# 1AC

### 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.

#### 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.

**Bioattack causes extinction**

**Steinbrenner 97**

(John D. Steinbrenner, Brookings Senior Fellow, 1997, Foreign Policy, "Biological weapons: a plague upon all houses," Winter, InfoTrac)

Although human pathogens are often lumped with nuclear explosives and lethal chemicals as potential weapons of mass destruction, there is an obvious, fundamentally important difference: Pathogens are alive, weapons are not. Nuclear and chemical weapons do not reproduce themselves and do not independently engage in adaptive behavior; pathogens do both of these things. That deceptively simple observation has immense implications. The use of a manufactured weapon is a singular event. Most of the damage occurs immediately. The aftereffects, whatever they may be, decay rapidly over time and distance in a reasonably predictable manner. Even before a nuclear warhead is detonated, for instance, it is possible to estimate the extent of the subsequent damage and the likely level of radioactive fallout. Such predictability is an essential component for tactical military planning. The use of a pathogen, by contrast, is an extended process whose scope and timing cannot be precisely controlled. For most potential biological agents, the predominant drawback is that they would not act swiftly or decisively enough to be an effective weapon. But for a few pathogens - ones most likely to have a decisive effect and therefore the ones most likely to be contemplated for deliberately hostile use - the risk runs in the other direction. A lethal pathogen that could efficiently spread from one victim to another would be capable of initiating an intensifying cascade of disease that might ultimately threaten the entire world population. The 1918 influenza epidemic demonstrated the potential for a global contagion of this sort but not necessarily its outer limit. Nobody really knows how serious a possibility this might be, since there is no way to measure it reliably.

**New gene manipulation takes out their defense**

MSNBC 2011

(“Clinton warns of bioweapon threat from gene tech,” pg online @ http://www.msnbc.msn.com/id/45584359/ns/… “For an international verification system — akin to that for nuclear weapons — saying it is too complicated to monitor every lab's activities.”)

GENEVA — **New gene assembly technology** that offers great benefits for scientific research **could** also **be used by terrorists to create biological weapons,** U.S. Secretary of State Hillary Rodham Clinton warned Wednesday. **The threat from bioweapons has drawn little attention in recent years, as governments focused more on the risk of nuclear weapons proliferation to countries such as Iran and North Korea**. But **experts have warned that the increasing ease with which bioweapons can be created might be used by terror groups to develop and spread new diseases that could mimic the effects of** the fictional global epidemic portrayed in the Hollywood thriller **"Contagion."** Speaking at an international meeting in Geneva aimed at reviewing the 1972 Biological Weapons Convention, Clinton told diplomats that **the challenge was to maximize the benefits of scientific research and minimize the risks that it could be used for harm. "The emerging gene synthesis industry is making genetic material more widely available,"** she said. "**This** has many benefits for research, but it **could also potentially be used to assemble the components of a deadly organism." Gene synthesis allows genetic material — the building blocks of all organisms — to be artificially assembled in the lab, greatly speeding up the creation of artificial viruses and bacteria. The U.S. government has cited efforts by terrorist networks such as al-Qaeda to recruit scientists capable of making biological weapons** as a national security concern. "**A crude but effective terrorist weapon can be made using a small sample of any number of widely available pathogens, inexpensive equipment, and college-level chemistry and biology,"** Clinton told the meeting. "Less than a year ago**, al-Qaeda in the Arabian Peninsula made a call to arms for**, and I quote, **'brothers with degrees in microbiology or chemistry ... to develop a weapon of mass destruction,'"** she said. **Clinton also mentioned the Aum Shinrikyo cult's attempts in Japan to obtain anthrax in the 1990s, and the 2001 anthrax attacks** in the United States that killed five people. Washington has urged countries to be more transparent about their efforts to clamp down on the threat of bioweapons. But **U.S. officials have also resisted calls for an international verification system** — akin to that for nuclear weapons — saying it is too complicated to monitor every lab's activities around the world.

### 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

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[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.**

# 2AC

## Case

### Firebreaks

#### Nuclear war causes extinction - prefer the latest studies

Choi 11

writer for National Geographic News [Charles Q., 2/22/2011, National Geographic, “Small Nuclear War Could Reverse Global Warming for Years?,” <http://news.nationalgeographic.com/news/2011/02/110223-nuclear-war-winter-global-warming-environment-science-climate-change/>, DS]

**Even a regional nuclear war could spark "unprecedented" global cooling and reduce rainfall for years, according to U.S. government computer models. Widespread famine and disease would likely follow, experts speculate.** During the Cold War a nuclear exchange between superpowers—such as the one feared for years between the United States and the former Soviet Union—was predicted to cause a "nuclear winter." In that scenario **hundreds of nuclear explosions spark huge fires, whose smoke, dust, and ash blot out the sun for weeks amid a backdrop of dangerous radiation levels.** Much of humanity eventually dies of starvation and disease. Today, with the United States the only standing superpower, nuclear winter is little more than a nightmare. But nuclear war remains a very real threat**—for instance, between developing-world nuclear powers, such as India and Pakistan.** To see what climate effects such a regional nuclear conflict might have, **scientists from NASA and other institutions modeled a war involving a hundred Hiroshima-level bombs, each packing the equivalent of 15,000 tons of TNT—just 0.03 percent of the world's current nuclear arsenal.** (See a National Geographic magazine feature on weapons of mass destruction.) **The researchers predicted the resulting fires would kick up roughly five million metric tons of black carbon into the upper part of the troposphere, the lowest layer of the Earth's atmosphere.** In NASA climate models, **this carbon then absorbed solar heat and, like a hot-air balloon, quickly lofted even higher, where the soot would take much longer to clear from the sky.** (Related: "'Nuclear Archaeologists' Find World War II Plutonium.") Reversing Global Warming? **The global cooling caused by these high carbon clouds wouldn't be as catastrophic as a superpower-versus-superpower nuclear winter, but "the effects would still be regarded as leading to unprecedented climate change,"** **research physical scientist Luke Oman said** during a press briefing Friday at a meeting of the American Association for the Advancement of Science in Washington, D.C. **Earth is currently in a long-term warming trend. After a regional nuclear war, though, average global temperatures would drop by 2.25 degrees F (1.25 degrees C) for two to three years afterward,** the models suggest. At the extreme, **the tropics, Europe, Asia, and Alaska would cool by 5.4 to 7.2 degrees F (3 to 4 degrees C),** according to the models. Parts of the Arctic and Antarctic would actually warm a bit, due to shifted wind and ocean-circulation patterns, the researchers said. After ten years, **average global temperatures would still be 0.9 degree F (0.5 degree C) lower than before the nuclear war**, the models predict. (Pictures: "Red Hot" Nuclear-Waste Train Glows in Infrared.) Years Without Summer **For a time Earth would likely be a colder, hungrier planet. "Our results suggest that agriculture could be severely impacted, especially in areas that are susceptible to late-spring and early-fall frosts**," said Oman, of NASA's Goddard Space Flight Center in Greenbelt, Maryland. **"Examples similar to the crop failures and famines experienced following the Mount Tambora eruption in 1815 could be widespread and last several years**," he added. That Indonesian volcano ushered in "the year without summer," a time of famines and unrest. (See pictures of the Mount Tambora eruption.) **All these changes would also alter circulation patterns in the tropical atmosphere, reducing precipitation by 10 percent globally for one to four years**, the scientists said. **Even after seven years, global average precipitation would be 5 percent lower than it was before the conflict**, according to the model. In addition, researcher Michael Mills, of the National Center for Atmospheric Research in Colorado, found **large decreases in the protective ozone layer, leading to much more ultraviolet [uv] radiation reaching Earth's surface and harming the environment and people.** "The main message from our work," NASA's Oman said, "would be that even a regional nuclear conflict would have global consequences."

#### It destroys everything

Robock and Toon 10

Toon: chair of the Dept of Atmospheric and Oceanic Sciences and a member of the Laboratory for Atmospheric and Space Physics at the University of Colorado @ Boulder. Robock is a Proff of atmospheric science at Rutgers University in New Brunswick, New Jersey Local Nuclear War, Global Suffering; January 2010; Scientific American Magazine; 8 Page(s), <http://www.sciamdigital.com/index.cfm?fa=Products.ViewIssuePreview&ISSUEID_CHAR=944156A6-237D-9F22-E8E572150DCA8E65&ARTICLEID_CHAR=97CA0A88-237D-9F22-E861FD76EBEE2611>)

**Twenty-five years ago international teams of scientists showed that a nuclear war** between the U.S. and the Soviet Union **could produce a “nuclear winter.”** **The smoke** from vast fires started by bombs dropped on cities and industrial areas **would envelop the planet and absorb so much sunlight that the earth’s surface would get cold, dark and dry, killing plants worldwide and eliminating our food supply.** Surface temperatures would reach winter values in the summer. International discussion about this prediction, fueled largely by astronomer Carl Sagan, forced the leaders of the two superpowers to confront the possibility that their arms race endangered not just themselves but the entire human race. Countries large and small demanded disarmament. Nuclear winter became an important factor in ending the nuclear arms race. Looking back later, in 2000, former Soviet Union leader Mikhail S. Gorbachev observed, “**Models made by Russian and American scientists showed that a nuclear war would result in a nuclear winter that would be extremely destructive to all life on earth**; the knowledge of that was a great stimulus to us, to people of honor and morality, to act.” Why discuss this topic now that the cold war has ended? Because as other nations continue to acquire nuclear weapons, **smaller, regional nuclear wars could create a similar global catastrophe.** New analyses reveal that a conflict between India and Pakistan, for example, in which 100 nuclear bombs were dropped on cities and industrial areas--**only** 0.4 percent **of the world's more than 25,000 warheads--would produce enough smoke to cripple global agriculture.** **A regional war could cause widespread loss of life even in countries far away from the conflict.** Regional War Threatens the World **By deploying modern computers and modern climate models,** the two of us and our **colleagues have shown that not only were the ideas of the 1980s correct but the effects would last for at least 10 years,** much longer than previously thought. **And by doing calculations** that assess decades of time, only now possible with fast, current computers**, and by including in our calculations the oceans and the entire atmosphere--also only now possible--we have found that the smoke from even a regional war would be heated and lofted by the sun and remain suspended in the upper atmosphere for years, continuing to block sunlight and to cool the earth.**  India and Pakistan, which together have more than 100 nuclear weapons, may be the most worrisome adversaries capable of a regional nuclear conflict today. But other countries besides the U.S. and Russia (which have thousands) are well endowed: China, France and the U.K. have hundreds of nuclear warheads; Israel has more than 80, North Korea has about 10 and Iran may well be trying to make its own. In 2004 this situation prompted one of us (Toon) and later Rich Turco of the University of California, Los Angeles, both veterans of the 1980s investigations, to begin evaluating what the global environmental effects of a regional nuclear war would be and to take as our test case an engagement between India and Pakistan. The latest estimates by David Albright of the Institute for Science and International Security and by Robert S. Norris of the Natural Resources Defense Council are that India has 50 to 60 assembled weapons (with enough plutonium for 100) and that Pakistan has 60 weapons. Both countries continue to increase their arsenals. Indian and Pakistani nuclear weapons tests indicate that the yield of the warheads would be similar to the 15-kiloton explosive yield (equivalent to 15,000 tons of TNT) of the bomb the U.S. used on Hiroshima. Toon and Turco, along with Charles Bardeen, now at the National Center for Atmospheric Research, modeled what would happen if 50 Hiroshima-size bombs were dropped across the highest population-density targets in Pakistan and if 50 similar bombs were also dropped across India. Some people maintain that nuclear weapons would be used in only a measured way. But in the wake of chaos, fear and broken communications that would occur once a nuclear war began, we doubt leaders would limit attacks in any rational manner. This likelihood is particularly true for Pakistan, which is small and could be quickly overrun in a conventional conflict. Peter R. Lavoy of the Naval Postgraduate School, for example, has analyzed the ways in which a conflict between India and Pakistan might occur and argues that Pakistan could face a decision to use all its nuclear arsenal quickly before India swamps its military bases with traditional forces. Obviously, we hope the number of nuclear targets in any future war will be zero, but policy makers and voters should know what is possible. Toon and Turco found that more than 20 million people in the two countries could die from the blasts, fires and radioactivity--a horrible slaughter. But the investigators were shocked to discover that a tremendous amount of smoke would be generated, given the megacities in the two countries, assuming each fire would burn the same area that actually did burn in Hiroshima and assuming an amount of burnable material per person based on various studies. They calculated that the 50 bombs exploded in Pakistan would produce three teragrams of smoke, and the 50 bombs hitting India would generate four (one teragram equals a million metric tons). Satellite observations of actual forest fires have shown that smoke can be lofted up through the troposphere (the bottom layer of the atmosphere) and sometimes then into the lower stratosphere (the layer just above, extending to about 30 miles). Toon and Turco also did some "back of the envelope" calculations of the possible climate impact of the smoke should it enter the stratosphere. The large magnitude of such effects made them realize they needed help from a climate modeler. It turned out that one of us (Robock) was already working with Luke Oman, now at the NASA Goddard Space Flight Center, who was finishing his Ph.D. at Rutgers University on the climatic effects of volcanic eruptions, and with Georgiy L. Stenchikov, also at Rutgers and an author of the first Russian work on nuclear winter. They developed a climate model that could be used fairly easily for the nuclear blast calculations. Robock and his colleagues, being conservative, put five teragrams of smoke into their modeled upper troposphere over India and Pakistan on an imaginary May 15. The model calculated how winds would blow the smoke around the world and how the smoke particles would settle out from the atmosphere. The smoke covered all the continents within two weeks. The black, sooty smoke absorbed sunlight, warmed and rose into the stratosphere. Rain never falls there, so the air is never cleansed by precipitation; particles very slowly settle out by falling, with air resisting them. Soot particles are small, with an average diameter of only 0.1 micron (μm), and so drift down very slowly. They also rise during the daytime as they are heated by the sun, repeatedly delaying their elimination. The calculations showed that the smoke would reach far higher into the upper stratosphere than the sulfate particles that are produced by episodic volcanic eruptions. Sulfate particles are transparent and absorb much less sunlight than soot and are also bigger, typically 0.5 μm. The volcanic particles remain airborne for about two years, but smoke from nuclear fires would last a decade. Killing Frosts in Summer **The climatic response to the smoke was surprising.** Sunlight was immediately reduced**, cooling the planet to temperatures lower than any experienced for the past 1,000 years.///** The global average cooling, of about 1.25 degrees Celsius (2.3 degrees Fahrenheit), lasted for several years, and even after 10 years the temperature was still 0.5 degree C colder than normal. The models also showed a 10 percent reduction in precipitation worldwide. **Precipitation, river flow and soil moisture all decreased because blocking sunlight reduces evaporation and weakens the hydrologic cycle.** Drought was largely concentrated in the lower latitudes, however, **because global cooling would retard the Hadley air circulation pattern in the tropics, which produces a large fraction of global precipitation. In critical areas such as the Asian monsoon regions, rainfall dropped by as much as 40 percent.**  **The cooling might not seem like much, but** even a small dip can cause severe consequences. **Cooling and diminished sunlight would, for example, shorten growing seasons in the midlatitudes.** More insight into the effects of cooling came from analyses of the aftermaths of massive volcanic eruptions. Every once in a while such eruptions produce temporary cooling for a year or two. **The largest of the past 500 years, the 1815 Tambora eruption in Indonesia, blotted the sun and produced global cooling of about 0.5 degree C for a year;** 1816 became known as "The Year.”

## Off Case

### 2AC

**Perm- do the counterplan**

**Resolved means by vote**

**Webster’s 1998**

Webster’s Revised Unabridged Dictionary, 1998 (dictionary.com)

Resolved: 5**. To express, as an opinion or determination, by resolution and vote; to declare or decide by a formal vote; -- followed by a clause**; as, the house resolved (or, it was resolved by the house) that no money should be apropriated (or, to appropriate no money).

**Colon doesn’t matter – means resolved is irrelevant**

**Should means ought**

**Howard 5**

Taylor and Howard, 05 - Resources for the Future, Partnership to Cut Hunger and Poverty in Africa (Michael and Julie, “Investing in Africa's future: U.S. Agricultural development assistance for Sub-Saharan Africa”, 9/12, http://www.sarpn.org.za/documents/d0001784/5-US-agric\_Sept2005\_Chap2.pdf)
Other legislated DA earmarks in the FY2005 appropriations bill are smaller and more targeted: plant biotechnology research and development ($25 million), the American Schools and Hospitals Abroad program ($20 million), women’s leadership capacity ($15 million), the International Fertilizer Development Center ($2.3 million), and clean water treatment ($2 million). Interestingly, in the wording of the bill, Congress uses the term shall in connection with only two of these eight earmarks; the others say that USAID should make the prescribed amount available. **The difference between shall and should may have legal significance—one is clearly mandatory while the other is a strong admonition**—but it makes little practical difference in USAID’s need to comply with the congressional directive to the best of its ability.

**Our interp is that counterplans must be textually and functionally competitive: Counterplan isn’t because**

**Functionally only is bad**

**A. Steals 9 minutes of 1AC offense**

**B. Unpredictable- there is an infinite number of subsets to pick out of and can always find an arbitrary reason to delay- they justify cp’s like ‘do plan after the election’ which are impossible to get offense against**

**C. Education- wrecks larger discussion of policy, skirts debate about topic implementation, and leads to a race to the bottom of finding the most obscure act to PIC out of**

**D) artificially inflates net benefits- can’t just win defense against stupid net benefits because they’ll say CP solves and offense/defense paradigm**

Indefinite detention is the correct term

US LEGAL 13 US Legal Forms Inc., Indefinite Detention Law and Legal Definition<http://definitions.uslegal.com/i/indefinite-detention/>

Indefinite detention is the practice of detaining an arrested person by a national government or law enforcement agency without a trial. It may be made by the home country or by a foreign nation. Indefinite detention is a controversial practice, especially in situations where the detention is by a foreign nation. It is controversial because it seema to violate many national and international laws. It also violates human rights laws.

### 2AC

#### 1. 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.

c. Vague alts are a voting issue – skews 2AC offense and creates a form of sandbagging which unfairly privileges the time benefits of the block

#### 2. THEIR CRITICAL, PARTIAL ACCEPTANCE OF HEIDEGGER IS INSUFFICIENT AND ONLY STRENGTHENS THE DISTINCTION BETWEEN HUMAN AND NONHUMANS, PUSHING POPULATIONS TOWARDS GENOCIDE - KILLING BEINGS WITH INAUTHENTIC VIEWS OF DEATH IS ACCEPTABLE BECAUSE THEY DO NOT DIE – ONLY PERISH.

 Calarco 2k3

[matthew, PHD Suny-Binghamton, "on the borders of language and death: derrida and the question of the animal", angelaki]

Now it might seem that by attempting to disrupt the strict binaries that separate the authentic from the inauthentic, properly dying from perishing and demise, and Dasein from animals and other living beings, that Derrida is attempting to collapse all experiences of death into an indifferent sameness. He is cognizant of this risk, and immediately adds that the “common characteristic” he is speaking about “does not mean homogeneity, but rather the impossibility of an absolutely pure and rigorously uncrossable limit . . .” (A 75/PF 336). The point for Derrida here is not to erase the sharp distinctions between the various modes of death and dying but to open them up to contamination and multiplication. In other words, he does not want to obfuscate the many differences between the kinds of living/dying that characterize human beings and animals; rather he is pointing out that the drawing of single or essential limits is itself what obscures important differences both between humans and animals as well as among humans themselves and animals themselves. There is not one difference that separates “The Human” from “The Animal” with respect to death any more than there is a single experience of death common to all animals as such or all humans as such. Such would be the conclusion reached by way of the “logic” of différance, which insists on multiplication and complication where essentialist gestures have homogenized, reduced, or screened out important differences. Derrida intimates the consequences of this differ*a*ntial thinking for Heidegger’s existential analytic when he writes: If, in its very principle, the rigor of this distinction [i.e., *eigentlich sterben* and *verenden*] were compromised, weakened, or parasited on both sides of what it is supposed to dissociate . . . , then . . . the entire project of the analysis of *Dasein*, in its essential conceptuality, would be, if not discredited, granted another status than the one generally attributed to it. (A 31-2/PF 321) But beyond this attempt to point out the necessity for a rethinking of the existential analytic, Derrida’s intervention into the thematics of the possible/proper in Heidegger’s discourse on death can also be read as opening onto a quite radical and original critique of anthropocentrism. In contrast to thinkers such as Agamben, Levinas, and Blanchot, Derrida clearly recognizes that something must be said about the anthropocentrism of a discourse that so quickly dismisses any relation between animals and their death(s) and/or language(s). The underlying argument here is that it is not sufficient to argue (against Heidegger) for the impossibility of a proper death for Dasein only to effectively leave in place (with Heidegger) the classically anthropocentric, hierarchical, and analytical distinctions between human Dasein and the animal. Derrida addresses this concern in the concluding lines of the paragraph we have been reading: Against, or without, Heidegger, one could point to a thousand signs that show that animals also die. Although the innumerable structural differences that separate one “species” from another should make us vigilant about any discourse on animality or bestiality in general, one can say that animals have a very significant relation to death, to murder and to war (hence to borders), to mourning and to hospitality, and so forth, even if they have neither a relation to death nor to the “name” of death as such, nor, by the same token, to the other as such, to the purity as such of the alterity of the other as such. But neither does man, that is precisely the point! . . . Who will guarantee that the name, that the ability to name death (like that of naming the other, and it is the same) does not participate as much in the dissimulation of the “as such” of death as in its revelation, and that language is not precisely the origin of the nontruth of death, and of the other? (A 75-6/PF 336) Derrida closes the paragraph with a question mark, as is typically the case in his work when such immensely complex relations are at stake. What we are left with at the end of his analysis, then, is a rather open-ended conclusion: the lingering forms of anthropocentrism and humanism that underpin Heidegger’s analysis of death should be called into question, and this entails the necessity not only for a more nuanced account of the various relations human beings have to death and dying, but also for careful analyses of how animals (and not “The Animal”) also die.

#### 3. Perm– Do both. At best their link is one of omission, the permutation resolves it

#### 4. The critique is anthropocentric – it assumes knowledge for nature

Bobertz 97 Bobertz Ass’t Prof of Law, Nebraska College of Law, 1997, Bradley Columbia Journal of Environmental Law,Lexis

 Apart from the political dangers Ferry associates with deep ecology, he believes the philosophy suffers from a fundamental self-contradiction. The argument that natural objects can possess their own interests strikes Ferry as "one of the mostabsurd forms of anthropomorphism." n100 We cannot "think like a mountain," to use Aldo Leopold's famous phrase, n101 because, quite obviously, we are not mountains. Recalling Sierra Club v. Morton, n102 the famous standing case involving a proposal to construct a ski resort in California's Mineral King valley, Ferry claims that environmentalists "always suppose that the interests of objects (mountains, lakes and other natural things) are opposed to development. But how do we know? After all, isn't it possible that Mineral King would be inclined to welcome a ski slope after having remained idlefor millions of years?" n103 Yet few people, including the writers Ferry labels as deep ecologists, would disagree with the fact that recognizing value in natural objects is an act of human cognition. Perhaps a person suffering from profound psychosis might claim the ability to understand how a mountain "thinks," but the writers Ferry criticizes do not advance such bizarre claims. n104 For deep ecologists and environmental ethicists, phrases such as "think like a mountain" are metaphorical and heuristic, not literal and agenda-setting.

#### 5. Their impact claims are anthropocentric – belief that humans can cause such harm replicates the problem

Fox, 5 (Russel, 11/22/5, “The Real Anthropocentrism,” In Medias Res, Ph.D, Assistant Professor of Political Science Division of Social and Behavioral Sciences Friends University, JPL)

In the end, I think the attempt to purge the human, to reduce the everyday productive place of actual human beings from one's picture of the natural world (an attempt that can lead ultimately to rather bizarre conclusions), rests on a perverse kind of anthropocentrism. Isn't anthropocentrism exactly what deep ecologists have long said is the root of our problem--the way in which our economies and societies assume that human beings are the center of creation? Yes. But isn't the belief that human beings are utterly and uniquely destructive of the natural world, that in our ordinary consumptive lives we cannot help but be a "foreign" presence on the earth, equally anthropocentric? In fact, it might be an even worse anthropocentrism: in the real world, farmers and gardeners and all those who care about the earth take seriously their stewardship of it, a stewardship which makes them, in my experience at least, humble and careful, aware of the fragility of their relationship with nature. Whereas radical environmentalism too often allows for no such complexity; there is humanity and there is nature, and the further the two are kept tightly separate from each other (close enough for the former to look at and "commune with" the latter, but nothing more), the better for both. For any who find themselves agreeing with this position, I strongly recommend 1491--a wonderful, provocative new book which argues that "pristine" New World which European explorers "discovered" and invaded in the from 15th to the 17th centuries, and which many today consider today to have been a kind of paradise lost, was to a great extent the creation of prolonged human interaction. The Amazon basin, the buffalo herds--all a result of generations of indigenous "species maintenance" and "land planning" (though tragic accidents played a part as well). Real environmentalists know that human technology and society, for better and for worse, are as much a part of the geography of the planet as the life patterns of any other species. Only a truly anthropocentric thinker would think that you can take humans--like either the Gwich'in or the Inupiat--out of the equation, and call what remains to be conserved truly "natural."

#### 6. Perm, do the plan and all non-mutually exclusive parts of the alt. We can recognize the need for environmentally sustainable practices without resorting to dangerous biocentrism

Hwang, 3 (Kyung-Sig, 2003, “Apology for Environmental Anthropocentrism,” Eubios Ethics Institute, Professor in Department of Philosophy at Seoul National University, JPL) \*Gender modified

While our ability to affect the future is immense, our ability to foresee the results of our environmental interventions is not. I think that our moral responsibility grows with foresight. And yet, paradoxically in some cases grave moral responsibility is entailed by the fact of one's ignorance. If the planetary life-support system appears to be complex and mysterious, humble ignorance should indicate respect and restraint. However, as many life scientists have complained, these virtues have not been apparent in these generations. Instead they point out, we have boldly marched ahead, shredding delicate ecosystems and obliterating countless species, and with them the unique genetic codes that evolved through millions of years; we have altered the climate and even the chemistry of the atmosphere, and as a result of all this-what?[18] A few results are immediately to our benefit; more energy, more mineral resources, more cropland, convenient waste disposal. Indeed, these short-term payoffs motivated us to alter our natural environment. But by far the larger and more significant results, the permanent results, are unknown and perhaps unknowable. Nature, says poet, Nancy Newhall, "holds answers to more questions than we know how to ask." And we have scarcely bothered to ask.[19] Year and year, the natural habitants diminish and the species disappear, and thus our planetary ecosystem (our household) is forever impoverished. It is awareness of ecological crisis that has led to the now common claim that we need transvaluation of value, new values, a new ethic, and an ethic that is essentially and not simply contingently new and ecological. Closer inspection usually reveals that the writer who states this does not really mean to advance such a radical thesis, that all they are arguing for is the application of old, recognized, ethical values of the kind noted under the characterization of respect for persons, justice, honesty, promotion of good, where pleasure and happiness are seen as goods. Thus, although W. T. Blackstone writes; "we do not need the kind of transvaluation that Nietzsche wanted, but we do need that for which ecologists are calling, that is, basic changes in man's attitude toward nature and man's place in nature, toward population growth, toward the use of technology, and toward the production and distribution of goods and services." We need to develop what I call the ecological attitude. The transvaluation of values, which is needed, will require fundamental changes in the social, legal, political and economic institutions that embody our values. He concludes his article by explicitly noting that he does not really demand a new ethic, or a transvaluation of values. A human being is a hierarchical system and a component of super-individual, hierarchical system of sets. What is needed is not the denial of anthropocentrism, the placing of the highest value on humans and their ends and the conceiving of the rest of the nature as an instrument for those ends. Rather what is needed is the explicit recognition of these hierarchical systems and an ecological approach to science and the accumulation of scientific knowledge in which the myriad casual relationships between different hierarchical systems are recognized and put to the use of humanity. The freedom to use the environment must be restricted to rational and human use. If there is irrational use - pollution, overpopulation, crowding, a growth in poverty, and so on - people may wipe out hierarchies of life related to their own survival and to the quality of their own lives. This sort of anthropocentrism is essential even to human survival and a radical biotic egalitarianism would undermine conditions for that survival.[20] Rational anthropocentrism, one that recognizes the value of human life "transcends our individual life" and one in which we form a collective bond of identity with the future generations is essential in the process of human evolution.

#### 7. Reject systematic or all-encompassing “root cause” claims for human action

Bleiker, 3 (Roland, 2003, “Discourse and Human Agency,” Contemporary Political Theory, No. 2, Professor at School of Political Science, University of Queensland, pg. 25, JPL)

A conceptualization of human agency cannot be based on a parsimonious proposition, a one-sentence statement that captures something like an authentic nature of human agency. There is no essence to human agency, no core that can be brought down to a lowest common denominator, that will crystallize one day in a long sought after magic formula. A search for such an elusive centre would freeze a specific image of human agency to the detriment of all others. The dangers of such a totalizing position have been well rehearsed. Foucault (1982, 209), for instance, believes that a theory of power is unable to provide the basis for analytical work, for it assumes a prior objectification of the very power dynamics the theory is trying to assess. Bourdieu (1998, 25) speaks of the ‘imperialism of the universal’ and List (1993, 11) warns us of an approach that ‘subsumes, or, rather, pretends to be able to subsume everything into one concept, one theory, one position.’ Such a master discourse, she claims, inevitably oppresses everything that does not fit into its particular view of the world. What, then, is the alternative to anchoring an understanding of human agency in a foundationalist master narrative? How to ground critique, actions, norms and life itself if there are no universal values that can enable such a process of grounding? Various authors have advanced convincing suggestions. Consider the following three examples: (1) de Certeau (1990, 51) attempts to avoid totalitarian thought by grounding his position not in a systematic theory, but in ‘operational schemes.’ A theory is a method of delineation. It freezes what should be understood in its fluidity. An understanding of operational schemes, by contrast, recognizes that events should be assessed in their changing dimensions. Rather than trying to determine what an event is, such an approach maps the contours within which events are incessantly constituted and reconstituted. Or, expressed in de Certeau’s terminology, one must comprehend forms of action in the context of their regulatory environment. (2) Butler (1992, 3–7) speaks of contingent foundations. Like de Certeau, she too believes that the Foucaultean recognition that power pervades all aspects of society, including the position of the critic, does not necessarily lead into a nihilistic abyss. It merely shows that political closure occurs through attempts to establish foundational norms that lie beyond power. Likewise, to reopen this political domain is not to do away with foundations as such, but to acknowledge their contingent character, to illuminate what they authorize, exclude and foreclose. One must come to terms with how the subject and its agency are constituted and framed by specific regimes of power. However, this is not the end of human agency. Quite to the contrary. Butler (1992, 12–14) argues persuasively that ‘the constituted character of the subject is the very precondition of its agency.’ To appreciate the practical relevance of this claim, one must investigate the possibilities for agency that arise out of existing webs of power and discourse. One must scrutinize how social change can be brought about by a reworking of the power regimes that constitute our subjectivity (Butler, 1992, 13). (3) Deleuze and Guattari (1996, 3–25, 377) go a step further. Opting for the rhizome, they reject all forms of foundations, structures, roots or trees. The latter three, they say, has dominated much of the Western thought. A tree is a hierarchical system in which ones becomes two, in which everything can be traced back to the same origin. Roots and radicles may shatter the linear unity of knowledge, but they hold on to a contrived system of thought, to an image of the world in which the multiple always goes back to a centred and higher unity. The brain, by contrast, is not rooted, does not strive for a central point. It functions like a subterranean rhizome. It grows sideways, has multiple entryways and exits. It has no beginning or end, only a middle, from where it expands and overspills. Any point of the rhizome, Deleuze and Guattari emphasize, is connected to any other. It is a multiplicity without hierarchies, units or fix points to anchor thought. There are only lines, magnitudes, dimensions, plateaus, and they are always in motion. To travel along these lines and dimensions is to engage in nomad thought, to travel along axis of difference, rather than identity. Nomad thought, says one of Deleuze’s feminist interpreters, ‘combines coherence with mobility,’ it is ‘a creative sort of becoming, a performative metaphor that allows for otherwise unlikely encounters and unsuspected sources of interaction of experience and of knowledge’ (Braidotti, 1994, 21). The extent to which this form of thinking constitutes a grounding process may be left open to question. Judging from Deleuze’s own work it is clear, however, that the exploration of difference and multiplicities does not prevent him from taking positions for or against specific political issues. What he does forgo, however, is a central authorial voice F to the benefit of a polyphonic array of whispers and shouts.

#### 8. Preventing human extinction is necessary in an eco-centric framework

Baum 9 – PhD @ Penn State University Sean Baum, PhD @ Penn State University, 2009, “Costebenefit analysis of space exploration: Some ethical considerations,” Space Policy, Vol. 25, Science Direct

It is of note that the priority of reducing the risk of human extinction persists in forms of CBA which value nature in an ecocentric fashion, i.e. independently of any consideration of human interests. The basic reason is that without humanity leading long-term survival efforts (which would most likely include space colonization), the rest of Earth life would perish as a result of the astronomical processes described above. This point is elaborated by futurist Bruce Tonn, who argues on ecocentric grounds for reorienting society to focus on avoiding human extinction through both immediate avoidance of catastrophe and long-term space colonization [40]. Tonn dubs this process of surviving beyond Earth’s eventual demise ‘‘transcending oblivion’’ [41]. There is thus some convergence in the recommendations of the common anthropocentric, money-based CBA and the ecocentric CBA described here. This convergence results from the fact that (in all likelihood) only humans are capable of colonizing space, and thus human survival is necessary for Earth life to transcend oblivion.

#### 9. Alt fails – people will inevitably be ethnocentric

Lee, 9, Philosophy Professor at Bloomsburg, ‘9 (Wendy, Spring, “Restoring Human-Centerednes to Environmental Conscience: The Ecocentrist's Dilemma, the Role of Heterosexualized Anthropomorphizing, and the Significance of Language to Ecological Feminism” Ethics and the Environment, Vol 14 No 1, Project Muse)

Bender undertakes this task in the course of promoting his specific version of ecocen trism that he calls "nondualism" but it is telling that, instead of offering an argument that provides grounds for rejecting the "dualism" of experiencing subject and experienced object, he resorts to an experience of "nonduality": I start out…in ordinary, dualistic, waking consciousness, feeling myself a subject amidst myriad objects around me, each experienced as other. I discover I do not exist independently, but am like a node in a web, through which diverse kinds of energy flow. For example, I [End Page 35] take in the Sun's warmth, the in-breath, food, water, human speech, and so on. Meanwhile, I expel many kinds of energy. Like the out-breath, speech, bodily movements, and excreta. The energy I take in and expel circulates everywhere on Earth, passing through others as through myself. Thus I discover my connectedness to all other beings, such that I, like they, am but one manifestation of this energy flow, of planet Earth…. Nonduality emerges as I realize further that natural phenomena are Earth transiently manifest, empty of substantive selfhood (objectivity), since everything is dependently co-originated. Thus, though I am precisely emptiness of substantive or independent selfhood; even so, as one particular manifold of relations, I am unique. (2003, 435) The difficulties here are three-fold: First, this isn't an argument, but rather an experiential narrative, hence it would be folly to think it could establish anything other than that someone can have such an experience. But since such could be motivated by, say, exhaustion, illness, or the use of narcotics, it hardly establishes any metaphysical claim about the nature of identity or being—much less about any capacity to dissociate oneself from "substantive selfhood." Second, however much he may feel himself to be "empty of substantive selfhood" Bender's use of "I' suggests that he confuses the capacity to conceive with the capacity to actually be so emptied. It's one thing to conceive of myself as connected to all other beings—indeed I do so conceive myself, I know this in the abstract to be true and I know of no evidence that contradicts it. It is, however, quite another thing to experience myself as emptied of selfhood. Moreover, it is simply false that what I can conceive, imagine, think, or even describe is necessarily something I can experience per se. Third, although Bender's appeals to intuition, mystical insight, Spinoza's notion of particulars as manifestations of nature (2003, 434–5), or Buddhist inspired meditation (2003, 436–7) might be compelling for someone already convinced that so-called nondualist identification with nonhuman nature is possible, these hardly suffice as an argument convincing to the skeptic who may not share the necessary presuppositions or traditions. Here too, then, Bender's account is unconvincing—the ethical norm he derives from it (among others), "Form one body with all beings!" is likely to be mystifying to anyone unconvinced we can make this leap of faith from centeredness to "one body" or (as the moral dictum requires) from the "I" of subject-object dualism to the disavowal of my body. [End Page 36] Moreover, if I am right that there are good reasons to take the specifically embodied configuration of capacities and limitations that describe human being seriously, no such dissociation from "I" is possible—in fact, it intimates precisely the dualism Bender rejects. However deep my feelings (spiritual sensibilities, affectionate sentiments, desires to connect) go with respect to my appreciation of natural objects and phenomena, I nonetheless remain at the center of my embodied consciousness—and cannot be/do otherwise. Hence, one more version of the ecocentrist's dilemma: the dissociation of self demanded by the moral maxim "form one body with all things" assumes that I can dissociate my consciousness from my body—what else to call this but dualism? The notion that I could dissociate myself without dissociating myself from my situated body to be "one with all things" is comprehensible only if I am not (at least essentially) my body, but rather a consciousness that, even if not fully independent, is capable of not merely conceiving but experiencing "my" body as something other than bound by my own skin, that is, as not my body. Hence I must be dual—a "mind" that, in virtue of its capacity to empty itself of its "substantive selfhood," is merely in a dissociable body. No doubt, Bender would find this objection to his view onerous. However, when he advises us to try to expand our selves through, for example, meditation or to encompass an ever-wider set of relations with and to human and nonhuman others (2003, 423–4), it is hard to see how his view does not fit the dualist shoe. He writes that "[s]uch a practice, over time, should transform your sense of who you are as you discover you are not the separate skin-encapsulated individual you once thought you were, but that you belong to all other living beings, and that other beings are not really other, and that you yourself are not really the center of concern." (2003, 424, my emphasis) Again, Bender confuses what I can conceive with what I can experience—I can conceive myself as "not the center of concern," but not an iota of this moral recognition either requires or makes possible an experience of myself as anything other than "skin encapsulated." Bender hasn't, moreover, the luxury of trading in his metaphysical commitments for the option that he's speaking "merely" phenomenologically or metaphorically. For neither the environmental pragmatist, who would likely deny the need to undertake such a practice in order to have a stake in the future of human [End Page 37] consciousness, nor those who engage in such practices without a smidgeon of the environmental activism Bender hopes will follow, are likely to be moved by anything but an argument for nondualism—and this Bender does not provide.

#### 10. Given that inevitability, the attempt of the alternative causes us to give up and abandon all ethical engagement with the environment

Lee, 9, Philosophy Professor at Bloomsburg, ‘9 (Wendy, Spring, “Restoring Human-Centerednes to Environmental Conscience: The Ecocentrist's Dilemma, the Role of Heterosexualized Anthropomorphizing, and the Significance of Language to Ecological Feminism” Ethics and the Environment, Vol 14 No 1, Project Muse)

A second difficulty is that if Bender is correct that the centeredness of human consciousness predisposes (or just is) chauvinistic, then either we really are doomed to continue the ecocidal trajectory of our history or, as Bender argues, we must disavow our human-centeredness in favor of an ecocentric ("non-dualist") perspective and practice (2003, 397–404, 445–9). Hence a first version of the ecocentrist's dilemma: If the ecocentrist is wrong, and it turns out that human-centeredness (qua chauvinistic) is an ineradicable feature of human consciousness (at least short of suicide), then we're doomed to precisely the environmental destruction Bender chronicles in impressive (if however despairing) detail in The Culture of Extinction. We are, in other words determined to "dominate the earth!" in which case we may as well just "hang it up," head out to buy Hummers, and buy stock in Shell. This, of course, is not a conclusion Bender (or any of us) would find acceptable. But if, alternatively, the ecocentrist is right, he/she must show how it is possible—at the level of conscious experience—to dissociate that experience from the centered "I" of the subject who, in other words, has it in mind to accomplish the disavowal of the presumably egoistic self and permanently redirect consciousness towards the eco-centric.3

**11. Rejecting anthropocentrism prevents the environmental movement from effectuating political change**

Martin W. **Lewis, 1992**. Associate Research Professor of Geography, Duke University. Green Delusions: An Environmentalist Critique of Radical Environmentalism, 22]

**It is widely accepted that environmental thinkers can be divided into two camps: those who favor the preservation of nature for nature's sake, and those who wish only to maintain the environment as the necessary habitat of humankind** (see Pepper 1989; O'Riordan 1989; W. Fox 1990). In the first group stand the green radicals, while the second supposedly consists of environmental reformers, also labeled "shallow ecologists." Radicals often pull no punches in assailing the members of the latter camp for their anthropocentrism, managerialism, and gutless accommodationism--to some, "shallow ecology" is "just a more efficient form of exploitation and oppression" (quoted in Nash 1989:202). While **this dichotomy** may accurately depict some of the major approaches of the past, **it** **is remarkably unhelpful for devising the kind of framework required for a truly effective environmental movement. It incorrectly assumes that those who adopt an anti-anthropocentric view** (that is, one that accords intrinsic worth to nonhuman beings) **will also embrace the larger political programs of radical environmentalism**. Similarly**, it portrays those who favor reforms within the political and economic structures of representative democracies as thereby excluding all nonhumans from the realm of moral consideration**. Yet **no convincing reasons are ever provided to show why these beliefs should necessarily be aligned in such a manner**. (For an instructive discussion of the pitfalls of the anthropocentric versus nonanthropocentric dichotomy, see Norton 1987, chapter II.)

# 1AR

**Ontology is a DESTRUCTIVE HISTORICAL FICTION – any GATEWAY claims are just TRICKS based on how we SHELVE BOOKS**

**Shirky 5**

Clay Shirky, teacher of NYU's graduate Interactive Telecommunications Program, 03/15/05¶ <http://www.itconversations.com/shows/detail470.html>¶ I hold a joint appointment at NYU, as an Associate Arts Professor at the Interactive Telecommunications Program (ITP) and as a Distinguished Writer in Residence in the Journalism Department. I am also a Fellow at the Berkman Center for Internet and Society, and was the Edward R. Murrow Visiting Lecturer at Harvard's Joan Shorenstein Center on the Press, Politics, and Public Policy in 2010.

**There are many ways to organize data:** labels, lists, categories, taxonomies, **ontologies.** Of these, **ontology -- assertions about essence and relations among a group of items -- seems to be the highest-order method of organization**. Indeed, the predicted value of the Semantic Web assumes that ontological successes such as the Library of Congress's classification scheme are easily replicable. Those successes are not easily replicable. **Ontology, far from being an ideal high-order tool, is a 300-year-old hack, now nearing the end of its useful life. The problem ontology solves is not how to organize ideas but how to organize things** -- **the Library of Congress's classification scheme exists not because concepts require consistent hierarchical placement, but because books do**. The LC scheme, when examined closely, is riddled with inconsistencies, bias, and gaps. Top level geographic categories, for example, include "The Balkan Penninsula" and "Asia." The primary medical categories don't include oncology, defaulting to the older and now discredited notion that cancers were more related to specific organs than to common processes. And the list of such oddities goes on. The reason the LC scheme is accumulating these errors faster than they can correct them is the physical fact of the book, which makes a card catalog scheme necessary, and constant re-shelving impossible. Likewise**, it enforces cookie-cutter categorization** **that doesn't reflect the polyphony of its contents--there is a literature of creativity, for example, made up of books about art, science, engineering, and so on, and yet those books are not categorized** (which is to say shelved) **together, because the LC scheme doesn't recognize creativity** as an organizing principle. For a reader interested in creativity, the LC **ontology destroys value rather than creating it.** ¶ As we have learned from the Web**, when data is decoupled from physical presence, it is fluid enough to be grouped differently by different readers, and on different days**. The Web's main virtue, in handling data, is to transmute organization from an a priori, content-based judgment to one that can be ad hoc, context-based, socially embedded, and constantly altered. **The Web frees us from needing to argue about whether The Book of 5 Rings "is" a business book or a primer on war -- it is plainly both, and not only are we freed from making that judgment firmly or in advance, we are freed from needing to make it explicit at all.** ¶ This talk begins by exploring **the rise of ontological classification**. In the period after the invention of the printing press but before the invention of the search engine, intellectual production **was vested in books,** objects that were numerous but opaque. When you have more than a few hundred books, **categorization becomes a forced move**, even if the categories are somewhat **arbitrary,** **because** without categories, you can no longer locate individual **books**.

#### World War II proves that attempting to predict the impact of a particular ontology is futile – it cannot explain why modernity produced varying responses to the conflict within the same population from genocidal nationalist militarism to pacificsm.