## 2AC

### Democracy

#### The autocratic peace is not nearly as strong as a democratic peace – it only looks peaceful compared to mixed dyads but autocracies are separately not as likely to be peaceful because of their trend to be distinct from one another. The democratic peace will only grow with more democracies.

Dafoe et. al 13 (Allan, Ph. D Political Science from Berkeley, research fellow @ Yale University; John R. Oneal, Ph. D Stanford Political Science, Professor Emeritus International Relations @ University of Alabama; Bruce Russett, Dean Acherson Prof. of IR, Yale University, “The Democratic Peace: Weighing the Evidence and Cautious Inference”, International Studies Quarterly, 2013 vol. 57, <http://onlinelibrary.wiley.com/doi/10.1111/isqu.12055/pdf>, accessed December 2013)

The ﬁrst thing to note is that in the early 1800s, when democracies constituted only a small proportion of the states in the system, jointly democratic pairs were not particularly peaceful (Farber and Gowa 1997; Russett and Oneal 2001). The United States had several low-level conﬂicts with other democracies in the nineteenth century as did France, but fatal disputes between democratic countries were rarer. By 1864, two democracies were more peaceful than two autocratic states if the less favorable of the analyses using fatal MIDs is considered, that with disputes involving originators only; the transition is early in the nineteenth century if both originators’ and joiners’ fatal disputes are analyzed. The greater peacefulness of democratic pairs is evident only later if all MIDs are analyzed, somewhere between 1912 and 1917. By the end of the twentieth century, when the proportion of democracies was over .40, the greater peacefulness of democratic pairs of states is clear and dramatic. The risk of a fatal dispute involving two democracies is about 2/3 of that for two autocracies if originators only are included; it is only 1/10 if all fatal MIDs are considered. Comparisons at the end of the twentieth century are also very favorable to democracies if all MIDs are studied, and our analyses indicate that the democratic advantage will continue to grow if the proportion of democracies in the system increases further. Thus, these analyses provide no reason to worry that the democratic peace is becoming attenuated in the post-Cold War era. Is there an autocratic peace? Certainly not if this is taken to mean something comparable to the separate peace enjoyed by jointly democratic dyads over the last 100-150 years. This is hardly surprising. Democracies as a group are more homogeneous than autocracies, a political category that includes communist states, fascists, personalistic rulers, and theocracies (Peceny, Beer and Sanchez-Terry 2002). It is true that autocracies are less likely to ﬁght one another than they are to ﬁght a democracy. In almost all the comparisons reported in Table 2, mixed dyads are by far the most conﬂict-prone; autocracies and democracies have much over which to ﬁght. It is only relative to these particularly violent dyads that autocracies look peaceful. To summarize, we ﬁnd no indication that the democratic peace diminished as the proportion of democracies in the international system increased during 1816– 2001. Indeed, the peacefulness of jointly democratic pairs has grown over time, leaving a wide gap in behavior between democratic and autocratic dyads. Our results make clear that the separate peace among democracies cannot be subsumed under the general rule regarding the violent consequences of political differences that G&W have proposed. Nor do we ﬁnd evidence of a meaningful “autocratic peace.” Autocratic pairs are peaceful only relative to mixed dyads, which are especially prone to ﬁght. It is encouraging that the democratic peace strengthened as liberal institutions spread beyond the North Atlantic region where they originated. The Arab Spring may after all improve the prospects for peace in the Middle East.

Democratic reversals more likely to cause war – prefer our comparative evidence.

Diamond, Senior Research Fellow at the Hoover Institution, 1999 (Larry, Developing Democracy, p.5)

Reverse waves threaten not only political freedom and human rights but also world peace. The first reverse wave gave rise to the expansionist fascist regimes that brought on World War II. The second reverse wave spread during the peak of the Cold War and fed a number of regional conflicts and civil wars, in which the major world powers became directly or indirectly involved. Although regimes in transition may be prone to international conflict, and democratic regimes have a long history of war and conquest against nondemocracies, no two countries that have established liberal democracy have ever gone to war against one another. Bruce Russett notes that democracies “rarely fight each other even at low levels of lethal violence” and that they are much less likely to let their disputes with one another escalate.16 This, he argues persuasively, is not only because of the institutional restraints on democracies’ decisions to go to war but even more so because of democratic normative restraints on the use of force to resolve disputes.

### Heg

#### US influence is strong

Jackson 12

[November 2012, Vicki C. Jackson is a Thurgood Marshall Professor of Constitutional Law, Harvard Law School., “COMMENT ON LAW AND VERSTEEG”, NEW YORK UNIVERSITY LAW REVIEW ONLINE, Vol. 87:25, November 2012, <http://www.nyulawreview.org/sites/default/files/NYULawReviewOnline-87-5-Jackson.pdf>]

Thus, the headline-grabber of “decline” may depend on whether the focus is on larger ideas or more detailed provisions. But even as to the content of a constitution’s specific provisions, the study’s methodology may understate the degree of similarity that continues to exist between the U.S. constitutional system and those of other countries. Indeed, one might wonder whether there has been any substantial decline in influence, rather than a set of departures in discrete, albeit significant, areas. For one thing, the authors’ research design rests, generally, on comparisons only of formal constitutional texts.10 The exclusion of constitutional case law and conventions may have contributed to the quantifiability and reliability of the empirical analysis. But the study of what can readily be quantified and coded, while interesting, should not obscure that other equally or more important phenomena may be harder to quantify reliably. And the impact of U.S. case law on constitutional design and interpretation in the rest of the world has been considerable. The impact of the authors’ methodology is suggested by the fact that a number of specific rights that the authors describe as existing in “generic”—that is, widely held—constitutions, but not in the United States, are in fact well-fixed in U.S. constitutional case law.11 These include rights of freedom of movement12 and women’s rights.13 Indeed, U.S. case law may well have influenced the adoption of formal rights in later adopted written constitutions.14 Moreover, among the provisions listed as being found only in the U.S. Constitution, and not in the “generic” constitution, are speedy and public trial rights.15 But cognate rights are set out in the European Convention on Human Rights (ECHR)16 and are enforced by the European Court of Human Rights (ECtHR);17 both the Convention and the ECtHR’s case law function as a form of quasiconstitutional supranational public law for forty-seven member states. Law and Versteeg’s methodological choice to focus only on formal constitutional texts (and not to include externally binding human rights commitments) may thus also have resulted in some overstatement of the degree of separation between the U.S. constitutional system and those of other countries.

### Restriction T 2AC

#### The grounds were already declared in Boumediene – the aff is a remedy to the decision

Rosdeitcher and Oh 12, Constitution Project

(Sidney S. and Alex Young K., “On Writ Of Certiorari to the United States, Court of Appeals for the District of Columbia Circuit” http://www.constitutionproject.org/wp-content/uploads/2012/10/373.pdf)

This Court’s decision in Boumediene is controlling. In Boumediene, the Court struck down Section 7(a) of the Military Commissions Act of 2006 (“MCA”), which stripped federal courts of jurisdiction to issue the writ in all actions pertaining to Guantánamo detainees, as a de facto suspension of the writ in violation of the Suspension Clause. 128 S. Ct. at 2242-44. Even though Section 7(a) of the MCA “[did] not purport to be a formal suspension of the writ,” this Court held that a statute which effectively strips the courts of habeas jurisdiction will avoid a conflict with the Suspension Clause only if it provides adequate substitute procedures. Id. at 2262. The Court found that the MCA was intended to create a review procedure more limited than habeas, and that this procedure was not adequate— in part because it was ambiguous as to whether it would fail to empower the courts to order release as a remedy—to meet the requirements of the Suspension Clause. Id. at 2274. The MCA, therefore, unconstitutionally suspended the writ. Id. at 2266, 2274. The funding restrictions of the Appropriations Acts, if read to prevent Petitioners’ release in the United States despite their having been granted the writ of habeas corpus, would create the same de facto suspension of habeas that this Court struck down in Boumediene. Although the Appropriations Acts do not formally suspend the writ, they would deprive Petitioners of the remedy of release without leaving Petitioners an alternative remedy because, as Petitioners show, release in the United States is the only feasible way to bring a certain and timely end to their unlawful detention. Hence, a reading of the Acts to deny Petitioners such release plainly would violate the Suspension Clause under Boumediene and render the funding restrictions of the Acts unconstitutional.

#### C/I—War powers authority of indefinite detention is keeping people without being charges filed—the aff means he can no longer do that for a CATEGORY OF PEOPLE

The Committee on Federal Courts 4 [2004, The Committee on Federal Courts, “THE INDEFINITE DETENTION OF "ENEMY COMBATANTS": BALANCING DUE PROCESS AND NATIONAL SECURITY IN THE CONTEXT OF THE WAR ON TERROR \*”, 59 The Record 41, The Record of The Association of The Bar of the City of New York]

The President, assertedly acting under his "war power" in prosecuting the "war on terror," has claimed the authority to detain indefinitely, and without access to counsel, persons he designates as "enemy combatants," an as yet undefined term that embraces selected suspected terrorists or their accomplices.

Two cases, each addressing a habeas corpus petition brought by an American citizen, have reviewed the constitutionality of detaining "enemy combatants" pursuant to the President's determination:

- Hamdi v. Rumsfeld, 316 F.3d 450 (4th Cir. 2003), cert. granted, 124 S. Ct. 981 (Jan. 9, 2004) (No. 03-6696), concerns a citizen seized with Taliban military forces in a zone of armed combat in Afghanistan;

- Padilla ex. rel. Newman v. Bush, 233 F. Supp. 2d 564 (S.D.N.Y. 2002), rev'd sub nom., Padilla ex. rel. Newman v. Rumsfeld, 352 F.3d 695 (2d Cir. 2003), cert. granted, 124 S. Ct. 1353 (Feb. 20, [\*42] 2004) (No. 03-1027), concerns a citizen seized in Chicago, and suspected of planning a terrorist attack in league with al Qaeda.

Padilla and Hamdi have been held by the Department of Defense, without any access to legal counsel, for well over a year. No criminal charges have been filed against either one. Rather, the government asserts its right to detain them without charges to incapacitate them and to facilitate their interrogation. Specifically, the President claims the authority, in the exercise of his war power as "Commander in Chief" under the Constitution (Art. II, § 2), to detain persons he classifies as "enemy combatants":

- indefinitely, for the duration of the "war on terror";

- without any charges being filed, and thus not triggering any rights attaching to criminal prosecutions;

- incommunicado from the outside world;

- specifically, with no right of access to an attorney;

- with only limited access to the federal courts on habeas corpus, and with no right to rebut the government's showing that the detainee is an enemy combatant.

#### Restriction includes a limitation

STATE OF ARIZONA, Appellee, v. JEREMY RAY WAGNER, April 10, 2008, Filed, Appellant., 1 CA-CR 06-0167, 2008 Ariz. App. Unpub. LEXIS 613, opinion by Judge G. MURRAY SNOW

P10 The term "restriction" is not defined by the Legislature for the purposes of the DUI statutes. See generally A.R.S. § 28-1301 (2004) (providing the "[d]efinitions" section of the DUI statutes). In the absence of a statutory definition of a term, we look to ordinary dictionary definitions and do not construe the word as being a term of art. Lee v. State, 215 Ariz. 540, 544, ¶ 15, 161 P.3d 583, 587 (App. 2007) ("When a statutory term is not explicitly defined, we assume, unless otherwise stated, that the Legislature intended to accord the word its natural and obvious meaning, which may be discerned from its dictionary definition."). P11 The dictionary definition of "restriction" is "[a] limitation or qualification." Black's Law Dictionary 1341 (8th ed. 1999). In fact, "limited" and "restricted" are considered synonyms. See Webster's II New Collegiate Dictionary 946 (2001). Under these commonly accepted definitions, Wagner's driving privileges were "restrict[ed]" when they were "limited" by the ignition interlock requirement. Wagner was not only [\*7] statutorily required to install an ignition interlock device on all of the vehicles he operated, A.R.S. § 28-1461(A)(1)(b), but he was also prohibited from driving any vehicle that was not equipped with such a device, regardless whether he owned the vehicle or was under the influence of intoxicants, A.R.S. § 28-1464(H). These limitations constituted a restriction on Wagner's privilege to drive, for he was unable to drive in circumstances which were otherwise available to the general driving population. Thus, the rules of statutory construction dictate that the term "restriction" includes the ignition interlock device limitation.

#### Prefer—

#### Precision—our ev cites the committee on federal courts and a court case—limits are meaningless if they’re not predictable

#### Aff ground—every aff in their interpretation would lose to the circumvention—aff ground outweighs cuz it sets the direction of the debate

#### Good is good enough—competing interpretations leads to a race to the bottom and a substance crowdout

### 2AC Yancy K

**The role of the ballot is to decide between a plan or a competitive policy option**

**It creates relevant strategies for change that are predictable and allow the aff to get offense**

**The alternative isn’t a relevant consideration to whether the plan’s action should occur — voting issue, only opportunity costs should be evaluated to teach cost-benefit analysis**

#### Discussions of structure should precede substance Guantanamo issues require a more detailed focus on the legal system—student advocacy enables us to make change

Dominant doctrinalism – looking at doctrine and not how the law works in practice

Bad form of pedagogy

Guantanamo = best example, doesn’t follow doctrine

Need understanding of “on the ground” beaurocratic structures that make up the legal system

External actors

Marguiles 11, Professor of Law

[February 9, 2011, Peter Margulies is Professor of Law, Roger Williams University., “The Ivory Tower at Ground Zero: Conflict and Convergence in Legal Education’s Responses to Terrorism”Journal of Legal Education, Vol. 60, p. 373, 2011, Roger Williams Univ. Legal Studies Paper No. 100]

If timidity in the face of government overreaching is the academy’s overarching historical narrative,1 responses to September 11 broke the mold. In what I will call the first generation of Guantánamo issues, members of the legal academy mounted a vigorous campaign against the unilateralism of Bush Administration policies.2 However, the landscape has changed in Guantánamo’s second generation, which started with the Supreme Court’s landmark decision in Boumediene v. Bush,3 affirming detainees’ access to habeas corpus, and continued with the election of Barack Obama. Second generation Guantánamo issues are murkier, without the clarion calls that marked first generation fights. This Article identifies points of substantive and methodological convergence4 in the wake of Boumediene and President Obama’s election. It then addresses the risks in the latter form of convergence. Substantive points of convergence that have emerged include a consensus on the lawfulness of detention of suspected terrorists subject to judicial review5 and a more fragile meeting of the minds on the salutary role of constraints generally and international law in particular. However, the promise of substantive consensus is marred by the peril of a methodological convergence that I call dominant doctrinalism. Too often, law school pedagogy and scholarship squint through the lens of doctrine, inattentive to the way that law works in practice.6 Novel doctrinal developments, such as the president’s power to detain United States citizens or persons apprehended in the United States, get disproportionate attention in casebooks and scholarship. In contrast, developments such as an expansion in criminal and immigration law enforcement that build on settled doctrine get short shrift, even though they have equal or greater real-world consequences. Consumers of pedagogy and scholarship are ill-equipped to make informed assessments or push for necessary changes. If legal academia is to respond adequately to second generation Guantánamo issues, as well as issues raised by any future attacks, it must transcend the fascination with doctrine displayed by both left and right, and bolster its commitment to understanding and changing how law works “on the ground.” To combat dominant doctrinalism and promote positive change, this Article asks for greater attention in three areas. First, law schools should do even more to promote clinical and other courses that give students first-hand experience in advocacy for vulnerable and sometimes unpopular clients, including the need for affirming their clients’ humanity and expanding the venue of advocacy into the court of public opinion.7 Clinical students also often discover with their clients that legal rights matter, although chastened veterans of rights battles like Joe Margulies and Hope Metcalf are correct that victories are provisional and sometimes pyrrhic.8 Second, legal scholarship and education should encourage the study of social phenomena like path dependence—the notion that past choices frame current advocacy strategies, so that lawyers recommending an option must consider the consequences of push-back from that choice. Aggressive Bush Administration lawyers unduly discounted risks flagged by more reflective colleagues on the consequences of push-back from the courts. Similarly, both the new Obama Administration and advocates trying to cope with Guantánamo’s post-Boumediene second generation failed to gauge the probability of push-back from the administration’s early announcement of plans to close the facility within a year. In each case, unexpected but reasonably foreseeable reactions skewed the implementation of legal and policy choices. Students should learn more about these dynamics before they enter the legal arena. Third, teachers need to focus more on ways in which bureaucratic structures affect policy choices. For example, terrorism fears gave conservative politicians like John Ashcroft an opportunity to decimate asylum adjudication, harming many victims of persecution who have been unable to press meritorious claims for refugee status and other forms of relief. Similarly, creation of the Department of Homeland Security turned a vital governmental function like disaster relief into a bureaucratic orphan, thereby paving the way for the inadequate response to Hurricane Katrina. Students need more guidance on what to look for when structure shapes substance.

Working within the government key – their alt fails

McClean 01 SOCIETY FOR THE ADVANCEMENT OF AMERICAN PHILOSOPHY – GRADUATE AND PHILOSOPHER – NYU, “THE CULTURAL LEFT AND THE LIMITS OF SOCIAL HOPE”, http://www.american-philosophy.org/archives/2001%20Conference/Discussion%20papers/david\_mcclean.htm]

Leftist American culture critics might put their considerable talents to better use if they bury some of their cynicism about America's social and political prospects and help forge public and political possibilities in a spirit of determination to, indeed, achieve our country - the country of Jefferson and King; the country of John Dewey and Malcom X; the country of Franklin Roosevelt and Bayard Rustin, and of the later George Wallace and the later Barry Goldwater. To invoke the words of King, and with reference to the American society, the time is always ripe to seize the opportunity to help create the "beloved community," one woven with the thread of agape into a conceptually single yet diverse tapestry that shoots for nothing less than a true intra-American cosmopolitan ethos, one wherein both same sex unions and faith-based initiatives will be able to be part of the same social reality, one wherein business interests and the university are not seen as belonging to two separate galaxies but as part of the same answer to the threat of social and ethical nihilism. We who fancy ourselves philosophers would do well to create from within ourselves and from within our ranks a new kind of public intellectual who has both a hungry theoretical mind and who is yet capable of seeing the need to move past high theory to other important questions that are less bedazzling and "interesting" but more important to the prospect of our flourishing - questions such as "How is it possible to develop a citizenry that cherishes a certain hexis, one which prizes the character of the Samaritan on the road to Jericho almost more than any other?" or "How can we square the political dogma that undergirds the fantasy of a missile defense system with the need to treat America as but one member in a community of nations under a "law of peoples?"The new public philosopher might seek to understand labor law and military and trade theory and doctrine as much as theories of surplus value; the logic of international markets and trade agreements as much as critiques of commodification, and the politics of complexity as much as the politics of power (all of which can still be done from our arm chairs.) This means going down deep into the guts of our quotidian social institutions, into the grimy pragmatic details where intellectuals are loathe to dwell but where the officers and bureaucrats of those institutions take difficult and often unpleasant, imperfect decisions that affect other peoples' lives, and it means making honest attempts to truly understand how those institutions actually function in the actual world before howling for their overthrow commences. This might help keep us from being ~~slapped~~ down in debates by true policy pros who actually know what they are talking about but who lack awareness of the dogmatic assumptions from which they proceed, and who have not yet found a good reason to listen to jargon-riddled lectures from philosophers and culture critics with their snobish disrespect for the so-called "managerial class."

Case outweighs

Hegemony – statistics and empirics prove most peaceful, necessary create institutions and interconnectedness

Democracy – standards of rights and norms. New democracies = torture and detain based on US, plan k2 establish territorial peace spills over

### 2AC Perm

#### The perm’s effective---no cooption as “their cause” can become “our cause”

Bhambra 10—U Warwick—AND—Victoria Margree—School of Humanities, U Brighton (Identity Politics and the Need for a ‘Tomorrow’, http://www.academia.edu/471824/Identity\_Politics\_and\_the\_Need\_for\_a\_Tomorrow\_)

We suggest that alternative models of identity and community are required from those put forward by essentialist theories, andthat these are offered by the work of two theorists, SatyaMohanty and Lynn Hankinson Nelson. Mohanty’s ([1993] 2000)post-positivist, realist theorisation of identity suggests a way through the impasses of essentialism, while avoiding the excessesof the postmodernism that Bramen, among others, derides as aproposed alternative to identity politics. For Mohanty ([1993]2000), identities must be understood as theoretical constructions that enable subjects to read the world in particular ways; as such, substantial claims about identity are, in fact, implicit explana-tions of the social world and its constitutive relations of power. Experience – that from which identity is usually thought to derive– is not something that simply occurs, or announces its meaningand signiﬁcance in a self-evident fashion: rather, experience is always a work of interpretation that is collectively produced (Scott 1991). Mohanty’s work resonates with that of Nelson (1993), whosimilarly insists upon the communal nature of meaning ork nowledge-making. Rejecting both foundationalist views of knowledge and the postmodern alternative which announces the“death of the subject” and the impossibility of epistemology,Nelson argues instead that, it is not individuals who are theagents of epistemology, but communities. Since it is not possiblefor an individual to know something that another individualcould not also (possibly) know, it must be that the ability to makesense of the world proceeds from shared conceptual frameworksand practices. Thus, it is the community that is the generator andrepository of knowledge. Bringing Mohanty’s work on identity astheoretical construction together with Nelson’s work on episte-mological communities therefore suggests that, “identity” is one of the knowledges that is produced and enabled for and by individu-als in the context of the communities within which they exist. The post-positivist reformulation of “experience” is necessary here as it privileges understandings that emerge through the processing of experience in the context of negotiated premises about the world, over experience itself producing self-evident knowledge (self-evident, however, only to the one who has “had” the experience). This distinction is crucial for, if it is not the expe-rience of, for example, sexual discrimination that “makes” one afeminist, but rather, the paradigm through which one attempts tounderstand acts of sexual discrimination, then it is not necessary to have actually had the experience oneself in order to make theidentiﬁcation “feminist”. If being a “feminist” is not a given factof a particular social (and/or biological) location – that is, beingdesignated “female” – but is, in Mohanty’s terms, an “achieve-ment” – that is, something worked towards through a process of analysis and interpretation – then two implications follow. First,that not all women are feminists. Second, that feminism is some-thing that is “achievable” by men. 3 While it is accepted that experiences are not merely theoretical or conceptual constructs which can be transferred from one person to another with transparency, we think that there is some-thing politically self-defeating about insisting that one can only understand an experience (or then comment upon it) if one has actually had the experience oneself. As Rege (1998) argues, to privilege knowledge claims on the basis of direct experience, orthen on claims of authenticity, can lead to a narrow identity poli-tics that limits the emancipatory potential of the movements or organisations making such claims. Further, if it is not possible to understand an experience one has not had, then what point is there in listening to each other? Following Said, such a view seems to authorise privileged groups to ignore the discourses of disadvantaged ones, or, we would add, to place exclusive responsibility for addressing injustice with the oppressed themselves. Indeed, as Rege suggests, reluctance to speak about the experi-ence of others has led to an assumption on the part of some whitefeminists that “confronting racism is the sole responsibility of black feminists”, just as today “issues of caste become the soleresponsibility of the dalit women’s organisations” (Rege 1998).Her argument for a dalit feminist standpoint, then, is not made in terms solely of the experiences of dalit women, but rather a call for others to “educate themselves about the histories, the preferred social relations and utopias and the struggles of the marginalised” (Rege 1998). This, she argues, allows “their cause” to become “our cause”, not as a form of appropriation of “their” struggle, but through the transformation of subjectivities that enables a recognition that “their” struggle is also “our” struggle. Following Rege, we suggest that social processes can facilitate the understanding of experiences, thus making those experi-ences the possible object of analysis and action for all, while recognising that they are not equally available or powerful forall subjects. 4 Understandings of identity as given and essential, then, we suggest, need to give way to understandings which accept them as socially constructed and contingent on the work of particular,overlapping, epistemological communities that agree that this orthat is a viable and recognised identity. Such an understanding avoids what Bramen identiﬁes as the postmodern excesses of “post-racial” theory, where in this “world without borders (“rac-ism is real, but race is not”) one can be anything one wants to be: a black kid in Harlem can be Croatian-American, if that is whathe chooses, and a white kid from Iowa can be Korean-American”(2002: 6). Unconstrained choice is not possible to the extent that,as Nelson (1993) argues, the concept of the epistemological com-munity requires any individual knowledge claim to sustain itself in relation to standards of evaluation that already exist and thatare social. Any claim to identity, then, would have to be recog-nised by particular communities as valid in order to be success-ful. This further shifts the discussion beyond the limitations of essentialist accounts of identity by recognising that the commu-nities that confer identity are constituted through their shared epistemological frameworks and not necessarily by shared characteristics of their members conceived of as irreducible. 5 Hence, the epistemological community that enables us to identify our-selves as feminists is one that is built up out of a broadly agreed upon paradigm for interpreting the world and the relations between the sexes: it is not one that is premised upon possessing the physical attribute of being a woman or upon sharing the same experiences. Since at least the 1970s, a key aspect of black and/orpostcolonial feminism has been to identify the problems associated with such assumptions (see, for discussion, Rege 1998, 2000). We believe that it is the identiﬁcation of injustice which calls forth action and thus allows for the construction of healthy solidarities. 6 While it is accepted that there may be important differences between those who recognise the injustice of disadvantage while being, in some respects, its beneﬁciary (for example, men, white people, brahmins), and those who recognise the injustice from the position of being at its effect (women, ethnic minorities,dalits), we would privilege the importance of a shared political commitment to equality as the basis for negotiating such differences. Our argument here is that thinking through identity claims from the basis of understanding them as epistemological communities militates against exclusionary politics (and its asso-ciated problems) since the emphasis comes to be on participation in a shared epistemological and political project as opposed to notions of ﬁxed characteristics – the focus is on the activities indi- viduals participate in rather than the characteristics they aredeemed to possess. Identity is thus deﬁned further as a function of activity located in particular social locations (understood asthe complex of objective forces that inﬂuence the conditions in which one lives) rather than of nature or origin (Mohanty 1995:109-10). As such, the communities that enable identity should not be conceived of as “imagined” since they are produced by very real actions, practices and projects.

### AT: Domestic First

#### To claim that domestic racism should proceed the “international” violence the US commits against foreign bodies is unethical—their overly broad focus on white supremacy cannot explain particulars of interethnic conflicts and undermines effective racial politics

Sunstrom 8, Associate Professor of Philosophy

[2008, Ronald R. Sunstrom is a black Associate Professor of Philosophy at the University of San Francisco; additionally, he teaches for USF's African American Studies program and the Master of Public Affairs program for the Leo T. McCarthy Center of Public Service and the Common Good. He was awarded the 2008 Sankofa Faculty Award from USF's Multicultural Student Services, USF's 2009 Ignatian Service Award, and was a co-winner of the 2010 USF Distinguished Teaching Award. His areas of research include political theory, critical social and race theory, and African American and Asian American philosophy, “The Browning of America and the Evasion of Social Justice”, pp. 65-92]

It would be odd and troubling for the nation to merrily work toward justice at “home,” all the while neglecting the demands of those whom the nation regarded as perpetual foreigners (and not really being at “home” in the nation) and the demands of global justice. Such a vision of justice is self-serving and morally hollow. Long-existing civil rights claims should not delimit the nation’s moral boundaries and its conception of civil rights, thus ipso facto severing them from internationally determined human rights. The reactions of some citizens to the browning of America, unfortunately, open up this possibility, which is yet another evasion of social justice.7 When I broach these issues, or any of the particular issues discussed in this book, the response I frequently receive is that these issues are red herrings that divert our attention away from the real enemy, that of white supremacy.8 I am dubious about this complaint; after all, focusing on “white supremacy” does not directly address the particulars of the interethnic confl icts that arise from the browning of America. Perhaps, though, these critics mean that we should focus on how “white supremacy,” in the form of institutionalized racism or white power, divides minority groups, so as to conquer them and leave them to fi ght over a limited set of resources. Alternatively, these critiques would have us focus on how Latinos, Asian Americans, Americans who identify as multiracial, and immigrants adopt anti-black racism and the privileges of whiteness as they assimilate into American society. I think the latter argument is bogus, and chapter 3 is devoted in part to explaining why. As for the former, I think “white supremacy” is too broad and vague a category to be helpful, and that focusing on such a fl awed category of power can be positively harmful. Such moves simply sidestep the particular issues that are raised in interethnic confl icts and may even contribute to the evasions I outlined earlier. The people of the United States, as they experience and participate in the browning of America, should resist both types of evasions. The Browning of America and the Evasion of Social Justice argues, in contrast, that the people of the United States should see in its demographic change the transformation of social justice. They should welcome that transformation and view it as an opportunity to satisfy old debts and expand in a cosmopolitan direction the very idea of social justice.

### AT: Warming Impact

#### New scientific data shows no impact to warming

WSJ 12 (“No Need to Panic About Global Warming”, 1/27/12, <http://online.wsj.com/article/SB10001424052970204301404577171531838421366.html?mod=WSJ_Opinion_LEADTop>, 16 Scientists signed this letter - Claude Allegre, former director of the Institute for the Study of the Earth, University of Paris; J. Scott Armstrong, cofounder of the Journal of Forecasting and the International Journal of Forecasting; Jan Breslow, head of the Laboratory of Biochemical Genetics and Metabolism, Rockefeller University; Roger Cohen, fellow, American Physical Society; Edward David, member, National Academy of Engineering and National Academy of Sciences; William Happer, professor of physics, Princeton; Michael Kelly, professor of technology, University of Cambridge, U.K.; William Kininmonth, former head of climate research at the Australian Bureau of Meteorology; Richard Lindzen, professor of atmospheric sciences, MIT; James McGrath, professor of chemistry, Virginia Technical University; Rodney Nichols, former president and CEO of the New York Academy of Sciences; Burt Rutan, aerospace engineer, designer of Voyager and SpaceShipOne; Harrison H. Schmitt, Apollo 17 astronaut and former U.S. senator; Nir Shaviv, professor of astrophysics, Hebrew University, Jerusalem; Henk Tennekes, former director, Royal Dutch Meteorological Service; Antonio Zichichi, president of the World Federation of Scientists, Geneva.)

A candidate for public office in any contemporary democracy may have to consider what, if anything, to do about "global warming." Candidates should understand that the oft-repeated claim that nearly all scientists demand that something dramatic be done to stop global warming is not true. In fact, a large and growing number of distinguished scientists and engineers do not agree that drastic actions on global warming are needed. In September, Nobel Prize-winning physicist Ivar Giaever, a supporter of President Obama in the last election, publicly resigned from the American Physical Society (APS) with a letter that begins: "I did not renew [my membership] because I cannot live with the [APS policy] statement: 'The evidence is incontrovertible: Global warming is occurring. If no mitigating actions are taken, significant disruptions in the Earth's physical and ecological systems, social systems, security and human health are likely to occur. We must reduce emissions of greenhouse gases beginning now.' In the APS it is OK to discuss whether the mass of the proton changes over time and how a multi-universe behaves, but the evidence of global warming is incontrovertible?" In spite of a multidecade international campaign to enforce the message that increasing amounts of the "pollutant" carbon dioxide will destroy civilization, large numbers of scientists, many very prominent, share the opinions of Dr. Giaever. And the number of scientific "heretics" is growing with each passing year. The reason is a collection of stubborn scientific facts. Perhaps the most inconvenient fact is the lack of global warming for well over 10 years now. This is known to the warming establishment, as one can see from the 2009 "Climategate" email of climate scientist Kevin Trenberth: "The fact is that we can't account for the lack of warming at the moment and it is a travesty that we can't." But the warming is only missing if one believes computer models where so-called feedbacks involving water vapor and clouds greatly amplify the small effect of CO2. The lack of warming for more than a decade—indeed, the smaller-than-predicted warming over the 22 years since the U.N.'s Intergovernmental Panel on Climate Change (IPCC) began issuing projections—suggests that computer models have greatly exaggerated how much warming additional CO2 can cause. Faced with this embarrassment, those promoting alarm have shifted their drumbeat from warming to weather extremes, to enable anything unusual that happens in our chaotic climate to be ascribed to CO2. The fact is that CO2 is not a pollutant. CO2 is a colorless and odorless gas, exhaled at high concentrations by each of us, and a key component of the biosphere's life cycle. Plants do so much better with more CO2 that greenhouse operators often increase the CO2 concentrations by factors of three or four to get better growth. This is no surprise since plants and animals evolved when CO2 concentrations were about 10 times larger than they are today. Better plant varieties, chemical fertilizers and agricultural management contributed to the great increase in agricultural yields of the past century, but part of the increase almost certainly came from additional CO2 in the atmosphere. Although the number of publicly dissenting scientists is growing, many young scientists furtively say that while they also have serious doubts about the global-warming message, they are afraid to speak up for fear of not being promoted—or worse. They have good reason to worry. In 2003, Dr. Chris de Freitas, the editor of the journal Climate Research, dared to publish a peer-reviewed article with the politically incorrect (but factually correct) conclusion that the recent warming is not unusual in the context of climate changes over the past thousand years. The international warming establishment quickly mounted a determined campaign to have Dr. de Freitas removed from his editorial job and fired from his university position. Fortunately, Dr. de Freitas was able to keep his university job. This is not the way science is supposed to work, but we have seen it before—for example, in the frightening period when Trofim Lysenko hijacked biology in the Soviet Union. Soviet biologists who revealed that they believed in genes, which Lysenko maintained were a bourgeois fiction, were fired from their jobs. Many were sent to the gulag and some were condemned to death. Why is there so much passion about global warming, and why has the issue become so vexing that the American Physical Society, from which Dr. Giaever resigned a few months ago, refused the seemingly reasonable request by many of its members to remove the word "incontrovertible" from its description of a scientific issue? There are several reasons, but a good place to start is the old question "cui bono?" Or the modern update, "Follow the money." Alarmism over climate is of great benefit to many, providing government funding for academic research and a reason for government bureaucracies to grow. Alarmism also offers an excuse for governments to raise taxes, taxpayer-funded subsidies for businesses that understand how to work the political system, and a lure for big donations to charitable foundations promising to save the planet. Lysenko and his team lived very well, and they fiercely defended their dogma and the privileges it brought them. Speaking for many scientists and engineers who have looked carefully and independently at the science of climate, we have a message to any candidate for public office: There is no compelling scientific argument for drastic action to "decarbonize" the world's economy. Even if one accepts the inflated climate forecasts of the IPCC, aggressive greenhouse-gas control policies are not justified economically. A recent study of a wide variety of policy options by Yale economist William Nordhaus showed that nearly the highest benefit-to-cost ratio is achieved for a policy that allows 50 more years of economic growth unimpeded by greenhouse gas controls. This would be especially beneficial to the less-developed parts of the world that would like to share some of the same advantages of material well-being, health and life expectancy that the fully developed parts of the world enjoy now. Many other policy responses would have a negative return on investment. And it is likely that more CO2 and the modest warming that may come with it will be an overall benefit to the planet. If elected officials feel compelled to "do something" about climate, we recommend supporting the excellent scientists who are increasing our understanding of climate with well-designed instruments on satellites, in the oceans and on land, and in the analysis of observational data. The better we understand climate, the better we can cope with its ever-changing nature, which has complicated human life throughout history. However, much of the huge private and government investment in climate is badly in need of critical review. Every candidate should support rational measures to protect and improve our environment, but it makes no sense at all to back expensive programs that divert resources from real needs and are based on alarming but untenable claims of "incontrovertible" evidence.

### 2AC Obama Good

#### Won’t pass --- Obama’s weak and incapable, no coop and midterms

Walsh, 12/31 --- longtime chief White House correspondent for U.S. News & World Report (12/31/2013, Kenneth T., “Miscues of 2013 Loom Over 2014 for Obama,” <http://www.usnews.com/news/blogs/Ken-Walshs-Washington/2013/12/31/miscues-of-2013-loom-over-2014-for-obama>))

There was a moment of hope for a new spirit of compromise at the end of 2013 when both major parties in Congress agreed on a modest budget compromise, which Obama endorsed. It did little to solve the country's fundamental fiscal problems but it did avoid another messy confrontation and a government shutdown, so it was deemed progress of a sort. Yet the differences between Democrats and Republicans are so deep, and Obama has shown such an inability to bridge them, that the outlook for 2014 is for more battles on issues ranging from the budget to the debt ceiling and the minimum wage. Senate Republicans also are upset because majority Democrats, with White House support, changed a key rule and made it easier to win approval for Obama's nominations for judgeships and other offices. GOP leaders billed this as a power grab. Dimming the prospects for compromise are the midterm elections in November. The major parties are expected to cater as much as possible to their bases to generate turnout rather than reach out to each other or appeal to the political center. And this will probably harden positions all around. Overall, Obama's popularity is waning. The latest Washington Post-ABC News poll finds that only 43 percent of Americans approve of his job performance, 11 percentage points below his favorable rating from a year ago. Fifty-five percent disapprove. The job approval of Congress is worse, but Obama's poor ratings mean many legislators won't fear him if he takes them on, minimizing his influence.He is also suffering from a decline in the number of Americans who believe he is trustworthy, partly a result of false promises he made that Americans could keep their health insurance policies if they liked them under Obamacare. A Wall Street Journal/NBC News poll found that only 37 percent of Americans believe he is honest and straightforward, a drop of 10 percentage points from the start of 2013. Adding to his problems were leaks of classified information by former National Security Agency contractor Edward Snowden that revealed a vast government surveillance operation that troubled many citizens.

#### Reemergence of partisanship is inevitable and nothing will pass --- election pressures and debt ceiling

McManus, 12/30 (Doyle, 12/30/2013, “Partisan clashes unlikely to cool down in 2014,” <http://bostonherald.com/news_opinion/opinion/op_ed/2013/12/partisan_clashes_unlikely_to_cool_down_in_2014>))

It would be nice to think that Congress’ easy passage of a bipartisan compromise on the federal budget this month was the sign of a new spirit of cooperation on Capitol Hill. But in the hallways of the Senate last week, there was little evidence of bipartisanship, or even Christmas cheer.“We need a cooling-off period,” U.S. Sen. Lisa Murkowski (R-Alaska) told me. “I’ve raised two boys. Sometimes you need to go to separate rooms to cool down.” Indeed, next year is unlikely to get better, for one simple reason: It’s a congressional election year. And not an ordinary election year. A significant number of Republican incumbents in both the House and Senate will face primary challenges from Tea Party conservatives. That means that some of the legislators who were once likely to seek cross-aisle compromises will be trying to show how tough and conservative they are. Getting Democrats and Republicans to agree on anything will be harder than ever. “Good things seldom happen in election years,” noted former U.S. Rep. Bill Frenzel, a moderate Republican from Minnesota. Where are the conflicts likely to come? U.S. Rep. Paul D. Ryan (R-Wis.), who fashioned the bipartisan budget deal with U.s. Sen. Patty Murray (D-Wash.), has already promised another collision over the federal debt ceiling. Republicans have tried several times to use the debt ceiling — the limit on the Treasury’s authority to borrow — as leverage to force fiscal concessions from President Obama, even though refusal to raise the limit could lead to a default on the federal debt and disastrous consequences for the economy. “We will not want to walk away with nothing” from a debt ceiling vote, Ryan vowed on CNBC, although he added that the GOP caucus hasn’t yet decided what to ask for in return. U.S. Sen. Mitch McConnell (R-Ky.) seconded the idea, noting that the debt ceiling is one way for Republicans to “get the president’s attention.” The only good news in this picture is that the disastrous government shutdown in October may have taught both sides a thing or two about how to avoid needless catastrophes. Ryan says Republicans have learned a lesson from that episode. Next year, he said, they’ll be looking for goals that are practical, not unreachable. “You can’t let the perfect be the enemy of the good,” he said. That was the message U.S. House Speaker John A. Boehner (R-Ohio) was trying to reinforce when he denounced conservative organizations for pushing his caucus into the October shutdown, advisors say. Boehner has told House members that even though he welcomes a fight over the debt ceiling, he doesn’t want to risk a federal default, especially in an election year. “If it happened, we’d get blamed for it,” a Boehner advisor noted. On the other side, even though Obama insists he will refuse to negotiate over the debt limit, that doesn’t mean nobody will negotiate. In two debt-limit battles this year, Obama refused to bargain — but Reid stepped in and helped arrange a deal. Obama’s absence from those negotiations wasn’t a problem; it was a plus. Especially in an election year, Republicans don’t want to be tarred as too eager to compromise with a man conservatives love to loathe. A deal with Reid looks better; a compromise with the less-pugnacious Murray, better still. So, with luck, what we can hope for next year is a return to what you might call “normal” partisan warfare: tough, sometimes even angry, but not as destructive (or, in the Republicans’ case, self-destructive) as before. Just don’t expect much to get done. There won’t be a grand bargain over spending and taxes; that has turned out to be unreachable. But there may be a bit more progress on massaging the budget cuts of the “sequester,” a process Ryan and Murray began this month. And there won’t be a grand compromise over a comprehensive immigration reform bill. The House will try to pass some piecemeal measures, but the two parties remain far apart on whether to offer undocumented immigrants a pathway to citizenship.

#### Obama’s PC is useless --- poor outreach prevents him from mobilizing support for agenda

Pace, 12/29 (Julie, 12/29/2013, “Obama's presidency beset by fits, starts in year 5,” <http://www.ajc.com/ap/ap/social-issues/obamas-presidency-beset-by-fits-starts-in-year-5/ncTM8/)>)

There's a certain irony in Obama's success depending on Congress, a body with whom he has had a lukewarm partnership. Lawmakers from both parties say Obama doesn't talk to them much, nor do his aides. Letters go unanswered. Policies come out of the blue. Social interactions are few. Both sides wistfully recall the voluble Clinton, who figured out how to craft deals with Republicans on welfare reform and other agenda items after the GOP took control of the House and made big gains in the Senate two years into his presidency. Sen. Tom Coburn, an Oklahoma Republican who worked with Obama when he was a senator and still considers the president a friend, says flatly: "He's flunked in terms of relations with Congress." "If you know him personally, he's a very likable person," says Coburn. "But it's different than with most other presidents in terms of having relationships with Congress. ... There's a lack of a personal touch." Of course, the president's tepid relationship with Congress is hardly his fault alone. The tea party forces that pulled House Republicans to the right in recent years made it difficult for the GOP to reach agreement with Democrats on much of anything, and produced the showdown over the president's health care law that spawned the government shutdown. Obama did attempt to improve relations with Republicans earlier this year, holding a few dinners with GOP lawmakers. His chief of staff, Denis McDonough, has been widely praised by Republicans for being a frequent visitor to Capitol Hill. But some lawmakers say that's as far as the outreach goes. Sen. John McCain, the Arizona Republican who ran against Obama in 2008 but has since tried to work with him on immigration and the budget, said no one from the White House legislative affairs staff has ever called him or come to his office just to chat. \_\_\_ What does it matter if Obama doesn't buddy up to his former colleagues? He needs those relationships to advance his agenda in Congress. And the strained ties with legislators are emblematic of a broader problem for Obama rooted in his tendency to keep a tight inner circle."Instead of going out and talking to his enemies, making friends and schmoozing, or banging heads together with them or whatever, you can see that the man is diffident — deeply, deeply diffident about the kinds of politicking that are necessary to build consensus," says Nigel Nicholson, a professor at the London Business School who has written a book about leadership in which Obama is a frequent topic. The president has been getting plenty of that kind of advice in recent weeks. Critics called for a sweeping shakeup of his White House inner circle. Even his allies called for someone — anyone — to be fired for the health care failures. Obama has responded in his typically restrained fashion. No one has lost a job over the massive health care screw-up, though the White House hasn't ruled that out. And while the president is doing some minor shuffling in the West Wing, he's largely bringing in people he already knows. To critics, the limited staff changes smack of a White House that doesn't fully understand the depths of its problems. But presidential friend Ron Kirk said they are indicative of Obama's "fairly dispassionate temperament," which allows him to hold steady in the face of adversity. "He understands that overreacting to any one development in the moment is not the best way to achieve a long-term and stable objective," said Kirk, who served as U.S. trade representative in Obama's first term. \_\_\_ The president's agenda for his sixth year in office is a stark reminder of how little he accomplished in 2013. Obama plans to make another run at immigration reform. He'll seek to increase the minimum wage and expand access to early childhood education, proposals he first outlined in his 2013 State of the Union address. And he'll look to implement key elements of the climate change speech he delivered earlier this year, many of which are stagnant. Foreign policy could be an oasis for the struggling second-term president. With Russia's help, he turned his public indecision over attacking Syria into an unexpected agreement to strip President Bashar Assad of his chemical weapons, though the success of the effort won't be known for some time and the civil war in Syria rages on. Obama also authorized daring secret negotiations with Iran, resulting in an interim nuclear agreement. But even the president says the prospects of getting a final deal are only 50-50. In a year-end news conference, the president optimistically predicted that 2014 would be "a breakthrough year for America." But Obama's dismal standings in the polls suggest he can't count on a public groundswell to propel his agenda. The heady days of 2009 when aides boasted of Obama as "the best brand on earth" are long gone.

### 2ac Immigration Reform

#### Boehner won’t get it passed --- he is just trying to manage the issue politically

Kelly, 12/31 (Erin Kelly and Deirdre Shesgreen, 12/31/2013, “Boehner faces tough path; Immigration reform full of pluses, pitfalls,” http://www.marionstar.com/article/20131231/NEWS01/312310014))

The citizenship provision is a non-starter for many conservatives in Boehner’s conference who say it amounts to “amnesty” for lawbreakers. “That’s unfair to the millions of people who are trying to come to this country and follow the rules as they are,” said Rep. Steve Chabot, R-Westwood, a member of the Judiciary Committee, which has a lead role in shaping the House approach to immigration. Chabot said he can’t envision any scenario under which he could support such a measure, and argued that Republicans should resist getting “stampeded into something that’s not good for the country.” He said Republicans do need to reach out to Hispanic voters and “do much better with those groups,” Chabot said. “But I don’t think the immigration bill itself is something that’s going to accomplish that.” Boehner has repeatedly rejected the Senate proposal and instead touted a series of incremental bills crafted by the House Judiciary and Homeland Security committees. “The American people are skeptical of big comprehensive bills, and frankly they should be,” he said at a recent news conference. “The only way to make sure immigration reform works this time is to address these complicated issues one step at a time.” The narrower House bills would: • Require the Department of Homeland Security to craft a strategy for gaining “operational control” of U.S. borders within two years. • Make the federal E-Verify employment database system mandatory for employers nationwide. • Allocate more green cards to foreign graduates of U.S. universities who earn advanced degrees in math and science. • Create a guest worker program for agricultural workers. • Grant states and local governments the right to enforce federal immigration laws. So far, Boehner and other House GOP leaders have not said how they will deal with the contentious issue of a pathway to citizenship for undocumented immigrants. Some House Republicans have said they could support such a provision if it were limited to so-called “Dreamers,” immigrants brought here by their parents when they were minors. Whether such a pared-down immigration proposal could pass the Senate is far from certain. And whether such a measure would help the GOP with Hispanic voters is also unclear. Roy Beck, CEO and founder of NumbersUSA, which opposes giving citizenship to undocumented immigrants, said Boehner is pushing immigration reform at the behest of deep-pocketed business donors. “He wants it, number one, to give the tech contributors what they want on tech visas and, number two, to give the ag lobbyists want they want on farm worker visas,” Beck said. “He also is heavily influenced by the Republican National Committee consultants who just want to get the issue off the table.” Mark Krikorian, executive director of the Center for Immigration Studies, which also opposes proposals that offer a broad pathway to citizenship, said he thinks Boehner wants to “appear constructive” but that doesn’t mean he wants to get anything accomplished. “I think he’s drunk the Kool-aid on the (importance of the) Hispanic vote and believes that his party must pass immigration reform to get that vote,” Krikorian said. “(But) John Boehner’s goal is not necessarily to get to the finish line. It’s to manage this issue politically.” Krikorian sees the immigration issue as pitting struggling American workers against big business that want more immigrants for cheap labor, and he argues Republicans would be hurting themselves politically if they support a pathway to citizenship for undocumented immigrants, especially in this still-tough economy. Boehner could finesse the issue politically by pushing through the incremental bills, letting them stall in the Senate, and blame Democrats for inaction, Krikorian said. “Limited legislation that passes the House, but is ultimately not acted on by the Senate may be the best outcome from Boehner’s perspective,” he said.

### 2AC Politics DA (0:42)

#### Obama is in a steep decline that will tube his agenda --- he has lost the trust of the public that carried him through past crises.

Wilson, 11/13 (Scott, 11/13/2013, “For Obama, loss of trust over health-care law poses major problems for his agenda, legacy,” <http://www.washingtonpost.com/politics/loss-of-publics-trust-poses-major-problems-ahead-for-obamas-agenda/2013/11/13/63f3d002-4c72-11e3-be6b-d3d28122e6d4_story.html>))

Essential elements of Brand Obama in 2008 were trustworthiness and competence, virtues the candidate used to contrast himself with his predecessor, George W. Bush.

Obama promised honesty in foreign policy — no unfounded claims of weapons of mass destruction to justify a military invasion. He pledged precision in governing — no Hurricane Katrinas.

And he vowed to be forthright with the American public and U.S. allies when it came to post-Sept. 11 counterterrorism policies, shadowed by the legacy of torture, black-site prisons and the National Security Agency’s warrantless wiretapping.

The emphasis on good government helped him win his first and second presidential elections and to bounce back from periods when his overall approval rating was scraping lows. People liked him, even if they didn’t like his politics, as an earnest leader who made a priority of having dinner each evening with his young family.

But his likability among the general public has fallen sharply in recent weeks amid the self-inflicted problems with implementation of his health-care law.

A new Quinnipiac University poll this week found for the first time that a majority of Americans — 52 percent — say Obama is not honest or trustworthy. A Gallup poll released Wednesday showed a five-percentage-point drop since September on those same issues and a 10-point fall since the middle of last year.

Now, according to Gallup, only half the country thinks Obama is honest.

The pair of recent polls also showed a continuing decline in his approval rating, tracking several other national surveys that have the president near new lows in overall popularity. But Obama has rebounded from such dips before, in part because much of the country still liked him personally and trusted him politically.

That political cushion has virtually disappeared, with his marks on honesty only slightly better than his poor approval rating.

The plummet in public confidence in Obama’s character poses a much larger problem for his governing agenda and for his legacy than general approval ratings. The erosion comes primarily from independent voters and from his own base, crucial to his party’s success in next year’s midterm elections.

The impact of the slide could be wide-ranging. His pursuit of a deal to curb Iran’s nuclear program, for example, may be more difficult to sell to a less-trusting public, especially given strong resistance in Congress and in Israel.

#### Court shields and plan pacifies the base

Stimson 9 [09/25/09, Cully Stimson is a senior legal fellow at the Heritage Foundation and an instructor at the Naval Justice School former American career appointee at the Pentagon. Stimson was the Deputy Assistant Secretary of Defense for Detainee Affairs., “Punting National Security To The Judiciary”, http://blog.heritage.org/2009/09/25/punting-national-security-to-the-judiciary/]

So what is really going on here? To those of us who have either served in senior policy posts and dealt with these issues on a daily basis, or followed them closely from the outside, it is becoming increasingly clear that this administration is trying to create the appearance of a tough national-security policy regarding the detention of terrorists at Guantanamo, yet allow the courts to make the tough calls on releasing the bad guys. Letting the courts do the dirty work would give the administration plausible cover and distance from the decision-making process. The numbers speak for themselves. Of the 38 detainees whose cases have been adjudicated through the habeas process in federal court in Washington, 30 have been ordered released by civilian judges. That is close to an 80 percent loss rate for the government, which argued for continued detention. Yet, how many of these decisions has this administration appealed, knowing full well that many of those 30 detainees should not in good conscience be let go? The answer: one. Letting the courts do it for him gives the president distance from the unsavory release decisions. It also allows him to state with a straight face, as he did at the Archives speech, “We are not going to release anyone if it would endanger our national security, nor will we release detainees within the United States who endanger the American people.” No, the president won’t release detainees; he’ll sit back and let the courts to do it for him. And the president won’t seek congressional authorization for prolonged detention of the enemy, as he promised, because it will anger his political base on the Left. The ultra-liberals aren’t about to relinquish their “try them or set them free” mantra, even though such a policy threatens to put terrorists back on the battlefield. Moreover, the president would have to spend political capital to win congressional authorization for a prolonged detention policy. Obviously, he would rather spend that capital on other policy priorities. Politically speaking, it is easier to maintain the status quo and let the detainees seek release from federal judges. The passive approach also helps the administration close Gitmo without taking the heat for actually releasing detainees themselves.

## 1AR

### Heg

#### Even if reputation has no material effect, state leaders act as if it does

Robinson 11

[11/10/11, Paul F. Robinson has a MA in Russian and Eastern European Studies from the University of Toronto and a D. Phil. in Modern History from the University of Oxford. Prior to his graduate studies, he served as a regular officer in the British Army Intelligence Corps from 1989 to 1994, and as a reserve officer in the Canadian Forces from 1994 to 1996. He also worked as a media research executive in Moscow in 1995. Having published six books, he has also written widely for the international press on political issues. His research focuses generally on military affairs. In recent years, he has worked on Russian history, military history, defence policy, and military ethics.“Why Leaders Really Care about ‘Credibility’”,<http://honorethics.org/2011/11/10/why-leaders-really-care-about-credibility/#more-203>]

Read the rhetoric used by political and military leaders for wars in the past few decades, and you will be struck by the repeated references to ‘credibility’. The justification of war is very often that it is necessary to uphold our reputation for strength, without which we would become targets for attack. The Vietnam domino theory was a good example of this mode of thought, and similar thinking continues to drive foreign policy today. Yet academic studies into the origins of war suggest that upholding your ‘credibility’ does not actually make you less likely to be attacked. Would-be aggressors pay very little attention to whether you have proved willing to fight in the past. Authors such as Daryl Grayson Press in his book Calculating Credibility and Christopher Fettweis in a number of related articles, have illustrated this very well. What this means is that waging wars for reputation makes no sense. Why then do states persist in doing so? Richard Ned Lebow’s 2010 book Why Nations Fight perhaps contains the answer, although Lebow himself does not address the question. Lebow argues, on the basis of a quantitative analysis, that very few wars are fought for material or security purposes. The great majority are about ‘standing’, in other words honour. Nations fight above all because they feel that their status in the international community depends on being seen to be strong and willing to fight. But this is not due to reason. It is not that honour serves an instrumental purpose; rather it is, says Lebow, a product of ‘the universal drive for self-esteem.’ Following Aristotle, Lebow sees human behaviour as deriving from three drives: spirit, appetite, and reason. Honour is associated with spirit, and ‘the spirit’, he writes, ‘is the principle cause of war across the centuries.’ In short, politicalleaders fight because fighting boosts their self-esteem, whereas not fighting makes them feel inadequate. This would explain why they accept so readily the instrumentalarguments about credibility. The fact that these arguments are not actually true, and that a reputation for strength doesn’t make you safer, are neither here nor there,because safetyisn’treallywhattheleadersin questionare worried about. When they talk about credibility, what they are actually talking about is their own self-esteem. So, for instance, if you hear arguments that NATO must stay in Afghanistan in order to protect the ‘credibility of the alliance’, this is not because that credibility will make NATO members any more secure, but because losing will be bad for the leaders’ self-image. This is not something generally recognized in international relations theory, which insists on viewing matters of honour purely through an external and instrumental lens, ignoring the fact that the external facets of honour are intimately and inextricablytied up with the internal ones.It also reveals how a deeper understanding of the dynamics of honour can help us explain many otherwise inexplicable aspects of human behaviour, and shows that despite occasional claims of its obsolescence, honour remains vitally important in the modern world.