually poses minimal risk to Americans.¶ The ‘‘war on terror’’ is a concept modeled on Israel’s assaults on Palestinians to provide a cover for campaigns of territorial conquest.¶ Far from being ‘‘under attack,’’ America has pre-emptively attacked and conquered two sovereign states, and is threatening military domination of the entire world.¶ In other words, Bush’s ‘‘war on terror’’ is a massive con job, perpetrated by a few oil and military elites, at the expense of Muslims particularly, but threatening the security and well-being of virtually everyone on the planet.¶ An immensely wealthy and powerful republic has been hijacked by a small cabal of individuals...The American people have...been deliberately lied to, their interests cynically misrepresented and misreported, the real aims and intentons of this private war of Bush the son and his junta concealed with complete arrogance." (Said, 2003)¶ Thomas Donnelly, author of the RAD blueprint for Bush’s ‘‘war on terror,’’ recently reaffirmed the neo-conservative commitment, not to protect Americans from ‘‘terrorism,’’ but to conquer the world.¶ This war, properly understood, is a struggle to build a [new] ... order throughout the ‘‘greater Middle East,’’ that giant swath of the planet that extends from West Africa to Southeast Asia. ...Operation Iraqi Freedom represented the first step in a generational commitment to Iraq, but also the commitment of many generations to transforming the greater Middle East....The vision of the Bush Doctrine is hugely ambitious; in embracing this great vision, the United States must obligate the resources and create the institutions necessary to realize it." (Donnelly, 2004, pp. ix, 111)¶ 4.1. ‘‘Either you are with us, or you are with the Terrorists’’¶ Fear and hatred of a scapegoated ‘‘enemy’’ are powerful tools by which despots confuse people into believing that their oppressors are their salvation. Just as anti-Semitism served to divide and silence progressive German movements in the early Nazi era, Islamophobia is dividing and silencing us now. No one wants to associate with “terrorists”, much less be labelled and persecuted as one. Many progressive Western people fear and despise “fundmentalist” Muslims, and thereby fall into the trap of allying themselves with, or at least not opposing, Islamophobic laws and practices in the name of opposing “terrorism”. They thereby collude in undercutting the fabric of rights, due process, and equality on which they too depend.¶ The Bush Doctrine rhetoric has succeeded in convincing most white Americans that “terrorists” pose a serious threat to their personal safety, and that the “war on terror” is necessary to protect them. Islamophobic language and values have seeped into the fiber of our daily lives. Bookstores now have “terrorism” sections, displaying some of the 5,036 mostly new books on the topic.15 Several U.S. colleges and universities now offer degrees in “homeland security.” Media images of “Arab extremists” have become routine.¶ Most Americans now believe that “terrorism” is such a big problem, that they should pay with their taxes, their freedoms, their decimated public services, and their children’s lives. In the summer of 2005, polls found that 79 percent of Americans believed that “the threat of terrorism against the U.S.” has increased or stayed about the same (Polling Report.com, 2005). Seventy-six percent thought “Osama bin Laden himself is currently planning a significant terrorist attack against the United States,” and 64 percent supported the Patriot Act. Sixty-four percent would be “willing to give up some of [their] personal freedom in order to reduce the threat of terrorism” (PollingReport.com, 2005). Almost half of all Americans “believe the U.S. government should restrict the civil liberties of Muslim-Americans” (Dean, 2005). In the wake of Hurricane Katrina and shocking revelations of torture at Abu Ghraib prison, however, popular support for the “war on terror” plummetted. In November, 2005, 55 percent of Americans disapproved of the way Bush is “dealing with the war on terrorism” (PollingReport.com, 2005).¶ 4.2. Which Side are you on?¶ Before 9-11, the anti-globalization movement had been rapidly gaining influence and unity worldwide. Opposition to U.S.-dominated institutions like the World Bank, the International Monetary Fund, the G-8, NATO and APEC, had succeeded in disrupting and exposing several of their gatherings. And in their place, the World Social Forum and other progressive people’s movements were demonstrating that indeed there are excellent alternatives to globalization and corporate rule.¶ The 9-11 “attacks” and the “war on terror” derailed these hopeful movements and imposed crippling constraints on dissent, democracy, and national sovereignty. Under cover of Islamophobic targetting of Muslims, the U.S. is waging war on all movements for social justice both domestically and internationally, using its new post 9-11 legislative powers and bloated military and policing budgets. Domestically, the Bush administration is attacking democracy, abortion rights, the judiciary, environmental protections, social security, public education, women’s rights, union rights, and civil rights (Dorhrn, 2003). Internationally, it pressures other nations to enact similar “anti-terror” laws and policies, as well as demanding that they open their economies to full U.S. corporate rule.¶ As Bernadette Dorhn points out: “The result is a chilling effect. That is to say, people around the targets back away, get silent, don’t stand up when they see the cost of simply expressing your opinion or even making a joke, let alone publicly objecting to what’s going on” (2003).¶ Many progressive groups oppose Islamophobia and support Muslim victims of U.S. and Israeli assaults. These include civil liberties associations, Amnesty International, Human Rights Watch, anti-Zionist Jewish and Christian groups, unions, peace groups, and student organizations like the Canadian Federation of Students. Secular, Jewish, and Christian groups have formed alliances with Palestinians and Iraqis in oppostion to the Israeli occupation of the West Bank. In the U.S. the Center for Constitutional Rights works to end arbitrary detention of Muslim detainees in Guantanamo Bay and elsewhere. In Canada, the Campaign to Stop Secret Trials in Canada has mobilized broad support for Muslim detainees and their rights.¶ However, even these groups have not dared to challenge the Islamophobic base of the “anti-terror” legislation, for fear of being called pro-terrorist. They are thereby left arguing that the particular individuals for whom they advocate aren’t terrorists, while implicitly condoning the myth that “real” terrorists are lurking in the shadows. But under the Bush Doctrine, all Muslims are presumed to be either current or potential terrorists, and their civil liberties have been sacrificed in the name of “national security”.¶ To defeat the Bush plot for world control, we will need to challenge Islamophobic fear of “terrorists”, to assert clearly that there is little substantive terrorist threat. What terrorism there is could better be addressed through criminal justice systems and international law. More importantly we need to insist that the U.S. desist from both overt preemptive wars and covert state-financed terrorism. The actual security of both Americans and all other people will be best served by ending the occupations of the West Bank, Iraq, and Afghanistan, and recognizing the right of all nations to self-determination (including oil policies). We need to stand in solidarity with all Muslims, regardless of their religious beliefs. At this juncture, Islamophobia is the key barrier to effective mobilization against the Bush regime.

### Warming

#### Liberal Institutions are critical to check warming – changing US policy brings us in line with multilateral institutions which enables the world to effectively deal with global warming.

#### Even a small rise in global temperature would lead to mass starvation despite CO2 fertilization resulting in extinction

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THE future consequences of global warming are the least known aspect of the problem. They are based on highly complex computer models that rely on inputs that are sometimes not well known or factors that may be completely unforeseen. Most models assume certain scenarios concerning the rise in greenhouse gases. Some assume that we continue to release them at the current rate of increase while others assume that we curtail greenhouse gas release to one degree or another. Furthermore, we are in completely unknown territory. The current greenhouse gas content of the atmosphere has not been as high in at least the past 650,000 years, and the rise in temperature has not been as rapid since civilization began some 10,000 years ago. What lies ahead for us is not completely understood, but it certainly will not be good, and it could be catastrophic. We know that relatively minor climatic events have had strong adverse effects on humanity, and some of these were mentioned in previous chapters. A recent example is the strong El Nin~o event of 1997-1998 that caused weather damage around the world totaling $100 billion: major flooding events in China, massive fires in Borneo and the Amazon jungle, and extreme drought in Mexico and Central America. That event was nothing compared to what lies in store for us in the future if we do nothing to curb global warming. We currently face the greatest threat to humanity since civilization began. This is the crucial, central question, but it is very difficult to answer (Mastrandea and Schneider, 2004). An even more important question is: "At what temperature and environmental conditions is a threshold crossed that leads to an abrupt and catastrophic climate change?'' It is not possible to answer that question now, but we must be aware that in our ignorance it could happen in the not too distant future. At least the question of a critical temperature is possible to estimate from studies in the current science literature. This has been done by the Potsdam Institute for Climate Impact Research, Germany's leading climate change research institute (Hare, 2005). According to this study, global warming impacts multiply and accelerate rapidly as the average global temperature rises. We are certainly beginning to see that now. According to the study, as the average global temperature anomaly rises to 1 °C within the next 25 years (it is already 0.6'C in the Northern Hemisphere), some specialized ecosystems become very stressed, and in some developing countries food production will begin a serious decline, water shortage problems will worsen, and there will be net losses in the gross domestic product (GDP). At least one study finds that because of the time lags between changes in radiative forcing we are in for a 1 °C increase before equilibrating even if the radiative forcing is fixed at today's level (Wetherald et al., 2001). It is apparently when the temperature anomaly reaches 2 °C that serious effects will start to come rapidly and with brute force (International Climate Change Taskforce, 2005). At the current rate of increase this is expected to happen sometime in the middle of this century. At that point there is nothing to do but try to adapt to the changes. Besides the loss of animal and plant species and the rapid exacerbation of our present problems, there are likely to be large numbers of hungry, diseased and starving people, and at least 1.5 billion people facing severe water shortages. GDP losses will be significant and the spread of diseases will be widespread (see below). We are only about 30 years away from the 440 ppm CO2 level where the eventual 2'C global average temperature is probable. When the temperature reaches 3 'C above today's level, the effects appear to become absolutely critical. At the current rate of greenhouse gas emission, that point is expected to be reached in the second half of the century. For example, it is expected that the Amazon rainforest will become irreversibly damaged leading to its collapse, and that the complete destruction of coral reefs will be widespread. As these things are already happening, this picture may be optimistic. As for humans, there will be widespread hunger and starvation with up to 5.5 billion people living in regions with large crop losses and another 3 billion people with serious water shortages. If the Amazon rainforest collapses due to severe drought it would result in decreased uptake of CO2 from the soil and vegetation of about 270 billion tons, resulting in an enormous increase in the atmospheric level of CO2. This, of course, would lead to even hotter temperatures with catastrophic results for civilization. A Regional Climate Change Index has been established that estimates the impact of global warming on various regions of the world (Giorgi, 2006). The index is based on four variables that include changes in surface temperature and precipitation in 2080-2099 compared to the period 1960-1979. All regions of the world are affected significantly, but some regions are much more vulnerable than others. The biggest impacts occur in the Mediterranean and northeastern European regions, followed by high-latitude Northern Hemisphere regions and Central America. Central America is the most affected tropical region followed by southern equatorial Africa and southeast Asia. Other prominent mid-latitude regions very vulnerable to global warming are eastern North America and central Asia. It is entirely obvious that we must start curtailing greenhouse gas emissions now, not 5 or 10 or 20 years from now. Keeping the global average temperature anomaly under 2'C will not be easy according to a recent report (Scientific Expert Group Report on Climate Change, 2007). It will require a rapid worldwide reduction in methane, and global CO2 emissions must level off to a concentration not much greater than the present amount by about 2020. Emissions would then have to decline to about a third of that level by 2100. Delaying action will only insure a grim future for our children and grandchildren. If the current generation does not drastically reduce its greenhouse gas emission, then, unfortunately, our grandchildren will get what we deserve. There are three consequences that have not been discussed in previous chapters but could have devastating impacts on humans: food production, health, and the economy. In a sense, all of these topics are interrelated, because they affect each other. Food Production Agriculture is critical to the survival of civilization. Crops feed not only us but also the domestic animals we use for food. Any disruption in food production means a disruption of the economy, government, and health. The increase in CO2 will result in some growth of crops, and rising temperatures will open new areas to crop production at higher latitudes and over longer growing seasons; however, the overall result will be decreased crop production in most parts of the world. A 1993 study of the effects of a doubling of CO2 (550 ppm) above pre-industrial levels shows that there will be substantial decreases in the world food supply (Rosenzweig et al., 1993). In their research they studied the effects of global warming on four crops (wheat, rice, protein feed, and coarse grain) using four scenarios involving various adaptations of crops to temperature change and CO2 abundance. They found that the amount of world food reduction ranged from 1 to 27%. However, the optimistic value of 1% is almost certainly much too low, because it assumed that the amount of degradation would be offset by more growth from "CO2 fertilization." We now know that this is not the case, as explained below and in Chapter 7. The most probable value is a worldwide food reduction between 16 and 27%. These scenarios are based on temperature and CO2 rises that may be too low, as discussed in Chapter 7. However, even a decrease in world food production of 16% would lead to large-scale starvation in many regions of the world. Large-scale experiments called Free-Air Concentration Enrichment have shown that the effects of higher CO2 levels on crop growth is about 50% less than experiments in enclosure studies (Long et al., 2006). This shows that the projections that conclude that rising CO2 will fully offset the losses due to higher temperatures are wrong. The downside of climate change will far outweigh the benefits of increased CO2 and longer growing seasons. One researcher (Prof. Long) from the University of Illinois put it this way: Growing crops much closer to real conditions has shown that increased levels of carbon dioxide in the atmosphere will have roughly half the beneficial effects previously hoped for in the event of climate change. In addition, ground-level ozone, which is also predicted to rise but has not been extensively studied before, has been shown to result in a loss of photosynthesis and 20 per cent reduction in crop yield. Both these results show that we need to seriously re-examine our predictions for future global food production, as they are likely to be far lower than previously estimated. Also, studies in Britain and Denmark show that only a few days of hot temperatures can severely reduce the yield of major food crops such as wheat, soy beans, rice, and groundnuts if they coincide with the flowering of these crops. This suggests that there are certain thresholds above which crops become very vulnerable to climate change. The European heat wave in the summer of 2003 provided a large-scale experiment on the behavior of crops to increased temperatures. Scientists from several European research institutes and universities found that the growth of plants during the heat wave was reduced by nearly a third (Ciais et al., 2005). In Italy, the growth of corn dropped by about 36% while oak and pine had a growth reduction of 30%. In the affected areas of the mid- west and California the summer heat wave of 2006 resulted in a 35% loss of crops, and in California a 15% decline in dairy production due to the heat-caused death of dairy cattle. It has been projected that a 2 °C rise in local temperature will result in a $92 million loss to agriculture in the Yakima Valley of Washington due to the reduction of the snow pack. A 4'C increase will result in a loss of about $163 million. For the first time, the world's grain harvests have fallen below the consumption level for the past four years according to the Earth Policy Institute (Brown, 2003). Furthermore, the shortfall in grain production increased each year, from 16 million tons in 2000 to 93 million tons in 2003. These studies were done in industrialized nations where agricultural practices are the best in the world. In developing nations the impact will be much more severe. It is here that the impact of global warming on crops and domestic animals will be most felt. In general, the world's most crucial staple food crops could fall by as much as one-third because of resistance to flowering and setting of seeds due to rising temperatures. Crop ecologists believe that many crops grown in the tropics are near, or at, their thermal limits. Already research in the Philippines has linked higher night-time temperatures to a reduction in rice yield. It is estimated that for rice, wheat, and corn, the grain yields are likely to decline by 10% for every local 1 °C increase in temperature. With a decreasing availability of food, malnutrition will become more frequent accompanied by damage to the immune system. This will result in a greater susceptibility to spreading diseases. For an extreme rise in global temperature (> 6 'C), it is likely that worldwide crop failures will lead to mass starvation, and political and economic chaos with all their ramifications for civilization.

### Liberalism Good

#### Ikenberry evidence outlines how the world operates – Liberal institutions define global interactions and unilateralism is inevitably going to collapse – conflict is inevitable unless institutions are maintained – supporting alliances and multilateralism is critical – the alternative is global escalating conflicts

#### **Broad indicts of epistemology don’t take out our impacts – you should weigh specific evidence to get closer to the truth**

Kratochwil, professor of international relations – European University Institute, ‘8 (Friedrich, “The Puzzles of Politics,” pg. 200-213)

In what follows, I claim that the shift in focus from “demonstration” to science as practice provides strong prima facie reasons to choose pragmatic rather than traditional epistemological criteria in social analysis. Irrespective of its various forms, the epistemological project includes an argument that all warranted knowledge has to satisfy certain field- independent criteria that are specified by philosophy (a “theory of know- ledge”). The real issue of how our concepts and the world relate to each other, and on which non-idiosyncratic grounds we are justified to hold on to our beliefs about the world, is “answered” by two metaphors. The first is that of an inconvertible ground, be it the nature of things, certain intuitions (Des- cartes’ “clear and distinct ideas”) or methods and inferences; the second is that of a “mirror” that shows what is the case. There is no need to rehearse the arguments demonstrating that these under- lying beliefs and metaphors could not sustain the weight placed upon them. A “method” à la Descartes could not make good on its claims, as it depended ultimately on the guarantee of God that concepts and things in the outer world match. On the other hand, the empiricist belief in direct observation forgot that “facts” which become “data” are – as the term suggests – “made”. They are based on the judgements of the observer using cultural criteria, even if they appear to be based on direct perception, as is the case with colours.4 Besides, there had always been a sneaking suspicion that the epistemo- logical ideal of certainty and rigour did not quite fit the social world, an objection voiced first by humanists such as Vico, and later rehearsed in the continuing controversies about erklären and verstehen (Weber 1991; for a more recent treatment see Hollis 1994). In short, both the constitutive nature of our concepts, and the value interest in which they are embedded, raise peculiar issues of meaning and contestation that are quite different from those of description. As Vico (1947) suggested, we “understand” the social world because we have “made it”, a point raised again by Searle concerning both the crucial role played by ascriptions of meaning (x counts for y) in the social world and the distinction between institutional “facts” from “brute” or natural facts (Searle 1995). Similarly, since values are constitutive for our “interests”, the concepts we use always portray an action from a certain point of view; this involves appraisals and prevents us from accepting allegedly “neutral” descriptions that would be meaningless. Thus, when we say that someone “abandoned” another person and hence communicate a (contestable) appraisal, we want to call attention to certain important moral implica- tions of an act. Attempting to eliminate the value-tinge in the description and insisting that everything has to be cast in neutral, “objective”, observational language – such as “he opened the door and went through it” – would indeed make the statement “pointless”, even if it is (trivially) “true” (for a powerful statement of this point, see Connolly 1983). The most devastating attack on the epistemological project, however, came from the history of science itself. It not only corrected the naive view of knowledge generation as mere accumulation of data, but it also cast increasing doubt on the viability of various field-independent “demarcation criteria”. This was, for the most part, derived from the old Humean argument that only sentences with empirical content were “meaningful”, while value statements had to be taken either as statements about individual preferences or as meaningless, since de gustibus non est disputandum. As the later dis- cussion in the Vienna circle showed, this distinction was utterly unhelpful (Popper 1965: ch. 2). It did not solve the problem of induction, and failed to acknowledge that not all meaningful theoretical sentences must correspond with natural facts. Karl Popper’s ingenious solution of making “refutability” the logical cri- terion and interpreting empirical “tests” as a special mode of deduction (rather than as a way of increasing supporting evidence) seemed to respond to this epistemological quandary for a while. An “historical reconstruction” of science as a progressive development thus seemed possible, as did the specification of a pragmatic criterion for conducting research. Yet again, studies in the history of science undermined both hopes. The different stages in Popper’s own intellectual development are, in fact, rather telling. He started out with a version of conjectures and refutations that was based on the notion of a more or less self-correcting demonstration. Con- fronted with the findings that scientists did not use the refutation criterion in their research, he emphasised then the role of the scientific community on which the task of “refutation” devolved. Since the individual scientist might not be ready to bite the bullet and admit that she or he might have been wrong, colleagues had to keep him or her honest. Finally, towards the end of his life, Popper began to rely less and less on the stock of knowledge or on the scientists’ shared theoretical understandings – simply devalued as the “myth of the framework” – and emphasised instead the processes of communica- tion and of “translation” among different schools of thought within a scien- tific community (Popper 1994). He still argued that these processes follow the pattern of “conjecture and refutation”, but the model was clearly no longer that of logic or of scientific demonstration, but one that he derived from his social theory – from his advocacy of an “open society” (Popper 1966). Thus a near total reversal of the ideal of knowledge had occurred. While formerly everything was measured in terms of the epistemological ideal derived from logic and physics, “knowledge” was now the result of deliberation and of certain procedural notions for assessing competing knowledge claims. Politics and law, rather than physics, now provided the template. Thus the history of science has gradually moved away from the epistemo- logical ideal to focus increasingly on the actual practices of various scientific communities engaged in knowledge production, particularly on how they handle problems of scientific disagreement.5 This reorientation implied a move away from field-independent criteria and from the demonstrative ideal to one in which “arguments” and the “weight” of evidence had to be appraised. This, in turn, not only generated a bourgeoning field of “science studies” and their “social” epistemologies (see Fuller 1991), but also suggested more generally that the traditional understandings of knowledge production based on the model of “theory” were in need of revision. If the history of science therefore provides strong reasons for a pragmatic turn, as the discussion above illustrates, what remains to be shown is how this turn relates to the historical, linguistic and constructivist turns that preceded it. To start with, from the above it should be clear that, in the social world, we are not dealing with natural kinds that exist and are awaiting, so to speak, prepackaged, their placement in the appropriate box. The objects we investi- gate are rather conceptual creations and they are intrinsically linked to the language through which the social world is constituted. Here “constructivists”, particularly those influenced by Wittgenstein and language philosophy, easily link up with “pragmatists” such as Rorty, who emphasises the product- ive and pragmatic role of “vocabularies” rather than conceiving of language as a “mirror of nature” (Rorty 1979). Furthermore, precisely because social facts are not natural, but have to be reproduced through the actions of agents, any attempt to treat them like “brute” facts becomes doubly problematic. For one, even “natural” facts are not simply “there”; they are interpretations based on our theories. Secondly, different from the observation of natural facts, in which perceptions address a “thing” through a conceptually mediated form, social reality is entirely “arti- ficial” in the sense that it is dependent on the beliefs and practices of the actors themselves. This reproductive process, directed by norms, always engenders change either interstitially, when change is small-scale or adaptive – or more dramatically, when it becomes “transformative” – for instance when it produces a new system configuration, as after the advent of national- ism (Lapid and Kratochwil 1995) or after the demise of the Soviet Union (Koslowski and Kratochwil 1994). Consequently, any examination of the social world has to become in a way “historical” even if some “structuralist” theories attempt to minimise this dimension. [. . .] Therefore a pragmatic approach to social science and IR seems both necessary and promising. On the one hand, it is substantiated by the failure of the epistemological project that has long dominated the field. On the other, it offers a different positive heuristics that challenges IR’s traditional disciplin- ary boundaries and methodological assumptions. Interest in pragmatism therefore does not seem to be just a passing fad – even if such an interpre- tation cannot entirely be discounted, given the incentives of academia to find, just like advertising agencies, “new and improved” versions of familiar products.

#### The alternative collapses political dialogue which turns the K

Charles Paul Freund (Reason magazine) December 2001 “The end of the Orientalist critique” http://www.travelbrochuregraphics.com/extra/2001\_nights\_the\_end\_of\_the\_orientalist\_critique.htm

But that’s supposing one can subtract the consumer from the Orientalist trade. Sometimes one cannot. The case against the stereotyping of Arab TV characters as either violent or vulgar, for example—best made by Jack Shaheen in a plain-English study titled The TV Arab (1984)—is undeniable, and is an effective indictment of both the producers and the consumers of such stereotypes. But one doesn’t require either Said or Lacan to make such a case; Shaheen mentions neither. By contrast, the Orientalist critique has built its imposing edifice on the problematic roles played by the "exotic" and the "erotic" in the West’s imagination. To those critics, these are entrances to vicarious power over Islam, and exhibits of guilt. Those who actually consumed works steeped in the exotic and erotic, however, may have regarded them as exits from the ordinary, including the ordinary Middle East. The Orientalist cultural critique may well have begun with the rich narrative of the West’s imperial fantasies. It may just as well be continuing with the equally rich fantasies of the academe. However important the implications of the Orientalist critique of culture, its effect on Western political discourse has become more immediately consequential. We have already acknowledged at least one praiseworthy consequence that can be attributed, in part, to the critique: the banishing of negative stereotyping and tendentious demonizing from coverage and discussion of the mass murders in New York and Washington. But what has taken the place of stereotyping and demonization? Unfortunately, it has not been an understanding of the relationship between the West and the world from which the murderers emerged; it is, rather, a denial of any relationship at all. Indeed, it is a denial that the murderers have emerged from an identifiable world. The murderers have regularly been portrayed by media and political figures as isolated fanatics whose actions and motives are at odds with mainstream Islam, which is invariably praised in fulsome terms. There is certainly no denying the many striking aspects of Islam, which in its 14 centuries has generated and nurtured a particularly appealing mystical tradition (Sufism), an enormous and often breathtaking body of poetry, and a history of tolerance that, despite some notorious exceptions, is nonetheless a good deal more impressive than was Christendom’s record prior to the secularization of Western societies. But locating Islam’s contemporary mainstream is not a simple task, and cannot be accomplished in the subordinate clause of a Times op-ed piece. That mainstream is a matter of continuing contention within the Islamic community, itself divided into major sects and riven by competing teachings. Indeed, the history of Islam, like the history of Christianity, can be read as a struggle over orthodoxy. Early in Islam’s history, for example, orthodoxy was strongly influenced by the Greek rationalist texts being translated by Islamic scholars. Caliphs adhering to this rationalist Mu’tazilite tradition actually subjected fundamentalist theologians to an inquisition in an attempt to wipe them out. Today, a major contender for orthodoxy is the 250-year-old Wahhabi movement, a puritanical and confrontationist interpretation whose spread through the Islamic community, in the United States and elsewhere, is being underwritten by the wealth of the Saudi regime. In any event, it is futile for the president, the attorney general, or The Washington Post to pronounce on Islam’s mainstream; that is a pressing issue that Muslims themselves must now confront and determine. (Deciding for Muslims what the Koran means is in fact an aspect of true Orientalism.) Worse, the attempt by Western elites to define Islam actually obscures the situation in which the United States and the West find themselves. That is because one of the major factions contending for that mainstream has been the "Islamist" movement. This movement rejects secularism and conceives of Islam as a political ideology as well as a source of faith. An attempt to grapple with modernity, the movement dates back to the 1940s, and has achieved power in Iran and elsewhere. In recent decades, adherents in Algeria, Egypt, and Saudi Arabia have adopted violent means to destabilize the current regimes and bring themselves to power. Their intent is to effect a utopian revolution in social values. The primary enemy of many Islamists is the United States, not only for its alliance with Israel, but because America’s seductive and pervasive secular culture undermines their revolutionary goals. Islamism is not a simple phenomenon; it takes many forms. But those who perpetrated the murders of September 11 are adherents, as are many of those who welcomed the news of so many American deaths, whether in open celebration or in a private sense of solidarity with the attackers. It is obviously vital for Americans—emphatically including American Muslims, hundreds of whom were killed in New York—to confront that form of Islamism that is not merely opposed to aspects of American policy, but has so utterly dehumanized the citizens of the West. That is where the Orientalist political critique becomes significant. Its practitioners have spent a quarter-century sifting through the sins committed by the West against the East, a rich and often ugly lode. But the critique’s point has never been to clarify and improve relations and mutual perceptions. For many critics, the point has been to condemn the West, often by dissecting its imagination. As for examining the East’s imagination, to see if it too was cluttered with stereotypes, misconceptions, or other detrimental concepts, that simply was never a sustained part of the critique. Worse, if other scholars did inquire into the dehumanizing trends that may have been present in the East, those scholars were likely to be labeled "Orientalists," an epithet that eventually became tantamount to "racist," and which served to marginalize them in the world of respectable scholarship. This has turned out to be an agenda with consequences. What makes those consequences worth pondering is what made the critique both pressing and valuable to begin with. That is, Orientalist issues were worth addressing not only for their own sake, but because the East-West encounter has been increasingly problematic for the United States and the nations of the East, with explosive political, military, economic, and cultural dimensions for them all. If the critique could have provided a better conceptual framework for addressing those issues, it would have been the right critique at the right time. But if the critique merely devised a one-sided apologia about Western sins and sinners without addressing similar issues in the East, then it would have proved merely another adventure in failed left-intellectual rationalization. Worse, if the critique ended up marginalizing or even delegitimizing others who did attempt to address the East’s potential problems, it would have left its subject in a poorer state than it found it. It would have helped shape a West debilitated by guilt about its past, yet with no useful framework for understanding those who hate Westerners enough to murder them en masse. Given acts of mass murder by persons whom Reuters News Service refuses to term "terrorists," given a president who seeks inclusiveness while surrounding himself with various controversial Muslim spokesmen, given an intellectual class here and abroad that has been suggesting empathy with mass murderers, the West’s conceptual approach to this crisis is at least open to question.

#### The only scenario for engagement is through the aff – the alt essentializes engagement and replicates the problems of the squo

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Edward Said changed the way western universities approach the study of other cultures — mostly for the better. "Orientalist" soon became a dirty word but, over time, lost much of its meaning and turned into an insult that bickering academics hurl at each other for no good reason. Then came the Bush administration to remind us what orientalism is really about. In 2002, Raphael Patai's racist tome, The Arab Mind — published two years before orientalism and deservedly forgotten — was suddenly dusted off, reprinted, espoused by the neocons and used to "educate" US army officers before sending them to fight in Iraq. For Edward Said, the invasion of Iraq reinforced his argument: "Without a well-organised sense that these people [Iraqis] over there were not like 'us' and didn't appreciate 'our' values — the very core of traditional orientalist dogma — there would have been no war." In the aftermath of the invasion, and just a few weeks before his death, he wrote: Today bookstores in the US are filled with shabby screeds bearing screaming headlines about Islam and terror, Islam exposed, the Arab threat and the Muslim menace, all of them written by political polemicists pretending to knowledge imparted to them and others by experts who have supposedly penetrated to the heart of these strange oriental peoples. Accompanying such war-mongering expertise have been CNN and Fox, plus myriad evangelical and rightwing radio hosts, innumerable tabloids and even middle-brow journals, all of them recycling the same unverifiable fictions and vast generalisations so as to stir up America against the foreign devil. If the Iraq war achieved nothing else, it did at least remind us that orientalism can serve as the cultural arm of western imperialism. But is it always so? Orientalism, for Said, was a one-way process — "us" otherising "them" — though, as he seemed to acknowledge towards the end of his life, it's actually a lot more complicated than that. Today, you can find orientalist paintings of the kind Said despised on sale in London at private galleries in Knightsbridge, where wealthy Gulf Arabs, who view them not as offensive but as nostalgic evocations of their culture, snap them up. Meanwhile, Egypt and Morocco flog orientalism to western tourists. For 150 quid on easyJet, you can fly to Marrakesh and become a latter-day Freya Stark or Wilfred Thesiger. The locals happily play along with it, dressing up in colourful clothes to sell their exotic wares before going home to watch TV and count their profits. In 1978 it was scarcely imaginable that large numbers of Arabs and Muslims would one day reclaim orientalism for themselves and, far from objecting to being designated as "the other", would turn it into a badge of honour. That, basically, is what happened. Islamists and Arab traditionalists have embraced a kind of reverse orientalism that caricatures and stereotypes "the west" while espousing "traditional" (sometimes newly-invented) "Arab-Islamic" values. This feeds into identity politics: women wearing hijab not — as in the past — as a sign of modesty, but as an assertion of identity; jihadists wearing watches on their right wrists to distinguish themselves from the unbelievers who wear them on the left. It feeds, too, into arguments about moral relativism: excusing human rights abuses in the name of cultural authenticity. For journalists and others who write about the Middle East, orientalism poses some tricky questions. Deep down — east and west — our similarities heavily outweigh the differences. We're all human beings with human thoughts and emotions. But differences do exist and, even if they are small, they can sometimes be very important. It is the business of journalists to write about them. Said's work is often interpreted by his disciples as meaning that no westerner has a right to scrutinise these societies or criticise — because that would be "cultural imperialism". Personally, I don't think that's what Said meant. In one of his final articles he explained: There is a difference between knowledge of other peoples and other times that is the result of understanding, compassion, careful study and analysis for their own sakes, and on the other hand knowledge that is part of an overall campaign of self-affirmation. There is, after all, a profound difference between the will to understand for purposes of coexistence and enlargement of horizons, and the will to dominate for the purposes of control.

## 1AR

### Perm

#### Multilateralism solves the link – it allows revisability within dominant institutions

Pedersen, ‘08(Carl, Adjunct Professor at the Copenhagen Business School, “United States foreign policy and national identity in the 21st century” ed. Kenneth Christie, p. 31-32)

The difference between an Edwin Hillandale and an Alden Pyle is, I would contend, the difference between a cosmopolitan and a nativist view of national identity and by extension of the United States and the world. There are indications that the US foreign policy and military establishments have **learned from past mistakes** and are **recognizing the need for a deeper understanding** of the trouble spots in the world. Since cosmopolitanism is, according to Sen and Appiah, based on multiple identities and cultural contamination, new immigrants that maintain social networks with their countries of origin could prove invaluable in formulating policy, gathering intelligence, and fighting the war on terrorism. The convergence of the failure of unilateralism, based in part on a nativist worldview, and factors promoting cosmopolitanism **can lead to new ways of thinking about US foreign policy**. Francis Fukuyama, author of the triumphalist tract *The End of History* (1989) that exhibited all the hallmarks of a myopic neonativist sensibility in its argument that liberal democracy had reached a zenith with the demise of the Soviet Union, had, five years after 9/11, become disillusioned with the neoconservative project that he so warmly endorsed. In *America at the Crossroads* (2006), he looked back longingly to the period immediately after World War II, when the United States, the most powerful nation on earth, forged entangling alliances with European nations and was instrumental in creating a host of multilateral institutions. Fukuyama renounced Bush’s unilateralism in favor of what he called a multi-multilateral foreign policy composed of overlapping international institutions. Fukuyama’s vision for a new US foreign policy for the twenty-first century bears some resemblance to the kind of liberal internationalism proposed by Roosevelt and Winston Churchill in the Atlantic Charter in 1941 and consolidated at the end of the war with the Bretton Woods agreement, the establishment of the United Nations, and the Nuremberg trials. What Elizabeth Borgwardt calls the Zeitgeist of 1945, which she defines as a “new spirit” that “produced a brief vogue for all things multilateral and cosmopolitan” **may well animate US foreign policy**

in the twenty-first century. The spirit of multilateralism that prevailed in the immediate postwar period was, according to the journalist E.B. White, directly linked to “the successful model of America’s polyglot, overpopulated cities.”

### Alt

#### Orientalist critiques obscurity prevents infusion into the public sphere

Charles Paul Freund (Reason magazine) December 2001 “The end of the Orientalist critique” http://www.travelbrochuregraphics.com/extra/2001\_nights\_the\_end\_of\_the\_orientalist\_critique.htm

On the other hand, the practitioners of the Orientalist critique, having enjoyed an early triumph, have spent the past quarter-century obscuring its original power by marrying it to such fields as Lacanian psychoanalysis (in which, for example, racism becomes fetishism) or else reformulating its original argument on ever more trivial grounds. While Said and many of his early followers approached their subject as public intellectuals seeking to persuade a general audience, later practitioners have pursued the matter as academics, writing in thick postmodern jargon and producing works that sit unread on research library shelves. Significantly, Said attempted to add more nuance to the thesis in his 1993 work Culture & Imperialism, arguing that a simple, binary East vs. West approach to such complex issues is after all a reworking of the "us vs. them" imperial worldview. Nobody paid much attention to him. The result is a project that appears increasingly ossified, if not something worse.

### warming

#### Not too late – every reduction key

Nuccitelli 12

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We're not yet committed to surpassing 2°C global warming, but as Watson noted, we are quickly running out of time to realistically give ourselves a chance to stay below that 'danger limit'. However, 2°C is not a do-or-die threshold. Every bit of CO2 emissions we can reduce means that much avoided future warming, which means that much avoided climate change impacts. As Lonnie Thompson noted, the more global warming we manage to mitigate, the less adaption and suffering we will be forced to cope with in the future. Realistically, based on the current political climate (which we will explore in another post next week), limiting global warming to 2°C is probably the best we can do. However, there is a big difference between 2°C and 3°C, between 3°C and 4°C, and anything greater than 4°C can probably accurately be described as catastrophic, since various tipping points are expected to be triggered at this level. Right now, we are on track for the catastrophic consequences (widespread coral mortality, mass extinctions, hundreds of millions of people adversely impacted by droughts, floods, heat waves, etc.). But we're not stuck on that track just yet, and we need to move ourselves as far off of it as possible by reducing our greenhouse gas emissions as soon and as much as possible. There are of course many people who believe that the planet will not warm as much, or that the impacts of the associated climate change will be as bad as the body of scientific evidence suggests. That is certainly a possiblity, and we very much hope that their optimistic view is correct. However, what we have presented here is the best summary of scientific evidence available, and it paints a very bleak picture if we fail to rapidly reduce our greenhouse gas emissions. If we continue forward on our current path, catastrophe is not just a possible outcome, it is the most probable outcome. And an intelligent risk management approach would involve taking steps to prevent a catastrophic scenario if it were a mere possibility, let alone the most probable outcome. This is especially true since the most important component of the solution - carbon pricing - can be implemented at a relatively low cost, and a far lower cost than trying to adapt to the climate change consequences we have discussed here (Figure 4).

#### The state is inevitable and an indispensable part of the solution to warming

Eckersley 4 Robyn, Reader/Associate Professor in the Department of Political Science at the University of Melbourne, “The Green State: Rethinking Democracy and Sovereignty”, MIT Press, 2004, Google Books, pp. 3-8

While acknowledging the basis for this antipathy toward the nation- state, and the limitations of state-centric analyses of global ecological degradation, I seek to draw attention to the positive role that states have played, and might increasingly play, in global and domestic politics. Writing more than twenty years ago, Hedley Bull (a proto-constructivist and leading writer in the English school) outlined the state's positive role in world affairs, and his arguments continue to provide a powerful challenge to those who somehow seek to "get beyond the state," as if such a move would provide a more lasting solution to the threat of armed conflict or nuclear war, social and economic injustice, or environmental degradation.10 As Bull argued, given that the state is here to stay whether we like it or not, then the call to get "beyond the state is a counsel of despair, at all events if it means that we have to begin by abolishing or subverting the state, rather than that there is a need to build upon it.""¶ In any event, rejecting the "statist frame" of world politics ought not prohibit an inquiry into the emancipatory potential of the state as a crucial "node" in any future network of global ecological governance. This is especially so, given that one can expect states to persist as major sites of social and political power for at least the foreseeable future and that any green transformations of the present political order will, short of revolution, necessarily be state-dependent. Thus, like it or not, those concerned about ecological destruction must contend with existing institutions and, where possible, seek to "rebuild the ship while still at sea." And if states are so implicated in ecological destruction, then an inquiry into the potential for their transformation even their modest reform into something that is at least more conducive to ecological sustainability would seem to be compelling.¶ Of course, it would be unhelpful to become singularly fixated on the redesign of the state at the expense of other institutions

of governance. States are not the only institutions that limit, condition, shape, and direct political power, and it is necessary to keep in view the broader spectrum of formal and informal institutions of governance (e.g., local, national, regional, and international) that are implicated in global environmental change. Nonetheless, while the state constitutes only one modality of political power, it is an especially significant one because of its historical claims to exclusive rule over territory and peoples—as expressed in the principle of state sovereignty. As Gianfranco Poggi explains, the political power concentrated in the state "is a momentous, pervasive, critical phenomenon. Together with other forms of social power, it constitutes an indispensable medium for constructing and shaping larger social realities, for establishing, shaping and maintaining all broader and more durable collectivities."12 States play, in varying degrees, significant roles in structuring life chances, in distributing wealth, privilege, information, and risks, in upholding civil and political rights, and in securing private property rights and providing the legal/regulatory framework for capitalism. Every one of these dimensions of state activity has, for good or ill, a significant bearing on the global environmental crisis. Given that the green political project is one that demands far-reaching changes to both economies and societies, it is difficult to imagine how such changes might occur on the kind of scale that is needed without the active support of states. While it is often observed that states are too big to deal with local ecological problems and too small to deal with global ones, the state nonetheless holds, as Lennart Lundqvist puts it, "a unique position in the constitutive hierarchy from individuals through villages, regions and nations all the way to global organizations. The state is inclusive of lower political and administrative levels, and exclusive in speaking for its whole territory and population in relation to the outside world."13 In short, it seems to me inconceivable to advance ecological emancipation without also engaging with and seeking to transform state power.¶ Of course, not all states are democratic states, and the green movement has long been wary of the coercive powers that all states reputedly enjoy. Coercion (and not democracy) is also central to Max Weber's classic sociological understanding of the state as "a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory."14 Weber believed that the state could not be defined sociologically in terms of its ends\* only formally as an organization in terms of the particular means that are peculiar to it.15 Moreover his concept of legitimacy was merely concerned with whether rules were accepted by subjects as valid (for whatever reason); he did not offer a normative theory as to the circumstances when particular rules ought to be accepted or whether beliefs about the validity of rules were justified. Legitimacy was a contingent fact, and in view of his understanding of politics as a struggle for power in the context of an increasingly disenchanted world, likely to become an increasingly unstable achievement.16¶ In contrast to Weber, my approach to the state is explicitly normative and explicitly concerned with the purpose of states, and the democratic basis of their legitimacy. It focuses on the limitations of liberal normative theories of the state (and associated ideals of a just constitutional arrangement), and it proposes instead an alternative green theory that seeks to redress the deficiencies in liberal theory. Nor is my account as bleak as Weber's. The fact that states possess a monopoly of control over the means of coercion is a most serious matter, but it does not necessarily imply that they must have frequent recourse to that power. In any event, whether the use of the state's coercive powers is to be deplored or welcomed turns on the purposes for which that power is exercised, the manner in which it is exercised, and whether it is managed in public, transparent, and accountable ways—a judgment that must be made against a background of changing problems, practices, and under- ~~standings~~. The coercive arm of the state can be used to "bust" political demonstrations and invade privacy. It can also be used to prevent human rights abuses, curb the excesses of corporate power, and protect the environment.¶ In short, although the political autonomy of states is widely believed to be in decline, there are still few social institution that can match the same degree of capacity and potential legitimacy that states have to redirect societies and economies along more ecologically sustainable lines to address ecological problems such as global warming and pollution, the buildup of toxic and nuclear wastes and the rapid erosion of the earth's biodiversity. States—particularly when they act collectively—have the capacity to curb the socially and ecologically harmful consequences of capitalism. They are also more amenable to democratization than cor- porations, ~~notwithstanding~~ the ascendancy of the neoliberal state in the increasingly competitive global economy. There are therefore many good reasons why green political theorists need to think not only critically but also constructively about the state and the state system. While the state is certainly not "healthy" at the present historical juncture, in this book I nonetheless join Poggi by offering "a timid two cheers for the old beast," at least as a potentially more significant ally in the green cause.17