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### Adv. 1 Terrorism

#### US is losing the War on Terrorism due to the proliferation of extra-AUMF Al Qaeda affiliates

Kagan, 13

[Frederick W., Christopher DeMuth Chair and Director, Critical Threats Project, American Enterprise Institute, “The Continued Expansion of Al Qaeda Affiliates and their Capabilities”, Statement before the House Committee on Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade On “Global al-Qaeda: Affiliates, Objectives, and Future Challenges”, 7/18/13, <http://www.criticalthreats.org/al-qaeda/kagan-continued-expansion-al-qaeda-affiliates-capabilities-july-18-2013>, BJM]

**The war against al Qaeda is not going well**. Afghanistan has seen the most success, since Coalition and Afghan National Security Forces (ANSF) have been able to prevent al Qaeda from re-establishing effective sanctuary in the places from which the 9/11 attacks were planned and launched. The killing of Osama bin Laden has not been followed-up in Pakistan with disruption to the leadership group there on the scale of operations that preceded the Abbottabad raid. Al Qaeda affiliates in Iraq, Syria, Yemen, and West Africa have dramatically expanded their operating areas and capabilities since 2009 and appear poised to continue that expansion. Progress against al Shabaab, the al Qaeda affiliate in Somalia, is **extremely fragile** **and shows signs of beginning to unravel**. New groups with al Qaeda leanings, although not affiliations, are emerging in Egypt, and old groups that had not previously been affiliated with al Qaeda, such as Boko Haram in Nigeria, appear to be moving closer to it. Current trends point to continued expansion of al Qaeda affiliates and their capabilities, and it is difficult to see how current or proposed American and international policies are likely to contain that expansion, let alone reduce it to 2009 levels or below. Americans must seriously consider the possibility that **we are**, in fact, **starting to lose the war against al Qaeda**. The policy debate about al Qaeda has been bedeviled by competing definitions of the group and, consequently, evaluations of the threat it poses to the United States, as Katherine Zimmerman shows in a major paper that will be forthcoming from the Critical Threats Project at the American Enterprise Institute (AEI) in September. Whereas the Bush Administration saw the group as a global network of cells, the Obama Administration has focused narrowly on the "core group" in Pakistan around bin Laden and, after his death, around his successor, Ayman al Zawahiri. The current administration has also labored to distinguish al Qaeda franchises that have the intent and capability to attack the United States homeland from those that do not, implying (or sometimes stating) that the U.S. should act only against the former while observing the latter to ensure that they do not change course.

**Current AUMF ambiguity undermines effective counter-terrorism efforts against affiliates**

**Chesney et al. ‘13**

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The September 2001 AUMF provides for the use of force against the entity ¶ responsible for the 9/11 attacks, as well as those harboring that entity. It ¶ has been clear from the beginning that **the AUMF encompasses al Qaeda and** ¶ **the Afghan Taliban,** respectively. This was the right focus in late 2001, and for a ¶ considerable period thereafter. But for three reasons, **this focus is increasingly** ¶ **mismatched to the threat environment facing the U**nited **S**tates.4¶ **First, the original al Qaeda network has been substantially degraded by** ¶ **the success of the United States and its allies in killing or capturing the network’s** ¶ **leaders and key personnel**. That is not to say that al Qaeda no longer poses a ¶ significant threat to the United States, of course. The information available in the ¶ public record suggests that it does, and thus nothing we say below should be ¶ read to suggest that force is no longer needed to address the threat al Qaeda ¶ poses. Our point is simply that **the original al Qaeda network is no longer the** ¶ **preeminent operational threat to the homeland** that it once was.¶ **Second, the Afghan Taliban are growing increasingly marginal to the AUMF**. As ¶ noted above, **the AUMF extended to the Taliban because of the safe harbor they** ¶ **provided to al Qaeda. That rationale makes far less sense a dozen years later,** ¶ **with the remnants of al Qaeda long-since relocated** to Pakistan’s FATA region. ¶ This issue has gone largely unremarked in the interim because U.S. and coalition ¶ forces all along have been locked in hostilities with the Afghan Taliban, and ¶ thus no **occasion to reassess the AUMF nexus** has ever arisen. Such an occasion ¶ **may** well **loom on the horizon,** however, **as the U**nited **S**tates **draws down** ¶ **in Afghanistan with increasing rapidity**. To be sure, the United States no doubt ¶ will continue to support the Afghan government in its efforts to tamp down ¶ insurgency, and it also will likely continue to mount counterterrorism operations ¶ within Afghanistan. It may even be the case that at some future point, the Taliban ¶ will again provide safe harbor to what remains of al Qaeda, thereby at least ¶ arguably reviving their AUMF nexus. But for the time being, **the days of direct** ¶ **combat engagement with the Afghan Taliban appear to be numbered.**¶ If the decline of the original al Qaeda network and the decline of U.S. interest in ¶ the Afghan Taliban were the only considerations, one might applaud rather ¶ than fret over the declining relevance of the AUMF. **There is**, however, a **third** ¶ **consideration: significant new threats are emerging, ones that are not easily** ¶ **shoehorned into the current AUMF framework.** ¶To a considerable extent, **the new threats stem from the fragmentation of** ¶ **al Qaeda** itself. In this sense, the problem with the original AUMF is not so much ¶ that its primary focus is on al Qaeda, but rather that **it is increasingly difficult to** ¶ **determine with clarity which groups and individuals in al Qaeda’s orbit are** ¶ **sufficiently tied to the core so as to fall within the AUMF**. And given the gravity ¶ of the threat that some of these groups and individuals may pose on an ¶ independent basis, **it also is increasingly odd to premise the legal framework** ¶ **for using force against them on a chain of reasoning that requires a detour** ¶ **through the original, core al Qaeda organization.**¶The fragmentation process has several elements. First, **entities that** at ¶ least arguably **originated as** mere regional cells **of the core network have** ¶ **established a substantial degree of organizational and operational** ¶ **independence,** even while maintaining some degree of correspondence ¶ with al Qaeda’s leaders. **A**l **Q**aeda in the **A**rabian **P**eninsula **is a good example**. ¶ Al Qaeda in Iraq arguably fits this description as well, though in that case ¶ one might point to a substantial degree of strategic independence as well. ¶ Second, **entities that originated as independent, indigenous organizations** ¶ **have** to varying degrees **established formal ties to al Qaeda**, often rebranding ¶ themselves in the process. **Al** **Q**aeda in the **I**slamic **M**aghreb, formerly known ¶ as the Salafist Group for Call and Combat, **illustrates this path**. **Al Shabaab** ¶ in Somalia arguably **does as well**. **And then there are circumstances (such** ¶ **as the ones currently unfolding in Mali, Libya, and Syria) in which it is** ¶ **not entirely clear where the organizational lines lie** among (i) armed ¶ groups that work in concert with or even at the direction of one of the ¶ aforementioned al Qaeda affiliates; (ii) armed groups that are sympathetic ¶ and in communication with al Qaeda; and (iii) armed groups that are ¶ wholly independent of al Qaeda yet also stem from the same larger milieu ¶ of Salafist extremists.¶ **This situation**—which one of us has described as the emergence of “extraAUMF” threats—**poses a significant problem insofar as counterterrorism policy** ¶ **rests on the AUMF for its legal justification**. In some circumstances it remains ¶ easy to make the case for a nexus to the original al Qaeda network and hence to ¶ the AUMF. But **in a growing number of circumstances, drawing the requisite** ¶ **connection to the AUMF requires an increasingly complex daisy chain of** ¶ **associations—a task that is likely to be very difficult** (and hence subject to ¶ debate) **in some cases, and downright impossible in others**. The emergence of this problem should come as no surprise. **It has been nearly** ¶ **a dozen years since the AUMF’s passage, and circumstances have evolved** ¶ **considerably since then. It was inevitable that threats would emerge that might** ¶ **not fit easily or at all within its scope.** The question is whether Congress should ¶ do anything about this situation, and if so precisely what.

#### We’re at a turning point- the US must pivot to address the threat from al Qaeda affiliates. Congressional action is key because it provides legitimacy that induces public support for counter terrorism and international cooperation against terrorism

Wainstein ‘13

[STATEMENT OF ¶ KENNETH L. WAINSTEIN, PARTNER ¶ CADWALADER, WICKERSHAM & TAFT LLP ¶ BEFORE THE ¶ COMMITTEE ON FOREIGN RELATIONS ¶ UNITED STATES SENATE ¶ CONCERNING ¶ COUNTERTERRORISM POLICIES AND PRIORITIES: ¶ ADDRESSING THE EVOLVING THREAT ¶ PRESENTED ON ¶ MARCH 20, 2013. <http://www.foreign.senate.gov/imo/media/doc/Wainstein_Testimony.pdf> ETB]

It has recently become clear, however, that the Al Qaeda threat that occupied our ¶ attention after 9/11 is no longer the threat that we will need to defend against in the future. Due ¶ largely to the effectiveness of our counterterrorism efforts, the centralized leadership that had ¶ directed Al Qaeda operations from its sanctuary in Afghanistan and Pakistan -- known as “Al ¶ Qaeda Core” -- is now just a shadow of what it once was. While still somewhat relevant as an ¶ inspirational force, Zawahiri and his surviving lieutenants are reeling from our aerial strikes and ¶ no longer have the operational stability to manage an effective global terrorism campaign. The ¶ result has been a migration of operational authority and control from Al Qaeda Core to its ¶ affiliates in other regions of the world, such as Al Qaeda in the Arabian Peninsula, Al Qaeda in ¶ Iraq and Al Qaeda in the Islamic Maghreb. ¶ As Andy Liepman of the RAND Corporation cogently explained in a recent article, this ¶ development is subject to two different interpretations. While some commentators diagnose Al ¶ Qaeda as being in its final death throes, others see this franchising process as evidence that Al ¶ Qaeda is “coming back with a vengeance as the new jihadi hydra.” As is often the case, the truth ¶ likely falls somewhere between these polar prognostications. Al Qaeda Core is surely weakened, ¶ but its nodes around the world have picked up the terrorist mantle and continue to pose a threat ¶ to America and its allies -- as tragically evidenced by the recent violent takeover of the gas ¶ facility in Algeria and the American deaths at the U.S. Mission in Benghazi last September. This ¶ threat has been compounded by a number of other variables, including the opportunities created ¶ for Al Qaeda by the events following the Arab Spring; the ongoing threat posed by Hizballah, its ¶ confederates in Iran and other terrorist groups; and the growing incidence over the past few years ¶ of home-grown violent extremism within the United States, such as the unsuccessful plots ¶ targeting Times Square and the New York subway. ¶ We are now at a pivot point where we need to reevaluate the means and objectives of our ¶ counterterrorism program in light of the evolving threat. The Executive Branch is currently ¶ engaged in that process and has undertaken a number of policy shifts to reflect the altered threat ¶ landscape. First, it is working to develop stronger cooperative relationships with governments in ¶ countries like Yemen where the Al Qaeda franchises are operating. Second, they are ¶ coordinating with other foreign partners -- like the French in Mali and the African Union ¶ Mission in Somalia -- who are actively working to suppress these new movements. Finally, they ¶ are building infrastructure -- like the reported construction of a drone base in Niger -- that will ¶ facilitate counterterrorism operations in the regions where these franchises operate.¶ While it is important that the Administration is undergoing this strategic reevaluation, it ¶ is also important that Congress participate in that process. Over the past twelve years, Congress ¶ has made significant contributions to the post-9/11 reorientation of our counterterrorism ¶ program. First, it has been instrumental in strengthening our counterterrorism capabilities. From ¶ the Authorization for Use of Military Force passed within days of 9/11 to the Patriot Act and its ¶ reauthorization to the critical 2008 amendments to the Foreign Intelligence Surveillance Act, ¶ Congress has repeatedly answered the government’s call for strong but measured authorities to ¶ fight the terrorist adversary. ¶ Second, Congressional action has gone a long way toward institutionalizing measures ¶ that were hastily adopted after 9/11 and creating a lasting framework for what will be a “long ¶ war” against international terrorism. Some argue against such legislative permanence, citing the ¶ hope that today’s terrorists will go the way of the radical terrorists of the 1970’s and largely fade ¶ from the scene over time. That, I’m afraid, is a pipe dream. The reality is that international ¶ terrorism will remain a potent force for years and possibly generations to come. Recognizing ¶ this reality, both Presidents Bush and Obama have made a concerted effort to look beyond the ¶ threats of the day and to focus on regularizing and institutionalizing our counterterrorism ¶ measures for the future -- as most recently evidenced by the Administration’s effort to develop ¶ lasting procedures and rules of engagement for the use of drone strikes. ¶ Finally, Congressional action has provided one other very important element to our ¶ counterterrorism initiatives -- a measure of political legitimacy that could never be achieved ¶ through unilateral executive action. At several important junctures since 9/11, Congress has ¶ undertaken to carefully consider and pass legislation in sensitive areas of executive action, such ¶ as the legislation authorizing and governing the Military Commissions and the amendments to ¶ our Foreign Intelligence Surveillance Act. On each such occasion, Congress’ action had the ¶ effect of calming public concerns and providing a level of political legitimacy to the Executive ¶ Branch’s counterterrorism efforts. That legitimizing effect -- and its continuation through ¶ meaningful oversight -- is critical to maintaining the public’s confidence in the means and methods our government uses in its fight against international terrorism. It also provides assurance to our foreign partners and thereby encourages them to engage in the operational cooperation that is so critical to the success of our combined efforts against international terrorism.

**We control the uniqueness- executive terror fatigue is creating sluggish responses and gutting info-sharing and cooperation- updating the AUMF is critical to revitalizing the executive and defeating afiliates**

**Leiter ‘13**

[The Honorable Michael E. Leiter ¶ Director, National Counterterrorism Center (2007-2011) ¶ Senior Counselor to the Chief Executive Officer, Palantir Technologies ¶ ¶ Testimony before the United States Senate ¶ Committee on Foreign Relations ¶ Counterterrorism Policies and Priorities: Addressing the Evolving Threat ¶ March 20, 2013. ETB]

Today **al‐Qa‘ida and its allies** in Pakistan **are at their weakest point** since 9/11. The ¶ death of Usama bin Ladin and the continued decimation of senior ranks has made the ¶ organization a shadow of its former self. Ayman al Zawahiri is not bin Ladin and ¶ although the organization still attempts to provide strategic guidance and global ¶ propaganda, **its influence continues to wane**. **Whether this trajectory can be ¶ maintained with a significant decrease of the U.S. presence in Afghanistan and a ¶ continued challenging political landscape in Pakistan will be,** in my view, **the biggest ¶ determinants of al Qa’ida Core’s relevance for the coming decade**. ¶ The degradation of al Qa’ida’s “higher headquarters” and relatively well‐coordinated ¶ command and control has allowed its affiliates and its message to splinter, posing ¶ new dangers and challenges. **Al Qa’ida affiliates** or those inspired by its message **have** ¶ worrisome **presences in Yemen, East Africa, North Africa, Syria, Western Europe, and** ¶ of course to a lesser degree **the U**nited **S**tates. ¶ Beginning with Yemen, in my view al Qa’ida in the Arabian Peninsula (**AQAP**)—as I ¶ stated two years ago—**continues to pose the most sophisticated** and deadly **threat** to ¶ the U.S. Homeland from an overseas affiliate. The death of operational commander ¶ Anwar al‐Aulaqi significantly reduced AQAP’s ability to attract and motivate English ¶ speakers, but its operational efforts continue with lesser abatement. As we saw in 2009, 2010, and 2012, AQAP has remained committed—and able—to pursue complex ¶ attacks involving innovative improvised explosives devices. Although some of the ¶ organization’s safe haven has been diminished because of Yemeni and U.S. efforts, the ¶ inability of the Government of Yemen to bring true control to wide swaths of the ¶ country suggests that **the group will pose a threat for the foreseeable future** **and** ¶ (unlike many other affiliates) **it** clearly **remains focused on transnational attacks**. ¶ East Africa, surprisingly to many, is a brighter spot in our efforts. Although al‐¶ Shabaab remains a force and poses significant risks in the region—most especially in ¶ Kenya and to the fledgling government in Somalia—its risk to the Homeland is ¶ markedly less today than just two years ago. Kenya’s offensive in the region ¶ shattered much of al Shabaab’s power base and most importantly the attractiveness ¶ of Somalia to Americans and other Westerners is radically less than was the case. The ¶ relative flood of Americans has turned into a trickle, thus significantly reducing the ¶ threat of trained terrorists returning to our shores. Maintaining this positive ¶ momentum will require continued U.S. attention and close cooperation with the ¶ African Union in Somalia (AMISOM) to nurture what clearly remains a fragile ¶ recovery. ¶ As the world witnessed over the past six months, al Qa’ida in the Islamic Maghreb ¶ (**AQIM) has shifted the focus in Africa as the organization has made gains in Mali, ¶ Libya, and the rural areas of Algeria.** To be clear, to those of us in the ¶ counterterrorism ranks this is not particularly surprising. In my view while the ¶ attacks in Benghazi and on the Algerian oil facility are tragic, the major change to the ¶ region is not a massive increase in AQIM’s attractiveness, but rather the huge shift ¶ that occurred with the virtual elimination of Libya’s security services, the associated ¶ flood of weapons in the region, and the coup d’état in Mali. ¶ AQIM has thus far proven a less tactically proficient and more regionally focused ¶ criminal organization than other al Qa’ida affiliates. Although we cannot blindly hope ¶ this remains the case, I would argue that we should also not read too much into ¶ recent events. Regional capacity building, targeted offensive measures, and forceful ¶ engagement with government like France, Algeria, and Libya that have a huge vested ¶ interest in the region should remain at the forefront of our strategy. And we must ¶ roundly condemn (and try to limit) the payment of ransoms that have proven to be ¶ the lifeblood of AQIM and its affiliates. ¶ **One notable area of concern that we must forcefully combat** in the region—and one ¶ which the U.S. is uniquely able to address given our global footprint—**is the cross‐¶ fertilization across the African continent that has recently accelerated. Coordination ¶ amongst al Shabaab, AQIM, Boko Haram, and others is particularly problematic as it ¶ allows each organization to leverage the others’ strengths. We must use our ¶ intelligence capabilities to define these networks and then assist in disrupting them**. ¶ The most troubling of emerging fronts in my view is Syria, where Jabhat al‐Nusra has ¶ emerged as the most radical of groups within the opposition. Given the enormous Terrorism Fatigue. After ten‐plus years of near constant public discussion of ¶ terrorism—in our politics, the media, and through public messaging—many have ¶ simply had enough. This is not all bad as an unhealthy obsession with the threat of ¶ terrorism at the expense of countless other societal woes, such as cyber threats and ¶ Iranian nuclear ambitions, would in many ways hand our enemy a victory. On the ¶ other hand, **there is real value in public discussion of terrorism: it can build resilience ¶ in the population and it can lead to the tackling of tough public policy questions like ¶ targeted killings and domestic intelligence**. **With terrorism fatigue we run a real risk ¶ of not addressing these issues in a way that provides a lasting counterterrorism ¶ framework**. In this regard **I** actually **see the** current discussion around the use of ¶ drones and the **potential for updating** **the** 2001 **A**uthorization for the **U**se of **M**ilitary ¶ **F**orce **as** quite **heartening signs. ¶ Terrorism fatigue poses** at least two **additional challenges**. First, with all of our ¶ counterterrorism success such victories have become expected and any failure—no ¶ matter how small—can result in political finger pointing and excoriation of our ¶ counterterrorism professionals. In effect we have become victims of our own success ¶ and unlike in 2001, perfection has become a political expectation. Although we ¶ should continuously examine how we can improve our capabilities, we must guard ¶ against ex poste investigations that lack a serious appreciation for the ex ante¶ difficulties of counterterrorism. ¶ Second, **terrorism fatigue can cause dangerous lethargy within the Executive Branch ¶ on issues that do not appear to require immediate attention but which can do longer ¶ term damage to counterterrorism efforts. I have repeatedly seen urgency morph into ¶ bureaucratic sluggishness as time passes since the last attack on issues like ¶ information sharing and interagency cooperation.** **Whether it is countering violent ¶ extremism programs or information access for the intelligence community, we must ¶ not take our foot off the gas pedal.** Weapons of Mass Destruction. There is no doubt that smallish terrorist attacks or at ¶ least attempts will continue to occur at home and abroad. Such attacks can cause ¶ enormous pain and suffering to victims and their families, but they are clearly of a ¶ scale—at least with respect to absolute numbers killed—that is dwarfed by other ¶ societal ills such as routine criminal activity. The same cannot be said of terrorists’ ¶ use of weapons of mass destruction—and more specifically biological weapons or an ¶ improvised nuclear device (IND). ¶ **Although we have also made progress in reducing the likelihood of terrorists ¶ obtaining WMD, for the foreseeable future we are faced with the possibility that a ¶ terrorist organization will successfully acquire these weapons**. In this case, ¶ technology is not yet our friend as the ease with which these weapons can be ¶ obtained and hidden continues to exceed our ability to detect them. ¶ Weapons of mass destruction pose a unique challenge as they are the prototypical ¶ low likelihood, high consequence event and thus determining the proper allocation of ¶ resources to combat them is particular contentious. That being said, we must ¶ continue to protect against the most dangerous of materials (e.g., HEU) being ¶ obtained by terrorists, secure weapons in the most dangerous places (e.g., Pakistan ¶ and increasingly Syria), and pursue research and development that will assist in ¶ detecting chemical and biological weapons in places where they would do the most ¶ harm.

#### Turning the tide is critical – al-Qaeda affiliates pose a high risk of nuclear and biological terrorism

Allison, IR Director @ Harvard, 12

[Graham, Director, Belfer Center for Science and International Affairs; Douglas Dillon Professor of Government, Harvard Kennedy School, "Living in the Era of Megaterror", Sept 7, <http://belfercenter.ksg.harvard.edu/publication/22302/living_in_the_era_of_megaterror.html>. BJM]

Forty years ago this week at the Munich Olympics of 1972, Palestinian terrorists conducted one of the most dramatic terrorist attacks of the 20th century. The kidnapping and massacre of 11 Israeli athletes attracted days of around-the-clock global news coverage of Black September’s anti-Israel message. Three decades later, on 9/11, Al Qaeda killed nearly 3,000 individuals at the World Trade Center and the Pentagon, announcing a new era of megaterror. In an act that killed more people than Japan’s attack on Pearl Harbor, a band of terrorists headquartered in ungoverned Afghanistan demonstrated that individuals and small groups can kill on a scale previously the exclusive preserve of states. Today, how many people can a small group of terrorists kill in a single blow? Had Bruce Ivins, the U.S. government microbiologist responsible for the 2001 anthrax attacks, distributed his deadly agent with sprayers he could have purchased off the shelf, tens of thousands of Americans would have died. Had the 2001 “Dragonfire” report that Al Qaeda had a small nuclear weapon (from the former Soviet arsenal) in New York City proved correct, and not a false alarm, detonation of that bomb in Times Square could have incinerated a half million Americans. In this electoral season, President Obama is claiming credit, rightly, for actions he and U.S. Special Forces took in killing Osama bin Laden. Similarly, at last week’s Republican convention in Tampa, Jeb Bush praised his brother for making the United States safer after 9/11. There can be no doubt that the thousands of actions taken at federal, state and local levels have made people safer from terrorist attacks. Many are therefore attracted to the chorus of officials and experts claiming that the “strategic defeat” of Al Qaeda means the end of this chapter of history. But we should remember a deeper and more profound truth. While applauding actions that have made us safer from future terrorist attacks, we must recognize that they **have not reversed an inescapable reality**: The relentless advance of science and technology is making it possible for smaller and **smaller groups to kill** **larger** and larger **numbers of people**. If a Qaeda affiliate, or some terrorist group in Pakistan whose name readers have never heard, acquires highly enriched uranium or plutonium made by a state, they can construct an elementary nuclear bomb capable of killing hundreds of thousands of people. At biotech labs across the United States and around the world, research scientists making medicines that advance human well-being are also capable of making pathogens, like anthrax, that can produce massive casualties. What to do? Sherlock Holmes examined crime scenes using a method he called M.M.O.: motive, means and opportunity. In a society where citizens gather in unprotected movie theaters, churches, shopping centers and stadiums, opportunities for attack abound. Free societies are inherently “target rich.” Motive to commit such atrocities poses a more difficult challenge. In all societies, a percentage of the population will be homicidal. No one can examine the mounting number of cases of mass murder in schools, movie theaters and elsewhere without worrying about a society’s mental health. Additionally, actions we take abroad unquestionably impact others’ motivation to attack us. As Faisal Shahzad, the 2010 would-be “Times Square bomber,” testified at his trial: “Until the hour the U.S. ... stops the occupation of Muslim lands, and stops killing the Muslims ... we will be attacking U.S., and I plead guilty to that.” Fortunately, it is more difficult for a terrorist to acquire the “means” to cause mass casualties. Producing highly enriched uranium or plutonium requires expensive industrial-scale investments that only states will make. If all fissile material can be secured to a gold standard beyond the reach of thieves or terrorists, aspirations to become the world’s first nuclear terrorist can be thwarted. Capabilities for producing bioterrorist agents are not so easily secured or policed. While more has been done, and much more could be done to further raise the technological barrier, as knowledge advances and technological capabilities to make pathogens become more accessible, the means for bioterrorism will come within the reach of terrorists. One of the hardest truths about modern life is that the same advances in science and technology that enrich our lives also empower potential killers to achieve their deadliest ambitions. To imagine that we can escape this reality and return to a world in which we are invulnerable to future 9/11s or worse is an illusion. For as far as the eye can see, we will live in an era of megaterror.

#### Nuclear terrorism causes nuclear escalation –retaliation goes global, it’s highly likely and rapid

Morgan 09

(Professor of Foreign Studies at Hankuk University, Dennis Ray, December, “World on fire: two scenarios of the destruction of human civilization and possible extinction of the human race” Futures, Vol 41 Issue 10, p 683-693, ScienceDirect)

In a remarkable website on nuclear war, Carol Moore asks the question “Is Nuclear War Inevitable??” In Section , Moore points out what most terrorists obviously already know about the nuclear tensions between powerful countries. No doubt, they’ve figured out that the best way to escalate these tensions into nuclear war is to set off a nuclear exchange. As Moore points out, all that militant terrorists would have to do is get their hands on one small nuclear bomb and explode it on either Moscow or Israel. Because of the Russian “dead hand” system, “where regional nuclear commanders would be given full powers should Moscow be destroyed,” it is likely that any attack would be blamed on the United States” Israeli leaders and Zionist supporters have, likewise, stated for years that if Israel were to suffer a nuclear attack, whether from terrorists or a nation state, it would retaliate with the suicidal “Samson option” against all major Muslim cities in the Middle East. Furthermore, the Israeli Samson option would also include attacks on Russia and even “anti-Semitic” European cities In that case, of course, Russia would retaliate, and the U.S. would then retaliate against Russia. China would probably be involved as well, as thousands, if not tens of thousands, of nuclear warheads, many of them much more powerful than those used at Hiroshima and Nagasaki, would rain upon most of the major cities in the Northern Hemisphere. Afterwards, for years to come, massive radioactive clouds would drift throughout the Earth in the nuclear fallout, bringing death or else radiation disease that would be genetically transmitted to future generations in a nuclear winter that could last as long as a 100 years, taking a savage toll upon the environment and fragile ecosphere as well. And what many people fail to realize is what a precarious, hair-trigger basis the nuclear web rests on. Any accident, mistaken communication, false signal or “lone wolf’ act of sabotage or treason could, in a matter of a few minutes, unleash the use of nuclear weapons, and once a weapon is used, then the likelihood of a rapid escalation of nuclear attacks is quite high while the likelihood of a limited nuclear war is actually less probable since each country would act under the “use them or lose them” strategy and psychology; restraint by one power would be interpreted as a weakness by the other, which could be exploited as a window of opportunity to “win” the war. In other words, once Pandora's Box is opened, it will spread quickly, as it will be the signal for permission for anyone to use them. Moore compares swift nuclear escalation to a room full of people embarrassed to cough. Once one does, however, “everyone else feels free to do so. The bottom line is that as long as large nation states use internal and external war to keep their disparate factions glued together and to satisfy elites’ needs for power and plunder, these nations will attempt to obtain, keep, and inevitably use nuclear weapons. And as long as large nations oppress groups who seek self-determination, some of those groups will look for any means to fight their oppressors” In other words, as long as war and aggression are backed up by the implicit threat of nuclear arms, it is only a matter of time before the escalation of violent conflict leads to the actual use of nuclear weapons, and once even just one is used, it is very likely that many, if not all, will be used, leading to horrific scenarios of global death and the destruction of much of human civilization while condemning a mutant human remnant, if there is such a remnant, to a life of unimaginable misery and suffering in a nuclear winter. In “Scenarios,” Moore summarizes the various ways a nuclear war could begin: Such a war could start through a reaction to terrorist attacks, or through the need to protect against overwhelming military opposition, or through the use of small battle field tactical nuclear weapons meant to destroy hardened targets. It might quickly move on to the use of strategic nuclear weapons delivered by short-range or inter-continental missiles or long-range bombers. These could deliver high altitude bursts whose electromagnetic pulse knocks out electrical circuits for hundreds of square miles. Or they could deliver nuclear bombs to destroy nuclear and/or non-nuclear military facilities, nuclear power plants, important industrial sites and cities. Or it could skip all those steps and start through the accidental or reckless use of strategic weapons.

#### High risk of nuke terror

Vladimir Z. Dvorkin ‘12 Major General (retired), doctor of technical sciences, professor, and senior fellow at the Center for International Security of the Institute of World Economy and International Relations of the Russian Academy of Sciences. The Center participates in the working group of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, 9/21/12, "What Can Destroy Strategic Stability: Nuclear Terrorism is a Real Threat," belfercenter.ksg.harvard.edu/publication/22333/what\_can\_destroy\_strategic\_stability.html

Hundreds of scientific papers and reports have been published on nuclear terrorism. International conferences have been held on this threat with participation of Russian organizations, including IMEMO and the Institute of U.S. and Canadian Studies. Recommendations on how to combat the threat have been issued by the International Luxembourg Forum on Preventing Nuclear Catastrophe, Pugwash Conferences on Science and World Affairs, Russian-American Elbe Group, and other organizations. The UN General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism in 2005 and cooperation among intelligence services of leading states in this sphere is developing.¶ At the same time, these efforts fall short for a number of reasons, partly because various acts of nuclear terrorism are possible. Dispersal of radioactive material by detonation of conventional explosives (“dirty bombs”) is a method that is most accessible for terrorists. With the wide spread of radioactive sources, raw materials for such attacks have become much more accessible than weapons-useable nuclear material or nuclear weapons. The use of “dirty bombs” will not cause many immediate casualties, but it will result into long-term radioactive contamination, contributing to the spread of panic and socio-economic destabilization.¶ Severe **consequences can be caused by sabotaging nuclear power plants, research reactors, and radioactive materials storage facilities. Large cities are especially vulnerable to such attacks. A large city may host dozens of research reactors with a nuclear power plant or a couple of spent nuclear fuel storage facilities and dozens of large radioactive materials storage facilities located nearby.** The past few years have seen significant efforts made to enhance organizational and physical aspects of security at facilities, especially at nuclear power plants. Efforts have also been made to improve security culture. But these efforts do not preclude the possibility that well-trained terrorists may be able to penetrate nuclear facilities.¶ Some estimates show that sabotage of a research reactor in a metropolis may expose hundreds of thousands to high doses of radiation. A formidable part of the city would become uninhabitable for a long time.¶ Of all the scenarios, it is building an improvised nuclear device by terrorists that poses the maximum risk. **There are no engineering problems that cannot be solved if terrorists decide to build a simple “gun-type” nuclear device.** Information on the design of such devices, as well as implosion-type devices, is available in the public domain. It is the acquisition of weapons-grade uranium that presents the sole serious obstacle. Despite numerous preventive measures taken, we cannot rule out the possibility that such materials can be bought on the black market. Theft of weapons-grade uranium is also possible. Research reactor fuel is considered to be particularly vulnerable to theft, as it is scattered at sites in dozens of countries. There are about 100 research reactors in the world that run on weapons-grade uranium fuel, according to the International Atomic Energy Agency (IAEA).¶ A terrorist “gun-type” uranium bomb can have a yield of least 10-15 kt, which is comparable to the yield of the bomb dropped on Hiroshima. The explosion of such a bomb in a modern metropolis can kill and wound hundreds of thousands and cause serious economic damage. There will also be long-term sociopsychological and political consequences.¶ The vast majority of states have introduced unprecedented security and surveillance measures at transportation and other large-scale public facilities after the terrorist attacks in the United States, Great Britain, Italy, and other countries. These measures have proved burdensome for the countries’ populations, but the public has accepted them as necessary. A nuclear terrorist attack will make the public accept further measures meant to enhance control even if these measures significantly restrict the democratic liberties they are accustomed to. Authoritarian states could be expected to adopt even more restrictive measures.¶ If a nuclear terrorist act occurs, nations will delegate tens of thousands of their secret services’ best personnel to investigate and attribute the attack. Radical Islamist groups are among those capable of such an act. We can imagine what would happen if they do so, given the anti-Muslim sentiments and resentment that conventional terrorist attacks by Islamists have generated in developed democratic countries. Mass deportation of the non-indigenous population and severe sanctions would follow such an attack in what will cause **violent protests in the Muslim world**. **Series of armed clashing terrorist attacks may follow**. The prediction that Samuel Huntington has made in his book “The Clash of Civilizations and the Remaking of World Order” may come true. Huntington’s book clearly demonstrates that it is not Islamic extremists that are the cause of the Western world’s problems. Rather there is a deep, intractable conflict that is rooted in the fault lines that run between Islam and Christianity. This is especially dangerous for Russia because these fault lines run across its territory. To sum it up, the political leadership of Russia has every reason to revise its list of factors that could undermine strategic stability.  BMD does not deserve to be even last on that list because its effectiveness in repelling massive missile strikes will be extremely low. BMD systems can prove useful only if deployed to defend against launches of individual ballistic missiles or groups of such missiles. Prioritization of other destabilizing factors—that could affect global and regional stability—merits a separate study or studies. But even without them I can conclude that nuclear terrorism should be placed on top of the list. The threat of nuclear terrorism is real, and a successful nuclear terrorist attack would lead to a radical transformation of the global order.  All of the threats on the revised list must become a subject of thorough studies by experts. States need to work hard to forge a common understanding of these threats and develop a strategy to combat them.

#### Bioweapons are imminent and cause extinction – they’re easily obtainable and overwhelm the best defenses

Myhrvold 13

Myhrvold, July 2013 [Nathan, formerly Chief Technology Officer at Microsoft, is co-founder of Intellectual Ventures—one of the largest patent holding companies in the world, “Strategic Terrorism: A Call to Action”, The Lawfare Research Paper Series Research paper NO . 2, <http://www.lawfareblog.com/wp-content/uploads/2013/07/Strategic-Terrorism-Myhrvold-7-3-2013.pdf>, BJM]

Biotechnology is advancing so rapidly that it is hard to keep track of all the new potential threats. Nor is it clear that anyone is even trying. In addition to lethality and drug resistance, many other parameters can be played with, given that the infectious power of an epidemic depends on many properties, including the length of the latency period during which a person is contagious but asymptomatic. Delaying the onset of serious symptoms allows each new case to spread to more people and thus makes the virus harder to stop. This dynamic is perhaps best illustrated by HIV , which is very difficult to transmit compared with smallpox and many other viruses. Intimate contact is needed, and even then, the infection rate is low. The balancing factor is that HIV can take years to progress to AIDS , which can then take many more years to kill the victim. What makes HIV so dangerous is that infected people have lots of opportunities to infect others. This property has allowed HIV to claim more than 30 million lives so far, and approximately 34 million people are now living with this virus and facing a highly uncertain future.15 A virus genetically engineered to infect its host quickly, to generate symptoms slowly—say, only after weeks or months—and to spread easily through the air or by casual contact would be vastly more devastating than HIV . It could silently penetrate the population to unleash its deadly effects suddenly. This type of epidemic would be almost impossible to combat because most of the infections would occur before the epidemic became obvious. A technologically sophisticated terrorist group could develop such a virus and **kill a large part of humanity with it**. Indeed, terrorists may not have to develop it themselves: some scientist may do so first and publish the details. Given the rate at which biologists are making discoveries about viruses and the immune system, at some point in the near future, someone may create artificial pathogens that could drive the human race to extinction. Indeed, a detailed species-elimination plan of this nature was openly proposed in a scientific journal. The ostensible purpose of that particular research was to suggest a way to extirpate the malaria mosquito, but similar techniques could be directed toward humans.16 When I’ve talked to molecular biologists about this method, they are quick to point out that it is slow and easily detectable and could be fought with biotech remedies. If you challenge them to come up with improvements to the suggested attack plan, however, they have plenty of ideas. Modern biotechnology will soon be capable, if it is not already, of bringing about the demise of the human race— or at least of killing a sufficient number of people to end high-tech civilization and set humanity back 1,000 years or more. That terrorist groups could achieve this level of technological sophistication may seem far-fetched, but keep in mind that it takes **only a handful of individuals** to accomplish these tasks. Never has lethal power of this potency been accessible to so few, so easily. Even more dramatically than nuclear proliferation, modern biological **science has frighteningly undermined the correlation between the lethality of a weapon and its cost**, a fundamentally stabilizing mechanism throughout history. Access to extremely lethal agents—lethal enough to exterminate Homo sapiens—will be available to anybody with a solid background in biology, terrorists included. The 9/11 attacks involved at least four pilots, each of whom had sufficient education to enroll in flight schools and complete several years of training. Bin Laden had a degree in civil engineering. Mohammed Atta attended a German university, where he earned a master’s degree in urban planning—not a field he likely chose for its relevance to terrorism. A future set of terrorists could just as easily be students of molecular biology who enter their studies innocently enough but later put their skills to homicidal use. Hundreds of universities in Europe and Asia have curricula sufficient to train people in the skills necessary to make a sophisticated biological weapon, and hundreds more in the United States accept students from all over the world. Thus it seems **likely** that sometime in the near future a small band of terrorists, or even a single misanthropic individual, will **overcome our best defenses** and do something truly terrible, such as fashion a bioweapon that **could kill millions or even billions** **of people**. Indeed, **the creation of such weapons within the next 20 years seems to be a virtual certainty**. The repercussions of their use are hard to estimate. One approach is to look at how the scale of destruction they may cause compares with that of other calamities that the human race has faced.

### Adv. 2 Firebreaks

#### The AUMF will inevitably expire in the squo – updating the authorization is key to prevent a limitless War on Terror based on article 2 and self-defense justifications that undermine US legitimacy and erode the global firebreak against use of force

**Barnes ‘12**

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**The AUMF must inevitably expire because it is expressly linked to the September 11,** 2001, **attacks** against the United States. Moreover, **because of the impending downfall of Al Qaeda** as we know it, **the statute's demise will come more quickly than most assume.** Although the United States still faces myriad terrorist threats, **the threat from Al Qaeda itself**--the "core" group actually responsible for 9/11--**is dissipating. So long as a substantial terrorist threat continues, however, the United States will require a framework within which to combat terrorist organizations and activities.** Consequently, **Congress should enact a new statute that supersedes the AUMF and addresses the major legal and constitutional issues relating to the use of force by the President that have arisen since the September 11 attacks and will persist in the foreseeable future.**¶A. The AUMF's Inevitable Expiration¶ Although it is difficult to determine exactly when the AUMF will become obsolete, the mere fact that a precise date is unclear should not lead to the conclusion that the AUMF will be perpetually valid. Al Qaeda, the organization responsible for the September 11, 2001, attacks is considered by some to have been already rendered "operationally ineffective" n102 and "crumpled at its core." n103 Moreover, even if Al Qaeda continues to possess the ability to threaten the United States, n104 not all terrorist organizations currently possess a meaningful link to Al Qaeda, rendering the AUMF already insufficient in certain circumstances. Indeed, individuals from across the political spectrum have recognized that the AUMF's focus on those involved in "the terrorist attacks that occurred on September 11, 2001" is outdated and no longer addresses the breadth of threats facing the United States. n105 At a certain point, the [\*84] terrorist groups that threaten the United States targets will no longer have a plausible or sufficiently direct link to the September 11, 2001, attacks. n106¶ This shift has likely already occurred. Former Attorney General Michael Mukasey, writing recently in support of efforts to reaffirm the original AUMF, noted that currently "there are organizations, including the Pakistani Taliban, that are arguably not within its reach." n107 It is similarly unclear if the AUMF extends to organizations like Al Qaeda in the Arabian Penninsula, whose formation as a group--and connection to Al Qaeda's "core"--postdates 9/11 and is indirect at best. n108 Former State Department Legal Adviser John Bellinger has argued that the Obama Administration's reliance on the AUMF for its targeted killing and detention operations is "legally risky" because "[s]hould our military or intelligence agencies wish to target or detain a terrorist who is not part of al-Qaeda, they would lack the legal authority to do so, unless the [\*85] administration expands (and the federal courts uphold) its legal justification." n109 Indeed, "[c]ircumstances alone . . . will put enormous pressure on--and ultimately render obsolete--the legal framework we currently employ to justify these operations." n110¶ While the court of public opinion seems to have accepted the AUMF's inevitable expiration, courts of law appear poised to accept this argument as well. Justice O'Connor's plurality opinion in Hamdi admitted that the AUMF granted "the authority to detain for the duration of the relevant conflict." n111 She also suggested, however, that that authority would terminate at some point, based on "the practical circumstances of [this] conflict," which may be "entirely unlike those of the conflicts that informed the development of the law of war." n112 Justice Kennedy's opinion in Boumediene also hinted that the future contours of the war on terror might force the Court to revisit the extent of the conflict. n113 Lower federal courts have already started to ask some of the questions about the duration of the AUMF's authority, which the Supreme Court has left unaddressed to date. n114¶ [\*86] The Obama Administration has notably disagreed with these assessments, arguing that the AUMF "is still a viable authorization today." n115 The administration's position, however, appears contradictory, as it has simultaneously described the limited reach of the AUMF as "encompass[ing] only those groups or people with a link to the terrorist attacks on 9/11, or associated forces" n116 and celebrated the functional neutralization of Al Qaeda as a continuing threat to U.S. national security. n117 The administration's position, however, remains in the minority. Notwithstanding the administration's continuing fealty to the 2001 statute, as pressures build to address these issues, the "temporal vitality" n118 of the AUMF will continue to be challenged. The successful targeting of those responsible for the attacks of September 11, 2001, will ensure that the AUMF's vitality will not be indefinite.¶ Moreover, even if one rejects as overly optimistic the position that Al Qaeda is currently or will soon be incapable of threatening the United States, the AUMF is already insufficient to reach many terrorist organizations. Assuming a robust Al Qaeda for the indefinite future does not change the disconnected status of certain terrorist groups; as much as it might wish to the contrary, Al Qaeda does not control all Islamist terrorism. n119¶ B. The Consequences of Failing to Reauthorize¶ The AUMF's inevitable expiration, brought about by the increasingly tenuous link between current U.S. military and covert [\*87] operations and those who perpetrated the September 11 attacks, leaves few good options for the Obama Administration. Unless Congress soon reauthorizes military force in the struggle against international terrorists, the administration will face difficult policy decisions. Congress, however, shows no signs of recognizing the AUMF's limited lifespan or a willingness to meaningfully re-write the statute. In light of this reticence, one choice would be for the Obama Administration to acknowledge the AUMF's limited scope and, on that basis, forego detention operations and targeted killings against non-Al Qaeda-related terrorists. For both strategic and political reasons, this is extremely unlikely, especially with a president in office who has already shown a willingness to defy legal criticism and aggressively target terrorists around the globe. n120 Another option would be for the Executive Branch to acknowledge the absence of legal authority, but continue targeted killings nonetheless. For obvious reasons, this option is problematic and unlikely to occur.¶ Therefore, the more likely result is that the Executive Branch, grappling with the absence of explicit legal authority for a critical policy, would need to make increasingly strained legal arguments to support its actions. n121 Thus, the Obama Administration will soon be forced to rationalize ongoing operations under existing legal authorities, which, I argue below, will have significant harmful consequences for the United States. Indeed, the administration faces a Catch-22--its efforts to destroy Al Qaeda as a functioning organization will lead directly to the vitiation of the AUMF. The administration is "starting with a result and finding the legal and policy justifications for it," which often leads to poor policy formulation. n122 Potential legal rationales would perforce rest on exceedingly strained legal arguments based on the AUMF itself, the President's Commander in Chief powers, or the international law of self-defense. n123 [\*88] Besides the inherent damage to U.S. credibility attendant to unconvincing legal rationales, each alternative option would prove legally fragile, destabilizing to the international political order, or both.¶ 1. Effect on Domestic Law and Policy¶ Congress's failure to reauthorize military force would lead to bad domestic law and even worse national security policy. First, a legal rationale based on the AUMF itself will increasingly be difficult to sustain. Fewer and fewer terrorists will have any plausible connection to the September 11 attacks or Al Qaeda, and arguments for finding those connections are already logically attenuated. The definition of those individuals who may lawfully be targeted and detained could be expanded incrementally from the current definition, defining more and more groups as Al Qaeda's "co-belligerents" and "associated forces." n124 But this approach, apart from its obvious logical weakness, would likely be rejected by the courts at some point. n125 The policy of the United States should not be to continue to rely on the September 18, 2001, AUMF.¶ Second, basing U.S. counterterrorism efforts on the President's constitutional authority as Commander in Chief is legally unstable, and therefore unsound national security policy, because a combination of legal difficulties and political considerations make it unlikely that such a rationale could be sustained. This type of strategy would likely run afoul [\*89] of the courts and risk destabilizing judicial intervention, n126 because the Supreme Court has shown a willingness to step in and assert a more proactive role to strike down excessive claims of presidential authority. n127 Politically, using an overly robust theory of the Commander in Chief's powers to justify counterterrorism efforts would, ultimately, be difficult to sustain. President Obama, who ran for office in large part on the promise of repudiating the excesses of the Bush Administration, and indeed any president, would likely face political pressure to reject the claims of executive authority made "politically toxic" by the writings of John Yoo. n128 Because of the likely judicial resistance and political difficulties, claiming increased executive authority to prosecute the armed conflict against Al Qaeda would prove a specious and ultimately futile legal strategy. Simply put, forcing the Supreme Court to intervene and overrule the Executive's national security policy is anathema to good public policy. In such a world, U.S. national security policy would lack stability--confounding cooperation with allies and hindering negotiations with adversaries.¶ There are, of course, many situations where the president's position as Commander in Chief provides entirely uncontroversial authority for military actions against terrorists. In 1998, President Clinton ordered cruise missile strikes against Al Qaeda-related targets in Afghanistan and [\*90] Sudan in response to the embassy bombings in Kenya and Tanzania. In 1986, President Reagan ordered air strikes against Libyan targets after U.S. intelligence linked the bombing of a Berlin discotheque to Libyan operatives. n129 Executive authority to launch these operations without congressional approval was not seriously questioned, and no congressional approval was sought. n130 To be sure, many of the targeted killing operations carried out today fall squarely within the precedent of past practice supplied by these and other valid exercises of presidential authority. Notwithstanding disagreement about the scope of Congress's and the president's "war powers," few would disagree with the proposition that the president needs no authorization to act in self-defense on behalf of the country. However, it is equally clear that not all terrorists pose such a threat to the United States, and thus the [\*91] Commander in Chief cannot justify all counterterrorism operations as "self-defense."¶ A third option would be to conduct all counterterrorism operations as covert operations under the aegis of Title 50. n131 Although the CIA typically carries out such "Title 50 operations," the separate roles of the military and intelligence community have become blurred in recent years. n132 The president must make a "finding" to authorize such operations, n133 which are conducted in secret to provide deniability for the U.S. Government. n134¶ Relying entirely on covert counterterrorism operations, however, would suffer from several critical deficiencies. First, even invoking the cloak of "Title 50," it is "far from obvious" that covert operations are legal without supporting authority. n135 In other words, Title 50 operations, mostly carried out by the CIA, likely also require "sufficient domestic law foundation in terms of either an AUMF or a legitimate claim of inherent constitutional authority for the use of force under Article II." n136 Second, covert operations are by definition kept out of public view, making it difficult to subject them to typical democratic review. In light of "the democratic deficit that already plagues the nation in the legal war [\*92] on terror," n137 further distancing counterterrorism operations from democratic oversight would exacerbate this problem. n138 Indeed, congressional oversight of covert operations--which, presumably, operates with full information--is already considered insufficient by many. n139 By operating entirely on a covert basis, "the Executive can initiate more conflict than the public might otherwise [be] willing to support." n140¶ In a world without a valid AUMF, the United States could base its continued worldwide counterterrorism operations on various alternative domestic legal authorities. All of these alternative bases, however, carry with them significant costs--detrimental to U.S. security and democracy. The foreign and national security policy of the United States should rest on "a comprehensive legal regime to support its actions, one that [has] the blessings of Congress and to which a court would defer as the collective judgment of the American political system about a novel set of [\*93] problems." n141 Only then can the President's efforts be sustained and legitimate.¶ 2. Effect on the International Law of Self-Defense¶ A failure to reauthorize military force would lead to significant negative consequences on the international level as well. Denying the Executive Branch the authority to carry out military operations in the armed conflict against Al Qaeda would force the President to find authorization elsewhere, most likely in the international law of self-defense--the jus ad bellum. n142 Finding sufficient legal authority for the United States's ongoing counterterrorism operations in the international law of self-defense, however, is problematic for several reasons. As a preliminary matter, relying on this rationale usurps Congress's role in regulating the contours of U.S. foreign and national security policy. If the Executive Branch can assert "self-defense against a continuing threat" to target and detain terrorists worldwide, it will almost always be able to find such a threat. n143 Indeed, the Obama Administration's broad understanding of the concept of "imminence" illustrates the danger of allowing the executive to rely on a self-defense authorization alone. n144 [\*94] This approach also would inevitably lead to dangerous "slippery slopes." Once the President authorizes a targeted killing of an individual who does not pose an imminent threat in the strict law enforcement sense of "imminence," n145 there are few potential targets that would be off-limits to the Executive Branch. Overly malleable concepts are not the proper bases for the consistent use of military force in a democracy. Although the Obama Administration has disclaimed this manner of broad authority because the AUMF "does not authorize military force against anyone the Executive labels a 'terrorist,'" n146 relying solely on the international law of self defense would likely lead to precisely such a result.¶ The slippery slope problem, however, is not just limited to the United States's military actions and the issue of domestic control. The creation of international norms is an iterative process, one to which the United States makes significant contributions. Because of this outsized influence, the United States should not claim international legal rights that it is not prepared to see proliferate around the globe. Scholars have observed that the Obama Administration's "expansive and open-ended interpretation of the right to self-defence threatens to destroy the prohibition on the use of armed force . . . ." n147 Indeed, "[i]f other states were to claim the broad-based authority that the United States does, to kill people anywhere, anytime, the result would be chaos." n148¶ [\*95] Encouraging the proliferation of an expansive law of international self-defense would not only be harmful to U.S. national security and global stability, but it would also directly contravene the Obama Administration's national security policy, sapping U.S. credibility. The Administration's National Security Strategy emphasizes U.S. "moral leadership," basing its approach to U.S. security in large part on "pursu[ing] a rules-based international system that can advance our own interests by serving mutual interests." n149 Defense Department General Counsel Jeh Johnson has argued that "[a]gainst an unconventional enemy that observes no borders and does not play by the rules, we must guard against aggressive interpretations of our authorities that will discredit our efforts, provoke controversy and invite challenge." n150 Cognizant of the risk of establishing unwise international legal norms, Johnson argued that the United States "must not make [legal authority] up to suit the moment." n151 The Obama Administration's global counterterrorism strategy is to "adher[e] to a stricter interpretation of the rule of law as an essential part of the wider strategy" of "turning the page on the past [and rooting] counterterrorism efforts within a more durable, legal foundation." n152¶ [\*96] Widely accepted legal arguments also facilitate cooperation from U.S. allies, especially from the United States' European allies, who have been wary of expansive U.S. legal interpretations. n153 Moreover, U.S. strategy vis-a-vis China focuses on binding that nation to international norms as it gains power in East Asia. n154 The United States is an international "standard-bearer" that "sets norms that are mimicked by others," n155 and the Obama Administration acknowledges that its drone strikes act in a quasi-precedential fashion. n156 Risking the obsolescence of the AUMF would force the United States into an "aggressive interpretation" of international legal authority, n157 not just discrediting its [\*97] own rationale, but facilitating that rationale's destabilizing adoption by nations around the world. n158¶ United States efforts to entrench stabilizing global norms and oppose destabilizing international legal interpretations--a core tenet of U.S. foreign and national security policy n159 --would undoubtedly be hampered by continued reliance on self defense under the jus ad bellum to authorize military operations against international terrorists. Given the presumption that the United States's armed conflict with these terrorists will continue in its current form for at least the near term, ongoing authorization at the congressional level is a far better choice than continued reliance on the jus ad bellum. Congress should reauthorize the use of force in a manner tailored to the global conflict the United States is fighting today. Otherwise, the United States will be forced to continue to rely on a statute anchored only to the continued presence of those responsible for 9/11, a group that was small in 2001 and, due to the continued successful targeting of Al Qaeda members, is rapidly approaching zero.

#### We control terminal impact uniqueness - war taboo strong and effective now. Norms prevents miscalc and escalation

Beehner, 12

Council on Foreign Relations senior writer; Truman National Security Project fellow

[Lionel, "Is There An Emerging ‘Taboo’ Against Retaliation?" The Smoke Filled Room, 7-13-12, thesmokefilledroomblog.com/2012/07/13/is-there-an-emerging-taboo-against-retaliation/, accessed 9-22-13, ]

The biggest international news in the quiet months before 9/11 was the collision of a U.S. Navy spy aircraft and a PLA fighter jet in China, during which 24 American crew members were detained. Even though the incident was lampooned on SNL, there was real concern that the incident would blow up, damaging already-tense relations between the two countries. But it quickly faded and both sides reached an agreement. Quiet diplomacy prevailed. Flash-forward a decade later and we have a similar border incident of a spy plane being shot down between Turkey and Syria. Cue the familiar drumbeats for war on both sides. To save face, each side has ratcheted up its hostile rhetoric (even though Syria’s president did offer something of an admission of guilt). But, as in the spring of 2001, I wouldn’t get too worried. One of the least noted global norms to emerge in recent decades has been the persistence of state restraint in international relations. Retaliation has almost become an unstated taboo. Of course, interstate war is obviously not a relic of previous centuries, but nor is it as commonplace anymore, despite persistent flare-ups that have the potential to escalate to full-blown war. Consider the distinct cases of India and South Korea. Both have sustained serious attacks with mass casualties in recent years: South Korea saw 46 of its sailors killed after the Cheonan, a naval vessel, was sunk by North Korea; India saw 200 citizens killed by the Mumbai attacks, orchestrated by Islamist groups with links to Pakistani intelligence. Yet neither retaliated with military force. Why? The short answer might be: Because a response may have triggered a nuclear war (both Pakistan and North Korea are nuclear-armed states). So nukes in this case may have acted as a deterrent and prevented an escalation of hostilities. But I would argue that it was not the presence of nuclear weapons that led to restraint but rather normative considerations. South Korea and India are also both rising democratic powers with fast-growing economies, enemies along their peripheries, and the military and financial backing of the United States. Their leaders, subject to the whims of an electorate, may have faced domestic pressures to respond with force or suffer reputational costs. And yet no escalation occurred and war was averted. Again, I argue that this is because there is an emerging and under-reported norm of restraint in international politics. Even Russia’s invasion of Georgia in August 2008, which may at first appear to disprove this theory, actually upholds it: The Russians barely entered into Georgia proper and could easily have marched onto the capital. But they didn’t. The war was over in 5 days and Russian troops retreated to disputed provinces. Similarly, Turkey will not declare war on Syria, no matter how angry it is that Damascus shot down one of its spy planes. Quiet diplomacy will prevail. In 1999, Nina Tannenwald made waves by proclaiming the emergence of what she called a “nuclear taboo” – that is, the non-use of dangerous nukes had emerged as an important global norm. Are we witnessing the emergence of a similar norm for interstate war? Even as violence rages on in the form of civil war and internal political violence all across the global map, interstate conflict is increasingly rare. My point is not to echo Steven Pinker, whose latest book, The Better Angles of Our Nature, painstakingly details a “civilizing process” and “humanitarian revolution” that has brought war casualties and murder rates down over the centuries. I’m not fully convinced by his argument, but certainly agree with the observation that at the state level, a norm of non-retaliation has emerged. The question is why. Partly, war no longer makes as much sense as in the past because capturing territory is no longer as advantageous as it once was. We no longer live in a world where marauding throngs of Dothraki-like bandits – or what Mancur Olson politely called “non-stationary bandits” – seek to expand their writ over large unconquered areas. This goes on, of course, at the intrastate level, but the rationale for interstate war for conquest is no longer as strong. Interstate wars of recent memory — the Eritrea-Ethiopia conflicts of 1999 and 2005, the Russia-Georgia War of 2008 — upon closer inspection, actually look more like intrastate wars. The latter was fought over two secessionist provinces; the former between two former rebel leaders-turned-presidents who had a falling out. But if we have reached a norm of non-retaliation to threats or attacks, does that mean that deterrence is no longer valid? After all, if states know there will be no response, why not step up the level of attacks? I would argue that the mere threat of retaliation is enough, as evidenced by Turkish leaders’ harsh words toward Syria (there is now a de facto no-fly zone near their shared border). Still, doesn’t restraint send a signal of weakness and lack of resolve? After all, didn’t Seoul’s non-response to the Cheonan sinking only invite Pyongyang to escalate hostilities? Robert Jervis dismisses the notion that a tough response signals resolve as being overly simplified. The observers’ interpretation of the actor and the risks involved also matter. When Schelling writes about the importance of “saving face,” he describes it as the “interdependence of a country’s commitments; it is a country’s reputation for action, the expectations other countries have about its behavior.” Others note that the presence of nuclear weapons forces states, when attacked, to respond with restraint to avoid the risk of nuclear escalation. Hence, we get “limited wars” rather than full-blown conflicts, or what some deterrent theorists describe as the “stability-instability paradox.” This is not a new concept, of course: Thucydides quoted King Archimadus of Sparta: “And perhaps then they see that our actual strength is keeping pace with the language that we use, they will be more inclined to give way, since their land will still be untouched and, in making up their minds, they will be thinking of advantages which they still possess and which have not yet been destroyed.” There will be future wars between states, of course. But **the days when an isolated incident, such as a spy plane being shot down or a cross-border incursion, can unleash a chain of events that lead to interstate wars** I believe are largely over **because of the emergence of restraint as a powerful norm**ative force in international politics, not unlike Tannenwald’s “nuclear taboo.” Turkey and Syria will only exchange a war of words, not actual hostilities. To do otherwise would be a violation of this existing norm.

#### Specifically, erosion of the use of force taboo triggers nuclear conflict between India and Pakistan and China and Taiwan

Obayemi, 6

East Bay Law School professor [Olumide, admitted to the Bars of Federal Republic of Nigeria and the State of California, Golden Gate University School of Law, "Article: Legal Standards Governing Pre-Emptive Strikes and Forcible Measures of Anticipatory Self-Defense Under the U.N. Charter and General International Law," 12 Ann. Surv. Int'l & Comp. L. 19, l/n, accessed 9-19-13, ]

The United States must abide by the rigorous standards set out above that are meant to govern the use of preemptive strikes, because today's international system is characterized by a relative infrequency of interstate war. It has been noted that developing doctrines that lower the threshold for preemptive action could put that accomplishment at risk, and exacerbate regional crises already on the brink of open conflict. n100 This is important as O'Hanlon, Rice, and Steinberg have rightly noted: ...countries already on the brink of war, and leaning strongly towards war, might use the doctrine to justify an action they already wished to take, and the effect of the U.S. posture may make it harder for the international community in general, and the U.S. in particular, to counsel delay and diplomacy. Potential **examples abound**, ranging from Ethiopia and Eritrea, to China and Taiwan, to the Middle East. But perhaps the clearest case is the India-Pakistan crisis. n101 The world must be a safe place to live in. We cannot be ruled by bandits and rogue states. There must be law and order not only in the books but in enforcement as well. No nation is better suited to enforce international law than the United States. The Bush Doctrine will stand the test [\*42] of time and survive. Again, we submit that nothing more would protect the world and its citizens from nuclear weapons, terrorists and rogue states than an able and willing nation like the United States, acting as a policeman of the world within all legal boundaries. This is the essence of the preamble to the United Nations Charter.

#### Indo-Pak nuclear war causes extinction

Starr ’11

(Consequences of a Single Failure of Nuclear Deterrence by Steven Starr February 07, 2011 \* Associate member of the Nuclear Age Peace Foundation \* Senior Scientist for PSR)

Only a single failure of nuclear deterrence is required to start a nuclear war, and the consequences of such a failure would be profound. **Peer-reviewed studies predict** that **less than 1% of** the **nuclear weapons** now deployed in the arsenals of the Nuclear Weapon States, if detonated in urban areas, would immediately kill tens of millions of people, and cause long-term, **catastrophic disruptions** of the global **climate and** massive destruction ofEarth’sprotective **ozone** layer. The result would be a global nuclear famine that could kill up to one billion people. A full-scale war, fought with the strategic nuclear arsenals of the United States and Russia, would so utterly devastate Earth’s environment that most humans and other complex forms of life would not survive. Yet no Nuclear Weapon State has ever evaluated the environmental, ecological or agricultural consequences of the detonation of its nuclear arsenals in conflict. Military and political leaders in these nations thus remain dangerously unaware of the existential danger which their weapons present to the entire human race. Consequently, nuclear weapons remain as the cornerstone of the military arsenals in the Nuclear Weapon States, where nuclear deterrence guides political and military strategy. Those who actively support nuclear deterrence are trained to believe that deterrence cannot fail, so long as their doctrines are observed, and their weapons systems are maintained and continuously modernized. They insist that their nuclear forces will remain forever under their complete control, immune from cyberwarfare, sabotage, terrorism, human or technical error. They deny that the short 12-to-30 minute flight times of nuclear missiles would not leave a President enough time to make rational decisions following a tactical, electronic warning of nuclear attack. The U.S. and Russia continue to keep a total of 2000 strategic nuclear weapons at launch-ready status – ready to launch with only a few minutes warning. Yet both nations are remarkably unable to acknowledge that this high-alert status in any way increases the probability that these weapons will someday be used in conflict. How can strategic nuclear arsenals truly be “safe” from accidental or unauthorized use, when they can be launched literally at a moment’s notice? A cocked and loaded weapon is infinitely easier to fire than one which is unloaded and stored in a locked safe. The mere existence of immense nuclear arsenals, in whatever status they are maintained, makes possible their eventual use in a nuclear war. Our **best scientists** now **tell us** that **such a war would mean the end of human history**. We need to ask our leaders: Exactly what political or national goals could possibly justify risking a nuclear war that would likely cause the extinction of the human race? However, in order to pose this question, we must first make the fact known that existing nuclear arsenals – through their capacity to utterly devastate the Earth’s environment and ecosystems – threaten continued **human existence**. Otherwise, military and political leaders will continue to cling to their nuclear arsenals and will remain both unwilling and unable to discuss the real consequences of failure of deterrence. We can and must end the silence, and awaken the peoples of all nations to the realization that “nuclear war” means “global nuclear suicide”. A Single Failure of Nuclear Deterrence could lead to: \* A nuclear war **between India and Pakistan**; \* 50 Hiroshima-size (15 kiloton) weapons detonated in the mega-cities of both India and Pakistan (there are now 130-190 operational nuclear weapons which exist in the combined arsenals of these nations); \* The deaths of 20 to 50 million people as a result of the prompt effects of these nuclear detonations (blast, fire and radioactive fallout); \* Massive firestorms covering many hundreds of square miles/kilometers (created by nuclear detonations that produce temperatures hotter than those believed to exist at the center of the sun), that would engulf these cities and produce 6 to 7 million tons of thick, black smoke; \* About 5 million tons of smoke that would quickly rise above cloud level into the stratosphere, where strong winds would carry it around the Earth in 10 days; \* A stratospheric smoke layer surrounding the Earth, which would remain in place for 10 years; \* The dense smoke would heat the upper atmosphere, destroy Earth’s protective ozone layer, and block 7-10% of warming sunlight from reaching Earth’s surface; \* 25% to 40% of the protective ozone layer would be destroyed at the mid-latitudes, and 50-70% would be destroyed at northern and southern high latitudes; \* Ozone destruction would cause the average UV Index to increase to 16-22 in the U.S, Europe, Eurasia and China, with even higher readings towards the poles (readings of 11 or higher are classified as “extreme” by the U.S. EPA). It would take 7-8 minutes for a fair skinned person to receive a painful sunburn at mid-day; \* Loss of warming sunlight would quickly produce average surface temperatures in the Northern Hemisphere colder than any experienced in the last 1000 years; \* Hemispheric drops in temperature would be about twice as large and last ten times longer then those which followed the largest volcanic eruption in the last 500 years, Mt. Tambora in 1816. The following year, 1817, was called “The Year Without Summer”, which saw famine in Europe from massive crop failures; \* Growing seasons in the Northern Hemisphere would be significantly shortened. It would be too cold to grow wheat in most of Canada for at least several years; \* World grain stocks, which already are at historically low levels, would be completely depleted; grain exporting nations would likely cease exports in order to meet their own food needs; \* The one billion already hungry people, who currently depend upon grain imports, would likely starve to death in the years following this nuclear war; \* The total explosive power in these 100 Hiroshima-size weapons is less than 1% of the total explosive power contained in the currently operational and deployed U.S. and Russian nuclear forces.

#### So does China-Taiwan

Straits Times 2k

(6-25, Lexis, No one gains in war over Taiwan)

THE DOOMSDAY SCENARIO THE high-intensity scenario postulates a cross-strait war escalating into a full-scale war between the US and China. If Washington were to conclude that splitting China would better serve its national interests, then a full-scale war becomes unavoidable. Conflict on such a scale would embroil other countries far and near and -- horror of horrors -- raise the possibility of a nuclear war. Beijing has already told the US and Japan privately that it considers any country providing bases and logistics support to any US forces attacking China as belligerent parties open to its retaliation. In the region, this means South Korea, Japan, the Philippines and, to a lesser extent, Singapore. If China were to retaliate, east Asia will be set on fire. And the conflagration may not end there as opportunistic powers elsewhere may try to overturn the existing world order. With the US distracted, Russia may seek to redefine Europe's political landscape. The balance of power in the Middle East may be similarly upset by the likes of Iraq. In south Asia, hostilities between India and Pakistan, each armed with its own nuclear arsenal, could enter a new and dangerous phase. Will a full-scale Sino-US war lead to a nuclear war? According to General Matthew Ridgeway, commander of the US Eighth Army which fought against the Chinese in the Korean War, the US had at the time thought of using nuclear weapons against China to save the US from military defeat. In his book The Korean War, a personal account of the military and political aspects of the conflict and its implications on future US foreign policy, Gen Ridgeway said that US was confronted with two choices in Korea -- truce or a broadened war, which could have led to the use of nuclear weapons. If the US had to resort to nuclear weaponry to defeat China long before the latter acquired a similar capability, there is little hope of winning a war against China 50 years later, short of using nuclear weapons. The US estimates that China possesses about 20 nuclear warheads that can destroy major American cities. Beijing also seems prepared to go for the nuclear option. A Chinese military officer disclosed recently that Beijing was considering a review of its "non first use" principle regarding nuclear weapons. Major-General Pan Zhangqiang, president of the military-funded Institute for Strategic Studies, told a gathering at the Woodrow Wilson International Centre for Scholars in Washington that although the government still abided by that principle, there were strong pressures from the military to drop it. He said military leaders considered the use of nuclear weapons mandatory if the country risked dismemberment as a result of foreign intervention. Gen Ridgeway said that should that come to pass, we would see the destruction of civilisation. There would be no victors in such a war. While the prospect of a nuclear Armaggedon over Taiwan might seem inconceivable, it cannot be ruled out entirely, for China puts sovereignty above everything else.

### Plan

**The United States federal government should increase restrictions on the targeted killing and indefinite detention war powers authorities granted to the President of the United States by Public Law 107-40 and modified by the 2012 National Defense Authorization Act by limiting the targets of those authorities to al-Qaeda, the Taliban, or those nations, organizations, or persons who enjoy close and well-established collaboration with al-Qaeda or the Taliban.**

### Solvency

#### Action to clearly define the enemy restricts the executive scope of the AUMF while preserving presidential flexibility and the joint decision-making capabilities

**Cronogue ‘12**

[Graham. Duke University School of Law, J.D. expected 2013; University of North Carolina B.A. 2010. 22 Duke J. Comp. & Int'l L. 377 2011-2012. ETB]

The AUMF must be updated. In 2001, the AUMF authorized force to ¶ fight against America’s most pressing threat, the architects of 9/11. However, much has changed since 2001. Bin Laden is dead, the Taliban ¶ has been deposed, and it is extremist organizations other than al-Qaeda and ¶ the Taliban who are launching many of the attacks against Americans and ¶ coalition partners.124 In many ways, the greatest threat is coming from ¶ groups not even around in 2001, groups such as AQAP and al Shabaab.125¶ Yet these groups do not fall under the AUMF’s authorization of force. ¶ These groups are not based in the same country that launched the attacks, ¶ have different leaders, and were not involved in planning or coordinating ¶ 9/11. Thus, under a strict interpretation of the AUMF, the President is not ¶ authorized to use force against these groups. ¶ Congress needs to specifically authorize force against groups outside of al-Qaeda and the Taliban. Our security concerns demand that the ¶ President can act quickly and decisively when facing threats. The current ¶ authorization does not cover many of these threats, yet it is much more ¶ difficult to achieve this decisiveness if the President is forced to rely solely ¶ on his inherent powers. A clear congressional authorization would clear up ¶ much of this problem. Under Justice Jackson’s framework, granting or ¶ denying congressional authorization ensures that President does not operate ¶ in the “zone of twilight.”126 Therefore, if Congress lays out the exact scope ¶ of the President’s power, naming or clearly defining the targeted actors, the ¶ constitutionality or unconstitutionality of presidential actions will become ¶ much clearer.127¶ Removing the 9/11 nexus to reflect the current reality of war without ¶ writing a carte blanche is the most important form of congressional ¶ guidance regarding target authorization. In order for the President to ¶ operate under the current AUMF, he must find a strong nexus between the ¶ target and the attacks on September 11. As I have shown in this paper, this ¶ nexus is simply non-existent for many groups fighting the United States ¶ today. Yet, the President should want to operate pursuant to congressional ¶ authorization, Justice Jackson’s strongest zone of presidential authority. In ¶ order to achieve this goal, the administration has begun to stretch the ¶ statutory language to include groups whose connection to the 9/11 attacks, ¶ if any, is extraordinarily limited. The current presidential practice only ¶ nominally follows the AUMF, a practice Congress has seemingly ¶ consented to by failing to amend the statute for over ten years. This “stretching” is dangerous as Congress is no longer truly behind the ¶ authorization and has simply acquiesced to the President’s exercise of ¶ broad authority. ¶ The overarching purpose of the new authorization should be to make it ¶ clear that the domestic legal foundation for using military force is not ¶ limited to al-Qaeda and the Taliban but also extends to the many other ¶ organizations fighting the United States. The language in Representative ¶ McKeon’s bill does a fairly good job of achieving this goal by specifically ¶ naming al-Qaeda and the Taliban along with the term “associated force.” ¶ This provision makes it clear the President is still authorized to use force ¶ against those responsible for 9/11 and those that harbored them by ¶ specifically mentioning al-Qaeda and the Taliban. However, the additional ¶ term “associated force” makes it clear that the authorization is not limited ¶ to these two groups and that the President can use force against the allies ¶ and separate branches of al-Qaeda and the Taliban. This creates a very ¶ flexible authorization. ¶ Despite the significant flexibility of the phrase “associated force ¶ engaged in hostilities”, I would propose defining the term or substituting a ¶ more easily understood and limited term. Associated force could mean ¶ many things and apply to groups with varying levels of involvement. ¶ Arguably any group that strongly identifies with or funds al-Qaeda or the ¶ Taliban could be an associated force. Thus, we could end up in the ¶ previously describe situation where group “I” who is in conflict with the ¶ United States or a coalition partner in Indonesia over a completely different ¶ issue becomes a target for its support of an associated force of al-Qaeda. ¶ Beyond that, the United States is authorized to use all necessary force ¶ against any groups that directly aid group “I” in its struggle. ¶ My proposal for the new AUMF would appear as follows: ¶ AFFIRMATION OF ARMED CONFLICT WITH AL-QAEDA, ¶ THE TALIBAN, AND ASSOCIATED FORCES ¶ Congress affirms that— ¶ (1) the United States is engaged in an armed conflict with al-Qaeda, the ¶ Taliban, and associated forces and that those entities continue to ¶ pose a threat to the United States and its citizens, both domestically ¶ and abroad; ¶ a. for the purposes of this statute, an associated force is a ¶ nation, organization, or person who enjoys close and wellestablished collaboration with al-Qaeda or the Taliban and ¶ as part of this relationship has either engaged in or has ¶ intentionally provided direct tactical or logistical support ¶ for armed conflict against the United States or coalition ¶ partners.¶ the President has the authority to use all necessary and appropriate ¶ force during the current armed conflict with al-Qaeda, the Taliban, ¶ and associated forces pursuant to the Authorization for Use of ¶ Military Force (Public Law 107-40; 50 U.S.C. 1541); ¶ (3) the current armed conflict includes nations, organization, and ¶ persons who— ¶ a. are part of al-Qaeda, the Taliban, or associated forces; or ¶ b. engaged in hostilities or have directly supported hostilities ¶ in aid of a nation, organization or person described in ¶ subparagraph (A); ¶ c. or harbored a nation, organization, or person described in ¶ subparagraph (A); and ¶ (4) the President’s authority pursuant to the Authorization for Use of ¶ Military Force includes the authority to detain belligerents, ¶ including persons described in paragraph (3), until the termination ¶ of hostilities. ¶ (5) Nothing in this authorization should be construed to limit the ¶ President’s ability to respond to new and emerging threats or engage ¶ in appropriate and calculated actions of self-defense. ¶ The definition of “associated forces” will add much needed clarity and ¶ provide congressional guidance in determining what groups actually fall ¶ under this provision. Rather than putting faith in the President not to abuse ¶ his discretion, Congress should simply clarify what it means and limit his ¶ discretion to acceptable amounts. The “close and well-established ¶ collaboration” ensures that only groups with very close and observable ties ¶ to al-Qaeda and the Taliban are designated as “associated forces.” While ¶ the requirement that part of their collaboration involve some kind of ¶ tactical or logistical support ensures that those classified as enemy ¶ combatants are actually engaged, or part of an organization that is engaged, ¶ in violence against the United States. Also, requiring that the associated ¶ force’s violence be directed at the United States or a coalition partner and ¶ that this violence is part of its relationship with al-Qaeda or the Taliban is ¶ another important limitation. ¶ First, requiring the associated force to engage in violence that is ¶ directed at these nations ensures that “associated force” does not include ¶ countries such as Iran that might have a relationship with al-Qaeda and ¶ give it financial support but are not actually in violent conflict with the ¶ United States. Second, requiring that this violence is made in furtherance of ¶ its relationship with al-Qaeda and the Taliban ensures that the violence that ¶ makes a group an “associated force” is actually related to its collaboration ¶ with al-Qaeda and the Taliban. Without this second provision, a group that supports al-Qaeda would be elevated to an “associated force” if it engaged ¶ in violence with, for instance, Australia over a completely unrelated issue. ¶ While some groups that work closely with and support al-Qaeda ¶ would not be considered associated forces, it is important to limit the scope ¶ of this term. This label effectively elevates the group to the same status as ¶ al-Qaeda and the Taliban and attaches authorization for force against any ¶ group that supports or harbors it. Furthermore, there is little real harm by ¶ narrowly defining associated forces because the groups that do support alQaeda will still be subject to the authorization under the “support” or ¶ “harbor” prongs. Narrowly defining “associated forces” simply prevents ¶ the problem of authorization spreading to supporters of those who are ¶ merely supporters of al-Qaeda. ¶ Compared to Representative McKeon’s proposal, these new ¶ provisions would narrow the scope of authorization. The President would ¶ not be able to use this authorization to attack new groups that both spring ¶ up outside our current theater and have no relation to al-Qaeda, the Taliban ¶ or the newly defined associated forces. However, part (5) of my ¶ authorization would ensure that the President is not unnecessarily restricted ¶ in responding to new and emergent threats from organizations that do not ¶ collaborate and support al-Qaeda. In this way, the proposal incorporates ¶ Robert Chesney’s suggestion, “[i]t may be that it [is] better to draw the ¶ statutory circle narrowly, with language making clear that the narrow ¶ framing does not signify an intent to try and restrict the President’s ¶ authority to act when necessary against other groups in the exercise of ¶ lawful self-defense.”128 The purpose of the new AUMF should not be to ¶ give the President a carte blanche to attack any terrorist or extremist group ¶ all over the world. The purpose of this authorization is to provide clear ¶ authorization for the use of force against al-Qaeda and its allies. Moreover, ¶ if a new group is created that has no relation to any of the relevant actors ¶ defined in this statute, Congress can pass another authorization that ¶ addresses this reality. The purpose of congressional authorization should ¶ not be to authorize the President to act against every conceivable threat to ¶ American interests. In fact, such an authorization would effectively strip ¶ Congress of its constitutional war making powers. Instead, the new ¶ proposal should provide clear domestic authorization for the use of force against those nations that present the greatest threat to the United States ¶ today.

**Obama will adhere to the plan- wants to rely on congressional authority**

**WSJ ‘12**

[Julian Barnes and Evan Perez. December 6. <http://online.wsj.com/article/SB10001424127887323316804578163724113421726.html> ETB]

Obama **administration officials, concerned about the legal justifications behind counterterrorism operations, have preferred to rely on congressional authority for the use of force against al Qaeda, seeing such authority as more defensible** and acceptable **to allies.**

#### No disads – restrictions now

Miller 1/15/14

(Greg Miller “Lawmakers seek to stymie plan to shift control of drone campaign from CIA to Pentagon” http://www.washingtonpost.com/world/national-security/lawmakers-seek-to-stymie-plan-to-shift-control-of-drone-campaign-from-cia-to-pentagon/2014/01/15/c0096b18-7e0e-11e3-9556-4a4bf7bcbd84\_print.html)

Congress has moved to block President Obama’s plan to shift control of the U.S. drone campaign from the CIA to the Defense Department, inserting a secret provision in the massive government spending bill introduced this week that would preserve the spy agency’s role in lethal counterterrorism operations, U.S. officials said.¶ The measure, included in a classified annex to the $1.1 trillion federal budget plan, would restrict the use of any funding to transfer unmanned aircraft or the authority to carry out drone strikes from the CIA to the Pentagon, officials said.¶ The provision represents an unusually direct intervention by lawmakers into the way covert operations are run, impeding an administration plan aimed at returning the CIA’s focus to traditional intelligence gathering and possibly bringing more transparency to drone strikes.

**Military will adhere to the plan**

**Dunlap ‘12**

[Maj. Gen. Charles J. Dunlap Jr. (Ret.), Professor of the Practice of Law¶ Executive Director, Center on Law, Ethics and National Security @ Duke. In Patriot Debates: Contemporary Issues in National Security Law. <http://www.americanbar.org/groups/public_services/law_national_security/patriot_debates2/the_book_online/ch9/ch9_ess2.html> ETB]

This raises an important question: **Should America wage war— cyber or otherwise—without legal “limits”? Military commanders have seen the no-legal-limits movie before and they do not like it.** In the aftermath of 9/11, civilian lawyers moved in exactly that direction. Former Attorney General Alberto Gonzales, for example, rejected parts of the Geneva Conventions as “quaint.” He then aligned himself with other civilian government lawyers who seemed to believe that the President’s war-making power knew virtually no limits. The most egregious example of this mindset was their endorsement of interrogation techniques now widely labeled as torture.25 **The results of the no-legal-limits approach were disastrous**. The ill-conceived civilian-sourced interrogation, detention, and military tribunal policies, implemented over the persistent objections of America’s military lawyers, caused an international uproar that profoundly injured critical relations with indispensable allies.26 Even more damaging, they put the armed forces on the road to Abu Ghraib, a catastrophic explosion of criminality that produced what military leaders like then U.S. commander in Iraq Lieutenant General Ricardo Sanchez labeled as a “clear defeat.”27 Infused with illegalities, Abu Ghraib became the greatest reversal America has suffered since 9/11. In fact, in purely military terms, it continues to hobble counterterrorism efforts. General David **Petraeus observed that “Abu Ghraib and other situations like that are non-biodegradable**. They don’t go away.” “**The enemy,” Petraeus says, “continues to beat you with them like a stick**.”28 In short, **military commanders want to adhere to the law because they have hard experience with the consequences of failing to do so.**

# 2AC

## Case

### Terror

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

Boyle 8

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

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

#### Perm do both

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

Boyle 8

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

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

**REJECTING THE FEAR OF DISEASE CAUSES NONSCIENTIFIC FEARS TO FILL IN - THESE NONSCIENTIFIC FEARS LEAD TO MASSIVE HEALTH POLICY FAILURE, CAUSES DEATH OF MILLIONS– DDT PROVES.**

**Trewavas, 2008.** Professor Molecular and Cell Biology (Anthony, U. Edinburgh, and Fellow of Royal Society, and Winner of the American Society for Plant Biologists Corresponding Membership, Trends in Biotechnology, “The cult of the amateur in agriculture threatens food security”, 26:9, ScienceDirect //

**The publication of ‘Silent Spring’**, a misleading polemic about pesticides (specifically DDT) **by** Rachel **Carson saw the start of opposition to conventional agriculture [7]. Her knowledge of toxicology, which was the real subject of her book, was poor**; unsurprising because she **was actually a marine biologist. However, her message of fear**, despite her marginal qualification, **appealed to a section of the public, who were even less qualified but strongly opinionated. As a result of minority agitation, bans were imposed on DDT use. The disastrous consequence was an enormous resurgence of malaria in developing and third world countries where it had been virtually eliminated and the associated premature deaths of many millions of third world children [8]. That is the true Carson memorial**. The western environmental activists whose thoughtless agitation was responsible for implementation of the ban have never shown sorrow or contrition. **Moderation of DDT use would have been a more sensible course of action.** DDT is an organo-halogen and remarkably non-toxic to mankind but supposedly banned because of its bioaccumulation. There are at least 3800 organo-halogens made naturally by marine organisms: some even have chemical structures similar to currently used fire retardants [9] and [10]. Some of these natural organo-halogens bioaccumulate through marine food chains and have even been detected in human breast milk. What next, ban nature? Mankind values what is scarce. An abundance of cheap, nutritious food from the late 1960s onwards produced government and public indifference. Governments had decided food security was solved and need no longer be their concern. Consequently, agricultural research funding was slashed, institutes were closed and related university courses abandoned. Technological advances were no longer defended against environmental agitation. It was quickly forgotten that the prime aim of agriculture was to grow food and provide food security. **Various environmental groups moved to fill the vacuum left by government and to get their way, trafficked in fear. There had always been envy amongst these environmentalist groups of the status accorded to scientific knowledge, and the aim was to replace it with policies based on their own fears and ignorance**. To promote organic agriculture, for example, it was claimed that synthetic pesticide traces (‘chemicals’) were dangerous, citing biological effects observed in test animals at amounts not, vert, similar1 million times higher than present in foodstuffs. Those who agitate about pesticides can list the names of the pesticide traces in their food down to the femto-mole level. But the name of any natural pesticide escapes them. Higher plants synthesize an estimated 100 000 natural pesticides (representing 1–5% of the dry weight) that efficiently kill insect herbivores 11 B.N. Ames and L.S. Gold, Paracelsus to parascience: the environmental cancer distraction, Mutat. Res. 447 (2000), pp. 3–13. Article | PDF (103 K) | View Record in Scopus | Cited By in Scopus (47)[11], [12] and [13] and occasionally humans [14]. Many of these have been extracted, and when tested like synthetic pesticides are equally toxic. The average fruit and vegetable diet contains numerous nerve toxins, carcinogens, teratogens, oestrogen mimics, clastogens, psychoactive chemicals and other chemicals that damage blood, thyroid and skin; similar if not identical in action to the biological effects of synthetic pesticides. But at 2–3 gm/day in the average diet, these natural chemicals outweigh the synthetic traces by at least 20 000-fold. Environmentalist groups claim there are possible health effects of a ‘cocktail’ of synthetic pesticides. But since each crop species synthesizes its own unique natural pesticide mixture, the natural risk is many orders of magnitude higher. Public and activist concern is like worrying about a cold when ebola is rife. **The political response to agitation was to construct regulations, but this only heightened concern where it didn’t exist before; food must contain something dangerous now it had to be regulated. What was needed instead was leadership to assert the primacy of knowledge over opinionated ignorance.**

### Fire

**Our knowledge of China is accurate—their authors have flawed information**

**Chan 4**

PhD in Political Science from Minnesota U, Professor and Chair of the Department of Political Science at Colorado U at Boulder (Steve, Asian Affairs, Vol 31, No. 3 (Fall, 2004), “Extended Deterrence in the Taiwan Strait: Learning from Rationalist Explanations in International Relations”, JSTOR, <http://www.jstor.org/stable/30172621>, p. 167, RBatra)

Rationalist interpretations do not imply that people are omnipotent in their ability to procure and process information. We know all too well that people are subject to a variety of cognitive and perceptual errors (for example, Jervis 1976; Levy 1997; Kahneman and Tversky 2000; Tversky and Kahneman 1977). This recognition of limits to rationality, however, hardly warrants general attributions of naiveté , even stupidity, to government leaders. On the contrary, it seems sensible to start from the premise that officials know their counterparts far better than scholars may wish to acknowledge. Washington, Beijing, and Taipei, for instance, invest enormous time, effort, and resources in trying to gain an accurate understanding of each other. Academics have a hard time claiming **any special insight** or unique source of wisdom, whether it is based on mastery of the other side's language, intimate familiarity with its culture, or access to timely and sensitive information with restricted distribution. If anything, they are usually at a considerable disadvantage on these scores when compared to diplomats, intelligence analysts, and even journalists and business people. Indeed, academics in fields such as history and political science typically operate in the realm of common knowledge, outdated information, and mundane data. This confession in turn implies that at least for some of us, our individual and collective forte lies with the analysis of persistent empirical patterns and the formulation of general models of foreign policy conduct.

**AND PAN HIMSELF ADMITS THAT CHINA THREAT CONSTRUCTION IS INEVITABLE AND REFLEXIVELY BASED ON CHINESE STATE BEHAVIOUR.**

Moran 2k11

[lee, pride of the fleet: china’ first aircraft carrier…”, <http://www.dailymail.co.uk/news/article-2024425/Chinas-aircraft-carrier-takes-seas--fuelling-fears-countrys-military-strength.html>]

The official state **Xinhua news agency** **added**: 'Building a strong navy that is commensurate with **China's rising status is a necessary step and an inevitable choice for the country** to safeguard its increasingly globalised national interests.'¶ But **Chengxin** Pan**, an expert on China at Deakin University in Australia,** warned it could unsettle neighbouring countries.¶ He said: 'For many neighbours, it may symbolise something different and more unsettling.¶ **'It is inevitable that neighbouring** countries will react with some alarm**, especially given recent disputes in the South China Sea** as well as the maritime incident between China and Japan last year.'¶ Refitting and test work will now continue on the carrier.¶ The Varyag, yet to be officially renamed, was towed from Ukraine in 2001 as an empty shell without engines, weapons systems or other crucial equipment.¶ Ashley Townshend, at the Lowy Institute for International Policy in Sydney, said China would need at least three carriers if it was 'serious' about having a viable carrier strike group.¶ He also said that it would have to develop support ships and aircraft for any carrier group, which could take ten years.¶ China's neighbours India and Thailand already have aircraft carriers, and Australia has ordered two multi-purpose carriers. The United States operates 11.¶ The former chief of the Philippine's navy Admiral Ferdinand Golez said his country should not be worried by the development. He said: 'The Philippines should not be concerned with this development.¶ 'An aircraft carrier is an offensive tool but I don't think China has the intention to use it to bully its neighbours.'¶ Before the launch, a Pentagon spokesman played down the likelihood of any immediate leaps from China's carrier programme. ¶ But that is just one part of China's naval modernisation drive, which has forged ahead while other powers tighten their military budgets to cope with debt woes. ¶ China has been building new submarines, surface ships and anti-ship ballistic missiles as part of its naval modernisation, which has triggered regional jitters that have fed into long-standing territorial disputes, and could speed up military expansion across Asia.¶ In the past year, China has had run-ins at sea with Japan, Vietnam and the Philippines. The incidents - boat crashes and charges of territorial incursions - have been minor, but the diplomatic reaction often heated. ¶ Chengxin **Pan added: 'Overall, the perception of a rapidly rising and potentially threatening China is likely to be reinforced and** Beijing will face enormous challenges in dispelling such a perception.'

**Discursive focus trades off with focus on structural change—it becomes a psychological substitute for action.**

Kidner 2k

Psychology professor, David, Nature and Psyche, p 66-7

Noam Chomsky has noted that if "it's too hard to deal with real problems,' some academics tend to "go off on wild goose chases that don't matter ... [or] get involved in academic cults that are very divorced from any reality and that provide a defense against dealing with the world as it actually is." An emphasis on language can serve this sort of defensive function; for the **study of discourse enables one to stand aside** from issues **and avoid** any **commitment to a cause** or ideal, **simply** presenting all sides of a debate and **pointing out** the **discursive strategies** involved. **As the physical world** appears to **fade into** mere **discourse**, so **it comes to seem less real** than the language used to describe it; and environmental **issues lose** the dimensions of **urgency** and tragedy and become instead the proving grounds for ideas and attitudes. Rather than walking in what Aldo Leopold described as a "world of wounds," the discursive theorist can study this world dispassionately, safely insulated from the emotional and ecological havoc that is taking place elsewhere. Like experimentalism, this is a schizoid stance that exemplifies rather than challenges the characteristic social pathology of our time; and it is one that supports Melanie Klein's thesis that **the internal object world can serve as a psychotic substitute for an external "real" world that is** either absent or **unsatisfying**." Ian Craib's description of **social constructionism as a "social psychosis"** therefore **seems** entirely **apt**. But what object relations theorists such as Klein fail to point out is the other side of this dialectic that withdrawing from the external world and substituting an internal world of words or fantasies, because of the actions that follow from this state of affairs, makes the former even less satisfying and more psychologically distant, so contributing to the vicious spiral that severs the "human" from the "natural" and abandons nature to industrialism.

**Masking Disad—discursive criticism masks the problem and prevents legitimate solutions.**

**Meisner 95**

(Mark, professor of environmental studies at York University, (Mark, “Resourcist Language: The Symbolic Enslavement of Nature”, Proceedings of the Conference on Communication and Our Environment, ed: David Sachsman, p. 242)

**Changing the language we use** to talk **about** non-human nature **is not a solution**. As I suggested, **language is not the problem**. Rather, **it s**eems **more like a contagious symptom of a deeper and multi-faceted problem that has yet to be fully defined**. Resourcist language is both an indicator and a carrier of the pathology of rampant ecological degradation. Further¬more, **language change alone can end up simply being a band-aid solution that gives the appearance of change and makes the problem all the less visible**. In a recent article on feminist language reform, Susan Ehrlich and Ruth King (1994) argue that because meanings are socially constructed, attempts at introducing nonsexist language are being undermined by a culture that is still largely sexist. The **words may have shifted, but the meanings and ideologies have not. The real world cure for the sick patient matters more than the treatment of a single symptom**. Consequently, **language change and cultural change must go together with social-moral change**. It is naive to believe either that language is trivial, or that it is deterministic.

## Off Case

### 2AC Complexity

#### Framework - the aff is a normative statement. Vote aff if plan is a good idea, neg if it isn’t.

#### A. Solves their offense – the impact of the K is a reason the aff is bad

#### B. Aff choice – they arbitrarily steal 9 minutes of offense, destroys the aff’s only advantage

#### Extinction 1st -

**Perm do both**

**Permutation do the plan and all non-competitive parts of the alternative**

**The alt alone is worthless to policy making – only coupling with the method of the 1AC can solve**

**Cairney 10**

(Paul, Chair in Politics and Public Policy¶ BA (Hons), MSc, PhD at Aberdeen University, “Complexity Theory in Public Policy” <http://www.psa.ac.uk/journals/pdf/5/2010/121_665.pdf>, SEH)

**Why has Complexity Theory Struggled for Attention?¶** The first difficulty with complexity theory is that it is difficult to pin down. While we¶ may find similar discussions in a wide range of texts in the literature, this may be merely¶ because it is vague. Its appeal in the sciences may be because it means different things to¶ different people, suggesting that initial enthusiasm and cross-disciplinary cooperation may be replaced by growing scepticism.¶ The second is that, **when we do pin the meaning of complexity theory down, it seems to¶ present a deterministic argument**. **The danger is that if the complex system is¶ predominantly the causal factor then we lose sight of the role that policymakers play;¶ there may be a tendency to treat the system as a rule-bound structure which leaves¶ minimal room for the role of agency.** It is tempting to contrast this picture with¶ interpretive social science which rejects the assumption of structural constraint. Rather, it¶ explores how agents perceive their decision-making environments; how they reproduce,¶ accept or challenge the structural, institutional and wider systemic constraints that they¶ appear to face when making decisions. Indeed, they may even reject terms such as¶ ‘institution’ and ‘rule’ because they imply a sense of permanence or common¶ understanding that has not been demonstrated (Bevir and Rhodes, 2003; 2006). This is¶ the essence of the study of politics, explaining why different policymakers make different¶ decisions under the same circumstances. Yet, there is perhaps good reason to resist this¶ temptation because, if the aim of complexity theory is to identify a shift in rule-bound¶ behaviour, then it could have something in common with interpretivist accounts which¶ seek to understand how agents interpret, adapt to and influence their decision-making¶ environment. This seems to be Teisman and Klijn’s (2008: 289) point when they focus¶ on agents adapting to the fitness landscape. Further, as Schneider and Bauer (2007: 6)¶ discuss, complexity theory appears to differ from the old functionalist logic of systems¶ theories that has gone out of fashion in political science. A kinder treatment of¶ complexity suggests that, so far, it has been used in public policy more to provide¶ practical advice to public managers than to inform the wider theological debates on¶ structure and agency we find in political science. I return to this theme in the next¶ section. The third is that **it is difficult to identify or define a system and separate it from its¶ environment**. For Mitleton-Kelly (2003: 30) this is not a problem because it is useful to¶ work on the assumption that there is no fixed boundary between the two. Rather, the¶ picture is one of overlapping systems or an ‘intricate web of inter-relationships’,¶ suggesting that systems as a whole engage in ‘co-evolution’. Rather than a system¶ adapting to its environment, we picture organisations influencing and being influenced by¶ the ‘social ecosystem’ which consists of other organisations (2003: 31).¶ This conclusion raises a fourth problem related to scale or perspective in complex¶ systems**. Not only do we not know what a complex system is, but we don’t know at what¶ level we should view it**. **Wider scientific accounts relate the benefit of complexity theory¶ to the ability to step back and see the system as a whole**, in much the same way that we¶ move from looking at molecules to observing the whole being. Yet, **this doesn’t guide us¶ too much, because we could still see systems at different levels, such as a healthcare¶ system or a political system or even 8an international political system** (plus authors such as¶ Mitleton-Kelly often seem to situate analysis at the organisational level). While this¶ gives us some flexibility, **it could raise a whole host of further theoretical questions (are¶ central policymakers situated within, or treated as external to, the systems they cannot¶ control?** If a country’s political system is made up of a number of other systems, does this suggest that there are super-emergent processes when systems interact with each¶ other?).¶ **The fifth is that it is difficult to know which types of policy issue or area complexity¶ theory applies to.** For example, Klijn (2008: 314) suggests that complexity theory is best¶ suited to ‘wicked problems’, suggesting that it refers primarily to issues of joined-upgovernment¶ and/ or intractable policy problems (what would this exclude?). Bovaird¶ (2008: 325) suggests that complex systems “are less likely to be found in ‘command-andcontrol’¶ environments”. This is confusing for two related reasons. First, the best¶ example in the UK of a command-and-control approach is the English NHS. Yet,¶ Kernick (2006) argues that complexity theory is well suited to explain why the NHS is¶ impervious to central control. Second, perhaps Bovaird is referring not to areas with¶ command-and-control styles, but those conducive to them. If so, there seems to be no¶ way to decide which areas are most relevant. The irony of governance, highlighted by¶ Rhodes (1997), in which successive governments have contributed to their own lack of¶ central control, knows no bounds. Perhaps the point is that the identification of¶ emergence and self-organizing behaviour is most likely in areas where the role of the¶ ‘centre’ is not strong, but this also raises further issues (below). The sixth is that, **although anti-reductionism and whole-systems approaches sound¶ attractive** (almost like a valence issue), **reductionist theories have a strong hold in¶ political science.** Indeed, **rational choice theory may represent complexity theory’s¶ poplar opposite because it seeks parsimonious results based on a reduction of the social¶ world into as few factors as possible.** This is as much a practical as a philosophical issue.¶ **While we may view the world as a complex system, we do not have the ability to study it¶ as one**. The ACF, for example, situates analysis at the level of the subsystem and¶ identifies two main processes: a process of learning within subsystems as advocacy¶ coalitions compete to define the policy problem and account for new information, and an¶ external process which may produce shocks to the system that change how the subsystem¶ operates (Sabatier and Jenkins-Smith, 1993; Weible et al, 2009). **The interesting aspect¶ of this framework is that, while from a complex systems perspective we may prefer to¶ study the system as a whole, the ACF may be no worse a way to study the process when¶ we are faced with limited resources and cognitive abilities**.¶ A final problem may be that **complexity theory complicates the study of public policy¶ without offering something new. This point seems strongest when applied to the study¶ of implementation.** For example, one case study in the PMR special issue demonstrates¶ ‘how local governments develop contrasting behaviour on the same national policy¶ impulse due to self-organizing abilities to combine adaptiveness and self referentiality’¶ (Teisman and Klijn, 2008: 296), but Teisman and Klijn do not show how this differs from¶ similar ‘bottom-up’ processes of self-selection in implementation structures (Hjern, 1981;¶ Hjern and Porter, 1982) or street-level bureaucracy (Lipsky, 1980) identified 30 years ago¶ (also compare Buuren and Gerrits’ 2008: 382 line that ‘decisions are neither the starting¶ nor the finishing points of a decision-making process’ with Barret and Fudge’s focus on¶ ‘policy in action’). Similarly, the statement that complexity theory shows us that¶ ‘managers are not the rational beings presented in many managerial handbooks (Teisman and Klijn, 2008: 297) does not seem startlingly original. We are in the very¶ familiar territory of uncertain policy effects and unintended consequences. A¶ sympathetic assessment might suggest that these points are being restated because the¶ lessons from bottom-up studies have been lost or ignored. This seems to be the tone of¶ Butler and Allan’s (2008) argument that there is no one-best-way in the delivery of local¶ services and in Kernick’s (2006: 388) criticism of the assumption of a single¶ organizational solution in the NHS (and promotion of a more meaningful dialogue¶ between those who design and those who deliver and use the service). But is there¶ anything more to complexity theory than this?

#### Risk framing motivates new social movements and re-democratizes politics

Borraz, ‘7

[Olivier Borraz, Centre de Sociologie des Organisations, Sciences Po-CNRS, Paris, Risk and Public Problems, Journal of Risk Research Vol. 10, No. 7, 941–957, October 2007, p. 951]

These studies seem to suggest that risk is a way of framing a public problem in such a way as to politicize the search for solutions. This politicization entails, in particular, a widening of the range of stakeholders, a reference to broader political issues and debates, the search for new decision- making processes (either in terms of democratization, or renewed scientific expertise), and the explicit mobilization of non-scientific arguments in these processes. But if this is the case, then it could also be true that risk is simply one way of framing public problems. Studies in the 1990s, in particular, showed that a whole range of social problems (e.g., poverty, housing, unemployment) had been reframed as health issues, with the result that their management was transferred from social workers to health professionals, and in the process was described in neutral, depoliticized terms (Fassin, 1998). Studies of risk, on the contrary, seem to suggest that similar social problems could well be re-politicized, i.e., taken up by new social movements, producing and using alternative scientific data, calling for more deliberative decision-making procedures, and clearly intended to promote change in the manner in which the state protects the population against various risks (health and environment, but also social and economic). In other words, framing public problems as risks could afford an opportunity for a transformation in the political debate, from more traditional cleavages around social and economic issues, to rifts stemming from antagonistic views of science, democracy and the world order.

[If read Junio] The low likelihood of our impacts isn’t a reason to vote negative – all war is unlikely but discussing the details of cyber warfare policy is key to defensive measures that prevent irrational lash out and conservative takeover.

The burden of proof is on the negative to prove we are wrong – simply pointing out the 1AC seems fishy is poor scholarship and doesn’t rise to an sufficient reason to reject us.

Yudkowsky 6

Eliezer Yudkowsky, Research Fellow at the Singularity Institute for Artificial Intelligence that has published multiple peer-reviewed papers on risk assessment. Cognitive biases potentially affecting judgment of global risks Forthcoming in Global Catastrophic Risks, eds. Nick Bostrom and Milan Cirkovic. August 31, 2006.

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

#### Ignoring the threat causes panic – worse than fear, stops solvency, turns their state power arguments

Sandman and Lanard, 2003

Peter M. PhD in Communications and Professor at Rutgers specializing in crisis communication; Jody, Psychiatrist, 28 April, “Fear Is Spreading Faster than SARS — And So It Should!”

China is universally condemned for covering up SARS and putting the world at risk. Covering up an epidemic is about as bad a communication strategy as we can imagine. Among its outcomes: China actually does face a panic problem, as its people confront not just a raging epidemic but a government that lies to them about it. The West’s “soft cover-up” is much gentler and less dishonest — a cover-up of over-reassurance and minimization rather than of lies. But if SARS does keep getting worse in the West, as it has in China, the soft cover-up will also fail ... and may also provoke panic. Public anxiety can lead to genuine panic or to astonishing resilience. The paradox is that efforts to squelch the anxiety (“allay the public’s fear” is the usual phrase) can actually induce the panic it aims to prevent. Resilience is likelier when authorities ally with the anxiety, harness it, and steer it instead of trying to prevent it. Of course even superb handling of the public’s fears may not prevent panic if the epidemic gets bad enough. There has often been some panic during the great epidemics of the past. But panic will be likelier and more widespread if the authorities have been minimizing the risk than if they have been acknowledging it candidly and compassionately.

**Privileging ontology and epistemology guarantees policy failure because of theoretical reductionism, and isn’t relevant to the truth value of our arguments.**

**Owen 2 (**university of Southampton, David Owen, Reader of Political Theory at the Univ. of Southampton, Millennium Vol 31 No 3 2002 p. 655-7)

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

**We need to embrace our fear of nuclear weapons, not try to get over it – failure to acknowledge fear leads to internalizing it**

**Gusterson 1989**

Hugh, Published in Livermore Independent, August 23. June 25, “Dialogue Needed on Nuclear Future.” Sermon given at Livermore's Unitarian Universalist Church

      Third, and most important of all, the protestors remind us how important our feelings are as guides -- especially feelings of fear.  The **protestors**, unlike scientists, **talk constantly about** their feelings and about their **fear of nuclear war**.  In Livermore, however, I find very little fear of the bomb.  People in Livermore are comfortable with the bomb.  They trust it.       I make a point of asking my interviewees if they have ever had nightmares about nuclear war.  Most of the protestors say yes; most of the scientists look at me as if there must be something wrong with me.  But it is important that we fear the bomb; then we take it seriously and see the dangers of an arms race.  Psychologist Joanna Macy writes:             **We are** a society **caught between a sense of impending       apocalypse and an inability to acknowledge it.  The refusal**       of feeling **takes a heavy toll**.  The toll is not only an       impoverishment of emotional and sensory life -- the flowers       dimmer and less fragrant, loves less ecstatic.  **This       psychic numbing also impedes the capacity to process and       respond to information...** We erect an invisible screen,       selectively filtering out anxiety-provoking data.  In a       world where **organisms require feedback in order to adapt and survive, this is suicidal. "It is time to see the bomb as a real weapon again**," says journalist Roger Rosenblatt.  "It is time to look at its drab snout and recall quite clearly what it once did and still can do."  100,000 dead at Hiroshima; 70,000 at Nagasaki.  We should not take such a weapon lightly.

**Hardline militarism key to check war and terrorism. Alt uniquely trigger thems**

**Epstein 2**

(alex, fellow at ayn rand institute, “Peacenik Warmongers,” online)

If dropping bombs won't work, what should the United States do to obtain a peaceful relationship with the numerous hostile regimes, including Iraq, that seek to harm us with terrorism and weapons of mass destruction? The "peace advocates" offer no answer. The most one can coax out of them are vague platitudes (we should "make common cause with the people of the world," says the prominent "anti-war" group Not in Our Name) and agonized soul-searching ("Why do they hate us?"). The absence of a peacenik peace plan is no accident. Pacifism is **inherently a negative doctrine**--it merely says that military action is always bad. As one San Francisco protestor put the point: "I don't think it's right for our government to kill people." In practice, this leaves the government only two means of dealing with our enemies: to ignore their acts of aggression, or to **appease them** by capitulating to the aggressor's demands. We do not need to predict or deduce the consequences of pacifism with regard to terrorism and the nations that sponsor it, because we experienced those consequences on September 11. Pacifism practically dictated the American response to terrorism for more than 23 years, beginning with our government's response to the first major act of Islamic terrorism against this country: when Iranian mobs held 52 Americans hostage for 444 days at the American embassy in Tehran. In response to that and later terrorist atrocities, American Presidents sought to avoid military action at all costs--by treating terrorists as isolated criminals and thereby ignoring the role of the governments that support them, or by offering diplomatic handouts to terrorist states in hopes that they would want to be our friends. With each pacifist response it became clearer that the most powerful nation on Earth was a **paper tiger**--and our enemies **made the most of it**. After years of American politicians acting like peaceniks, Islamic terrorism had **proliferated** from a few gangs of thugs to a worldwide scourge--making possible the attacks of September 11. It is an obvious evasion of history and logic for the advocates of pacifism to label themselves "anti-war," since the policies they advocate necessarily invite escalating acts of war against anyone who practices them. Military inaction sends the message to an aggressor--and to other, potential aggressors--that it will **benefit** by attacking the United States. To whatever extent "anti-war" protesters influence policy, they are not helping to prevent war; they are acting to **make war more frequent and deadly**, by making our enemies more aggressive, more plentiful, and more powerful. The only way to deal with militant enemies is to show them unequivocally that aggression against the United States will **lead to their destruction**. The only means of imparting this lesson is overwhelming military force--enough to defeat and incapacitate the enemy. Had we annihilated the Iranian regime 23 years ago, we could have thwarted Islamic terrorism at the beginning, with far less cost than will be required to defeat terrorism today. And if we fail to use our military against state sponsors of terrorism today, imagine the challenge we will face five years from now when Iraq and Iran possess nuclear weapons and are ready to disseminate them to their terrorist minions. Yet such a world is the goal of the "anti-war" movement. The **suicidal** stance of peaceniks is no innocent error or mere overflow of youthful idealism. It is the product of a fundamentally immoral commitment: the commitment to ignore reality--from the historical evidence of the consequences of pacifism to the very existence of the violent threats that confront us today--in favor of the wish that laying down our arms will achieve peace somehow.

**Hardline militarism is good - prevents greater casualties**

**HANSON 4**

(Victor Davis, Professor of Classical Studies at CSU Fresno, City Journal, Spring, http://www.city-journal.org/html/14\_2\_the\_fruits.html)

The twentieth century should have taught the citizens of liberal democracies the catastrophic consequences of placating tyrants. British and French restraint over the occupation of the Rhineland, the Anschluss, the absorption of the Czech Sudetenland, and the incorporation of Bohemia and Moravia did not win gratitude but rather Hitler’s contempt for their weakness. Fifty million dead, the Holocaust, and the near destruction of European civilization were the wages of “appeasement”—a term that early-1930s liberals proudly embraced as far more enlightened than the old idea of “deterrence” and “military readiness.”¶ So too did Western excuses for the Russians’ violation of guarantees of free elections in postwar Eastern Europe, China, and Southeast Asia only embolden the Soviet Union. What eventually contained Stalinism was the Truman Doctrine, NATO, and nuclear deterrence—not the United Nations—and what destroyed its legacy was Ronald Reagan’s assertiveness, not Jimmy Carter’s accommodation or Richard Nixon’s détente.¶ As long ago as the fourth century b.c., Demosthenes warned how complacency and self-delusion among an affluent and free Athenian people allowed a Macedonian thug like Philip II to end some four centuries of Greek liberty—and in a mere 20 years of creeping aggrandizement down the Greek peninsula. Thereafter, these historical lessons should have been clear to citizens of any liberal society: we must neither presume that comfort and security are our birthrights and are guaranteed without constant sacrifice and vigilance, nor expect that peoples outside the purview of bourgeois liberalism share our commitment to reason, tolerance, and enlightened self-interest.¶ Most important, military deterrence and the willingness to use force against evil in its infancy usually end up, in the terrible arithmetic of war, saving more lives than they cost. All this can be a hard lesson to relearn each generation, especially now that we contend with the sirens of the mall, Oprah, and latte. Our affluence and leisure are as antithetical to the use of force as rural life and relative poverty once were catalysts for muscular action. The age-old lure of appeasement—perhaps they will cease with this latest concession, perhaps we provoked our enemies, perhaps demonstrations of our future good intentions will win their approval—was never more evident than in the recent Spanish elections, when an affluent European electorate, reeling from the horrific terrorist attack of 3/11, swept from power the pro-U.S. center-right government on the grounds that the mass murders were more the fault of the United States for dragging Spain into the effort to remove fascists and implant democracy in Iraq than of the primordial al-Qaidist culprits, who long ago promised the Western and Christian Iberians ruin for the Crusades and the Reconquista.

### 2AC Anthro

#### FRAMEWORK—The aff is a normative statement. Vote aff if plan is a good idea, neg if it isn’t.

#### A. Solves their offense –the impact of the K is a reason the aff is bad. They have to prove the plan is net worse for animals than the status quo.

#### B. Aff choice – they arbitrarily steal 9 minutes of offense, destroys the aff’s only advantage.

#### Permutation: do both the plan and the alternative. We should attempt to limit suffering of all beings human and non-human. The massive wars the plan prevents would destroy countless lives.

The permutation solves the impacts – the 1AC doesn’t increase factory farms which means the plan is not mutually exclusive with the alternative and the links don’t assume the inclusion of the alternative into the ethics of the 1AC.

#### The alt alone can’t solve - Some amount of human centeredness is inevitable – we can never fully understand the non-human

Parker 1996,

Kelly A., Associate Professor and Chair of philosophy at Grand valley state Pragmatism and Environmental Thought, Environmental Pragmatism edited by Andrew Light and Eric Katz,

I have spoken of the experience of organisms‑in‑environments as centrally important. Pragmatism is "anthropocentric" (or better, "anthropometric")24 in one respect: the human organism is inevitably the one that discusses value. This is so because human experience, the human perspective on value, is the only thing we know as humans. Many other entities indeed have experience and do value things. Again, this is not to say that human whim is the measure of all things, only that humans are in fact the measurers. This must be a factor in all our deliberations about environmental issues. We can and should speak on the others' behalf when appropriate, but we cannot speak from their experience. We can in some sense hear their voices, but we cannot speak in their voices. I see no way out of our own distinctively human bodies. In this sense, the human yardstick of experience becomes, by default, the measure of all things. Although the debate over environmental issues is thus limited to human participants, this is not inappropriate ‑ after all, the debate centers almost exclusively on human threats to the world. Wolves, spotted owls, and old­growth forests are unable to enter the ethics debate except through their human spokespersons, and that is perhaps regrettable. Far better that they should speak for themselves! Lacking this, they do at least have spokespersons ‑ and these spokespersons, their advocates, need to communicate their concerns only to other humans. To do this in anthropic value categories is not shameful. It is, after all, the only way to go.

#### We have to recognize our position- you cannot think like an owl because you are not one. Instead we should utilize our agency in a manner productive for animal rights

Harvey, 1999 (David, Distinguished Professor at the City University of New York, *Global Ethics & Environment,* Edited by Nicholas Low, “Considerations on the environment of justice,” , Page 123)

This conception is species-centred and thereby commits me resolutely to a particular form of anthropocentrism (or speciesism in Singer’s terms). I simply cannot see that we can ever avoid asserting our own identity, being expressive of who we are and what we can become, and asserting our species’ capacities and powers in the world we inhabit. To construe the matter any other way is, in my view, to fool ourselves (alienate ourselves) as to who and what we are. In this sense the Marxian concept of ‘species-being’ continues to resonate. But if our task is, as White (1990) puts it, ‘to be distinctively ourselves in a world of others’, this does not mean that we cannot, if we wish, ‘create a world of others’, this does not mean that we cannot, if we wish, ‘create a frame that includes both self and other, neither dominant, in an image of fundamental equality’. We can strive to think like a mountain, like the Ebola virus or like the spotted owl, and construct our actions in response to such imaginaries, but it is still we who do the thinking and we who choose to use our capacities and powers that way. An that principle applies cross-culturally too. I can strive to think like an Aborigine, like a Chipko peasant, like Rupert Murdoch (for he inhabits a cultural world I find hard to comprehend). In these cases, however, my capacity to empathize and put myself in the other’s shoes if further aided by the possibility to translate across languages and to study activities through careful observation. But it is still an ‘I’ who does the imagining and the translation, and it is always in the end through my language that the thinking gets expressed. The ethical thrust here lies, of course, in the choice to try to think like the other, the choice of who or what I try to think like (why a mountain and not the Ebola virus?) and the efforts to build frames of thought and action that relate across self and others in particular ways.

**Differences key - Essentialism of nature justifies domination of nature under the guise of identification – impact turns the K**

**Cantrill & Oravec ‘96**

[James Gerard Cantrill, Christine Lena Oravec “The Symbolic Earth.” 1996

http://books.google.com/books?id=REp6XX1dBRcC&pg=PA132&dq=deep+ecology+assimilation&lr=&ei=CuKISaivEJOUMZP63OIM#PPA135,M1]

There are three main problems with this narrative. First, deep ecology's insistence on a totalizing vision that is achievable through transcendent identi­fication is the point that social ecologists and ecofeminists have consistently challenged. For example, Bookchin points out that **identifying with the whole erases differences that matter** (Chase, 1991). **By using this category of the whole, even as it applies only to humans, differences between the president of Exxon and a child in Harlem are erased.** Similarly, **by assuming similarity with all of nature, uniquely human attributes** (especially reason) **are ignored.** Ecofeminist criticism focuses on a different problem. Kheel (1990), drawing on object relations theory (Chodorow, 1978; Dinnerstein, 1967), points out that **the Self of deep ecology is a Self that, in expanding to identify with the whole of nature, simultaneously** objectifies, symbolizes, anddestroys particular instances of nature**.** Critiquing Leopold's work, she points out that **when the Self becomes the whole, the whole takes precedence over the particular.** Specifically**, in Leopold's description of hunting, the merging of the hunter's Self with nature through the hunted animal occurs as the essence of the hunt, while the particular animal's death is an incidental by-product of the process of connecting with the whole.**

#### The alternative makes moral culpability impossible – if all beings are equal than any human action is justified as natural

Grey ‘93

William, “Anthropocentrism and Deep Ecology” Australian Journal of Philosophy, Vol 71, No 4 (1993), pp. 463-475

There is an obvious tension which arises when attempting to rectify the first two worries at the same time. For extolling the virtues of the natural, while at the same time vilifying the man-made or artificial, depends on a distinction between the natural and the artificial which the stress on a continuity between human and nonhuman (the focus of the second worry) undermines. On the one side there is emphasis on continuity and dependency, and on the other on distinctness and separation. It seems that, while we are a part of nature, our actions nevertheless unnatural. This is one of the points where deep ecologists often risk lapsing into an incoherence, from which they are able to save themselves (as I will illustrate) with the help of a little covert anthropocentrism. Or putting the point another way, a suitably enriched (non-atomistic) conception of humans as an integral part of larger systems – that is, correcting the misconception of humanity as distinct and separate from the natural world – means that anthropocentric concern for our own self well-being naturally flows on to concern for the nonhuman world. If we value ourselves and our projects, and part of us is constituted by the natural world, then these evaluations will be transmitted to the world.

#### Cosmological identification is profoundly imperialist- this expanded sense of self collapses into authoritarianism

**Scott ‘03**

**[Peter Scott “A Political Theory of Nature.” 2003,** [**http://books.google.com/books?id=5lCWkIoFl7QC&pg=PA80&dq=deep+ecology+assimilation&lr=&ei=L7iIScfyM4HwMv\_indEE#PPA87,M1**](http://books.google.com/books?id=5lCWkIoFl7QC&pg=PA80&dq=deep+ecology+assimilation&lr=&ei=L7iIScfyM4HwMv_indEE#PPA87,M1)

In a pertinent criticism, Michael Northcott suggests that this notion of **cosmological identification requires 'incorporating the other into self. Rather than privileging the importance of limits in human interaction with nature, this notion of an expansive self effectively abolishes such limits** - and encourages such abolition**. Such a position erases key aspects of difference between humanity and non-human nature** (here Northcott draws on the work of Val Plumwood) and thereby has the appearance of challenging the Western obsession with the concept of the self. Yet, in fact, **such** a view **perpetuates** the **Eurocentric affirmation of self by incorporating all that which is not self into the expansive self.** We can go further:the logic is totalitarian**, the politics that of identity, the totality that of the 'whole' of the expansive self**. The deep ecology position, as presented by Fox, is now seen to be a form of 'act-based' idealism whose roots lie in the work of Rousseau and Fichte (rather than Spinoza and Gandhi). The expansive 'natural self’ forms the core of the theory. Yet, of course, **such a self never meets resistance for it operates with no genuine account of otherness or difference. Such a self** is precisely self-enclosed. It **is never broken and remade through its encounters for its mode of relation is assimilation**. Thus **this self never negotiates but rather incorporates.** In this precise sense, **its logic is totalitarian.** If an established and well-founded democracy, as Adam Pezeworski suggests, may be defined as 'a system in which the politically relevant forces subject their values and interests to the uncertain play of democratic institutions,' the deep ecology position has no conceptual place for the democratic play of negotiation. In short, we begin to approach the theoretical roots of a point made earlier: deep ecologylacks a political theory andlapsesunwittingly into authoritarianism.