# 1nc

### 1nc

**The aff’s failure to defend a topical plan in the context of the resolution is a reason to vote neg**

**First, a limited topic of discussion that provides for equitable ground is key to decision-making and advocacy skills in every and all facets of life ------ even if their position is contestable that’s distinct from it being valuably debatable---this still provides room for flexibility, creativity, and innovation, but targets the discussion to avoid mere statements of fact---T debates also solve any possible turn**

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

Debate is a means of settling differences, so there **must** be a difference of opinion or a **conflict of interest** before there can be a debate. If everyone is in agreement on a tact or value or policy, there is no need for debate: the matter can be settled by unanimous consent. Thus, for example, it would be pointless to attempt to debate "Resolved: That two plus two equals four," because there is simply no controversy about this statement. (Controversy is an essential prerequisite of debate. Where there is no clash of ideas, proposals, interests, or expressed positions on issues, there is no debate. In addition, debate **cannot produce effective decisions** without clear identification of a question or questions to be answered. For example, general argument may occur about the broad topic of illegal immigration. How many illegal immigrants are in the United States? What is the impact of illegal immigration and immigrants on our economy? What is their impact on our communities? Do they commit crimes? Do they take jobs from American workers? Do they pay taxes? Do they require social services? Is it a problem that some do not speak English? Is it the responsibility of employers to discourage illegal immigration by not hiring undocumented workers? Should they have the opportunity- to gain citizenship? Docs illegal immigration pose a security threat to our country? Do illegal immigrants do work that American workers are unwilling to do? Are their rights as workers and as human beings at risk due to their status? Are they abused by employers, law enforcement, housing, and businesses? I low are their families impacted by their status? What is the moral and philosophical obligation of a nation state to maintain its borders? Should we build a wall on the Mexican border, establish a national identification can!, or enforce existing laws against employers? Should we invite immigrants to become U.S. citizens? Surely you can think of many more concerns to be addressed by a conversation about the topic area of illegal immigration. Participation in this "debate" is likely to be emotional and intense. However, it is not likely to be productive or useful without focus on a **particular question** and identification of a line **demarcating sides in the controversy**. To be discussed and resolved effectively, controversies must be stated clearly. **Vague understanding** results in **unfocused deliberation** and **poor decisions**, frustration, and emotional distress, as evidenced by the **failure of** the United States **Congress** to make progress on the immigration debate during the summer of 2007.

Someone disturbed by the problem of the growing underclass of poorly educated, socially disenfranchised youths might observe, "Public schools are doing a terrible job! They are overcrowded, and many teachers are poorly qualified in their subject areas. Even the best teachers can do little more than struggle to maintain order in their classrooms." That same concerned citizen, facing a complex range of issues, might arrive at an unhelpful decision, such as "We ought to do something about this" or. worse. "It's too complicated a problem to deal with." Groups of concerned citizens worried about the state of public education could join together to express their frustrations, anger, disillusionment, and emotions regarding the schools, but **without a *focus*** for their discussions, they could easily agree about the sorry state of education **without finding points of clarity or** potential **solutions.** **A gripe session would follow**. But if a ***precise* question** is posed—such as "What can be done to improve public education?"—then a more **profitable** area of **discussion** is opened up simply by placing a focus on the search for a concrete solution step. One or more judgments can be phrased in the form of debate propositions, motions for parliamentary debate, or bills for legislative assemblies. The statements "Resolved: That the federal government should implement a program of charter schools in at-risk communities" and "Resolved: That the state of Florida should adopt a school voucher program" more clearly identify specific ways of dealing with educational problems in a manageable form, suitable for debate. They provide specific policies to be investigated and aid discussants in identifying points of difference.

To have a productive debate, which **facilitates** **effective decision making** by directing and **placing limits on the decision** to be made, the basis for argument should be clearly defined. If we merely talk about "homelessness" or "abortion" or "crime'\* or "global warming" we are likely to have an **interesting discussion** but not to establish profitable basis for argument. For example, the statement "**Resolved: That the pen is mightier than the sword**" is debatable, yet **fails to provide** much **basis for clear argumentation**. If we take this statement to mean that the written word is more effective than physical force for some purposes, we can identify a problem area: the comparative effectiveness of writing or physical force for a specific purpose.

Although we now have a general subject, we have not yet stated a problem. **It is still too broad**, too loosely worded to promote well-organized argument. What sort of writing are we concerned with—poems, novels, government documents, website development, advertising, or what? What does "effectiveness" mean in this context? What kind of physical force is being compared—fists, dueling swords, bazookas, nuclear weapons, or what? A more specific question might be. "Would a mutual defense treaty or a visit by our fleet be more effective in assuring Liurania of our support in a certain crisis?" The basis for argument could be phrased in a debate proposition such as "Resolved: That the United States should enter into a mutual defense treatv with Laurania." Negative advocates might oppose this proposition by arguing that fleet maneuvers would be a better solution. This is not to say that debates should completely avoid creative interpretation of the controversy by advocates, or that **good debates** cannot occur **over** competing interpretations of the controversy; in fact, these sorts of debates **may be** very engaging. The point is that debate is best facilitated by the guidance provided by **focus on a particular point of difference**, which will be outlined in the following discussion.

**Second, political simulations in a game-setting are good for education and decision-making ----- Defined rules, a stable topic, and institutional role playing are key**

Lantis 8 (Jeffrey S. Lantis is Professor in the Department of Political Science and Chair of the

International Relations Program at The College of Wooster, “The State of the Active Teaching and Learning Literature”, <http://www.isacompss.com/info/samples/thestateoftheactiveteachingandlearningliterature_sample.pdf>**)**

**Simulations**, games, and role-play represent a third important set of active teaching and learning approaches. Educational objectives include deepening conceptual understandings of a particular phenomenon, sets of interactions, or socio-political processes by using student interaction to bring **abstract concepts to life**. They provide students with a real or imaginary environment within which to act out a given situation (Crookall 1995; Kaarbo and Lantis 1997; Kaufman 1998; Jefferson 1999; Flynn 2000; Newmann and Twigg 2000; Thomas 2002; Shellman and Turan 2003; Hobbs and Moreno 2004; Wheeler 2006; Kanner 2007; Raymond and Sorensen 2008). The aim is to enable students to **actively experience**, rather than read or hear about, the “constraints and motivations for action (or inaction) experienced by real players” (Smith and Boyer 1996:691), or to think about what they might do in a particular situation that the instructor has dramatized for them. As Sutcliffe (2002:3) emphasizes, “Remote theoretical concepts can be given life by placing them in a situation with which students are familiar.” Such exercises capitalize on the strengths of active learning techniques: creating memorable experiential learning events that tap into multiple senses and emotions by utilizing visual and verbal stimuli. Early examples of simulations scholarship include works by Harold Guetzkow and colleagues, who created the Inter-Nation Simulation (INS) in the 1950s. This work sparked wider interest in political simulations as teaching and research tools. By the 1980s, scholars had accumulated a number of sophisticated simulations of international politics, with names like “Crisis,” “Grand Strategy,” “ICONS,” and “SALT III.” More recent literature on simulations stresses opportunities to reflect dynamics faced in the real world by individual decision makers, by small groups like the US National Security Council, or even global summits organized around international issues, and provides for a focus on contemporary global problems (Lantis et al. 2000; Boyer 2000). Some of the most popular simulations involve modeling international organizations, in particular United Nations and European Union simulations (Van Dyke et al. 2000; McIntosh 2001; Dunn 2002; Zeff 2003; Switky 2004; Chasek 2005). Simulations may be employed in one class meeting, through one week, or even over an entire semester. Alternatively, they may be designed to take place outside of the classroom in local, national, or international competitions. The scholarship on the use of games in international studies sets these approaches apart slightly from simulations. For example, Van Ments (1989:14) argues that **games are structured systems of competitive play** with **specific defined endpoints** or solutions that incorporate the material to be learnt. They are similar to simulations, but contain **specific structures or rules** that dictate **what it means to “win**” the simulated interactions. Games place the participants in positions to make choices that 10 affect outcomes, but do not require that they take on the persona of a real world actor. Examples range from interactive prisoner dilemma exercises to the use of board games in international studies classes (Hart and Simon 1988; Marks 1998; Brauer and Delemeester 2001; Ender 2004; Asal 2005; Ehrhardt 2008) A final subset of this type of approach is the role-play. Like simulations, roleplay places students within a structured environment and asks them to take on a specific role. Role-plays differ from simulations in that rather than having their actions prescribed by a set of well-defined preferences or objectives, role-plays provide more leeway for students to think about how they might act when placed in the position of their slightly less well-defined persona (Sutcliffe 2002). Role-play allows students to create their own interpretation of the roles because of role-play’s less “goal oriented” focus. The primary aim of the role-play is to dramatize for the students the relative positions of the actors involved and/or the challenges facing them (Andrianoff and Levine 2002). This dramatization can be very simple (such as roleplaying a two-person conversation) or complex (such as role-playing numerous actors interconnected within a network). The reality of the scenario and its proximity to a student’s personal experience is also flexible. While few examples of effective roleplay that are clearly distinguished from simulations or games have been published, some recent work has laid out some very useful role-play exercises with clear procedures for use in the **international studies classroom** (Syler et al. 1997; Alden 1999; Johnston 2003; Krain and Shadle 2006; Williams 2006; Belloni 2008). Taken as a whole, the applications and procedures for simulations, games, and role-play are well detailed in the active teaching and learning literature. Experts recommend a set of core considerations that should be taken into account when designing effective simulations (Winham 1991; Smith and Boyer 1996; Lantis 1998; Shaw 2004; 2006; Asal and Blake 2006; Ellington et al. 2006). These include building the simulation design around **specific educational objectives**, carefully selecting the situation or topic to be addressed, establishing the needed roles to be played by both students and instructor, providing clear rules, specific instructions and background material, and having debriefing and assessment plans in place in advance. There are also an increasing number of simulation designs published and disseminated in the discipline, whose procedures can be adopted (or adapted for use) depending upon an instructor’s educational objectives (Beriker and Druckman 1996; Lantis 1996; 1998; Lowry 1999; Boyer 2000; Kille 2002; Shaw 2004; Switky and Aviles 2007; Tessman 2007; Kelle 2008). Finally, there is growing attention in this literature to assessment. Scholars have found that these methods are particularly effective in bridging the gap between academic knowledge and everyday life. Such exercises also lead to **enhanced student interest** in the topic, the development of **empathy**, and **acquisition and retention** of **knowledge**.

**Third, the aff’s method destroys argument testing and political solutions ----- decision-making skills become ignored for unaccountable policymaking**

Chandler 9 (David Chandler is Professor of International Relations at the University of Westminster, “Questioning Global Political Activism”, What is Radical Politics Today?, Edited by Jonathan Pugh, pp. 81-2)

However, politics is **no less important** to many of us today. Politics still gives us a sense of social connection and social rootedness and gives meaning to many of our lives. It is just that the nature and practices of this politics are different. We are less likely to engage in the formal politics of representation - of elections and governments - but in post-territorial politics, a politics where there is much less division between the private sphere and the public one and much less division between national, territorial, concerns and global ones. This type of politics is on the one hand ‘global’ but, on the other, highly individualised: it is very much the politics of our everyday lives – the sense of meaning we get from thinking about global warming when we turn off the taps when we brush our teeth, take our rubbish out for recycling or cut back on our car use - we might also do global politics in deriving meaning from the ethical or social value of our work, or in our subscription or support for good causes from Oxfam to Greenpeace and Christian Aid. I want to suggest that when we do ‘politics’ nowadays it is **less** the ‘old’ politics, **of** self-interest, political parties, and **concern for governmental power**, than the ‘new’ politics of global ethical concerns. I further want to suggest that the forms and content of this new global approach to the political are more akin to religious beliefs and practices than to the forms of our social political engagement in the past. Global politics is similar to religious approaches in three vital respects: 1) global post-territorial politics are no longer concerned with power, its’ concerns are free-floating and in many ways, existential, about how we live our lives; 2) global politics revolve around practices with are private and individualised, they are about us as individuals and our ethical choices; 3) the practice of global politics tends to **be** non-instrumental, we do not subordinate ourselves to collective associations or parties and are more likely to give value to our aspirations, acts, or the fact of our awareness of an issue, as an end in-itself. It is as if we are upholding our goodness or ethicality in the face of an increasingly confusing, problematic and alienating world – our politics in this sense are an expression or voice, in Marx’s words, of ‘the heart in a heartless world’ or ‘the soul of a soulless condition’. The practice of ‘doing politics’ as a form of religiosity is a highly conservative one. As Marx argued, religion was the ‘opium of the people’ - this is politics as a sedative or pacifier: it feeds an illusory view of change at the expense of genuine social engagement and transformation. I want to argue that global ethical politics reflects and institutionalises our sense of disconnection and social atomisation and **results in** irrational andunaccountable government policy making. I want to illustrate my points by briefly looking at the practices of global ethics in three spheres, those of radical political activism, government policy making and academia. Radical activism People often argue that there is nothing passive or conservative about radical political activist protests, such as the 2003 anti-war march, anti-capitalism and anti-globalisation protests, the huge march to Make Poverty History at the end of 2005, involvement in the World Social Forums or the radical jihad of Al-Qaeda. I disagree; these new forms of protest are **highly** individualised and **personal** ones - there is **no attempt to build** a social or collective **movement**. It appears that theatrical suicide, demonstrating, badge and bracelet wearing are ethical acts in themselves: personal statements of awareness, rather than attempts to engage politically with society. This is illustrated by the ‘celebration of differences’ at marches, protests and social forums. It is as if people are **more concerned with** the creation of **a sense of community** through differences **than with** any **political debate**, shared agreement or **collective purpose**. It seems to me that if someone was really concerned with ending war or with ending poverty or with overthrowing capitalism, that political views and political differences would be quite important. Is war caused by capitalism, by human nature, or by the existence of guns and other weapons? It would seem important to debate reasons, causes and solutions, it would also seem necessary to give those political differences an organisational expression if there was a serious project of social change. Rather than a political engagement with the world, it seems that radical political activism today is a form of social disengagement – expressed in the anti-war marchers’ slogan of ‘Not in My Name’, or the assumption that wearing a plastic bracelet or setting up an internet blog diary is the same as engaging in political debate. In fact, it seems that **political activism** is a practice which isolates individuals who think that demonstrating a personal commitment or awareness of problems **is preferable** to engaging with other people who are often **dismissed as uncaring** or brain-washed by consumerism. The narcissistic aspects of the practice of this type of global politics are expressed clearly by individuals who are obsessed with reducing their carbon footprint, deriving their idealised sense of social connection from an ever increasing awareness of themselves and by giving **‘political’ meaning to every personal action**. Global ethics appear to be in demand because they offer us a sense of social connection and meaning while at the same time giving us the freedom to construct the meaning for ourselves, to pick our causes of concern, and enabling us to be free of responsibilities for acting as part of a collective association, for winning an argument or for success at the ballot-box. While the appeal of global ethical politics is an individualistic one, the lack of success or impact of radical activism is also reflected in its **rejection of** any form of **social movement** or organisation. Strange as it may seem, **the only people** who are **keener on global ethics** than radical activists **are political elites**. Since the end of the Cold War, global ethics have formed the core of foreign policy and foreign policy has tended to dominate domestic politics. Global ethics are at the centre of debates and discussion over humanitarian intervention, ‘healing the scar of Africa’, the war on terror and the ‘war against climate insecurity’. Tony Blair argued in the Guardian last week that ‘foreign policy is no longer foreign policy’ (Timothy Garten Ash, ‘Like it or Loath it, after 10 years Blair knows exactly what he stands for’, 26 April 2007), this is certainly true. Traditional foreign policy, based on strategic geo-political interests with a clear framework for policy-making, no longer seems so important. The government is down-sizing the old Foreign and Commonwealth Office where people were regional experts, spoke the languages and were engaged for the long-term, and provides more resources to the Department for International Development where its staff are experts in good causes. This shift was clear in the UK’s attempt to develop an Ethical Foreign Policy in the 1990s – an approach which openly claimed to have rejected strategic interests for values and the promotion of Britain’s caring and sharing ‘identity’. Clearly, the projection of foreign policy on the basis of demonstrations of values and identity, rather than an understanding of the needs and interests of people on the ground, leads to ill thought-through and short-termist policy-making, as was seen in the ‘value-based’ interventions from Bosnia to Iraq (see Blair’s recent Foreign Affairs article, ‘A Battle for Global Values’, 86:1 (2007), pp.79–90). Governments **have been more than happy to put** global **ethics at the top** of the political agenda for - the same reasons that radical activists have been eager to shift to the global sphere – the freedom from political responsibility that it affords them. Every government and international institution has shifted from strategic and instrumental policy-making based on a clear political programme to the ambitious assertion of global causes – saving the planet, ending poverty, saving Africa, not just ending war but solving the causes of conflict etc – of course, the more ambitious the aim the less anyone can be held to account for success and failure. In fact, the more global the problem is, the more responsibility can be shifted to blame the US or the UN for the failure to translate ethical claims into concrete results. Ethical global questions, where the alleged values of the UN, the UK, the ‘civilised world’, NATO or the EU are on the line in ‘wars of choice’ from the war on terror to the war on global warming lack traditional instrumentality because they are driven less by the traditional interests of Realpolitik than the narcissistic search for meaning or identity. Governments feel the consequences of their lack of social connection, even more than we do as individuals; it undermines any attempt to represent shared interests or cohere political programmes. As Baudrillard suggests, without a connection to the ‘represented’ masses, political leaders are as open to ridicule and exposure as the ‘Emperor with no clothes’ (In the Shadow of the Silent Majorities, New York: Semiotext(e), 1983, for example). It is this lack of shared social goals which makes instrumental policy-making increasingly problematic. As Donald Rumsfeld stated about the war on terror, ‘there are no metrics’ to help assess whether the war is being won or lost. These wars and campaigns, often alleged to be based on the altruistic claim of the needs and interests of others, are demonstrations and performances, based on ethical claims rather than responsible practices and policies. Max Weber once counterposed this type of politics – the ‘ethics of conviction’ – to the ‘ethics of responsibility’ in his lecture on ‘Politics as a Vocation’. The desire to act on the international scene without a clear strategy or purpose has led to highly destabilising interventions from the Balkans to Iraq and to the moralisation of a wide range of issues from war crimes to EU membership requirements. Today more and more people are ‘doing politics’ in their academic work. This is the reason for the boom in International Relations (IR) study and the attraction of other social sciences to the global sphere. I would argue that the attraction of IR for many people has not been IR theory but the desire to practise global ethics. The boom in the IR discipline has coincided with a rejection of Realist theoretical frameworks of power and interests and the sovereignty/anarchy problematic. However, I would argue that this rejection has not been a product of theoretical engagement with Realism but an ethical act of rejection of Realism’s ontological focus. It seems that our ideas and our theories say much more about us than the world we live in. Normative theorists and Constructivists tend to support the global ethical turn arguing that we should not be as concerned with ‘what is’ as with the potential for the emergence of a global ethical community. Constructivists, in particular, focus upon the ethical language which political elites espouse rather than the practices of power. But the most dangerous trends in the discipline today are those frameworks which have taken up Critical Theory and argue that focusing on the world as it exists is conservative problem-solving while the task for critical theorists is to focus on emancipatory alternative forms of living or of thinking about the world. Critical thought then becomes a **process of wishful thinking** rather than one of **engagement**, with its advocates arguing that we need to focus on clarifying our own ethical frameworks and biases and positionality, before thinking about or teaching on world affairs. This becomes **‘**me-search’ rather than research**.** We have moved a long way from Hedley Bull’s (1995) perspective that, for academic research to be truly radical, we had to put our values to the side to follow where the question or inquiry might lead. The inward-looking and narcissistic trends in academia, where we are **more concerned** with our reflectivity – the awareness of our own ethics and values – than with **engaging with the world**, was brought home to me when I asked my IR students which theoretical frameworks they agreed with most. They mostly replied Critical Theory and Constructivism. This is despite the fact that the students thought that states operated on the basis of power and self-interest in a world of anarchy. Their theoretical preferences were based more on what their choices said about them as ethical individuals, than about how theory might be used to understand and engage with the world. Conclusion I have attempted to argue that there is a lot at stake in the radical understanding of engagement in global politics. Politics has become a religious activity, an activity which is no longer socially mediated; it is **less** and less an activity based on social **engagement** and the testing of ideas in public debate or in the academy. Doing politics today, whether in radical activism, government policy-making or in academia, seems to bring people into a one-to-one relationship with global issues in the same way religious people have a one-to-one relationship with their God. Politics is increasingly like religion because when we look for meaning we find it inside ourselves rather than in the **external consequences of our ‘political’ acts**. What matters is the conviction or the act in itself: its connection to the global sphere is one that we increasingly tend to provide idealistically. Another way of expressing this limited sense of our subjectivity is in the popularity of globalisation theory – the idea that instrumentality is no longer possible today because the world is such a complex and interconnected place and therefore there is no way of knowing the consequences of our actions. The more we engage in the new politics where there is an unmediated relationship between us as individuals and global issues, the less we engage instrumentally with the outside world, and the less we engage **with our peers** and colleagues at the level of **political or intellectual debate** and organisation.

**Argument testing through dialogue key to affirming any value—shutting down deliberation devolves into totalitarianism and reinscribes oppression**

Morson 4 - Northwestern Professor, Prof. Morson's work ranges over a variety of areas: literary theory (especially narrative); the history of ideas, both Russian and European; a variety of literary genres (especially satire, utopia, and the novel); and his favorite writers -- Chekhov, Gogol, and, above all, Dostoevsky and Tolstoy. He is especially interested in the relation of literature to philosophy http://www.flt.uae.ac.ma/elhirech/baktine/0521831059.pdf#page=331

Bakhtin viewed the whole process of “ideological” (in the sense of ideas and values, however unsystematic) development as an endless dialogue. As teachers, we find it difficult to avoid **a voice of authority,** however much we may think of ours as the rebel’s voice, because our rebelliousness against society at large speaks in the authoritative voice of our subculture.We speak the language and thoughts of **academic educators**, even when we imagine we are speaking in no jargon at all, and that jargon, inaudible to us, sounds with all the overtones of authority to our students. We are so prone to think of ourselves as **fighting oppression** that it takes some work to realize that we ourselves may be felt as oppressive and **overbearing,** and that our own voice may provoke the same reactions that we feel when we hear an authoritative voice with which we disagree. So it is often helpful to think back on the great authoritative oppressors and reconstruct their self-image: helpful, but often painful. I remember, many years ago, when, as a recent student rebel and activist, I taught a course on “The Theme of the Rebel” and discovered, to my considerable chagrin, that many of the great rebels of history were the very same people as the great oppressors. There is a famous exchange between Erasmus and Luther, who hoped to bring the great Dutch humanist over to the Reformation, but Erasmus kept asking Luther how he could be so certain of so many doctrinal points. We must accept a few things to be Christians at all, Erasmus wrote, but surely beyond that there must be room for us highly fallible beings to disagree. Luther would have none of such tentativeness. He knew, he was sure. The Protestant rebels were, for a while, far more intolerant than their orthodox opponents. Often enough, the oppressors are the ones who present themselves and really think of themselves as liberators. Certainty that one knows the root cause of evil: isn’t that itself often the root cause? We know from Tsar Ivan the Terrible’s letters denouncing Prince Kurbsky, a general who escaped to Poland, that Ivan saw himself as someone who had been oppressed by noblemen as a child and pictured himself as the great rebel against traditional authority when he killed masses of people or destroyed whole towns. There is something in the nature of maximal rebellion against authority that produces ever greater intolerance, unless one is very careful. For the skills **of** fighting or **refuting an oppressive power are not** those of **openness, self-skepticism, or real dialogue**. In preparing for my course, I remember my dismay at reading **Hitler’s** Mein Kampf and discovering that his self-consciousness was **precisely** that of the rebel speaking in the name of oppressed Germans, and that much of his amazing appeal – otherwise so inexplicable – was to the German sense that they were rebelling victims. In our time, the Serbian Communist and nationalist leader Slobodan Milosevic exploited much the same appeal. Bakhtin surely knew that Communisit totalitarianism, **the Gulag,** and the unprecedented censorship were constructed by rebels who had come to power. His favorite writer, Dostoevsky, used to emphasize that the worst oppression comes from those who, with the rebellious psychology of “the insulted and humiliated,” have seized power – **unless they have somehow cultivated the value of dialogue**, as Lenin surely had not, but which Eva, in the essay by Knoeller about teaching The Autobiography of Malcolm X, surely had. Rebels often make the worst tyrants because their word, the voice they hear in their consciousness, has borrowed something crucial from the authoritative word it opposed, and perhaps exaggerated it: the aura of righteous authority. If one’s ideological becoming is understood as a struggle in which one has at last achieved the truth, one is likely to want to impose that truth with maximal authority; and rebels of the next generation may proceed in much the same way, **in** an **ongoing** spiral of **intolerance**.

**Key to social improvements in every and all facets of life**

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If we assume it to be possible **without recourse to violence** to reach agreement on all the problems implied in the employment of the idea of justice we are granting the possibility of formulating an ideal of man and society, valid for all beings endowed with reason and accepted by what we have called elsewhere the universal audience.14 I think that the only discursive methods available to us stem from techniques that are not demonstrative—that is, conclusive and rational in the narrow sense of the term—but from argumentative techniques which are not conclusive but which may tend to demonstrate the reasonable character of the conceptions put forward. It is this recourse to the rational and reasonable for the realization of the ideal of universal communion that characterizes the age-long endeavor of all philosophies in their aspiration for a city of man in which **violence may progressively give way to wisdom**.13 Whenever an individual controls the dimensions of" a problem, he or she can solve the problem through a personal decision. For example, if the problem is whether to go to the basketball game tonight, if tickets are not too expensive and if transportation is available, the decision can be made individually. But if a friend's car is needed to get to the game, then that person's decision to furnish the transportation must be obtained. Complex problems, too, are subject to individual **decision making**. American business offers many examples of small companies that grew into major corporations while still under the individual control of the founder. Some computer companies that began in the 1970s as one-person operations burgeoned into multimillion-dollar corporations with the original inventor still making all the major decisions. And some of the multibillion-dollar leveraged buyouts of the 1980s were put together by daring—some would say greedy—financiers who made the day-to-day and even hour-to-hour decisions individually. When President George H. W. Bush launched Operation Desert Storm, when President Bill Clinton sent troops into Somalia and Haiti and authorized Operation Desert Fox, and when President George W. Bush authorized Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom in Iraq, they each used different methods of decision making, but in each case the ultimate decision was an individual one. In fact, many government decisions can be made only by the president. As Walter Lippmann pointed out, debate is the only satisfactory way the exact issues can be decided: A president, whoever he is, has to find a way of understanding the novel and changing issues which he must, under the Constitution, decide. Broadly speaking ... the president has two ways of making up his mind. The one is to turn to his subordinates—to his chiefs of staff and his cabinet officers and undersecretaries and the like—and to direct them to argue out the issues and to bring him an agreed decision… The other way is to sit like a judge at a hearing where the issues to be decided are debated. After he has heard the debate, after he has examined the evidence, after he has heard the debaters cross-examine one another, after he has questioned them himself he makes his decision… It is a much harder method in that it subjects the president to the stress of feeling the full impact of conflicting views, and then to the strain of making his decision, fully aware of how momentous it Is. **But there is no other satisfactory way** by which momentous and complex issues can be decided.16 John F. Kennedy used Cabinet sessions and National Security Council meetings to provide debate to illuminate diverse points of view, expose errors, and challenge assumptions before he reached decisions.17 As he gained experience in office, he placed greater emphasis on debate. One historian points out: "One reason for the difference between the Bay of Pigs and the missile crisis was that [the Bay of Pig\*] fiasco instructed Kennedy in the importance of uninhibited debate in advance of major decision."18 All presidents, to varying degrees, encourage debate among their advisors. We may **never be called on to render the final decision on great issues of national policy**, but we are **constantly concerned with decisions** important to ourselves for which debate can be applied in similar ways. That is, this debate may take place in our minds as we weigh the pros and cons of the problem, or we may arrange for others to debate the problem for us. Because we all are increasingly involved in the decisions of the campus, community, and society in general, it is in our intelligent self-interest to reach these decisions through reasoned debate.

**Extra-topicality: judges can only vote on question of whether or not advocacy statement as it relates to war powers is good or bad, not whether or not our representations or their larger criticisms beyond war powers is good or bad --- that’s a voting issue for preparation and predictability --- at least throw these arguments or not ---**

**Fairness and reciprocity are key to meaning and value – it’s only possible within an arbitrary system of rules – their criticism amounts to speaking from nowhere.**

Rameakers 1 (Stefan, Centre for Philosophy of Education U of Leuven, “Teaching to lie and obey: Nietzsche and Education.” Journal of philosophy and education. 35.2, EBSCO) jl

Much as one values Nietzsche for his cultural criticism and for his culturally innovative ideas, it would be a mistake to overlook the importance he attaches to obedience. Johnston argues that one cannot infer an anarchistic account of education from Nietzsches writings because of his emphasis on obedience and discipline in the primary school. However, Johnston fails to give obedience its rightful place. for Nietzsche's account of morality (particularly in Beyond Good and Evil and more specifically in the chapter "The Natural History of Morals') shows the **obedience** is not just about keeping pupils in line, but **means obedience to cultural and historical rules**, and as such is a moral imperative for all humankind. **The most important thing about every system of morals** for Nietzsche **is** that **it is a** 'long constraint’ a **'tyranny of arbitrary laws'.** For such cultural and historical phenomena as virtue, art, music, dancing, reason, spirituality, philosophy, politics, and so on **the creative act requires not absolute freedom or spontaneous unconstrained development but subordination to what is or at least appears to be 'arbitrary'.** It entails a long bondage of the spirit. The singular fact remains...that every of the nature of freedom, elegance, boldness, dance, and masterly certainty, which exists or has existed, whether it be in thought itself, or in administration, or in speaking and persuading in art just as in conduct, has only developed by means of the tyranny of such arbitrary laws, and in all seriousness, it is not at all improbable that precisely this is 'nature' and 'natural'-and not laisser-aller! The nature of morality inspires us to **stay far from an excessive freedom and cultivates the need for restricted horizons**. This narrowing of perspective is for Nietzsche **a condition of life and growth**. It is interesting to see how this is prefigured in Nietzsche’s second Unfashionable Observation (On the Utility and Liability of History for Life). The culture for what he there calls 'the historical sickness', i.e. an excess of history which attacks the shaping power of life and no longer understands how to utilise the past as a powerful source of nourishment, is (among others) the ahistorical: 'the art and power to be able to forget and to enclose oneself in a limited horizon'. Human beings cannot live with a belief in something lasting and eternal. **Subordination to the rules** of a system of morality **should not be understood as a deplorable restriction of an individual's possibilities and creative freedom**; on the contrary, **it** **is the necessary determination of limitation of the conditions under which anything can be conceived as possible**. **Only from** within a particular and **arbitrary framework can freedom itself be interpreted as freedom.** In other words, Nietzsche points to the necessity of being embedded in a particular cultural and historical frame. The pervasiveness of this embeddedness can be shown in at least four aspects of Nietzsche's writings. First, in his critique of morality Nietzsche realises all too well that it is impossible to criticise a system of morals from outside, as a view from nowhere. Instead, a particular concretisation is required. Beyond Good and Evil may very well, as a prelude to a philosophy of the future, excite dreams about unlooked-for horizons and unknown possibilities. IN The Genealogy of Morals, however, written by Nietzsche as further elaboration of elucidation of the same themes, he explicitly states that Beyond Good and Evil does not imply going beyond good and bad. Criticising a system of morals inevitably means judging from a particular point of view.

### 1nc

**The United States federal government should develop and deploy Prompt Global Strike systems**

**The PGS system’s speed increases rapid deployment capabilities and trades off with nukes.**

Grossman 6 (Elaine, reporter with Global Security Newswire, July 1, [http://www.globalsecuritynewswire.org/gsn/nw\_20090701\_5635.php] AD: 6/28/10)JM

Under the conventional prompt global strike mission, the Pentagon anticipates an ability to hit targets anywhere around the world within just 6o minutes of a launch order. Lacking such a capability, the only long-range attack option typically available to a U.S. president under urgent circumstances would be a nuclear weapon, which military officials have described as unlikely to be used.

Prompt global strike advocates say the conventional capability could be useful in hitting fleeting targets like a terrorist leader in a safe house or a weapon of mass destruction being prepared for launch. Above-ground launch facilities would be easily distinguishable from nuclear missile silos in Wyoming, Montana and North Dakota, so potential adversaries like Russia or China would be unlikely to misinterpret a launch as the onset of a nuclear war, according to officials.

"If you have more time, then there are better systems out there and more affordable systems to close" in on a target with conventional weapons, Vice Chairman of the Joint Chiefs of Staff Gen. James Cartwright told a Senate panel last month. For example, if bomber aircraft are based close enough to a target, they might be used more affordably in place of long-range missiles. Each Conventional Strike Missile could cost tens of millions of dollars to procure -- or to replace after launch (see GSN, Nov. 26, 2008).

"But we do have challenges around the globe with strategic depth and [a] lack of [nearby] infrastructure and basing," said the Marine Corps general, explaining the limitations of using bomber aircraft. "We've got to have a way to address those [urgent targets] credibly for our deterrent postures [to work]."

**Solves any risk of miscalculation -**

Friedman 11 Jonah, Research Intern for the Project on Nuclear Issues, [“The Case For Conventional Prompt Global Strike,” August 18th <http://csis.org/blog/case-conventional-prompt-global-strike>] HURWITZ

However, CPGS also presents potential dangers – chief among them is the problem of ambiguity. Opponents of CPGS point out that there always exists the danger that other nuclear states such as China or Russia will misinterpret the launch of a CPGS weapon as the start of a nuclear attack on themselves, since missiles intended for potential targets (such as Iran or North Korea) would likely fly near or over China or Russia. Moreover, as Amy Woolf notes: “The potential for misunderstanding is compounded by the short time of flight of these missiles, giving these nations little time to evaluate the event, assess the threat, and respond with their own forces. Under such circumstances, critics claim that these nations may conclude they have no other option than to respond with their own nuclear weapons.” Proponents of CPGS argue, however, that this risk can be mitigated by the differing trajectories of ICBMs and proposed CPGS weapons. Whereas traditional ICBMs (which are most associated with delivering nuclear payloads) follow an exoatmospheric trajectory, CPGS missiles would follow an endoatmospheric trajectory (as well as exhibiting other defining characteristics as a result of its “boost-glide” flight). Moreover, the greater maneuverability of CPGS weapons would also allow them to limit the extent to which they must overfly states such as Russia or China on their way to other targets, thereby reducing concern in those states. (Opponents, however, might counter that the ability of CPGS weapons to change their trajectories – unlike an ICBM – would make it harder for states to predict CPGS targets and as a result, would increase their apprehension of any CPGS strike.) Yet neither China nor Russia need to fear that CPGS could pose a threat to their nuclear deterrents, since a report by the National Academies (cited by Bunn and Manzo) notes that the United States would require thousands of CPGS missiles in order to do so. Current U.S. plans calling for only a handful of weapons should thus help to allay Chinese and Russian fears. The other side of the ambiguity issue is the inability of other states to be certain whether a CPGS missile is armed with a conventional or nuclear warhead. While the United States can claim that this technology will be used exclusively to deliver conventional payloads, in the event of a launch, other states cannot be so sure. A variety of solutions to this problem have been proposed. Amy Woolf cites one which would see CPGS missiles deployed only at bases without any nuclear weapons or association with them. Another, proposed by Bunn and Manzo, would entail a series of confidence-building measures which would enable states such as Russia or China to obtain enough metrics about a CPGS launch that they would be able to differentiate it from an ICBM launch. Moreover, it should be noted, that while both of these ambiguities (the location of the target and the character of the warhead) pose risks, the threat of a Russian or Chinese nuclear attack in response to a CPGS launch is extremely unlikely. As Bunn and Manzo point out: “if Russia detects the launch of a few U.S. CPGS missiles but is unsure of their location and payload (conventional or nuclear), Russian leaders would ‘be unlikely to conclude that the United States was starting a nuclear war with Russia in a “bolt-from-the-blue” attack with so few missiles.’ At the very least, Russian leaders would have strong incentives to wait until they had more information about the targets of such a small strike before employing their nuclear forces against the United States.”

### 1nc

**The plan would uniquely decimate Obama and the military’s ability to calm alliances and deter enemies ---- makes terrorism and global nuclear war more likely**

WAXMAN 2013 - law professor at Columbia Law School, co-chairs the Roger Hertfog Program on Law and National Security (Matthew Waxman, “The Constitutional Power to Threaten War,” August 27, 2013, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2316777)

As a prescriptive matter, Part II also shows that examination of threatened force and the credibility requirements for its effectiveness calls into question many orthodoxies of the policy advantages and risks attendant to various allocations of legal war powers, including the existing one and proposed reforms.23 Most functional arguments about war powers focus on fighting wars or hostile engagements, but that is not all – or even predominantly – what the United States does with its military power. Much of the time it seeks to avert such clashes while achieving its foreign policy objectives: to bargain, coerce, deter.24 The President’s flexibility to use force in turn affects decision-making about threatening it, with major implications for securing peace or dragging the United States into conflicts. Moreover, constitutional war power allocations affect potential conflicts not only because they **may constrain U.S. actions** but because **they** maysend **signal**s **and shape** other states’ (including adversaries’) expectations of U.S. actions.25 That is, most analysis of war-powers law is inward-looking, focused on audiences internal to the U.S. government and polity, but thinking about threatened force prompts us to look outward, at how war-powers law affects external perceptions among adversaries and allies. Here, extant political science and strategic studies offer few clear conclusions, but they point the way toward more sophisticated and realistic policy assessment of legal doctrine and proposed reform. More generally, as explained in Part III, analysis of threatened force and war powers exposes an under-appreciated relationship between constitutional doctrine and grand strategy. Instead of proposing a functionally optimal allocation of legal powers, as legal scholars are often tempted to do, this Article in the end denies the tenability of any such claim. Having identified new spaces of war and peace powers that legal scholars need to take account of in understanding how those powers are really exercised, this Article also highlights the extent to which any normative account of the proper distribution of authority over this area depends on many matters that cannot be predicted in advance or expected to remain constant.26 Instead of proposing a policy-optimal solution, this Article concludes that the allocation of constitutional war powers is – and should be –geopolitically and strategically contingent; the actual and effective balance between presidential and congressional powers over war and peace in practice necessarily depends on fundamental assumptions and shifting policy choices about how best to secure U.S. interests against potential threats.27 I. Constitutional War Powers and Threats of Force Decisions to go to war or to send military forces into hostilities are immensely consequential, so it is no surprise that debates about constitutional war powers occupy so much space. But one of the most common and important ways that the United States uses its military power is by threatening war or force – and the constitutional dimensions of that activity receive almost no scrutiny or even theoretical investigation. A. War Powers Doctrine and Debates The Constitution grants Congress the powers to create military forces and to “declare war,”28 which the Supreme Court early on made clear includes the power to authorize limited uses of force short of full-blown war.29 The Constitution then vests the President with executive power and designates him commander in chief of the armed forces,30 and it has been well-accepted since the Founding that these powers include unilateral authority to repel invasions if the United States is attacked.31 Although there is nearly universal acceptance of these basic starting points, there is little legal agreement about how the Constitution allocates responsibility for the vast bulk of cases in which the United States has actually resorted to force. The United States has declared war or been invaded only a handful of times in its history, but it has used force – sometimes large-scale force – hundreds of other times.32 Views split over questions like when, if ever, the President may use force to deal with aggression against third parties and how much unilateral discretion the President has to use limited force short of full-blown war. For many lawyers and legal scholars, at least one important methodological tool for resolving such questions is to look at historical practice, and especially the extent to which the political branches acquiesced in common practices.33 Interpretation of that historical practice for constitutional purposes again divides legal scholars, but most would agree at least descriptively on some basic parts of that history. In particular, most scholars assess that from the Founding era through World War II, Presidents and Congresses alike recognized through their behavior and statements that except in certain narrow types of contingencies, congressional authorization was required for large-scale military operations against other states and international actors, even as many Presidents pushed and sometimes crossed those boundaries.34 Whatever constitutional constraints on presidential use of force existed prior to World War II, however, most scholars also note that the President asserted much more extensive unilateral powers to use force during and after the Cold War, and many trace the turning point to the 1950 Korean War.35 Congress did not declare war in that instance, nor did it expressly authorize U.S. participation.36 From that point forward, presidents have asserted broad unilateral authority to use force to address threats to U.S. interests, including threats to U.S. allies, and that neither Congress nor courts pushed back much against this expanding power.37 Concerns about expansive presidential war-making authority spiked during the Vietnam War. In the wind-down of that conflict, Congress passed – over President Nixon’s veto – the War Powers Resolution,38 which stated its purpose as to ensure the constitutional Founders’ original vision that the “collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.”39 Since then, presidentialists have argued that the President still retains expansive authority to use force abroad to protect American interests,40 and congressionalists argue that this authority is tightly circumscribed.41 These constitutional debates have continued through the first decade of the 21st century. Constitutional scholars split, for example, over President Obama’s power to participate in coalition operations against Libya without congressional authorization in 2011, especially after the War Powers Resolution’s 60-day clock expired.42 Some argue that President Obama’s use of military force without specific congressional authorization in that case **reflects the broad constitutional discretion presidents** now **have** to protect American interests, at least short of full-blown “war”, while others argue that it is the latest in a long record of presidential violations of the Constitution and the War Powers Resolution.43 B. Threats of Force and Constitutional Powers These days it is usually taken for granted that – whether or not he can make war unilaterally – the President is constitutionally empowered to threaten the use of force, implicitly or explicitly, through diplomatic means or shows of force. It is never seriously contested whether the President may declare that United States is contemplating military options in response to a crisis, or whether the President may move substantial U.S. military forces to a crisis region or engage in military exercises there. To take the Libya example just mentioned, is there any constitutional limitation on the President’s authority to move U.S. military forces to the Mediterranean region and prepare them very visibly to strike?44 Or his authority to issue an ultimatum to Libyan leaders that they cease their brutal conduct or else face military action? Would it matter whether such threats were explicit versus implicit, whether they were open and public versus secret, or whether they were just a bluff? If not a constitutional obstacle, could it be argued that the War Powers Resolution’s reporting requirements and limits on operations were triggered by a President’s mere ultimatum or threatening military demonstration, insofar as those moves might constitute a “situation where imminent involvement in hostilities is clearly indicated by the circumstances”? These questions simply are not asked (at least not anymore).45 If anything, most lawyers would probably conclude that the President’s constitutional powers to threaten war **are not just expansive but largely beyond Congress’s authority** to regulate directly. From a constitutional standpoint, to the extent it is considered at all, the President’s power to threaten force is probably regarded to be at least as broad as his power to use it. One way to look at it is that the power to threaten force is a lesser included element of presidential war powers; the power to threaten to use force is simply a secondary question, the answer to which is bounded by the primary issue of the scope of presidential power to actually use it. If one interprets the President’s defensive war powers very broadly, to include dealing with aggression not only directed against U.S. territories but also against third parties,46 then it might seem easy to conclude that the President can also therefore take steps that stop short of actual armed intervention to deter or prevent such aggression. If, however, one interprets the President’s powers narrowly, for example, to include only limited unilateral authority to repel attacks against U.S. territory,47 then one might expect objections to arguably excessive presidential power to include his unilateral threats of armed intervention. Another way of looking at it is that in many cases, threats of war or force might fall within even quite narrow interpretations of the President’s inherent foreign relations powers to conduct diplomacy or his express commander in chief power to control U.S. military forces – or some combination of the two – depending on how a particular threat is communicated. A President’s verbal warning, ultimatum, or declared intention to use military force, for instance, could be seen as merely exercising his role as the “sole organ” of U.S. foreign diplomacy, conveying externally information about U.S. capabilities and intentions.48 A president’s movement of U.S. troops or warships to a crisis region or elevation of their alert level could be seen as merely exercising his dayto- day tactical control over forces under his command.49 Generally it is not seriously contested whether the exercise of these powers alone could so affect the likelihood of hostilities or war as to intrude on Congress’s powers over war and peace.50 We know from historical examples that such unilateral military moves, even those that are ostensibly pure defensive ones, can provoke wars – take, for example, President Polk’s movement of U.S. forces to the contested border with Mexico in 1846, and the resulting skirmishes that led Congress to declare war.51 Coming at the issue from Congress’s Article I powers rather than the President’s Article II powers, the very phrasing of the power “To declare War” puts most naturally all the emphasis on the present tense of U.S. military action, rather than its potentiality. Even as congressionalists advance interpretations of the clause to include not merely declarative authority but primary decision-making authority as to whether or not to wage war or use force abroad, their modern-day interpretations do not include a power to threaten war (except perhaps through the specific act of declaring it). None seriously argues – at least not any more – that the Declare War Clause precludes presidential threats of war. This was not always the case. During the early period of the Republic, there was a powerful view that beyond outright initiation of armed hostilities or declaration of war, more broadly the President also could not unilaterally take actions (putting aside actual military attacks) that would likely or directly risk war,52 provoke a war with another state,53 or change the condition of affairs or relations with another state along the continuum from peace to war.54 To do so, it was often argued, would usurp Congress’s prerogative to control the nation’s state of peace or war.55 During the Quasi-War with France at the end of the 18th century, for example, some members of Congress questioned whether the President, absent congressional authorization, could take actions that visibly signaled an intention to retaliate against French maritime harassment,56 and even some members of President Adams’ cabinet shared doubts.57 Some questions over the President’s power to threaten force arose (eventually) in relation to the Monroe Doctrine, announced in an 1823 presidential address to Congress and which in effect declared to European powers that the United States would oppose any efforts to colonize or reassert control in the Western Hemisphere.58 “Virtually no one questioned [Monroe’s proclamation] at the time. Yet it posed a constitutional difficulty of the first importance.”59 Of course, Monroe did not actually initiate any military hostilities, but his implied threat – without congressional action – risked provoking rather than deterring European aggression and by putting U.S. prestige and credibility on the line it limited Congress’s practical freedom of action if European powers chose to intervene.60 The United States would have had at the time to rely on British naval power to make good on that tacit threat, though a more assertive role for the President in wielding the potential for war or intervention during this period went hand in hand with a more sustained projection of U.S. power beyond its borders, especially in dealing with dangers emanating from Spanish-held Florida territory.61 Monroe’s successor, John Quincy Adams, faced complaints from opposition members of Congress that Monroe’s proclamation had exceeded his constitutional authority and had usurped Congress’s by committing the United States – even in a non-binding way – to resisting European meddling in the hemisphere.62 The question whether the President could unilaterally send militarily-threatening signals was in some respects a mirror image of the issues raised soon after the Constitution was ratified during the 1793 Neutrality Controversy: could President Washington unilaterally declare the United States to be neutral as to the war among European powers. Washington’s politically controversial proclamation declaring the nation “friendly and impartial” in the conflict between France and Great Britain (along with other European states) famously prompted a back-and-forth contest of public letters by Alexander Hamilton and James Madison, writing pseudonymously as “Pacificus” and “Helvidius”, about whether the President had such unilateral power or whether it belonged to Congress.63 Legal historian David Currie points out the irony that the neutrality proclamation was met with stronger and more immediate constitutional scrutiny and criticism than was Monroe’s threat. After all, Washington’s action accorded with the principle that only Congress, representing popular will, should be able to take the country from the baseline state of peace to war, whereas Monroe’s action seemed (at least superficially) to commit it to a war that Congress had not approved.64 Curiously (though for reasons offered below, perhaps not surprisingly) this issue – whether there are constitutional limits on the President’s power to threaten war – has almost vanished completely from legal discussion, and that evaporation occurred even before the dramatic post-war expansion in asserted presidential power to make war. Just prior to World War II, political scientist and presidential powers theorist Edward Corwin remarked that “[o]f course, it may be argued, and has in fact been argued many times, that the President is under constitutional obligation not to incur the risk of war in the prosecution of a diplomatic policy without first consulting Congress and getting its consent.”65 “Nevertheless,” he continued,66 “the supposed principle is clearly a maxim of policy rather than a generalization from consistent practice.” In his 1945 study World Policing and the Constitution, James Grafton Rogers noted: [E]xamples of demonstrations on land and sea made for a variety of purposes and under Presidents of varied temper and in different political climates will suffice to make the point. The Commander-in-Chief under the Constitution can display our military resources and threaten their use whenever he thinks best. The weakness in the **diplomatic weapon** is the possibility of **dissidence at home** which may cast doubt on our serious intent. The danger of the weapon is war.67 At least since then, however, the importance to U.S. foreign policy of threatened force has increased dramatically, while legal questions about it have receded further from discussion. In recent decades a few prominent legal scholars have addressed the President’s power to threaten force, though in only brief terms. Taylor Reveley noted in his volume on war powers the importance of allocating constitutional responsibility not only for the actual use of force but also “[v]erbal or written threats or assurances about the circumstances in which the United States will take military action …, whether delivered by declarations of American policy, through formal agreements with foreign entities, by the demeanor or words of American officials, or by some other sign of national intent.”68 Beyond recognizing the critical importance of threats and other non-military actions in affecting war and peace, however, Reveley made little effort to address the issue in any detail. Among the few legal scholars attempting to define the limiting doctrinal contours of presidentially threatened force, Louis Henkin wrote in his monumental Foreign Affairs and the Constitution that: Unfortunately, the line between war and lesser uses of force is often elusive, sometimes illusory, and the use of force for foreign policy purposes can almost imperceptibly become a national commitment to war. Even when he does not use military force, the President can incite other nations or otherwise plunge or stumble this country into war, or force the hand of Congress to declare or to acquiesce and cooperate in war. As a matter of constitutional doctrine, however, one can declare with confidence that a President begins to exceed his authority if he willfully or recklessly moves the nation towards war…69 The implication seems to be that the President may not unilaterally threaten force in ways that are dramatically escalatory and could likely lead to war, or perhaps that the President may not unilaterally threaten the use of force that he does not have the authority to initiate unilaterally.70 Jefferson Powell, who generally takes a more expansive view than Henkin of the President’s war powers, argues by contrast that “[t]he ability to warn of, or threaten, the use of military force is an ordinary and essential element in the toolbox of that branch of government empowered to formulate and implement foreign policy.”71 For Powell, the President is constantly taking actions as part of everyday international relations that carry a risk of military escalation, and these are well-accepted as part of the President’s broader authority to manage, if not set, foreign policy. Such brief mentions are in recent times among the rare exceptions to otherwise barren constitutional discussion of presidential powers to threaten force. That the President’s authority to threaten force is so well-accepted these days as to seem self-evident is not just an academic phenomenon. It is also reflected in the legal debates among and inside all three branches of government. In 1989, Michael Reisman observed: Military maneuvers designed to convey commitment to allies or contingent threats to adversaries … **are matters of presidential competence**. Congress does not appear to view as within its bailiwick many low-profile contemporaneous expressions of gunboat diplomacy, i.e., the physical interposition of some U.S. war-making capacity as communication to an adversary of United States’ intentions and capacities to oppose it.72 This was and remains a correct description but understates the pattern of practice, insofar as even major and high-profile expressions of coercive diplomacy are regarded among all three branches of government as within presidential competence. In Dellums v. Bush – perhaps the most assertive judicial scrutiny of presidential power to use large-scale force abroad since the end of the Cold War – the district court dismissed on ripeness grounds congressmembers’ suit challenging President George H. W. Bush’s intended military operations against Iraq in 1991 and seeking to prevent him from initiating an offensive attack against Iraq without first securing explicit congressional authorization for such action.73 That at the time of the suit the President had openly threatened war – through ultimatums and deployment of several hundred thousand U.S. troops – but had not yet “committed to a definitive course of action” to carry out the threat meant there was no justiciable legal issue, held the court.74 The President’s threat of war did not seem to give the district court legal pause at all; quite the contrary, the mere threat of war was treated by the court as a non-issue entirely.75 There are several reasons why constitutional questions about threatened force have dropped out of legal discussions. First, the more politically salient debate about the President’s unilateral power to use force has probably swallowed up this seemingly secondary issue. As explained below, it is a mistake to view threats as secondary in importance to uses of force, but they do not command the same political attention and their impacts are harder to measure.76 Second, the expansion of American power after World War II, combined with the growth of peacetime military forces and a set of defense alliance commitments (developments that are elaborated below) make at least some threat of force much more common – in the case of defensive alliances and some deterrent policies, virtually constant – and difficult to distinguish from other forms of everyday diplomacy and security policy.77 Besides, for political and diplomatic reasons, presidents rarely threaten war or intervention without at least a little deliberate ambiguity. As historian Marc Trachtenberg puts it: “It often makes sense … to muddy the waters a bit and avoid direct threats.”78 Any legal lines one might try to draw (recall early attempts to restrict the President’s unilateral authority to alter the state of affairs along the peacetime-wartime continuum) have become blurrier and blurrier. In sum, if the constitutional power to threaten war ever posed a serious legal controversy, it does so no more. As the following section explains, however, threats of war and armed force have during most of our history become a greater and greater part of American grand strategy, defined here as long-term policies for using the country’s military and non-military power to achieve national goals. The prominent role of threatened force in U.S. strategy has become the focus of political scientists and other students of security strategy, crises, and responses – but constitutional study has not adjusted accordingly.79 C. Threats of Force and U.S. Grand Strategy While the Korean and Vietnam Wars were generating intense study among lawyers and legal scholars about constitutional authority to wage military actions abroad, during that same period many political scientists and strategists – economists, historians, statesmen, and others who studied international conflict – turned their focus to the role of threatened force as an instrument of foreign policy. The United States was building and sustaining a massive war-fighting apparatus, but its security policy was not oriented primarily around waging or winning wars but around deterring them and using the threat of war – including demonstrative military actions – to advance U.S. security interests. It was the potential of U.S. military might, not its direct application or engagement with the enemy, that would do much of the heavy lifting. U.S. military power would be used to deter the Soviet Union and other hostile states from taking aggressive action. It would be unsheathed to prompt them to back down over disputes. It would reassure allies that they could depend on U.S. help in defending themselves. All this required that U.S. willingness to go to war be credible in the eyes of adversaries and allies alike. Much of the early Cold War study of threatened force concerned nuclear strategy, and especially deterrence or escalation of nuclear war. Works by Albert Wohlstetter, Herman Kahn, and others not only studied but shaped the strategy of nuclear threats, as well as how to use limited applications of force or threats of force to pursue strategic interests in remote parts of the globe without sparking massive conflagrations.80 As the strategic analyst Bernard Brodie wrote in 1946, “Thus far the chief purpose of our military establishment has been to win wars. From now on its chief purpose must be to avert them.”81 Toward that end, U.S. government security and defense planners during this time focused heavily on preserving and improving the credibility of U.S. military threats – while the Soviet Union was doing likewise.82 The Truman administration developed a militarized version of containment strategy against the Soviet empire, emphasizing that stronger military capabilities were necessary to prevent the Soviets from seizing the initiative and to resist its aggressive probes: “it is clear,” according to NSC-68, the government document which encapsulated that strategy, “that a substantial and rapid building up of strength in the free world is necessary to support a firm policy intended to check and to roll back the Kremlin's drive for world domination.”83 The Eisenhower administration’s “New Look” policy and doctrine of “massive retaliation” emphasized making Western collective security both more effective and less costly by placing greater reliance on deterrent threats – including threatened escalation to general or nuclear war. As his Secretary of State John Foster Dulles explained, “[t]here is no local defense which alone will contain the mighty landpower of the Communist world. Local defenses must be reinforced by the further deterrent of massive retaliatory power.”84 As described in Evan Thomas’s recent book, Ike’s Bluff, Eisenhower managed to convince Soviet leaders that he was ready to use nuclear weapons to check their advance in Europe and elsewhere. In part due to concerns that threats of massive retaliation might be insufficiently credible in Soviet eyes (especially with respect to U.S. interests perceived as peripheral), the Kennedy administration in 1961 shifted toward a strategy of “flexible response,” which relied on the development of a wider spectrum of military options that could quickly and efficiently deliver varying degrees of force in response to foreign aggression.85 Throughout these periods, the President often resorted to discrete, limited uses of force to demonstrate U.S. willingness to escalate. For example, in 1961 the Kennedy administration (mostly successfully in the short-run) deployed intervention-ready military force immediately off the coast of the Dominican Republic to compel its government's ouster,86 and that same year it used military exercises and shows of force in ending the Berlin crisis;87 in 1964, the Johnson administration unsuccessfully used air strikes on North Vietnamese targets following the Tonkin Gulf incidents, failing to deter what it viewed as further North Vietnamese aggression.88 The point here is not the shifting details of U.S. strategy after World War II – during this era of dramatic expansion in asserted presidential war powers – but the central role of credible threats of war in it, as well as the interrelationship of plans for using force and credible threats to do so. Also during this period, the United States abandoned its long-standing aversion to “entangling alliances,”89 and committed to a network of mutual defense treaties with dependent allies. Besides the global collective security arrangement enshrined in the UN Charter, the United States committed soon after World War II to mutual defense pacts with, for example, groups of states in Western Europe (the North Atlantic Treaty Organization)90 and Asia (the Southeast Asia Treaty Organization,91 as well as a bilateral defense agreement with the Republic of Korea,92 Japan,93 and the Republic of China,94 among others). These alliance commitments were part of a U.S. effort to “extend” deterrence of Communist bloc aggression far beyond its own borders.95 “Extended deterrence” was also critical to reassuring these U.S. allies that their security needs would be met, in some instances to head off their own dangerous rearmament.96 Among the leading academic works on strategy of the 1960s and 70s were those of Thomas Schelling, who developed the theoretical structure of coercion theory, arguing that rational states routinely use the threat of military force – the manipulation of an adversary’s perceptions of future risks and costs with military threats – as a significant component of their diplomacy.97 Schelling distinguished between deterrence (the use of threats to dissuade an adversary from taking undesired action) and compellence (the use of threats to persuade an adversary to behave a certain way), and he distinguished both forms of coercion from brute force: “[B]rute force succeeds when it is used, whereas the power to hurt is most successful when held in reserve. It is the threat of damage to come that can make someone yield of comply. It is latent violence that can influence someone’s choice.”98 Alexander George, David Hall, and William Simons then led the way in taking a more empirical approach, reviewing case studies to draw insights about the success and failure of U.S. coercive threats, analyzing contextual variables and their effects on parties’ reactions to threats during crises. Among their goals was to generate lessons informed by history for successful strategies that combine diplomatic efforts with threats or demonstrations of force, recognizing that the United States was relying heavily on threatened force in addressing security crises. Coercive diplomacy – if successful – offered ways to do so with minimal actual application of military force.99 One of the most influential studies that followed was Force Without War: U.S. Armed Forces as a Political Instrument, a Brookings Institution study led by Barry Blechman and Stephen Kaplan and published in 1977.100 They studied “political uses of force”, defined as actions by U.S. military forces “as part of a deliberate attempt by the national authorities to influence, or to be prepared to influence, specific behavior of individuals in another nation without engaging in a continued contest of violence.”101 Blechman and Kaplan’s work, including their large data set and collected case studies, was important for showing the many ways that threatened force could support U.S. security policy. Besides deterrence and compellence, threats of force were used to assure allies (thereby, for example, avoiding their own drive toward militarization of policies or crises) and to induce third parties to behave certain ways (such as contributing to diplomatic resolution of crises). The record of success in relying on threatened force has been quite mixed, they showed. Blechman and Kaplan’s work, and that of others who built upon it through the end of the Cold War and the period that has followed,102 helped understand the factors that correlated with successful threats or demonstrations of force without resort or escalation to war, especially the importance of credible signals.103 After the Cold War, the United States continued to rely on coercive force – threatened force to deter or compel behavior by other actors – as a central pillar of its grand strategy. During the 1990s, the United States wielded coercive power with varied results against rogue actors in many cases that, without the overlay of superpower enmities, were considered secondary or peripheral, not vital, interests: Iraq, Somalia, Haiti, Bosnia, and elsewhere. For analysts of U.S. national security policy, a major puzzle was reconciling the fact that the United States possessed overwhelming military superiority in raw terms over any rivals with its difficult time during this era in compelling changes in their behavior.104 As Daniel Byman and I wrote about that decade in our study of threats of force and American foreign policy: U.S. conventional and nuclear forces dwarf those of any adversaries, and the U.S. economy remains the largest and most robust in the world. Because of these overwhelming advantages, the United States can threaten any conceivable adversary with little danger of a major defeat or even significant retaliation. Yet coercion remains difficult. Despite the United States’ lopsided edge in raw strength, regional foes persist in defying the threats and ultimatums brought by the United States and its allies. In confrontations with Somali militants, Serb nationalists, and an Iraqi dictator, the U.S. and allied record or coercion has been mixed over recent years…. Despite its mixed record of success, however, coercion will remain a critical element of U.S. foreign policy.105 One important factor that seemed to undermine the effectiveness of U.S. coercive threats during this period was that many adversaries perceived the United States as still afflicted with “Vietnam Syndrome,” unwilling to make good on its military threats and see military operations through.106 Since the turn of the 21st Century, major U.S. security challenges have included non-state terrorist threats, the proliferation of nuclear and other weapons of mass destruction (WMD), and rapidly changing power balances in East Asia, and the United States has accordingly been reorienting but retaining its strategic reliance on threatened force. The Bush Administration’s “preemption doctrine” was premised on the idea that some dangerous actors – including terrorist organizations and some states seeking WMD arsenals – are undeterrable, so the United States might have to strike them first rather than waiting to be struck.107 On one hand, this was a move away from reliance on threatened force: “[t]he inability to deter a potential attacker, the immediacy of today’s threats, and the magnitude of potential harm that could be caused by our adversaries’ choice of weapons, do not permit” a reactive posture.108 Yet the very enunciation of such a policy – that “[t]o forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act preemptively”109 – was intended to persuade those adversaries to alter their policies that the United States regarded as destabilizing and threatening. Although the Obama administration pulled back from this rhetoric and placed greater emphasis on international institutions, it has continued to rely on threatened force as a key pillar of its strategy with regard to deterring threats (such as aggressive Iranian moves), intervening in humanitarian crises (as in Libya), and reassuring allies.110 With regard to East Asia, for example, the credible threat of U.S. military force is a significant element of U.S. strategy for deterring Chinese and North Korean aggression as well as reassuring other Asian powers of U.S. protection, to avert a destabilizing arms race.111 D. The Disconnect Between Constitutional Discourse and Strategy There is a major disconnect between the decades of work by strategists and many political scientists on American security policy and practice since the Second World War and legal analysis and scholarship of constitutional war powers during that period. Lawyers and strategists have been relying on not only distinct languages but distinct logics of military force – in short, when it comes to using U.S. military power, lawyers think in terms of “going to war” while strategists focus on potential war and processes leading to it. These framings manifest in differing theoretical starting points for considering how exercises of U.S. military might affect war and peace, and they skew the empirical insights and normative prescriptions about Presidential power often drawn from their analyses. 1. Lawyers’ Misframing Lawyers’ focus on actual uses of force – especially engagements with enemy military forces – as constitutionally salient, rather than including threats of force in their understanding of modern presidential powers tilts analysis toward a one-dimensional strategic logic, rather than a more complex and multi-dimensional and dynamic logic in which the credible will to use force is as important as the capacity to do so. As discussed above, early American constitutional thinkers and practitioners generally wanted to slow down with institutional checks decisions to go to war, because they thought that would make war less likely. “To invoke a more contemporary image,” wrote John Hart Ely of their vision, “it takes more than one key to launch a missile: It should take quite a number to start a war.”112 They also viewed the exercise of military power as generally a ratchet of hostilities, whereby as the intensity of authorized or deployed force increased, so generally did the state of hostilities between the United States and other parties move along a continuum from peace to war.113 Echoes of this logic still reverberate in modern congressionalist legal scholarship: the more flexibly the President can use military force, the more likely it is that the United States will find itself in wars; better, therefore, to clog decisions to make war with legislative checks.114 Modern presidentialist legal scholars usually respond that rapid action is a virtue, not a vice, in exercising military force.115 Especially as a superpower with global interests and facing global threats, presidential discretion to take rapid military **action** – endowed with what Alexander Hamilton called “[**d]ecision, activity, secrecy, and dispatch**”116 – **best protects American interests**. In either case the emphasis tends overwhelmingly to be placed on actual military engagements with adversaries. Strategists and many political scientists, by contrast, view some of the most significant use of military power as starting well before armed forces clash – and including important cases in which they never actually do. Coercive diplomacy and strategies of threatened force, they recognize, often involve a set of moves and countermoves by opposing sides and third parties before or even without the violent engagement of opposing forces. It is often the parties’ perceptions of anticipated actions and costs, not the actual carrying through of violence, that have the greatest impact on the course of events and resolution or escalation of crises. Instead of a ratchet of escalating hostilities, the flexing of military muscle can increase as well as decrease actual hostilities, inflame as well as stabilize relations with rivals or enemies. Moreover, those effects are determined not just by U.S. moves but by the responses of other parties to them – or even to anticipated U.S. moves and countermoves.117 Indeed, as Schelling observed, strategies of brinkmanship sometimes operate by “the deliberate creation of a recognizable risk of war, a risk that one does not completely control.”118 This insight – that effective strategies of threatened force involve not only great uncertainty about the adversary’s responses but also sometimes involve intentionally creating risk of inadvertent escalation119 – poses a difficult challenge for any effort to cabin legally the President’s power to threaten force in terms of likelihood of war or some due standard of care.120 2. Lawyers’ Selection Problems Methodologically, a lawyerly focus on actual uses of force – a list of which would then commonly be used to consider which ones were or were not authorized by Congress – vastly undercounts the instances in which presidents wield U.S. military might. It is already recognized by some legal scholars that studying actual uses of force risks ignoring instances in which President contemplated force but refrained from using it, whether because of political, congressional, or other constraints.121 The point here is a different one: that some of the most significant (and, in many instances, successful) presidential decisions to threaten force do not show up in legal studies of presidential war powers that consider actual deployment or engagement of U.S. military forces as the relevant data set. Moreover, some actual uses of force, whether authorized by Congress or not, were preceded by threats of force; in some cases these threats may have failed on their own to resolve the crisis, and in other cases they may have precipitated escalation. To the extent that lawyers are interested in understanding from historical practice what war powers the political branches thought they had and how well that understanding worked, they are excluding important cases. Consider, as an illustration of this difference in methodological starting point, that for the period of 1946-1975 (during which the exercise of unilateral Presidential war powers had its most rapid expansion), the Congressional Research Service compilation of instances in which the United States has utilized military forces abroad in situations of military conflict or potential conflict to protect U.S. citizens or promote U.S. interests – which is often relied upon by legal scholars studying war powers – lists only about two dozen incidents.122 For the same time period, the Blechman and Kaplan study of political uses of force (usually threats) – which is often relied upon by political scientists studying U.S. security strategy – includes dozens more data-point incidents, because they divide up many military crises into several discrete policy decisions, because many crises were resolved with threat-backed diplomacy, and because many uses of force were preceded by overt or implicit threats of force.123 Among the most significant incidents studied by Blechman and Kaplan but not included in the Congressional Research Service compilation at all are the 1958-59 and 1961 crises over Berlin and the 1973 Middle East War, during which U.S. Presidents signaled threats of superpower war, and in the latter case signaled particularly a willingness to resort to nuclear weapons.124 Because the presidents did not in the end carry out these threats, these cases lack the sort of authoritative legal justifications or reactions that accompany actual uses of force. It is therefore difficult to assess how the executive branch and congress understood the scope of the President’s war powers in these cases, but historical inquiry would probably show the executive branch’s interpretation to be very broad, even to include full-scale war and even where the main U.S. interest at stake was the very credibility of U.S. defense commitments undergirding its grand strategy, not simply the interests specific to divided Germany and the Middle East region. Of course, one might argue that because the threatened military actions were never carried out in these cases, it is impossible to know if the President would have sought congressional authorization or how Congress would have reacted to the use of force; nonetheless, it is easy to see that in crises like these a threat by the President to use force, having put U.S. credibility on the line in addition to whatever other foreign policy stakes were at issues, would have put Congress in a bind. 3. Lawyers’ Mis-Assessment Empirically, analysis of and insights gleaned from any particular incident – which might then be used to evaluate the functional merits of presidential powers – looks very different if one focuses predominantly on the actual use of force instead of considering also the role of threatened force. Take for example, the Cuban Missile Crisis – perhaps the Cold War’s most dangerous event. To the rare extent that they consider domestic legal issues of this crisis at all, lawyers interested in the constitutionality of President Kennedy’s actions generally ask only whether he was empowered to initiate the naval quarantine of Cuba, because that is the concrete military action Kennedy took that was readily observable and that resulted in actual engagement with Soviet forces or vessels – as it happens, very minimal engagement.125 To strategists who study the crisis, however, the naval quarantine is not in itself the key presidential action; after all, as Kennedy and his advisers realized, a quarantine alone could not remove the missiles that were already in Cuba. The most consequential presidential actions were threats of military or even nuclear escalation, signaled through various means including putting U.S. strategic bombers on highest alert.126 The quarantine itself was significant not for its direct military effects but because of its communicative impact in showing U.S. resolve. If one is focused, as lawyers often are, on presidential military action that actually engaged the enemy in combat or nearly did, it is easy to dismiss this case as not very constitutionally significant. If one focuses on it, as strategists and political scientists often do, on nuclear brinkmanship, it is arguably the most significant historical exercise of unilateral presidential powers to affect war and peace.127 Considering again the 1991 Gulf War, most legal scholars would dismiss this instance as constitutionally a pretty uninteresting military conflict: the President claimed unilateral authority to use force, but he eventually sought and obtained congressional authorization for what was ultimately – at least in the short-run – a quite successful war. For the most part this case is therefore neither celebrated nor decried much by either side of legal war powers debates,128 though some congressionalist scholars highlight the correlation of congressional authorization for this war and a successful outcome.129 Political scientists look at the case differently, though. They often study this event not as a successful war but as failed coercive diplomacy, in that the United States first threatened war through a set of dramatically escalating steps that ultimately failed to persuade Saddam Hussein to withdraw from Kuwait.130 Some political scientists even see U.S. legal debate about military actions as an important part of this story, assessing that adversaries pay attention to congressional arguments and moves in evaluating U.S. resolve (an issue taken up in greater detail below) and that congressional opposition to Bush’s initial unilateralism in this case undermined the credibility of U.S. threats.131 Whether one sees the Gulf War as a case of (successful) war, as lawyers usually do, or (unsuccessful) threatened war, as political scientists usually do, colors how one evaluates the outcome and the credit one might attach to some factors such as vocal congressional opposition to initially-unilateral presidential moves. Notice also that legal analysis of Presidential authority to use force is sometimes thought to turn partly on the U.S. security interests at stake, as though those interests are purely contextual and exogenous to U.S. decision-making and grand strategy. In justifying President Obama’s 2011 use of force against the Libyan government, for example, the Justice Department’s Office of Legal Counsel concluded that the President had such legal authority “because he could reasonably determine that such use of force was in the national interest,” and it then went on to detail the U.S. security and foreign policy interests.132 The interests at stake in crises like these, however, are altered dramatically if the President threatens force: doing so puts the credibility of U.S. threats at stake, which is important not only with respect to resolving the crisis at hand but with respect to other potential adversaries watching U.S. actions.133 The President’s power to threaten force means that he may unilaterally alter the costs and benefits of actually using force through his prior actions.134 The U.S. security interests in carrying through on threats are partly endogenous to the strategy embarked upon to address crises (consider, for example, that once President George H.W. Bush placed hundred of thousands of U.S. troops in the Persian Gulf region and issued an ultimatum to Saddam Hussein in 1990, the credibility of U.S. threats and assurances to regional allies were put on the line).135 Moreover, interests at stake in any one crisis cannot simply be disaggregated from broader U.S. grand strategy: if the United States generally relies heavily on threats of force to shape the behavior of other actors, then its demonstrated willingness or unwillingness to carry out a threat and the outcomes of that action affect its credibility in the eyes of other adversaries and allies, too.136 It is remarkable, though in the end not surprising, that the executive branch does not generally cite these credibility interests in justifying its unilateral uses of force. It does cite when relevant the U.S. interest in sustaining the credibility of its formal alliance commitments or U.N. Security Council resolutions, as reasons supporting the President’s constitutional authority to use force.137 The executive branch generally refrains from citing the similar interests in sustaining the credibility of the President’s own threats of force, however, probably in part because doing so would so nakedly expose the degree to which the President’s prior unilateral strategic decisions would tie Congress’s hands on the matter. \* \* \* In sum, lawyers’ focus on actual uses of force – usually in terms of armed clashes with an enemy or the placement of troops into hostile environments – does not account for much vaster ways that President’s wield U.S. military power and it skews the claims legal scholars make about the allocation of war powers between the political branches. A more complete account of constitutional war powers should recognize the significant role of threatened force in American foreign policy. II. Democratic Checks on Threatened Force The previous Parts of this Article showed that, especially since the end of World War II, the United States has relied heavily on strategies of threatened force in wielding its military might – for which credible signals are a necessary element – and that the President is not very constrained legally in any formal sense in threatening war. Drawing on recent political science scholarship, this Part takes some of the major questions often asked by students of constitutional war powers with respect to the actual use of force and reframes them in terms of threatened force. First, as a descriptive matter, in the absence of formal legal checks on the President’s power to threaten war, is the President nevertheless informally but significantly constrained by democratic institutions and processes, and what role does Congress play in that constraint? Second, as a normative matter, what are the strategic merits and drawbacks of this arrangement of democratic institutions and constraints with regard to strategies of threatened force? Third, as a prescriptive matter, although it is not really plausible that Congress or courts would ever erect direct legal barriers to the President’s power to threaten war, how might legal reform proposals to more strongly and formally constrain the President’s power to use force indirectly impact his power to threaten it effectively? For reasons discussed below, I do not consider whether Congress could legislatively restrict directly the President’s power to threaten force or war; in short, I set that issue aside because assuming that were constitutionally permissible, even ardent congressionalists have exhibited no interest in doing so, and instead have focused on legally controlling the actual use of force. Political science insights that bear on these questions emerge from several directions. One is from studies of Congress’ influence on use of force decisions, which usually assume that Congress’s formal legislative powers play only a limited role in this area, and the effects of this influence on presidential decision-making about threatened force. Another is international relations literature on international bargaining138 as well as literature on the theory of democratic peace, the notion that democracies rarely, if ever, go to war with one another.139 In attempting to explain the near-absence of military conflicts between democracies, political scientists have examined how particular features of democratic governments – electoral accountability, the institutionalized mobilization of political opponents, and the diffusion of decision-making authority regarding the use of force among executive and legislative branches – affect decision-making about war.140 These and other studies, in turn, have led some political scientists (especially those with a rational choice theory orientation) to focus on how those features affect the credibility of signals about force that governments send to adversaries in crises.141 My purpose in addressing these questions is to begin painting a more complete and detailed picture of the way war powers operate, or could operate, than one sees when looking only at actual wars and use of force. This is not intended to be a comprehensive account but an effort to synthesize some strands of scholarship from other fields regarding threatened force to inform legal discourse about how war powers function in practice and the strategic implications of reform. The answers to these questions also bear on raging debates among legal scholars on the nature of American executive power and its constraint by law. Initially they seem to support the views of those legal scholars who have long believed that in practice law no longer seriously binds the President with respect to war-making.142 That view has been taken even further recently by Eric Posner and Adrian Vermeule, who argue that “[l]aw does little constraint the modern executive” at all, but also observe that “politics and public opinion” operate effectively to cabin executive powers.143 The arguments offered here, however, do more to support the position of those legal scholars who describe a more complex relationship between law and politics, including that law is constitutive of the processes of political struggle.144 That law helps constitute the processes of political struggles is true of any area of public policy, though, and what is special here is the added importance of foreign audiences – including adversaries and allies, alike – observing and reacting to those politics, too. Democratic Constraints on the Power to the Threaten Force Whereas most lawyers usually begin their analysis of the President’s and Congress’s war powers by focusing on their formal legal authorities, political scientists usually take for granted these days that the President is – in practice – the dominant branch with respect to military crises and that Congress wields its formal legislative powers in this area rarely or in only very limited ways. A major school of thought, however, is that congressional members nevertheless wield significant influence over decisions about force, and that this influence extends to threatened force, so that Presidents generally refrain from threats that would provoke strong congressional opposition. Even without any serious prospect for legislatively blocking the President’s threatened actions, Congress under certain conditions can loom large enough to force Presidents to adjust their policies; even when it cannot, congressional members can oblige the President expend lots of political capital. As Jon Pevehouse and William Howell explain: When members of Congress vocally **oppose a use of force, they undermine the president’s ability to convince** foreign states that he will see a fight through to the end. Sensing hesitation on the part of the United States, **allies may be reluctant to contribute** to a military campaign, **and adversaries are likely to fight harder and longer** when conflict erupts— thereby raising the costs of the military campaign, decreasing the president’s ability to negotiate a satisfactory resolution, and increasing the probability that American lives are lost along the way. Facing a limited band of allies willing to participate in a military venture and an enemy emboldened by domestic critics, presidents may choose to curtail, and even abandon, those military operations that do not involve vital strategic interests. 145 This statement also highlights the important point, alluded to earlier, that force and threatened force are not neatly separable categories. Often limited uses of force are intended as signals of resolve to escalate, and most conflicts involve bargaining in which the threat of future violence – rather than what Schelling calls “brute force”146 – is used to try to extract concessions. The formal participation of political opponents in legislative bodies provides them with a forum for registering dissent to presidential policies of force through such mechanisms floor statements, committee oversight hearings, resolution votes, and funding decisions.147 These official actions prevent the President “from monopolizing the nation’s political discourse” on decisions regarding military actions can thereby make it difficult for the President to depart too far from congressional preferences.148 Members of the political opposition in Congress also have access to resources for gathering policy relevant information from the government that informs their policy preferences. Their active participation in specialized legislative committees similarly gives opponent party members access to fact-finding resources and forums for registering informed dissent from decisions within the committee’s purview.149 As a result, legislative institutions within democracies can enable political opponents to have a more **immediate** and informed **impact** on executive’s decisions regarding force than can opponents among the general public. Moreover, studies suggest that Congress can actively shape media coverage and public support for a president’s foreign policy engagements.150 In short, these findings among political scientists suggest that, even without having to pass legislation or formally approve of actions, Congress often operates as an important check on threatened force by providing the president’s political opponents with a forum for registering dissent from the executive’s decisions regarding force in ways that attach domestic political costs to contemplated military actions or even the threats to use force. Under this logic, Presidents, anticipating dissent, will be more selective in issuing¶ threats in the first place, making only those commitments that would not incite¶ widespread political opposition should the threat be carried through.151 Political¶ opponents within a legislature also have few electoral incentives to collude in an¶ executive’s bluff, and they are capable of expressing opposition to a threatened use of¶ force in ways that could expose the bluff to a threatened adversary.152 This again narrows¶ the President’s range of viable policy options for brandishing military force. Counter-intuitively, given the President’s seemingly unlimited and unchallenged¶ constitutional power to threaten war, it may in some cases be easier for members of¶ Congress to influence presidential decisions to threaten military action than presidential¶ war decisions once U.S. forces are already engaged in hostilities. It is widely believed¶ that once U.S. armed forces are fighting, congress members’ hands are often tied: policy¶ opposition at that stage risks being portrayed as undermining our troops in the field.153¶ Perhaps, it could be argued, the President takes this phenomenon into account and¶ therefore discounts political opposition to threatened force; he can assume that such¶ opposition will dissipate if he carries it through. Even if that is true, before that point¶ occurs, however, members of Congress may have communicated messages domestically¶ and communicated signals abroad that the President will find difficult to counter.154 The bottom line is that a body of recent political science, while confirming the¶ President’s dominant position in setting policy in this area, also reveals that policymaking¶ with respect to threats of force is significantly shaped by domestic politics and¶ that Congress is institutionally positioned to play a powerful role in influencing those¶ politics, even without exercising its formal legislative powers. Given the centrality of¶ threatened force to U.S. foreign policy strategy and security crises, this suggests that the¶ practical war powers situation is not so imbalanced toward the President as many assume. B. Democratic Institutions and the Credibility of Threats A central question among constitutional war powers scholars is whether robust¶ checks – especially congressional ones – on presidential use of force lead to “sound”¶ policy decision-making. Congressionalists typically argue that legislative control over¶ war decisions promotes more thorough deliberation, including more accurate weighing of¶ consequences and gauging of political support of military action.155 Presidentialists¶ usually counter that the executive branch has better information and therefore better¶ ability to discern the dangers of action or inaction, and that quick and decisive military¶ moves are often required to deal with security crises.156 If we are interested in these sorts of functional arguments, then reframing the¶ inquiry to include threatened force prompts critical questions whether such checks also¶ contribute to or detract from effective deterrence and coercive diplomacy and therefore¶ positively or negatively affect the likelihood of achieving aims without resort to war.¶ Here, recent political science provides some reason for optimism, though the scholarship¶ in this area is neither yet well developed nor conclusive. To be sure, “soundness” of policy with respect to force is heavily laden with¶ normative assumptions about war and the appropriate role for the United States in the¶ broader international security system, so it is difficult to assess the merits and¶ disadvantages of constitutional allocations in the abstract. That said, whatever their¶ specific assumptions about appropriate uses of force in mind, constitutional war powers¶ scholars usually evaluate the policy advantages and dangers of decision-making¶ allocations narrowly in terms of the costs and outcomes of actual military engagements¶ with adversaries. The importance of credibility to strategies of threatened force adds important new¶ dimensions to this debate. On the one hand, one might intuitively expect that robust democratic checks would generally be ill-suited for coercive threats and negotiations –¶ that institutional centralization and secrecy of decision-making might better equip nondemocracies¶ to wield threats of force. As Quincy Wright speculated in 1944, autocracies¶ “can use war efficiently and threats of war even more efficiently” than democracies,157¶ especially the American democracy in which vocal public and congressional opposition¶ may undermine threats.158 Moreover, proponents of democratic checks on war powers¶ usually assume that careful deliberation is a virtue in preventing unnecessary wars, but¶ strategists of deterrence and coercion observe that perceived irrationality is sometimes¶ important in conveying threats: “don’t test me, because I might just be crazy enough to¶ do it!”159 On the other hand, some political scientists have recently called into question this¶ view and concluded that the institutionalization of political contestation and some¶ diffusion of decision-making power in democracies of the kind described in the previous¶ section make threats to use force rare but especially credible and effective in resolving¶ international crises without actual resort to armed conflict. In other words, recent¶ arguments in effect turn some old claims about the strategic disabilities of democracies¶ on their heads: whereas it used to be generally thought that democracies were ineffective¶ in wielding threats because they are poor at keeping secrets and their decision-making is¶ constrained by internal political pressures, a current wave of political science accepts this¶ basic description but argues that these democratic features are really strategic virtues.160 Rationalist models of crisis bargaining between states assume that because war is¶ risky and costly, states will be better off if they can resolve their disputes through¶ bargaining rather than by enduring the costs and uncertainties of armed conflict.161¶ Effective bargaining during such disputes – that which resolves the crisis without a resort¶ to force – depends largely on states’ perceptions of their adversary’s capacity to wage an¶ effective military campaign and its willingness to resort to force to obtain a favorable¶ outcome. A state targeted with a threat of force, for example, will be less willing to resist¶ the adversary’s demands if it believes that the adversary intends to wage and is capable of¶ waging an effective military campaign to achieve its ends. In other words, if a state¶ perceives that the threat from the adversary is credible, that state has less incentive to¶ resist such demands if doing so will escalate into armed conflict. The accuracy of such perceptions, however, is often compromised by¶ informational asymmetries that arise from private information about an adversary’s¶ relative military capabilities and resolve that prevents other states from correctly¶ assessing another states’ intentions, as well as by the incentives states have to¶ misrepresent their willingness to fight – that is, to bluff.162 Informational asymmetries¶ increase the potential for misperception and thereby make war more likely; war,¶ consequentially, can be thought of in these cases as a “bargaining failure.”163 Some political scientists have argued in recent decades – contrary to previously common wisdom – that features and constraints of democracies make them better suited than non-democracies to credibly signal their resolve when they threaten force. To bolster their bargaining position, states will seek to generate credible signals of their resolve by taking actions that can enhance the credibility of such threats, such as mobilizing military forces or making “hand-tying” commitments from which leaders cannot back down without suffering considerable political costs domestically.164 These domestic audience costs, according to some political scientists, are especially high for leaders in democratic states, where they may bear these costs at the polls.165 Given the potentially high domestic political and electoral repercussions democratic leaders face from backing down from a public threat, they have considerable incentives to refrain from bluffing. An adversary that understands these political vulnerabilities is thereby more likely to perceive the threats a democratic leader does issue as highly credible, in turn making it more likely that the adversary will yield.166 Other scholars have recently pointed to the special role of legislative bodies in signaling with regard to threatened force. This is especially interesting from the perspective of constitutional powers debates, because it posits a distinct role for Congress – and, again, one that does not necessarily rely on Congress’s ability to pass binding legislation that formally confines the President. Kenneth Schultz, for instance, argues that the open nature of competition within democratic societies ensures that the interplay of opposing parties in legislative bodies over the use of force is observable not just to their domestic publics but to foreign actors; this inherent transparency within democracies – magnified by legislative processes – **provides more information to adversaries** regarding the unity of domestic opponents around a government’s military and foreign policy decisions.167 Political opposition parties can undermine the credibility of some threats by the President to use force if they publicly voice their opposition in committee hearings, public statements, or through other institutional mechanisms. Furthermore, legislative processes – such as debates and hearings – make it difficult to conceal or misrepresent preferences about war and peace. Faced with such institutional constraints, Presidents will incline to be more selective about making such threats and avoid being undermined in that way.168 This restraining effect on the ability of governments to issue threats simultaneously makes those threats that the government issues more credible, if an observer assumes that the President would not be issuing it if he anticipated strong political opposition. Especially when members of the opposition party publicly support an executive’s threat to use force during a crisis, their visible support lends additional credibility to the government’s threat by demonstrating that political conditions domestically favor the use of force should it be necessary.169 In some cases, Congress may communicate greater willingness than the president to use force, for instance through non-binding resolutions.170 Such powerful signals of resolve should in theory make adversaries more likely to back down. The credibility-enhancing effects of legislative constraints on threats are subject to dispute. Some studies question the assumptions underpinning theories of audience costs – specifically the idea that democratic leaders suffer domestic political costs to failing to make good on their threats, and therefore that their threats are especially credible171 – and others question whether the empirical data supports claims that democracies have credibility advantages in making threats.172 Other scholars dispute the likelihood that leaders will really be punished politically for backing down, especially if the threat was not explicit and unambiguous or if they have good policy reasons for doing so.173 Additionally, even if transparency in democratic institutions allows domestic dissent from threats of force to be visible to foreign audiences, it is not clear that adversaries would interpret these mechanisms as political scientists expect in their models of strategic interaction, in light of various common problems of misperception in international relations.174 These disputes are not just between competing theoretical models but also over the links between any of the models and real-world political behavior by states. At this point there remains a dearth of good historical evidence as to how foreign leaders interpret political maneuvers within Congress regarding threatened force. Nevertheless, at the very least, strands of recent political science scholarship cast significant doubt on the intuition that democratic checks are inherently disadvantageous to strategies of threatened force. Quite the contrary, they suggest that legislative checks – or, indeed, even the signaling functions that Congress is institutionally situated to play with respect to foreign audiences interpreting U.S. government moves – can be harnessed in some circumstances to support such strategies. C. Legal Reform and Strategies of Threatened Force Among legal scholars of war powers, the ultimate prescriptive question is whether the President should be constrained more formally and strongly than he currently is by legislative checks, especially a more robust and effective mandatory requirement of congressional authorization to use force. Calls for reform usually take the form of narrowing and better enforcement (by all three branches of government) of purported constitutional requirements for congressional authorization of presidential uses of force or revising and enforcing the War Powers Resolutions or other framework legislation requiring express congressional authorization for such actions.175 As applied to strategies of threatened force, generally **under these proposals the President would lack authority to make good on them** unilaterally (except in whatever narrow circumstances for which he retains his own unilateral authority, such as deterring imminent attacks on the United States). Whereas legal scholars are consumed with the internal effects of war powers law, such as whether and when it constrains U.S. government decision-making, the analysis contained in the previous section shifts attention externally to whether and when U.S. law might influence decision-making by adversaries, allies, and other international actors. In prescriptive terms, if the President’s power to use force is linked to his ability to threaten it effectively, then any consideration of war powers reform on policy outcomes and longterm interests should include the important secondary effects on deterrent and coercive strategies – and how U.S. legal doctrine is perceived and understood abroad.176 Would stronger requirements for congressional authorization to use force reduce a president’s opportunities for bluffing, and if so would this improve U.S. coercive diplomacy by making ensuing threats more credible? Or would it undermine diplomacy by taking some threats off the table as viable policy options? Would stronger formal legislative powers with respect to force have significant marginal effects on the signaling effects of dissent within Congress, beyond those effects already resulting from open political discourse? These are difficult questions, but the analysis and evidence above helps generate some initial hypotheses and avenues for further research and analysis. One might ask at this point why, though, having exposed as a hole in war powers legal discourse the tendency to overlook threatened force, this Article does not take up whether Congress should assert some direct legislative control of threats – perhaps statutorily limiting the President’s authority to make them or establishing procedural conditions like presidential reporting requirements to Congress. This Article puts such a notion aside for several reasons. First, for reasons alluded to briefly above, such limits would be very constitutionally suspect and difficult to enforce.177 Second, even the most ardent war-power congressionalists do not contemplate such direct limits on the President’s power to threaten; they are not a realistic option for reform. Instead, this Article focuses on the more plausible – and much more discussed – possibility of strengthening Congress’s power over the ultimate decision whether to use force, but augments the usual debate over that question with appreciation for the importance of credible threats. A claim previously advanced from a presidentialist perspective is that stronger legislative checks on war powers is harmful to coercive and deterrent strategies, because it establishes easily-visible impediments to the President’s authority to follow through on threats. This was a common policy argument during the War Powers Resolution debates in the early 1970s. Eugene Rostow, an advocate inside and outside the government for executive primacy, remarked during consideration of legislative drafts that any serious restrictions on presidential use of force would mean in practice that “no President could make a credible threat to use force as an instrument of deterrent diplomacy, even to head off explosive confrontations.”178 He continued: In the tense and cautious diplomacy of our present relations with the Soviet Union, as they have developed over the last twenty-five years, the authority of the President to set clear and silent limits in advance is perhaps **the *most* important** of all the powers in our constitutional armory to prevent confrontations that could **carry nuclear implications**. … [I]t is the **diplomatic power the President needs** most under the circumstance of modern life—the power to make a credible threat to use force in order to prevent a confrontation which might escalate.179 In his veto statement on the War Powers Resolution, President Nixon echoed these concerns, arguing that **the law would undermine the credibility of U.S. deterrent** and coercive threats in the eyes of both adversaries and allies – they would know that presidential authority to use force would expire after 60 days, so absent strong congressional support they could assume U.S. withdrawal at that point.180 In short, those who oppose tying the president’s hands with mandatory congressional authorization requirements to use force sometimes argue that doing so incidentally and dangerously ties his hands in threatening it. A critical assumption here is that presidential flexibility, preserved in legal doctrine, enhances the credibility of presidential threats to escalate.

**Executive flexibility can uniquely use information for conflict de-escalation**

**Sulmasy ’09** (Glenn, US Coast Guard Academy law faculty,“Anniversary Contributions: Use of Force: Executive Power: the Last Thirty Year”, 30 U. Pa. J. Int'l L. 1355, lexis, ldg)

Since the attacks of 9/11, the original concerns noted by Hamilton, Jay, and Madison have been heightened. Never before in the young history of the United States has the need for an energetic executive been more vital to its national security. The need for quick action in this arena requires an executive response - particularly when fighting a shadowy enemy like al Qaeda - not the deliberative bodies opining on what and how to conduct warfare or determining how and when to respond. The threats from non-state actors, such as al Qaeda, make the need for dispatch and rapid response even greater. Jefferson's concerns about the slow and deliberative institution of Congress being prone to informational leaks are even more relevant in the twenty-first century. The advent of the twenty-four hour media only leads to an increased need for retaining enhanced levels of executive [\*1362] control of foreign policy. This is particularly true in modern warfare. In the war on international terror, intelligence is vital to ongoing operations and successful prevention of attacks. Al Qaeda now has both the will and the ability to strike with the equivalent force and might of a nation's armed forces. The need to identify these individuals before they can operationalize an attack is vital. Often international terror cells consist of only a small number of individuals - making intelligence that much more difficult to obtain and even more vital than in previous conflicts. The normal movements of tanks, ships, and aircrafts that, in traditional armed conflict are indicia of a pending attack are not the case in the current "fourth generation" war. Thus, the need for intelligence becomes an even greater concern for the commanders in the field as well as the Commander-in-Chief.¶ Supporting a strong executive in foreign affairs does not necessarily mean the legislature has no role at all. In fact, their dominance in domestic affairs remains strong. Additionally, besides the traditional roles identified in the Constitution for the legislature in foreign affairs - declaring war, ratifying treaties, overseeing appointments of ambassadors, etc. - this growth of executive power now, more than ever, necessitates an enhanced, professional, and apolitical oversight of the executive. An active, aggressive oversight of foreign affairs, and warfare in particular, by the legislature is now critical. Unfortunately, the United States - particularly over the past decade - has witnessed a legislature unable to muster the political will necessary to adequately oversee, let alone check, the executive branch's growing power. Examples are abundant: lack of enforcement of the War Powers Resolution abound the executive's unchecked invasions of Grenada, Panama, and Kosovo, and such assertions as the Authorization for the Use of Military Force, the USA Patriot Act, military commissions, and the updated Foreign Intelligence Surveillance Act ("FISA"). There have been numerous grand-standing complaints registered in the media and hearings over most, if not all, of these issues. However, in each case, the legislature has all but abdicated their constitutionally mandated role and allowed the judicial branch to serve as the only real check on alleged excesses of the executive branch. This deference is particularly dangerous and, in the current environment of foreign affairs and warfare, tends to unintentionally politicize the Court.¶ The Founders clearly intended the political branches to best serve the citizenry by functioning as the dominant forces in [\*1363] guiding the nation's foreign affairs. They had anticipated the political branches to struggle over who has primacy in this arena. In doing so, they had hoped neither branch would become too strong. The common theme articulated by Madison, ambition counters ambition, n17 intended foreign affairs to be a "give and take" between the executive and legislative branches. However, inaction by the legislative branch on myriad policy and legal issues surrounding the "war on terror" has forced the judiciary to fulfill the function of questioning, disagreeing, and "checking" the executive in areas such as wartime policy, detentions at Guantanamo Bay, and tactics and strategy of intelligence collection. The unique nature of the conflict against international terror creates many areas where law and policy are mixed. The actions by the Bush administration, in particular, led to outcries from many on the left about his intentions and desire to unconstitutionally increase the power of the Presidency. Yet, the Congress never firmly exercised the "check" on the executive in any formal manner whatsoever.¶ For example, many policymakers disagreed with the power given to the President within the Authorization to Use Military Force ("AUMF"). n18 Arguably, this legislation was broad in scope, and potentially granted sweeping powers to the President to wage the "war on terror." However, Congress could have amended or withdrawn significant portions of the powers it gave to the executive branch. This lack of withdrawal or amendment may have been understandable when Republicans controlled Congress, but as of November 2006, the Democrats gained control of both houses of the Congress. Still, other than arguing strongly against the President, the legislature did not necessarily or aggressively act on its concerns. Presumably this inaction was out of concern for being labeled "soft on terror" or "weak on national security" and thereby potentially suffering at the ballot box. This virtual paralysis is understandable but again, the political branches were, and remain, the truest voice of the people and provide the means to best represent the country's beliefs, interests, and national will in the arena of foreign affairs. It has been this way in the past but the more recent (certainly over the past thirty years and even more so in the past decade) intrusions of the judicial branch into what [\*1364] was intended to be a "tug and pull" between the political branches can properly be labeled as an unintended consequence of the lack of any real legislative oversight of the executive branch.¶ Unfortunately, now nine unelected, life-tenured justices are deeply involved in wartime policy decision making. Examples of judicial policy involvement in foreign affairs are abundant including Rasul v. Bush; n19 Hamdi v. Rumsfeld; n20 Hamdan v. Rumsfeld; n21 as well as last June's Boumediene v. Bush n22 decision by the Supreme Court, all impacting war policy and interpretation of U. S. treaty obligations. Simply, judges should not presumptively impact warfare operations or policies nor should this become acceptable practice. Without question, over the past thirty years, this is the most dramatic change in executive power. It is not necessarily the strength of the Presidency that is the change we should be concerned about - the institutional search for enhanced power was anticipated by the Founders - but they intended for Congress to check this executive tendency whenever appropriate. Unfortunately, this simply is not occurring in twenty-first century politics. Thus, the danger does not necessarily lie with the natural desire for Presidents to increase their power. The real danger is the judicial branch being forced, or compelled, to fulfill the constitutionally mandated role of the Congress in checking the executive.¶ 4. PRESIDENT OBAMA AND EXECUTIVE POWER¶ The Bush presidency was, and continues to be, criticized for having a standing agenda of increasing the power of the executive branch during its eight-year tenure. Numerous articles and books have been dedicated to discussing these allegations. n23 However, as argued earlier, the reality is that it is a natural bureaucratic tendency, and one of the Founders presciently anticipated, that each branch would seek greater powers whenever and wherever possible. As the world becomes increasingly interdependent, technology and armament become more sophisticated, and with [\*1365] the rise of twenty-first century non-state actors, the need for strong executive power is not only preferred, but also necessary. Executive power in the current world dynamic is something, regardless of policy preference or political persuasions, that the new President must maintain in order to best fulfill his constitutional role of providing for the nation's security. This is simply part of the reality of executive power in the twenty-first century. n24

**Speed is key to conflict prevention- restrictions cause WMD terrorism and rogue aggression**

Yoo 12 [John, professor of law at the University of California, Berkeley, “War Powers Belong to the President,” <http://www.abajournal.com/magazine/article/war_powers_belong_to_the_president>]

This time, President Obama has the Constitution about right. His exercise of war powers rests firmly in the tradition of American foreign policy. Throughout our history, neither presidents nor Congresses have acted under the belief that the Constitution requires a declaration of war before the U.S. can conduct military hostilities abroad. We have used force abroad more than 100 times but declared war in only five cases: the War of 1812, the Mexican-American and Spanish-American wars, and World War I and II. Without any congressional approval, presidents have sent forces to battle Indians, Barbary pirates and Russian revolutionaries; to fight North Korean and Chinese communists in Korea; to engineer regime changes in South and Central America; and to prevent human rights disasters in the Balkans. Other conflicts, such as the 1991 Persian Gulf war, the 2001 invasion of Afghanistan and the 2003 Iraq war, received legislative “authorization” but not declarations of war. The practice of presidential initiative, followed by congressional acquiescence, has spanned both Democratic and Republican administrations and reaches back from President Obama to Presidents Abraham Lincoln, Thomas Jefferson and George Washington. Common sense does not support replacing the way our Constitution has worked in wartime with a radically different system that mimics the peacetime balance of powers between president and Congress. If the issue were the environment or Social Security, Congress would enact policy first and the president would faithfully implement it second. But the Constitution does not duplicate this system in war. Instead, our framers decided that the president would play the leading role in matters of national security. Those in the pro-Congress camp call upon the anti-monarchical origins of the American Revolution for support. If the framers rebelled against King George III’s dictatorial powers, surely they would not give the president much authority. It is true that the revolutionaries rejected the royal prerogative, and they created weak executives at the state level. Americans have long turned a skeptical eye toward the growth of federal powers. But this may mislead some to resist the fundamental difference in the Constitution’s treatment of domestic and foreign affairs. For when the framers wrote the Constitution in 1787 they rejected these failed experiments and restored an independent, unified chief executive with its own powers in national security and foreign affairs. The most important of the president’s powers are commander in chief and chief executive. As Alexander Hamilton wrote in Federalist 74, “The direction of war implies the direction of the common strength, and the power of directing and employing the common strength forms a usual and essential part in the definition of the executive authority.” Presidents should conduct war, he wrote, because they could act with “decision, activity, secrecy and dispatch.” In perhaps his most famous words, Hamilton wrote: “Energy in the executive is a leading character in the definition of good government. ... It is essential to the protection of the community against foreign attacks.” The framers realized the obvious. Foreign affairs are unpredictable and involve the highest of stakes, making them unsuitable to regulation by pre-existing legislation. Instead, they can demand swift, decisive action—sometimes under pressured or even emergency circumstances—that is best carried out by a branch of government that does not suffer from multiple vetoes or is delayed by disagreements. Congress is too large and unwieldy to take the swift and decisive action required in wartime. Our framers replaced the Articles of Confederation, which had failed in the management of foreign relations because they had no single executive, with the Constitution’s single president for precisely this reason. Even when it has access to the same intelligence as the executive branch, Congress’ loose, decentralized structure would paralyze American policy while foreign threats grow. Congress has no political incentive to mount and see through its own wartime policy. Members of Congress, who are interested in keeping their seats at the next election, do not want to take stands on controversial issues where the future is uncertain. They will avoid like the plague any vote that will anger large segments of the electorate. They prefer that the president take the political risks and be held accountable for failure. Congress’ track record when it has opposed presidential leadership has not been a happy one. Perhaps the most telling example was the Senate’s rejection of the Treaty of Versailles at the end of World War I. Congress’ isolationist urge kept the United States out of Europe at a time when democracies fell and fascism grew in their place. Even as Europe and Asia plunged into war, Congress passed the Neutrality Acts designed to keep the United States out of the conflict. President Franklin Roosevelt violated those laws to help the Allies and draw the nation into war against the Axis. While pro-Congress critics worry about a president’s foreign adventurism, the real threat to our national security may come from inaction and isolationism. Many point to the Vietnam War as an example of the faults of the “imperial presidency.” Vietnam, however, could not have continued without the consistent support of Congress in raising a large military and paying for hostilities. And Vietnam ushered in a period of congressional dominance that witnessed American setbacks in the Cold War and the passage of the ineffectual War Powers Resolution. Congress passed the resolution in 1973 over President Richard Nixon’s veto, and no president, Republican or Democrat, George W. Bush or Obama, has ever accepted the constitutionality of its 60-day limit on the use of troops abroad. No federal court has ever upheld the resolution. Even Congress has never enforced it. Despite the record of practice and the Constitution’s institutional design, critics nevertheless argue for a radical remaking of the American way of war. They typically base their claim on Article I, Section 8, of the Constitution, which gives Congress the power to “declare war.” But these observers read the 18th century constitutional text through a modern lens by interpreting “declare war” to mean “start war.” When the Constitution was written, however, a declaration of war served diplomatic notice about a change in legal relations between nations. It had little to do with launching hostilities. In the century before the Constitution, for example, Great Britain—where the framers got the idea of the declare-war power—fought numerous major conflicts but declared war only once beforehand. Our Constitution sets out specific procedures for passing laws, appointing officers and making treaties. There are none for waging war because the framers expected the president and Congress to struggle over war through the national political process. In fact, other parts of the Constitution, properly read, support this reading. Article I, Section 10, for example, declares that the states shall not “engage” in war “without the consent of Congress” unless “actually invaded, or in such imminent danger as will not admit of delay.” This provision creates exactly the limits desired by anti-war critics, complete with an exception for self-defense. If the framers had wanted to require congressional permission before the president could wage war, they simply could have repeated this provision and applied it to the executive. Presidents, of course, do not have complete freedom to take the nation to war. Congress has ample powers to control presidential policy, if it wants to. Only Congress can raise the military, which gives it the power to block, delay or modify war plans. Before 1945, for example, the United States had such a small peacetime military that presidents who started a war would have to go hat in hand to Congress to build an army to fight it. Since World War II, it has been Congress that has authorized and funded our large standing military, one primarily designed to conduct offensive, not defensive, operations (as we learned all too tragically on 9/11) and to swiftly project power worldwide. If Congress wanted to discourage presidential initiative in war, it could build a smaller, less offensive-minded military. Congress’ check on the presidency lies not just in the long-term raising of the military. It can also block any immediate armed conflict through the power of the purse. If Congress feels it has been misled in authorizing war, or it disagrees with the president’s decisions, all it need do is cut off funds, either all at once or gradually. It can reduce the size of the military, shrink or eliminate units, or freeze supplies. Using the power of the purse does not even require affirmative congressional action. Congress can just sit on its hands and refuse to pass a law funding the latest presidential adventure, and the war will end quickly. Even the Kosovo war, which lasted little more than two months and involved no ground troops, required special funding legislation. The framers expected Congress’ power of the purse to serve as the primary check on presidential war. During the 1788 Virginia ratifying convention, Patrick Henry attacked the Constitution for failing to limit executive militarism. James Madison responded: “The sword is in the hands of the British king; the purse is in the hands of the Parliament. It is so in America, as far as any analogy can exist.” Congress ended America’s involvement in Vietnam by cutting off all funds for the war. Our Constitution has succeeded because it favors swift presidential action in war, later checked by Congress’ funding power. If a president continues to wage war without congressional authorization, as in Libya, Kosovo or Korea, it is only because Congress has chosen not to exercise its easy check. We should not confuse a desire to escape political responsibility for a defect in the Constitution. A radical change in the system for making war might appease critics of presidential power. But it could also seriously threaten American national security. In order to forestall another 9/11 attack, or to take advantage of a window of opportunity to strike terrorists or rogue nations, the executive branch needs flexibility. It is not hard to think of situations where congressional consent cannot be obtained in time to act. Time for congressional deliberation, which leads only to passivity and isolation and not smarter decisions, will come at the price of speed and secrecy. The Constitution creates a presidency that can respond forcefully to prevent serious threats to our national security. Presidents can take the initiative and Congress can use its funding power to check them. Instead of demanding a legalistic process to begin war, the framers left war to politics. As we confront the new challenges of terrorism, rogue nations and WMD proliferation, now is not the time to introduce sweeping, untested changes in the way we make war.

**Causes extinction**

**Johnson, Forbes contributor and Presidential Medal of Freedom winner, 2013**

(Paul, “A Lesson For Rogue States”, 5-8, <http://www.forbes.com/sites/currentevents/2013/05/08/a-lesson-for-rogue-states/>, ldg)

Although we live in a violent world, where an internal conflict such as the Syrian civil war can cost 70,000 lives over a two-year period, there hasn’t been a major war between the great powers in 68 years. Today’s three superpowers–the U.S., Russia and China–have no conflicts of interest that can’t be resolved through compromise. All have hair-trigger nuclear alert systems, but the sheer scale of their armories has forced them to take nuclear conflict seriously. Thus, in a real sense, nuclear weapons have succeeded in abolishing the concept of a winnable war. The same cannot be said, however, for certain paranoid rogue states, namely North Korea and Iran. If these two nations appear to be prospering–that is, if their nuclear threats are winning them attention and respect, financial bribes in the form of aid and all the other goodies by which petty dictators count success–other prospective rogues will join them. One such state is Venezuela. Currently its oil wealth is largely wasted, but it is great enough to buy entree to a junior nuclear club. Another possibility is Pakistan, which already has a small nuclear capability and is teetering on the brink of chaos. Other potential rogues are one or two of the components that made up the former Soviet Union. All the more reason to ensure that North Korea and Iran are dramatically punished for traveling the nuclear path. But how? It’s of little use imposing further sanctions, as they chiefly fall on the long-suffering populations. Recent disclosures about life in North Korea reveal how effectively the ruling elite is protected from the physical consequences of its nuclear quest, enjoying high standards of living while the masses starve. Things aren’t much better in Iran. Both regimes are beyond the reach of civilized reasoning, one locked into a totalitarian vise of such comprehensiveness as to rule out revolt, the other victim of a religious despotism from which there currently seems no escape. Either country might take a fatal step of its own volition. Were North Korea to attack the South, it would draw down a retribution in conventional firepower from the heavily armed South and a possible nuclear response from the U.S., which would effectively terminate the regime. Iran has frequently threatened to destroy Israel and exterminate its people. Were it to attempt to carry out such a plan, the Israeli response would be so devastating that it would put an end to the theocracy forthwith. The balance of probabilities is that neither nation will embark on a deliberate war but instead will carry on blustering. This, however, doesn’t rule out war by accident–a small-scale nuclear conflict precipitated by the blunders of a totalitarian elite. Preventing Disaster The most effective, yet cold-blooded, way to teach these states the consequences of continuing their nuclear efforts would be to make an example of one by destroying its ruling class. The obvious candidate would be North Korea. Were we able to contrive circumstances in which this occurred, it’s probable that Iran, as well as any other prospective rogues, would abandon its nuclear aims. But how to do this? At the least there would need to be general agreement on such a course among Russia, China and the U.S. But China would view the replacement of its communist ally with a neutral, unified Korea as a serious loss. Compensation would be required. Still, it’s worth exploring. What we must avoid is a jittery world in which proliferating rogue states perpetually seek to become nuclear ones. The risk of an accidental conflict breaking out that would then drag in the major powers is too great. This is precisely how the 1914 Sarajevo assassination broadened into World War I. It is fortunate the major powers appear to have understood the dangers of nuclear conflict without having had to experience them. Now they must turn their minds, responsibly, to solving the menace of rogue states. At present all we have are the bellicose bellowing of the rogues and the well-meaning drift of the Great Powers–a formula for an eventual and monumental disaster that could be the end of us all.

**Util solves ideology wars, imperialism, and blowback- that’s the only scenario for atrocity**

Whitman 7 (Jeffery, Prof of Philosophy, Religion, and Classical Studies Susquehanna University, “Just War Theory and the War on Terrorism A Utilitarian Perspective,” http://www.mesharpe.com/PIN/05Whitman.pdf)

How might the rule-utilitarian perspective for just war theory helpfully inform the war on terrorism? Several potential benefits seem especially salient. The first major advantage that such a perspective lends to the fight against terrorism is that it avoids the temptation to turn the fight into a utopian crusade against evil.27 While it is true that some of the perpetrators of the current terrorism have taken on the nihilistic perspective described earlier (and therefore represent a kind of evil beyond compromise), most of the people who seem to sympathize with their attacks against U.S. and Western interests are not evil people. Many of them have genuine grievances with the polices of Western nations, and their support for terrorism can be weakened or even eliminated if some of those grievances are addressed. Casting the war against global terrorism as a struggle between good and evil would seem to invoke a fight-to-the-death struggle, but seeing the struggle in this way defies the reality of the situation, a reality better addressed in utilitarian terms. While there can be no compromise between good and evil, a more nuanced understanding of what motivates support for Islamic terrorism (e.g., the real or perceived bias of U.S. policy against Arab and Muslim interests) would show that not all of our foes are part of some undifferentiated evil. Recognizing this fact would enable us to recognize that moral considerations place limits on the use of military force—in terms of both means and ends—in prosecuting this war. And these limits can be best applied through the tenets of just war theory supported by a ruleutilitarian foundation. The struggle against terrorism will be a long struggle, and it will require the kind of balancing of means to ends that the utilitarian calculus promotes. The proper goal in the end is not the complete destruction of all terrorist groups and their supporters (as if such a goal were even possible). Instead, the goal must be more moderate, though no less challenging. Quoting Joseph Boyle. The state of affairs in which the prospect of terrorist activity is not a serious threat to people’s conduct of their lives but part of the disagreeable but acceptable risks of modern life is a reasonable public goal in relationship to terrorism generally, as it is in relationship to criminal activity more generally. (2003, 168)

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**Aff can’t solve- ontology of speed causes reactionary politics that can’t formulate real responses to executive power**

Cooper 2002

Simon, Senior Lecturer at the University of Sunderland, "Technoculture and Critical Theory: In the Service of the Machine?" <http://monoskop.org/images/b/b3/Cooper_Simon_Technoculture_and_Critical_Theory_In_the_Service_of_the_Machine.pdf>

To the extent that they attempt to analyse the construction of meanings within this more abstract level, this book recognises the contribution and importance of poststructuralist and postmodernist modes of thinking.9 However, it also recognises the limitations of these models, in that they overgeneralise the degree to which meanings are constructed within this level. The contributions of Lyotard, Baudrillard, Wark and the sensibilities of many proponents of cyberculture are important for analysing radically new ways of being and knowing within this emergent framework. Nevertheless, they tend to overgeneralise the extent of the transformation, treating the more abstract forms of social integration and experience as constituting the whole of the social formation. The problem of overgeneralisation is, in this context, highly significant and not confined to the mere exaggeration of social effects. On the contrary, it cuts off access to a strategy that might be able to retain the benefits of technology without the need to remain entirely within the more abstract modality that frames these conceptions of the postmodern. As we shall see in Chapters 5, 6 and 7, which cover Lyotard, Wark and cyberculturalism respectively, such theories tend to posit a choice between totalitarian or heterogeneous possibilities, where technology provides radical freedoms only to the extent that it is able to collapse the entire framework of social meaning into an open circuit of fragmentation and difference. If the radical emancipatory politics of many poststructuralist and postmodern theorists are limited by the extent to which they still adhere to a conception of life as occurring within a single plane of being,10 so too is the more overtly critical politics of Paul Virilio, who remains unable to formulate any kind of strategy except denunciation against what he regards as an overwhelming technological threat to our existence.

**The term “cyberwar” trivializes the experiences of those who have engaged in actual armed conflict- the term “cyber campaign” solves the gist of their aff without linking**

Wisniewski 8/1/13 (Chester, Senior Security Advisor at Sophos Canada, Sophos Security, "Comment: There's No Such Thing as Cyberwar")

Too often, journalists, politicians, and security professionals are quick to declare ‘cyber war’ at the earliest signs of hacking or intelligence gathering between opposing states. True war consists of tragedy and tangible, kinetic impact. It involves injury and death, not just an exchange of information.¶ It has become increasingly difficult to read the news without spotting alarmist headlines such as, [‘Cyber 9/11’](http://www.infosecurity-magazine.com/view/30447/pentagon-cyber-command-poised-for-massive-expansion), [‘Cyber Pearl Harbor’](http://www.infosecurity-magazine.com/view/28920/us-considers-preemptive-action-to-prevent-cyber-pearl-harbor-/), and [‘Hackers: 21st century nuclear weapons’](http://www.infosecurity-magazine.com/view/30438/john-kerry-cyber-threats-are-modernday-nuclear-weapons). It is time that we ratchet back the hype, take an honest look at ourselves, and ask: “When did it become acceptable to equate actions that do not cause loss of human life to war?”¶ I am not the first to hold this viewpoint. In 2010, Howard Schmidt, former cybersecurity coordinator and special assistant to President Obama, declared in an [interview](http://www.wired.com/threatlevel/2010/03/schmidt-cyberwar/) with Wired magazine, “There is no cyberwar… I think that is a terrible metaphor.”¶ In February 2012, Thomas Rid, a reader in War Studies at King’s College London and expert in technology, deterrence, and cybersecurity, published a paper in the Journal of Strategic Studies titled, [‘Cyber War Will Not Take Place’](http://www.tandfonline.com/doi/abs/10.1080/01402390.2011.608939). In the paper, Thomas asserts that never has an act labeled “cyber warfare” met the criteria for what the world considers an actual act of war. He explains, “In an act of cyber war, the actual use of force is likely to be… [a] complex and mediated sequence of causes and consequences that ultimately result in violence and casualties.”¶ Despite such sentiment, the security community continues to propagate hyperbolic terminology. A Google search for the term “cyber war” and its synonyms returns an impressive 8.5 million results.¶ In 2013, I propose that we retire this inaccurate and insensitive language. In its place, we should use phrases that more sensibly describe the nature of events. While expressions such as “cyber campaigns” are inarguably less dramatic, frankly, so is what we’re talking about here when compared with actual war.¶ At Sophos, we avoid scare-tactic messaging and negative imagery such as locks or tentacled virus-like cartoons intended to scare enterprises into adopting our security offerings. We have too much respect for our customers to do so and take our responsibility as security professionals very seriously – central to which requires providing an accurate assessment of the threat landscape.¶ While advocating that we adjust our language, I don’t mean to suggest that we lessen our diligence. Threats on critical infrastructure and enterprise networks are very real and not to be taken lightly. But the next time a nation is caught cyber-spying or meddling with the effectiveness of an industrial site, let’s keep its true impact in perspective and remain mindful of the way in which we report it. Would such actions cause the same devastation as a true act of war? It is highly unlikely and, accordingly, is inappropriate to label as such.¶ My grandfather was shot twice in World War II and was preparing to ship off to the Pacific theatre at the time the war ended. I don’t imagine he would compare [Stuxnet](http://www.infosecurity-magazine.com/view/32455/did-stuxnet-help-rather-than-hinder-irans-nuclear-program) to the experience he had defending freedom. For that reason alone it is time to stop. We should think better of our veterans.¶ As much as it might make me feel important to imagine Sophos as the one company capable of separating the world from ‘cyber Armageddon’, I know that, in actuality, the world is far from it – and that’s a good thing.

**That rhetoric leads to military escalations- causes complacency and cynicism**

Wallace 3/10/13 (Ian, The Daily Beast, "Why The US Is Not in a Cyber War")

The idea that America is in the middle of a “cyber war” isn't just lazy and wrong. It's dangerous. The war analogy implies the requirement for military response to cyber intrusions. America genuinely needs effective civilian government cyber defense organizations with strong relationships with the private sector and the active engagement of an informed general public. Creating and even promoting the fear of “cyber war” makes that more difficult. Here’s why:¶ First, while the U.S fights its wars using the highly-trained professional within the U.S. Armed Forces, defending against cyber threats does not necessary require military expertise or prowess. True, most private individuals and corporations lack the knowledge and training needed to fight off attacks from elite Chinese, Iranian and Russian cyber “warriors.” As a result, there is and will continue to be a pressing need for highly qualified information security experts to help defend the larger U.S. cyber landscape. Nonetheless, there are relatively simple ways to make it more difficult for the bad guys without escalating to a “war” standing. In 2011, the Australian Defence Signals Directorate (their equivalent of the U.S. National Security Agency) showed that by taking just four key measures--“whitelisting” (i.e., allowing only authorized software to run on a computer or network), very rapid patching of applications and of operating system vulnerabilities, and restricting the number of people with administrator access to a system--85 percent of targeted intrusions can be prevented. These might appear more like prophylactic public health measures than warfare--and that’s the point. The United States does not need to declare “war” and call up the military to fend off cyber threats.¶ Second, people expect wars to end and when they drag on, often succumb to war fatigue. People want to believe that victory is achievable. Cyber security, however, is a mission without end. As a result, using the language of war may only serve to frustrate and mislead the public. The fight against cyber attacks will never achieve a definitive, all-encompassing, long-term victory. As more and different devices are connected to the Internet, the threat will continually evolve. While technological countermeasures will surely improve, cyber attacks will remain a very attractive means through which to coerce, defraud, and potentially even harm us as our lives grow ever more dependent on the Internet. The problem with ‘war’ terminology is that it may breed frustration and contempt, and eventually complacency and cynicism. The growing use of sensational terms like “electronic Pearl Harbor”--which in particular evokes a horrific event that ended the lives of 2402 sailors, airmen, and civilians--becomes as much a part of the problem as the solution. Better analogies (and public policy) are needed to ensure that the public comes to ‘own’ this cyber security challenge as part of their daily lives.

**Obama is not their egregious examples- war-fighting decisions are deliberative and vetted now**

Pillar, 13 -- Brookings Foreign Policy Senior Fellow

[Paul, "The Danger of Groupthink," The National Interest, 2-26-13, webcache.googleusercontent.com/search?q=cache:6rnyjYlVKY0J:www.brookings.edu/research/opinions/2013/02/26-danger-groupthink-pillar+&cd=3&hl=en&ct=clnk&gl=us, accessed 9-23-13, mss]

David Ignatius has an interesting take on national security decision-making in the Obama administration in the wake of the reshuffle of senior positions taking place during these early weeks of the president's second term. Ignatius perceives certain patterns that he believes reinforce each other in what could be a worrying way. One is that the new team does not have as much “independent power” as such first-term figures as Clinton, Gates, Panetta and Petraeus. Another is that the administration has “centralized national security policy to an unusual extent” in the White House. With a corps of Obama loyalists, the substantive thinking may, Ignatius fears, run too uniformly in the same direction. He concludes his column by stating that “by assembling a team where all the top players are going in the same direction, he [Obama] is perilously close to groupthink.” We are dealing here with tendencies to which the executive branch of the U.S. government is more vulnerable than many other advanced democracies, where leading political figures with a standing independent of the head of government are more likely to wind up in a cabinet. This is especially true of, but not limited to, coalition governments. Single-party governments in Britain have varied in the degree to which the prime minister exercises control, but generally room is made in the cabinet for those the British call “big beasts”: leading figures in different wings or tendencies in the governing party who are not beholden to the prime minister for the power and standing they have attained. Ignatius overstates his case in a couple of respects. Although he acknowledges that Obama is “better than most” in handling open debate, he could have gone farther and noted that there have been egregious examples in the past of administrations enforcing a national security orthodoxy, and that the **Obama** administration **does not even come close** to these examples. There was Lyndon Johnson in the time of the Vietnam War, when policy was made around the president's Tuesday lunch table and even someone with the stature of the indefatigable Robert McNamara was ejected when he strayed from orthodoxy. Then there was, as the most extreme case, the George W. Bush administration, in which there was no policy process and no internal debate at all in deciding to launch a war in Iraq and in which those who strayed from orthodoxy, ranging from Lawrence Lindsey to Eric Shinseki, were treated mercilessly. **Obama's prolonged**—to the point of inviting charges of dithering—**internal debates on** the **Afghanistan** War **were the polar opposite** of this Ignatius also probably underestimates the contributions that will be made to internal debate by the two most important cabinet members in national security: the secretaries of state and defense. He says John Kerry “has the heft of a former presidential candidate, but he has been a loyal and discreet emissary for Obama and is likely to remain so.” The heft matters, and Kerry certainly qualifies as a big beast. Moreover, the discreet way in which a member of Congress would carry any of the administration's water, as Kerry sometimes did when still a senator, is not necessarily a good indication of the role he will assume in internal debates as secretary of state. As for Chuck Hagel, Ignatius states “he has been damaged by the confirmation process and will need White House cover.” But now that Hagel's nomination finally has been confirmed, what other “cover” will he need? It's not as if he ever will face another confirmation vote in the Senate. It was Hagel's very inclination to flout orthodoxy, to arrive at independent opinions and to voice those opinions freely that led to the fevered opposition to his nomination.

**The status quo is goldilocks- Obama is deliberative and sharing war-making authority, but making the moves necessary for flexible self-defense- Syria proves**

Corn, 13 -- Mother Jones' Washington bureau chief

[David, "Obama, Syria, and Congress: Why Did He Go There?" Mother Jones, www.motherjones.com/politics/2013/09/why-obama-sought-congressional-authorization-syria, accessed 9-23-13, mss]

Given all these swirling and complicated political dynamics, why did Obama grant Congress the right to hold him hostage? Some cynics have suggested that he might be seeking a way out of the corner he red-lined himself into. The polls show a strike would likely be highly unpopular among American voters, and experts of various ideological bents have raised serious questions about the efficacy and impact of a limited US military assault designed to deter Assad from the further use of chemical weapons. If Congress doesn't green light the endeavor, Obama can say he gave it a shot and retreat. Others have slammed Obama for not having the spine to go it alone, speculating he felt the need for political cover. But there's an alternative explanation: He's doing the right thing—or what he believes is the right thing. A former senior Obama adviser who still works with the White House says, "Look at this. Is there any other explanation, other than he thinks this is what he ought to do?" Meaning that Obama, the former law professor, is paying heed to the constitutional notion that the president shares war-making responsibility with Congress. Though this question has long been a source of unresolved conflict between presidents and legislators—and Obama did not seek congressional approval for the military action in Libya and has ordered drone strikes without official Capitol Hill backing—he does appear to be sympathetic to the idea that a president does not possess unhindered and unchecked war-making authority. During the 2008 campaign, he declared, "The president does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation." In Libya, Obama did not act in sync with his campaign statement. But in that instance, past and present Obama aides have contended, the president had only two days or so to mount a strike (with European and Arab allies) to prevent a possible slaughter of Libyan civilians. So Obama sidestepped his previously held view, put that particular principle on hold—and took the hit. This time around, as Obama has pointed out, he does not have to move quickly to thwart an imminent threat. Consequently, he has had the chance to proceed according to constitutional rules (as he sees them). "I think it was pretty clear to him," says a former senior White House official, "that if he blew past Congress this time, that would be it." That is, the idea of joint executive-legislative responsibility for war would be trampled so far into the ground it could remain buried for years to come. Though **Obama** has **aimed to preserve a flexible degree of executive privilege**—and he still might order a strike on Syria without Congress' okay—**he didn't want to do long-term damage to this central constitutional principle.** Sure, **he'll bend it, but he won't break it**. Guiding him, this former aide suggested, was that trademarked Obama nuance-ism that blends pragmatism and principle in a manner that hardly lends itself to crystal-clear messaging.

**We have learned the lessons of failed intervention- political and economic incentives means we will avoid starting protracted wars**

Mandelbaum, 11 – John Hopkins University International Studies professor

[Michael, "CFR 90th Anniversary Series on Renewing America: American Power and Profligacy," CFR, 1-18-11, www.cfr.org/united-states/cfr-90th-anniversary-series-renewing-america-american-power-profligacy/p23828?cid=rss-fullfeed-cfr\_90th\_anniversary\_series\_on-011811&utm\_source=feedburner&utm\_medium=feed&utm\_campaign=Feed:+cfr\_main+(CFR.org+-+Main+Site+Feed, accessed 9-23-13, mss]

HAASS: Michael, I think I know the answer to this question, but let me ask you anyhow, which is, the last 10 years of American foreign policy has been dominated by two extremely expensive interventions, one in Iraq, one now in Afghanistan. Will this sort of pressure both accelerate the end, particularly of Afghanistan? But, more important, will this now -- is this the end of that phase of what we might call "discretionary American interventions?" Is this basically over? MANDELBAUM: Let's call them wars of choice. (Laughter.) HAASS: I was trying to be uncharacteristically self-effacing here. But clearly it didn't hold. Okay. MANDELBAUM: I think it is, Richard. And I think that this period really goes back two decades. I think the wars or the interventions in Somalia, in Bosnia, in Kosovo, in Haiti belong with the interventions in Afghanistan and Iraq, although they were undertaken by different administrations for different reasons, and had different costs. But all of them ended up in the protracted, unexpected, unwanted and expensive task of nation building. Nation building has never been popular. The country has never liked it. It likes it even less now. And I think **we're not going to do it again**. We're not going to do it because there won't be enough money. We're not going to do it because there will be other demands on the public purse. We won't do it because we'll be busy enough doing the things that I think ought to be done in foreign policy. And we won't do it because it will be clear to politicians that the range of legitimate choices that they have in foreign policy will have narrowed and will exclude interventions of that kind. So I believe and I say in the book that the last -- the first two post-Cold War decades can be seen as a single unit. And that unit has come to an end.

**They reduce the complexity of executive decision-making- Syria proves Obama is preserving the flexibility to accomplish war-fighting objectives but not abandoning the political process**

Savage, 13 -- NYT reporter

[Charlie, master's degree in 2003 from Yale Law School,, recipient of the 2007 Pulitzer Prize for national reporting on the issue of Presidential Signing Statements, specifically the use of such statements by the Bush administration, "Obama Tests Limits of Power in Syrian Conflict," NYT, 9-8-13, www.nytimes.com/2013/09/09/world/middleeast/obama-tests-limits-of-power-in-syrian-conflict.html?pagewanted=all&\_r=1&, accessed 9-23-13, mss]

In asking Congress to authorize an attack on Syria over claims it used chemical weapons, President Obama has chosen to involve lawmakers in deciding whether to undertake a military intervention that in some respects resembles the limited types that many presidents — Ronald Reagan in Grenada, Bill Clinton in Kosovo and even Mr. Obama in Libya — have launched on their own. On another level, the proposed strike is unlike anything that has come before — an attack inside the territory of a sovereign country, without its consent, without a self-defense rationale and without the authorization of the United Nations Security Council or even the participation of a multilateral treaty alliance like NATO, and for the purpose of punishing an alleged war crime that has already occurred rather than preventing an imminent disaster. The contrasting moves, ceding more of a political role to Congress domestically while expanding national war powers on the international stage, **underscore the complexity of** Mr. **Obama’s** **approach** to the Syrian crisis. His administration pressed its case on Sunday, saying it had won Saudi backing for a strike, even as the Syrian president warned he would retaliate. Mr. Obama’s strategy ensures that no matter what happens, the crisis is likely to create an important precedent in the often murky legal question of when presidents or nations may lawfully use military force.

**The assumption that new technology is more destabilizing and dangerous than the past is fundamentally wrong – modern war-fighting is either better or no worse than previous methods- AND humans are not removed from the decision-making processes- if anything, they are more involved**

Brooks, 12 -- Georgetown University Law Center professor

[Rosa, New America Foundation Bernard L. Schwartz senior fellow, recently served as Counselor to the Under Secretary of Defense for Policy and as Special Coordinator for Rule of Law and Humanitarian Policy in the Pentagon, J.D. from Yale Law School, "What's Not Wrong With Drones? The wildly overblown case against remote-controlled war," 9-6-12, newamerica.net/node/71003, accessed 6-11-13, mss]

For many on the political left, and more than a few in the middle, drone strikes are the paradigmatic example of U.S. militarism run amok. I'm not crazy about the way the United States has been using drone strikes myself, but many of the most common objections to drones don't hold up well under scrutiny. Let's review the case against the drones. 1. Drone strikes kill innocent civilians. This is undoubtedly true, but it's not an argument against drone strikes as such. War kills innocent civilians, period. But some means and methods of warfare tend to cause more unintended civilian deaths than others. "Drones scout over [Afghanistan and Pakistan] launching Hellfire missiles into the region missing their intended targets, resulting in the deaths of many innocent people," trumpets the website for Code Pink, a women's peace group. Similarly, the Anti-War Committee asserts that "the physical distance between the drone and its shooter makes lack of precision unavoidable." But to paraphrase the NRA, "Drones don't kill people, people kill people." At any rate, drone strikes kill civilians at no higher a rate, and almost certainly at a lower rate, than most other common means of warfare. Drones actually permit far greater precision in targeting. Today's unmanned aerial vehicles (UAVs) can carry small bombs that do less widespread damage, and there's no human pilot whose fatigue might limit flight time. Their low profile and relative fuel efficiency combines with this to permit them to spend more "time on target" than any manned aircraft. Drones can engage in "persistent surveillance.­" That means they don't just swoop in, fire missiles and swoop out: they may spend hours, days, or even months monitoring a potential target. Equipped with imaging technologies that enable operators even thousands of miles away to see details as fine as individual faces, modern drone technologies allow their operators to distinguish between civilians and combatants far more effectively than most other weapons systems. That doesn't mean civilians don't get killed in drone strikes. They do. How many civilians? It depends how you count. The British Bureau of Investigative Journalism analyzed reports by "government, military and intelligence officials, and by credible media, academic and other sources" and came up with a range: the 344 known drone strikes in Pakistan between 2004 and 2012 killed between 2,562 and 3,325 people, of whom between 474 and 881 were civilians. (The numbers for Yemen and Somalia are much squishier.) The New America Foundation, at which I'm a fellow, came up with slightly lower numbers: somewhere between 1,873 and 3,171 people killed overall in Pakistan, of whom between 282 and 459 were civilians. That means somewhere between 8 percent and 47 percent of Pakistan drone strike victims were probably civilians. Work out the civilian deaths per drone strike ratio for the last eight years, and on average, each drone strike seems to have killed between 0.8 and 2.5 civilians. These are gruesome calculations: behind the numbers, regardless of which data set is right, lie the mangled bodies of human beings. But whether drones strikes cause "a lot" or "only a few" civilian casualties depends what we regard as the right point of comparison. A study by the International Committee for the Red Cross found that on average, 10 civilians died for every combatant killed during the armed conflicts of the 20th century. For the Iraq War, estimates vary widely; different studies place the ratio of civilian deaths to combatant deaths anywhere between 10 to 1 and 2 to 1. Compared to the atom bombs dropped on Hiroshima and Nagasaki, drone strikes look pretty good. Compared to world peace, not so much. The most meaningful point of comparison is probably manned aircraft. It's difficult to get solid numbers here, but one analysis published in the Small Wars Journal suggested that in 2007 the ratio of civilian deaths due to coalition air attacks in Afghanistan may have been as high as 15 to 1. More recent UN figures suggest a far lower rate, with as few as one civilian killed for every ten airstrikes in Afghanistan. But drone strikes have also gotten far less lethal for civilians in the last few years: the New America Foundation concludes that only three to nine civilians were killed during 72 U.S. drone strikes in Pakistan in 2011, and the 2012 number -- so far -- is zero civilians killed in 36 strikes. In part, this is due to technological advances over the last decade, but it's also due to far more stringent rules for when drones can release weapons. 2. Drones strikes are bad because killing at a distance is unsavory. Really? If killing from a safe distance (say, Creech Air Force Base in Nevada) is somehow "wrong," what should be our preferred alternative -- stripping troops of body armor, or taking away their guns and requiring them to engage in hand-to-hand combat? If drone strikes enable us to kill enemies without exposing our own personnel, this is presumably a good thing, not a bad thing. Maybe we shouldn't kill anyone, or maybe we're killing the wrong people -- but these are assertions about ethics, intelligence and strategy, not about drones. Drones don't present any "new" issues not already presented by aerial bombing -- or by any previous historical method of killing from a distance. In the early 1600s, Cervantes called artillery a "devilish invention" allowing "a base cowardly hand to take the life of the bravest gentleman," with bullets "coming nobody knows how or from whence." (Much like drones.) The longbow and cross bow were also once considered immoral, for that matter: in 1139, the Second Lateran Council of Pope Innocent II is said to have "prohibit[ed] under anathema that murderous art of crossbowmen and archers, which is hateful to God" -- at least when used against Christians. 3. Drones Turn Killing into a Video Game. Writing in the Guardian, Phillip Allston (the United Nations special rapporteur on extrajudicial, summary or arbitrary executions) and Hina Shamsi of the ACLU decry "the PlayStation mentality" created by drone technologies. "Young military personnel raised on a diet of video games now kill real people remotely using joysticks. Far removed from the human consequences of their actions, how will this generation of fighters value the right to life?" But are drones more "video game-like" than, say, having cameras in the noses of cruise missiles? Those old enough to remember the first Gulf War will recall the shocking novelty of images taken by cameras inside U.S. Tomahawk missiles, the jolting, grainy images in the crosshairs before everything went ominously black. Regardless, there's little evidence that drone technologies "reduce" their operators' awareness of human suffering. **If anything**, drone **operators** **may be far more keenly aware of the suffering** they help inflict **than any** distant **sniper or bomber** pilot **could be.** Journalist Daniel Klaidman reports the words of one CIA drone operator, a former Air Force pilot: "I used to fly my own air missions.... I dropped bombs, hit my target load, but had no idea who I hit. [With drones], I can look at their faces... see these guys playing with their kids and wives.... After the strike, I see the bodies being carried out of the house. I see the women weeping and in positions of mourning. **That's not PlayStation; that's real."**

**No escalatory wars- human decision-makers are still intimately involved- they ignore supplemental platforms and relevant cost calculations- Libya proves their arguments about lowering the cost of war are bunk**

Trombly, 12 – Caerus Analytics, LLC National Security/International Affairs analyst

[Daniel, "Drones are a symptom, not a cause," 5-23-12, slouchingcolumbia.wordpress.com/2012/05/23/drones-are-a-symptom-not-a-cause/, accessed 9-2-13, mss]

Wheeler notes that on the U.S. border, **drones** often **must be supplemented** by “Big Miguel” Cessnas with FLIR (that cost multiple times less than Predator or Reaper airframes to operate, and magnitudes less per alien intercepted). Even in the so-called drone wars, manned ISR platforms are frequent features. There is a reason Sean Naylor talks about the use of P-3 ISR platforms off the coast of Somalia, or that U-28 aircraft are flying out of Djibouti. Additionally, Task Force ODIN in Afghanistan has MC-12W Liberty prop-driven aircraft as the cornerstone of ISR missions supporting drone operations there (in addition to the myriad of Air Force and Navy EW and ISR platforms which support AfPak operations). If the drones, even with their long endurance time, must be supplemented with manned ISR, this means that drone endurance capability is likely not a factor that significantly removes constraints on strikes. Additionally, for drones to provide as much firepower as manned combat aircraft, they must significantly sacrifice their endurance to bring a full-combat load to bear. Manned planes have a very obvious method for improving endurance – in-flight refueling. While this still does not bring them up to match drones, when one considers that in combination with native or additional ISR platforms, more precise and effective strikes are possible. In-flight refueling is a readily available option for a wide variety of manned strike platforms. Indeed, some manned strike platforms are actually based off of refueling variants such as the KC-130 Harvest Hawk and MC-130 Dragon Spear families. The MC-130Ws can be armed with a Bushmaster 30mm gun along with up to dozens of Viper Strike or Griffin munitions. The KC-130 maintains a similar capability. They can carry just as much weaponry as drones, including the gun (often a more useful weapons systems for certain strikes), along with equivalent or superior sensor packages and the ability to in-flight refuel or draw on their internal fuel bladders to provide potent overwatch capabilities. **That drone strikes have to be supplemented** by these platforms not simply for ISR but for strike capabilities **suggests** that **drones are not what tips the balance between the choice to use force and** the choice **not** to use force**.** **One must differentiate between the proximate and ultimate determinants** of the decision to use force**,** and while drones might be a proximate decision, as the first strike in Yemen utilized one in 2002, that they were hardly the only platform utilized suggests that that a lack of drones would have prevented the U.S. from conducting standoff strikes against hostile non-state actors in Yemen and Somalia. Drones are expendable: If they are, at least in a way that alters the decision to use force in a way manned aircraft does not, it’s not reflected in the way we currently employ them. The so-called drone wars in Pakistan, Yemen, and Somalia are all areas where we have tacit agreements which allowed for the violation of foreign air sovereignty – which is precisely why we have used manned platforms in Yemen and Somalia. Even in Pakistan, though published reports only emphasize drone usage, serious Pakistani air defense attempts to intercept drones have never been a serious concern. Diplomatic prohibition of the strikes has been far more problematic than any attempt to shoot down the aircraft, which suggests that **the U.S. is** sensibly **more concerned about losing a multimillion dollar investment -pilot or no – than it is willing to take advantage of the supposed** political **risk mitigation** an unmanned platform offers. There is one case that we know of where drones have conducted armed strikes in areas where their expendable status might have been put to good use – Libya. So did drones go in first and take the heat for Americans? **No, they absolutely didn’t!** The first armed drone strikes in Libya did not occur until about a month after the U.S. had deployed manned and cruise missile attacks had neutralized Libyan air defenses and conducted a variety of other strikes. Drones, in fact, were not deployed to attack ground targets until any threat to aircraft of any kind was removed, which is **the opposite of what we would expect if drones were really pushing policymakers into** the more **vigorous use of force.**

**History disproves their arguments- new tech is not different than old tech- there’s no new more dangerous world. These claims are always made of every new military tech, but the catastrophic impacts of their K never happen.**

Etzioni, 13 -- George Washington University international affairs professor

[Amitai, "Drones: Say it with figures," UPI, 4-30-13, www.upi.com/Top\_News/Analysis/Outside-View/2013/04/30/Outside-View-Drones-Say-it-with-figures/UPI-25571367294880/?spt=hs&or=an, accessed 6-11-13, mss]

Another frequent claim of drone opponents is that the use of drones greatly lowers the costs of war (at least for the United States) and, thus, promotes military adventurism. For example, Mazzetti (as quoted by Bergen) claims that the use of drones has "lowered the bar for waging war, and it is now easier for the United States to carry out killing operations at the ends of the earth than at any other time in its history." However, **there is no evidence** that the **introduction of drones (and** **before that, high-level bombing** and cruise missiles **that were criticized on the same grounds**) **made going** **to war more likely or its extension more acceptable**. On the contrary, anybody who followed the American disengagement in Vietnam after the introduction of high-level bombing (which was subject to criticism similar to that of drones) or the U.S. withdrawal from Afghanistan -- despite the considerable increase in the use of drone strikes elsewhere -- knows better. In effect, the opposite argument may well hold: If the United States couldn't draw on drones in Yemen and the other new theaters of the counterterrorism campaign, the nation might well have been forced to rely more on conventional troops, a choice that would greatly increase our casualties as well as the resentment by the locals, who particularly object to the presence of foreign troops.

**Supplemental deployment of platforms intimately involving human decision-makers disproves their distancing arguments. New platforms make war-fighting more successful BUT does not increase the likelihood of using force or bellicosity**

Trombly, 12 – Caerus Analytics, LLC National Security/International Affairs analyst

[Daniel, "Drones are a symptom, not a cause," 5-23-12, slouchingcolumbia.wordpress.com/2012/05/23/drones-are-a-symptom-not-a-cause/, accessed 9-2-13, mss]

But does the lack of accident threat increase bellicosity? Not really, since again, in virtually all theaters of drone use, drone strikes occur where manned strikes or manned ISR support is also occurring. **These aircraft are also at accident risk, yet they are often used alongside drones** or to fulfill missions that drones also carry out. While again, on paper, drones remove these risk, in practice the kind of missions policymakers employ drones with does not suggest drones have significantly changed their calculus towards waging standoff strike campaigns. Policymakers are relying on drones The United States is only “relying” on drones in Pakistan, and even then, in Pakistan it’s also operating Counterterrorism Pursuit Teams on the ground and other proxy militia forces, and very likely receiving the kind of manned ISR support that drones very frequently do in Afghanistan (along with strike support in that theater, of course). The “unique capabilities” of drones **do not change the calculus to actually initiate military action, they just change the** relative **logistical load of the operation.** That’s not a revolution and that’s hardly enough evidence to suggest it significantly effects U.S. bellicosity or the accountability of warmaking by giving policymakers a cost free option for prosecuting strikes.

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#### reaking down predictability is self-defeating and impossible---creativity inevitably depends upon constraints, the attempt to wish away the structure of predictability collapses the very structure their aff depends on---it’s better to retain predictability and be creative within it

Armstrong 2K – Paul B. Armstrong, Professor of English and Dean of the College of Arts and Sciences at the State University of New York at Stony Brook, Winter 2000, “The Politics of Play: The Social Implications of Iser's Aesthetic Theory,” New Literary History, Vol. 31, No. 1, p. 211-223

Such a play-space also opposes the notion that the only alternative to the coerciveness of consensus must be to advocate the sublime powers of rule-breaking. 8 Iser shares Lyotard's concern that to privilege harmony and agreement in a world of heterogeneous language games is to limit their play and to inhibit semantic innovation and the creation of new games. Lyotard's endorsement of the "sublime"--the pursuit of the "unpresentable" by rebelling against restrictions, defying norms, and smashing the limits of existing paradigms--is undermined by contradictions, however, which Iser's explication of play recognizes and addresses. The paradox of the unpresentable, as Lyotard acknowledges, is that it can only be manifested through a game of representation. The sublime is, consequently, in Iser's sense, an instance of doubling. If violating norms creates new games, this crossing of boundaries depends on and carries in its wake the conventions and structures it oversteps. The sublime may be uncompromising, asocial, and unwilling to be bound by limits, but its pursuit of what is not contained in any order or system makes it dependent on the forms it opposes. [End Page 220]

The radical presumption of the sublime is not only terroristic in refusing to recognize the claims of other games whose rules it declines to limit itself by. It is also naive and self-destructive in its impossible imagining that it can do without the others it opposes. As a structure of doubling, the sublime pursuit of the unpresentable requires a play-space that includes other, less radical games with which it can interact. Such conditions of exchange would be provided by the nonconsensual reciprocity of Iserian play.

Iser's notion of play offers a way of conceptualizing power which acknowledges the necessity and force of disciplinary constraints without seeing them as unequivocally coercive and determining. The contradictory combination of restriction and openness in how play deploys power is evident in Iser's analysis of "regulatory" and "aleatory" rules. Even the regulatory rules, which set down the conditions participants submit to in order to play a game, "permit a certain range of combinations while also establishing a code of possible play. . . . Since these rules limit the text game without producing it, they are regulatory but not prescriptive. They do no more than set the aleatory in motion, and the aleatory rule differs from the regulatory in that it has no code of its own" (FI 273). Submitting to the discipline of regulatory restrictions is both constraining and enabling because it makes possible certain kinds of interaction that the rules cannot completely predict or prescribe in advance. Hence the existence of aleatory rules that are not codified as part of the game itself but are the variable customs, procedures, and practices for playing it. Expert facility with aleatory rules marks the difference, for example, between someone who just knows the rules of a game and another who really knows how to play it. Aleatory rules are more flexible and open-ended and more susceptible to variation than regulatory rules, but they too are characterized by a contradictory combination of constraint and possibility, limitation and unpredictability, discipline and spontaneity.

### Overview

#### Dialogue is the biggest impact—the process of discussion precedes any truth claim by magnifying the benefits of any discussion

Morson 4 - Northwestern Professor, Prof. Morson's work ranges over a variety of areas: literary theory (especially narrative); the history of ideas, both Russian and European; a variety of literary genres (especially satire, utopia, and the novel); and his favorite writers -- Chekhov, Gogol, and, above all, Dostoevsky and Tolstoy. He is especially interested in the relation of literature to philosophy http://www.flt.uae.ac.ma/elhirech/baktine/0521831059.pdf#page=331

A belief in truly dialogic ideological becoming would lead to schools that were quite different. In such schools, the mind would be populated with a complexity of voices and perspectives it had not known, and the student would learn to think with those voices, to test ideas and experiences against them, and to shape convictions that are innerly persuasive in response. This very **process would be central**. Students would sense that whatever word they believed to be innerly persuasive was only tentatively so: the process of dialogue continues.We must keep the conversation going, and formal education only initiates the process. The innerly persuasive discourse would not be final, but would be, like experience itself, ever incomplete and growing. As Bakhtin observes of the innerly persuasive word: Its creativity and productiveness consist precisely in the fact that such a word awakens new and independent words, that it organizes masses of our words from within, and does not remain in an isolated and static condition. It is not so much interpreted by us as it is further, that is, freely, developed, applied to new material, new conditions; it enters into interanimating relationships with new contexts. . . . The semantic structure of an innerly persuasive discourse is not finite, it is open; in each of the new contexts that dialogize it, this discourse is able to reveal ever newer ways to mean. (DI, 345–6) We not only learn, we also **learn to learn**, and we learn to learn best when we engage in a dialogue with others and ourselves. We appropriate the world of difference, and ourselves develop new potentials. Those potentials allow us to appropriate yet more voices. Becoming becomes endless becoming. We talk, we listen, and we achieve an open-ended wisdom. Difference becomes an opportunity (see Freedman and Ball, this volume). Our world manifests the spirit that Bakhtin attributed to Dostoevsky: “nothing conclusive has yet taken place in the world, the ultimate word of the world and about the world has not yet been spoken, the world is open and free, everything is in the future and will always be in the future.”3 Such a world becomes our world within, its dialogue lives within us, and we develop the potentials of our ever-learning selves. Letmedraw some inconclusive conclusions, which may provoke dialogue. Section I of this volume, “Ideologies in Dialogue: Theoretical Considerations” and Bakhtin’s thought in general suggest that we learn best when we are actually learning to learn. We engage in dialogue with ourselves and others, and **the most important thing** is the value of the open-ended **process itself.** Section II, “Voiced, Double Voiced, and Multivoiced Discourses in Our Schools” suggests that a belief in truly dialogic ideological becoming would lead to schools that were quite different. In such schools, the mind would be populated with a complexity of voices and perspectives it had not known, and the student would learn to think with those voices, to test ideas and experiences against them, and to shape convictions that are innerly persuasive in response. Teachers would not be trying to get students to hold the right opinions but to sense the world from perspectives they would not have encountered or dismissed out of hand. Students would develop the habit of getting inside the perspectives of other groups and other people. Literature in particular is especially good at fostering such dialogic habits. Section III, “Heteroglossia in a Changing World” may invite us to learn that dialogue involves really listening to others, hearing them not as our perspective would categorize what they say, but as they themselves would categorize what they say, and only then to bring our own perspective to bear. We talk, we listen, and we achieve an open-ended wisdom. The chapters in this volume seem to suggest that we view learning as a perpetual **process.** That was perhaps Bakhtin’s favorite idea: that to appreciate life, or dialogue, we must see value not only in achieving this or that **result,** but also in recognizing that honest and open striving in a world of uncertainty and difference is itself the most important thing. What we must do is keep the conversation going.

#### Critiques of our vision of debate are intrinsically monological – only a topical STASIS point solves

Lillis 3 (Student Writing as 'Academic Literacies': Drawing on Bakhtin to Move from Critique to Design Published in: Language and Education, v. 17 no. 3, pp. 192 Date: 2003 <http://www.writing.ucsb.edu/wrconf08/Pdf_Articles/Lillis_Article2.pdf> Lecturer, Faculty of Education and Language Studies , Open University, UK)

Academic Literacies as Design: From **Monologism to Dialogism** 'Academic literacies' has proved to be highly generative as a critical research frame, but as a design frame it has yet to be developed. I am using'design' here in the broad sense of the application of research generated understandings to pedagogy. I will outline how this broad sense of design connects with Kress's particu- lar notion of design in relation to critique below. The point 1 want to make here is simply that, to date, little explicit attention has been paid to exploring how an academic literacies stance might inform the theory and practice of student writing pedagogy. Perhaps the nearest example vet of what might be considered a design response to academic literacies critique can be found in the notion and practice of critical language awareness (CLA), coined by Clark et al. (1990) and developed in the work of higher education teacher-researchers in the UK and by others in different parts of the world, notably in South Africa (for UK develop- ments see Clark, 1992; Clark & Ivanic, 1997; Wallace, 1999; for South Africa, see Janks, 1999;Thesen, 1997; for Singapore, see Kramer-Dahl, 2001 ). This pedagogi- cal approach, drawing explicitly on critical discourse analysis, involves consciousness-raising amongst learners about power and ideology in relation to language use (for recent overview see Clark & I vanic, 1999). Academic literacies researchers share many of the same preoccupations as CLA researcher/ers, often share similar intellectual roots and, indeed, in some cases are the same people. But, apart from the small amount of CLA work which tends to hover at the margins of the academy, particularly within the UK context (within specifically designated language/literacy areas of the curriculum such as writing support, critical language awareness courses, English for Academic Purposes (EAP) courses) there has been little to suggest how we might enact understandings generated from an academic literacies' stance within disciplinary areas of the curriculum in higher education more broadly. In any case, and of more fundamental concern to me in this paper is CLA the design we should be looking towards? I am increasingly coming to see that CLA tends to share one of the major limitations of more conventional writing peda- gogy within higher education. By this 1 mean, briefly - and I speak as someone interested in and who has drawn on CLA work-that **meaning making continues to be construed as monologic**, with an emphasis on a single, unified version of truth. This is evident in terms of CLA's own theoretical and pedagogical framing: • Theoretical framing: CLA tends to work from within a dialectic approach to meaning making. By 'dialectic' here I'm referring to traditions of reasoning informing CLA work which emphasise the following: (a) synthesis as the goal of meaning making, and (b) **a version of dialectic governed by binary framings** where one version of truth is privileged over others. I return to both of these dimensions below, but for the moment here wish to point to CLA's emphasis on binaries. Consider such 'either/or' framings in accounts of CLA -such as dominant/dominated (groups), **oppressive/non-oppres- sive** (practices), dominant/oppositional (practices, forces),**existing/alterna- tive (conventions).** These binary framings have continued to inform much work in CLA, including mv own (see e.g. Clark & Ivanic, 1999; Clark et al 1990, 1991; Lillis, 1997). • Pedagogical framing: CLA tends to assume that an (already critical) expert is engaged in raising awareness of an (as yet uncritical) student about language, power and ideology. In this sense, there is a danger that CLA pedagogy, like more conventional pedagogy, privileges only the tutor/ insti- tution's perspectives and denies students' contributions to, and struggles around, meaning making. Consider, for example, Gark and Ivanic's (1999: 67) aims as stated in a recent editorial introduction to CLA where the 'we' and 'they' is clearly signalled: 'We aim to help students become more aware of the complex relationship between the institution, discourse, social power relations, identities and agency in shaping these practices'. Within this fram- ing, it is the tutor who still holds the main responsibility for posing the prob- lem to which she is assumed to know the answer; the tutor thus maintains her position as 'interpreter of the world' (Reynolds in Lather, 1991:59). Aspects of the latter element, pedagogy, have been problematised (see e.g. Thesen, 1997) but have not to date been explicitly linked to the former, theory. Yet these elements are interrelated and arise in part, I think, from **staying within a critique rather than a design conceptual space**. Kress usefully foregrounds a distinction between **critique** and design at an epistemological level in the follow- ing way: Design rests on a chain of processes of which critique ... is one: it **can** , however, **no longer be the focal** one, or be the major **goal** of textual prac- tices. Critique leaves the initial definition of the domain of analysis to the past, to past production. (Kress, 2000: 160) And he explicitly builds into this more creative force of epistemology- as-design the interests of actual designers, that is the users of language: 'Design shapes the future through deliberate deployment of representational resources in the designer's interest' (Kress, 1998: 77).

### Link arg ---

#### This 1ac is sophistry ---- proves that their epistemology is also ethically bankrupt- biggest impact

Schell ’40 (Joseph O. Schell, Loyola University Chicago, “Aristophanes and the Sophist”, <http://ecommons.luc.edu/cgi/viewcontent.cgi?article=1358&context=luc_theses>, 1940)

It will be useful both for the study of Sophistic ethics and of sophistic eristic to consider what epistemological principles were embraced by the Sophists, for these principles were a base on which the rest was built, if not always by the Sophists who popularized the epistemology, at least with unfailing logic by their disciples. Of paramount importance in this matter is the testimony of the ancients, particularly Plato, concerning Protagoras• theory of knowledge. Diogenes Laertius 4) tells us that Protagoras "used to say that nothing else was soul except the senses ••• and that everything was true." He refers to Plato's Theaetetus as his authority - though. possibly 1ncorrectl7 with regard to the first part. 5) We need not enter upon a com- plete discussion of Plato's development of Protagoras' subjective and relativistic theory of cognition given in the Theaetetus. Suffice it to say that he began, according to Jtla to from the Heracle with the principle that "all is flux,·" and 1 proceeding to the proposition that all knowledge is sense perception, he concluded that things are for each man as they appear to him. This is the sense in which Plato understood Protagoras' famous dictum: Man is the measure of all things, of the existence of things that they and of the non-existence of things that they are not. 6) Plato r s interpretation of this dictum as meaning, as he Says in the Cratylus, was, to the best of my knowledge, the one commonly accepted among the ancients, and I see no reason for doubting it. 7) Whether Protagoras ever reduced his epistemology to its logical conclusions in ethics is difficult to learn. T.he statement which Plato puts in his mouth, that: Whatever appears to be just and fair to a state, while sanctioned by a is just and fair to it; but the teacher of wisdom causes the good to tab the place of evil both in appearance and reality, 8) is hard to interpret and may be an exaggeration. On the other hand this Sophist is represented in the Protagoras as holding some ethical principles which would delight the most rigid of conventional moralists •. He says that virtue is the most beautiful of all things and professes himself to be a teacher of it. 9) T.he famous myth which Plato puts in the mouth of Protagoras, 10) represents Zeus as giving to all men, through Hermes, a share in since unless all, or the majority, possessed these, no city could be formed. Just what relation Protagoras believed to exist between law and nature .I find it difficult to determine from ancient testimony, but Plato clearly represents him as holding that civic virtue; of which justice is a part, is of paramount importance for man. Of very suspicious character, however, is Protagoras' boast that he can make the weaker argument appear the stronger. But this must be considered more in detail when the sophistic eristic is treated. 11) Whatever may have been the distance to which Protagoras followed his epistemological premises to their conclusions in the field of ethics, and however irreproachable may have been his own private morals, judged in the light of conventional standards, it is surely clear that such an epistemology must be logically destructive of ethics. If there is no objective and universally valid truth, neither can there be any objective and universal moral standard, and right and wrong, as well as all other things, must be measured subjectively by man. Hence, justice becomes purely subjective and any absolute and universally binding lavr is contrary to nature. We shall see that, according to ancient testimony, these conclusions were drawn by some Sophists • Similar to the case of Protagoras is that of Gorgias. One would surely hesitate to impute a bad personal morality to this Sophist. On the contrary he seems to have had a reputation for temperance and is quoted as attributing his long life to 48 the fact that he had "never done an,..t.h1ng for the sake of pleasure." 14) True, Plutarch attributes a principle to him which isl to say the least, of suspicious character: However; the picture of him painted by Plato 1n the Gorgias shows him to hold generally good ethical doctrines • From the Me no it is learned that Gorgias unlike 1 Protagorasl never professed to teach virtue: Yet though it cannot be shown that Gorgias' own ethics Were base, it must be admitted that his epistemological tenets; as we know them through the ancients, were destructive of morals. While Protagoras was a relativist holding that all things are relatively true, Gorgias was a nihilist and taught that nothing is true. In his treatise on the -.-.,;;;,;;;;;;...;;. Nature \_\_ of the Non-existent he is said to have enunciated three propositions: 1i) that nothing is; 2) if anything is, it is unknowable to man, 3) if anything is knowable, the knowledge of it cannot be communicated to another. 15) T.his position is also attributed to Gorgias in the Pseude-Aristotle•s f! Gorgia, chapter 5, and the sgme doctrine is obviously referred to by Isocrates when he says: The ethical implications of such a nihilism are no less dear than those of Protagoras' subjectivism. Once truth is destroyed• justice, morality, natural law must also vanish. What is known, from ancient writings, of the epistemological doctrines of other Sophists is sufficient to show, at least, that the general tendency of these men was toward a skepticism, which would, if logically developed, result in the destruction of morals. Sextus describes Xeniades thus: / This same Euthydemus, in the dialogue bearing his name; is represented as holding that it is possible neither to speak nor think .falsely, since one cannot say or think what is not. 19) Cretylus, in the dialogue of his also accepts this doctrine, that no one can speak a falsehood, which Plato says/ many held both o.f old and at his time •

### Institution focus – solves their offense

#### We solve their offense – using the state as a heuristic means we can reflexively examine power/knowledge formulations—this proves our topical version of the aff arguments

John S. Dryzek 1, poli sci prof at Melbourne, Legitimacy and Economy in Deliberative Democracy, Political Theory, Vol. 29, No. 5 (Oct., 2001), pp. 651-669

Now, **followers of** Michel **Foucault often treat discourses as power/knowledge formations that condition-to the extent of imprisoning-human subjects**. If so, then, it is hard to be a Foucauldian and a deliberative democrat because deliberation across discourses is hard to imagine. Still, I think it is useful to begin with a very loosely Foucauldian conception of discourses while recognizing that reflective choice across discourses is indeed possible (and this is where deliberation can come in). Foucault leaned closer to acceptance of this possibility toward the end of his life. Pierre Bourdieu speaks of a "discursive field" that actors, who may be in opposition to one another, can occupy.35 The contours of this field limit the positions that actors can take, but the structure of the field is itself a result of their actions, interactions, and contestations. And though they do not use the "discourse" terminology, the notion of a reflexive modernity as advanced by Ulrich Beck and Anthony Giddens **suggests that choices across discourses become increasingly possible and likely with the "de-traditionalization" of society**.36 The traditions that can be called into question include those that once took economic growth and technological change as inevitable and benign, as well as older traditions of deference and religious authority. Indeed, for Beck, the possibility of such choices becomes the defining feature of modernity proper (as opposed to the semi-modernity of industrial society). Which ought to augur well for the prospects for deliberative democracy. Elsewhere I argue for a conception of discursive democracy in terms of the contestation of discourses in the public sphere on the grounds that it constitutes the only effective reply to two sets of critics of deliberation.37 The first set is composed of social choice theorists inspired by Riker, who argue that the very conditions of structurelessness favored by deliberative democrats are exactly the conditions most conducive to arbitrariness, instability, and manipulation in collective choice.38 This critique has force so long as deliberation is a prelude to aggregation of opinion, usually by voting. However, **if we reconceptualize public opinion in terms of the provisional outcome of the contestation of discourses as** transmitted to the state, the Riker-inspired critique dissolves. Such transmission from the public sphere can come about through a number of means. **These include the deployment of** rhetoric, through alteration of the terms of **political discourse in ways that come to change the understandings of state actors** (as Habermas puts it, "Communicative power is exercised in the manner of a siege. It influences the premises of judgment and decision making in the political system without intending to conquer the system itself."),39 through creating worries about political instability, and sometimes even through arguments being heard by public officials. In short, there are many nonelectoral and nonvoting avenues of influence that bypass the social choice critique (in this light, it is hard to see why Habermas becomes so insistent in stressing elections as the main channel of influence from the public sphere to the state).40 Now, this respecification of discursive democracy and public opinion is not the only way to reply to the social choice critique (for example, David Miller argues that social choice theory highlights some problems that deliberation can solve by disaggregating the dimensions of collective choice).4' However, it has the benefit of also responding to a set of critics who arrive from precisely the opposite direction: difference democrats who charge deliberative democrats with perpetuating an exclusive gentlemen's club.42 Where social choice theorists fear unmanageable diversity, **difference democrats see stifling uniformity**, under which deliberation is dominated by well-educated white males well versed in the niceties of rational argument. In this light, seemingly neutral deliberative procedures are systematically biased precisely because they traffic in unitary notions of public reason. Taking difference seriously means attending to different identities and the different kinds of communication that accompany them, refusing to erase them in the name of a unitary public reason. This does not mean that "anything goes" in terms of the kinds of communication that deliberative democrats ought to welcome, as well as argument. Many forms of communication can be welcomed (including gossip, jokes, performances) provided they are (1) capable of inducing reflection, (2) noncoercive, and (3) capable of connecting the particular experience of an individual, group, or category with some more general principle.43 Identity differences should not be allowed to warrant a relativism in which deliberation is impossible and identities are only asserted dogmatically (as feared, for example, by William Connolly).' Rather, we should remember that any identity is tightly bound up with a discourse. **The possibility for deliberation is retained to the extent that reflective interchange is possible across the boundaries of different discourses**-**which**, I would argue once again, **is the** defining feature **of a reflexive modernity**. Deliberation as the contestation of discourses in the public sphere remains faithful to the core idea of deliberative democracy, which, as I noted at the outset, is that claims on behalf of or opposing collective decisions require justification to those subject to these decisions in terms that, on reflection, these individuals can accept. At the same time, conceiving of deliberation as the contestation of discourses enables effective response to the criticisms leveled by social choice theorists and difference democrats. Let me now try to make the connection to legitimation in a way that respects the constraint of deliberative economy.

### SSD

#### Turn – Failure to play Devil’s advocate undermines persuasion and there’s no offense because it doesn’t cause role confusion

**LUCKHARDT and BECHTEL 1994** (C. Grant and William, How to do Things with Logic, p 179)

This diagram indicates that first the arguers present their argument(s) for the conclusion in which they believe, here represented as A. Then the arguers formulate the best argument(s) possible for the exact opposite conclusion. If they argue in the first demonstration that, say, the best diagnosis for a patient is cholera, then as a second argumentative step the arguers will present the case for the best diagnosis not being cholera. As a third step, this strategy requires that the arguers then critique this second demonstration as well as possible. If that critique is successful, then the original demonstration stands, and the conclusion that follows is the original one, A. Why, you might wonder, would anyone ever want to engage in what may appear to be logical gymnastics? The answer is that this strategy is useful in two ways. As a method for discovering the truth of a matter, it is often **extremely helpful** in warding off the intellectual malady called “**tunnel vision**.” This is the tendency we all have to stick to our first view of a matter, failing to recognize contrary evidence as it comes in, and thus failing to revise our view to be consistent with it. In extreme cases of tunnel vision contrary evidence to one’s original view may even be noticed but be **treated as *confirming* the original view**. Requiring medical students who believe the patient has cholera to present the best case against this diagnosis will often cause them to rethink the case they had originally made. The conclusion in the end may still be the same as the original diagnosis—cholera—but now it will be a conclusion that has taken other options seriously. The devil’s advocate strategy has much to recommend in terms of its persuasiveness. Having demonstrated to your audience that you are aware of a case to be made against A, but that that case must fail, you will be perceived as having been extremely open-minded in your considerations. And you *will* have been open-minded, provided that you do not hedge in your demonstration of –A. You are not being a true devil’s advocate if your demonstration of –A is so weak that it is easily criticized in the third step. It is very tempting to hedge your demonstration of –A in this way, but also dangerous, for it invites your audience to point out that there is a better case against A than the one you have presented.

## Cp

### A2 perm

#### You don’t vote aff to vote neg

#### You slow it down – we speed it up - It’s prompt…

The Washington Free Beacon 9/3/13 ("Expert: Conventional Prompt Global Strike System Could Deter China")

A weapons system being developed by the United States that could reach targets anywhere around the world “within minutes” is focused more on deterring China than Russia, according to a report released Tuesday.¶ The U.S. military has been researching and testing the “Conventional Prompt Global Strike” (CPGS) system for a decade, a technology that would allow the deployment of non-nuclear weapons from outer space to specific targets in a matter of minutes or hours.¶ One form of the technology is described as a “super-involved paper airplane,” which can travel 20 times the speed of sound. The Pentagon is currently studying multiple uses for the system, including satellite defense and counterterrorism.

### 2nc – precision

#### Increased precision solves

Brown 10 (Peter, security analyst, Asia Times, “US's strike threat catches China off guard”, <http://www.atimes.com/atimes/China/LB04Ad01.html>, Hemanth)

Gates struck a balance, however, later in his commentary. "We should be modest about what military force can accomplish and what technology can accomplish. The advances in precision, sensor, information, and satellite technologies have led to extraordinary gains in what the US military can do," Gates wrote. "The Taliban were dispatched within three months; Saddam [Hussein]'s regime was toppled in three weeks. A button can be pushed in Nevada, and seconds later a pickup truck will explode in Mosul. A bomb dropped from the sky can destroy a targeted house while leaving the one next to it intact."

## case

### solvo

#### History disproves their arguments- new tech is not different than old tech- there’s no new more dangerous world. These claims are always made of every new military tech, but the catastrophic impacts of their K never happen.

Etzioni, 13 -- George Washington University international affairs professor

[Amitai, "Drones: Say it with figures," UPI, 4-30-13, www.upi.com/Top\_News/Analysis/Outside-View/2013/04/30/Outside-View-Drones-Say-it-with-figures/UPI-25571367294880/?spt=hs&or=an, accessed 6-11-13, mss]

Another frequent claim of drone opponents is that the use of drones greatly lowers the costs of war (at least for the United States) and, thus, promotes military adventurism. For example, Mazzetti (as quoted by Bergen) claims that the use of drones has "lowered the bar for waging war, and it is now easier for the United States to carry out killing operations at the ends of the earth than at any other time in its history." However, **there is no evidence** that the **introduction of drones (and** **before that, high-level bombing** and cruise missiles **that were criticized on the same grounds**) **made going** **to war more likely or its extension more acceptable**. On the contrary, anybody who followed the American disengagement in Vietnam after the introduction of high-level bombing (which was subject to criticism similar to that of drones) or the U.S. withdrawal from Afghanistan -- despite the considerable increase in the use of drone strikes elsewhere -- knows better. In effect, the opposite argument may well hold: If the United States couldn't draw on drones in Yemen and the other new theaters of the counterterrorism campaign, the nation might well have been forced to rely more on conventional troops, a choice that would greatly increase our casualties as well as the resentment by the locals, who particularly object to the presence of foreign troops.

#### Supplemental deployment of platforms intimately involving human decision-makers disproves their distancing arguments. New platforms make war-fighting more successful BUT does not increase the likelihood of using force or bellicosity

Trombly, 12 – Caerus Analytics, LLC National Security/International Affairs analyst

[Daniel, "Drones are a symptom, not a cause," 5-23-12, slouchingcolumbia.wordpress.com/2012/05/23/drones-are-a-symptom-not-a-cause/, accessed 9-2-13, mss]

But does the lack of accident threat increase bellicosity? Not really, since again, in virtually all theaters of drone use, drone strikes occur where manned strikes or manned ISR support is also occurring. **These aircraft are also at accident risk, yet they are often used alongside drones** or to fulfill missions that drones also carry out. While again, on paper, drones remove these risk, in practice the kind of missions policymakers employ drones with does not suggest drones have significantly changed their calculus towards waging standoff strike campaigns. Policymakers are relying on drones The United States is only “relying” on drones in Pakistan, and even then, in Pakistan it’s also operating Counterterrorism Pursuit Teams on the ground and other proxy militia forces, and very likely receiving the kind of manned ISR support that drones very frequently do in Afghanistan (along with strike support in that theater, of course). The “unique capabilities” of drones **do not change the calculus to actually initiate military action, they just change the** relative **logistical load of the operation.** That’s not a revolution and that’s hardly enough evidence to suggest it significantly effects U.S. bellicosity or the accountability of warmaking by giving policymakers a cost free option for prosecuting strikes.

# 1NR

### Uniqueness

War is at its lowest level in history because of US primacy---best statistical studies prove heg solves war because it makes democratic peace resilient and globalization sustainable---it’s the deeper cause of proximate checks against war

Owen ‘11 (John M. Owen Professor of Politics at University of Virginia PhD from Harvard "DON’T DISCOUNT HEGEMONY" Feb 11 www.cato-unbound.org/2011/02/11/john-owen/dont-discount-hegemony/

Andrew Mack and his colleagues at the Human Security Report Project are to be congratulated. Not only do they present a study with a striking conclusion, driven by data, free of theoretical or ideological bias, but they also do something quite unfashionable: they bear good news. Social scientists really are not supposed to do that. Our job is, if not to be Malthusians, then at least to point out disturbing trends, looming catastrophes, and the imbecility and mendacity of policy makers. And then it is to say why, if people listen to us, things will get better. We do this as if our careers depended upon it, and perhaps they do; for if all is going to be well, what need then for us? Our colleagues at Simon Fraser University are brave indeed. That may sound like a setup, but it is not. I shall challenge neither the data nor the general conclusion that violent conflict around the world has been decreasing in fits and starts since the Second World War. When it comes to violent conflict among and within countries, things have been getting better. (The trends have not been linear—Figure 1.1 actually shows that the frequency of interstate wars peaked in the 1980s—but the 65-year movement is clear.) Instead I shall accept that Mack et al. are correct on the macro-trends, and focus on their explanations they advance for these remarkable trends. With apologies to any readers of this forum who recoil from academic debates, this might get mildly theoretical and even more mildly methodological. Concerning international wars, one version of the “nuclear-peace” theory is not in fact laid to rest by the data. It is certainly true that nuclear-armed states have been involved in many wars. They have even been attacked (think of Israel), which falsifies the simple claim of “assured destruction”—that any nuclear country A will deter any kind of attack by any country B because B fears a retaliatory nuclear strike from A. But the most important “nuclear-peace” claim has been about mutually assured destruction, which obtains between two robustly nuclear-armed states. The claim is that (1) rational states having second-strike capabilities—enough deliverable nuclear weaponry to survive a nuclear first strike by an enemy—will have an overwhelming incentive not to attack one another; and (2) we can safely assume that nuclear-armed states are rational. It follows that states with a second-strike capability will not fight one another. Their colossal atomic arsenals neither kept the United States at peace with North Vietnam during the Cold War nor the Soviet Union at peace with Afghanistan. But the argument remains strong that those arsenals did help keep the United States and Soviet Union at peace with each other. Why non-nuclear states are not deterred from fighting nuclear states is an important and open question. But in a time when calls to ban the Bomb are being heard from more and more quarters, we must be clear about precisely what the broad trends toward peace can and cannot tell us. They may tell us nothing about why we have had no World War III, and little about the wisdom of banning the Bomb now. Regarding the downward trend in international war, Professor Mack is friendlier to more palatable theories such as the “democratic peace” (democracies do not fight one another, and the proportion of democracies has increased, hence less war); the interdependence or “commercial peace” (states with extensive economic ties find it irrational to fight one another, and interdependence has increased, hence less war); and the notion that people around the world are more anti-war than their forebears were. Concerning the downward trend in civil wars, he favors theories of economic growth (where commerce is enriching enough people, violence is less appealing—a logic similar to that of the “commercial peace” thesis that applies among nations) and the end of the Cold War (which end reduced superpower support for rival rebel factions in so many Third-World countries). These are all plausible mechanisms for peace. What is more, none of them excludes any other; all could be working toward the same end. That would be somewhat puzzling, however. Is the world just lucky these days? How is it that an array of peace-inducing factors happens to be working coincidentally in our time, when such a magical array was absent in the past? The answer may be that one or more of these mechanisms reinforces some of the others, or perhaps some of them are mutually reinforcing. Some scholars, for example, have been focusing on whether economic growth might support democracy and vice versa, and whether both might support international cooperation, including to end civil wars. We would still need to explain how this charmed circle of causes got started, however. And here let me raise another factor, perhaps even less appealing than the “nuclear peace” thesis, at least outside of the United States. That factor is what international relations scholars call hegemony—specifically American hegemony**.** A theory that many regard as discredited, but that refuses to go away, is called hegemonic stability theory. The theory emerged in the 1970s in the realm of international political economy. It asserts that for the global economy to remain open—for countries to keep barriers to trade and investment low—one powerful country must take the lead. Depending on the theorist we consult, “taking the lead” entails paying for global public goods (keeping the sea lanes open, providing liquidity to the international economy), coercion (threatening to raise trade barriers or withdraw military protection from countries that cheat on the rules), or both. The theory is skeptical that international cooperation in economic matters can emerge or endure absent a hegemon. The distastefulness of such claims is self-evident: they imply that it is good for everyone the world over if one country has more wealth and power than others. More precisely, they imply that it has been good for the world that the United States has been so predominant. There is no obvious reason why hegemonic stability theory could not apply to other areas of international cooperation, including in security affairs, human rights, international law, peacekeeping (UN or otherwise), and so on. What I want to suggest here—suggest, not test—is that American hegemony might just be a deep cause of the steady decline of political deaths in the world. How could that be? After all, the report states that United States is the third most war-prone country since 1945. Many of the deaths depicted in Figure 10.4 were in wars that involved the United States (the Vietnam War being the leading one). Notwithstanding politicians’ claims to the contrary, a candid look at U.S. foreign policy reveals that the country is as ruthlessly self-interested as any other great power in history. The answer is that U.S. hegemony might just be a deeper cause of the proximate causes outlined by Professor Mack. Consider economic growth and openness to foreign trade and investment, which (so say some theories) render violence irrational. American power and policies may be responsible for these in two related ways. First, at least since the 1940s Washington has prodded other countries to embrace the market capitalism that entails economic openness and produces sustainable economic growth. The United States promotes capitalism for selfish reasons, of course: its own domestic system depends upon growth, which in turn depends upon the efficiency gains from economic interaction with foreign countries, and the more the better. During the Cold War most of its allies accepted some degree of market-driven growth. Second, the U.S.-led western victory in the Cold War damaged the credibility of alternative paths to development—communism and import-substituting industrialization being the two leading ones—and left market capitalism the best model. The end of the Cold War also involved an end to the billions of rubles in Soviet material support for regimes that tried to make these alternative models work. (It also, as Professor Mack notes, eliminated the superpowers’ incentives to feed civil violence in the Third World.) What we call globalization is caused in part by the emergence of the United States as the global hegemon. The same case can be made, with somewhat more difficulty, concerning the spread of democracy. Washington has supported democracy only under certain conditions—the chief one being the absence of a popular anti-American movement in the target state—but those conditions have become much more widespread following the collapse of communism. Thus in the 1980s the Reagan administration—the most anti-communist government America ever had—began to dump America’s old dictator friends, starting in the Philippines. Today Islamists tend to be anti-American, and so the Obama administration is skittish about democracy in Egypt and other authoritarian Muslim countries. But general U.S. material and moral support for liberal democracy remains strong.

#### Status quo trends are improving

McVeigh ‘13 (Tracy McVeigh, The Observer, “World poverty is shrinking rapidly, new index reveals”, <http://www.guardian.co.uk/society/2013/mar/17/aid-trade-reduce-acute-poverty>, March 16, 2013)

Some of the poorest people in the world are becoming significantly less poor, according to a groundbreaking academic study which has taken a new approach to measuring deprivation. The report, by Oxford University's poverty and human development initiative, predicts that countries among the most impoverished in the world could see acute poverty eradicated within 20 years if they continue at present rates. It identifies "star performer" nations such as Rwanda, Nepal and Bangladesh as places where deprivation could disappear within the lifetime of present generations. Close on their heels with reductions in poverty levels were Ghana, Tanzania, Cambodia and Bolivia. The study comes after the UN's latest development report published last week which stated that poverty reduction drives in the developing world were exceeding all expectations. It says: "The world is witnessing a epochal 'global rebalancing' with higher growth in at least 40 poor countries helping lift hundreds of millions out of poverty and into a new 'global middle class'. Never in history have the living conditions and prospects of so many people changed so dramatically and so fast." The brighter global picture is the result of international and national aid and development projects investing in schools, health clinics, housing, infrastructure and improved access to water. The UN also pointed to trade as being a key factor which was improving conditions in Afghanistan, Ethiopia, Rwanda and Sierra Leone. These improvements have not been picked up in the past when poverty has been measured strictly in income terms without taking into account other factors – health, education and living standards. The study of the world's poorest one billion people uses a new measure, the Multidimensional Poverty Index (MPI), which was just updated in the 2013 UN report. It includes ten indicators to calculate poverty – nutrition, child mortality, years of schooling and attendance, cooking fuel, water, sanitation, electricity assets and a covered floor. The initiative hopes insights from the MPI will incentivise international donors and governments to help the poorest by allowing the results to be measured. The academics believe old methods of looking at income levels – such as those living on $1.25 a day or less – ignores other deprivations in, for example, nutrition, health and sanitation. The system was developed in 2010 by the institute's director, Dr Sabina Alkire, and Dr Maria Emma Santos. Dr Alkire said: "As poor people worldwide have said, poverty is more than money – it is ill health, it is food insecurity, it is not having work, or experiencing violence and humiliation, or not having health care, electricity, or good housing. "Citizen activism is under-appreciated for its role. Maybe we have been overlooking the power of the people themselves, women who are empowering each other, civil society pulling itself up." The study found that in 2013 a total of 1.6 billion people are living in "multidimensional" poverty. The poorest one billion live in 100 countries. Most of the bottom billion live in South Asia, with India home to 40%, followed by sub-Saharan Africa with 33%. The report also found that 9.5% of the bottom billion poor people lived in developed, upper middle-income countries.

### 1AC Cards

#### Politics is disappearing – the acceleration of social temporality has been matched by the emergence of pure war: a cult that denies democracy in favor of fascistic messianism

Hutchings 8 (Kimberly Hutchings, Professor and Department Head of International Relations at the London School of Economics and Political Science, 2008, “Apocalyptic times” in *Time and world politics: thinking the present*, Manchester University Press)

Modernist narratives of the development of world politics subordinate chronos to kairos, but also depend on a standard account of chronos as linear, quantifiable, irreversible succession. In his alternative to such accounts, Virilio focuses on the logic inherent in chronos itself. For Virilio, the lessons of Einstein's theory of relativity apply to the understanding of chronos in social and political life. Chronos is only meaningful in relation to topos, that is to say, in relation to spatial categorisations of location, proximity and distance. On Virilio's account, there are three successive kinds of proximity within geopolitical history: metabolic, in which chronos is constituted by rates at which human and animal bodies traverse space; mechanical, in which chronos is constituted by the rates at which mechanised means of transport (trains, planes, automobiles) traverse space; and electromagnetic in which chronos is constituted by the rate at which electronic transmissions traverse space (i.e. at the speed of light) (1997b: 73). This means that chronos is not the same regardless of historical era, but changes in accordance with technological developments. These developments, according to Virilio, are conditioned above all by the strategic requirements of war making, which are also what push one era of chronos into another. The fortifications thrown up as a strategic response to nomadic warfare, eventually yield the time and space of the city. The mobilisation needs of the mass warfare of the nineteenth century power the industrial revolution arid yield the time and space of the nation-state. The undermining of 'spatial' (and human) warfare by the invention of nuclear weapons, drives the development of communications tech-nologies that eventually yield the virtual time and space of 'globalitarianism', first demonstrated in the conduct of the 1991 Gulf War (2002). The shift with which Virilio is particularly concerned is that from mechanical to electromagnetic proximity, both in relation to war and, rnore broadly, in relation to the contemporary political situation of the world, in which war and politics are no longer capable of distinction. Even though the shift from mechanical to electromagnetic proximity can be accounted for in very similar ways to the earlier shift from metabolic to mechanical proximity, its implications for chronos are far more radical. In previous developments, chronos had speeded up in a way that changed the conditions of social political life dramatically, but did not eliminate the significance of space. This meant that politics remained bounded not only by location, but also by duration. Both space and time, as conceived in Newtonian terms, were still a crucial aspect of political decision-making and implementation. In its most recent development, however, the acceleration of chronos is qualitatively different, in that it abolishes the relevance of space altogether, reducing chronos to instantaneity, unlimited by duration (1997b: 14). In such a world weapons systems can be set up so as to respond to each other immediately without the possibility of human intervention. Time as chronos has eaten itself up, and with it traditional understandings of the present in relation to past and future. We are, quite literally, according to Virilio, at the end of the kind of time in which history is possible. What then are the features of this era of the disappearance of the present? Virilio points to the breakdown of geo-political boundaries and the subsumption of many local times under one 'world time', in which personal, martial and market transactions take place in 'real time', the virtual equivalent of the chronos of face-to-face proximity. And he reads these phenomena in a consistently negative way. They indicate not only the disappearance of the present, but also the disappearance of politics. They provide the conditions for new, globalised totalitarianisms and for the 'general accident'. The field of freedom shrinks with speed. And freedom needs a field. When there is no more field, our lives will be like a terminal, a machine with doors that open and close. A labyrinth for laboratory animals. (1997a: 73) ... the intensive duration of the 'real moment' now dominates duration, the extensive and relatively controllable time of history in other words of the long term that used to encompass past, present and future. (1997b: 14) Diagnosing-the times Apocalypse now? As Der Derian puts it 'there is certainly more than a hint of millenarian doom to Virilio's work' (Der Derian, 1998: 11). But in order to tease out the arguments underlying his 'endist' claims about the 'globalitarian' present, we need to look more closely at what he thinks is happening both to the state and to iriter-state and global geo-political relations, and how this is bound up with the fate of time. In this respect, there are two kinds of temporal meta-narratives in Virilio's work. One narrative is a story of decline, in which we are taken through the mirror image of eighteenth-century stadial theories of history in the manner of Rousseau's Discourse on the Origins of Inequality. The other narrative is the 'millenarian' one, in which the end of time is nigh in the general accident. As with Rousseau, starting from the nomadic and the pastoral, Virilio describes a trajectory of human development, the stages of which can be explained by a singular logic. As with Rousseau again, this logic is tied up with projects of technical control that underpins the divisionof labour and the grounding of property in Rousseau's account. Unlike Rousseau, however, for Virilio, war is not an outcome of the corruption inherent in the distinction between 'mine' and 'thine', but the driving force of that corruption (perhaps equivalent to original sin). It is war as a form of social relation that drives the need for technical control and ultimately shapes the history of technology that is also the history of humanity. More properly, it is war that opens up the possibility of history, and that will, ultimately, close it down (1997a: 97-98). At the heart of Virilio's account is an argument about the relation between war and politics (1997a: 107). For Virilio, war literally creates the space for politics in the fortified places that protect populations from attack and become cities (2002: 1-16). Like Machiavelli and Arendt before him, Virilio takes the connection between 'polis' and 'politics' very seriously. The space of the city, its clear distinction between private and public spheres, and the separation and connection of populations within it enable the development of distinctive perspectives: that is, the ability to see and represent the same thing from different points of view. This combination of commonality and distinction is the ground of specifically political exchange, exemplified in Athenian democracy and the republicanism of the renaissance Italian city-state, which is also where it becomes aesthetically represented in quattrocento art (1997b: 125; 1995; 2000: 10-11). The chronos of the Athenian or Machiavellian city-state is mediated by metabolic proximity and distance. In this context a clear inside/outside distinction is confirmed between the possibility of politics within and war without, the former feeding off the latter. For Virilio, as for Arendt, this is the most promising context for politics to flourish, and his account of politics is strongly reminiscent of Arendt's in The Human Condition. Like her, he sees politics as a space of appearance, in which a plurality of perspectives can be represented in speech and action (2000: 73-74). Like her also he sees this possibility as conditioned by different kinds of boundary. On the one hand, the boundary between public and private, which enables a clear distinction between the realms of labour and action, a differentiation of biological from political life. On the other hand, the boundary between the inside and the outside of the polity, represented by the city wall. It is this locatedness of political life that, for both Arendt and Virilio, provides the common condition in relation to which multiple perspectives and representations are possible. For Virilio, however, the quality of the locatedness of the city as polis is also bound up with a chronos of temporal duration, in which it is possible to argue over decisions, to act, but also to undo the effects of action. Paradoxically, he argues that this is a situation in which popular control is possible in a way increasingly undermined by the growth of technical control. Unlike Arendt, however, in addition to endorsing the human, political, democratic time of the city-state, Virilio situates its origin and fate in the effects of warfare. The city is enabled by war and the technologies bred by war, but it also depends on war to preserve the space for politics. This means that politics is invested in its preservation through war, and therefore in controlling and directing warin Clausewitzian fashion (2002: 40). Within this situation, defence turns to offence, and what Virilio calls 'exo-colonialism' is common, in which the power of particular polities is projected out in the conquest of others, and the drive to conquest fuels the development of machines capable of covering distances at greater speeds. The way in which war supports the possibility of politics is to some extent carried through into the chronos of the era of mechanical proximity, which has been driven by the logistical demands of colonial and revolutionary war. In this historical shift, the city-state gives way to the nation-state. Within this context, perspective and representation remain possible for political actors, :but are rendered much more difficult than in the context of the city-state. Increasingly, the technologies that war has created corrupt politics by their implications for the space-time of polities and for the possibilities of control of large populations, whether through direct coercion, manipulation or materialism. Trains, steamships, cars and aeroplanes reconfigure the relation between space and time. In this new chronos, there is a lack of fit between the human time of speech and action and the time of realpolitik. This applies at both a popular and an elite level. At the popular level, there are simply too many citizens for the kind of political interplay possible in Athens, so short cuts have to be taken in which public opinion is always already mobilised and represented in the ideological positions of political parties, disseminated through mass media. At the elite level, statesmen are preoccupied internally with the (disciplinary and biopolitical) control of their peoples, and externally are in reactive mode, second-guessing the responses of other states in the mechanical logic of the balance of power. The capacity to respond quickly and with overwhelming power to internal threats, as well as external ones, enables state repression, so that the exo-colonial projection of power beyond the state is accompanied by growing capacities for endo-colonialism, within the state. In common with Foucault, Virilio sees politics within the state in the mechanical age as becoming less about juridical than about disciplinary power. Within the modern capitalist state, characterised by market relations, commodification and liberal governmentality, subjects are produced as 'docile bodies', instrumentally rational actors and consumers. For Virilio, as for Arendt, this rise of the 'social' marks the breaking down of the distinction between biological and political life, the erosion of plurality, and the victory of materialism and process thinking. Although Virilio sees mechanical proximity as a threat to politics, he does not think that it undoes the possibility of politics entirely. Chronos is speeded up in modernity, but it is still spatially mediated in significant respects. Nation-states remain geographically distinct; political opinions, actions and decisions are still spatially mediated they take time to formulate and implement, and this means that there is still opportunity for democratic engagement. However, the requirements of modern war lead to technological developments that are antithetical to the, already limited and distorted, time for politics inherent in a system of nation-states (1997b: 56; 2000:122). Instead of being complementary or supplementary to politics, war eventually comes to undermine it. In order to gain strategic advantage in the mechanical age, successful war-making depends on the conquest of space. The more quickly and permanently military power can be projected over massive distances, the greater one's strategic edge. This edge is initially carried by the transport revolution and the capacity to carry personnel and weapons, but this is displaced by a concentration on the weapons themselves and how both they and their destructive potential can be made to travel. Virilio calls this 'spatial' war, but the paradox of spatial war is that it culminates in the possibility of the annihilation of space altogether, for instance in the setting up of automatic triggering systems for nuclear weapons (Der Derian, 1998:31).Improperly named 'deterrence' by the apologists of nuclear conflagration, pure war is therefore only the emergence of a cult, the institution of military-scientific messianism founded on the logistical capacities of vectors of extermination escaping the control of a political intelligence corrupted by materialism, a materialism which progressively' turned it away from the contemplation of death (individual and collective), contemplation that all the same maintained tight relations with the origin of politics. (Virilio, 'The Strategy of the Beyond', in Der Derian, 1998: 90) The dynamic of war tips the world from mechanical into electro-magnetic proximity. For Virilio, it is not so much the global destruction inherent in Cold War 'mutually assured destruction' that signifies a qualitative shift in chronos, but the removal of human intervention from the process. This is only possible following a revolution in communications technology, in which space is not so much traversed as removed from the equation altogether. As we see in the above quotation, the capitulation to the logic of war is, for Virilio, bound up with developments that accompanied the age of mechanical proximity, in particular the corrupting force of materialism. In so far as populations and decisionmakers have assumed the perspective of the rational consumer, they have assimilated the logic of civilian life to that of war, in which there is only instrumental interest in strategic advantage. The distinction between war and politics that war created in throwing up the space of the city has become eroded, not only because the city walls have become irrelevant and the distinction between inside and outside no, longer holds, but also because individuals and collectivities have ceased to understand the difference between politics and war and given up on the possibility that the former might control or direct the latter.

#### This acceleration has eroded the very conditions of possibility for liberal democracy – the traditional mechanisms of civic life have been rendered obsolete by the instability of time itself

Scheuerman 1 (William E. Scheuerman, professor of political science at the University of Minnesota. “Liberal Democracy and the Empire of Speed.” *Polity*, Vol. 34, No. 1 (Autumn, 2001), pp. 41-67

II. The Space and Time Horizons of Traditional Liberal Democracy Assumptions about space and time permeate traditional liberal-democratic political theory. I first examine these assumptions in the context of liberal-democratic accounts of lawmaking, before addressing conventional notions of constitutionalism and the rule of law. Since Locke and Montesquieu, liberal political thought has relied on a sharp contrast between the time horizons of legislative and of executive activities. Legislative politics is conceived as resting on a process of free-wheeling deliberation involving a rich sample of public opinion, and liberal thinkers repeatedly emphasize the necessarily measured and unhurried prerequisites of a legitimate process of reasonable debate in which participants possess a fair chance to express and defend political views.26 Revealingly, even those writers skeptical of popularly elected legislatures, in part because of the alleged irrationality of popular debate, often find themselves forced to describe the relatively slow and deliberate character of legislative debate as constituting one of their virtues: Alexander Hamilton writes in Federalist 70 that the inevitable “differences of opinion” and “jarring of parties” characteristic of legislative politics means that in the legislature “promptitude of decision is oftener an evil than a benefit.”27 Although Hamilton famously believed that the “personal firmness” requisite for competent political leadership was most likely to be found in the executive, even he acknowledged that a time-consuming process of deliberative give-and-take was indispensable if “circumspection” were to be achieved within representative assemblies.28 On one level, Hamilton and others within the liberal tradition thereby merely underscore the point that debate within any but a tiny group, regardless of its cognitive quality, is destined to be time-consuming solely because of its sequential character. Since “two speakers at an assembly cannot both be heard by everyone if they try to speak simultaneously,” even a relatively unimpressive deliberative exchange in a parliament consisting, for example, of a mere 100 representatives is likely to seem slow-going.29 On another level, liberals simultaneously defend the relatively slow character of legislative exchange as a necessary precondition for assuring its high quality. In this view, the fact that the legislature is “taking its time” provides prima facie evidence that its deliberations are suitably thorough in character, and thus of the legitimacy of the legislature’s special status as the main site for lawmaking. The unhurried character of legislative debate is then typically contrasted with the executive’s capacity for expeditious action. To be sure, the relationship between the legislature and executive is a complicated and controversial matter in the liberal-democratic tradition. Yet the association of the executive with “dispatch” seems ubiquitous in modern liberal-democratic theory. Harvey C. Mansfield, Jr. has tried to trace this view to implicitly Machiavellian features of the modern executive, in accordance with which the suddenness of action is essential if a ruler is to impress his capacities for uirtu on an intimidated and fundamentally passive populace. In this interpretation, the emphasis on executive speed possesses eminently pre-democratic and anti-liberal credentials.30 In fact, liberals have tended to provide a more mundane argument for conceiving of the executive in terms of high-speed agere in juxtaposition to the time-consuming deliberare of the legislature. Montesquieu’s famous argument that a plural executive would inevitably undermine one of the chief functions of executive power, namely its ability to act with “dispatch,” soon became a dogmatic article of faith within liberalism.31 Although slow-moving deliberation assures a high measure of reasonableness within government, deliberative parliaments ultimately require a single actor able to actualize its imperatives in an efficient and timely manner; a plural executive might unduly and inefficiently replicate the (time-consuming) process of debate that already took place within the legislature, and thus unnecessarily reduce government’s ability to act not only in accordance with the results of reasonable deliberation, but effectively as well. In this widely-held view, representative government requires both circumspection and expeditiousness. The separation between the legislature and executive in part merely offers a sensible institutional embodiment of the (complementary) division of labor between these two fundamental prerequisites of good government. Among classical authors, Locke was probably most influential in integrating an analysis of the time horizons of political action into the liberal view of legislative-executive relations. Locke conceives of legislative power as future-oriented in the sense that laws are supposed to foresee future “necessities.” Law is prospective because only rules announced beforehand can provide legal security, but also because legislation in its very nature is concerned with the task of predicting and coordinating future needs.32 The “exigencies of the times” are “impossible to foresee” with perfection, however, and thus legislative power is inherently flawed.33 According to Locke’s Second Treatise, the most sensible answer to the legislative power’s inherent tendency to commit mistakes in predicting the future is to place “power in the hands of the prince to provide for the public good, in such cases, which depending on unforeseen and uncertain occurrences, certain and unalterable laws could not safely direct.”34 The necessity of executive discretion to act beyond and even against the law thus derives not merely from the necessity of acknowledging the limitations of inflexible and rigid legislative statutes, but from an even more fundamental need to make sure that the present is free from an unduly slavish dependence on the dictates of the past. The rigidity of law is merely a manifestation of the domination of the present by the past. Although future-oriented, legislative activity inevitably generates rules that soon represent (past) predictions about the present and future. Because “things of this world are in so constant a flux, that nothing remains in the same state,” however, Locke believes that we need to envision institutional devices capable of correcting for our limited ability to predict the future.35 Since the legislature “is usually too numerous, and too slow,” only the executive is likely to prove able effectively to break with the letter of the law for the sake of rapidly adjusting legislative authority to the dictates of a changing world.36 Scholars have long debated the precise scope of executive prerogative within Locke’s theory. When read in this light, the scope of the Lockean prerogative depends significantly on his assumptions about time and space. To the extent that Locke might plausibly be interpreted as anticipating the fact that modern capitalist society is characterized by a built-in tendency to accelerate the pace of change and innovation, executive prerogative would probably have to be a ubiquitous facet of political life in a Lockean polity.37 In other words, an adequate grasp of the increasingly fast-paced course of time and space compression would require, within the contours of Locke’s theoretical framework, an awesome executive outfitted with discretionary authority to alter and even ignore legislative statutes rapidly rendered anachronistic and irrelevant given the fast pace of change in contemporary society. On the contrary, to the degree that Locke’s picture of social and economic life remains relatively static and traditional, executive prerogative would seem destined to remain clearly circumscribed within his model.38 Presuppositions about the space and time horizons of human activity shape many other conventional assumptions about liberal-democratic decision-making. To be sure, well into the twentieth century, liberals had relatively few positive things to say about popular forms of deliberation and political action; too often, liberals reproduced the deeply-rooted anti-democratic biases of the mainstream of western political thought since Plato. When popular politics is addressed, however, assumptions about time and space typically play a pivotal role. Such assumptions are perhaps most evident in the modern response to the classical view that popular government can only be successfully realized on a small scale.39 In Montesquieu’s view, for example, the limits of popular deliberation in a geographically large state stem at least in part from obvious problems there generated by the unavoidable character of long-distance travel and time-consuming communication. Thus, Montesquieu famously defends representative government since “the people collectively are extremely unfit” for discussing public affairs especially “in large states.”40 In some contrast, Locke’s Second Treatise suggests that precisely this seeming weakness of popular deliberation represents a possible advantage: in his famous discussion of “the dissolution of government,” he argues that the inherent “slowness” of popular politics is one of the reasons why a tyrannized people is only likely to overthrow its leaders after a “long train of abuses.”41 In other words, the reasonableness of popular politics is accentuated by its slow-moving character. Procrastination—it seems—heightens the rationality of mass politics. In Federalist 10, Madison famously accepts the necessity of a representative system while reformulating Locke’s insights about the possibility of a sufficiently slow-paced, deliberate mode of popular politics: the large size of the American republic should help protect it from the familiar pathologies of republican government in part by decelerating the pace of popular political exchange. Small republics allow for rapid communication and thus are subject to the whims of “temporary considerations” inconsistent with the long-term interests of free government, whereas communication “is always checked” in a large republic, thereby reducing the ills of faction. The large size of the American republic potentially contributes to the reasonable character of popular politics, and traditional defenses of republican government are badly mistaken in their hostility to large, pluralistic polities.42 The executive veto has conventionally been conceived as a device for abating the speed of legislative decision-making and forcing the reconsideration of issues that may have been ignored.43 Both bicameralism and the separations of powers can be interpreted as tools aimed at decelerating decision-making for the sake of heightening its cognitive merits.44 Perhaps the most widely employed decision-making devices within liberal democracy, majority rule, also rests on crucial assumptions about the space and time horizons of political action. Majority rule presupposes symmetry and congruence between citizen-voters and decision-makers at the level of a particular (geographically circumscribed) political unit. Majority decisions should not be binding on “outsiders” denied any possibility of participating in their genesis.45 In addition, majority rule is only legitimate if a present minority possesses a reasonable chance to make up part of a future majority. Why should a participant accept the principle of majority rule if she were to destined to remain part of a permanent minority? As Elaine Spitz has noted, majority rule presupposes the possibility of future revisions of present-day majority decisions. In contrast, if the proposals of a present majority can be rendered permanent, they threaten to undermine the normative presuppositions of majority rule: “Plans for the future must provide for choice. No blueprint can be so comprehensive and so financed or organized that those who inherit it have no viable options about its retention. A chance to revise what has been done is essential.”46 Otherwise, majority rule risks becoming majority tyranny, and there is no longer reason for any prospective minority to assent to majority decision-making. In this conventional account, only if we can picture the future as fundamentally revisable or open can we accept majority rule as a plausible device for making decisions. Liberal models of constitutionalism and the rule of law also rest on assumptions about space and time. Since Locke, the ideal of the rule of law has typically entailed a preference for legislation that is not only supposed to be prospective or future-oriented in character, but relatively stable as well, since only a relatively unchanging body of legal norms is thought capable of preserving sufficient legal security. Unfortunately, this core attribute of traditional liberal jurisprudence probably presupposes a relatively static social and economic setting characterized by little pressure to update legal rules. As the Legal Realist Jerome Frank observed many years ago, the traditional liberal emphasis on stability within the law becomes problematic given the multiplication of settings in which legal rules inevitably encounter an ever greater variety of “permutations and combinations of events ... which were never contemplated when the original rules were made.” As Frank remarks, new instruments of production, new modes of travel and of dwelling, new credit and ownership devices, new concentrations of capital... all of these factors of innovation make vain the hope that definitive legal rules can be drafted that will forever after solve all problems. When human relationships are transforming daily, legal relationships cannot be expressed in enduring legal form. The constant development of unprecedented problems requires a legal system capable of fluidity and pliancy. Our society would be strait-jacketed were not the courts ... constantly overhauling the law and adapting it to the realities of ever-changing social, industrial, and political conditions.47 Whereas Locke had conceived of the executive as best suited to the task of compensating for the limited foresight of legislatures faced with the arduous task of predicting future “necessities,” Frank was able to grasp not only that this corrective function was destined to undergo a sizable increase in the contemporary world, but also that courts might perform it. As the pace of social and economic change dramatically accelerates, the legislature’s ability to foresee and coordinate future trends declines no less drastically. The legislature’s capacity for generating clear, binding statutes capable of effectively guiding future action hence tends to decay, and courts often step into the resultant gap by retrospectively compensating for the limited predictive talents of a legislature confronted ever more directly with the imperatives of time and space compression. However attractive from a normative standpoint, the classical dream of a relatively airtight legal code in which judicial discretion is rendered unnecessary tends to be systematically undermined by time and space compression and its resultant increases in “the speed of movement of goods, people, information, messages, and the like.”48 Written constitutions represent an especially demanding type of prospective legislation. Like legislators promulgating statutes, constitution-makers are supposed to foresee future trends for the sake of effectively funneling the operations of state authority. In some contrast to acts of regular legislation, however, they aspire to do so for “an indefinite but presumably long future.”49 Statutes may fall into disuse or require modification, whereas constitutions should last forever—or at least as long into the future as mortal beings are able to conceive. Constitutional lawmaking thus requires particularly impressive foresight and powers of prediction, since we call on constitutional lawmakers to do nothing less than achieve stable and reliable “rules of the game” for an innumerable number of future settings likely to be radically different from those in which the constitution was first promulgated. Whereas traditional liberal thinkers occasionally concede the limited predictive capacities of normal legislatures, they are more hesitant to do so in the sphere of constitutional lawmaking, notwithstanding its vastly greater cognitive difficulties. Despite Locke’s observations about the limits of legislative foresight in the Second Treatise, he also proposed “fundamental constitutions” for colonial Carolina that not only lacked amendment procedures, but was intended by him to “remain the sacred and unalterable form and rule of government of Carolina forever.”50 Of course, the American founders broke with this excessively static view of constitutionalism by including the amendment procedures outlined in Article V of the U.S. Constitution. Nonetheless, Locke’s static constitutionalism arguably haunts Article V: its inordinately complex and demanding character has encouraged a growing number of contemporary critics to argue persuasively that Article V fails to provide meaningful possibilities for achieving fundamental constitutional change by democratic means.51 In accordance with Jerome Frank’s expectations, courts have filled the gap, as the Supreme Court, taking on the role of stealth constitutional lawmaker, has repeatedly tackled the task of retrospectively “correcting” constitutional law so as to adjust it to oftentimes unprecedented social and economic trends. Whether time and space compression can help explain changes in the institutional operations of contemporary liberal democracy raises difficult empirical questions requiring careful inquiry. Nonetheless, the vantage point of political theory provides us with a starting point for highlighting where empirical researchers should focus their inquiries. One might also legitimately wonder whether a useful discussion of contemporary liberal democracy should start with eighteenth and nineteenth-century political thought; contemporary liberal democracy hardly represents a mechanical reproduction of Locke’s, Montesquieu’s or even Madison’s ideas. Yet the assumptions about space and time discussed in the previous section continue to impact on contemporary political practice in many ways. Another essay would be required to demonstrate this point conclusively. For now let me suggest that the contrast between a deliberate legislature and expeditious executive, the notion that law should be prospective and stable along with the closely related view of constitutions as entailing long-term commitments, as well as the assumption of the reversibility of majority decisions remain important features of the liberal-democratic world-view. Time and space compression presents an immediate challenge to the traditional model of legislative-executive relations. The legislature was conceived as the central site for lawmaking in part because freewheeling debate and deliberation provided its activities with a normative legitimacy missing in the executive, whose chief function was to undertake rapid-fire action in applying general legislative norms to individual scenarios. Yet time-space compression means that legislatures increasingly operate in the context of a social and economic environment characterized by incessant change and innovation. The ever faster pace of social and economic life potentially conflicts with the conventional emphasis on the legislature’s reliance on careful, wide-ranging, and time-consuming deliberative exchange. A misfit between the time and space horizons of legislative activity and of social and economic life may result. As long as laissez-faire ideology limited government’s role within economic and social affairs, this tension remained submerged. When polities become committed to developing both the regulatory and welfare states, however, the opposition at hand manifests itself plainly: legislatures are expected to do nothing less than react effectively to a multiplicity of rapid-fire changes in social and economic life while simultaneously maintaining fidelity to the traditional notion of its legitimacy as resting on wide-ranging forms of unhurried debate. Not surprisingly, legislatures tend to throw their hands up in the air in frustration when faced with these contradictory demands. Too often, contemporary parliaments abandon their lawmaking duties—to an executive envisioned as better equipped to grapple with the imperatives of speed. Confronted with the awesome challenge of regulating an ever-changing variety of fast-paced social and economic arenas, legislatures typically have delegated far-reaching authority to the executive; a substantial scholarly literature documents this now-familiar trend. We now are in a position to understand why this tendency to delegate authority—much of it poorly defined and highly discretionary—follows in part from the traditional liberal notion of the time and space horizons of political decision-making. Given the association of the executive with dispatch and expeditiousness, it makes sense to hand over especially fast-paced regulatory challenges to that institution long considered most adept at dealing with the problem of speed. Moreover, it would seem to make no less sense to provide the executive with far-reaching discretionary legal authority to do so, since the fast-changing character of the material at hand means that any clearly formulated legislative norm or standard may very well soon appear anachronistic. As Locke’s Second Treatise points out, the scope of executive prerogative is intimately connected to the legislature’s ability to foresee social and economic trends. To the extent that the legislature’s ability to coordinate future activities is drastically curtailed by the process of time and space compression, the scope of discretionary executive authority grows accordingly. Indeed, literature on the modern executive suggests that precisely this development has taken place, as the range of exceptional and even emergency executive authority has become sizable even in relatively stable liberal democracies. In our high-speed social world, the legislature’s inability “to foresee, and so by laws to provide for, all accidents and necessities, that may concern the public” is probably a main source of the ubiquity of executive discretion in modern-day liberal democracy.55 John Stuart Mill was probably the first liberal thinker to gain an inkling of the dilemma at hand, as demonstrated by his well-known discussion in Considerations on Representative Government of the necessity of far-reaching delegations of legislative authority to a “committee of very few persons.”56 Commentators on this section of Mill’s work often focus on his flattering assessment of the virtues of a well-trained group of administrative experts, thereby neglecting his perceptive observations about the significance of the time horizons of legislative activity. Mill understood that the traditional model of a time-consuming deliberative lawmaker threatened to render parliaments ineffective in the face of modern political demands. If legislators take their duties seriously and strive to achieve well-crafted legislative statutes only after having engaged in measured debate, “the mere time necessarily occupied in getting through bills, renders Parliament more and more incapable of passing any, except on detached and narrow points.”57 Conscientious legislators increasingly face the “sheer impossibility of finding time to dispose of” their lawmaking activities properly given the prerequisites of modern government.58 In short, the slow-going character of deliberative legislatures increasingly leaves them poorly suited to the regulatory challenges of modern social and economic life. Unfortunately, liberalism’s foes have arguably proven even more adept at identifying the depth of the enigma at hand. In 1950, Carl Schmitt diagnosed the appearance of what he polemically described as a “motorized legislator”: operating in the context of an accelerated [beschleunigt] world where speed is at a premium, the legislature tends to take on the form of “an ever faster” and simplified apparatus in which “summary proceedings”—not unhurried debate—become commonplace.59 For Schmitt, this reduction of the classical liberal legislature to a rapid-fire mechanical instrument for coordinating social and economic affairs was a consequence of liberalism’s congenital misunderstandings about politics, but also of the indisputable need for rapid-fire regulatory activity in contemporary capitalism. Notwithstanding liberalism’s commitment to the ideal of the deliberative legislature, the rise of the motorized legislature heralds the disintegration of the classical attributes of liberal law making—most important, its fidelity to the rule of law. Functioning as a technical device for overseeing high-speed economic affairs, liberal lawmaking increasingly consists of vague and open-ended resolutions, exceptional and emergency norms, and poorly-crafted statutes possessing a limited half-life. What then of the traditional liberal quest to heighten the quality of popular deliberation by decelerating it? The Madisonian hope that large republics would be free of irrational bouts of quick and unseasoned popular debate seems quaint in an age featuring widespread possibilities for simultaneity and instantaneousness. Time and space compression means that Madison’s belief that “communication is always checked” in a large republic is now surely less defensible than in the past. Perhaps it is no accident that contemporary concerns about the manifest failure of contemporary liberal democracy to make effective use of recent technological innovations for the sake of strengthening possibilities for thoughtful popular debate often echo Madison’s expectation that rapid communication in small republics tends to benefit narrowly interested factions. For example, Benjamin Barber points out that new information technologies possess enormous potential for improving the texture of democratic debate. Yet “teleconferencing, videotex, and the interaction possibilities of this technology are being systematically exploited in the commercial world by corporations bent on enhancing efficiency through enhancing information and communication.”60 Unless we develop adequate institutional mechanisms allowing democratic citizens to take advantage of the new technologies, Barber notes, new forms of simultaneity and instantaneousness are likely to serve a narrow set of privileged economic interests rather than the common good. We thus find ourselves confronted with a question that surely would have been familiar to Madison, despite the vast intellectual distance separating Madison’s relatively half-hearted faith in popular politics from our more robust contemporary democratic commitments: how can we channel new possibilities for popular communication so as to heighten their deliberative merits? Even though political scientists have long recognized that Madison’s ideas about large republics no longer easily obtain for contemporary liberal democracy,61 we have barely begun to scratch the surface of the normative and institutional questions raised by this fact. For example, how can autonomous publics form and maintain some minimal level of staying power amidst the high-speed pace of social and economic change? Public life probably presupposes an ability to undertake relatively long-term projects as well as some capacity for mutual trust and commitment; effective action in concert with fellow citizens is probably impossible otherwise. How are the requisite character traits to be cultivated amidst an economic and social context that privileges short-term perspectives, adaptation to constantly changing tasks, and episodic institutional and even personal ties? To put the question even more bluntly: is contemporary flexible capitalism’s emphasis on maximizing the profitable possibilities provided by new technologies consistent with long-term temporal attachments? Unfortunately, the “new economy” probably buttresses a social understanding of space and time that poses serious problems for achieving such attachments.62 Without them, it becomes difficult to see how public life can be successfully sustained. To its credit, communitarianism at least indirectly addresses this issue by placing the historically and socially situated character of the political agent at the fore of its reflections. But its traditionalist overtones—most obviously, the tendency to privilege largely unchosen commonalities of history, belief, and civic culture—leave it poorly suited to acknowledge the advances wrought by time and space compression. Time and space compression is an ambivalent and in crucial respects irreversible process; the real question is how we can harness it for the sake of refurbishing public life and, more generally, liberal democracy. One can easily conceive of manifestations of time and space compression that a decent society might sensibly discard. By the same token, it is difficult to see why a dynamic and energetic society would want to dispose of every facet of time and space compression. High speed information and communication technologies, for example, represent important achievements that any prospective political and social order—capitalist or otherwise—will need to employ properly. As John Dewey noted long ago in The Public and Its Problems, it is always easy to “lay the blame for all the evils” of modern society’s “mania for motion and speed” and “restless instability” at the doorstep of a scapegoat. The communitarians have certainly identified a number of candidates for that scapegoat.63 But we still face the difficult question of how can a public be organized ... when literally it does not stay in place? Only deep issues or those which can be made to appear such can find a common denominator among all the shifting and unstable relationships. . . . [Political attachments] are bred in tranquil stability; they are nourished in constant relationships. Acceleration of mobility disturbs them at their root. And without abiding attachments associations are too shifting and shaken to permit a public readily to locate and identify itself.64 In short, we need to confront the normative and institutional difficulties raised by incessant motion and speed without succumbing to a misplaced nostalgia for static and impervious forms of communal life. Despite his perceptive comments about the “mania for motion and speed,” even Dewey failed to capture the depth of the challenge of time and space compression to liberal democracy. For example, traditional conceptions of majority rule are similarly threatened by time and space compression. The annihilation of distance through speed means that the proper forum for a majority decision necessarily becomes controversial. Why should a particular political majority at the level of the nation-state be allowed to pursue policies having far-reaching implications for constituencies residing well beyond its borders, as increasingly occurs in the context of controversial economic and environmental matters?65 This dilemma is only compounded by the fact that a growing number of decisions of this type are fundamentally irreversible in character. When a legislative majority decides to finance genetic research or continue operating nuclear power plants, its resolution not only potentially impacts directly on a transnational public, but it becomes difficult to see how its actions might be meaningfully reversed by a subsequent political majority. An atomic power plant cannot simply be closed down and the environment freed of all traces of it, in part because the plutonium cycle operates for thousands of years; future generations will not be able to reverse revolutionary changes made in the life cycle by present-day genetic researchers.66 No less than novel forms of communication or information technology, new technologies of this type alter the traditional space and time horizons of human activity by dramatically increasing the significance of its irreversible consequences. Such activity undermines the idea of the future, typically presupposed by the traditional defense of majority rule, as fundamentally open and reversible. By effectively transforming the future into a “garbage dump” for our present-day activities, new technologies suggest yet another way in which simultaneity increasingly becomes constitutive of the human condition: the temporal gap between past and future is eerily reduced.67

#### In this uncertain, high-speed world, liberal democracy has sold its soul to maintain the relevance of its political body – we imbue the executive with ever greater authority to maintain stability in face of nebulous threats

Glezos 11 (Simon Glezos, Lecturer of Political Science at the University of Victoria, British Columbia, “The ticking bomb: Speed, liberalism and ressentiment against the future”, *Contemporary Political Theory* 10.2 (May 2011): 147-165. doi:10.1057/cpt.2010.6

This article uses the 'Ticking Bomb Scenario' as a starting point for a broader discussion of what I term the 'liberal narrative of speed', the argument within liberal thought (laid out by William Scheuerman) that the accelerating pace of events (and threats) in the world requires a transition of authority from slow-moving, democratic legislative bodies, to energetic, efficient and unitary executives. However, this article argues that the source of this transfer of power is not because of any structural misfit between democracy and acceleration (indeed, accelerative technologies can help make democratic deliberation more efficient and effective). Instead, through an investigation of the ontology of speed (grounded in the work of Gilles Deleuze and Felix Guattari and Henri Bergson) I argue that speed produces not a functional threat to democratic politics, but an existential one. Acceleration unsettles stable political identities, and produces a time of uncertainty, in which people are wary of engaging in democratic debate and compromise, preferring instead the certainty of unitary executive leadership. In this regards the anti-democratic tendency of acceleration is to be located in the way in which it inculcates a sense of ressentiment against a future that is contingent and uncertainty. The Ticking Bomb It is called 'the Ticking Bomb Scenario': Imagine a terrorist has planted a nuclear bomb somewhere in a major metropolitan center. The terrorist has been captured, and knows where the bomb is, but the bomb is set to go off soon, and torture is the only way to find its location. Do you torture the terrorist? What is significant about this thought experiment is not the extreme utilitarian calculus that it calls into being, but rather its explicit temporal dimension. It is not just a bomb, but a ticking bomb. The imminence of the threat precludes any action other than torture (or at least so the scenario claims). Implicit in the narrative is the idea that the pace of events can make following traditional moral prohibitions not to mention due process dangerous and inefficient. The scenario, like many thought experiments, is absurd in its premise. It assumes absolute certainty on the identity of the culprit, and yet absolutely no other information, or even avenues of acquiring information. However, as a philosophical exercise, it leads to interesting questions about how urgency and speed can trump ethical commitments and legal regimes of rights and protection (Bufacchi and Arrigo, 2006, pp. 360-361). Unfortunately, just because something is absurd does not mean it will lack political efficacy (indeed, frequently it is the exact opposite). In recent years, there have been many invocations of the ticking bomb scenario as a way of justifying torture. It has been brought up during US Senate subcommittee and appointment hearings. It has been advanced by well-known legal scholars such as Alan Dershowitz, in defense of his plans for the establishment of 'torture warrants' (Dershowitz, 2004, 2006). These arguments in favor of a right on behalf of either the executive or the judiciary to authorize torture (or rather, revocation of the right not to be tortured) take the temporal element as their justification. Torture is not to be used in most criminal cases because there is no urgent threat to disqualify the (apparently) inefficient requirements of due processes. However, the 'new era of terrorism', inaugurated with the 9/11 attacks, has placed a premium on rapid, flexible responses, including torture. In a phrase, we no longer have time not to torture. The ticking bomb scenario and the right to torture are simply the leading edge of a much broader move within American politics to use an accelerating pace of events (and threat) as justification for an abandonment of traditional ethical constraints, legal structures of due process and political checks and balances, in the name of a more efficient and unitary executive action. For example, in a series of memos to the White House, members of the Department of Justice argued for an increased scope of executive authority (such as the ability to wage wars, abrogate foreign treaties and determine the status of foreign combatants), on the basis of, among other rationales, the new pace of events and threats in the world. While justifying the executive's right to torture enemy combatants, Department of Justice lawyer Alberto Gonzalez argued for a new need for speed and flexibility in response to terror threats: ... the war against terrorism is a new kind of war ... The nature of the new war places a high premium on other factors, such as the ability to quickly obtain information from captured terrorists and their sponsors in order to avoid further atrocities against American civilians ... Although these memos were circulated in secret, the claim to increased executive authority in the face of an accelerating pace of threat has become increasingly common, and public, in the last few years. John Yoo, author of an earlier Department of Justice memo claiming increased presidential powers, wrote a book arguing there is constitutional support for expanded executive authority. At least part of his argument relies on the need for an increased 'flexibility' in executive decision making in the face of accelerating threats and dangers (2005, pp. 8-9). In the new, post-9/11 world, he says, there is an increasing need for a unitary, autonomous executive, unchecked by standards of divided government or constitutional restrictions. The cost of inaction, for example, by allowing the vetoes of multiple decisionmakers to block warmaking, could entail much higher costs than scholars in the 1990s had envisioned. At the time of the Cold War, the costs to American national security of refraining from the use of force in places like Haiti, Somalia, or Kosovo would have appeared negligible. The September 11, 2001, terrorist attacks, however, demonstrate that the costs of inaction can be extremely high the possibility of a direct attack on the United States and the deaths of thousands of civilians. (p. x) In a world of proliferating and accelerating threats, says Yoo, the greatest danger is inaction. Decision-making processes must be streamlined, authority centralized, and the executive freed of legal, political or ethical encumbrances which limit the speed of his response. The novelty of this threat is not just the magnitude of the danger, but the pace with which it materializes. Similar to the ticking bomb scenario, the problem is not the utilitarian calculus, but the sense that we no longer have time to allow for legislative consultation and constitutional restrictions. The executive must respond quickly and authoritatively to whatever new threats might emerge. At this point, however, we might take yet another step backwards, and notice that the logic of the ticking bomb and its attendant claim of the need for increased executive authority is not a new one. Although its application has unquestionably intensified in the post-9/11 era, it has in fact grounded a steady transition of authority to the executive for years. What is more, this expansion of executive authority has extended beyond issues of national security, although this has certainly been its strongest quarter. In the United States, the executive branch has lobbied for, and received, increased ability to negotiate trade treaties, conduct diplomacy and even influence domestic legislation (Lobel, 1989). What is more, this is not a uniquely American experience. In democracies all over the world, there has been a steady empowering of the executive on the basis of the acceleration of the pace of events (Scheuerman, 2004, pp. 92-93, 108-109). In this article, I will examine the threat that speed supposedly poses to democracy. I will begin by investigating Scheuerman's account of what I call the 'liberal narrative of speed', the tradition within liberal democratic thought which I argue accepts the logic of the ticking bomb, and believes that speed requires an expansion of the power of the executive against democratic legislatures. However, I will then go on to argue that the liberal narrative is based on an inherently flawed account of acceleration, that it ignores the way in which acceleration can also provide important tools to foster democratic practice. Then, through a further analysis of speed, I argue that the move to expand the power of the executive in the face of acceleration is not a result of the functional threat that acceleration poses to a political community, but rather its existential threat. I will argue that the push for increased executive authority is the result, of a resentment a ressentiment against speed, against the uncertainty and destabilization that acceleration brings to fixed narratives of political community and identity. It will therefore be argued that we must attack this sense of ressentiment at its root. That we must loosen our attachment to stable and certain identities, thus reaffirming our commitment to democratic negotiation and mediation. The ticking bomb claims a kind of necessity for itself, arguing for the increasing impossibility of democracy in period of acceleration. It will be the goal of this article to challenge this necessity, to argue that the anti-democratic forces should be located not only in the ticking bomb, but in ourselves. It is worth taking a moment before I begin, however, to acknowledge that, although this argument is pitched broadly at the question of liberalism, it draws its examples and ideas primarily from the American context. To apply it more broadly would require taking into consideration the specifics of individual national political cultures of liberalism. However, the problem of speed, and its underwriting of a shift of authority to executives is something which liberal democracies worldwide are experiencing, and the arguments laid out here can give us some indication of how and why. Speed and Liberal Democracy In his book Liberal Democracy and the Social Acceleration of Time, Scheuerman lays out how the issue of speed and acceleration has been dealt with in the liberal tradition. According to the liberal narrative of speed, the central threat that speed poses to democracy is that it enhances the power of the least democratic branch of government, the executive. Within the liberal tradition, it is argued that the executive is best adapted to deal with an accelerating pace of events, while the legislative branch is ill-equipped for an environment of substantial instability and rapid change. The liberal narrative of speed argues that 'social acceleration often promotes executive-centered government and the proliferation of executive discretion while weakening broad-based representative legislatures as well as traditional models of constitutionalism and the rule of law' (Scheuerman, 2004, p. xiv). This passage contains two mutually reinforcing claims about the relative temporal capacities of the different branches of government. The first is that the liberal democratic tradition has always assumed that the processes of democratic debate and decision making are necessarily cumbersome and slow, making the legislature incapable of acting in the face of fast-moving events. Legislative politics is typically conceived as resting on a process of freewheeling deliberation involving a rich sample of public opinion, and liberal thinkers have repeatedly emphasized the necessarily measured and unhurried prerequisites of a legitimate process of reasonable debate in which participants possess a fair chance to express distinct political views and defend a multiplicity of interests. (p. 38) In contrast to this is the liberal narrative's belief in 'the widely endorsed conception of the unitary executive as an "energetic" entity best capable of acting with dispatch' (p. xiv). Now, within liberal democratic thought, there was always an understanding that there would be some events too rapid to be dealt with by the legislative, and hence the executive was to be assigned some power to act independently in response to unexpected occurrences (p. 38). The narrative goes on, however, to argue that there has been a fundamental and general acceleration of the pace of modern life, and that this acceleration has increased the number of situations in which a rapid governmental response is required. This means that the legislative branch is becoming increasingly incapable of managing the political sphere, leading to more and more government action via independent executive order. Scheuerman says about this shift, 'The dictates of speed cry out for flexible, rapid-fire institutional responses and the classical temporal portrait of the executive will lead many political and legal actors to deem the executive best attuned to tackling the imperative of constitutional adaptation' (p. 101). And, says Scheuerman, this prediction is playing out. Increasingly, liberal democratic polities around the world are seeing a steady transfer of authority, either de jure or de facto , from legislative to executive bodies. This is sometimes lamented for the injury that it does to democratic process, but is more often accepted as necessary to ensure the government's continual effective responsiveness to crisis and catastrophe. Democracy at least robust, 'free-wheeling' democracy was a luxury of the past, which is impossible in today's fast-paced, unpredictable world. What is remarkable, however, is that, after laying out this narrative, Scheuerman goes on to argue that it is, potentially, deeply flawed, saying 'perhaps the traditional contrast between slow-going deliberare and high-speed agere no longer makes sense' (p. 101) This is because the liberal narrative of speed assumes that the general acceleration of modern life has affected only the context in which the legislative and executive branches function, but not the way they function. Scheuerman argues this is not true in the case of either branch. First, the idea of the unitary executive, energetic and capable of acting quickly and efficiently is, in many ways, a leftover from the early days of liberal democracy when the executive was a much smaller administrative organization. In response to this image, Scheuerman argues the contemporary executive is a complicated institution, made up of a rich variety of (oftentimes conflicting) bureaucratic units: the emphasis on traditional reflections on the unitary and even solitary nature of the executive badly obscures the empirical executive decision making. Even when the executive branch acts unilaterally, seemingly straightforward undertakings can prove toilsome and time consuming, as anyone familiar with the less-than-efficient operations of the modern executive can attest. (p. 101) The United States was given an unfortunate and chilling example of the potential slowness, ineptness and inefficiency of executive action in the bungled response to Hurricane Katrina and the flooding of New Orleans. Now, of course, one instance of bureaucratic incompetence does not necessarily disprove the thesis. But it does bring to the fore the various problems and complications that the increased speed and scope of a political community can bring to the supposedly unitary, energetic executive: overlapping jurisdictions, ineffective lines of communication, poor preparation and the lack of situational awareness. There are various efforts that can improve these problems, but it is unlikely, given the character of modern governance, that they will ever be completely eliminated. The image of the executive as custom-made for the challenges of modern acceleration is therefore more present in the narrative than in real life. 1 Conversely, the image of the slow, inefficient legislative branch is also somewhat anachronistic, based as it is on the transportation and communication technologies of centuries past. Scheuerman says ... early modern discussions of popular deliberation arguably presuppose underdeveloped forms of transportation and communication: well into the nineteenth century, elected representatives were forced to engage in time-consuming travel to meet their colleagues, and correspondence or news might require weeks or even months to reach its target. In an age of instantaneous communication and high-speed travel the temporal presuppositions of popular deliberation are dramatically different than in the days of Hamilton, or even Mill, as new technologies potentially allow huge numbers of people to exchange views at unparalleled speed. The association of popular deliberation with 'slowness' no longer deserves the self-evident character that it possessed for so many of our historical predecessors. (p. 102) Here we see how accelerative technologies can aid in the practice of democratic legislative politics in key ways. Scheuerman later invokes the example of the anthrax scare that shut down congress and several other buildings in Washington DC. Despite being physically dispersed, Congress continued to communicate and govern through the use of mobile and handheld communication technologies. In addition, he discusses the way in which high-speed media can provide an opportunity to change the 'sequential' character of deliberation that supposedly slows down democratic legislative decision making. In principle, the mass media can provide a useful forum for large-scale debates on important social issues, allowing for increased opportunities to disseminate information and to sample public opinion. Indeed, new accelerative technologies can provide opportunities for citizens to bypass representatives in the legislative process altogether (as theorists of deliberative democracy have discussed (p. 209)) resulting in accelerative technologies not just making legislation faster, but also potentially more democratic. New accelerative technologies provide the legislative with the possibility of being, if not as 'energetic' as the executive, certainly a lot less sluggish than the Liberal narrative of speed takes for granted. This argument does not suggest that the legislative will be able to handle all events that occur. But it does argue that the number and type of events beyond the reach of legislature is not necessarily expanding, or at least not expanding as quickly as proponents of increased executive power would have us believe. Nor does this argument deny that a general social acceleration of time poses specific challenges for the practice of democracy. The central point, however, is that accelerative technologies and a general social acceleration of time provide at least as many possibilities for democratic activity as pitfalls, and that a careful consideration of these possibilities can serve to foster democracy in spite of these changes, as well as because of them. Acceleration, though a challenge to democracy, is not fundamentally opposed to it. However, if we choose to reject the liberal narrative's technological pessimism, and instead argue that the 'assertion that social acceleration undermines liberal democracy may rest on a historical myth' (p. 189), then why does this narrative still carry so much weight in politics? Why is it that, in spite of all the new opportunities for democratic deliberation, the accelerating pace of events is accepted as justification for the steady transfer of power to the executive branch, to be wielded undemocratically via administrative fiat? Scheuerman explains this willingness to accept the liberal narrative of speed primarily as the result of series of misunderstandings. In addition to misunderstanding the various characteristics of the executive and legislative branches (as described above), there is also, he says, a crucial misunderstanding of the actual pace of threat. This misunderstanding has its roots in the uncritical acceptance of the rhetorical trope of the state-as-body. Scheuerman's claim is that metaphorically identifying the state with the body necessarily raises the perceived stakes of (as well as the necessary speed of response to) acts of violence and terrorism. As he puts it ... when physically assaulted, individuals lack the luxury of debating with their peers or allies about the best conceivable response. Instead, they must move quickly to ward off immediate threats to their physical well-being, and such moments call for action rather than deliberation, dispatch instead of delay. If physical violence is imminent or already at hand, individual self-preservation can only be achieved by the imperatives of physical self-defense, where agility and swiftness are at a premium. In the political universe, the unitary executive, and not a numerous deliberative assembly, is the most likely source of such agility and swiftness. (Scheuerman, 2002, p. 496) Of course this metaphor is crucially faulty as, though a single violent physical blow can be fatal to the human body, only in the most extreme, nuclear-related circumstances would the same be true for a state. Therefore, the necessary pace of response in political matters might not be as great as we tend to believe. I certainly agree with Scheuerman that these misunderstandings contribute greatly to the temporal politics of the contemporary world. My concern, however, is that he explains the increasingly anti-democratic reforms of the liberal democratic world in a purely exogenous way. This is to say that, on his account, the error of the liberal narrative of speed is primarily in how it is applied, in the way that it misunderstands the actual pace of events, and the speed of the various actors and institutions involved. This is problematic, because it does not so much solve the problem of speed, as delay it. Its response to the liberal narrative of speed - and the anti-democratic sentiments it fosters - is to say that things have not accelerated that much yet. Although this may be true, it leaves open the problem of what happens when things do reach such a terminal velocity.

Adams 3 (Jason Adams, M.A. candidate in political science at Simon Fraser University, 2003, “Popular Defense in the Empire of Speed: Paul Virilio and the Phenomenology of the Political Body,” Thesis, http://www.academia.edu/attachments/2058093/download\_file

As we saw in the last chapter, Virilio's critique of the mass mediatization that he sees as the effect of the transportation, transmission and transplantation technologies of contemporary imperial power, begins with his demand that the sanctity of the political body be preserved, a body which he defines as an amalgamation of animal, social and territorial bodies that together form a reciprocal system, whether this refers to the ecology of the nomadic hunter-gatherer or that of the sedentary polis. Of course, this is only possible if the totalizing effects of technical mediation between bodies are kept to a bare minimum and the infinitizing ethic of the face-to-face encounter with the Other is preserved, thus reinforcing the ancient plurality that has always constituted the world.[54] The first section of this chapter demonstrates that for Virilio, the central problematic of our time is precisely this, the ever-increasing acceleration of technology, which has solidified into an ‘empire of speed’ whose primary purpose is to subsume whatever limited political space there once was with a new form of totalitarianism in which decision-making becomes automatic and instantaneous. The following three sections investigate individually how this imperial project results in each of the three bodies becoming separated from their common political ecology and thus from one another and from themselves, such that a single apparatus of prosthetic perception replaces billions of organs of direct perception. The final section considers the method by which the empire of speed is installed and then enforced over and against all other possible systems, through the illegal but nonetheless pervasive strategy of ecological warfare, which consists of the destruction of any possibility of conviviality or sustenance. 2.1 Empire of Speed If the political body is the basis of all of Virilio’s work, then 'speed' is the categorical imperative of its destruction and is thus the basis of empire in our time. As he uses the term, speed consists of a synthesis of instrumental and technical control that makes an object of every living body through an ideology of perpetual acceleration, a project which has only come to the verge of 'perfection' in the age of cybernetics. Speed has never been distributed evenly, but has always functioned in the form of a hierarchy, such that the more powerful sectors of society are those that move at faster speeds, while the less powerful sectors are those that move at slower speeds, an observable phenomena from the Concorde Jet of the elite to the Greyhound Bus of the poor. A considerably more vivid example of this hierarchy is found in the American automatic responder system which has been set up to launch retaliatory nuclear strikes within one second of an offensive launch by any other country[55]; here, the tyranny of acceleration has taken over so completely that the human despot that once ruled at the top of the social pyramid has been replaced by a totalitarian robot. It is because of this increasingly authoritarian stratification of acceleration that Virilio contends that, as is also the case with wealth, the essence of speed is power; as he elaborates, "power and speed are inseparable just as wealth and speed are inseparable…power is always the power to control a territory with messengers, modes of transportation and communication. Independent of the economy of wealth, an approach to politics is impossible without an approach to the economy of speed".[56] Just as Virilio rejects the Marxist privileging of economic power as prior to speed power, he also rejects the Foucauldian privileging of knowledge-power, arguing that "before knowing-power there is always moving-power",[57] thereby demonstrating the uniqueness of his conception, which places speed at the center without denying the importance of either economic or knowing power. The imperial form which speed takes is clear not only in the disparity between the various 'speed-classes' but also in the differences in the degree of democratic control that were possible in past times of technologies of relative speed, which, because they required the power of the animal body, thereby guaranteed the population a greater degree of bargaining power, versus the current era of the technologies of absolute speed in which the animal body has been replaced by the technical power of automation.[58] Similarly, just as the epoch of relative speed had been based on the unity of the political body in such a way that it could easily mount a popular resistance if need be, whether in nomadic hunter-gather society or the sedentary society of the polis; as Virilio points out, "the prodigious technical acceleration of means of transportation and transmission disintegrated this social order and founded a new hierarchy between rulers and masses. This was the hierarchy of high speeds of penetration"[59] in which bare life became dependent upon 'qualified life' for its defense. Thus we see that the shift from a society of relative speed to one of absolute speed is also one in which there is a shift from the relative sharing of power, however marginal this may have been, towards a truly instrumental totalitarianism in which animal, social and territorial bodies are rendered superfluous to the functioning of power and are thus disintegrated into the mediatization of digital being.[60] It is in this process of mediatization of the political body that Virilio argues that the power structure being imposed in the current epoch of absolute speed amounts to nothing less than a high-tech totalitarianism, one that he labels the 'empire of speed' since it extends so far beyond the continental realm of that criticized previously by Arendt; as he explains, "now, through the single market, through globalization, through the convergence of time towards a single time, a world time, a time which comes to dominate local time…through cyberspace, through the big telecommunications conglomerates, [there] is a new totalitarianism, a totalitarianism of totalitarianisms, and that is what I call globalitarianism…and that's something infinitely more dangerous, even, perhaps, than the Nazi or communist brands of totalitarianism"[61] in that it has now become so universal that every animal, social and territorial body is immediately rendered its subject. Thus the concept of globalitarianism is one that extends his critique of the limits of Marxian and Foucauldian conceptions of power, arguing against the idea that globalization can be so easily summed up as either a new capitalist internationalism on the one hand, or that the 'Great Confinement' has already taken place prior to globalization on the other. To the contrary, he holds that "what is being revealed here are the beginnings of the 'end of the space' of a small planet held in suspension in the electronic ether of our modern means of telecommunication",[62] a confinement more universal and a capitalism more total, than any seen thus far. The importance of understanding 'globalization' as being primarily about mass mediatization, according to Virilio, is that it assists in illuminating the fundamental importance of the spatial and temporal dimensions of the terrestrial body to the orientation of the animal and social bodies embedded within it; as he argues, "we need to do this to come back to the Earth…to its dimensions and to the coming loss of those dimensions…which only yesterday still organized the politics of nations and their alliances".[63] Indeed, it is not hard to see that the 'lost dimension' of the local political body, which often had more to do with the time-lag inherent in the relative speeds of transportation and transmission technologies than it did with political or physical borders themselves, is now being replaced with the virtual reality of the 'telecontinent' and the 'global city' of absolute speed.[64] This is a result of the fact that that in the current epoch, it is technical bodies rather than living bodies that matter most to the functioning of empire; thus we grasp the weight of Virilio's argument that "all media basically form one single medium, from the telega in the Ukrainian steppes to the transcontinental rail and the cinema motor city".[65] It is this single speed body that forms the infrastructure for the imperial apparatus of control, which as Gandhi, Benedict Anderson and others have observed, has always required the instrumental application of transportation and transmission technologies, even when earlier forms of empire were still based on technologies of relative rather than absolute speed.[66] As Virilio notes, the empire of speed has now reached such an advanced stage that presidents are even declaring the end of the foreign policy/domestic policy opposition at the same time that mayors are declaring that the borders of nations now run through the center of the city rather than outside of it. For Virilio all of this grows out of the mass mediatization of the political body of the polis, in which "the real city, which is situated in a precise place and which gave its name to the politics of nations, is giving way to the virtual city, that deterritorialized meta-city which is hence to become the site of metropolitics, the totalitarian or rather globalitarian character of which will be plain for all to see".[67] Despite the seeming 'timeliness' of this critique, Virilio is not arguing that the destruction of the political body appeared suddenly in the 20th century, as for him it began much earlier, as an internal feature of the polis itself; indeed, as he saw it, the city emerged shortly after the appearance of agriculture as a part of the general settling down of the nomads into the life-world of the sedentary. Once this settling process had progressed to the point that the animal, social and territorial bodies had been tamed to the technical demands of humanity, there would appear a milieu that had to be protected; this in turn gave rise to ramparts and watch towers along the outer edge of the city, in an attempt at redefining the space the enemy must encounter in order to conquer the community. This instrumentalization of space was soon expanded on with the rise of 'scientific' measurement by Europeans eager to shrink down the expanse of the world for similar purposes; in contrast to the direct experience of space that predominated in the pre-agricultural world, the tendency now was one toward "increasingly precise evaluations of distances, lengths, as well as durations of time"[68] all of which was now to be based upon such incredibly abstract foundations as the 'length of radiation waves' or other such oddities. Once the spatial expanse of the earth had been redefined through this massive project of technical planning and scientific measurement of the entire world, which was also the beginning of the long term mediatization and homogenization of its plurality, it was only a matter of time before the 'dromocratic revolution' would proceed to redefine the temporal expanse of the earth as well through the increasing speed of transportation and transmission technologies. For Virilio, 'dromocracy' is a term to be used in place of the more commonly accepted 'industrial revolution' in order to draw the reader apart from the natural attitude it relies on; what is unique about this conceptualization is that it not only illuminates the sudden appearance of the technologies themselves but also the instrumental reason which underlies them, as well as the profoundly undemocratic hierarchy of speeds that result. His argument is that, "there was no 'industrial revolution', but only a 'dromocratic revolution'; there is no democracy, only dromocracy; there is no strategy, only dromology".[69] Indeed, as early as his first writings, Virilio was already demonstrating his conviction that speed is the 'categorical imperative' that ties together Western modernity from fascism to communism to liberalism; this, he argued, is because imperial control has always been based upon not only redefining the experience of space for the enemy who seeks to invade or overthrow it, but even more so by the quickness with which the imperial forces can travel and communicate between one location and another, coming up against as few obstacles as possible in the process. This, in fact, is the best definition of the concept of the 'empire of speed'; a worldwide apparatus of technical control that functions through the instrumental destruction of animal, social and territorial bodies, disembedding them from any ecology whatever, in order to render them mere instruments of power. This destruction of the political body is perhaps more clearly expressed in the following chronology, in which he outlines the process whereby the unity of bodies that was the basis of nomadic hunter-gatherer society gives way to the instrumentalization of the body with the rise of the 'metabolic vehicle' of the slave, the woman, or the child as an outgrowth of sedentary society, which in turn gives way to the 'technological vehicle' of the plane, the train, or the automobile in dromocratic society, forming an empire over the bare life of animal, social and territorial bodies: 1. A society without technological vehicles, in which the woman plays the role of the logistical spouse, mother of war and the truck. 2. The indiscriminate boarding of soulless bodies as metabolic vehicles. 3. The empire of speed and technological vehicles 4. The metabolic vehicle competing with, then defeated by, the earthly technological vehicle 5. The end of the dictatorship of the proletariat and of History in the war of Time[70] The final stage listed in this progression is the postindustrial empire of speed at which we have arrived today, in which the victory of the speed body over the political body is complete and the power of the proletariat to affect change eclipsed, thus forcing each and every body to join the ranks of bare life, those billions of bodies-without-souls that have suddenly become superfluous to the functioning of power. The primary method by which speed reduced the body to this degree of degradation, as Virilio elaborates, was "by striking populations with slow death through the destruction of their environment, the ultimate forms of modern ecological war curiously restore the 'soul' in its primitive 'ethnological' definitions: 'mana', potential substance indistinguishable from its environment, not individual but plural, multiform, fluidform, coagulated here and there in social, animal and territorial bodies".[71] Throughout the dromocatic West, whether they are Japanese or Jews, Indians or gypsies, Africans or Slavs, the common denominator between them is that political bodies are uprooted, separated and redefined as bare life, reinscribed in the 'territory' of technocracy as people without states and without rights; they are deported to camps, subjected to industrial experimentation and made to labor without remuneration at a pace that has accelerated progressively throughout the 20th and 21st century until all life has become subject to its apparatus of control. This is why Virilio argues for the expansion of the concept of the industrial proletariat, to include the other 'bodies-without-souls' of the military proletariat, the migrant proletariat, the female proletariat, the proletariat of children and the animal proletariat, as he explains, "the vehicle-bodies of horses are likened in the Middle Ages to projectiles; the bodies of elephants to assault tanks, bulldozers, tractors; those of oxen, camels and mules are like jeeps…still today, the most widespread conviction with respect to the bodies of those wanderers deprived of their identity, those living dead, is that they must be occupied, inhabited, possessed by wills other than their own, which is the very meaning of Fredrick the Second's 'yours is not to reason why!'"[72] Yet the empire of speed that we live in today goes even beyond this; having transformed the political body into a superfluous, amorphous mass of bare life in the dromocratic revolution, the latest incarnation of empire at absolute speed now seeks to destroy the elementary animal, social and territorial bodies so that it can never be formed again. Now that we have considered the overall structure of this emerging form of control, we will now consider in greater detail the techniques that are bringing about this destruction of each of the three bodies of the political, followed by an examination of the methods of ecological warfare by which this transformation is being enforced on a global scale.

Virilio 6 (Paul Virilio. 2006. *The Information Bomb*. pp. 131-145

With the end of the twentieth century, it is not merely the second millennium which is reaching its close. The Earth too, the planet of the living, is being closed off. Globalization is not so much, then, the accomplishment of the acceleration of history as the completion, the closure, of the field of possibilities of the terrestrial horizon. The Earth is now double-locked by the endless round of satellites and we are running up against the invisible outer wall of habitable space, in the same way as we bump up against the envelope, the firm flesh, of a liveable body. As mere men and women, mere terrestrials, the world for us today is a dead-end and claustrophobia an agonizing threat. Our metaphysical hopes have wasted away and our desires for physical emancipation are similarly withered. The Earth of the great multiplication of the species is becoming, then, the colony, the camp of the great ordeal. Babel is returning — as cosmic ghetto, city and world all in one and perhaps this time it is indestructible. Less than a thousand days before the end of a pitiless century, a series of facts, of events of all kinds, alerts us to an untimely emergence of limits, the end of a geophysical horizon which had till then set the tone of history. Between the astrophysical suicide of the Heaven’s Gate sect and the Assumption of Princess Diana, we had the announcement, the official annunciation of the genetic bomb, the unprecedented possibility of cloning human beings on the basis of a computer read-out of the map of the human genome. Since then, thanks to the coupling of the life and information sciences, the outlines of a cybernetic eugenicism have emerged, a eugenicism which owes nothing to the politics of nations — as was still the case in the laboratories of the death camps but everything, absolutely everything, to science an economic techno-science in which the single market demands the commercialization of the whole of living matter, the privatization of the genetic heritage of humanity. Besides this, the proliferation of atomic weapons, freshly boosted by India, Pakistan and probably other destabilized countries on the Asian continent, is prompting the United States — the last great world power — to accelerate its famous ‘revolution in military affairs’ by developing that emergent strategy known as ‘information war’, which consists in using electronics as a hegemonic technology: a role it now takes over from nuclear physics. The atom bomb can then be merely a last guarantee, provided of course that the information bomb effectively proves its credentials as the new absolute weapons system. It is in this context of financial instability and military uncertainty, in which it is impossible to differentiate between information and disinformation, that the question of the integral accident arises once again and that we learn, at the Birmingham summit of May 1998, that the Central Intelligence Agency not only takes seriously the possibility of a ‘widespread computer catastrophe’ in the year 2000, but that it has scheduled this hypothetical event into its calendar, indicating on a state-by-state basis how far individual nations still have to go to forearm themselves against it.60 Similarly, the United States Senate announced the creation of a committee to assess this potential electronic disaster and the Bank of International Settlements in New York followed suit shortly afterwards, setting up a high-level committee to attempt to forestall a computer crash in which the damage caused by the serial downturns in the Asian economies might produce global meltdown. As the first great global manoeuvre in ‘Information Warfare’,61 what we see here is the launch of a new logistics, that of the cybernetic control of knowledge: politico-economic knowledge, in which the single market affords a glimpse of its military and strategic dimension in terms of ‘information transfer’. To the point where the systemic risk of a chain reaction of the bankruptcy of the financial markets (for so long masked during the promotional launch of the Internet) is now officially acknowledged, showing that this major risk can also be used to exert pressure on those nations which are reluctant to give in to free-trade blackmail.62 As I pointed out some considerable time ago, if interactivity is to information what radioactivity is to energy, then we are confronted with the fearsome emergence of the ‘Accident to end all accidents’, an accident which is no longer local and precisely situated, but global and generalized. We are faced, in other words, with a phenomenon which may possibly occur everywhere simultaneously. But what we might add today is that this global systemic risk is precisely what makes for the strategic supremacy of the future ‘weapons systems’ of the infowar, that electro-economic war declared on the world by the United States and that, far more than the viruses and other ‘logical bombs’ hidden away by hackers in the software of our computers, this integral accident is the true detonator of the information bomb, and hence of its future power of deterrence over the political autonomy of nations. As the ultimate exemplar of monopoly, the cyberworld is thus never anything else but the hypertrophied form of a cybernetic colonialism, with the interconnectedness of the Internet prefiguring the imminent launch of the cyberbomb — the future information superhighways — and, subsequently, the establishment, still under the aegis of the United States, not just of an expanded NATO but also of new all-out defences on the Cold War model, with cyberglaciation here supplanting nuclear deterrence. On 12 May 1998, again at the meeting of heads of state in Birmingham, the American president, in his report on ‘the strategy for controlling cybernetic crime’, stressed the urgent need to establish legislation against the cybercrime of mafias using remote technologies and also against the risks involved in the emergence of ‘digital money’, ‘e-cash’, which too easily evades any economic control. ‘Cybercriminals can use computers to raid our banks . . . extort money by threats to unleash computer viruses,’ declared Bill Clinton,63 explaining to the heads of state present that the United States was in the front line of the battle against this, but that ‘international crime requires an international response. America is prepared to act alone when it must, but no nation can control cybercrime by itself any more! 64 It is hard to believe one’s ears. The president of the state responsible for the greatest economic deregulation in history still seeks to pose as the first person daring to shout ‘fire!’ so as to lead a crusade against a chaos he himself has organized, together with his vice-president, prime mover in the creation of the future information superhighways. The atom bomb, the information bomb and the demographic bomb these three historical deflagrations evoked by Albert Einstein in the early 1960s are now on the agenda for the next millennium. The first is there, with the dangers of nuclear weapons becoming generally commonplace, as heralded in the Indian and Pakistani nuclear tests. And the second is also present, with the threat of cybernetic control of the politics of states, under the indirect threat of a generalized accident, as we have seen above. As for the third, the demographic bomb, it is clear that if the use of computers is indispensable in the development of atomic weapons, it is equally indispensable in the decipherment of the genetic code and hence in the research aimed at drawing up a physical map of the human genome, thus opening up a new eugenicism promoting not the natural but the artificial selection of the human species.65 And given the considerable growth in the demography of our planet in the twenty-first century, are we not right to suspect that experiments on the industrialization of living matter will not be content merely to treat patients and assist infertile couples to have children, but will soon lead back to that old folly of the ‘new man’? That is to say, the man who will deserve to survive (the superman), whereas the man without qualities, the primate of the new times, will have to disappear — just as the ‘savage’ had to disappear in the past to avoid cluttering up a small planet — and give way to the latest model of humanity, the transhuman, built on the lines of transgenic crops, which are so much better adapted to their environment than the natural products. That this is indeed the case is confirmed by the recent declarations of Professor Richard Seed on his attempt to achieve human cloning, or the statements of those who openly advocate the production of living mutants, which are likely to hasten the coming, after the extra-terrestrial, of the extra-human, another name for the superhuman race which still looms large in our memories. And is the ‘human genome project’, which has now been running for ten years and which is financed to the tune of $3 billion by the Department of Energy and the National Institute of Health for the purpose of deciphering DNA, anything other than a race at last to acquire the data of life, just as, in another age, the United States aimed for the moon by financing NASA? It is always a race! Has not the geneticist Graig Venter just set up a private company with the aim of deciphering, in a project parallel to the public one, the whole of the genetic code in just three years, by Unking up with a subsidiary of the pharmaceuticals group Perkin Elmer, who are specialists in DNA-sequencing machines, and doing this with an investment of just $200 million?66 After Kasparov’s symbolic failure against the Deep Blue computer, the summer saga of the automatic Mars Pathfinder probe and the misadventures of the Mir space station, we are seeing the scheduled end of manned flight and a questioning of even the usefulness of the future international orbital station. This is the end of an ‘extra-terrestrial’ adventure for our generation but we have before us, by contrast, the spectacular launch of the ‘extrahuman’ epic, as astrophysics gradually gives way to biophysics. These are all so many signs of the imminent supplanting of macro-physical exoticism by micro-physical endoticism. A probable end to the external colonization of the space of distant lands and the dubious dawning of a colonization which will be internal the colonization of the spacetime of living matter, the new frontier of the will to power of the techno-sciences. ‘Homo est clausura mirabilium dei’, wrote Hildegard of Bingen, thus expressing a reality previously masked by the anthropocentrism of origins: man might not be said to be the centre of the world, but its closure, the end of the world. Significantly, this phrase was uttered by a woman born in the year 1098. It is a phrase which stands opposed to the eugenic myth by throwing a singular light on the origin of nihilism in the omnipotence of the impotence of sciences as soon as they reopen the question of the origins of life. Genetic engineering is fundamentally eugenicist, but only the memory of the Nazi extermination requires it to admit this. Hence the seriousness of the negationist threat, not just against the prophetic memory of the death camps but against the principle of the continuity of the living, that ‘principle of responsibility’ towards the future of humanity. This is a shamefully ‘conservative’ principle in the eyes of those who desire nothing so much as the revolution of the end, that nihilism of an omnipotent progress which runs through the twentieth century from the Titanic to Chernobyl, with an eye always to the coming of the Survivor, the messiah so fervendy desired by the cult of madness of present times. In fact, since the end of the Cold War we have been constantly trying to reproduce other ends on this identical pattern: the end of history, the end of representative democracy or, again, the end of the subject, by attempting to create the double (the clone) or the hybrid (the mutant) thanks to genetic manipulation. Far from being some kind of achievement, this ‘postindustrial’ undertaking deploys the energy of despair in an effort to escape the conditions favourable to life and thus to arrive at chaos, or, in other words, to regress to the initial conditions which prevailed, as it is believed, before the origins of life. Transgenic, transhuman these are all terms which mark the headlong charge forward, in spite of all the evidence, of a transpolitical community of scientists solely preoccupied with acrobatic performances. In this they are following the example of those fairground shows mounted in the nineteenth century by the self-styled ‘mathemagi-cians’ . . . Ultimately, this so-called post-modern period is not so much the age in which industrial modernity has been surpassed, as the era of the sudden industrialization of the end, the all-out globalization of the havoc wreaked by progress. To attempt to industrialize living matter by bio-technological procedures, as is done in the semi-official project of reproducing the individual in standard form, is to turn the end into an enterprise, into a Promethean factory. In the age of the ‘balance of nuclear terror’ between East and West, the military-industrial complex had already succeeded in militarizing scientific research to ensure the capability of mutual destruction — the ‘MAD’ concept. Genetic engineering is now taking over from the atomic industry to invent its own bomb. Thanks to computers and the advances of bio-technology, the life sciences are able to threaten the species no longer (as in the past) by the radioactive destruction of the human environment, but by clinical insemination, by the control of the sources of life, the origin of the individual. We can see now that, just as the total war outlined at the end of the First World War was to be actualized during the Second, threatening, between 1939 and 1945, with Hiroshima and Auschwitz, not the enemy but the human race, the global warfare prefigured today in the great manoeuvres of‘information warfare’ will be based on a scientific radicalization, threatening not so much with extermination as with extinction not a particular population or even the human race (as the thermo-nuclear bomb might), but the very principle of all individuated life, the genetic and information bombs now forming a single ‘weapons system’. Moreover, if information is indeed the third dimension of matter, after mass and energy, each historical conflict has in its time shown up the mastery of these elements. Mass war: from the great ancient invasions to the organization of the firepower of armies during the recent European wars. Energy war: with the invention of gunpowder and, most significantly, of atomic weapons, with the ‘advanced’ or high-energy laser still to come. And lastly, tomorrow, the information war, which will make general what espionage and police surveillance inaugurated long ago, though they were unable to draw, as we are today, on the limit-acceleration of ‘global information’. ‘He who knows everything fears nothing,’ declared Joseph Goebbels, the head of the Propagandastaffel. In fact, here as elsewhere, the question is not so much one of fearing as of spreading fear by the permanent over-exposure of life, of all lives, to ‘all-out’ control, which is a fait accompli — or almost — thanks to computer technology. But let us go back for a moment to the third dimension of organized matter: whether it be speed of acquisition, transmission or computation, information is inseparable from its acceleration in energy terms — slowed-up information being no longer even worthy of that name, but mere background noise. As we may recall, a journalist at the time of the creation of CNN offered the thought: ‘Slow news, no news?’ In fact the limit-speed of the waves which convey messages and images is the information itself, irrespective of its content, to the point where Marshall McLuhan’s famous formula has to be corrected: ‘it is not the medium which is the message, but merely the velocity of the medium’. An ultimate and absolutely final velocity, which has just telescoped the ‘time barrier’, while tomorrow the photonic computer will calculate in perfect synchronism with the speed of light, which today promotes instantaneous telecommunications. The ‘information war’ will soon be based, then, on global interactivity, just as the war of atomic energy was based on local radioactivity — and this will be so to the point that it will be entirely impossible to distinguish a deliberate action from an involuntary reaction or an ‘accident’; or to distinguish an attack from a mere technical breakdown, as was already the case on 19 May 1998 (synchronizing almost perfecdy with the Birmingham summit) when the Galaxy IV telecommunications satellite suddenly interrupted the messages of some 40 million American pager devotees after the device’s on-board computer had slightly shifted the satellite’s position. An unforeseen accident or a full-scale test for infowar? It is impossible to be certain, but the affair immediately triggered a debate on the vulnerability of the USA to breakdowns in a technology essential to the life of the country.67 As one might imagine, the Internet, the direct descendant of Arpanet, helped to keep certain American public services up and running, such as the NPR radio channel which resorted to the Net to re-establish the link with some of its 600 local stations. We should not forget that the cybernetic system of the Web was set in place more than twenty years ago to counter the electromagnetic effects of an atomic explosion at altitude and thus to forestall a generalized accident affecting strategic telecommunications. If war has always been the invention of new types of destruction, the promotion of a series of deliberately provoked accidents (the ‘war machine’ is only ever the inversion of the productive machine), with the infowar which is currently in preparation the very notion of ‘accident’ is taken to extremes, with the extraordinary possibility of a generalized accident which, like a cluster bomb, would embrace a very great range of accidents of all kinds. Not a local accident, as in the past, but a global one, capable of halting the life of a continent, if not indeed of several at once, as with the threat to the operation of our computers on the eve of the year 2000. In the field of information warfare, everything is, then, hypothetical; and just as information and disinformation have become indistinguishable from each other, so have attacks and mere accidents . . . And yet the message here is not scrambled, as was still the case with the counter-measures in electronic warfare; it has become cybernetic. That is to say, the ‘information’ is not so much the explicit content as the rapidity of its feedback. Interactivity, immediacy, ubiquity — this is the true message of transmission and reception in real time. Digital messages and images matter less than their instantaneous delivery; the ‘shock effect’ always wins out over the consideration of the informational content. Hence the indistinguishable and therefore unpredictable character of the offensive act and the technical breakdown. The indeterminacy principle then spreads from the quantum world to that of a computerized information strategy which is independent or almost independent of the conditions of the geophysical milieu where its effects are nonetheless felt. Thanks to the patient establishment of an interactivity extended to the whole of our planet, ‘information warfare’ is preparing the first world war of time or, more precisely, the first war of world time, of that ‘real time’ of exchanges between the interconnected networks. We can easily see, then, that the current globalization of the market also has three dimensions to it: geophysical, techno-scientific and ideological. Hence the inevitable connection to be made between the United States’s resolve to aim for global free trade by the period 2010—2068 and the preparations for an information war. It is, in fact, impossible clearly to distinguish economic war from information war, since each involves the same hegemonic ambition of making commercial and military exchanges interactive.69 Hence the repeated efforts of the World Trade Organization (WTO) to deregulate the various different national sovereignties with the MAI, the Multilateral Agreement on Investment, or, alternatively, with European Commissioner Leon Brittan’s New Transadantic Market. One would in the end understand nothing of the systematic deregulation of the market economy if one did not connect it with the systemic deregulation of strategic information. To render all exchanges cybernetic, whether they be peaceful or belligerent, is the discreet aim of the contemporary innovations of the end of this millennium. But here the very last ‘fortress’ is no longer the Europe of the EEC so much as the living human being — that isolated ‘human planet’, which has at all costs to be invaded or captured through the industrialization of living matter. Let us sum up: yesterday’s was a totalitarian war, in which the dominant elements were quantity, mass and the power of the atomic bomb. Tomorrow’s war will be globalitarian, in which, by virtue of the information bomb, the qualitative will be of greater importance than geophysical scale or population size. Not ‘clean war’ with zero deaths, but ‘pure war’ with zero births for certain species which have disappeared from the bio-diversity of living matter. The warfare of tomorrow — and here it will be comparable with the ‘desk murders’ of yesteryear — will not be so much an affair of desks as of laboratories of laboratories with their doors flung wide to the radiant future of transgenic species, supposedly better adapted to the pollution of a small planet held in suspension in the ether of telecommunications.

### \*1NR Must Read

#### Don’t buy their impacts- deference doesn’t crush liberty, but a major attack turns all their impacts

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The third lesson of the last decade is that, despite this war mobilization, domestic individual rights proved far more robust than critics claimed. Reacting furiously to the war paradigm, members of the academic, political and media elite predicted the end of liberty in our time. They saw in Guantanamo Bay, interrogations, military courts and electronic surveillance the emergence of a new national security state that would transform American society for the worse. But individual freedom emerged from the decade stronger than before. The government did not censor the media, sabotage political opposition or mobilize the economy. No dictatorship arose. As the Constitution intends, the executive, legislative and judicial branches freely used all of their powers to struggle for influence over national security policy. Five bitterly contested national elections (the true check on any abuse of power) switched control of the presidency once, the Senate once, and the House of Representatives twice. Meanwhile, new technologies and social networking have created an expanding space for political activity and organization unlike anything in our history. Civil liberties would certainly have suffered far worse had al Qaeda succeeded in landing a second blow on a par with 9/11. Instead, the Bush administration successfully handed off a secure homeland to its successor. Mr. Obama fumbled with his failed effort to close Gitmo, try al Qaeda leaders in Manhattan, and prosecute CIA officers. Yet reality and political opposition forced the administration to return to many of its predecessor's core terrorism policies.

### 1NR- Stable speed now

#### Disregard their uniqueness args- executive and institutions solve stable acceleration

**GSN ’13** (Global Solutions Networkm “Global Problem Solving in an Era of Big Data”, <http://gsnetworks.org/global-problem-solving-in-an-era-of-big-data>, ldg)

With the right tools and the right training, global solution networks can also harness this vast cloud of data to develop more analytical approaches to problem solving. For example, GSNs can use pervasive computing and the data it generates to revolutionize our ability to model the world and all of its systems, giving us new insights into social and natural phenomena and the ability to forecast trends like climate change with greater accuracy. The DC-based World Resources Institute (WRI), for example, maintains Global Forest Watch (GFW), a global watchdog network that improves transparency and accountability in forest management decisions by increasing the public’s access to information on forestry developments around the world. Within minutes, an interested researcher can detect changes in forest coverage, see the location and duration of a forestry company’s logging concessions, look up local forestry laws and regulations, and check whether the logging companies have paid their taxes. Most information can be easily navigated using a visual map interface that taps into a combination of satellite imagery, national forest data sets and “on-the-ground” reports. More advanced users can download geographical data from their warehouse and manipulate it for their own analyses using third party apps like Google Earth. The big data will revolutionize the practice of global problem solving and even alter the basic skill set required to participate effectively in global public policy debates. A collection of data scientists working with the UN Global Pulse team in New York, for example, is convinced that data driven analysis and real-time reporting is on the cusp of transforming the way solution networks and development institutions respond to a wide range of critical issues. Analyzing Twitter messages, for instance, can give an early warning of a spike in unemployment, price rises and disease. In fact, research found that surges in online mentions of rice prices accurately captured price increases several months before official reports. If the Global Pulse team is successful in building effective tools for collecting, analyzing and visualizing data, their contributions could allow UN projects and policies to move faster, adapt to changing circumstances and be more effective, helping to lift more communities out of poverty and even save lives. Indeed, for global solution networks, the big data revolution will create tremendous opportunities to develop new knowledge and inform action with credible data. But there will also be deep challenges in coming to grips with the infrastructure and tools required to take advantage of big data.

#### The executive is stabilizing social acceleration now- key to global stability and democratic ideals- star this card, it assumes abundance of data

**Cukier and Schönberger et al. ’13** (Kenneth, Economist data editor, “The Rise of Big Data”, Foreign Affairs, May/June, ebsco, ldg)

Big data will have implications far beyond medicine and consumer goods: it will profoundly change how governments work and alter the nature of politics. When it comes to generating economic growth, providing public services, or fighting wars, those who can harness big data effectively will enjoy a significant edge over others. So far, the most exciting work is happening at the municipal level, where it is easier to access data and to experiment with the information. In an effort spearheaded by New York City Mayor Michael Bloomberg (who made a fortune in the data business), the city is using big data to improve public services and lower costs. One example is a new fire-prevention strategy. Illegally subdivided buildings are far more likely than other buildings to go up in flames. The city gets 25,000 complaints about overcrowded buildings a year, but it has only 200 inspectors to respond. A small team of analytics specialists in the mayor's office reckoned that big data could help resolve this imbalance between needs and resources. The team created a database of all 900,000 buildings in the city and augmented it with troves of data collected by 19 city agencies: records of tax liens, anomalies in utility usage, service cuts, missed payments, ambulance visits, local crime rates, rodent complaints, and more. Then, they compared this database to records of building fires from the past five years, ranked by severity, hoping to uncover correlations. Not surprisingly, among the predictors of a fire were the type of building and the year it was built. Less expected, however, was the finding that buildings obtaining permits for exterior brickwork correlated with lower risks of severe fire. Using all this data allowed the team to create a system that could help them determine which overcrowding complaints needed urgent attention. None of the buildings' characteristics they recorded caused fires; rather, they correlated with an increased or decreased risk of fire. That knowledge has proved immensely valuable: in the past, building inspectors issued vacate orders in 13 percent of their visits; using the new method, that figure rose to 70 percent -- a huge efficiency gain. Of course, insurance companies have long used similar methods to estimate fire risks, but they mainly rely on only a handful of attributes and usually ones that intuitively correspond with fires. By contrast, New York City's big-data approach was able to examine many more variables, including ones that would not at first seem to have any relation to fire risk. And the city's model was cheaper and faster, since it made use of existing data. Most important, the big-data predictions are probably more on target, too. Big data is also helping increase the transparency of democratic governance. A movement has grown up around the idea of "open data," which goes beyond the freedom-of-information laws that are now commonplace in developed democracies. Supporters call on governments to make the vast amounts of innocuous data that they hold easily available to the public. The United States has been at the forefront, with its Data.gov website, and many other countries have followed.

### AT: Endless war

#### No endless war

**Gray 7**—Director of the Centre for Strategic Studies and Professor of International Relations and Strategic Studies at the University of Reading, graduate of the Universities of Manchester and Oxford, Founder and Senior Associate to the National Institute for Public Policy, formerly with the International Institute for Strategic Studies and the Hudson Institute (Colin, July, “The Implications of Preemptive and Preventive War Doctrines: A Reconsideration”, [http://www.ciaonet.org/wps/ssi10561/ssi10561.pdf](http://www.ciaonet.org/wps/ssi10561/ssi10561.pdf" \t "_blank))

7. A policy that favors preventive warfare expresses a futile quest for absolute security. It could do so. Most controversial policies contain within them the possibility of misuse. In the hands of a paranoid or boundlessly ambitious political leader, prevention could be a policy for endless warfare. However, the American political system, with its checks and balances, was designed explicitly for the purpose of constraining the executive from excessive folly. Both the Vietnam and the contemporary Iraqi experiences reveal clearly that although the conduct of war is an executive prerogative, in practice that authority is disciplined by public attitudes. Clausewitz made this point superbly with his designation of the passion, the sentiments, of the people as a vital component of his trinitarian theory of war. 51 It is true to claim that power can be, and indeed is often, abused, both personally and nationally. It is possible that a state could acquire a taste for the apparent swift decisiveness of preventive warfare and overuse the option. One might argue that the easy success achieved against Taliban Afghanistan in 2001, provided fuel for the urge to seek a similarly rapid success against Saddam Hussein’s Iraq. In other words, the delights of military success can be habit forming. On balance, claim seven is not persuasive, though it certainly contains a germ of truth. A country with unmatched wealth and power, unused to physical insecurity at home—notwithstanding 42 years of nuclear danger, and a high level of gun crime—is vulnerable to demands for policies that supposedly can restore security. But we ought not to endorse the argument that the United States should eschew the preventive war option because it could lead to a futile, endless search for absolute security. One might as well argue that the United States should adopt a defense policy and develop capabilities shaped strictly for homeland security approached in a narrowly geographical sense. Since a president might misuse a military instrument that had a global reach, why not deny the White House even the possibility of such misuse? In other words, constrain policy ends by limiting policy’s military means. This argument has circulated for many decades and, it must be admitted, it does have a certain elementary logic. It is the opinion of this enquiry, however, that the claim that a policy which includes the preventive option might lead to a search for total security is **not at all convincing**. Of course, folly in high places is always possible, which is one of the many reasons why popular democracy is the superior form of government. It would be absurd to permit the fear of a futile and dangerous quest for absolute security to preclude prevention as a policy option. Despite its absurdity, this rhetorical charge against prevention is a stock favorite among prevention’s critics. It should be recognized and dismissed for what it is, a debating point with little pragmatic merit. And strategy, though not always policy, **must be nothing if not pragmatic**.

### 2AC

#### The alt fails and threats should be evaluated in specific context to reduce likelihood of conflict – the alt will result in escalation of violence

Weaver 2k (Ole, International relations theory and the politics of European integration, pages 284-285)

The other main possibility is to stress' responsibility. Particularly in a field like security one has to make choices and deal with the challenges and risks that one confronts – and not shy away into long-range or principled trans-formations. The meta political line risks (despite the theoretical commitment to the concrete other) implying that politics can be contained within large 'systemic questions. In line with he classical revolutionary tradition, after the change (now no longer the revolution but the meta-physical trans-formation), there will be no more problems whereas in our situation (until the change) we should not deal with the 'small questions' of politics, only with the large one (cf. Rorty 1996). However, the ethical demand in post-structuralism (e.g. Derrida's 'justice') is of a kind that can never be instantiated in any concrete political order – It is an experience of the undecidable that exceeds any concrete solution and reinserts politics. Therefore, politics can never be reduced to meta-questions there is no way to erase the small, particular, banal conflicts and controversies. In contrast to the quasi-institutionalist formula of radical democracy which one finds in the 'opening' oriented version of deconstruction, we could with Derrida stress the singularity of the event. To take a position, take part, and 'produce events' (Derrida 1994: 89) means to get involved in specific struggles. Politics takes place 'in the singular event of engagement' (Derrida 1996: 83). Derrida's politics is focused on the calls that demand response/responsibility contained in words like justice, Europe and emancipation. Should we treat security in this manner? No, security is not that kind of call. 'Security' is not a way to open (or keep open) an ethical horizon. Security is a much more situational concept oriented to the handling of specifics. It belongs to the sphere of how to handle challenges – and avoid 'the worst' (Derrida 1991). Here enters again the possible pessimism which for the security analyst might be occupational or structural. The infinitude of responsibility (Derrida 1996: 86) or the tragic nature of politics (Morgenthau 1946, Chapter 7) means that one can never feel reassured that by some 'good deed', 'I have assumed my responsibilities ' (Derrida 1996: 86). If I conduct myself particularly well with regard to someone, I know that it is to the detriment of an other; of one nation to the detriment of my friends to the detriment of other friends or non-friends, etc. This is the infinitude that inscribes itself within responsibility; otherwise there would he no ethical problems or decisions. (ibid.; and parallel argumentation in Morgenthau 1946; Chapters 6 and 7) Because of this there will remain conflicts and risks - and the question of how to handle them. Should developments be securitized (and if so, in what terms)? Often, our reply will be to aim for de-securitization and then politics meet meta-politics; but occasionally the underlying pessimism regarding the prospects for orderliness and compatibility among human aspirations will point to scenarios sufficiently worrisome that responsibility will entail securitization in order to block the worst. As a security/securitization analyst, this means accepting the task of trying to manage and avoid spirals and accelerating security concerns, to try to assist in shaping the continent in a way that creates the least insecurity and violence - even if this occasionally means invoking/producing `structures' or even using the dubious instrument of securitization. In the case of the current European configuration, the above analysis suggests the use of securitization at the level of European scenarios with the aim of preempting and avoiding numerous instances of local securitization that could lead to security dilemmas and escalations, violence and mutual vilification.

### Lupovici

A stable system of deterrence prevents nuclear war – it create a stable ontological context for interaction and expectations

Lupovici 8 (Amir, Post-Doctoral Fellow Munk Centre for International Studies, Why the Cold War Practices of Deterrence are Still Prevalent: Physical Security, Ontological Security and Strategic Discourse, [http://www.cpsa-acsp.ca/ papers-2008/Lupovici.pdf](http://www.cpsa-acsp.ca/papers-2008/Lupovici.pdf" \t "_blank), AD: 9/22/10) jl

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Since deterrence can become part of the actors’ identity, it is also involved in the actors’ will to achieve ontological security, securing the actors’ identity and routines. As McSweeney explains, ontological security is “the acquisition of confidence in the routines of daily life—the essential predictability of interaction through which we feel confident in knowing what is going on and that we have the practical skill to go on in this context.” These routines become part of the social structure that enables and constrains the actors’ possibilities (McSweeney, 1999: 50-1, 154-5; Wendt, 1999: 131, 229-30). Thus, through the emergence of the deterrence norm and the construction of deterrence identities, the actors create an intersubjective context and intersubjective understandings that in turn affect their interests and routines. In this context, deterrence strategy and deterrence practices are better understood by the actors, and therefore the continuous avoidance of violence is more easily achieved. Furthermore, within such a context of deterrence relations, rationality is (re)defined, clarifying the appropriate practices for a rational actor, and this, in turn, reproduces this context and the actors’ identities. Therefore, the internalization of deterrence ideas helps to explain how actors may create more cooperative practices and break away from the spiral of hostility that is forced and maintained by the identities that are attached to the security dilemma, and which lead to mutual perception of the other as an aggressive enemy. As Wendt for example suggests, in situations where states are restrained from using violence—such as MAD (mutual assured destruction)—states not only avoid violence, but “ironically, may be willing to trust each other enough to take on collective identity”. In such cases if actors believe that others have no desire to engulf them, then it will be easier to trust them and to identify with their own needs (Wendt, 1999: 358-9). In this respect, the norm of deterrence, the trust that is being built between the opponents, and the (mutual) constitution of their role identities may all lead to the creation of long term influences that preserve the practices of deterrence as well as the avoidance of violence. Since a basic level of trust is needed to attain ontological security,21 the existence of it may further strengthen the practices of deterrence and the actors’ identities of deterrer and deterred actors. In this respect, I argue that for the reasons mentioned earlier, the practices of deterrence should be understood as providing both physical and ontological security, thus refuting that there is necessarily tension between them. Exactly for this reason I argue that Rasmussen’s (2002: 331-2) assertion—according to which MAD was about enhancing ontological over physical security—is only partly correct. Certainly, MAD should be understood as providing ontological security; but it also allowed for physical security, since, compared to previous strategies and doctrines, it was all about decreasing the physical threat of nuclear weapons. Furthermore, the ability to increase one dimension of security helped to enhance the other, since it strengthened the actors’ identities and created more stable expectations of avoiding violence.