# 1NC

### 1

#### Text: The Executive branch of the United States should release individuals in military detention who have won their habeas corpus hearings.

#### CP solves the aff

Posner 13

(Eric Posner, a professor at the University of Chicago Law School, is a co-author of The Executive Unbound: After the Madisonian Republic and Climate Change Justice, “President Obama Can Shut Guantanamo Whenever He Wants” May 2, 2013, <http://www.slate.com/articles/news_and_politics/view_from_chicago/2013/05/president_obama_can_shut_guantanamo_whenever_he_wants_to.html>, )

The NDAA does not, however, ban the president from releasing detainees. Section 1028 authorizes him to release them to foreign countries that will accept them—the problem is that most countries won’t, and others, like Yemen, where about 90 of the 166 detainees are from, can’t guarantee that they will maintain control over detainees, as required by the law.¶ There is another section of the NDAA, however, which has been overlooked. In section 1021(a), Congress “affirms” the authority of the U.S. armed forces under the AUMF to detain members of al-Qaida and affiliated groups “pending disposition under the law of war.” Section 1021(c)(1) further provides that “disposition under the law of war” includes “Detention under the law of war without trial until the end of the hostilities authorized by” the AUMF. Thus, when hostilities end, the detainees may be released.¶ The president has the power to end the hostilities with al-Qaida—simply by declaring their end. This is not a controversial sort of power. Numerous presidents have ended hostilities without any legislative action from Congress—this happened with the Vietnam War, the Korean War, World War II, and World War I. The Supreme Court has confirmed that the president has this authority.

### 2

#### Interpretation and violation

#### Restrictions are prohibitions --- the aff is distinct

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

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

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

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

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

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

#### Restrictions on authority are distinct from conditions

William Conner 78, former federal judge for the United States District Court for the Southern District of New York United States District Court, S. D. New York, CORPORACION VENEZOLANA de FOMENTO v. VINTERO SALES, http://www.leagle.com/decision/19781560452FSupp1108\_11379

Plaintiff next contends that Merban was charged with notice of the restrictions on the authority of plaintiff's officers to execute the guarantees. Properly interpreted, the "conditions" that had been imposed by plaintiff's Board of Directors and by the Venezuelan Cabinet were not "restrictions" or "limitations" upon the authority of plaintiff's agents but rather conditions precedent to the granting of authority. Essentially, then, plaintiff's argument is that Merban should have known that plaintiff's officers were not authorized to act except upon the fulfillment of the specified conditions.

#### Vote neg---

#### Neg ground---only prohibitions on particular authorities guarantee links to every core argument like flexibility and deference

#### Limits---there are an infinite number of small hoops they could require the president to jump through---overstretches our research burden

### 3

#### Obama will secure short-term relief from new sanctions - this week is key – solves Iranian prolif

PTI 11-13-13 (“New sanctions risk war with Iran: US,” <http://www.indianexpress.com/news/new-sanctions-risk-war-with-iran-us/1194450/2>, CMR)

The White House has warned lawmakers that tightening sanctions on Iran could push the US on a "march to war" and derail a diplomatic push to limit Tehran's nuclear programme. "The American people do not want a march to war," White House spokesman Jay Carney said on Tuesday. The US, Britain, China, France, Germany, Iran and Russia will send top nuclear negotiators to Geneva next week to see whether they can push for a transparent nuclear programme in Iran. "This is a decision to support diplomacy and a possible peaceful resolution to this issue," Carney said. Iran maintains that its uranium enrichment is for energy production and medical research, not for any covert military objective. But until the recent election of President Hassan Rouhani, it refused to compromise in talks with world powers. Carney said Americans "justifiably and understandably prefer a peaceful solution that prevents Iran from obtaining a nuclear weapon, and this agreement, if it's achieved, has the potential to do that". Responding to Rouhani's promise of flexibility, President Barack Obama is keen on securing a diplomatic agreement. His telephone chat with Rouhani in September was the first direct conversation between US and Iranian leaders in more than three decades. The unprecedented outreach has angered US allies like Israel. "The alternative is military action," Carney said. "It is important to understand that if pursuing a resolution diplomatically is disallowed or ruled out, what options then do we and our allies have to prevent Iran from acquiring a nuclear weapon?" Carney said. "The American people should not be forced to choose between military action and a bad deal that accepts a nuclear Iran," he said. US Secretary of State John Kerry will take the administration's position directly to the Senate Banking Committee, which is mulling a new sanctions package against Iran. "The secretary will be clear that putting new sanctions in place would be a mistake," State Department spokeswoman Jen Psaki said. "What we are asking for right now is a pause, a temporary pause in sanctions," she told reporters. "We are not rolling them back." A House committee, meanwhile, held a hearing to vent its frustration with Kerry and an Obama administration, who they believe should adopt a far tougher line with Tehran. The Republican-led House of Representatives has already passed a bill to harden up the sanctions, but the Senate agreed to delay further action to allow diplomacy a chance to succeed.

#### Plan gets politicized –GOP will see blood in the water and strike

Daniel Klaidman, “How Gitmo Imprisoned Obama,” DAILY BEAST, 5—15—13.

But one of his very first tactical moves on Guantánamo backfired spectacularly. Obama’s plan to bring to the United States a handful of detainees—Chinese Uighurs who were cleared by the courts—caused a political furor. Obama pulled the plug on the plan, and Congress soon began passing measures to restrict transfers out of Gitmo. For Obama’s political advisers, the episode demonstrated that the toxic politics of terrorism could overwhelm the administration’s domestic agenda; for civil libertarians, it was an ominous sign that Obama lacked the political will to aggressively engage Congress on one of their core concerns. Even some of Obama’s top national-security aides were frustrated with the White House’s timid approach toward Congress. John Brennan—then Obama’s counterterrorism czar, now his CIA chief—believed the administration needed to show more backbone in its dealings with Congress, according to a source who spoke with him at the time. Brennan’s outrage was fueled by the knowledge that many detainees, who were still at Guantánamo after years of detention, had no record of terrorism. Christoph Bangert/Laif/Redux Former Gitmo detainee Abdul Salam Zaeef. A few weeks after the Uighur debacle, Obama made his first attempt to save his faltering Guantánamo policy: in a sweeping address at the National Archives, he laid out a detailed plan for closing the prison. But in the end, however eloquent, it was only a speech. It did not, in any measurable way, push the policy forward. Things only got worse from there. On Christmas Day 2009, the so-called underwear bomber attempted to bring down a plane over Detroit—a plot that was directed by al Qaeda’s Yemen affiliate. The frightening near miss took a powerful psychic toll on the White House, which was still dogged by the perception that Democrats were weak on national security. Obama became convinced that he could not send any of the nearly 100 Yemeni detainees at Gitmo back to their home country, for fear they would link up with extremists and begin plotting attacks against America. Suddenly, the fate of the Yemenis was another giant obstacle to closing the prison. Ed Alcock/eyevine/Redux Former Gitmo detainee Lakhdar Boumediene. Then came the unraveling of Attorney General Eric Holder’s plans to try some Gitmo detainees, including 9/11 mastermind Khalid Sheikh Mohammed, in New York. Obama had initially backed Holder’s decision. But when it blew up in Congress, he seemed to equivocate. His own chief of staff, Rahm Emanuel, actually worked behind the scenes with Republican senators to undermine Holder’s initiative, according to multiple sources with knowledge of the episode. Once the plan cratered, lawmakers smelled blood. They began passing ever more restrictive legislation tying the administration’s hands on Guantánamo. For much of the past few years, without any signal that Obama was going to fight on Gitmo, the policy drifted. Daniel Fried, the veteran State Department official in charge of resettling detainees, was transferred to a different position. Even the steps Obama took to move things forward were of a highly limited nature. One of those steps came in March 2011, when Obama issued an executive order designed to solve a thorny problem. Forty-eight of the detainees could not be prosecuted, either for lack of evidence or because they had been tortured—yet they were nonetheless considered too dangerous to release. This meant they had to be held in indefinite detention, a prospect that troubled Obama. His compromise, issued via executive order, was to set up Periodic Review Boards—administrative bodies that would allow such prisoners to challenge their incarceration, including by presenting new evidence.

#### Political capital key – checks congressional hawks and pro-israel lobbies

Seyed Hossein Mousavian 10/18, 2013 “The road to finalizing a nuclear deal with Iran”, <http://america.aljazeera.com/articles/2013/10/18/iran-nuclear-talksgenevauraniumenrichment.html>

These ongoing talks have the potential to become a historic moment for the U.S., Iran and the international community. However, to ensure their progress, President Obama must do two things. First, he must resist pressure from hawkish members of Congress, Israel and lobbying groups such as the American Israel Public Affairs Committee, the Jewish Institute for National Security Affairs and United Against Nuclear Iran. And second, he must include significant sanctions relief in the final agreement with Iran. While Iran and the international community are ready for a final deal, the question remains whether Obama has the will to buck the hawkish pro-Israel lobby and the political capital to end sanctions.

#### Global nuclear war in a month if talks fail – US sanctions will wreck diplomacy

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

A global conflict between the US, Russia, and China is likely in the coming months should the world powers fail to reach a nuclear deal with Iran, an American analyst says.¶ “If the talks fail, if the agreements being pursued are not successfully carried forward and implemented, then there would be enormous international pressure to drive towards a conflict with Iran before [US President Barack] Obama leaves office and that’s a very great danger that no one can underestimate the importance of,” senior editor at the Executive Intelligence Review Jeff Steinberg told Press TV on Wednesday. ¶ “The United States could find itself on one side and Russia and China on the other and those are the kinds of conditions that can lead to miscalculation and general roar,” Steinberg said. ¶ “So the danger in this situation is that if these talks don’t go forward, we could be facing a global conflict in the coming months and years and that’s got to be avoided at all costs when you’ve got countries like the United States, Russia, and China with” their arsenals of “nuclear weapons,” he warned. ¶ The warning came one day after the White House told Congress not to impose new sanctions against Tehran because failure in talks with Iran could lead to war. ¶ White House press secretary Jay Carney called on Congress to allow more time for diplomacy as US lawmakers are considering tougher sanctions. ¶ "This is a decision to support diplomacy and a possible peaceful resolution to this issue," Carney said. "The American people do not want a march to war." ¶ Meanwhile, US Secretary of State John Kerry is set to meet with the Senate Banking Committee on Wednesday to hold off on more sanctions on the Iranian economy. ¶ State Department spokeswoman Jen Psaki said Kerry "will be clear that putting new sanctions in place would be a mistake." ¶ "While we are still determining if there is a diplomatic path forward, what we are asking for right now is a pause, a temporary pause in sanctions. We are not taking away sanctions. We are not rolling them back," Psaki added.

### 4

#### Debates about war authority mask underlying causes of militarism – ensures a military mindset

Cady 10 (Duane L., prof of phil @ hamline university, From Warism to Pacifism: A Moral Continuum, pp. 22-23)

The widespread, unquestioning acceptance of warism and the corresponding reluctance to consider pacifism as a legitimate option make it difficult to propose a genuine consideration of pacifist alternatives. Warism may be held implicitly or explicitly. Held in its implicit form, it does not occur to the warist to challenge the view that war is morally justified; war is taken to be natural and normal. No other way of understanding large-scale human conflict even comes to mind. In this sense warism is like racism, sexism, and homophobia: a prejudicial bias built into conceptions and judgments without the awareness of those assuming it. In its explicit form, warism is openly accepted, articulated, and deliberately chosen as a value judgment on nations in conflict. War may be defended as essential for justice, needed for national security, as “the only thing the enemy understands,” and so on. In both forms warism misguides judgments and institutions by reinforcing the necessity and inevitability of war and precluding alternatives. Whether held implicitly or explicitly, warism obstructs questioning the conceptual framework of the culture. If we assume (without realizing it) that war itself is morally justifiable, our moral considerations of war will be focused on whether a particular war is justified or whether particular acts within a given war are morally acceptable. These are important concerns, but addressing them does not get at the fundamental issue raised by the pacifist: the morality of war as such. In Just and Unjust Wars Michael Walzer explains that “war is always judged twice, first with reference to the reasons states have for fighting, secondly with reference to the means they adopt.”8 The pacifist suggestion is that there is a third judgment of war that must be made prior to the other two: might war, by its very nature, be morally wrong? This issue is considered by Walzer only as an afterthought in an appendix, where it is dismissed as naïve. Perhaps Walzer should not be faulted for this omission, since he defines his task as describing the conventional morality of war and, as has been argued above, conventional morality does take warism for granted. To this extent Walzer is correct. And this is just the point: our warist conceptual frameworks— our warist normative lenses— blind us to the root question. The concern of pacifists is to expose the hidden warist bias and not merely describe cultural values. Pacifists seek to examine cultural values and recommend what they ought to be. This is why the pacifist insists on judging war in itself, a judgment more fundamental than the more limited assessments of the morality of a given war or the morality of specific acts within a particular war.

#### This mindset is important – our consciousness of war guarantees endless violence that ensures planetary destruction and structural violence

* Another impact: freeing ourselves from war = more resources for peace

Lawrence 9 (Grant, “Military Industrial "War" Consciousness Responsible for Economic and Social Collapse,” OEN—OpEdNews, March 27)

As a presidential candidate, [Barack Obama](http://obama.senate.gov/) called [Afghanistan](http://en.wikipedia.org/wiki/War_in_Afghanistan_%282001%E2%80%93present%29) ''the war we must win.'' He was absolutely right. Now it is time to win it... Senators [John McCain](http://www.imdb.com/name/nm0564587/) and Joseph Lieberman [calling](http://www.miamiherald.com/opinion/inbox/story/960269.html) for an expanded war in Afghanistan "How true it is that war can destroy everything of value." Pope Benedict XVI [decrying](http://www.google.com/hostednews/afp/article/ALeqM5iuue8kE-e0lYZVFpt4RlbX4M_IEw) the suffering of Africa Where troops have been quartered, brambles and thorns spring up. In the track of great armies there must follow lean years. Lao Tzu on [War](http://www.sacred-texts.com/tao/salt/salt09.htm) As Americans we are raised on the utility of war to conquer every problem. We have a drug problem so we wage war on it. We have a cancer problem so we wage war on it. We have a crime problem so we wage war on it. Poverty cannot be dealt with but it has to be warred against. Terror is another problem that must be warred against. In the [United States](http://maps.google.com/maps?ll=38.8833333333,-77.0166666667&spn=10.0,10.0&q=38.8833333333,-77.0166666667%20%28United%20States%29&t=h), solutions can only be found in terms of wars. In a society that functions to support a massive military industrial war machine and empire, it is important that the terms promoted support the conditioning of its citizens. We are conditioned to see war as the solution to major social ills and major political disagreements. That way when we see so much of our resources devoted to war then we don't question the utility of it. The term "war" excites mind and body and creates a fear mentality that looks at life in terms of attack. In war, there has to be an attack and a must win attitude to carry us to victory. But is this war mentality working for us? In an age when nearly half of our tax money goes to support the war machine and a good deal of the rest is going to support the elite that control the war machine, we can see that our present war mentality is not working. Our values have been so perverted by our war mentality that we see sex as sinful but killing as entertainment. Our society is dripping violence. The violence is fed by poverty, social injustice, the break down of family and community that also arises from economic injustice, and by the managed media. The cycle of violence that exists in our society exists because it is useful to those that control society. It is easier to sell the war machine when your population is conditioned to violence. Our military industrial consciousness may not be working for nearly all of the life of the planet but it does work for the very few that are the master manipulators of our values and our consciousness. Rupert Murdoch, the media monopoly man that runs the "Fair and Balanced" [Fox Network](http://www.fox.com/), Sky Television, and [News Corp](http://www.newscorp.com/) just to name a few, [had](http://en.wikipedia.org/wiki/Rupert_Murdoch) all of his 175 newspapers editorialize in favor of the [Iraq war](http://en.wikipedia.org/wiki/Iraq_War). Murdoch snickers when [he says](http://www.newscorpse.com/ncWP/?p=341) "we tried" to manipulate public opinion." The Iraq war was a good war to Murdoch [because,](http://www.americanprogress.org/issues/2004/07/b122948.html) "The death toll, certainly of Americans there, by the terms of any previous war are quite minute." But, to the media manipulators, the phony politicos, the military industrial elite, a million dead Iraqis are not to be considered. War is big business and it is supported by a war consciousness that allows it to prosper. That is why more war in Afghanistan, the war on Palestinians, and the other wars around the planet in which the [military industrial complex](http://en.wikipedia.org/wiki/Military-industrial_complex) builds massive wealth and power will continue. The military industrial war mentality is not only killing, maiming, and destroying but it is also contributing to the present social and economic collapse. As mentioned previously, the massive wealth transfer that occurs when the American people give half of their money to support death and destruction is money that could have gone to support a just society. It is no accident that after years of war and preparing for war, our society is crumbling. Science and technological resources along with economic and natural resources have been squandered in the never-ending pursuit of enemies. All of that energy could have been utilized for the good of humanity, ¶ instead of maintaining the power positions of the very few super wealthy. So the suffering that we give is ultimately the suffering we get. Humans want to believe that they can escape the consciousness that they live in. But that consciousness determines what we experience and how we live. As long as we choose to live in "War" in our minds then we will continue to get "War" in our lives. When humanity chooses to wage peace on the world then there will be a flowering of life. But until then we will be forced to live the life our present war consciousness is creating.

#### Vote negative to free ourselves of the presumption towards war and advocate for peace and social justice to stop militarism

Demenchonok 9 – Worked as a senior researcher at the Institute of Philosophy of the Russian Academy of Sciences, Moscow, and is currently a Professor of Foreign Languages and Philosophy at Fort Valley State University in Georgia, listed in 2000 Outstanding Scholars of the 21st Century and is a recipient of the Twenty-First Century Award for Achievement in Philosophy from the International Biographical Centre --Edward, Philosophy After Hiroshima: From Power Politics to the Ethics of Nonviolence and Co-Responsibility, February, American Journal of Economics and Sociology, Volume 68, Issue 1, Pages 9-49

Where, then, does the future lie? Unilateralism, hegemonic political anarchy, mass immiseration, ecocide, and global violence—a Hobbesian bellum omnium contra omnes? Or international cooperation, social justice, and genuine collective—political and human—security? Down which path lies cowering, fragile hope?¶ Humanistic thinkers approach these problems from the perspective of their concern about the situation of individuals and the long-range interests of humanity. They examine in depth the root causes of these problems, warning about the consequences of escalation and, at the same time, indicating the prospect of their possible solutions through nonviolent means and a growing global consciousness. Today's world is in desperate need of realistic alternatives to violent conflict. Nonviolent action—properly planned and executed—is a powerful and effective force for political and social change. The ideas of peace and nonviolence, as expressed by Immanuel Kant, Leo Tolstoy, Mahatma Gandhi, Martin Luther King, and many contemporary philosophers—supported by peace and civil rights movements—counter the paralyzing fear with hope and offer a realistic alternative: a rational approach to the solutions to the problems, encouraging people to be the masters of their own destiny.¶ Fortunately, the memory of the tragedies of war and the growing realization of this new existential situation of humanity has awakened the global conscience and generated protest movements demanding necessary changes. During the four decades of the Cold War, which polarized the world, power politics was challenged by the common perspective of humanity, of the supreme value of human life, and the ethics of peace. Thus, in Europe, which suffered from both world wars and totalitarianism, spiritual-intellectual efforts to find solutions to these problems generated ideas of "new thinking," aiming for peace, freedom, and democracy. Today, philosophers, intellectuals, progressive political leaders, and peace-movement activists continue to promote a peaceful alternative. In the asymmetry of power, despite being frustrated by war-prone politics, peaceful projects emerge each time, like a phoenix arising from the ashes, as the only viable alternative for the survival of humanity. The new thinking in philosophy affirms the supreme value of human and nonhuman life, freedom, justice, and the future of human civilization. It asserts that the transcendental task of the survival of humankind and the rest of the biotic community must have an unquestionable primacy in comparison to particular interests of nations, social classes, and so forth. In applying these principles to the nuclear age, it considers a just and lasting peace as a categorical imperative for the survival of humankind, and thus proposes a world free from nuclear weapons and from war and organized violence.44 In tune with the Charter of the United Nations, it calls for the democratization of international relations and for dialogue and cooperation in order to secure peace, human rights, and solutions to global problems. It further calls for the transition toward a cosmopolitan order.¶ The escalating global problems are symptoms of what might be termed a contemporary civilizational disease, developed over the course of centuries, in which techno-economic progress is achieved at the cost of depersonalization and dehumanization. Therefore, the possibility of an effective "treatment" today depends on whether or not humankind will be able to regain its humanity, thus establishing new relations of the individual with himself or herself, with others, and with nature. Hence the need for a new philosophy of humanity and an ethics of nonviolence and planetary co-responsibility to help us make sense not only of our past historical events, but also of the extent, quality, and urgency of our present choices.

### Legitimacy

#### heg is unsustainable

Christopher Layne, Professor, National Security, Texas A&M University, “This Time It’s Real: The End of Unipolarity and *Pax Americana,*”INTERNATIONAL STUDIES QUARTERLY, 2012 http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2478.2011.00704.x/full,

Before the Great Recession’s foreshocks in fall 2007, most American security studies scholars believed that unipolarity—and perforce American hegemony—would be enduring features of international politics far into the future. However, in the Great Recession’s aftermath, it is apparent that much has changed since 2007. Predictions of continuing unipolarity have been superseded by premonitions of American decline and geopolitical transformation. The Great Recession has had a two-fold impact. First, it highlighted the shift of global wealth—and power—from West to East, a trend illustrated by China’s breathtakingly rapid rise to great power status. Second, it has raised doubts about the robustness of US primacy’s economic and financial underpinnings. This article argues that the unipolar moment is over, and the Pax Americana—the era of American ascendancy in international politics that began in 1945—is fast winding down. This article challenges the conventional wisdom among International Relations/Security Studies scholars on three counts. First, it shows that contrary to the claims of unipolar stability theorists, the distribution of power in the international system no longer is unipolar. Second, this article revisits the 1980s’ debate about American decline and demonstrates that the Great Recession has vindicated the so-called declinists of that decade. Finally, this article takes on the institutional lock-in argument, which holds that by strengthening the Pax Americana’s legacy institutions, the United States can perpetuate the essential elements of the international order it constructed following World War II even as the material foundations of American primacy erode.

#### Regionalism coming now – best model, no big war – locally activates the aff warrants for cooperation solving warming

Krishnan Srinivasan, "International Conflict and Cooperation in the 21st Century," THE ROUND TABLE v. 98 n. 400, 2--09, pp. 37-47.

The new world order of the ﬁrst half of the present century will be one of peaceful mutual accommodation between the big powers located in the East and West, North and South. The priority for these powers will be for economic progress and regional order, with defence expenditure being used to build technological capacity for deterrence against the other big powers and as an enabler for their self-appointed but globally recognized role as regional enforcers. In this neo-Hobbesian world system, the lesser states will come to their own bilateral arrangements with the local regional hegemon upon whom they will be dependent not only for their security but for economic, technical and trading facilitation. Some of these lesser entities will enjoy economic prosperity, depending on their ability to maintain internal cohesion, to turn globalization to their advantage, and to control the socio-economic consequences of climate change, but they will not be able to mount a challenge to the hierarchical nature of international society. They will have far greater recourse to the United Nations than the major powers, who will prefer to apply unilateral methods with the connivance and consent of their peers. The debate between Westphalian national sovereignty and the right to intervene to breach the sovereignty of other states on the grounds of preventing threats to international peace and security will not be resolved. Political and economic inequality between nations will be drawn in ever sharper focus. Regional institutions will be dominated by the local big power. Reform of the United Nations will be incomplete and unappealing to the vast majority of member states. The world’s hegemonic powers will lose faith in the Security Council as an effective mechanism to deliberate issues of peace and security. World bodies will be used for discussion of global issues such as the environment and climate change, pandemic disease, energy and food supplies, and development, but resulting action will primarily devolve on the big powers in the affected regions. This will particularly be the case in the realm of peace and security in which only the regional hegemon will have the means, the will and the obligation, for the sake of its own status and security, to ensure resolution or retribution as each case may demand. Even in a globalized world, regional and local action will be the prime necessity and such action will be left to the power best equipped to understand the particular circumstances, select the appropriate remedy and execute the action required to administer it. Conﬂict will be contained and localized. There will be no menace of war on a world-wide scale and little fear of international terrorism. Private-enterprise terrorist actions will continue to manifest political, social and economic frustrations, but they will be parochial, ineffective and not state-sponsored. There will be far less invocation of human rights in international politics, since these will be identiﬁed with a western agenda and western civilization: there will be an equal recognition of community rights and societal values associated with Eastern and other traditions. Chinese artists, Indian entrepreneurs, Russian actors, Iranian chefs, South African song-writers and Brazilian designers will be household names; models on the fashion cat-walk and sporting teams from all major countries will be distinctly multi-racial, reﬂecting the immigration to, but also the purchasing power of, the new major powers. National populations will show evidence of mixed race more than ever before in history. Climate change will be an acknowledged global challenge and all countries, led by the regional hegemons, will undertake binding restraints on carbon emissions. The world will become acutely conscious of the essentiality of access to fresh water. The pace of technological innovation will accelerate at dizzying speed, further accentuating inequalities. There will be very rapid steps taken to develop alternative sources of energy in the face of dwindling and costly oil supplies. Western industrialized nations, to remain competitive, will vacate vast areas of traditional manufacturing in favour of new technologies and green engineering. The world will be a safer and stable place until one of the hegemons eventually develops an obvious ascendancy ﬁrst regionally, then continentally and ﬁnally globally over all the others.

#### Warming causes extinction through environmental breakdown

Ronnie Cummins and Will Allen, Organic Consumers Association, "Climate Catastrophe: Surviving the 21st Century," 2--14--10, http://www.commondreams.org/view/2010/02/14-6

The hour is late. Leading climate scientists such as James Hansen are literally shouting at the top of their lungs that the world needs to reduce emissions by 20-40% as soon as possible, and 80-90% by the year 2050, if we are to avoid climate chaos, crop failures, endless wars, melting of the polar icecaps, and a disastrous rise in ocean levels. Either we radically reduce CO2 and carbon dioxide equivalent (CO2e, which includes all GHGs, not just CO2) pollutants (currently at 390 parts per million and rising 2 ppm per year) to 350 ppm, including agriculture-derived methane and nitrous oxide pollution, or else survival for the present and future generations is in jeopardy. As scientists warned at Copenhagen, business as usual and a corresponding 7-8.6 degree Fahrenheit rise in global temperatures means that the carrying capacity of the Earth in 2100 will be reduced to one billion people. Under this hellish scenario,billions will die of thirst, cold, heat, disease, war, and starvation.

#### Effective diplomacy and legitimacy are PARALLEL – U.S. legitimacy failure preserves the trend toward regionalism – plan can’t create functional diplomacy, America just gets soft-balanced

Michael J. Mazarr, Professor, National Security Strategy, U.S. National War College, "The Risks of Ignoring Strategic Insolvency," WASHINGTON QUARTERLY v. 35 n. 4, Fall 2012, p. 14-15.

Diplomacy increasingly fails. A parallel risk has to do with the ebbing force of U.S. diplomacy and influence. International power is grounded in legitimacy, and in many ways it is precisely the legitimacy of the leading power’s global posture that is under assault as its posture comes into question. Historically, rising challengers gradually stop respecting the hegemon’s right to lead, and they begin to make choices on behalf of the international community, in part due to strategies consciously designed to frustrate the leading power’s designs. Germany, under Bismarck and after, is one example: It aspired to unification and to its ‘‘rightful place’’ as a leading European power as its power and influence accumulated, its willingness to accept the inherent legitimacy of the existing order as defined by other states, and the validity and force of their security paradigms, declined proportionately. At nearly all points in this trajectory, German leaders did not seek to depose the international system, but to crowd into its leadership ranks, to mute the voices of others relative to its own influence, and to modify rather than abolish rules.¶ We begin to see this pattern today with regard to many emerging powers, but especially of course, China’s posture toward the United States.31 As was predicted and expected in the post-Cold War context of growing regional power centers, the legitimacy of a system dominated by the United States is coming under increasing challenge. More states (and, increasingly, non-state actors) want to share in setting rules and norms and dictating outcomes.¶ The obvious and inevitable result has been to reduce the effectiveness of U.S. diplomacy. While measuring the relative success of a major power’s diplomacy over time is a chancy business (and while Washington continues to have success on many fronts), the current trajectory is producing a global system much less subject to the power of U.S. diplomacy and other forms of influence. Harvard’s Stephen Walt catalogues the enormous strengths of the U.S. position during and after the Cold War, and compares that to recent evidence of the emerging limits of U.S. power. Such evidence includes Turkey’s unwillingness to support U.S. deployments in Iraq, the failure to impose U.S. will or order in Iraq or Afghanistan, failures of nonproliferation in North Korea and Iran, the Arab Spring’s challenges to long-standing U.S. client rulers, and more.32 As emerging powers become more focused on their own interests and goals, their domestic dynamics will become ever more self-directed and less subject to manipulation from Washington, a trend evident in a number of major recent elections.¶ Washington will still enjoy substantial influence, and many states will welcome (openly or grudgingly) a U.S. leadership role. But without revising the U.S. posture, the gap between U.S. ambitions and capabilities will only grow. Continually trying to do too much will create more risk of demands unmet, requests unfulfilled, and a growing sense of the absurdity of the U.S. posture. Such a course risks crisis and conflict. Similarly, doubt in the threats and promises underpinning an unviable U.S. security posture risks conflict: U.S. officials will press into situations assuming that their diplomacy will be capable of achieving certain outcomes and will make demands and lay out ultimatums on that basis only to find that their influence cannot achieve the desired goals, and they must escalate to harsher measures. The alternative is to shift to a lesser role with more limited ambitions and more sustainable legitimacy.

#### Hegemony fails at resolving conflicts.

Maher 11—PhD candidate in Political Science @ Brown

Richard, Ph.D. candidate in the Political Science department at Brown University, The Paradox of American Unipolarity: Why the United States Will Be Better Off in a Post-Unipolar World, 11/12/2010 Orbis, ScienceDirect

And yet, despite this material preeminence, the United States sees its political and strategic influence diminishing around the world. It is involved in two costly and destructive wars, in Iraq and Afghanistan, where success has been elusive and the end remains out of sight. China has adopted a new assertiveness recently, on everything from U.S. arms sales to Taiwan, currency convertibility, and America's growing debt (which China largely finances). Pakistan, one of America's closest strategic allies, is facing the threat of social and political collapse. Russia is using its vast energy resources to reassert its dominance in what it views as its historical sphere of influence. Negotiations with North Korea and Iran have gone nowhere in dismantling their nuclear programs. Brazil's growing economic and political influence offer another option for partnership and investment for countries in the Western Hemisphere. And relations with Japan, following the election that brought the opposition Democratic Party into power, are at their frostiest in decades. To many observers, it seems that America's vast power is not translating into America's preferred outcomes. As the United States has come to learn, raw power does not automatically translate into the realization of one's preferences, nor is it necessarily easy to maintain one's predominant position in world politics. There are many costs that come with predominance – material, political, and reputational. Vast imbalances of power create apprehension and anxiety in others, in one's friends just as much as in one's rivals. In this view, it is not necessarily *American* predominance that produces unease but rather American *predominance*. Predominance also makes one a tempting target, and a scapegoat for other countries’ own problems and unrealized ambitions. Many a Third World autocrat has blamed his country's economic and social woes on an ostensible U.S. conspiracy to keep the country fractured, underdeveloped, and subservient to America's own interests. Predominant power likewise breeds envy, resentment, and alienation. How is it possible for one country to be so rich and powerful when so many others are weak, divided, and poor? Legitimacy—the perception that one's role and purpose is acceptable and one's power is used justly—is indispensable for maintaining power and influence in world politics. As we witness the emergence (or re-emergence) of great powers in other parts of the world, we realize that American predominance cannot last forever. It is inevitable that the distribution of power and influence will become more balanced in the future, and that the United States will necessarily see its relative power decline. While the United States naturally should avoid hastening the end of this current period of American predominance, it should not look upon the next period of global politics and international history with dread or foreboding. It certainly should not seek to maintain its predominance at any cost, devoting unlimited ambition, resources, and prestige to the cause. In fact, contrary to what many have argued about the importance of maintaining its predominance, America's position in the world—both at home and internationally—could very well be strengthened once its era of preeminence is over. It is, therefore, necessary for the United States to start thinking about how best to position itself in the “post-unipolar” world.

### Democracy

#### Obama will disregard the Court. He is on record

Pyle 2012—Professor of constitutional law and civil liberties @ Mount Holyoke College [Christopher H. Pyle, “Barack Obama and Civil Liberties,” Presidential Studies Quarterly, Volume 42, Issue 4, December 2012, Pg. 867–880]

Preventive Detention But this is not the only double standard that Obama's attorney general has endorsed. Like his predecessors, Holder has chosen to deny some prisoners any trials at all, either because the government lacks sufficient evidence to guarantee their convictions or because what “evidence” it does have is fatally tainted by torture and would deeply embarrass the United States if revealed in open court. At one point, the president considered asking Congress to pass a preventive detention law. Then he decided to institute the policy himself and defy the courts to overrule him, thereby forcing judges to assume primary blame for any crimes against the United States committed by prisoners following a court-ordered release (Serwer 2009). According to Holder, courts and commissions are “essential tools in our fight against terrorism” (Holder 2009). If they will not serve that end, the administration will disregard them. The attorney general also assured senators that if any of the defendants are acquitted, the administration will still keep them behind bars. It is difficult to imagine a greater contempt for the rule of law than this refusal to abide by the judgment of a court. Indeed, it is grounds for Holder's disbarment. As a senator, Barack Obama denounced President Bush's detentions on the ground that a “perfectly innocent individual could be held and could not rebut the Government's case and has no way of proving his innocence” (Greenwald 2012). But, three years into his presidency, Obama signed just such a law. The National Defense Authorization Act of 2012 authorized the military to round up and detain, indefinitely and without trial, American citizens suspected of giving “material support” to alleged terrorists. The law was patently unconstitutional, and has been so ruled by a court (Hedges v. Obama 2012), but President Obama's only objection was that its detention provisions were unnecessary, because he already had such powers as commander in chief. He even said, when signing the law, that “my administration will not authorize the indefinite military detention without trial of American citizens,” but again, that remains policy, not law (Obama 2011). At the moment, the administration is detaining 40 innocent foreign citizens at Guantanamo whom the Bush administration cleared for release five years ago (Worthington 2012b). Thus, Obama's “accomplishments” in the administration of justice “are slight,” as the president admitted in Oslo, and not deserving of a Nobel Prize. What little he has done has more to do with appearances than substance. Torture was an embarrassment, so he ordered it stopped, at least for the moment. Guantanamo remains an embarrassment, so he ordered it closed. He failed in that endeavor, but that was essentially a cosmetic directive to begin with, because a new and larger offshore prison was being built at Bagram Air Base in Afghanistan—one where habeas petitions could be more easily resisted. The president also decided that kidnapping can continue, if not in Europe, then in Ethiopia, Somalia, and Kenya, where it is less visible, and therefore less embarrassing (Scahill 2011). Meanwhile, his lawyers have labored mightily to shield kidnappers and torturers from civil suits and to run out the statute of limitations on criminal prosecutions. Most importantly, kidnapping and torture remain options, should al-Qaeda strike again. By talking out of both sides of his mouth simultaneously, Obama keeps hope alive for liberals and libertarians who believe in equal justice under law, while reassuring conservatives that America's justice will continue to be laced with revenge. It is probably naïve to expect much more of an elected official. Few presidents willingly give up power or seek to leave their office “weaker” than they found it. Few now have what it takes to stand up to the national security state or to those in Congress and the corporations that profit from it. Moreover, were the president to revive the torture policy, there would be insufficient opposition in Congress to stop him. The Democrats are too busy stimulating the economies of their constituents and too timid to defend the rule of law. The Republicans are similarly preoccupied, but actually favor torture, provided it can be camouflaged with euphemisms like “enhanced interrogation techniques” (Editorial 2011b).

#### DPT either empirically disproven or not statistically significant

**Rosato 11** PhD, Department of Political Science, The University of Chicago, Assistant Professor of Political Science at the University of Notre Dame. The Handbookon the Political Economy of War By Christopher J. Coyne, Rachel L. Mathers

Democratic wars There is considerable evidence that the absence of war claim is incorrect. As Christopher Laync(2001, p. 801) notes, 'The most damning indictment of democratic peace theory, is that it happens not to be true: democratic states have gone to war with one another." For example, categorizing a state as democratic if it achieves a democracy score of six or more in the Polity dataset on regime type - as several analysts do - yields three inter-dcmocratic wars: the American Civil War. the Spanish American War and the Boer War/' This is something defenders of the theory readily admit - adopting relatively inclusive definitions of democracy, they themselves generate anywhere between a dozen and three dozen cases of inter-democratic war. In order to exclude these anomalies and thereby preserve the absence of war claim, the theory's defenders restrict their definitions of democracy. In the most compelling analysis to date, Ray (1993, pp. 256-9, 269) argues that no two democracies have gone to war with one another as long as a democracy is defined as follows: the members of the executive and legislative branches arc determined in fair and competitive elections, which is to say that at least two independent parties contest the election, half of the adult population is eligible to vole and the possibility that the governing party can lose has been established by historical precedent. Similarly, Doyle (1983a, pp. 216-17) rescues the claim by arguing that states" domestic and foreign policies must both be subject to the control of the citizenry if they are to be considered liberal. Russett, meanwhile, argues that his no war claim rests on defining democracy as a stale wilh a voting franchise for a substantial fraction of the population, a government brought to power in elections involving two or more legally recognized parties, a popularly elected executive or one responsible to an elected legislature, requirements for civil liberties including free speech and demonstrated longevity of at least three years (Russett 1993, pp. 14-16). Despite imposing these definitional restrictions, proponents of the democratic peace cannot exclude up to five major wars, a figure which, if confirmed, would invalidate the democratic peace by their own admission (Ray 1995, p. 27). The first is the War of 1812 between Britain and the United States. Ray argues that it does not contradict the claim because Britain does not meet bis suffrage requirement. Yet this does not make Britain any less democratic than the United States at the time where less than half the adult population was eligible to vote. In fact, as Laync (2001, p. 801) notes, "the United States was not appreciably more democratic than un re formed Britain." This poses a problem for the democratic peace; if the United States was a democracy, and Ray believes it was, then Britain was also a democracy and the War of 1812 was an inter-democratic war. The second case is the American Civil War. Democratic peace theorists believe the United States was a democracy in 1861, but exclude the case on the grounds that it was a civil rather than interstate war (Russett 1993, pp. 16-17). However, a plausible argument can be made that the United Stales was not a stale but a union of stales, and thai this was therefore a war between states rather than within one. Note, for example, that the term "United States" was plural rather than singular at the time and the conflict was known as the "War Between the States."7 This being the case, the Civil War also contradicts the claim.8 The Spanish-American and Boer wars constitute two further exceptions to the rule. Ray excludes the former because half of the members of Spain's upper house held their positions through hereditary succession or royal appointment. Yet this made Spain little different to Britain, which he classifies as a democracy at the time, thereby leading to the conclusion that the Spanish-American War was a war between democracies. Similarly, it is hard to accept his claim that the Orange Free State was not a democracy during the Boer War because black Africans were not allowed to vote when he is content to classify the United States as a democracy in the second half of the nineteenth century (Ray 1993. pp. 265, 267; Layne 2001. p. 802). In short, defenders of (he democratic peace can only rescue their core claim through the selective application of highly restrictive criteria. Perhaps the most important exception is World War I, which, by virtue of the fact that Germany fought against Britain, France, Italy, Belgium and the United States, would count as five instances of war between liberal states in most analyses of the democratic peace.9 As Ido Oren (1995, pp. 178-9) has shown. Germany was widely considered lo be a liberal state prior to World War I: "Germany was a member of a select group of the most politically advanced countries, far more advanced than some of the nations that arc currently coded as having been "liberal' during that period." In fact, Germany was consistently placed toward the top of that group, "either as second only to the United States ... or as positioned below England and above France." Moreover, Doyle\*s assertion that the case ought to be excluded because Germany was liberal domestically, but not in foreign affairs, does not stand up lo scrutiny. As Layne (1994, p. 42) points out. foreign policy was "insulated from parliamentary control" in both France and Britain, two purportedly liberal states (see also Mcarshcimcr 1990, p. 51, fn. 77; Layne 2001, pp. 803 807). Thus it is difficult to classify Germany as non-liberal and World War I constitutes an imporiant exception to Ihe finding. Small numbers Even if restrictive definitions of democracy enable democratic peace theorists to uphold their claim, they render it unsurprising by reducing the number of democracies in any analysis. As several scholars have noted, there were only a dozen or so democracies in the world prior to World War I, and even fewer in a position to fight one another. Therefore, since war is a rare event for any pair of states, the fact that democracies did not fight one another should occasion little surprise (Mearsheimer 1990, p. 50; Cohen 1994, pp. 214, 216; Layne 1994, p. 39; Henderson 1999, p. 212).10 It should be a source of even less surprise as the number of democracies and the potential for conflict among them falls, something that is bound to happen as the democratic bar rises. Ray\*s suffrage criterion, for example, eliminates two great powers - Britain and the United States - from the democratic ranks before World War I. thereby making the absence of war between democracies eminently predictable." A simple numerical example should serve to illustrate the point. Using a Polity score of six or more to designate a state as a democracy yields 716 purely democratic dyads out of a total 23240 politically relevant dyads between 1816 and 1913. Assuming that wars arc distributed according to the proportion of democratic dyads in the population and knowing that there were 86 dyads at war during this period, we should expect to observe three democratic-democratic wars between the Congress of Vienna and World War I. If we actually observed no wars between democracies, the democratic peace phenomenon might be worth investigating further even though the difference between three and zero wars is barely statistically significant." Increasing the score required for a state to be coded as a democracy to eight - a score that would make Britain democratic from 1901 onwards only and eliminate states like Spain and the Orange Free State from the ranks of the democracies - makes a dramatic difference. The number of democratic dyads falls to 171. and the expected number of wars is now between zero and one. Now the absence of war finding is to be expected. In short, by adopting restrictive definitions of democracy, proponents of the democratic peace render their central claim wholly unexceptional. In sum, proponents of the democratic peace have unsuccessfully attempted to tread a fine line in order to substantiate their claim that democracies have rarely if ever waged war against one another. On the one hand, they admit that inter-democratic war is not an unusual phenomenon if they adopt relatively inclusive definitions of democracy. On the other hand, in their attempts to restrict the definition of democracy and thereby save the finding they inadvertently make the absence of war between democracies trivial.

**Alt causes prove relations resilient**

**AFP 7/22** (“Obama Could Accept Limited Relations With Putin”, 2013, <http://www.nationalmemo.com/obama-could-accept-limited-relations-with-putin/>, CMR)

**Hints that** President Barack **Obama may skip a** September **bilateral summit in Moscow suggest** that **Washington is ready to accept a limited relationship** with Russian leader Vladimir **Putin**, experts said.¶ **Relations** between the two countries **have been strained by a number of issues** in recent months, including the conflict in **Syria**, the fate of U.S. intelligence leaker Edward **Snowden**, **and Washington’s criticism of** the jailing in Russia of protest leader Alexei **Navalny**.¶ In mid-June, Russian and American authorities announced that the two leaders would hold a Moscow summit on September 3 and 4, before traveling to St. Petersburg for the two-day G-20 meeting.¶ It would be just the second time Obama visited Moscow since taking office in 2009, and his first visit since Russian leader Vladimir Putin regained power in May 2012.¶ The meeting however has been thrown into doubt as Washington and Moscow grapple over Snowden, who has been marooned at Moscow’s international airport since June 23 after revealing a massive U.S.-led global online surveillance program.¶ Snowden has applied for asylum in Russia — among dozens of other countries — but Washington wants him to be extradited to face espionage charges.¶ On Friday the White House had nothing to say regarding calls from two senators that the G-20 summit be moved from Russia over the Snowden controversy, and was equally non-committal regarding the Obama-Putin summit.¶ “Russia is the host of the G-20 this year in St. Petersburg. And it is our intention — the president’s intention to travel to Russia for that meeting,” White House spokesman Jay Carney said on Wednesday.¶ The Obama administration maintained that position even after The New York Times cited officials Thursday suggesting the Moscow meeting could be cancelled due to tension over Snowden.¶ Russia expert Andrew Kuchins at the Center for Strategic and International Studies in Washington said casting doubt on the Moscow meeting sends a message: “If the Russians grant Snowden asylum, even temporary asylum, … that would be viewed simply as a bridge too far,” he opined.¶ But his colleague at the **Brookings Institution**, Steven **Pifer, argued** the **Snowden** affair **is merely the latest of a number of issues that have poisoned the relationship** between the two former Cold War rivals, **and is not** by itself **a dealbreaker**.¶ Relations had warmed somewhat under Putin’s predecessor Prime Minister Dmitri Medvedev.¶ But meetings between Obama and Putin — whether at the 2012 G-20 summit in Mexico or the G-8 in northern Ireland in June — have been frosty and tense.¶ Putin even snubbed the G-8 meeting in Camp David in May 2012, sending Medvedev in his stead.¶ Obama “clearly would like to do something more on arms control, so one question is, are the Russians prepared to respond to the proposals that he made in Berlin in June for reducing the new START limits by a third?” Pifer asked.¶ The president would also “like to find a solution on missile defense issues — they want to expand the economic questions and boost commercial cooperation,” he said.¶ “My sense is that whether [continuing with the meeting in] Moscow makes sense turns on those questions, not so much on Snowden,” he said.¶ To a certain extent, Kuchins agrees.¶ The reports on cancelling the Moscow meeting are “also a message to Vladimir Putin, that I, President Obama, am not going to waste my precious time and my administration’s resources on a relationship that just doesn’t seem to bear any fruit,” he said.¶ Pifer, a former U.S. ambassador to the Ukraine, said that if the Moscow meeting is canceled there could still be a bilateral meeting on the sidelines of the G-20, which could help Russia save face.¶ He also noted that the Secretary of State John **Kerry and his Russian counterpart**, Sergei **Lavrov, have maintained a “workable” relationship, guaranteeing** that high-level **dialogue** between Moscow ant Washington **won’t end completely**.

#### Effective Russia relations impossible---power disparity and U.S. domestic politics

Andranik Migranyan 13, director of the Institute for Democracy and Cooperation, professor at the Institute of International Relations in Moscow, 1/30/13, “Russia and Obama’s Second Term,” http://nationalinterest.org/print/commentary/russia-obamas-second-term-8037

I shall begin with what I consider the most interesting viewpoint professed for many years by one of the best experts on Russian relations, Tom Graham. Back in December, he and Dmitri Trenin, director of the Carnegie Moscow Center, published an article [3] in The International Herald-Tribune exploring the multiple problems bedeviling the U.S.-Russian relationship, such as the U.S. Congress’s Magnitsky Act, the Russian decision to cease cooperation on the Nunn-Lugar Cooperative Threat Reduction Program, and the Russian ban on adoptions by American citizens. The authors argued that these problems stemmed from a lack of strategic dialogue and the two countries’ inadequate understanding of each other’s strategic interests. Placing such problems in a strategic context would improve Russian-American relations, they argued, citing as areas for potential strategic dialogue such strategic topics as China, cooperation on Arctic development and the fight against Islamist terrorism. ¶ First, the problem here is that it is unrealistic to expect large, sovereign countries to share strategic interests with other countries that aren’t focused on a troublesome third country. Over the past fifty years, the sole example that comes to mind of a successful strategic dialogue is the American strategic outreach to China during the Nixon administration. It was initiated by Henry Kissinger, whose firm employs Tom Graham. The success of this dialogue can be explained by the perception in both the United States and China that the Soviet Union represented a threat to the existence of both; hence, their readiness to join forces against a common enemy. ¶ Second, two countries can have convergent vital interests only if both are roughly equal in resources and power. Otherwise, the weaker one experiences a loss of sovereignty as a result of its smaller economic and military-political potential, and that negates the strategic character of the relationship. ¶ Consider the widespread perception in the 1990s and at the beginning of the twenty-first century that Russia and the United States could forge a strategic relationship. It never happened because the United States felt it was so strong and self-sufficient that strategic cooperation came down to the American expectation that Russia should bend its own vital interests and submit to American foreign policy. Only then could peaceful, constructive and effective cooperation ensue. Graham and Trenin discuss, for example, current U.S. and Russian strategic interests with regard to China. But isn’t there a greater convergence in Russian and Chinese interests on the matter of containing Washington’s arrogant and unilateral foreign policy that attempts to dominate the world? ¶ Regarding the development of Arctic resources, the United States’ refusal to sign the Convention on the Law of the Sea betrays a U.S. lack of interest in dividing Arctic resources in a way that coincides with international law. Rather, Washington wants to keep its hands untied for any action in the Arctic. ¶ Strategic dialogue necessitates a certain level of trust between parties. But the talks between the two countries on the antimissile shield that the U.S. wishes to install in Europe testify to the lack of such trust. Americans insist that the shield is designed to parry hypothetical Iranian missiles; but a succession of U.S. presidents and other high-level officials also insist that the idea of a nuclear Iran is unacceptable. They declare that, should Iran continue to advance down the road to a nuclear weapon, the United States or Israel would destroy the program’s infrastructure. ¶ With the emergence of a multipolar world, the need arises for power balances in various regions. Thus do we see countries attempting to protect their national interests by forming ad hoc coalitions instead of full-time alliances, whose time has passed, in the view of many analysts. This is why strategic dialogue, while perhaps notionally desirable, is not really feasible because it is difficult to determine which questions are tactical and which are strategic. For Moscow, a matter of strategic discussion with the United States is U.S. interference in Russia’s internal affairs. Another is America’s interference in countries in the post-Soviet sphere. But it is difficult to imagine any U.S. administration engaging in serious discussions on such matters without being attacked domestically for betraying U.S. national and geopolitical interests. It is obvious that there cannot be entirely cooperative or entirely competitive relations between two large countries with intersecting and conflicting interests. ¶ Such a black-and-white approach can only exist between states engaged in total and open confrontation—as the Soviet Union and the West were during the Cold War—or in cases of a weaker country forced to yield its interests to the will of a stronger partner because of an economic or military-political dependency. This is the defining characteristic of the relations within NATO, whose European members depend for military protection largely on the United States. And yet within this framework there are conflicts even absent a confrontation with a third power (as with the USSR). Consider, for example, the clashes that arose with George W. Bush’s Iraq war, when Germany and France went against the wishes of the United States. ¶ Thus, it seems inescapable that the United States and Russia will sometimes partner but also sometimes have conflicting interests.

#### Commitment to prevent democratic backsliding signals weakness and opportunism – lack of involvement spurs democracy, Arab Spring proves

Bar 2011 (Schmuel Bar is the director of studies at the Institute for Policy and Strategy, 4/1/11, “America’s Fading Middle East Influence” accessed 9/27/11 http://www.hoover.org/publications/policy-review/article/73161)

The Arab revolts and democratization. It is ironic that the Obama administration, which initially rejected what it perceived as the naïve effort of its predecessor to impose democracy on the Middle East, has become an even more forceful and vociferous proponent of immediate passage from old and tried autocratic regimes to untested “people power.” However, the American policy of support for revolution may not serve U.S. interests in the long run. While the U.S. has influenced events in Tunisia and Egypt, its power is limited to deconstruction and is not enough to be constructive. Paradoxically, the American posture did play a pivotal role in creating the tipping point which brought about the fall of the leaders in Tunisia and Egypt and encouraging the wave of protest in the Arab world. However, this influence was not the result of American projection of power but, rather, of the perception of American weakness. Similar to the encouragement that the Iranian protestors drew from reports that the Carter administration had abandoned the Shah in 1979, the Obama administration’s jumping on the bandwagon of regime change was viewed not as a sign of a strong America supporting democratic revolution, but rather of a weak America, which abandons its embattled allies. The loss of American support — explicitly for the regimes that were directly threatened, and implicitly for all the others — was perceived as rendering them vulnerable and encouraged the escalation of protest. The credibility of any American assurances, including strategic assurances against external threats from Iran, for these regimes therefore has been dramatically degraded.

#### Won’t take our hand – young democracies started with American ideals but must maintain separation to uphold their own credibility

ADAM LIPTAK Published: September 17, 2008. “U.S. Court Is Now Guiding Fewer Nations,”

http://www.nytimes.com/2008/09/18/us/18legal.html?pagewanted=all&\_r=1&

The rightward shift of the Supreme Court may partly account for its diminished influence. Twenty years ago, said Anthony Lester, a British barrister, the landmark decisions of the court were “studied with as much attention in New Delhi or Strasbourg as they are in Washington, D.C.” That is partly because the foundational legal documents of many of the world’s leading democracies are of quite recent vintage. The Indian Constitution was adopted in 1949, the Canadian Charter of Rights and Freedoms in 1982, the New Zealand Bill of Rights in 1990 and the South African Constitution in 1996. All drew on American constitutional principles. Particularly at first, courts in those nations relied on the constitutional jurisprudence of the United States Supreme Court, both because it was relevant and because it was the essentially the only game in town. But as constitutional courts around the world developed their own bodies of precedent and started an international judicial conversation, American influence has dropped. Judge Guido Calabresi of the federal appeals court in New York, a former dean of Yale Law School, has advocated continued participation in that international judicial conversation. “Since World War II, many countries have adopted forms of judicial review, which — though different from ours in many particulars — unmistakably draw their origin and inspiration from American constitutional theory and practice,” he wrote in a 1995 concurrence that cited the German and Italian constitutional courts. “These countries are our ‘constitutional offspring,’ ” Judge Calabresi wrote, “and how they have dealt with problems analogous to ours can be very useful to us when we face difficult constitutional issues. Wise parents do not hesitate to learn from their children.” (Judge Calabresi is Professor Calabresi’s uncle.) The openness of some legal systems to foreign law is reflected in their constitutions. The South African Constitution, for instance, says that courts interpreting its bill of rights “must consider international law” and “may consider foreign law.” The constitutions of India and Spain have similar provisions. Many legal scholars singled out the Canadian Supreme Court and the Constitutional Court of South Africa as increasingly influential. “In part, their influence may spring from the simple fact they are not American,” Dean Slaughter wrote in a 2005 essay, “which renders their reasoning more politically palatable to domestic audience in an era of extraordinary U.S. military, political, economic and cultural power and accompanying resentments.”

#### Internal link fails 97% of the time

John J. Mearsheimer, Distinguished Service Professor, University of Chicago, “Imperial by Design,” THE NATIONAL INTEREST, January/February 2011, http://nationalinterest.org/article/imperial-by-design-4576, accessed 10-15-11.

It is hard to believe that any policy maker or student of international affairs could have believed that democracy would spring forth quickly and easily once tyrants like Saddam Hussein were toppled. After all, it is clear from the historical record that imposing democracy on another country is an especially difficult task that usually fails.5 Jeffrey Pickering and Mark Peceny, who investigated the democratizing consequences of interventions by liberal states from 1946 to 1996, conclude that “liberal intervention . . . has only very rarely played a role in democratization since 1945.”6 The United States in particular has a rich history of trying and failing to impose democracy on other countries. New York University professors Bruce Bueno de Mesquita and George Downs report in the Los Angeles Times that: Between World War II and the present, the United States intervened more than 35 times in developing countries around the world. . . . In only one case—Colombia after the American decision in 1989 to engage in the war on drugs—did a full-fledged, stable democracy . . . emerge within 10 years. That’s a success rate of less than 3%. Pickering and Peceny similarly find only a single case—Panama after the removal of Manuel Noriega—in which American intervention clearly resulted in the emergence of a consolidated democracy. Furthermore, William Easterly and his colleagues at NYU looked at how U.S. and Soviet interventions during the Cold War affected the prospects for a democratic form of government. They found that “superpower interventions are followed by significant declines in democracy, and that the substantive effects are large.”

#### Bad apples harden in the face of American-led doctrine and goals – regionalism is smarter than committing to rescue failing democracies

Thomas Henriksen, Hoover Institution Associate Director & Senior Fellow, Using Power and Diplomacy To Deal With Rogue States, 2/1999, http://www.hoover.org/publications/monographs/27159

As the remaining superpower, the United States faces a unique political environment. It is both the world's reigning hegemon and sometime villain. America's economic, military, and technological prowess endows it with what Secretary of State Madeleine K. Albright has termed indispensability. Whatever the political upheaval or humanitarian crisis, other states expect the United States to solve the world's problems and to dispense good deeds. Those expectations arise from the fact that America has often come to the rescue in the past and that the United States is not a traditional nation. America is the embodiment of the idea that a free people share sovereignty, with rights and obligations, as set forth in a written constitution that has strengthened over the past two hundred years. Unlike most traditional nations, we do not share a common ancestry. Thus America seeks to advance ideals. Our national goals encompass more than geopolitical ends, which is why Americans are unsettled by the slaughter of innocents in faraway lands. American foreign policy debates and interventionist decisions usually include democratic values as well as our vital overseas interests. Overseas engagement, whether military, diplomatic or economic, has indeed steadily become an integral part of America's external policy during this century. Washington's leadership and power proved decisive from World War I to the Persian Gulf war. In each of these major conflicts, the United States fought as member of an international coalition and its role has been pivotal. Despite domestic isolationist pulls, the United States, more than ever, is the key international player. No other state or global body commands similar world standing. The United Nations, on which so much optimistic expectation rested following World War II, is judged ineffectual in major crises. Even after the conclusion of bipolarism, the United Nations Security Council suffers from nationalistic divisions. The anticipation of a veto from one of the other four permanent members (Britain, China, France, Russia) holds American initiatives hostage to a watered-down consensus. (Likewise, America's veto power works to constrain the ambitions of China and Russia in the Security Council.) Hard realities, not mere altruism, mean that America must act not like a policeman but like a sheriff in the old Western frontier towns, acting alone on occasion, relying on deputies or long-standing allies, or looking for a posse among regional partners. Or, in some cases, it may look for another sheriff, or regional power, to organize local forces.3 It cannot allow desperadoes to run loose without encouraging other outlaws to test the limits of law and order. History instructs us that the U.S. withdrawal from world problems, leaving Europeans and Asians to their own devices in the 1930s, led to the rise of militarism and aggression. Aloofness from international politics is simply not a viable option. We benefit materially from a stable and peaceful world. Our economic and political health depend on cross-border trade and international stability. The percentage of our gross domestic product (GDP) based on foreign trade has doubled since 1970. In 1997, exports alone reached 12 percent of GDP and imports totaled 13 percent. Although exports and imports combined accounted for one-quarter of GDP, total trade accounted for more than one-third of the average U.S. national income per capita ($19,700). The United States, which accounts for about 14 percent of total world trade (exports and imports), is the world's largest exporter of goods and services, $933 billion in 1997. It is not in our interest to stand aside while rogue behavior unravels a region's trade, economic, and human networks. In today's globally interconnected world, events on one side of the planet can influence actions on the other side, meaning that how the United States responds to a regional rogue has worldwide implications. Rogue leaders draw conclusions from weak responses to aggression. That Iraq's president, Saddam Hussein, escaped unpunished for his invasion of Kuwait no doubt emboldened the Yugoslav president, Slobodan Milosevic, in his campaign to extirpate Muslims from Bosnia-Herzegovina in pursuit of a greater Serbia. Deterring security threats is a valuable mechanism to maintain peace, as witnessed by the cold war, and it may afford the only realistic option available. But in dealing with rogue states deterrence and containment may not be enough. Before NATO intervened in the Bosnia imbroglio in 1995, to take one example, the ethno-nationalist conflict raised the specter of a wider war, drawing in the neighboring countries of Greece, Turkey, and Russia. Political inaction creates vacuums, which can suck in states to fill the void. Although the United States does not want to be the world's sheriff, living in a world without law and order is not an auspicious prospect. This said, it must be emphasized that the United States ought not intervene militarily in every conflict or humanitarian crisis. Indeed, it should pick its interventions with great care. Offering Washington's good offices to mediate disputes in distant corners is one thing; dispatching armed forces to far-flung deserts, jungles, or mountains is quite another. A global doctrine setting forth all-inclusive guidelines is difficult to cast in stone. Containment, the doctrine articulated in response to Soviet global ambitions, offered a realistic guideline for policymakers. A similar response to rogue states cannot be easily cloned for each contingency but may require the United States to corral allies or partners into a unified policy, as circumstances dictate. But watching rogue behavior with complacency or relying on the United Nations courts disaster in the age of weapons of mass destruction. Most incidents of civil turmoil need not engage U.S. military forces. Regrettable as the bloody civil war in Sri Lanka is, it demands no American intervention, for the ethnic conflict between the secessionist Tamil minority and the Sinhalese majority is largely an internal affair. Political turmoil in Cambodia is largely a domestic problem. Even the civil war in the Congo, which has drawn in small military forces from Uganda, Rwanda, Angola, and Zimbabwe, is a Central African affair. Aside from international prodding, the simmering Congolese fighting is better left to Africans to resolve than to outsiders. In the case of the decades-long slaughter in southern Sudan, the United States can serve a humanitarian cause by calling international attention to Khartoum's genocide of Christian and animist peoples. These types of conflicts, however, do not endanger U.S. strategic interests, undermine regional order, threaten global commercial relationships, or, realistically, call for direct humanitarian intervention. No weapons of mass destruction menace surrounding peoples or allies. Thus, there is no compelling reason for U.S. military deployment. Terrorist rogue states, in contrast, must be confronted with robust measures, or the world will go down the same path as it did in the 1930s, when Europe and the United States allowed Nazi Germany to propagate its ideology across half a dozen states, to rearm for a war of conquest, and to intimidate the democracies into appeasement. Rogue states push the world toward anarchy and away from stability. Zbigniew Brzezinski, the former national security adviser to President Carter, cited preventing global anarchy as one of the two goals of "America's global engagement, namely, that of forging an enduring framework of global geopolitical cooperation." The other key goal is "impeding the emergence of a power rival."(4) Former Secretary of State George Shultz has cogently linked force and diplomacy in practice and in word. He persuasively argued the principle while in office and later in his memoir that force should be used not as a last resort but as an integral component of diplomacy. In defending the 1983 combat assault on the island of Grenada to rescue American hostages and halt the spread of communism in the Caribbean, for example, he wrote in Turmoil and Triumph, his personal account of his years in the Reagan administration: The use of force, and the credible threat of the use of force, are legitimate instruments of national policy and should be viewed as such. . . . The use of force obviously should not be taken lightly, but better to use force when you should rather than when you must; last means no other, and by that time the level of force and the risk involved may have multiplied many times over. The Clinton administration, in contrast, severed the nexus between power and diplomacy in dealing with rogue states, with a resulting decline in U.S. credibility. Its mishandling of crises in Iraq, North Korea, and the Balkans furnishes ample negative lessons for diplomatic relations with rogue governments. Rather than build public support for a respected overseas policy, the poll-driven Clinton White House pursued the lines of least resistance. It avoided shaping international policy among a disinterested electorate, devoted episodic attention to rogue transgressions, and repeatedly vacillated on the use of military force to achieve its diplomatic ends. Rogues played off American predilections for their own goals, leaving Washington appearing incoherent, hesitant, and ineffectual.

# 2NC

## Democracy

### 2nc – courts

#### Obama will circumvent the Court – power of the courts does not matter – empirically denied –

#### Courts can’t solve.

Darren A. Wheeler, Associate Professor, Political Science, Ball State University, “Checking Presidential Detention Power in the War on Terror: What Should We Expect from the Judiciary?” PRESIDENTIAL STUDIES QUARTERLY v. 39 n. 4, 12—09, Ebsco.

This article argues that there are four specific reasons why those expecting the Supreme Court to be a significant check on presidential detention power in the war on terror are likely to be disappointed. The first reason is that the judiciary makes decisions in what can be referred to as "judicial time." In short, the courts are slow. The judicial decision-making process **is often one that** takes years to complete (Rehnquist 1998). Few political actors conceptualize the decision-making process in such an extended manner. If the president can respond more quickly to matters of policy than the courts, it might be difficult for the judiciary to act as a check **on the president**. The second factor that limits the judiciary's ability to check presidential detention power is the fact that courts usually answer specific narrow legal questions as opposed to larger, "big picture" policy questions (Baum 2007; Rehnquist 1998; Rosenberg 1991). As a result, even when the Court makes a decision on a matter, it is often a narrow one that addresses only a small part of the overall policy picture**.** This can limit the impact that the courts have **on the policymaking process**, as other policy makers often find different means to accomplish their desired goals **regardless of the** roadblocks presented by the **courts** on particular details. The third factor that potentially limits judicial impact on the president's desired detention policies is the fact that the judicial implementation process is fraught with uncertainty (Baum 2007; Canon and Johnson 1999; Carp, Stidham, and Manning 2004; Stumpf 1998). Even when the courts make a decision, it is possible for other political actors (including the president) to shape the implementation **process** in such a way as to minimize the impact **that the** particular **decision might have** on the president's preferred policies. Finally, the judiciary, especially since the second half of the twentieth century, has adopted a general posture of deference to the executive in matters of war powers and foreign affairs (Fisher 2005; Howell 2003; Rossiter and Longaker 1976). This deference might lead the Court to refuse to even hear challenges to presidential detention power. Even when the Court does hear cases, it may dispose of them in ways that illustrate this historical pattern of deference. Any combination of these factors **may limit the ability of the judiciary to check presidential initiatives**, **especially in** a policy area - **the war on terror** - in which the Bush administration clearly demonstrated an intense willingness and desire to exert unilateral control over matters (Fisher 2004; Goldsmith 2007; Kassop 2007; Savage 2007; Wheeler 2008).

### DPT False: Ext 1—Stats 2NC (:30

#### DPT either empirically disproven or not statistically significant—using a Polity score of 6 to determine a state is a democracy reveals 5 democratic wars—Spanish-American, War of 1812, US Civil War, Boer war and World War 1, which supporters agree would disprove DPT. Increasing the polity score to 8 makes the expected wars between 0 and 1, making DPT statistically insignificant—that’s rosato

#### Err neg - Dpt supporters manipulate statistics to agree with dpt

**Rosato 11** PhD Candidate, Department of Political Science, The University of Chicago The Handbook on the Political Economy of War By Christopher J. Coyne, Rachel L. Mathers

The claim that democracies rarely if ever go to war with one another is either incorrect or unsurprising. A careful review of the evidence suggests that contrary to the assertions of democratic peace proponents, there have been a handful of wars between democracies and these can only be excluded by imposing a highly restrictive definition of democracy. This would not pose a problem were it not for the fact that by raising the requirements for a state to be judged democratic, the theory's defenders reduce the number of democracies in the analysis to such an extent that the finding of no war between them is wholly to be expected.

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### Russia-US relations 2nc

#### Relations are resilient – numerous events have poisoned the well, but dialogue will not be cut off – that’s the AFP

#### Cooperation is impossible – nature of geopolitics creates conflicting interest and US domestic politics ensures areas of distress – that’s Migranyan

#### Resiliency means relations declines not cause war

**Jego 2/23** (Marie, “How **US-Russian Relations Have Hit Rock Bottom**”, <http://www.worldcrunch.com/world-affairs/how-us-russian-relations-have-hit-rock-bottom/duma-putin-washington-moscow-usaid/c1s10835/#.USpnGmdcNwc>, CMR)

**The “reset**” in the Russian-American relationship pushed by Barack Obama at the beginning of his first term **is jammed** again.¶ **Termination of bilateral agreements, harassment of American NGOs, harsh words – Moscow and Washington have been going head-to-head for months**.¶ On Jan. 30, Prime Minister Dmitry Medvedev dissolved a bilateral agreement signed with the U.S. in 2002 on cooperation in security issues and drug enforcement. The agreement called for the U.S. to finance programs fighting against crime in Russia. It has “exhausted its maximum potential,” said Medvedev.¶ What this means is that, Russia, which is now a donor country, does no longer need handouts. “We can continue the work without anyone’s help,” said Aleksei Pushkov, the head of the Foreign Affairs Committee of the Russian Lower House. “We have terminated the third agreement with the U.S. in the last six months. Russia is ending its dependency on the global superpower,” he tweeted.¶ Moscow’s decision echoes Washington’s announcement on Jan. 25, that it was ending its cooperation in the Russian-American Bilateral Presidential Commission on Civil Society. The U.S. State department has repeatedly denounced the crackdown on civil society since the return of Vladimir Putin to the Kremlin, in May 2012.¶ In Oct. 2012, the U.S. Agency for International Development (USAID) was told by Moscow its services were no longer wanted. In Russia, USAID financed human rights organizations, disabled rights groups, as well as the election watchdog Golos NGO, who was quick to denounce fraud during the December 2011 legislative elections.¶ In the aftermath of USAID being booted out of Russia, the National Democracy Institute (NDI) and the International Republican Institute (IRI) were also forced to close shop, with their Russian employees having to leave the country with their families. They were at risk of being prosecuted under the new Russian Criminal Code’s articles on treason and espionage.¶ A quota of positive news¶ Voted in Oct. 2012, these new laws state that individuals “providing financial, technical, advisory or any other assistance to a foreign state or international organization…” could face up to 20 years in prison. After the law was passed, FSB (the KGB’s successor) agents paid a visit to the local heads of these American NGOs. “We work in an increasingly tense atmosphere,” one of them said.¶ Quick to accuse the U.S. State Department of being behind the protests of the winter of 2011-2012, as soon as Vladimir Putin was elected, he undertook a massive cleanup of Russian NGOs that were financed from abroad. Activists and protest leaders are often described by the Russian media as foreign agents.¶ **The Russian Parliament has been on a roll, passing bills that bring Russia back 100 years** – with the return of the “foreign agent” phobia, the stigmatization of homosexuals, and tougher punishments for “treason.” A new law is being considered that would introduce the notion of “blasphemy” in the criminal code, while another would ban Russian journalists holding dual passports from working. Another bill would impose a quota of 70% of positive news in the media.¶ More than ever, Vladimir Putin is doing his best “Homo sovieticus” impression by showing Russia as a besieged fortress and passing off the opposition as a Washington-supported fifth column.¶ “Vladimir **Putin’s anti-Americanism has** similar **internal political roots** to, for example, Mahmoud Ahmadinejad’s. However, Iran is more problematic for the U.S. than Russia is,” wrote Russian newspaper Vedomosti. In effect, Moscow is “neither a threat nor a priority” for Washington. **On the big issues** – nuclear Iran, Syria, Afghanistan, missile defense – **the old cold war enemies will continue to cooperate**.

#### Cooperation impossible – cold war attitudes and divergent interests

Craig Nation 10, Professor of Strategy and Director of Russian and Eurasian Studies at the U.S. Army War College in Carlisle, PA, “Results of the “Reset” in US-Russian Relations,” <http://www.scribd.com/doc/34575009/Results-of-the-Reset-in-US-Russian-Relations>

Flowerings of US-Russian détente and ―strategic partnership‖ have come and gone in the past. The brief periods of enthusiasm for US-Russian cooperation that followed the traumas of 1991 and 2001 were short-lived. The policy establishments in both countries are filled with old and new cold warriors. Despite professions to the contrary, both parties still respect outmoded concepts of security based upon zero-sum competition, territorial control and spheres of influence. Initiatives to improve relations have been real but also modest. The interest-driven process of redefinition will eventually run into intractable issues where interests diverge (in fact this is already happening).

### A2 Democracy solves Russia – Mendelson ‘9

#### **Mendelson** admits the internal-link is not reverse-causal – aff just stops enabling, can’t spur reform

Mendelson 9, Director of Human Rights and Security Initiative @ CSIS

~2009, Sarah E. Mendelson, Director, Human Rights and Security Initiative, Center for Strategic and International Studies, "U.S.-Russian Relations and the Democracy and Rule of Law Deficit," CENTURY FOUNDATION REPORT, http://72.32.39.237:8080/Plone/publications/pdfs/pb691/US-RussianRelationsandtheDemocracyandRuleofLawDeficit.pdf

The ability of any U.S. administration to shape what happens inside Russia has long been exaggerated and misunderstood. The impact of foreign ¶ assistance clearly matters to those individuals who receive funds and technical ¶ training, but recent evidence suggests that how the United States conducts ¶ itself in the world has far more weight in terms of its ability to bolster or ¶ undermine democracy, human rights and the rule of law in other countries.41 ¶ For example, U.S. noncompliance with human rights norms and laws has enabled, although not caused, Russia’s authoritarian drift.

#### No relations or reform, only a risk of a turn – Russian elites internally cannot accept notions of democracy, cooperation is just a way to soft-balance America

Chaka Ferguson, Florida International University, 3-28-2011. “Soft Power as the New Norm: How the Chinese- Russian Strategic Partnership (Soft) Balances American Hegemony in an Era of Unipolarity,” http://digitalcommons.fiu.edu/cgi/viewcontent.cgi?article=1449&context=etd

Specifically, this study explores the strategies China and Russia have developed to deal with U.S. hegemony by examining how the two great powers have responded to American intervention in Central Asia. In general, realism anticipates that great powers not aligned with a hegemonic power will seek to balance it, especially if a hegemonic power encroaches territorially.10 One way to achieve some measure of independence in a unipolar world is the creation of regional spheres of influence as a buffer to hegemonic encroachment. Under hegemony, the fear of encirclement is exacerbated by the projection of soft power because a hegemonic system is one of rule rather than one simply of brute force. 11 In other words, “as a world-system wide phenomenon, hegemony denotes a unipolar structure of capability matched by a unipolar structure of influence.”12 Unlike previous great powers, which faced military and economic challenges,13 China and Russia also face normative challenges from the United States. The normative dimension is a crucial variable in understanding responses to American hegemony because it links domestic factors to systemic level structures and is the crux of a soft balancing strategy. For example, Russian foreign policy vis-à-vis the United States is shaped by both the internal characteristics of the Russian polity and American capabilities. Regardless of political ideology, members of the Russian foreign policy elite have advocated for a multipolar international system.14 However, whether elites believe that this objective could be achieved by cooperating with, or competing against, the United States is based partly on the values of those in power. For example, the so-called Euro-Atlanticist school of Russian foreign policy embraced the values of a Western model of development and eventual rapprochement with the United States after the dissolution of the Soviet Union, whereas the neo-Euro-Asian school valued the reassertion of the Russian state as a pole of power to balance the West.15 Similar to Russian foreign policy, Chinese relations with the United States have a domestic dimension to them as well. Akin to the neo-Euro-Asian school in Russia, “many Chinese increasingly fear [that the United States] will not just seek to contain China’s foreign policies, but will also actively seek to convert China’s society and polity in America’s own image.”16 To be sure, how China and Russia perceive norms they consider to be Western or American colors their responses to U.S. hegemony; however, these concerns are the outgrowth of U.S. military and economic might, as realists maintain, not the norms in and of themselves.17 Similar Western norms are advocated by smaller European states, which are of little strategic concern to Russia and China. Nevertheless, the normative component of hegemony becomes increasingly significant because of the ability of the superpower to project its domestic ideology on a universal plane. The projection can be demonstrated by the U.S. promotion of the so-called “Colored Revolutions” in Central Asia and the Caucasus in the mid-2000s. These “revolutions” clearly disturbed China, Russia and the autocratic rulers of the smaller Central Asian states, who perceive the advancement of Western notions of democracy and human rights a threat to their rule.18

### A2 Democracy backsliding – CJA ‘4

#### **CJA** is not reverse causal – just because authoritarian states BLAME America for their democratic backsliding does not mean the U.S. can control positive democratic development

#### Internal-link tension sinks solvency – **CJA** presumes American hard power, better premising the turn – concedes that the backsliders relate to America as a unipolar power

CJA 4, Center for Justice and Accountability

~2004, The Center for Justice 26 Accountability ("CJA") seeks, by use of the legal systems, to deter torture and other human rights abuses around the world., "BRIEF OF the CENTER FOR JUSTICE AND ACCOUNTABILITY, the INTERNATIONAL LEAGUE FOR HUMAN RIGHTS, and INDIVIDUAL ADVOCATES for the INDEPENDENCE of the JUDICIARY in EMERGING DEMOCRACIES as AMICI CURIAE IN SUPPORT OF PETITIONERS", http://www.cja.org/downloads/Al-Odah\_Odah\_v\_US\_\_\_Rasul\_v\_Bush\_CJA\_Amicus\_SCOTUS.pdf~~

\*\*\*THEIR EVIDENCE\*\*\*A STRONG, INDEPENDENT JUDICIARY IS ESSENTIAL TO THE PROTECTION OF INDIVIDUAL FREEDOMS AND THE ESTABLISHMENT OF STABLE GOVERNANCE IN EMERGING DEMOCRACIES AROUND THE WORLD. A. Individual Nations Have Accepted and Are Seeking to Implement Judicial Review By A Strong, Independent Judiciary. Many of the newly independent governments that have proliferated over the past five decades have adopted these ideals. They have emerged from a variety of less-than-free contexts, including the end of European colonial rule in the 1950’s and 1960’s, the end of the Cold War and the breakup of the former Soviet Union in the late 1980’s and 1990’s, the disintegration of Yugoslavia, and the continuing turmoil in parts of Africa, Latin America and southern Asia. Some countries have successfully transitioned to stable and democratic forms of government that protect individual freedoms and human rights by means of judicial review by a strong and independent judiciary. Others have suffered the rise of tyrannical and oppressive rulers who consolidated their hold on power in part by diminishing or abolishing the role of the judiciary. And still others hang in the balance, struggling against the onslaught of tyrants to establish stable, democratic governments. In their attempts to shed their tyrannical pasts and to ensure the protection of individual rights, emerging democracies have consistently looked to the United States and its Constitution in fashioning frameworks that safeguard the independence of their judiciaries. See Ran Hirschl, The Political Origins of Judicial Empowerment through Constitutionalization: Lessons from Four Constitutional Revolutions, 25 Law 26 Soc. Inquiry 91, 92 (2000) (stating that of the "~m~any countries . . . ~that~ have engaged in fundamental constitutional reform over the past three decades," nearly all adopted "a bill of rights and establishe~d~ some form of active judicial review") Establishing judicial review by a strong and independent judiciary is a critical step in stabilizing and protecting these new democracies. See Christopher M. Larkins, Judicial Independence and Democratization: A Theoretical and Conceptual Analysis, 44 Am. J. Comp. L. 605, 605-06 (1996) (describing the judicial branch as having "a uniquely important role" in transitional countries, not only to "mediate conflicts between political actors but also ~to~ prevent the arbitrary exercise of government power; see also Daniel C. Prefontaine and Joanne Lee, The Rule of Law and the Independence of the Judiciary, International Centre for Criminal Law Reform and Criminal Justice Policy (1998) ("There is increasing acknowledgment that an independent judiciary is the key to upholding the rule of law in a free society . . . . Most countries in transition from dictatorships and/or statist economies recognize the need to create a more stable system of governance, based on the rule of law."), available at http://www.icclr.law.ubc.ca/Publications/Reports/RuleofLaw. pdf (last visited Jan. 8, 2004). Although the precise form of government differs among countries, "they ultimately constitute variations within, not from, the American model of constitutionalism . . . ~a~ specific set of fundamental rights and liberties has the status of supreme law, is entrenched against amendment or repeal . . . and is enforced by an independent court . . . ." Stephen Gardbaum, The New Commonwealth Model of Constitutionalism, 49 Am. J. Comp. L. 707, 718 (2001). This phenomenon became most notable worldwide after World War II when certain countries, such as Germany, Italy, and Japan, embraced independent judiciaries following their bitter experiences under totalitarian regimes. See id. at 714- 15; see also United States v. Then, 56 F.3d 464, 469 (2d Cir. 1995) (Calabresi, J., concurring) ("Since World War II, many countries have adopted forms of judicial review, which — though different from ours in many particulars — unmistakably draw their origin and inspiration from American constitutional theory and practice. See generally Mauro Cappelletti, The Judicial Process in Comparative Perspective (Oxford: Clarendon Press, 1989)."). It is a trend that continues to this day. It bears mention that the United States has consistently affirmed and encouraged the establishment of independent judiciaries in emerging democracies. In September 2000, President Clinton observed that "~w~ithout the rule of law, elections simply offer a choice of dictators. . . . America’s experience should be put to use to advance the rule of law, where democracy’s roots are looking for room and strength to grow." Remarks at Georgetown University Law School, 36 Weekly Comp. Pres. Doc. 2218 (September 26, 2000), available at http://clinton6.nara.gov/2000/09/2000-09-26- remarks-by-president-at-georgetown-international-lawcenter.html. The United States acts on these principles in part through the assistance it provides to developing nations. For example, the United States requires that any country seeking assistance through the Millenium Challenge Account, a development assistance program instituted in 2002, must demonstrate, among other criteria, an "adherence to the rule of law." The White House noted that the rule of law is one of the "essential conditions for successful development" of these countries. See http://www.whitehouse.gov/infocus/developingnations (last visited Jan. 8, 2004).12 A few examples illustrate the influence of the United States model. On November 28, 1998, Albania adopted a new constitution, representing the culmination of eight years of democratic reform after the communist rule collapsed. In addition to protecting fundamental individual rights, the Albanian Constitution provides for an independent judiciary consisting of a Constitutional Court with final authority to determine the constitutional rights of individuals. Albanian Constitution, Article 125, Item 1 and Article 128; see also Darian Pavli, "A Brief ’Constitutional History’ of Albania" available at http://www.ipls.org/services/others/chist.html (last visited Janaury 8, 2004); Jean-Marie Henckaerts 26 Stefaan Van der Jeught, Human Rights Protection Under the New Constitutions of Central Europe, 20 Loy. L.A. Int’l 26 Comp. L.J. 475 (Mar. 1998). In South Africa, the new constitutional judiciary plays a similarly important role, following generations of an oppressive apartheid regime. South Africa adopted a new constitution in 1996. Constitution of the Republic of South Africa, Explanatory Memorandum. It establishes a Constitutional Court which "makes the final decision whether an Act of Parliament, a provincial Act or conduct of the President is constitutional." Id. at Chapter 8, Section 167, Item (5), available at http://www.polity.org.za/html/govdocs/constitution/saconst.html?r ebookmark=1 (last visited January 8, 2004); see also Justice Tholakele H. Madala, Rule Under Apartheid and the Fledgling Democracy in Post-Apartheid South Africa: The Role of the Judiciary, 26 N.C. J. Int’l L. 26 Com. Reg. 743 (Summer 2001). Afghanistan is perhaps the most recent example of a country struggling to develop a more democratic form of government. Adoption by the Loya Jirga of Afghanistan’s new constitution on January 4, 2004 has been hailed as a milestone. See http://www.cbsnews.com/stories/2004/01/02/world/main59111 6.shtml (Jan 7, 2004). The proposed constitution creates a judiciary that, at least on paper, is "an independent organ of the state," with a Supreme Court empowered to review the constitutionality of laws at the request of the Government and/or the Courts. Afghan Const. Art. 116, 121 (unofficial English translation), available at http://www.hazara.net/jirga/AfghanConstitution-Final.pdf (last visited January 8, 2004). See also Ron Synowitz, Afghanistan: Constitutional Commission Chairman Presents Karzai with Long-Delayed Draft Constitution (November 3, 2003), available at http://www.rferl.org/nca/features/2003/11/03112003164239.as p (last visited Jan. 8, 2004). B. Other Nations Have Curtailed Judicial Review During Times Of Crisis, Often Citing the United States’ Example, And Individual Freedoms Have Diminished As A Result. While much of the world is moving to adopt the institutions necessary to secure individual rights, many still regularly abuse these rights. One of the hallmarks of tyranny is the lack of a strong and independent judiciary. Not surprisingly, where countries make the sad transition to tyranny, one of the first victims is the judiciary. Many of the rulers that go down that road justify their actions on the basis of national security and the fight against terrorism, and, disturbingly, many claim to be modeling their actions on the United States. Again, a few examples illustrate this trend. In Peru, one of former President Alberto Fujimori’s first acts in seizing control was to assume direct executive control of the judiciary, claiming that it was justified by the threat of domestic terrorism. He then imprisoned thousands, refusing the right of the judiciary to intervene. International Commission of Jurists, Attacks on Justice 2000-Peru, August 13, 2001, available at http://www.icj.org/news.php3?id\_article=258726lang=en (last visited Jan. 8, 2004). In Zimbabwe, President Mugabe’s rise to dictatorship has been punctuated by threats of violence to and the co-opting of the judiciary. He now enjoys virtually total control over Zimbabweans’ individual rights and the entire political system. R.W. Johnson, Mugabe’s Agents in Plot to Kill Opposition Chief, Sunday Times (London), June 10, 2001; International Commission of Jurists, Attacks on Justice 2002— Zimbabwe, August 27, 2002, available at http://www.icj.org/news.php3?id\_article=269526lang=en (last visited Jan. 8, 2004). While Peru and Zimbabwe represent an extreme, the independence of the judiciary is under assault in less brazen ways in a variety of countries today. A highly troubling aspect of this trend is the fact that in many of these instances those perpetuating the assaults on the judiciary have pointed to the United States’ model to justify their actions. Indeed, many have specifically referenced the United States’ actions in detaining persons in Guantánamo Bay. For example, Rais Yatim, Malaysia’s "de facto law minister" explicitly relied on the detentions at Guantánamo to justify Malaysia’s detention of more than 70 suspected Islamic militants for over two years. Rais stated that Malyasia’s detentions were "just like the process in Guantánamo," adding, "I put the equation with Guantánamo just to make it graphic to you that this is not simply a Malaysian style of doing things." Sean Yoong, "Malaysia Slams Criticism of Security Law Allowing Detention Without Trial," Associated Press, September 9, 2003 (available from Westlaw at 9/9/03 APWIRES 09:34:00). Similarly, when responding to a United States Government human rights report that listed rights violations in Namibia, Namibia’s Information Permanent Secretary Mocks Shivute cited the Guantánamo Bay detentions, claiming that "the US government was the worst human rights violator in the world." BBC Monitoring, March 8, 2002, available at 2002 WL 15938703. Nor is this disturbing trend limited to these specific examples. At a recent conference held at the Carter Center in Atlanta, President Carter, specifically citing the Guantánamo Bay detentions, noted that the erosion of civil liberties in the United States has "given a blank check to nations who are inclined to violate human rights already." Doug Gross, "Carter: U.S. human rights missteps embolden foreign dictators," Associated Press Newswires, November 12, 2003 (available from Westlaw at 11/12/03 APWIRES 00:30:26). At the same conference, Professor Saad Ibrahim of the American University in Cairo (who was jailed for seven years after exposing fraud in the Egyptian election process) said, "Every dictator in the world is using what the United States has done under the Patriot Act . . . to justify their past violations of human rights and to declare a license to continue to violate human rights." Id. Likewise, Shehu Sani, president of the Kaduna, Nigeriabased Civil Rights Congress, wrote in the International Herald Tribune on September 15, 2003 that "~t~he insistence by the Bush administration on keeping Taliban and Al Quaeda captives in indefinite detention in Guantánamo Bay, Cuba, instead of in jails in the United States — and the White House’s preference for military tribunals over regular courts — helps create a free license for tyranny in Africa. It helps justify Egypt’s move to detain human rights campaigners as threats to national security, and does the same for similar measures by the governments of Ivory Coast, Cameroon and Burkina Faso." Available at http://www.iht.com/ihtsearch.php?id=10992726owner=(IHT)26dat e=20030121123259. In our uni-polar world, the United States obviously sets an important example on these issues. As reflected in the foundational documents of the United Nations and many other such agreements, the international community has consistently affirmed the value of an independent judiciary to the defense of universally recognized human rights. In the crucible of actual practice within nations, many have looked to the United States model when developing independent judiciaries with the ability to check executive power in the defense of individual rights. Yet others have justified abuses by reference to the conduct of the United States. Far more influential than the words of Montesquieu and Madison are the actions of the United States. This case starkly presents the question of which model this Court will set for the world. CONCLUSION Much of the world models itself after this country’s two hundred year old traditions — and still more on its day to day implementation and expression of those traditions. To say that a refusal to exercise jurisdiction in this case will have global implications is not mere rhetoric. Resting on this Court’s decision is not only the necessary role this Court has historically played in this country. Also at stake are the freedoms that many in emerging democracies around the globe seek to ensure for their peoples.\*\*\*THEIR EVIDENCE\*\*\*

### A2 Democratic justice-exchange – Kersch ‘6

#### The **Kersch ‘6** evidence is just a lit review on liberalism – look in the un-highlighted, this author constantly provides straw-language such as “according to this view”

#### Internal conclusions limit their internal-link – **Kersch** doesn’t think judicial involvement is significant – prefer this snippet because it is the author’s argument, not lit review

Kersch 6, Assistant Professor of Politics

~2006, Ken I. Kersch, Assistant Professor of Politics, Princeton University. B.A., Williams; J.D., Northwestern; Ph.D., Cornell. Thanks to the Social Philosophy and Policy Center at Bowling Green State University, where I was a visiting research scholar in the fall of 2005, and to the organizers of, and my fellow participants in, the Albany Law School Symposium, Albany Law School, "The Supreme Court and international relations theory."

\*\*\*THEIR EVIDENCE\*\*\*

Liberal theories of international relations hold that international peace and prosperity are advanced to the …

These judges will not understand themselves to be undermining American domestic sovereignty by alluding to foreign practices and precedents. And they will not understand themselves (in other than a relatively small-time and benign way) as undermining the sovereignty of other nations. They will see the pay-off-to-benefit ratio of simply talking to other judges across borders, and to citing and alluding to foreign preferences (when appropriate, and in non-binding ways) as high. They will, moreover, see themselves as making a modest contribution to progress around the world, with progress defined in a way that is thoroughly consistent with the core commitments of American values and American constitutionalism.

… The liberal foreign policy outlook will thus fortify them against contemporary criticism. \*\*\*THEIR EVIDENCE\*\*\*

### 2NC region’zm – democracy

#### Regionalism solves democracy – no backsliding, better chance of success –works for the Middle East

Sachs, 11 – Director of The Earth Institute, Quetelet Professor of Sustainable Development, and Professor of Health Policy and Management at Columbia University. He is also Special Advisor to United Nations Secretary-General Ban Ki-moon (Jeffrey, “A World of Regions,” 5/26, http://www.social-europe.eu/2011/05/a-world-of-regions/)

In almost every part of the world, long-festering problems can be solved through closer cooperation among neighboring countries. The European Union provides the best model for how neighbors that have long fought each other can come together for mutual benefit. Ironically, today’s decline in American global power may lead to more effective regional cooperation. This may seem an odd time to praise the EU, given the economic crises in Greece, Spain, Portugal, and Ireland. Europe has not solved the problem of balancing the interests of strong economies in the North and those of weaker economies in the South. Still, the EU’s accomplishments vastly outweigh its current difficulties. The EU has created a zone of peace where once there was relentless war. It has provided the institutional framework for reuniting Western and Eastern Europe. It has fostered regional-scale infrastructure. The single market has been crucial to making Europe one of the most prosperous places on the planet. And the EU has been a global leader on environmental sustainability. For these reasons, the EU provides a unique model for other regions that remain stuck in a mire of conflict, poverty, lack of infrastructure, and environmental crisis. New regional organizations, such as the African Union, look to the EU as a role model for regional problem-solving and integration. Yet, to this day, most regional groupings remain too weak to solve their members’ pressing problems. In most other regions, ongoing political divisions have their roots in the Cold War or the colonial era. During the Cold War, neighbors often competed with each other by “choosing sides” – allying themselves with either the United States or the Soviet Union. Pakistan tilted towards the Americans; India towards the Soviets. Countries had little incentive to make peace with their neighbors as long as they enjoyed the financial support of the US or the USSR. On the contrary, continued conflict often led directly to more financial aid. Indeed, the US and Europe often acted to undermine regional integration, which they believed would limit their roles as power brokers. Thus, when Gamal Abdel Nasser launched a call for Arab unity in the 1950’s, the US and Europe viewed him as a threat. The US undercut his call for strong Arab cooperation and nationalism, fearing a loss of American influence in the Middle East. As a result, Nasser increasingly aligned Egypt with the Soviet Union, and ultimately failed in the quest to unite Arab interests. Today’s reality, however, is that great powers can no longer divide and conquer other regions, even if they try. The age of colonialism is finished, and we are now moving beyond the age of US global dominance. Recent events in the Middle East and Central Asia, for example, clearly reflect the decline of US influence. America’s failure to win any lasting geopolitical advantage through the use of military force in Iraq and Afghanistan underscore the limits of its power, while its budget crisis ensures that it will cut its military resources sooner rather than later. Similarly, the US played no role in the political revolutions underway in the Arab world, and still has not demonstrated any clear policy response to them. President Barack Obama’s recent speech on the Middle East is a further display of America’s declining influence in the region. The speech drew the most attention for calling on Israel to return to its 1967 borders, but the effect was undercut when Israel flatly rejected the US position. The world could see that there would be little practical follow-up. The rest of the speech was even more revealing, though it drew little public notice. When Obama discussed the Arab political upheavals, he noted the importance of economic development. Yet when it came to US action, the most that the US could offer financially was slight debt relief for Egypt ($1 billion), scant loan guarantees ($1 billion), and some insurance coverage for private investments. The real message was that the US government would contribute very little financially to the region’s economic recovery. The days when a country could depend on large-scale American financing are over. We are, in short, moving to a multi-polar world. The Cold War’s end has not led to greater US dominance, but rather to the dissemination of global power to many regions. East Asia, South Asia, Latin America, and the Middle East have new geopolitical and economic influence. Each region, increasingly, must find its own path to economic development, energy and food security, and effective infrastructure, and must do so in a world threatened by climate change and resource scarcity. Each region, therefore, will have to secure its own future. Of course, this should occur in a context of cooperation across regions as well as within them. The Middle East is in a strong **position to help itself**. There is a high degree of economic complementarity between Egypt and the oil-rich Gulf States. Egypt can supply technology, manpower, and considerable expertise for the Arab region, while the Gulf provides energy and finance, as well as some specialists. The long-delayed vision of Arab economic unity should be returned to the table. Israel, too, should recognize that its long-term security and prosperity will be enhanced as part of an economically stronger region. For the sake of its own national interests, Israel must come to terms with its neighbors. Other regions also will find that the decline of US power increases the urgency of stronger cooperation between neighbors. Some of the greatest tensions in the world – say India and Pakistan, or North and South Korea – should be defused as part of region-wide strengthening. As the EU shows, ancient enmities and battle lines can be turned into mutually beneficial cooperation if a region looks forward, to resolving its long-term needs, rather than backward, to its long-standing rivalries and conflicts.

## Legitimacy

### 2NC soft-balancing – concession of “hard power inevitable”

#### 2AC uniqueness concessions disable the aff’s offense – we’re making a strategic choice based on the constructives, protect us from new rebuttal spin

#### American hard power is a durable alt-cause – overshadows aff’s benevolent signal

Christopher Layne (Associate Professor in the Bush School of Government and Public Service at Texas A&M University) 2007 “American Empire: A Debate” p 68

Doubtless, American primacy has its dimension of benevolence, but a state as powerful as the United States can never be benevolent enough to offset the fear that other states have of its unchecked power. In international politics, benevolent hegemons are like unicorns—there is no such animal. Hegemons love themselves, but others mistrust and fear them—and for good reason. In today's world, others dread both the overconcentration of geopolitical weight in America's favor and the purposes for which it may be used. After all,"Nogreat power has a monopoly on virtue and, although some may have a greatdeal more virtue than others, virtue imposed on others is not seen as such bythem. All great powers are capable of exercising a measure of self-restraint, butthey are tempted not to and the choice to practice restraint is made easier by theexistence of countervailing power and the possibility of it being exercised." While Washington's self-proclaimed benevolence is inherently ephemeral, the hard fist of American power is tangible. Others must worry constantly that ifU.S. intentions change, bad things may happen to them. In a one-superpower world, the overconcentration of power in America's hands is an omnipresent challenge to other states's ecurity, and Washington's ability to reassure others of its benevolence is limited by the very enormity of its power.

#### Self-restrictions can’t change the minds of allies

Christopher Layne (Associate Professor in the Bush School of Government and Public Service at Texas A&M University) 2006 “The Peace of Illusions” p 142

Finally, just because the United States is a democracy doesn't mean that others won't fear its hegemonic power. When important geopolitical interests are on the line, realpolitik, not regime type, determines great power policies. The fact that U.S. power is unbalanced—and that Washington is so little constrained—means that, whenever it believes its interests dictate, the United States can throw the purported constrictures of democratic benevolence out the window and act as hegemon typically have acted. Indeed, since the end of the cold war, the nature, and scope, of America's hegemonic ambitions have become increasingly apparent even to its liberal democratic allies. The post cold war policies of the United States have caused other states to have second thoughts about whether it really is a status quo power. And the fact that the United States is a democratic hegemon does nothing to cause nondemocratic states (either second-tier major powers or lesser-ranking regional powers) to regard the United States as a benevolent hegemon.

#### Given overwhelming military edge, allies aren’t even convinced – channels of legitimacy can only limit power projection

Robert A. Pape (Professor of Political Science at the University of Chicago) summer 2005 “Soft Balancing Against the United States” International Security

Traditional realists may be tempted to dismiss soft balancing as ineffective. They should not. In the long run, soft balancing could also shift relative power between major powers and the United States and lay the groundwork to enable hard balancing if the major powers come to believe this is necessary. Preventing Soft Balancing in the Future The Bush strategy of preventive war against rogue states and aggressive unilateral military policies in general are increasing the incentives for major powers to balance against the United States. Since 2002, scholars, journalists, and diplomats have witnessed the result: a profound change in the world's response to American power. They have seen not simply the reluctance of traditional allies to join the U.S. war effort against Iraq, but active efforts by many of the world's major powers to delay, frustrate, and undermine U.S. war plans and reduce the number of countries that would fight alongside the United States. Although some observers might have thought that major powers would easily mend fences with the United States after the conquest of Iraq, in fact there are signs of growing soft balancing against it. Perhaps the most important indicator concerns U.S. allies. Key countries that sided with the United States during the war are working with France and Germany in a manner that works against further U.S. military adventures. Following the March 2004 election, Spain's newly elected prime minister, Jose Luis Rodriguez Zapatero, declared, "I want Europe to see us again as pro-European. The war in Iraq has been a disaster and the occupation continues to be a great disaster. Spain is going to see eye to eye with Europe again. Spain is going to be more pro-Europe than ever." n67 In September 2003 the United Kingdom joined France and Germany in an effort independent of the United States to use diplomacy and economic statecraft to persuade Iran to limit its nuclear ambitions. In February 2005 these European efforts compelled the Bush administration to declare that it would not use force against Iran "at this point in time" and to support a multilateral approach to the issue, at least temporarily.n68 Such widespread opposition is virtually unprecedented in U.S. history, especially by European and other major powers allied with the United States since World War II. The world is pushing back in response to the Bush administration's strategy of aggressive unilateralism. For the first time, the United States has adopted a national strategy to conquer countries that are not attacking it or its allies, at a time of its choosing, whether other states agree with U.S. policies or not. That Iraq and most other announced possible targets of this preventive war strategy are important to the control of Persian Gulf oil only makes matters worse. That the Bush strategy simultaneously calls for other aggressive unilateral military policies that will increase U.S. nuclear advantages over major powers indicates the administration's lack of concern about a backlash from these states. Serious opposition to U.S. military policies is only likely to increase if the United States continues along its present course of aggressive unilateralism. Traditional hard balancing -- military buildups, war-fighting alliances, and transfers of military technology to U.S. opponents -- may not occur soon in today's world, dominated as it is by the United States' overwhelming military power. But states can dilute the U.S. advantage and contain the United States' power in other ways. Even without directly confronting U.S. military might, major powers can use soft balancing tools -- international institutions, economic statecraft, and ad hoc diplomatic arrangements -- to limit the use of U.S. power in the short term and establish the crucial conditions for more ambitious balancing efforts in the long term.

#### Autonomy from the U.S. is the controlling motive – “leash-slipping” occurs, creating a false sense of hegemonic grip

Christoper Layne Fall, 2006 “The Unipolar Illussion Revisited The Coming of the United States' Unipolar Moment” International Security 31.2 (2006) 7-41

The United States' hard power poses a nonexistential (or soft) threat to others' autonomy and interests. By acquiring the capability to act independent of the United States in the realm of security, however, other states can slip free of the hegemon's leash-like grip and gain the leverage needed to compel the [End Page 29] United States to respect their foreign policy interests. As Posen writes, other major states are expected "at a minimum [to] act to buffer themselves against the caprices of the U.S. and will try to carve out the ability to act autonomously should it become necessary." 81 Leash-slipping is not traditional hard balancing because it is not explicitly directed at countering an existential U.S. threat. At the same time, it is a form of insurance against a hegemon that might someday exercise its power in a predatory and menacing fashion. 82 As Robert Art puts it, a state adopting a leash-slipping strategy "does not fear an increased threat to its physical security from another rising state; rather it is concerned about the adverse effects of that state's rise on its general position, both political and economic, in the international arena. This concern also may, but need not, include a worry that the rising state could cause security problems in the future, although not necessarily war." 83 If successful, leash-slipping would result in the creation of new poles of power in the international system, thereby restoring multipolarity and bringing U.S. hegemony to an end.

### 2NC region’zm – top level

#### Extend 1NC **Srinivasan ‘9**– regionalism is coming now, will be stable, autonomous incentives compensate for lack of U.S. legitimacy and solve the rogue question

#### Regionalism is not a question of U.S. sustainability – aff has dropped its right to spin because “legitimacy” is still the goal, just at a regional level – that’s **Mazaar**

#### More evidence

Krishnan Srinivasan, "International Conflict and Cooperation in the 21st Century," THE ROUND TABLE v. 98 n. 400, 2--09, pp. 37-47.

What features could best deﬁne a great power of the 21st century? It would be a¶ nation having been bestowed the international status beﬁtting a great power such as,¶ but not necessarily, permanent membership of the Security Council, and a nation¶ accorded equal respect by the existing great powers. Being a great power implies recognition not only by peers but also by smaller and weaker states willing to accept the legitimacy and authority of the power in question. Regional preponderance would represent an important element of any claim. A state may be considered a major power to the extent that it demonstrates the will and ability to extend and¶ exercise power beyond its frontiers, fulﬁlls a managerial or order-producing role in its region, and displays readiness to intervene to prevent the spread of chaos or the¶ threat of destabilization. A ‘responsible’ great power will be a participant in¶ international discussions and situations, and consciously indulge in boosting its¶ domestic image. It would be home to a mass culture and generate soft power in terms¶ of characteristic, inﬂuential and civilizational, cultural, philosophical or intellectual¶ contributions over a wide radius outside its borders.

#### Regionalism takes out their offense because it proves other nations are already managing any vacuum created by declining U.S. order

#### 1NC **Mazarr ’12** indicates that American legitimacy failure preserves trajectory toward regional solutions – diplomacy gets diluted by soft-balancers, better to not try

#### More link ev – collapse of American-centered order encourages regionalism

Leon T. Hadar, Cato Institute, "Welcome to the Post-Unipolar World: Great for the U.S. and for the Rest," HUFFINGTON POST, 7--8--10, <http://www.cato.org/pub_display.php?pub_id=11967>

In a way, the collapse of the American-controlled unipolar system — and before that, the end of the bipolar system of the Cold War — should help us recognize that international relations have ceased to be a zero-sum-game under which gains of other global powers become by definition a loss for America, and vice versa. It was inevitable that former members of the Soviet Union and the Soviet Bloc like Ukraine, Poland, Azerbaijan, Armenia and Georgia will try to stabilize their diplomatic and economic ties with Russia, while at the same time deterring powerful Russia by expanding cooperation with other players: Poland with Ukraine with Germany; Azerbaijan, Armenia and Georgia with Turkey and Iran, and all of these countries with the U.S and the European Union (EU).¶ Similarly, Washington should welcome — not discourage — the growing diplomatic and economic role that Turkey is playing in the Middle East, which could help bring stability to Iraq (and allow for American military to start withdrawing from there), moderate the policies of Iran (and prevent a military conflict with the U.S.), encourage negotiations between Israel and Syria, and lead eventually to the creation of a more stable Middle East where Turkey, Iran, the Arabs states and Israel will be more secure and prosperous.¶ It is not surprising those representatives of economic and bureaucratic interests in Washington, and some of America’s client states that draw benefits from American interventionist policy, operate under the axiom that the U.S. should always be prepared to “do something” to “resolve” this or that conflict, here, there, and everywhere. That kind of never-ending American interventionism only discourages regional powers, counting on Washington to come to their aid, from actually taking steps to resolve those conflicts that end-up drawing-in other regional and global players, ensuring that America will never leave Japan and Korea (to help contain China), Iraq (to deter Iran), Afghanistan (to deal with Pakistan). And that is exactly what the pro-interventionists in Washington want when they suggested that America is the “indispensable power.”¶ In any case, the notion that American hegemony is a precondition for global peace and security and that Washington needs therefore to extend its military commitments in Europe, the Middle East, Caucus, East Asia and elsewhere is not very practical — America does not have the resources in order to play that ambitious role — and is not very helpful, considering the most recent U.S. experience in the Middle East. The U.S. should not retreat from the world. But by embracing a policy of “constructive disengagement” from some parts of the world, America could help itself and the rest of the world.

### 2NC region’zm – warming

#### U.S.-led warming push fails – trades off with regional solutions without creating a sustainable market

Michael Levi, Senior Fellow, Energy and Envirronment et al., "Globalizing the Energy Revolution," FOREIGN AFFAIRS, November/December 2010, ASP.

The success of other nations in clean energy does not imply U.S. failure. The United States can benefit greatly from clean-energy innovation around the world, so long as it also pursues its own robust efforts at home. Each major economy has its own natural advantages when it comes to energy technology innovation and development. An enlightened U.S. strategy should aim to create a global innovation environment that weaves together those distinct strengths in pursuit of common energy goals. Not everyone will like every part of the package. Some U.S. firms will chafe at efforts that might help competitors in the developing world. Some emerging economies will resist opening up their markets to those same U.S. firms. Only by enlarging clean-energy markets can everyone enjoy a bigger piece of the pie. The alternative is not a world in which the United States dominates the clean-energy field alone, or even one in which another country solves the United States' problems for it. It is more likely to be one in which the cost of clean energy does not drop as quickly as needed, particularly in the developing world, and in which massive markets for clean-energy technologies do not materialize. In that case, the United States and the world will both lose.

### A2 Too Late for Warming

#### Not too late – every reduction key

Nuccitelli 12

[Dana, is an environmental scientist at a private environmental consulting firm in the Sacramento, California area. He has a Bachelor's Degree in astrophysics from the University of California at Berkeley, and a Master's Degree in physics from the University of California at Davis. He has been researching climate science, economics, and solutions as a hobby since 2006, and has contributed to Skeptical Science since September, 2010, <http://www.skepticalscience.com/realistically-what-might-future-climate-look-like.html>, HM]

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).

### 2NC soft-balancing – top level

#### Aff internal-link takes foreign cooperation for granted – autonomy-based interests overwhelm

#### Their ev does NOT assume the turn, aff is premised on false conflations – every “swing state” has a greater incentive to soft-balance instead of escalate or solidify alliances\*\*

Chaka Ferguson, Florida International University, 3-28-2011. “Soft Power as the New Norm: How the Chinese- Russian Strategic Partnership (Soft) Balances American Hegemony in an Era of Unipolarity,” http://digitalcommons.fiu.edu/cgi/viewcontent.cgi?article=1449&context=etd

Analytically, the study has sought to develop a robust definition and methodological framework to determine whether soft balancing is occurring in a specific instance. The definition provided in this study has gone further than those found in the existing literature by rethinking norms as a capability.519 Re-conceptualizing norms (or soft power) along these lines distinguishes hard balancing from soft balancing. Instead of trying to increase relative strength through internal arms buildups or alliances, states faced with overwhelming hard power can develop and increase their soft power assets to restrain a superpower. Such a strategy is much more cost effective than costly internal balancing and less perilous than risky alliances. Furthermore, soft balancing is unlikely to draw the “focused enmity” of the reigning hegemon, which reduces the potential for defections. For these reasons, soft balancing (whether acknowledged or not by the balancers) is the ideal strategy for states that are not currently worried about physical attack by a hegemonic power, but rather are looking for ways to counter the objectives and preferences of the hegemon. Making hard and soft balancing analytically distinct also will help policymakers and scholars avoid possible misperception in international politics. Because of its indirect nature, soft balancing could easily be overlooked. In fact, some scholars argue that there is little or no evidence for the concept. I argue the opposite and demonstrate the necessity of analytically distinguishing between hard and soft balancing. If soft and hard forms of balancing are not kept distinct, there is the possibility of misinterpretation of behavior. For example, actions by China and Russia to counterbalance norms might be underestimated and dismissed because they are indirect and therefore difficult to perceive or quantify. On the other hand, conflating all forms of balancing into the traditional variety could lead to an overestimation of Chinese and Russian motives and capabilities, leading to unnecessary confrontation, escalating tensions and spiraling security dilemmas.

#### Extend **Mazarr ’12** – soft-balancing is the true response to the aff, small states consciously undercut global efforts led by America – the internal-link will take shape but not durably produce offense

### No War 2nc

#### Heg doesn’t solve conflict—our Maher evidence says multiple failures prove the limits of US influence—heg provokes resentment and counter-balancing which weakens any benefits from preeminence and makes decline inevitable

#### No heg impact – interdependence checks - alarmist predictions empirically inaccurate and only make conflict more likely

Cox 12 – Prof Emeritus @ London School of Economics

Michael, “Power Shifts, Economic Change and the Decline of the West?”, International Relations 2012 26: 369, CMR

I draw two other very important conclusions from the foregoing analysis. The first ¶ concerns the lessons we should be drawing from the past. Here, the Cold War looms ¶ large in my thinking. I am not naïve enough to think that it would have been easy to have ¶ avoided some form of competition between the United States and the USSR after World ¶ War II. But **there is little doubt** either **that Western** worst case thinking **based on** exaggerated fears **of a rising Soviet Union did make** the **conflict far more intense and long lasting** ¶ than it might have been otherwise. In the same way, though in a very different context ¶ involving a very different kind of state, **there is a very real danger** today that **if** the **policymakers** and analysts **begin to talk up Chinese strengths without recognizing** its very real ¶ **limits**, **they could** easily **end up creating** yet **a**nother **security dilemma**.107¶ This brings me in turn to the future. As I earlier suggested, **too much of what has** ¶ **become the new mantra predicting a**n almost inevitable **revolution in world politics, with** ¶ **one part of world declining and another rising, is based on the altogether questionable** ¶ **notion** that **we can easily know what the world** and the world economy **is going to look** ¶ **like in 5, 10, 15 or** nearly **50 years** time. **We need to be** a bit **more circumspect**. After all, ¶ only a few years **before the end of the Cold War, it was predicted** that **the USSR would** ¶ **remain the same** – and it did not. **It was then predicted** that **Japan would become ‘number** ¶ **one’ in the world** – and **its financial system collapsed**. And **in 2005, the then head of the** ¶ **Federal Reserve** in the United States **told policy-makers** in the United States **that the** ¶ **market could never fail** – and **it did**, rather dramatically only **3 years later**. The conclusion ¶ to be drawn is obvious: why should we be any more confident today

when economists ¶ and pundits tell us that the rise of the BRICs is a foregone conclusion and that it is only ¶ matter of time before China (like Japan before it) becomes number one?¶ Finally, I want to make a plea here for a far more subtle theory of the modern international system. **Too many writers** over the past few years **have talked of the world as if it** ¶ **were like a series of billiard balls** banging up against each other **in some zero-like contest** ¶ **in which states and regions in one part of the world rise, while others in other parts of the** ¶ **world fall.** **This** might make perfect sense to some realists.108 However, it **ignores** just ¶ about everything else, including **the** fairly **self-evident fact** that **the modern international** ¶ **economy is now so interdependent** that **even if we accepted** the perfectly reasonable idea ¶ that **certain states can make relative gains** here at the expense of other states there, in the ¶ end, **most states** – including most obviously the United States and China – **have become** ¶ **entirely dependent on each other for** their **prosperity and security**. To this degree, **we no** ¶ **longer live in a world composed of** clearly specified **friends and** well-defined **enemies**, ¶ **but rather in one where partnership has become a necessity**. Once upon a time, this way ¶ of looking at the world was branded by its critics as liberal idealism. In the twenty-first ¶ century, it has, in my view, become the highest form of realism.

# 1NR

### O/V

#### **Prefer this impact – structural violence is invisible and exponential – ethics**

Nixon 11

(Rob, Rachel Carson Professor of English, University of Wisconsin-Madison, Slow Violence and the Environmentalism of the Poor, pgs. 2-3)

Three primary concerns animate this book, chief among them my conviction that we urgently need to rethink-politically, imaginatively, and theoretically-what I call "slow violence." By slow violence I mean a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all. Violence is customarily conceived as an event or action that is immediate in time, explosive and spectacular in space, and as erupting into instant sensational visibility. We need, I believe, to engage a different kind of violence, a violence that is neither spectacular nor instantaneous, but rather incremental and accretive, its calamitous repercussions playing out across a range of temporal scales. In so doing, we also need to engage the representational, narrative, and strategic challenges posed by the relative invisibility of slow violence. Climate change, the thawing cryosphere, toxic drift, biomagnification, deforestation, the radioactive aftermaths of wars, acidifying oceans, and a host of other slowly unfolding environmental catastrophes present formidable representational obstacles that can hinder our efforts to mobilize and act decisively. The long dyings-the staggered and staggeringly discounted casualties, both human and ecological that result from war's toxic aftermaths or climate change-are underrepresented in strategic planning as well as in human memory. Had Summers advocated invading Africa with weapons of mass destruction, his proposal would have fallen under conventional definitions of violence and been perceived as a military or even an imperial invasion. Advocating invading countries with mass forms of slow-motion toxicity, however, requires rethinking our accepted assumptions of violence to include slow violence. Such a rethinking requires that we complicate conventional assumptions about violence as a highly visible act that is newsworthy because it is event focused, time bound, and body bound. We need to account for how the temporal dispersion of slow violence affects the way we perceive and respond to a variety of social afflictions-from domestic abuse to posttraumatic stress and, in particular, environmental calamities. A major challenge is representational: how to devise arresting stories, images, and symbols adequate to the pervasive but elusive violence of delayed effects. Crucially, slow violence is often not just attritional but also exponential, operating as a major threat multiplier; it can fuel long-term, proliferating conflicts in situations where the conditions for sustaining life become increasingly but gradually degraded.

### Fmwk

#### The role of the judge should be to guide students toward ethically constructing advocacies – this means debate should focus on how we think about problems and not just the particular policy, so you should look at systems of warism versus pacificism and not the singular event of their impact scenarios – fiat isn’t real and we’re not policymakers – the only thing that matters is the value of our scholarship and the ability to translate that into political activity – and deprioritize issues of link uniqueness and transitions war – our link arguments prove there’s a larger set of social relations the plan creates and the standpoints we take in relation to that are important

Bleiker 3 Roland, Professor of International Relations, University of Queensland “Discourse and Human Agency” Contemporary Political Theory. Avenel: Mar 2003.Vol. 2, Iss. 1;  pg. 25

Confronting the difficulties that arise with this dualistic dilemma, I have sought to advance a positive concept of human agency that is neither grounded in a stable essence nor dependent upon a presupposed notion of the subject. The ensuing journey has taken me, painted in very broad strokes, along the following circular trajectory of revealing and concealing: discourses are powerful forms of domination. They frame the parameters of thinking processes. They shape political and social interactions. Yet, discourses are not invincible. They may be thin. They may contain cracks. By moving the gaze from epistemological to ontological spheres, one can explore ways in which individuals use these cracks to escape aspects of the discursive order. To recognize the potential for human agency that opens up as a result of this process, one needs to shift foci again, this time from concerns with Being to an inquiry into tactical behaviours. Moving between various hyphenated identities, individuals use ensuing mobile subjectivities to engage in daily acts of dissent, which gradually transform societal values. Over an extended period of time, such tactical expressions of human agency gradually transform societal values. By returning to epistemological levels, one can then conceptualize how these transformed discursive practices engender processes of social change. **I have used everyday forms of resistance to illustrate how discourses not only** frame **and** subjugate **our thoughts and behaviour, but also offer possibilities for human agency. Needless to say, discursive dissent is not the only practice of resistance that can exert human agency. There are many political actions that seek** immediate changes **in policy or institutional structures, rather than 'mere' shifts in societal consciousness. Although some of these actions undoubtedly achieve results, they are often not as potent as they seem. Or, rather, their** enduring effect **may well be primarily discursive, rather than institutional.** Nietzsche (1982b, 243) already knew that **the greatest events 'are not our loudest but our stillest hours.' This is why he stressed that the world revolves 'not around the inventors of new noise, but around** the inventors of new values.' **And this is why, for Foucault too, the** crucial site **for political investigations are** not institutions**, even though they are often the place where power is inscribed and crystallized. The fundamental point of anchorage of power relations, Foucault claims, is always located** outside institutions**, deeply entrenched within the social nexus. Hence,** instead of looking at power from the vantage point of institutions, one must analyse institutions from the standpoint of power relations (Foucault, 1982, 219-222).

#### **Our mental relationship to war and peace is a controlling factor in the policy research that we do and the choices we make about militarism – we have a responsibility to be conscious of the way we represent war in our scholarship – their decision to represent war as a necessary but regulate-able evil solidifies militarism**

Jenkins 73 – Professor of Philosophy @ University of Alabama [Iredell Jenkins, “The Conditions of Peace”, The Monist, Vol. 57, No. 4, Philosophy of War (OCTOBER, 1973), pp. 507-526, http://www.jstor.org/stable/27902329] Gender Edited

I shall argue in this paper that our thinking about the question of war and peace is vitiated at its source by a series of mistaken assumptions and intentions. These misconceptions pass as sound coin because they have the air of truisms: they appear to direct our inquiries along lines that are sure to be successful and are anyway the only ones available. At the same time, these errors are so basic that they distort both theory and practice from the start: they are red herrings, putting us on a false scent from which we never free ourselves because we cannot get close enough to the quarry to recognize our mistake. It is my purpose to expose these errors and point the way to their correction. Three basic mistakes have misled our thinking about war and peace. We have employed the wrong categories. We have studied the wrong data. And we have pursued the wrong goal. These errors are intimately related, with each in turn entailing the next. The categories we think in focus our attention too narrowly. The data we pore over yield distorted conclusions. The goals we are thus led to pursue are mirages that grow fainter the closer we approach them. It will be necessary to discuss these errors serially, but it must be remembered that they are in reality tightly forged links in a closed chain. 1. The controlling factor in all human undertakings is the conceptual apparatus that men [people] employ-the terms in which they think. These modes of thought largely determine the data we examine, the phenomena we are interested in, the questions we ask, and the purposes we pursue. In more homely language, this apparatus defines where we look, what we look for, and what we hope to do. And it is here, at their very first step, that our dealings with the problem of war and peace go astray. Our mistake is simple but critical: we think in terms that focus our attention on only one side of the issue, and that the more superficial and derivative side. What we do, in brief, is to treat war as an independent variable, which is to be understood in isolation from any larger context and dealt with strictly on its own terms. We appear to act on the assumption that wars are ultimate and ineradicable features of reality, so there are only two things we can do about them: delay their occurrence and make sure we win them when they occur. Seen in the light of reason, this procedure is paradoxical. The real and final object of our concern is peace. We want to establish amicable relations among people, and create a community of feeling and interests. Yet the overwhelming proportion of our thinking, talking, and acting is concerned with war. It is war, in fact and in threat, that constantly preoccupies us. So the universe of discourse in which we treat the problem of war and peace has a vocabulary that is derived entirely from only one of these elements: war. The concepts that dominate our thinking are 'nation states', 'sovereignty', 'foreign powers', 'treaties', 'alliances', 'the balance of power', 'nuclear deterrents', and other such. War so fascinates us that we are incapable of viewing it in perspective and putting it in context. So we fail to see that war is only one element in a complex set of human relationships, which can be neutralized by other and very different elements. Instead, we persist in thinking that the threat of war can be averted, and war itself 'won', only in the terms that it itself poses: namely, the appeal to force. Peace may be the object of our prayers, but war is the object of our efforts. I remarked above that there is something extremely paradoxical about this situation. But there is nothing unusual about it: this is not an isolated case, but an instance of a general type of behavior. In one context after another, we find men neglecting to pursue the good they seek and thinking only of averting the evil they fear. Many dichotomies of this sort come easily to mind: peace-war, health-illness, justice-injustice, equality-discrimination, rehabilitation-punishment. In every instance, it is the second item on which we lavish our efforts. It simply seems to be the case that in all of the contexts of life men [people] tend to take sound and satisfactory situations for granted, and to be concerned only with those that are unpleasant, threatening, or harmful. So instead of trying to preserve peace, we think only of preventing wars-or winning them. In short, we are in the odd position of not seeking the ends that we desire, but merely trying to avert or cure the outcomes we fear. Indeed, we do not even think much about these goods, and we usually define them as the absence of their opposites. So though our approach to the problem of war and peace is paradoxical, it is not anomolous. 2. Our initial mistake in dealing with the issues of war and peace is to employ the wrong categories: our thinking is done exclusively in terms of 'war' and concepts associated with it. The immediate result of this mistake is to focus our attention on a narrow and inadequate range of data. The common meaning of 'war' is a conflict between nation states, waged by armies using every weapon of force available, in which each party seeks to defeat the other (the "enemy") and reduce it to a condition of total subservience. As Clausewitz put it in his classic treatise, "War therefore is an act of violence intended to compel our opponent to fulfill our will".1 Since we think in terms of war, and this is what war means, these are the data we turn to when we seek enlightenment on the issues of war and peace: we look only at the relations between sovereign states, and then only when these states are in a condition of actual or threatened violent conflict. We thus find ourselves in the absurd position of trying to understand peace by studying war. This is like trying to understand motion by studying rest, as the ancients did, or trying to derive the character of man from the nature of God, as the mediaevalists did. We deride these latter efforts as exercises in futility. But we employ an exactly analogous procedure in our approach to peace, and we are perpetually surprised and frustrated when it does not succeed. What we are doing, in sum, is using the pathological case as a paradigm for studying the sound case. So we become expert only in the pathology of international relations. Our fascination with the phenomena of war leads us to certain conclusions that become as unshakeable as they are deceptive. We regard the sovereign state as at once a brute fact and an impenetrable mystery. We assume that there must be irreconcilable conflicts of interest among such states. Since these conflicts can be neither resolved nor arbitrated, they must eventually lead to trial by force. Given the facts that we study, these conclusions follow naturally.

### Wight – Policy Link

#### Framing issue – the way we discuss and represent war should come first – the language surrounding violence has direct, concrete effects

* Political acts of violence are uniquely tied to language – every government has to convince their people that it’s legitimate. The plan helps make that VERY convincing – makes it look like there’s some restraint

**Collins & Glover 2** (John, Assistant Prof. of Global Studies at St. Lawrence University, Ross, Visiting Professor of Sociology at St. Lawrence University, Collateral Language, p. 6-7)

As any university student knows, theories about the “social con­struction” and social effects of language have become a common feature of academic scholarship. Conservative critics often argue that those who use these theories of language (e.g., deconstruc­tion) are “just” talking about language, as opposed to talking about the “real world.” The essays in this book, by contrast, begin from the premise that language matters in the most concrete, im­mediate way possible: its use, by political and military leaders, leads directly to violence in the form of war, mass murder (in­cluding genocide), the physical destruction of human commu­nities, and the devastation of the natural environment. Indeed, if the world ever witnesses a nuclear holocaust, it will probably be because leaders in more than one country have succeeded in convincing their people, through the use of political language, that the use of nuclear weapons and, if necessary, the destruction of the earth itself, is justifiable. From our perspective, then, every act of political violence—from the horrors perpetrated against Native Americans to the murder of political dissidents in the So­viet Union to the destruction of the World Trade Center, and now the bombing of Afghanistan—is intimately linked with the use of language. Partly what we are talking about here, of course, are the processes of “manufacturing consent” and shaping people’s per­ception of the world around them; people are more likely to sup­port acts of violence committed in their name if the recipients of the violence have been defined as “terrorists,” or if the violence is presented as a defense of “freedom.” Media analysts such as Noam Chomsky have written eloquently about the corrosive ef­fects that this kind of process has on the political culture of sup­posedly democratic societies. At the risk of stating the obvious, however, the most fundamental effects of violence are those that are visited upon the objects of violence; the language that shapes public opinion is the same language that burns villages, besieges entire populations, kills and maims human bodies, and leaves the ground scarred with bomb craters and littered with land mines. As George Orwell so famously illustrated in his work, acts of vio­lence can easily be made more palatable through the use of eu­phemisms such as “pacification” or, to use an example discussed in this book, “targets.” It is important to point out, however, that the need for such language derives from the simple fact that the violence itself is abhorrent. Were it not for the abstract language of “vital interests” and “surgical strikes” and the flattering lan­guage of “civilization” and ‘just” wars, we would be less likely to avert our mental gaze from the physical effects of violence.

### Heg Inev

#### Err neg - Security discourse actively exaggerates and creates threats – this form of enemy creation leads to intervention

Fettweis 10

[Christopher J, professor of security studies at the Naval War College, “Dangerous Times: The International Politics of Great Power Peace”, page number below, CMR]

It is perhaps worth pausing for a moment to realize that the diplomats of any prior age would have been quite happy to exchange their problems for ours. Terorism and the other irregular threats of the early twenty-first century are in reality quite minor in comparison to those of eras that came before and certainly do not threaten the existence of even the weakest state, much less the great powers. Today's security debate often seems driven less by actual threats than by vague, unnamed dangers. Former Secretary of Defense Donald Rumsfeld warned about "unknown unknowns," which are the threats that "we don't know we don't know," which "tend to be the difficult ones."49 Kagan and Kristol worry that if the United States fails to remain highly engaged, the system "is likely to yield very real external dangers, as threatening in their own way as the Soviet Union was a quarter century ago."50 What exactly these dangers would be is left open to interpretation. In the absence of identifiable threats, the unknown can provide us with an enemy, one whose power and danger is limited only by the imagination. It is what Friedman and Sapolsky call "the threat of no threats" and is perhaps the most frightening of all.51 Even if, as everyone schooled in folk wisdom knows, "anything is possible," it is not true that everything is plausible. There is no limit on the potential dangers that the human mind can manufacture, but there are very definite limits on the specific threats that the system contains. "To make anything very terrible, obscurity seems in general to be necessary" noted Edmund Burke. "When we know the full extent of any danger, when we can accustom our eyes to it, a great deal of the apprehension vanishes."52 The full extent of today's dangers is not only know-able, but relatively minor. Threat exaggeration has been one of the favorite tools used by opponents of restraint, from Wilson to Roosevelt to Bush. Since self-defense is one of the few justifications for international activism that is uncomplicated by questions of morality, once foreign events are linked to the security of the United States intervention becomes an easier sell.53 Exaggerating threats is a traditional weapon in the domestic politics arsenal of the internationalists, inspiring a variety of actions conceived to address threats more imagined than real. When Robert Jervis noted that "security concerns are greatly reduced for the unipole," he was guilty of understatement.54 If they were honest, those who actively or passively favor internationalism would admit that very few of our foreign adventures have been necessary to secure the country. The United States is no more and no less secure after having replaced Saddam with chaos, for instance. Simply put, the United States is not compelled to play an active role in world affairs in order to address its basic security, since that security is already all but assured. The benefits of activist strategies must therefore manifestly outweigh the costs, since the United States could easily survive inaction, no matter how dire the situation may appear. In US foreign policy, necessity is an illusion. Choices always exist, especially for the strongest country in the history of the world." What are often sold to the public as necessary actions are almost always matters of choice; rather than emergency operations, U.S. interventions are in reality elective surgery. And elective surgery, as everyone knows, often makes problems worse. Thus both theoretical logic and evidence from the security environment suggest that the United States would run no risks if it decided to intervene far less in the affairs of others. The next section describes the key elements of what would be the most rational grand strategy in a world nearly free of warfare: that of strategic restraint^) [page 167-168]

### No Impact/We Solve

#### The root cause of the conflicts they want to intervene in is colonialism but intervention leads to worse structural violence and is a smokescreen for imperialism

Castles 3

(Stephen, Towards a Sociology of Forced Migration and Social Transformation, Sociology, Vol. 77, no. 1, pp. 13-34, 2003)

The context of this trend was the inability to achieve economic and social development and the failure to build legitimate and stable states in large areas of the South. What Mary Caldor calls ‘the new wars’ are usually internal wars connected with identity struggles, ethnic divisions, problems of state formation and competition for economic assets. But they are simultaneously transnational as they involve diaspora populations, foreign volunteers and mercenaries, and international intervention forces. They also draw in international journalists, UN aid organizations, NGOs, and regional organizations. The means of warfare have also changed. The protagonists are not large standing armies but irregular forces. The aim is not control of territory, but political control of the population. Mass population expulsion is often a strategic goal, which is why the new wars have led to such an upsurge in forced migration (Kaldor 2001). Ninety per cent of those killed are civilians. Both government forces and insurgents use exemplary violence including torture and sexual assault as means of control. Many politicians and media commentators saw the ethnic cleansing and genocide of Former Yugoslavia, Rwanda etc. as the resurgence of ‘age-old hatreds’. It is more accurate to see such practices as systemic elements of a thoroughly modern new form of warfare (Summerfield 1999). Northern economic interests (such as the trade in oil, diamonds, coltan or small arms) play an important part in starting or prolonging local wars. At a broader level, trade, investment and intellectual property regimes that favour the industrialised countries maintain underdevelopment in the South. Conflict and forced migration are thus ultimately an integral part of the North-South division. This reveals the ambiguity of efforts by the ‘international community’ (which essentially means the powerful Northern states and the intergovernmental agencies) to prevent forced migration. They seek to do this through both entry restrictions in the North and ‘containment’ measures in the South. Containment includes humanitarian aid, peace-keeping missions and even military intervention. At the same time, the North does more to cause forced migration than to stop it, through enforcing an international economic and political order that causes underdevelopment and conflict. However, violence and forced migration also causes social transformation. They destroy economic resources, undermine traditional ways of life and break up communities. Forced migration is thus a factor which deepens underdevelopment, weakens social bonds, and reduces the capacity of communities and societies to achieve positive change. Post-conflict reconstruction rarely leads to restoration of the pre-conflict situation, but rather to new and often problematic social relationships. The study of forced migration therefore should be a central part of the sociology of development. Forced migration is a factor in social transformation in an additional sense, as Mark Duffield has recently argued (Duffield 2001). Persistent underdevelopment in large parts of the South is not an economic problem for the North, because these countries are largely disconnected from the global economy. However, underdevelopment is increasingly seen as a threat to security in the North. This is because the South connects with the North in unexpected and unwanted ways: through the proliferation of transnational informal networks, such as international crime, the drug trade, people smuggling and trafficking, as well as migrant networks which facilitate irregular mobility. Such phenomena are partly a result of trends towards economic deregulation and privatisation in the North, which open up the space for informal economies. The Al Qaida network can be seen as the very epitome of an undesirable transnational network, whose goals and mode of operation would have been unthinkable in any earlier epoch. Duffield argues that the result is a fundamental change in the objectives of both development policy and humanitarianism. Containment of forced migration through neutral humanitarianism has failed. Similarly, the Washington Consensus – the neo-liberal credo of the World Bank and the IMF that underdevelopment could be countered by economic growth based on foreign investments and export-led growth – has proved mistaken. Humanitarianism and development policy have a new joint task: the transformation of whole societies in order to prevent conflict and to achieve social and economic change. The principle of transforming whole societies was contained in a remarkable lecture by the then Senior Vice-President of the World Bank, Joseph Stiglitz, in 1998. He argued that development required fundamental shifts in cultural values and social relationships, and that it was the task of international agencies to help bring these about (Stiglitz 1998). In the meantime, Stiglitz has left the World Bank and been awarded the 2001 Nobel Prize for Economics. Development is now seen by Northern governments and international agencies as impossible without security and peace. This means that humanitarian action and military intervention can no longer attempt to be neutral. Rather, such interventions seek to restore peace at the local level through imposing certain political and economic structures as part of a system of ‘networked global liberal governance**’**. This system has ‘a radical mission to transform societies as a whole, including the attitudes and beliefs of the people within them’ (Duffield 2001). The price of being connected to global economic and political networks is thus the adoption of Northern economic structures, political institutions and value systems.

### Perm

#### Praxis is key – the permutation is politically and intellectually incoherent since it foregoes an unconditional commitment to peace – combining our strategies ensures cooption

Megroan 8 (Nick, Department of Geography, University of Newcastle, UK, “Militarism, Realism, Just War, or Nonviolence?”, Jan 1, Geopolitics, EBSCO, CMR)

**Every student** of the relations between states, **who** also **holds that** scholarly engagement **must** not merely **be theoretical and empirical but also** political **and** moral**, cannot avoid facing the question: in what circumstances, if at all, should a state be considered right in making or joining war?** The argument of this paper is simply that critical geopolitics has not properly grappled with this question in a systematic and consistent way. By virtue of opposition to certain wars but advocacy of others, by implicit use of just war categories and language in moral reasoning, it is de facto operating within the parameters **of** a version of **just war theory.** However, because this appro- priation is not made explicit – indeed, because just war theory is at times summarily dismissed – its appropriation is partial. This selective appropriat ion is problematic. Whilst critical geopolitical analyses of individual wars might be insightful and compelling, **the bigger picture may be one of** incoherence and subjectivity. The purpose of theory selectively deployed becomes confusing, critique may be turned in on itself, there is a lack of clarity and rigour in moral reasoning despite superficial rhetorical appeals to morality, and the political intent of the project becomes unclear and even co-optable **to the service of neoconservatism**. This partial and contradictory appropriation of just war theory is also intellectually unsatisfying, **and** limits the potential of critical geopolitics **to be taken seriously outside** a **small, self-selecting readership**. My objection thus far is not to just war theory per se. It provides a framework for reasoning about warfare that regards it as an evil to be deployed in only exceptional circumstances, and (despite its name), its pre- sumption is against violence. We liv e in a messy and complicated and vio- lent world. Just war theory’s insistence, against realism and militarism, that military violence is not beyond the le gitimate sphere of moral reasoning is important, and the arguments for the occasional and limited use of force to restore peace and rectify injustice are strong ones. If critical geopolitics wishes to locate itself explicitly in this school of thought, it will find compel- ling reasons for doing so and many allies already there. By this process, it will certainly refine and advance the project (of critical geopolitics) with an injection of intellectual rigour. As I have suggested with reference to Toal’s critique of the 1991 US war on Iraq as being about American identity, it could in turn also make an original contribution to thought about the category of just intention . However, whilst recognising its pa cific intent, **I remain** personally **unconvinced by just war theory** as used either consistently by theorists and jurists, or partially as in critical geopolit ics. Critical geopolitics, as I read it, is not simply about exposing the power-knowledge relationships at the heart of geopolitical reasoning, 91 and denaturalising the global order by portray- ing it as socially and historically constructed 92 through an “examination of the geographical assumpti ons, designations, and understandings that enter into the making of world politics” 93 and how places and people are stitched together to narrate and explain events. 94 It is all of these, but it is more: **a political project committed**, as Dalby puts it, **to challenging the specifications of politics and dangers used** to justify violence. 95 **Nonviolence, as a** positive political **method and** also a **vision** of peac e and justice that explicitly **eschews the resort to force,** is a project that has only recently begun to be studied and theorised in a system atic manner, and ha s already yielded many promising results. 96 Personally, like a growing number of people, I am persuaded by the case for a Christian praxis of nonviolence. 97 Geopolitics has a long and bloody history of providing arguments for war 98 – critical geopolitics should reject the temptation to provide more, and place its capa- bilities and insights in the service of this exciting relatively new and under- resourced proj ect, not just war theory, realism, or militarism. In his history of twentieth-century geopolitical thought, Polelle observed that it “led its believers to be resigned to the necessity of violent international conflict”. 99 It would be deeply ironic if critical geopolitics we re to make the same mis- take in the twenty-first.

### Politics

#### Heg can’t solve Iran

Layne 2007

Christopher (Associate Professor in the Bush School of Government and Public Service at Texas A&M University) “American Empire: A Debate” p 76-7

Iran Because of the strategy of primacy and empire, the United States and Iran are on course for a showdown. The main source of conflict—or at leastthe one that has grabbed thelion'sshare of the headlines—is Tehran's evidentdetermination to develop a nuclear weapons program. Washington's policy, as President George W. Bush has stated on several occasions—in language that recalls his prewar stance on Iraq—is that a nuclear-armed Iran is"intolerable."Beyond nuclear weapons, however, there are other important issues that are driving the United States and Iran toward an armed confrontation.Chief among these is Iraq. Recently, Zalmay Khalilzad, the U.S. ambassadorto Iraq, has accused Tehran of meddling in Iraqi affairs by providing arms and training to Shiite militias and by currying favor with the Shiite politicians who dominate Iraq's recently elected government. With Iraq teetering on thebrink of a sectarian civil war between Shiites and Sunnis, concerns about Ira-nian interference have been magnified. In a real sense, however, Iran's nuclear program and its role in Iraq are merely the tip of the iceberg. The fundamental cause of tensions between the United States and Iran is the nature of America's ambitions in the Middle East and Persian Gulf. These are reflected in currentU.S. grand strategy—which has come to be known as the Bush Doctrine. TheBush Doctrine's three key components are rejection of deterrence in favor ofpreventive/preemptive military action; determination to effectuate a radicalshake-up in the politics of the Persian Gulf and Middle East; and gaining U.S.dominance over that region. In this respect, it is hardly coincidental that theadministration's policy toward Tehran bears a striking similarity to its policy during the run-up to the March 2003 invasion of Iraq, not only on the nuclearweapons issue but—ominously—with respect to regime change and democ-ratization. This is because the same strategic assumptions that underlay theadministration's pre-invasion Iraq policy now are driving its Iran policy. Thekey question today is whether these assumptions are correct.