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#### Restrictions on war powers create areas where the President can NOT act

Fisher 12—Louis, Scholar in Residence at The Constitution Project; served for four decades at the Library of Congress, as Senior Specialist, Congressional Research Service [“Basic Principles of the War Power,” 2012, Journal of National Security Law & Policy, 5 J. Nat'l Security L. & Pol'y 319]

Article II designates the President as Commander in Chief, but that title does not carry with it an independent authority to initiate war or act free of legislative control. Article II provides that the President "shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States." Congress, not the President, does the calling. Article I grants Congress the power to provide "for calling forth the Militia to execute the laws of the Union, suppress Insurrections, and repel invasions." Presidential use of the militia depends on policy enacted by Congress.

The Commander in Chief Clause is sometimes interpreted as an exclusive, plenary power of the President, free of statutory checks. It is not. Instead, it offers several protections for republican, constitutional government. Importantly, it preserves civilian supremacy over the military. The individual leading the armed forces is an elected civilian, not a general or admiral. Attorney General Edward Bates in 1861 concluded that the President is Commander in Chief not because he is "skilled in the art of war and qualified to marshal a host in the field of battle." He possesses that title for a different reason. Whatever military officer leads U.S. forces against an enemy, "he is subject to the orders of the civil magistrate, and he and his army are always "subordinate to the civil power.'" n23 Congress is an essential part of that civil power.

The Framers understood that the President may "repel sudden attacks," especially when Congress is out of session and unable to assemble quickly, but the power to take defensive actions does not permit the President to initiate wars and exercise the constitutional authority of Congress. President Washington took great care in instructing his military commanders that operations against Indians were to be limited to defensive actions. n24 Any offensive action required congressional authority. He wrote in 1793: "The Constitution vests the power of declaring war with Congress; therefore no offensive expedition of importance can be undertaken until after they have deliberated upon the subject, and authorized such a measure." n25

[\*324] In 1801, President Jefferson directed that a squadron be sent to the Mediterranean to safeguard American interests against the Barbary pirates. On December 8, he informed Congress of his actions, asking lawmakers for further guidance. He said he was "unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense ... ." It was up to Congress to authorize "measures of offense also." n26 In 1805, after conflicts developed between the United States and Spain, Jefferson issued a public statement that articulates fundamental constitutional principles: "Congress alone is constitutionally invested with the power of changing our condition from peace to war." n27 In the Smith case of 1806, a federal circuit court acknowledged that if a foreign nation invades the United States, the President has an obligation to resist with force. But there was a "manifest distinction" between going to war with a nation at peace and responding to an actual invasion: "In the former case, it is the exclusive province of congress to change a state of peace into a state of war." n28

The second value that the Founders embraced in the Commander-in-Chief Clause is accountability. Hamilton in Federalist No. 74 wrote that the direction of war "most peculiarly demands those qualities which distinguish the exercise of power by a single hand." The power of directing war and emphasizing the common strength "forms a usual and essential part in the definition of the executive authority." n29 Presidential leadership is essential but it cannot operate outside legislative control. The President is subject to the rule of law, including statutory and judicial restrictions.

#### Their supervising terms OR conditions for acting don’t meet.

COURT OF APPEALS 12 [STATE OF WASHINGTON DEPARTMENT OF HEALTH, THE COURT OF APPEALS OF THE STATE OF WASHINGTON, DIVISION I, RANDALL KINCHELOE Appellant. vs. Respondent, BRIEF OF APPELLANT, http://www.courts.wa.gov/content/Briefs/a01/686429%20Appellant%20Randall%20Kincheloe's.pdf]

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation. Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as; A limitation often imposed in a deed or lease respecting the use to which the property may be put.

The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as;

To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

#### Vote Neg—Smaller predictable case list comes for Prohibitions only, and allowing modifications creates a bi-directional topic where they can IMPROVE war-fighting by the president.

### 1NC DA

#### Obama will win the debt ceiling fight – strength and resolve are key to forcing the GOP to bend

POLITICO 10 – 1 – 13 [“Government shutdown: President Obama holds the line” http://www.politico.com/story/2013/10/government-shutdown-president-obama-holds-the-line-97646.html?hp=f3]

President Barack Obama started September in an agonizing, extended display of how little sway he had in Congress. He ended the month with a display of resolve and strength that could redefine his presidency. All it took was a government shutdown. This was less a White House strategy than simply staying in the corner the House GOP had painted them into — to the White House’s surprise, Obama was forced to do what he so rarely has as president: he said no, and he didn’t stop saying no. For two weeks ahead of Monday night’s deadline, Obama and aides rebuffed the efforts to kill Obamacare with the kind of firm, narrow sales pitch they struggled with in three years of trying to convince people the law should exist in the first place. There was no litany of doomsday scenarios that didn’t quite come true, like in the run-up to the fiscal cliff and the sequester. No leaked plans or musings in front of the cameras about Democratic priorities he might sacrifice to score a deal. After five years of what’s often seen as Obama’s desperation to negotiate — to the fury of his liberal base and the frustration of party leaders who argue that he negotiates against himself. Even his signature health care law came with significant compromises in Congress. Instead, over and over and over again, Obama delivered the simple line: Republicans want to repeal a law that was passed and upheld by the Supreme Court — to give people health insurance — or they’ll do something that everyone outside the GOP caucus meetings, including Wall Street bankers, seems to agree would be a ridiculous risk. “If we lock these Americans out of affordable health care for one more year,” Obama said Monday afternoon as he listed examples of people who would enjoy better treatment under Obamacare, “if we sacrifice the health care of millions of Americans — then they’ll fund the government for a couple more months. Does anybody truly believe that we won’t have this fight again in a couple more months? Even at Christmas?” The president and his advisers weren’t expecting this level of Republican melee, a White House official said. Only during Sen. Ted Cruz’s (R-Texas) 21-hour floor speech last week did the realization roll through the West Wing that they wouldn’t be negotiating because they couldn’t figure out anymore whom to negotiate with. And even then, they didn’t believe the shutdown was really going to happen until Saturday night, when the House voted again to strip Obamacare funding. This wasn’t a credible position, Obama said again Monday afternoon, but rather, bowing to “extraneous and controversial demands” which are “all to save face after making some impossible promises to the extreme right wing of their political party.” Obama and aides have said repeatedly that they’re not thinking about the shutdown in terms of political gain, but the situation’s is taking shape for them. Congress’s approval on dealing with the shutdown was at 10 percent even before the shutters started coming down on Monday according to a new CNN/ORC poll, with 69 percent of people saying the House Republicans are acting like “spoiled children.” “The Republicans are making themselves so radioactive that the president and Democrats can win this debate in the court of public opinion” by waiting them out, said Jim Manley, a Democratic strategist and former aide to Senate Majority Leader Harry Reid who has previously been critical of Obama’s tactics. Democratic pollster Stan Greenberg said the Obama White House learned from the 2011 debt ceiling standoff, when it demoralized fellow Democrats, deflated Obama’s approval ratings and got nothing substantive from the negotiations. “They didn’t gain anything from that approach,” Greenberg said. “I think that there’s a lot they learned from what happened the last time they ran up against the debt ceiling.” While the Republicans have been at war with each other, the White House has proceeded calmly — a breakthrough phone call with Iranian President Hassan Rouhani Friday that showed him getting things done (with the conveniently implied juxtaposition that Tehran is easier to negotiate with than the GOP conference), his regular golf game Saturday and a cordial meeting Monday with his old sparring partner Israeli Prime Minister Benjamin Netanyahu. White House press secretary Jay Carney said Monday that the shutdown wasn’t really affecting much of anything. “It’s busy, but it’s always busy here,” Carney said. “It’s busy for most of you covering this White House, any White House. We’re very much focused on making sure that the implementation of the Affordable Care Act continues.” Obama called all four congressional leaders Monday evening — including Boehner, whose staff spent Friday needling reporters to point out that the president hadn’t called for a week. According to both the White House and Boehner’s office, the call was an exchange of well-worn talking points, and changed nothing. Manley advised Obama to make sure people continue to see Boehner and the House Republicans as the problem and not rush into any more negotiations until public outrage forces them to bend. “He may want to do a little outreach, but not until the House drives the country over the cliff,” Manley said Monday, before the shutdown. “Once the House has driven the country over the cliff and failed to fund the government, then it might be time to make a move.” The White House believes Obama will take less than half the blame for a shutdown – with the rest heaped on congressional Republicans. The divide is clear in a Gallup poll also out Monday: over 70 percent of self-identifying Republicans and Democrats each say their guys are the ones acting responsibly, while just 9 percent for both say the other side is. If Obama is able to turn public opinion against Republicans, the GOP won’t be able to turn the blame back on Obama, Greenberg said. “Things only get worse once things begin to move in a particular direction,” he said. “They don’t suddenly start going the other way as people rethink this.”

#### Plan kills Obama’s agenda

KRINER 10—Assistant professor of political science at Boston University [Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, pg. 276-77]

One of the mechanisms by which congressional opposition influences presidential cost-benefit calculations is by sending signals of American disunity to the target state. Measuring the effects of such congressional signals on the calculations of the target state is always difficult. In the case of Iraq it is exceedingly so, given the lack of data on the non-state insurgent actors who were the true “target” of the American occupation after the fall of the Hussein regime. Similarly, in the absence of archival documents, such as those from the Reagan Presidential Library presented in chapter 5, it is all but impossible to measure the effects of congressional signals on the administration’s perceptions of the military costs it would have to pay to achieve its objectives militarily.

By contrast. measuring the domestic political costs of congressional opposition, while still difficult, is at least a tractable endeavor. Chapter 2 posited two primary pathways through which congressional opposition could raise the political costs of staying the course militarily for the president. First, high-profile congressional challenges to a use of force can affect real or anticipated public opinion and bring popular pressures to bear on the president to change course. Second, congressional opposition to the president’s conduct of military affairs can compel him to spend considerable political capital in the military arena to the detriment of other major items on his programmatic agenda. On both of these dimensions, congressional opposition to the war in Iraq appears to have had the predicted effect.

#### Losing military authority will embolden the GOP to fight on the debt ceiling

SEEKING ALPHA 9 – 10 – 13 [“Syria Could Upend Debt Ceiling Fight” http://seekingalpha.com/article/1684082-syria-could-upend-debt-ceiling-fight]

Unless President Obama can totally change a reluctant public's perception of another Middle-Eastern conflict, it seems unlikely that he can get 218 votes in the House, though he can probably still squeak out 60 votes in the Senate. This defeat would be totally unprecedented as a President has never lost a military authorization vote in American history. To forbid the Commander-in-Chief of his primary power renders him all but impotent. At this point, a rebuff from the House is a 67%-75% probability.

I reach this probability by looking within the whip count. I assume the 164 declared "no" votes will stay in the "no" column. To get to 218, Obama needs to win over 193 of the 244 undecided, a gargantuan task. Within the "no" column, there are 137 Republicans. Under a best case scenario, Boehner could corral 50 "yes" votes, which would require Obama to pick up 168 of the 200 Democrats, 84%. Many of these Democrats rode to power because of their opposition to Iraq, which makes it difficult for them to support military conflict. The only way to generate near unanimity among the undecided Democrats is if they choose to support the President (recognizing the political ramifications of a defeat) despite personal misgivings. The idea that all undecided Democrats can be convinced of this argument is relatively slim, especially as there are few votes to lose. In the best case scenario, the House could reach 223-225 votes, barely enough to get it through. Under the worst case, there are only 150 votes. Given the lopsided nature of the breakdown, the chance of House passage is about one in four.

While a failure in the House would put action against Syria in limbo, I have felt that the market has overstated the impact of a strike there, which would be limited in nature. Rather, investors should focus on the profound ripple through the power structure in Washington, which would greatly impact impending battles over spending and the debt ceiling. Currently, the government loses spending authority on September 30 while it hits the debt ceiling by the middle of October. Markets have generally felt that Washington will once again strike a last-minute deal and avert total catastrophe. Failure in the Syrian vote could change this. For the Republicans to beat Obama on a President's strength (foreign military action), they will likely be emboldened that they can beat him on domestic spending issues. Until now, consensus has been that the two sides would compromise to fund the government at sequester levels while passing a $1 trillion stand-alone debt ceiling increase. However, the right wing of Boehner's caucus has been pushing for more, including another $1 trillion in spending cuts, defunding of Obamacare, and a one year delay of the individual mandate. Already, Conservative PACs have begun airing advertisements, urging a debt ceiling fight over Obamacare. With the President rendered hapless on Syria, they will become even more vocal about their hardline resolution, setting us up for a showdown that will rival 2011's debt ceiling fight.

I currently believe the two sides will pass a short-term continuing resolution to keep the government open, and then the GOP will wage a massive fight over the debt ceiling. While Obama will be weakened, he will be unwilling to undermine his major achievement, his healthcare law. In all likelihood, both sides will dig in their respective trenches, unwilling to strike a deal, essentially in a game of chicken. If the House blocks Syrian action, it will take America as close to a default as it did in 2011. Based on the market action then, we can expect massive volatility in the final days of the showdown with the Dow falling 500 points in one session in 2011. As markets panicked over the potential for a U.S. default, we saw a massive risk-off trade, moving from equities into Treasuries. I think there is a significant chance we see something similar this late September into October. The Syrian vote has major implications on the power of Obama and the far-right when it comes to their willingness to fight over the debt ceiling. If the Syrian resolution fails, the debt ceiling fight will be even worse, which will send equities lower by upwards of 10%.

Investors must be prepared for this "black swan" event. Looking back to August 2011, stocks that performed the best were dividend paying, less-cyclical companies like Verizon (VZ), Wal-Mart (WMT), Coca-Cola (KO) and McDonald's (MCD) while high beta names like Netflix (NFLX) and Boeing (BA) were crushed. Investors also flocked into treasuries despite default risk while dumping lower quality bonds as spreads widened. The flight to safety helped treasuries despite U.S. government issues. I think we are likely to see a similar move this time. Assuming there is a Syrian "no" vote, I would begin to roll back my long exposure in the stock market and reallocate funds into treasuries as I believe yields could drop back towards 2.50%. Within the stock market, I think the less-cyclical names should outperform, making utilities and consumer staples more attractive. For more tactical traders, I would consider buying puts against the S&P 500 and look toward shorting higher-beta and defense stocks like Boeing and Lockheed Martin (LMT). I also think lower quality bonds would suffer as spreads widen, making funds like JNK vulnerable. Conversely, gold (GLD) should benefit from the fear trade. I would also like to address the potential that Congress does not vote down the Syrian resolution. First, news has broken that Russia has proposed Syria turn over its chemical stockpile. If Syria were to agree (Syria said it was willing to consider), the U.S. would not have to strike, canceling the congressional vote. The proposal can be found here. I strongly believe this is a delaying tactic rather than a serious effort. In 2005, Libya began to turn over chemical weapons; it has yet to complete the hand-off. Removing and destroying chemical weapons is an exceptionally challenging and dangerous task that would take years, not weeks, making this deal seem unrealistic, especially because a cease-fire would be required around all chemical facilities. The idea that a cease-fire could be maintained for months, essentially allowing Assad to stay in office, is hard to take seriously. I believe this is a delaying tactic, and Congress will have to vote within the next two weeks. The final possibility is that Democrats back their President and barely ram the Syria resolution through. I think the extreme risk of a full-blown debt stand-off to dissipate. However, Boehner has promised a strong fight over the debt limit that the market has largely ignored. I do believe the fight would still be worse than the market anticipates but not outright disastrous. As such, I would not initiate short positions, but I would trim some longs and move into less cyclical stocks as the risk would still be the debt ceiling fight leading to some drama not no drama. Remember, in politics everything is connected. Syria is not a stand-alone issue. Its resolution will impact the power structure in Washington. A failed vote in Congress is likely to make the debt ceiling fight even worse, spooking markets, and threatening default on U.S. obligations unless another last minute deal can be struck.

#### Destroys the global economy

DAVIDSON 9 – 15 – 13 co-founder and co-host of Planet Money, a co-production of the NYT and NPR [Adam Davidson, Our Debt to Society, http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all&\_r=1&]

The Daily Treasury Statement, a public accounting of what the U.S. government spends and receives each day, shows how money really works in Washington. On Aug. 27, the government took in $29 million in repaid agricultural loans; $75 million in customs and duties; $38 million in the repayment of TARP loans; some $310 million in taxes; and so forth. That same day, the government also had bills to pay: $247 million in veterans-affairs programs; $2.5 billion to Medicare and Medicaid; $1.5 billion each to the departments of Education and Defense. By the close of that Tuesday, when all the spending and the taxing had been completed, the government paid out nearly $6 billion more than it took in.

This is the definition of a deficit, and it illustrates why the government needs to borrow money almost every day to pay its bills. Of course, all that daily borrowing adds up, and we are rapidly approaching what is called the X-Date — the day, somewhere in the next six weeks, when the government, by law, cannot borrow another penny. Congress has imposed a strict limit on how much debt the federal government can accumulate, but for nearly 90 years, it has raised the ceiling well before it was reached. But since a large number of Tea Party-aligned Republicans entered the House of Representatives, in 2011, raising that debt ceiling has become a matter of fierce debate. This summer, House Republicans have promised, in Speaker John Boehner’s words, “a whale of a fight” before they raise the debt ceiling — if they even raise it at all.

If the debt ceiling isn’t lifted again this fall, some serious financial decisions will have to be made. Perhaps the government can skimp on its foreign aid or furlough all of NASA, but eventually the big-ticket items, like Social Security and Medicare, will have to be cut. At some point, the government won’t be able to pay interest on its bonds and will enter what’s known as sovereign default, the ultimate national financial disaster achieved by countries like Zimbabwe, Ecuador and Argentina (and now Greece). In the case of the United States, though, it won’t be an isolated national crisis. If the American government can’t stand behind the dollar, the world’s benchmark currency, then the global financial system will very likely enter a new era in which there is much less trade and much less economic growth. It would be, by most accounts, the largest self-imposed financial disaster in history.

Nearly everyone involved predicts that someone will blink before this disaster occurs. Yet a small number of House Republicans (one political analyst told me it’s no more than 20) appear willing to see what happens if the debt ceiling isn’t raised — at least for a bit. This could be used as leverage to force Democrats to drastically cut government spending and eliminate President Obama’s signature health-care-reform plan. In fact, Representative Tom Price, a Georgia Republican, told me that the whole problem could be avoided if the president agreed to drastically cut spending and lower taxes. Still, it is hard to put this act of game theory into historic context. Plenty of countries — and some cities, like Detroit — have defaulted on their financial obligations, but only because their governments ran out of money to pay their bills. No wealthy country has ever voluntarily decided — in the middle of an economic recovery, no less — to default. And there’s certainly no record of that happening to the country that controls the global reserve currency.

Like many, I assumed a self-imposed U.S. debt crisis might unfold like most involuntary ones. If the debt ceiling isn’t raised by X-Day, I figured, the world’s investors would begin to see America as an unstable investment and rush to sell their Treasury bonds. The U.S. government, desperate to hold on to investment, would then raise interest rates far higher, hurtling up rates on credit cards, student loans, mortgages and corporate borrowing — which would effectively put a clamp on all trade and spending. The U.S. economy would collapse far worse than anything we’ve seen in the past several years.

Instead, Robert Auwaerter, head of bond investing for Vanguard, the world’s largest mutual-fund company, told me that the collapse might be more insidious. “You know what happens when the market gets upset?” he said. “There’s a flight to quality. Investors buy Treasury bonds. It’s a bit perverse.” In other words, if the U.S. comes within shouting distance of a default (which Auwaerter is confident won’t happen), the world’s investors — absent a safer alternative, given the recent fates of the euro and the yen — might actually buy even more Treasury bonds. Indeed, interest rates would fall and the bond markets would soar.

While this possibility might not sound so bad, it’s really far more damaging than the apocalyptic one I imagined. Rather than resulting in a sudden crisis, failure to raise the debt ceiling would lead to a slow bleed. Scott Mather, head of the global portfolio at Pimco, the world’s largest private bond fund, explained that while governments and institutions might go on a U.S.-bond buying frenzy in the wake of a debt-ceiling panic, they would eventually recognize that the U.S. government was not going through an odd, temporary bit of insanity. They would eventually conclude that it had become permanently less reliable. Mather imagines institutional investors and governments turning to a basket of currencies, putting their savings in a mix of U.S., European, Canadian, Australian and Japanese bonds. Over the course of decades, the U.S. would lose its unique role in the global economy.

The U.S. benefits enormously from its status as global reserve currency and safe haven. Our interest and mortgage rates are lower; companies are able to borrow money to finance their new products more cheaply. As a result, there is much more economic activity and more wealth in America than there would be otherwise. If that status erodes, the U.S. economy’s peaks will be lower and recessions deeper; future generations will have fewer job opportunities and suffer more when the economy falters. And, Mather points out, no other country would benefit from America’s diminished status. When you make the base risk-free asset more risky, the entire global economy becomes riskier and costlier.

### 1NC K

#### Liberal institutionalism defended by legitimate U.S. hegemony is an imperial ideology disguised by the language of science. Liberal institutionalism requires the elimination of non-liberal forms of life to achieve national security

Tony SMITH Poli Sci @ Tufts 12 [*Conceptual Politics of Democracy Promotion* eds. Hobson and Kurki p. 206-210]

Writing in 1952, Reinhold Niebuhr expressed this point in what remains arguably the single best book on the United States in world affairs, The Irony of American History. 'There is a deep layer of Messianic consciousness in the mind of America,' the theologian wrote. Still, 'We were, as a matter of fact, always vague, as the whole liberal culture is fortunately vague, about how power is to be related to the allegedly universal values which we hold in trust for mankind' (Niebuhr 2008: 69). 'Fortunate vagueness', he explained, arose from the fact that 'in the liberal version of the dream of managing history, the problem of power is never fully elaborated' (Niebuhr 2008: 73). Here was a happy fact that distinguished us from the communists, who assumed, thanks to their ideology, that they could master history, and so were assured that the end would justify the means, such that world revolution under their auspices would bring about universal justice, freedom , and that most precious of promises, peace. In contrast, Niebuhr could write: On the whole, we have as a nation learned the lesson of history tolerably well. We have heeded the warning 'let not the wise man glory in his wisdom, let not the mighty man glory in his strength.' Though we are not without vainglorious delusions in regard to our power, we are saved by a certain grace inherent in common sense rather than in abstract theories from attempting to cut through the vast ambiguities of our historic situation and thereby bringing our destiny to a tragic conclusion by seeking to bring it to a neat and logical one ... This American experience is a refutation in parable of the whole effort to bring the vast forces of history under the control of any particular will, informed by a particular ideal ... [speaking of the communists] All such efforts are rooted in what seems at first glance to be a contradictory combination of voluntarism and determinism. These efforts are on the one hand excessively voluntaristic, assigning a power to the human will and the purity to the mind of some men which no mortal or group of mortals possesses. On the other, they are excessively deterministic since they regard most men as merely the creatures of an historical process. (Niebuhr 2008: 75, 79) The Irony of American History came out in January 1952, only months after the publication of Hannah Arendt's The Origins of Totalitarianism, a book that reached a conclusion similar to his. Fundamentalist political systems of thought, Arendt (1966: 467-9) wrote, are known for their scientific character; they combine the scientific approach with results of philosophical relevance and pretend to be scientific philosophy . .. Ideologies pretend to know the mysteries of the whole historical process—the secrets of the past, the intricacies of the present, the uncertainties of the future—because of the logic inherent in their respective ideas ... they pretend to have found a way to establish the rule of justice on earth ... All laws have become laws of movement. And she warned: Ideologies are always oriented toward history .... The claim to total explanation promises to explain all historical happenings ... hence ideological thinking becomes emancipated from the reality that we perceive with our five senses, and insists on a ' truer' reality concealed behind all perceptible things, dominating them from this place of concealment and requiring a sixth sense that enables us to become aware of it. ... Once it has established its premise, its point of departure, experiences no longer interfere with ideological thinking, nor can it be taught by reality. (Arendt 1966: 470) For Arendt as for Niebuhr, then, a virtue of liberal democracy was its relative lack of certitude in terms of faith in an iron ideology that rested on a pseudoscientific authority that its worldwide propagation would fulfill some mandate of history, or to put it more concretely, that the United States had been selected by the logic of historical development to expand the perimeter of democratic government and free market capitalism to the ends of the earth, and that in doing so it would serve not only its own basic national security needs but the peace of the world as well. True, in his address to the Congress asking for a declaration of war against Germany in 1917, Wilson had asserted, 'the world must be made safe for democracy. Its peace must be planted upon the tested foundations of political liberty.' (Link 1982: 533). Yet just what this meant and how it might be achieved were issues that were not resolved intellectually—at least not before the 1990s. Reinhold Niebuhr died in 1971, Hannah Arendt in 1975, some two decades short of seeing the 'fortunate vagueness' Niebuhr had saluted during their prime be abandoned by the emergence of what can only be called a ' hard liberal internationalist ideology', one virtually the equal of Marxism- Leninism in its ability to read the logic of History and prescribe how human events might be changed by messianic intervention into a world order where finally justice, freedom , and peace might prevail. The authors of this neo-liberal, neo-Wilsonianism: left and liberal academics. Their place of residence: the United States, in leading universities such as Harvard, Yale, Princeton, and Stanford. Their purpose: the instruction of those who made foreign policy in Washington in the aftermath of the Cold War. Their ambition: to help America translate its 'unipolar moment' into a 'unipolar epoch' by providing American leaders with a conceptual blueprint for making the world safe for democracy by democratising the world, thereby realizing through 'democratic globalism' the century-old Wilsonian dream—the creation of a structure of world peace. Their method: the construction of the missing set of liberal internationalist concepts whose ideological complexity, coherence, and promise would be the essential equivalence of MarxismLeninism, something most liberal internationalists had always wanted to achieve but only now seemed possible. Democratic globalism as imperialism in the 1990s The tragedy of American foreign policy was now at hand. Rather than obeying the strictures of a ' fortunate vagueness' which might check its ' messianic consciousness', as Niebuhr had enjoined, liberal internationalism became possessed of just what Arendt had hoped it might never develop, 'a scientific character ... of philosophic relevance' that 'pretend[s] to know the mysteries of the whole historical process,' that 'pretend[s] to have found a way to establish the rule of justice on earth ' (Niebuhr 2008: 74; Arendt 1966: 470). Only in the aftermath of the Cold War, with the United States triumphant and democracy expanding seemingly of its own accord to many comers of the world—from Central Europe to different countries in Asia (South Korea and Taiwan), Africa (South Africa), and Latin America (Chile and Argentina)—had the moment arrived for democracy promotion to move into a distinctively new mode, one that was self-confidently imperialist. Wilsonians could now maintain that the study of history revealed that it was not so much that American power had won the epic contest with the Soviet Union as that the appeal of liberal internationalism had defeated proletarian internationalism. The victory was best understood, then, as one of ideas, values, and institutions—rather than of states and leaders. In this sense, America had been a vehicle of forces far greater than itself, the sponsor of an international convergence of disparate class, ethnic, and nationalist forces converging into a single movement that had created an historical watershed of extraordinary importance. For a new world, new ways of thinking were mandatory. As Hegel has instructed us, 'Minerva's owl flies out at dusk' , and liberal scholars of the 1990s applied themselves to the task of understanding the great victories of democratic government and open market economies over their adversaries between 1939 and 1989. What, rather exactly, were the virtues of democracy that made these amazing successes possible? How, rather explicitly, might the free world now protect, indeed expand, its perimeter of action? A new concept of power and purpose was called for. Primed by the growth of think-tanks and prestigious official appointments to be 'policy relevant' , shocked by murderous outbreaks witnessed in the Balkans and Central Africa, believing as the liberal left did that progress was possible, Wilsonians set out to formulate their thinking at a level of conceptual sophistication that was to be of fundamental importance to the making of American foreign policy after the year 2000.6 The jewel in the crown of neo-liberal internationalism as it emerged from the seminar rooms of the greatest American universities was known as ' democratic peace theory'. Encapsulated simply as ' democracies do not go to war with one another', the theory contended that liberal democratic governments breed peace among themselves based on their domestic practices of the rule of law, the increased integration of their economies through measures of market openness, and their participation in multilateral organisations to adjudicate conflicts among each other so as to keep the peace. The extraordinary success of the European Union since the announcement of the Marshall Plan in 1947, combined with the close relations between the United States and the world's other liberal democracies, was taken as conclusive evidence that global peace could be expanded should other countries join ' the pacific union ', ' the zone of democratic peace'. A thumb-nail sketch cannot do justice to the richness of the argument. Political scientists of an empirical bent demonstrated conclusively to their satisfaction that 'regime type matters ', that it is in the nature of liberal democracies to keep the peace with one another, especially when they are integrated together economically. Theoretically inclined political scientists then argued that liberal internationalism could be thought of as ' non-utopian and non-ideological ', a scientifically validated set of concepts that should be recognized not only as a new but also a dominant form of conceptual ising the behaviour of states (Moravcsik 1997). And liberal political philosophers could maintain on the basis of democratic peace theory that a Kantian (or Wilsonian) liberal world order was a morally just goal for progressives worldwide to seek so that the anarchy of states, the Hobbesian state of nature, could be superseded and a Golden Age of what some dared call 'post-history' could be inaugurated (Rawls 1999). Yet if it were desirable that the world's leading states be democratised, was it actually possible to achieve such a goal? Here a second group of liberal internationalists emerged, intellectuals who maintained that the transition from authoritarian to democratic government had become far easier to manage than at earlier historical moments. The blueprint of liberal democracy was now tried and proven in terms of values, interests, and institutions in a wide variety of countries. The seeds of democracy could be planted by courageous Great Men virtually anywhere in the world. Where an extra push was needed, then the liberal world could help with a wide variety of agencies from the governmental (such as the Agency for International Development or the National Endowment for Democracy in the United States) to the non-governmental (be it the Open Society Institute, Human Rights Watch, Amnesty International, or Freedom House). With the development of new concepts of democratic transition, the older ideas in democratization studies of 'sequences' and ' preconditions' could be jettisoned. No longer was it necessary to count on a long historical process during which the middle class came to see its interests represented in the creation of a democratic state, no longer did a people have to painfully work out a social contract of tolerance for diversity and the institutions of limited government under the rule of law for democracy to take root. Examples as distinct as those of Spain, South Korea, Poland, and South Africa demonstrated that a liberal transformation could be made with astonishing speed and success. When combined, democratic peace theory and democratic transition theory achieved a volatile synergy that neither alone possessed. Peace theory argued that the world would benefit incalculably from the spread of democratic institutions, but it could not say that such a development was likely. Transition theory argued that rapid democratisation was possible, but it could not establish that such changes would much matter for world politics. Combined, however, the two concepts came to be the equivalent of a Kantian moral imperative to push what early in the Clinton years was called ' democratic enlargement' as far as Washington could while it possessed the status of the globe's sole superpower. The result would be nothing less than to change the character of world affairs that gave rise to war—international anarchy system and the character of authoritarian states—into an order of peace premised on the character of democratic governments and their association in multilateral communities basing their conduct on the rule of law that would increasingly have a global constitutional character. The arrogant presumption was, in short, that an aggressively liberal America suddenly had the possibility to change the character of History itself toward the reign of perpetual peace through democracy promotion. Enter the liberal jurists. In their hands a 'right to intervene' against states or in situations where gross and systematic human rights were being violated or weapons of mass destruction accumulated became a 'duty to intervene' in the name of what eventually became called a state 's 'responsibility to protect.' (lCISS 200 I). The meaning of 'sovereignty' was now transformed. Like pirate ships of old, authoritarian states could be attacked by what Secretary of State Madeleine Albright first dubbed a 'Community of Democracies', practicing ' muscular multilateralism' in order to reconstruct them around democratic values and institutions for the sake of world peace. What the jurists thus accomplished was the redefinition not only of the meaning of sovereignty but also that of 'Just War'. Imperialism to enforce the norms a state needed to honor under the terms of its 'responsibility to protect' (or 'R2P' as its partisans liked to phrase it) was now deemed legitimate. And by moving the locus of decision-making on the question of war outside the United Nations (whose Security Council could not be counted on to act to enforce the democratic code) to a League, or Community, or Concert of Democracies (the term varied according to the theorist), a call to arms for the sake of a democratising crusade was much more likely to succeed.

#### This drive to destroy non-liberal ways of life will culminate in extinction

Batur 7 [Pinar, PhD @ UT-Austin – Prof. of Sociology @ Vassar, *The Heart of Violence: Global Racism, War, and Genocide*, Handbook of The Sociology of Racial and Ethnic Relations, eds. Vera and Feagin, p. 441-3]

War and genocide are horrid, and taking them for granted is inhuman. In the 21st century, our problem is not only seeing them as natural and inevitable, but even worse: not seeing, not noticing, but ignoring them. Such act and thought, fueled by global racism, reveal that racial inequality has advanced from the establishment of racial hierarchy and institutionalization of segregation, to the confinement and exclusion, and elimination, of those considered inferior through genocide. In this trajectory, global racism manifests genocide. But this is not inevitable. This article, by examining global racism, explores the new terms of exclusion and the path to permanent war and genocide, to examine the integrality of genocide to the frame-work of global antiracist confrontation. GLOBAL RACISM IN THE AGE OF “CULTURE WARS” Racist legitimization of inequality has changed from presupposed biological inferiority to assumed cultural inadequacy. This defines the new terms of impossibility of coexistence, much less equality. The Jim Crow racism of biological inferiority is now being replaced with a new and modern racism (Baker 1981; Ansell 1997) with “culture war” as the key to justify difference, hierarchy, and oppression. The ideology of “culture war” is becoming embedded in institutions, defining the workings of organizations, and is now defended by individuals who argue that they are not racist, but are not blind to the inherent differences between African-Americans/Arabs/Chinese, or whomever, and “us.” “Us” as a concept defines the power of a group to distinguish itself and to assign a superior value to its institutions, revealing certainty that **affinity with “them” will be harmful to its existence** (Hunter 1991; Buchanan 2002). How can we conceptualize this shift to examine what has changed over the past century and what has remained the same in a racist society? Joe Feagin examines this question with a theory of systemic racism to explore societal complexity of interconnected elements for longevity and adaptability of racism. He sees that systemic racism persists due to a “white racial frame,” defining and maintaining an “organized set of racialized ideas, stereotypes, emotions, and inclinations to discriminate” (Feagin 2006: 25). The white racial frame arranges the routine operation of racist institutions, which enables social and economic repro-duction and amendment of racial privilege. It is this frame that defines the political and economic bases of cultural and historical legitimization. While the white racial frame is one of the components of systemic racism, it is attached to other terms of racial oppression to forge systemic coherency. It has altered over time from slavery to segregation to racial oppression and now frames “culture war,” or “clash of civilizations,” to legitimate the racist oppression of domination, exclusion, war, and genocide. The concept of “culture war” emerged to define opposing ideas in America regarding privacy, censorship, citizenship rights, and secularism, but it has been globalized through conflicts over immigration, nuclear power, and the “war on terrorism.” Its discourse and action articulate to flood the racial space of systemic racism. Racism is a process of defining and building communities and societies based on racial-ized hierarchy of power. The expansion of capitalism cast new formulas of divisions and oppositions, fostering inequality even while integrating all previous forms of oppressive hierarchical arrangements as long as they bolstered the need to maintain the structure and form of capitalist arrangements (Batur-VanderLippe 1996). In this context, the white racial frame, defining the terms of racist systems of oppression, enabled the globalization of racial space through the articulation of capitalism (Du Bois 1942; Winant 1994). The key to understanding this expansion is comprehension of the synergistic relationship between racist systems of oppression and the capitalist system of exploitation. Taken separately, these two systems would be unable to create such oppression independently. However, the synergy between them is devastating. In the age of industrial capitalism, this synergy manifested itself imperialism and colonialism. In the age of advanced capitalism, it is war and genocide. The capitalist system, by enabling and maintaining the connection between everyday life and the global, buttresses the processes of racial oppression, and synergy between racial oppression and capitalist exploitation begets violence. Etienne Balibar points out that the connection between everyday life and the global is established through thought, making global racism a way of thinking, enabling connections of “words with objects and words with images in order to create concepts” (Balibar 1994: 200). Yet, global racism is not only an articulation of thought, but also a way of knowing and acting, framed by both everyday and global experiences. Synergy between capitalism and racism as systems of oppression enables this perpetuation and destruction on the global level. As capitalism expanded and adapted to the particularities of spatial and temporal variables, global racism became part of its legitimization and accommodation, first in terms of colonialist arrangements. In colonized and colonizing lands, global racism has been perpetuated through racial ideologies and discriminatory practices under capitalism by the creation and recreation of connections among memory, knowledge, institutions, and construction of the future in thought and action. What makes racism global are the bridges connecting the particularities of everyday racist experiences to the universality of racist concepts and actions, maintained globally by myriad forms of prejudice, discrimination, and violence (Balibar and Wallerstein 1991; Batur 1999, 2006). Under colonialism, colonizing and colonized societies were antagonistic opposites. Since colonizing society portrayed the colonized “other,” as the adversary and challenger of the “the ideal self,” not only identification but also segregation and containment were essential to racist policies. The terms of exclusion were set by the institutions that fostered and maintained segregation, but the intensity of exclusion, and redundancy, became more apparent in the age of advanced capitalism, as an extension of post-colonial discipline. The exclusionary measures when tested led to war, and genocide. Although, more often than not, genocide was perpetuated and fostered by the post-colonial institutions, rather than colonizing forces, the colonial identification of the “inferior other” led to segregation, then exclusion, then war and genocide. Violence glued them together into seamless continuity. Violence is integral to understanding global racism. Fanon (1963), in exploring colonial oppression, discusses how divisions created or reinforced by colonialism guarantee the perpetuation, and escalation, of violence for both the colonizer and colonized. Racial differentiations, cemented through the colonial relationship, are integral to the aggregation of violence during and after colonialism: “Manichaeism [division of the universe into opposites of good and evil] goes to its logical conclusion and dehumanizes” (Fanon 1963:42). Within this dehumanizing framework, Fanon argues that the violence resulting from the destruction of everyday life, sense of self and imagination under colonialism continues to infest the post-colonial existence by integrating colonized land into the violent destruction of a new “geography of hunger” and exploitation (Fanon 1963: 96). The “geography of hunger” marks the context and space in which oppression and exploitation continue. The historical maps drawn by colonialism now demarcate the boundaries of post-colonial arrangements. The white racial frame restructures this space to fit the imagery of symbolic racism, modifying it to fit the television screen, or making the evidence of the necessity of the politics of exclusion, and the violence of war and genocide, palatable enough for the front page of newspapers, spread out next to the morning breakfast cereal. Two examples of this “geography of hunger and exploitation” are Iraq and New Orleans.

#### Alternative—Challenge to *conceptual* framework of national security. Only our alternative displaces the source of executive overreach. Legal restraint without conceptual change is futile.

Aziz RANA Law at Cornell 11 [“Who Decides on Security?” Cornell Law Faculty Working Papers, Paper 87, http://scholarship.law.cornell.edu/clsops\_papers/87 p. 45-51]

The prevalence of these continuities between Frankfurter’s vision and contemporary judicial arguments raise serious concerns with today’s conceptual framework. Certainly, Frankfurter’s role during World War II in defending and promoting a number of infamous judicial decisions highlights the potential abuses embedded in a legal discourse premised on the specially-situated knowledge of executive officials and military personnel. As the example of Japanese internment dramatizes, too strong an assumption of expert understanding can easily allow elite prejudices—and with it state violence—to run rampant and unconstrained. For the present, it hints at an obvious question: How skeptical should we be of current assertions of expertise and, indeed, of the dominant security framework itself? One claim, repeated especially in the wake of September 11, has been that regardless of normative legitimacy, the prevailing security concept—with its account of unique knowledge, insulation, and hierarchy—is simply an unavoidable consequence of existing global dangers. Even if Herring and Frankfurter may have been wrong in principle about their answer to the question “who decides in matters of security?” they nevertheless were right to believe that complexity and endemic threat make it impossible to defend the old Lockean sensibility. In the final pages of the article, I explore this basic question of the degree to which objective conditions justify the conceptual shifts and offer some initial reflections on what might be required to limit the government’s expansive security powers. VI. CONCLUSION: THE OPENNESS OF THREATS The ideological transformation in the meaning of security has helped to generate a massive and largely secret infrastructure of overlapping executive agencies, all tasked with gathering information and keeping the country safe from perceived threats. In 2010, The Washington Post produced a series of articles outlining the buildings, personnel, and companies that make up this hidden national security apparatus. According to journalists Dana Priest and William Arkin, there exist “some 1271 government organizations and 1931 private companies” across 10,000 locations in the United States, all working on “counterterrorism, homeland security, and intelligence.”180 This apparatus is especially concentrated in the Washington, D.C. area, which amounts to “the capital of an alternative geography of the United States.”181 Employed by these hidden agencies and bureaucratic entities are some 854,000 people (approximately 1.5 times as many people as live in Washington itself) who hold topsecret clearances.182 As Priest and Arkin make clear, the most elite of those with such clearance are highly trained experts, ranging from scientists and economists to regional specialists. “To do what it does, the NSA relies on the largest number of mathematicians in the world. It needs linguists and technology experts, as well as cryptologists, known as ‘crippies.’”183 These professionals cluster together in neighborhoods that are among the wealthiest in the country—six of the ten richest counties in the United States according to Census Bureau data.184 As the executive of Howard County, Virginia, one such community, declared, “These are some of the most brilliant people in the world. . . . They demand good schools and a high quality of life.”185 School excellence is particularly important, as education holds the key to sustaining elevated professional and financial status across generations. In fact, some schools are even “adopting a curriculum . . . that will teach students as young as 10 what kind of lifestyle it takes to get a security clearance and what kind of behavior would disqualify them.”186 The implicit aim of this curriculum is to ensure that the children of NSA mathematicians and Defense Department linguists can one day succeed their parents on the job. In effect, what Priest and Arkin detail is a striking illustration of how security has transformed from a matter of ordinary judgment into one of elite skill. They also underscore how this transformation is bound to a related set of developments regarding social privilege and status—developments that would have been welcome to Frankfurter but deeply disillusioning to Brownson, Lincoln, and Taney. Such changes highlight how one’s professional standing increasingly drives who has a right to make key institutional choices. Lost in the process, however, is the longstanding belief that issues of war and peace are fundamentally a domain of common care, marked by democratic intelligence and shared responsibility. Despite such democratic concerns, a large part of what makes today’s dominant security concept so compelling are two purportedly objective sociological claims about the nature of modern threat. As these claims undergird the current security concept, by way of a conclusion I would like to assess them more directly and, in the process, indicate what they suggest about the prospects for any future reform. The first claim is that global interdependence means that the U.S. faces near continuous threats from abroad. Just as Pearl Harbor presented a physical attack on the homeland justifying a revised framework, the American position in the world since has been one of permanent insecurity in the face of new, equally objective dangers. Although today these threats no longer come from menacing totalitarian regimes like Nazi Germany or the Soviet Union, they nonetheless create of world of chaos and instability in which American domestic peace is imperiled by decentralized terrorists and aggressive rogue states.187 Second, and relatedly, the objective complexity of modern threats makes it impossible for ordinary citizens to comprehend fully the causes and likely consequences of existing dangers. Thus, the best response is the further entrenchment of Herring’s national security state, with the U.S. permanently mobilized militarily to gather intelligence and to combat enemies wherever they strike—at home or abroad. Accordingly, modern legal and political institutions that privilege executive authority and insulated decisionmaking are simply the necessary consequence of these externally generated crises. Regardless of these trade-offs, the security benefits of an empowered presidency (one armed with countless secret and public agencies as well as with a truly global military footprint)188 greatly outweigh the costs. Yet, although these sociological views have become commonplace, the conclusions that Americans should draw about security requirements are not nearly as clear cut as the conventional wisdom assumes. In particular, a closer examination of contemporary arguments about endemic danger suggests that such claims are not objective empirical judgments but rather are socially complex and politically infused interpretations. Indeed, the openness of existing circumstances to multiple interpretations of threat implies that the presumptive need for secrecy and centralization is not self-evident. And as underscored by high profile failures in expert assessment, claims to security expertise are themselves riddled with ideological presuppositions and subjective biases. All this indicates that the gulf between elite knowledge and lay incomprehension in matters of security may be far less extensive than is ordinarily thought. It also means that the question of who decides—and with it the issue of how democratic or insular our institutions should be—remains open as well. Clearly technological changes, from airpower to biological and chemical weapons, have shifted the nature of America’s position in the world and its potential vulnerability. As has been widely remarked for nearly a century, the oceans alone cannot guarantee our permanent safety. Yet, in truth they never fully ensured domestic tranquility. The nineteenth century was one of near continuous violence, especially with indigenous communities fighting to protect their territory from expansionist settlers.189 But even if technological shifts make doomsday scenarios more chilling than those faced by Hamilton, Jefferson, or Taney, the mere existence of these scenarios tells us little about their likelihood or how best to address them. Indeed, these latter security judgments are inevitably permeated with subjective political assessments, assessments that carry with them preexisting ideological points of view—such as regarding how much risk constitutional societies should accept or how interventionist states should be in foreign policy. In fact, from its emergence in the 1930s and 1940s, supporters of the modern security concept have—at times unwittingly—reaffirmed the political rather than purely objective nature of interpreting external threats. In particular, commentators have repeatedly noted the link between the idea of insecurity and America’s post-World War II position of global primacy, one which today has only expanded following the Cold War. In 1961, none other than Senator James William Fulbright declared, in terms reminiscent of Herring and Frankfurter, that security imperatives meant that “our basic constitutional machinery, admirably suited to the needs of a remote agrarian republic in the 18th century,” was no longer “adequate” for the “20th- century nation.”190 For Fulbright, the driving impetus behind the need to jettison antiquated constitutional practices was the importance of sustaining the country’s “preeminen[ce] in political and military power.”191 Fulbright held that greater executive action and war-making capacities were essential precisely because the United States found itself “burdened with all the enormous responsibilities that accompany such power.”192 According to Fulbright, the United States had both a right and a duty to suppress those forms of chaos and disorder that existed at the edges of American authority. Thus, rather than being purely objective, the American condition of permanent danger was itself deeply tied to political calculations about the importance of global primacy. What generated the condition of continual crisis was not only technological change, but also the belief that the United States’ own ‘national security’ rested on the successful projection of power into the internal affairs of foreign states. The key point is that regardless of whether one agrees with such an underlying project, the value of this project is ultimately an open political question. This suggests that whether distant crises should be viewed as generating insecurity at home is similarly as much an interpretative judgment as an empirically verifiable conclusion.193 To appreciate the open nature of security determinations, one need only look at the presentation of terrorism as a principal and overriding danger facing the country. According to the State Department’s Annual Country Reports on Terrorism, in 2009 “[t]here were just 25 U.S. noncombatant fatalities from terrorism worldwide” (sixteen abroad and nine at home).194 While the fear of a terrorist attack is a legitimate concern, these numbers—which have been consistent in recent years—place the gravity of the threat in perspective. Rather than a condition of endemic danger—requiring everincreasing secrecy and centralization—such facts are perfectly consistent with a reading that Americans do not face an existential crisis (one presumably comparable to Pearl Harbor) and actually enjoy relative security. Indeed, the disconnect between numbers and resources expended, especially in a time of profound economic insecurity, highlights the political choice of policymakers and citizens to persist in interpreting foreign events through a World War II and early Cold War lens of permanent threat. In fact, the continuous alteration of basic constitutional values to fit ‘national security’ aims highlights just how entrenched Herring’s old vision of security as pre-political and foundational has become, regardless of whether other interpretations of the present moment may be equally compelling. It also underscores a telling and often ignored point about the nature of modern security expertise, particularly as reproduced by the United States’ massive intelligence infrastructure. To the extent that political assumptions—like the centrality of global primacy or the view that instability abroad necessarily implicates security at home—shape the interpretative approach of executive officials, what passes as objective security expertise is itself intertwined with contested claims about how to view external actors and their motivations. This means that while modern conditions may well be complex, the conclusions of the presumed experts may not be systematically less liable to subjective bias than judgments made by ordinary citizens based on publicly available information. It further underscores that the question of who decides cannot be foreclosed in advance by simply asserting deference to elite knowledge. If anything, one can argue that the presumptive gulf between elite awareness and suspect mass opinion has generated its own very dramatic political and legal pathologies. In recent years, the country has witnessed a variety of security crises built on the basic failure of ‘expertise.’195 At present, part of what obscures this fact is the very culture of secret information sustained by the modern security concept. Today, it is commonplace for government officials to leak security material about terrorism or external threat to newspapers as a method of shaping the public debate.196 These ‘open’ secrets allow greater public access to elite information and embody a central and routine instrument for incorporating mass voice into state decision-making. But this mode of popular involvement comes at a key cost. Secret information is generally treated as worthy of a higher status than information already present in the public realm—the shared collective information through which ordinary citizens reach conclusions about emergency and defense. Yet, oftentimes, as with the lead up to the Iraq War in 2003, although the actual content of this secret information is flawed,197 its status as secret masks these problems and allows policymakers to cloak their positions in added authority. This reality highlights the importance of approaching security information with far greater collective skepticism; it also means that security judgments may be more ‘Hobbesian’—marked fundamentally by epistemological uncertainty as opposed to verifiable fact—than policymakers admit. If both objective sociological claims at the center of the modern security concept are themselves profoundly contested, what does this mean for reform efforts that seek to recalibrate the relationship between liberty and security? Above all, it indicates that the central problem with the procedural solutions offered by constitutional scholars—emphasizing new statutory frameworks or greater judicial assertiveness—is that they mistake a question of politics for one of law. In other words, such scholars ignore the extent to which governing practices are the product of background political judgments about threat, democratic knowledge, professional expertise, and the necessity for insulated decision-making. To the extent that Americans are convinced that they face continuous danger from hidden and potentially limitless assailants—danger too complex for the average citizen to comprehend independently—it is inevitable that institutions (regardless of legal reform initiatives) will operate to centralize power in those hands presumed to enjoy military and security expertise. Thus, any systematic effort to challenge the current framing of the relationship between security and liberty must begin by challenging the underlying assumptions about knowledge and security upon which legal and political arrangements rest. Without a sustained and public debate about the validity of security expertise, its supporting institutions, and the broader legitimacy of secret information, there can be no substantive shift in our constitutional politics. The problem at present, however, is that no popular base exists to raise these questions. Unless such a base emerges, we can expect our prevailing security arrangements to become ever more entrenched.

### 1NC—Hege

#### No internal link—the reason we are illegitimate now is because we do indefinitely detention, targeted kill citizens, etc. No reason why the plan results in any bandwagoning.

#### US decline will not spark wars.

MacDonald & Parent 11—Professor of Political Science at Williams College & Professor of Political Science at University of Miami [Paul K. MacDonald & Joseph M. Parent, “Graceful Decline? The Surprising Success of Great Power Retrenchment,” International Security, Vol. 35, No. 4 (Spring 2011), pp. 7–44]

Our findings are directly relevant to what appears to be an impending great power transition between China and the United States. Estimates of economic performance vary, but most observers expect Chinese GDP to surpass U.S. GDP sometime in the next decade or two. 91 This prospect has generated considerable concern. Many scholars foresee major conflict during a Sino-U.S. ordinal transition. Echoing Gilpin and Copeland, John Mearsheimer sees the crux of the issue as irreconcilable goals: China wants to be America’s superior and the United States wants no peer competitors. In his words, “[N]o amount of goodwill can ameliorate the intense security competition that sets in when an aspiring hegemon appears in Eurasia.” 92

Contrary to these predictions, our analysis suggests some grounds for optimism. Based on the historical track record of great powers facing acute relative decline, the United States should be able to retrench in the coming decades. In the next few years, the United States is ripe to overhaul its military, shift burdens to its allies, and work to decrease costly international commitments. It is likely to initiate and become embroiled in fewer militarized disputes than the average great power and to settle these disputes more amicably. Some might view this prospect with apprehension, fearing the steady erosion of U.S. credibility. Yet our analysis suggests that retrenchment need not signal weakness. Holding on to exposed and expensive commitments simply for the sake of one’s reputation is a greater geopolitical gamble than withdrawing to cheaper, more defensible frontiers.

Some observers might dispute our conclusions, arguing that hegemonic transitions are more conflict prone than other moments of acute relative decline. We counter that there are deductive and empirical reasons to doubt this argument. Theoretically, hegemonic powers should actually find it easier to manage acute relative decline. Fallen hegemons still have formidable capability, which threatens grave harm to any state that tries to cross them. Further, they are no longer the top target for balancing coalitions, and recovering hegemons may be influential because they can play a pivotal role in alliance formation. In addition, hegemonic powers, almost by definition, possess more extensive overseas commitments; they should be able to more readily identify and eliminate extraneous burdens without exposing vulnerabilities or exciting domestic populations.

We believe the empirical record supports these conclusions. In particular, periods of hegemonic transition do not appear more conflict prone than those of acute decline. The last reversal at the pinnacle of power was the AngloAmerican transition, which took place around 1872 and was resolved without armed confrontation. The tenor of that transition may have been influenced by a number of factors: both states were democratic maritime empires, the United States was slowly emerging from the Civil War, and Great Britain could likely coast on a large lead in domestic capital stock. Although China and the United States differ in regime type, similar factors may work to cushion the impending Sino-American transition. Both are large, relatively secure continental great powers, a fact that mitigates potential geopolitical competition. 93 China faces a variety of domestic political challenges, including strains among rival regions, which may complicate its ability to sustain its economic performance or engage in foreign policy adventurism. 94

Most important, the United States is not in free fall. Extrapolating the data into the future, we anticipate the United States will experience a “moderate” decline, losing from 2 to 4 percent of its share of great power GDP in the five years after being surpassed by China sometime in the next decade or two. 95 Given the relatively gradual rate of U.S. decline relative to China, the incentives for either side to run risks by courting conflict are minimal. The United States would still possess upwards of a third of the share of great power GDP, and would have little to gain from provoking a crisis over a peripheral issue. Conversely, China has few incentives to exploit U.S. weakness. 96 Given the importance of the U.S. market to the Chinese economy, in addition to the critical role played by the dollar as a global reserve currency, it is unclear how Beijing could hope to consolidate or expand its increasingly advantageous position through direct confrontation. In short, the United States should be able to reduce its foreign policy commitments in East Asia in the coming decades without inviting Chinese expansionism. Indeed, there is evidence that a policy of retrenchment could reap potential benefits. The drawdown and repositioning of U.S. troops in South Korea, for example, rather than fostering instability, has resulted in an improvement in the occasionally strained relationship between Washington and Seoul. 97 U.S. moderation on Taiwan, rather than encouraging hard-liners in Beijing, resulted in an improvement in cross-strait relations and reassured U.S. allies that Washington would not inadvertently drag them into a Sino-U.S. conflict. 98 Moreover, Washington’s support for the development of multilateral security institutions, rather than harming bilateral alliances, could work to enhance U.S. prestige while embedding China within a more transparent regional order. 99 A policy of gradual retrenchment need not undermine the credibility of U.S. alliance commitments or unleash destabilizing regional security dilemmas. Indeed, even if Beijing harbored revisionist intent, it is unclear that China will have the force projection capabilities necessary to take and hold additional territory. 100 By incrementally shifting burdens to regional allies and multilateral institutions, the United States can strengthen the credibility of its core commitments while accommodating the interests of a rising China. Not least among the benefits of retrenchment is that it helps alleviate an unsustainable financial position. Immense forward deployments will only exacerbate U.S. grand strategic problems and risk unnecessary clashes. 101

#### Peace and hegemony are path dependent—the only empirical data goes our way.

Fettweis 11—Professor of Poli Sci @ Tulane University [Christopher J. Fettweis, “The Superpower as Superhero: Hubris in U.S. Foreign Policy,” Paper prepared for presentation at the 2011 meeting of the American Political Science Association, September 1-4, Seattle, WA, September 2011, pg. http://ssrn.com/abstract=1902154]

The final and in some ways most important pathological belief generated by hubris places the United States at the center of the current era of relative peace. “All that stands between civility and genocide, order and mayhem,” explain Kaplan and Kristol, “is American power.”68 This belief is a variant of what is known as the “hegemonic stability theory,” which proposes that international peace is only possible when there is one country strong enough to make and enforce a set of rules.69 Although it was first developed to describe economic behavior, the theory has been applied more broadly, to explain the current proliferation of peace. At the height of Pax Romana between roughly 27 BC and 180 AD, for example, Rome was able to bring an unprecedented level of peace and security to the Mediterranean. The Pax Britannica of the nineteenth century brought a level of stability to the high seas. Perhaps the current era is peaceful because the United States has established a de facto Pax Americana in which no power is strong enough to challenge its dominance, and because it has established a set of rules that are generally in the interests of all countries to follow. Without a benevolent hegemon, some strategists fear, instability may break out around the globe.70 Unchecked conflicts could bring humanitarian disaster and, in today’s interconnected world, economic turmoil that could ripple throughout global financial markets. There are good theoretical and empirical reasons, however, to doubt that U.S hegemony is the primary cause of the current stability.

First, the hegemonic-stability argument shows the classic symptom of hubris: It overestimates the capability of the United States, in this case to maintain global stability. No state, no matter how strong, can impose peace on determined belligerents. **The U.S. military** may be the most imposing in the history of the world, but it can only police the system if the other members generally cooperate. Self-policing must occur, in other words; if other states had not decided on their own that their interests are best served by peace, then no amount of international constabulary work by the United States could keep them from fighting. The five percent of the world’s population that lives in the United States simply cannot force peace upon an unwilling ninety-five percent. Stability and unipolarity may be simply coincidental.

In order for U.S. hegemony to be the explanation for global stability, the rest of the world would have to expect reward for good behavior and fear punishment for bad. Since the end of the Cold War, the United States has not been especially eager to enforce any particular rules. Even rather incontrovertible evidence of genocide has not been enough to inspire action. Hegemonic stability can only take credit for influencing those decisions that would have ended in war without the presence, whether physical or psychological, of the United States. Since most of the world today is free to fight without U.S. involvement, something else must be preventing them from doing so.71 Stability exists in many places where no hegemony is present. Ethiopia and Eritrea are hardly the only states that could go to war without the slightest threat of U.S. intervention, yet few choose to do so.

Second, it is worthwhile to repeat one of the most basic observations about misperception in international politics, one that is magnified by hubris: Rarely are our actions as consequential upon their behavior as we believe them to be. The ego-centric bias suggests that while it may be natural for U.S. policymakers to interpret their role as crucial in the maintenance of world peace, they are almost certainly overestimating their own importance. At the very least, the United States is probably not as central to the myriad decisions in foreign capitals that help maintain international stability as it thinks it is.

Third, if U.S. security guarantees were the primary cause of the restraint shown by the other great and potentially great powers, then those countries would be demonstrating an amount of **trust** in the intentions, judgment and wisdom of another that would be **without precedent in** international **history**. If the states of Europe and the Pacific Rim detected a good deal of danger in the system, relying entirely on the generosity and sagacity (or, perhaps the naiveté and gullibility) of Washington would be the height of strategic irresponsibility. Indeed it is hard to think of a similar choice: When have any capable members of an alliance virtually disarmed and allowed another member to protect their interests? It seems more logical to suggest that the other members of NATO and Japan just do not share the same perception of threat that the United States does. If there was danger out there, as so many in the U.S. national security community insist, then the grand strategies of the allies would be quite different. Even during the Cold War, U.S. allies were not always convinced that they could rely on U.S. security commitments. Extended deterrence was never entirely comforting; few Europeans could be sure that United States would indeed sacrifice New York for Hamburg. In the absence of the unifying Soviet threat, their trust in U.S. commitments for their defense would presumably be lower—if in fact that commitment was at all necessary outside of the most pessimistic works of fiction.

Furthermore, in order for hegemonic stability logic to be an adequate explanation for restrained behavior, allied states must not only be fully convinced of the intentions and capability of the hegemon to protect their interests; they must also trust that the hegemon can interpret those interests correctly and consistently. As discussed above, the allies do not feel that the United States consistently demonstrates the highest level of strategic wisdom. In fact, they often seem to look with confused eyes upon our behavior, and are unable to explain why we so often find it necessary to go abroad in search of monsters to destroy. They will participate at times in our adventures, but minimally and reluctantly.

Finally, while believers in hegemonic stability as the primary explanation for the long peace have articulated a logic that some find compelling, they are rarely able to cite much evidence to support their claims. In fact, the limited empirical data we have suggests that there is little connection between the relative level of U.S. activism and international stability. During the 1990s, the United States cut back on defense fairly substantially, spending $100 billion less in real terms in 1998 that it did in 1990, which was a twenty-five percent reduction.72 To defense hawks and other believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace,” argued Kristol and Kagan.”73 If global stability were unrelated to U.S. hegemony, however, one would not have expected an increase in conflict and violence.

The verdict from the last two decades is fairly plain: The world grew more peaceful while the United States cut its forces.74 No state believed that its security was endangered by a less-capable U.S. military, or at least none took any action that would suggest such a belief. **No defense establishments were enhanced** to address power vacuums; **no security dilemmas drove insecurity or arms races; no regional balancing occurred** after the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped that spending back up. The two phenomena are unrelated.

These figures will not be enough to convince skeptics. Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability, and one could also presumably argue that spending is not the only or even the best indication of hegemony, that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not be expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered.

However, two points deserve to be made. First, even if it were true that either U.S. commitments or relative spending account for global pacific trends, it would remain the case that stability can be maintained at drastically lower levels. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still cut back on engagement and spending until that level is determined. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if, as many suspect, this era of global peace proves to be inherently stable because normative evolution is typically unidirectional, then no increase in conflict would ever occur, irrespective of U.S. spending.75 Abandoning the mission to stabilize the world would save untold trillions for an increasingly debt-ridden nation.

Second, it is also worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then surely hegemonists would note that their expectations had been justified. If increases in conflict would have been interpreted as evidence for the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the relationship between U.S. power and international stability suggests that the two are unrelated. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

It requires a good deal of hubris for any actor to consider itself indispensable to world peace. Far from collapsing into a whirlwind of chaos, the chances are high that the world would look much like it does now if the United States were to cease regarding itself as God’s gladiator on earth. The people of the United States would be a lot better off as well.

### 1NC War On Terror

#### Their repetition of terrorist threats reinforces stereotypes and leads to a fearful, securitized, islamophobia. Their disadvantage fuels calls to war and is academically suspect.

Streuner and Willis, 2009 [Dr. Erin Steuter a nd Dr. De borah Wills Depart ment o f Soci ology Mount Allis on Univer sity rin Steuter and Deborah Wills are the authors of At Wa r with Meta phor: Media Propaganda and Racism in th e Wa r on Terr or (Lexington Books, 2008). Erin Steuter is an a ssociate professor of Soci ology where she specializes in examining the ideological repr esentations of the ne ws. Recip ient of multiple awards for her teaching and r esearch, her research and published works have appeared in Political Communication and Persuasion , Canadian Jo urnal of Communication , Journal of American and Comparative C ultures , a nd other noted academic journals. Deborah Wills is an associa te professor of English at Mount Allison University . “iscourses of Dehumanization: Enemy Construction and Canadian Media Complicity in the Framing of the War on Terror “http://www.gmj.uottawa.ca/0902/v2i2\_steuter%20and%20wills.pdf]

One of the least visible bu t most ideological ly-charged choices in W ester n medi a’s coverage of the Afg han and Iraqi war s is its “consistent disinterest in nonviolent Muslim perspectives” (Gottsc halk and Greenberg 2007). As Peter Go ttschalk and Gabriel Greenberg (2007) point out, moderate voices from the Mu slim community are routinely omitted from news coverage, an absence that confirms public stereotyping of all Muslims as extremist. While this omission pre-dates September11, it has intensified since; domestic news sources “seldom mention the terms ‘Muslim’ or ‘Islam’ except in the context of conflict, violence, and bloodshed” (G ottschalk and Greenberg 2007).

Constructing the Enemy Media coverage of the events of 9/11 and the subsequent coverage of the wars in Afghanistan and Iraq are critically shaped by pre-existing, Is lamophobic frames that reflect neo-colonial assumptions (Henry & Tator, 2002; Kellner, 2004; Norris, Kern & Just, 2003; Nacos, 2002; Paletz, 1992; Picard, 1993). Karim argues that a coherent set of journalistic narratives have emerged regarding “Muslim terrorism” (2003: 81) narratives that reinforce stereotypes of murderous Muslims and advance limited and often inaccurate information about Islam. Edward Said (1997) similarly argues that the image of Is lam in Western media is laden “not only [with] patent inaccuracy but also expressions of unres trained ethnocentrism, cultural and even racial hatred” (Said, 1997: ii). He notes that “malicious generalizations about Islam have become the last acceptable form of denigration of foreign cultu re in the West; what is said about the Muslim mind, or character, or religion, or culture as a whole cannot now be said in mainstream discussion about Africans, Jews, other Orientals, or Asians” (Ibid: 12). Journalist David Lamb concurs, noting that Arabs are now “caricatur ed in a manner once reserved for blacks and Hispanics” (cited in Lester & Ross, 2003: 76).

Elizabeth Poole observes that in the media’s discussion of the War on Terror, anti-Western violence is “seen to evolve out of something inherent in the [Muslim] religion” (Poole, 2002: 4). As several studies have documented, after the events of 9/11, North American media intensified their depictions of prevailing st ereotypes about Arabs and Muslims (Pintak, 2006; Inbaraj, 2002; McChesney, 2002). Pintak contends that the bias in American media after 9/11 constitutes “jihad journalism”, adding that such slanted coverage became “the hallmark of the post-9/11 era” (Pintak, 2006: 42-44). The media’s dominant narrative, according to McChesney, portrays “a benevolent, democratic and peace-loving nation brutally attacked by insane evil terrorists who hate the United States for its fr eedoms” (McChesney, 2002: 43). Its chief message is that the U.S. “must immediately increase its military and covert forces, locate the surviving culprits and exterminate them” in order to “root out the global terrorist cancer” (Ibid). This dominant narrative’s reliance on disease metaphors poi nts to one of the key features of North American and European media coverage of th e wars in Afghanistan and Iraq and the War on Terror in general: the patterned and systematic dehumanization of Muslims (Kuttab, 2007; Esses, Veenvliet, Hodson & Mihic, 2008)

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Philip Knightly’s (1975) and Sam Keen’s ( 1991) pioneering work on enemy construction analyzes the persistence of animal images of the enemy in media propaganda. The construction of the enemy as a dehumanized Other is much more than a representational strategy performed by the news media; its results can be global in reach. Said’s work lays much of the groundwork for current analyses of the media’s fabrication of the enemy-Other; it argues that colonial and imperial projects depend on the way we characterize those we see as deeply and oppositionally different from ourselves. Over time, these characterizations are systematized and grouped into an organized body of thought, a repertoire of words and images so often repeated that it comes to seem like objective knowledge. Orientalism, the distorting lens created by this process, offers a framework through which the West examines what it perceives as the foreign or alien, Erin Steuter and Deborah Wills 12 consistently figuring the East as the West’s invers e: barbaric to its civilized, superstitious to its rational, medieval to its modern. While We stern citizens are defined by their essential uniqueness and individuality, those of the East are constructed in metaphoric terms that emphasize their indistinguishability; the language of Western media discourse typically emphasizes mass over singularity when it represents the East.

In times of conflict, when constructions of the Other conflate with constructions of the enemy, this pattern intensifies. As Lori A. P eek points out, the processes of defining the enemy and defining the Other have a lot in common, in that they “sometimes lead to devastating outcomes” (Peek, 2004: 28). Presenting the enemy- Other as an indistinguishable mass is an essential strategy in the process of enemy fabrication; wartime images traditionally stress this indistinguishability, as evidenced in Frank Capra’s 1945 propaganda film, Know Your Enemy: Japan , which claimed all Japanese resembled “photographic reprints off the same negative” (Dower, 1986: 18), a message visually reinforced by inter-cutting scenes of a steel bar being hammered in a forge with scenes of regimented Japanese mass activity, the visual correlative of a race lacking individual identity.

Such representations operate most visibly in overt propaganda, but devolve so thoroughly into public discourse that they influence the media’s rhetorical choices. Middle-Eastern identities are confused and eroded; Rayan El Amine notes that the Islamic menace “has replaced the red menace, and the ‘evil empire’ of the cold war ha s become the . . . ‘evil doers’ of the Arab and Muslim world” (2005). The metaphors employed in Canadian newspaper headlines further and solidify such attitudes, compressing difference into unanimity by employing a vocabulary of indistinguishability. Unlike the civilized citizens of the West, who are prim arily identified with culture rather than with nature , the hordes of the East are represented as being as natural as insects and as undifferentiated as a hive or swarm. The headlines gathered here clearly indicate an ongoing equation of the Muslim Other with swarming insects and massing rodents, a metaphoric conflation that is especially resilient and persistent. As Merskin notes, we did not see “the end of enemy construction with the war in Iraq. The stereotype was carried from the Taliban, bin Laden, and terrorists to the axis of evil and Hussein. Since the occupation of Iraq, the evil Arab image shifted to . . . ‘crazed’ Ira qis opposed to U.S. occupation” (2004: 60). Such images are not, as Merskin argues, simply an issue of journalistic imbalance and unfair representations, but speak to fundamental questions of why such images are so necessary and prevalent.

#### Presenting the impact of terrorism feeds a political culture that favors preemptive violence—makes war inevitable and causes error replication

Erickson 08 (Ericsonwas Professor and Director, Centre of Criminology, University of Toronto, Canada, “Risk and the War on Terror”, <http://www.didierbigo.com/students/readings/IPS2011/12/Risk_and_the_War_on_Terror.pdf#page=40>)

Terrorism makes precautionary logic obvious. Following 9/11, political speech in the U.S. took a dramatic turn aimed at making precautionary logic part of everyday life. President Bush hit home in various sound-bites the need to preempt the terrorist threat ‘‘before it fully materializes.’’ His then National Security Advisor, Condoleeza Rice, declared that extraordinary police and military mobilization against terrorism is necessary before the ‘‘smoking gun becomes a mushroom cloud’’ (Janus 2004: 577–8).

Investigations of the failure to prevent the events of 9/11 focused on the problems of bureaucracy, communication, and tunnel vision in the Federal Bureau of Investigation (FBI), CIA, and other security agencies, and stressed the need to exercise the catastrophic imagination as a crucial ingredient of future security. The 9/11 Commission Report (Kean and Hamilton 2004: 339) said the 9/11 attacks reﬂected security agencies’ failure of ‘‘imagination – the lack of organisational capacity to imagine such an attack’’ (see also Salter, this volume). Ironically, it recommended efforts to bureaucratize imagination: ‘‘It is therefore crucial to ﬁnd a way of routinizing, even bureaucratizing, the exercise of imagination’’ (ibid: 334). While a bureaucratized imagination seems paradoxical, what is being recommended is the embedding of precautionary logic in the security systems of organizations.

In all of their planning, strategies, and practices, security agents are to imagine a kind of sea monster intent on leaving tsunami-like destruction in its wake.

Precautionary logic has become central to the U.S. politics of risk and security, feeding into and fed by other features of its political culture. There is a concerted effort to conﬂate the need for preemption at home with preemptive strikes against terrorism abroad. This conﬂation was a key feature of Bush’s strategy in the 2004 presidential election, continuing the post-9/ 11 campaign to simultaneously terrorize the American population into the preemptive policies of homeland security, and populations in Iraq and elsewhere in the Middle East through preemptive attacks.

This conﬂation of security at home with aggression abroad is effected through the view that the U.S. is at war with terrorists however deﬁned. The U.S. has long used ‘‘war on’’ metaphors to identify suitable enemies and justify extreme security measures against them: ‘‘the war on crime,’’ ‘‘the war on drugs,’’ even ‘‘the war on poverty’’ when welfarism had a glimmer of hope in the American political culture of the 1960s (see also Simon, this volume). ‘‘The war on terrorism’’ in some respects encapsulates all of these ‘‘war on’’ campaigns because it is not only directed at foreign enemies and global security, but also at enemies within, blurring into preemptive approaches to domestic crime, drugs, welfare fraud, and anything else signifying moral degeneracy (Barak 2005).

Agamben (2005) links the pervasiveness of ‘‘war on’’ metaphors in American culture to the fact that the sovereign power of the president is based in declared emergency linked to a state of war.

[O]ver the course of the twentieth century the metaphor of war becomes an integral part of the presidential political vocabulary whenever decisions considered to be of vital importance are being imposed. Thus, in 1933, Franklin D. Roosevelt was able to assume extraordinary powers to cope with the Great Depression by presenting his actions as those of a commander during a military campaign ... President Bush’s decision to refer to himself constantly as the ‘‘Commander in Chief of the Army’’ after September 11, 2001, must be considered in the context of this presidential claim to sovereign powers in everyday emergency situations. If, as we have seen, the assumption of this title entails a direct reference to the state of exception, then Bush is attempting to produce a situation in which emergency becomes the rule, and the very distinction between peace and war (and between foreign and civil war) becomes impossible. Agamben (2005: 21–2)

Richard Clarke, a former member of the U.S. Security Council, even argues that al-Qaeda is a ‘‘phantom enemy’’ manufactured through the precautionary logic of instrumental politicians: ‘‘those with the darkest imaginations become the most powerful’’ (Clarke 2004). Raban (2005: 22) observes there is now ‘‘a world of chronic blur, full of slippery words that mean something different from what they meant before September 2001.’’ It is the blur of a war on everything, envisaged by U.S. military ofﬁcials long before 9/11: In broad terms, fourth generation warfare [involving a nation-state in conﬂict with a non-state actor] seems to be widely dispersed and largely undeﬁned; the distinction will be blurred to the vanishing point. It will be nonlinear, possibly to the point of having no deﬁneable battleﬁelds or fronts. The distinction between ‘‘civilian’’ and ‘‘military’’ may disappear. Actions will occur concurrently throughout all participants’ depth, including their society as a cultural, not just a physical, entity.

#### The impact is apocalyptic violence, insistent on defending the nation at all costs—that makes annihilation possible

Lifton 3 [Robert Jay Lifton, Visiting Professor of Psychiatry at Harvard Medical School, previously Distinguished Professor of Psychiatry and Psychology at the Graduate School and Director of The Center on Violence and Human Survival at John Jay College of Criminal Justice at the City University of New York, 2003 (Superpower Syndrome: America’s Apocalyptic Confrontation With The World, Published by Thunder’s Mouth Press / Nation Books, ISBN 1560255129, p. 1-4)]

The apocalyptic imagination has spawned a new kind of violence at the beginning of the twenty-first century. We can, in fact, speak of a worldwide epidemic of violence aimed at massive destruction in the service of various visions of purification and renewal. In particular, we are experiencing what could be called an apocalyptic face-off between Islamist\* forces, overtly visionary in their willingness to kill and die for their religion, and American forces claiming to be restrained and reasonable but no less visionary in their projection of a cleansing war-making and military power. Both sides are [end page 1] energized by versions of intense idealism; both see themselves as embarked on a mission of combating evil in order to redeem and renew the world; and both are ready to release untold levels of violence to achieve that purpose. The war on Iraq—a country with longstanding aspirations toward weapons of mass destruction but with no evident stockpiles of them and no apparent connection to the assaults of September 11—was a manifestation of that American visionary projection. The religious fanaticism of Osama bin Laden and other Islamist zealots has, by now, a certain familiarity to us as to others elsewhere, for their violent demands for spiritual purification are aimed as much at fellow Islamics as at American “infidels.” Their fierce attacks on the defilement that they believe they see everywhere in contemporary life resemble those of past movements and sects from all parts of the world; such sects, with end-of-the-world prophecies and devout violence in the service of bringing those prophecies about, flourished in Europe from the eleventh through the sixteenth century. Similar sects like the fanatical Japanese cult Aum Shinrikyo, which released sarin gas into the Tokyo subways in 1995, have existed—even proliferated—in our own time. The American apocalyptic entity is less familiar to us. Even if its urges to power and domination seem historically recognizable, it nonetheless represents a new constellation of forces bound up with what I’ve come to think of [end page 2] as “superpower syndrome.” By that term I mean a national mindset—put forward strongly by a tight-knit leadership group—that takes on a sense of omnipotence, of unique standing in the world that grants it the right to hold sway over all other nations. The American superpower status derives from our emergence from World War II as uniquely powerful in every respect, still more so as the only superpower left standing at the end of the Cold War in the early 1990s. More than merely dominate, the American superpower now seeks to control history. Such cosmic ambition is accompanied by an equally vast sense of entitlement, of special dispensation to pursue its aims. That entitlement stems partly from historic claims to special democratic virtue, but has much to do with an embrace of technological power translated into military terms. That is, a superpower—the world’s only superpower—is entitled to dominate and control precisely because it is a superpower. The murderous events of 9/11 hardened that sense of entitlement as nothing else could have. Superpower syndrome did not require 9/11, but the attacks on the Twin Towers and the Pentagon rendered us an aggrieved superpower, a giant violated and made vulnerable, which no superpower can permit. Indeed, at the core of superpower syndrome lies a powerful fear of vulnerability. A superpower’s victimization brings on both a sense of humiliation and an angry determination to restore, or even [end page 3] extend, the boundaries of a superpower-dominated world. Integral to superpower syndrome are its menacing nuclear stockpiles and their world-destroying capacity. Throughout the decades of the Cold War, the United States and the Soviet Union both lived with a godlike nuclear capacity to obliterate the cosmos, along with a fear of being annihilated by the enemy power. Now America alone possesses that world-destroying capacity, and post-Soviet Russia no longer looms as a nuclear or superpower adversary. We have yet to grasp the full impact of this exclusive capacity to blow up anyone or everything, but its reverberations are never absent in any part of the world. The confrontation between Islamist and American versions of planetary excess has unfortunately tended to define a world in which the vast majority of people embrace neither. But apocalyptic excess needs no majority to dominate a landscape. All the more so when, in their mutual zealotry, Islamist and American leaders seem to act in concert. That is, each, in its excess, nurtures the apocalypticism of the other, resulting in a malignant synergy. \* In keeping with general usage, Islamist refers to groups that are essentially theocratic and fundamentalist, and at times apocalyptic. Islamic is a more general ethnic as well as religious term for Muslims. The terms can of course overlap, and “Islamic state” can mean one run on Islamist principles.

#### Terrorism is politically motivated—only our radical action of stepping back and taking blame can address the real grievences

Blum 4—William Blum is an author, historian, and renowned critic of U.S. foreign policy. He is the author of *Killing Hope: U.S. Military and CIA Interventions Since World War II* and *Rogue State: A Guide to the World’s Only Superpower*. In early 2006, Blum briefly became the subject of widespread media attention when Osama bin Laden issued a public statement in which he quoted Blum and recommended that all Americans read *Rogue State: A Guide to the World's Only Superpower*. As a result of the mention sales of his book greatly increased. "I was quite surprised and even shocked and amused when I found out what he'd said," Blum said. "I was glad. I knew it would help the book's sales and I was not bothered by who it was coming from. If he shares with me a deep dislike for certain aspects of US foreign policy, then I'm not going to spurn any endorsement of the book by him. I think it's good that he shares those views and I'm not turned off by that."[4] On the Bin Laden endorsement Blum stated "This is almost as good as being an Oprah book." [http://williamblum.org/chapters/freeing-the-world-to-death/myth-and-denial-in-the-war-against-terrorism]

It dies hard. It dies very hard. The notion that terrorist acts against the United States can be explained by envy and irrational hatred, and not by what the United States does to the world – i.e., US foreign policy – is alive and well. The fires were still burning intensely at Ground Zero when Colin Powell declared: “Once again, we see terrorism, we see terrorists, people who don’t believe in democracy …” 1 George W. picked up on that theme and ran with it. He’s been its leading proponent ever since September 11 with his repeated insistence, in one wording or another, that terrorists are people who hate America and all that it stands for, its democracy, its freedom, its wealth, its secular government.” (Ironically, the president and Attorney General John Ashcroft probably hate our secular government as much as anyone.) Here he is more than a year after September 11: “The threats we face are global terrorist attacks. That’s the threat. And the more you love freedom, the more likely it is you’ll be attacked.” 2 The American Council of Trustees and Alumni, a conservative watchdog group founded by Lynne Cheney, wife of the vice-president, announced in November 2001 the formation of the Defense of Civilization Fund, declaring that “It was not only America that was attacked on September 11, but civilization. We were attacked not for our vices, but for our virtues.” 3 In September 2002, the White House released the “National Security Strategy”, purported to be chiefly the handiwork of Condoleezza Rice, which speaks of the “rogue states” which “sponsor terrorism around the globe; and reject basic human values and hate the United States and everything for which it stands.” In July of the following year, we could hear the spokesman for Homeland Security, Brian Roehrkasse, declare: “Terrorists hate our freedoms. They want to change our ways.” 4 Thomas Friedman the renowned foreign policy analyst of the New York Times would say amen. Terrorists, he wrote in 1998 after two US embassies in Africa had been attacked, “have no specific ideological program or demands. Rather, they are driven by a generalized hatred of the US, Israel and other supposed enemies of Islam.” 5 This idée fixe – that the rise of anti-American terrorism owes nothing to American policies – in effect postulates an America that is always the aggrieved innocent in a treacherous world, a benign United States government peacefully going about its business but being “provoked” into taking extreme measures to defend its people, its freedom and its democracy. There consequently is no good reason to modify US foreign policy, and many people who might otherwise know better are scared into supporting the empire’s wars out of the belief that there’s no choice but to crush without mercy – or even without evidence – this irrational international force out there that hates the United States with an abiding passion. Thus it was that Afghanistan and Iraq were bombed and invaded with seemingly little concern in Washington that this could well create many new anti-American terrorists. And indeed, since the first strike on Afghanistan in October 2001 there have been literally scores of terrorist attacks against American institutions in the Middle East, South Asia and the Pacific, more than a dozen in Pakistan alone: military, civilian, Christian, and other targets associated with the United States, including the October 2002 bombings in Bali, Indonesia, which destroyed two nightclubs and killed more than 200 people, almost all of them Americans and their Australian and British allies. The following year brought the heavy bombing of the US-managed Marriott Hotel in Jakarta, Indonesia, the site of diplomatic receptions and 4th of July celebrations held by the American Embassy. Even when a terrorist attack is not aimed directly at Americans, the reason the target has been chosen can be because the country it takes place in has been cooperating with the United States in its so-called “War on Terrorism”. Witness the horrendous attacks of recent years in Madrid, Turkey and Saudi Arabia. A US State Department report on worldwide terrorist attacks showed that the year 2003 had more “significant terrorist incidents” than at any time since the department began issuing statistics in 1982; the 2003 figures do not include attacks on US troops by insurgents in Iraq. 6 Terrorists in their own words The word “terrorism” has been so overused in recent years that it’s now commonly used simply to stigmatize any individual or group one doesn’t like, for almost any kind of behavior involving force. But the word’s raison d’être has traditionally been to convey a political meaning, something along the lines of: the deliberate use of violence against civilians and property to intimidate or coerce a government or the population in furtherance of a political objective. Terrorism is fundamentally propaganda, a very bloody form of propaganda. It follows that if the perpetrators of a terrorist act declare what their objective was, their statement should carry credibility, no matter what one thinks of the objective or the method used to achieve it. Let us look at some of their actual declarations. The terrorists responsible for the bombing of the World Trade Center in 1993 sent a letter to the New York Times which stated, in part: “We declare our responsibility for the explosion on the mentioned building. This action was done in response for the American political, economical, and military support to Israel the state of terrorism and to the rest of the dictator countries in the region.” 7 Richard Reid, who tried to ignite a bomb in his shoe while aboard an American Airline flight to Miami in December 2001, told police that his planned suicide attack was an attempt to strike a blow against the US campaign in Afghanistan and the Western economy. In an e-mail sent to his mother, which he intended her to read after his death, Reid wrote that it was his duty “to help remove the oppressive American forces from the Muslims land.” 8 After the bombings in Bali, one of the leading suspects – later convicted – told police that the bombings were “revenge” for “what Americans have done to Muslims.” He said that he wanted to “kill as many Americans as possible” because “America oppresses the Muslims”. 9 In November 2002, a taped message from Osama bin Laden began: “The road to safety begins by ending the aggression. Reciprocal treatment is part of justice. The [terrorist] incidents that have taken place … are only reactions and reciprocal actions.” 10 That same month, when Mir Aimal Kasi, who killed several people outside of CIA headquarters in 1993, was on death row, he declared: “What I did was a retaliation against the US government” for American policy in the Middle East and its support of Israel. 11 It should be noted that the State Department warned at the time that the execution of Kasi could result in attacks against Americans around the world. 12 It did not warn that the attacks would result from foreigners hating or envying American democracy, freedom, wealth, or secular government. Similarly, in the days following the start of US bombing of Afghanistan there were numerous warnings from US government officials about being prepared for retaliatory acts, and during the war in Iraq, the State Department announced: “Tensions remaining from the recent events in Iraq may increase the potential threat to US citizens and interests abroad, including by terrorist groups.” 13 Another example of the difficulty the Bush administration has in consistently maintaining its simplistic idée fixe: In June 2002, after a car bomb exploded outside the US Consulate in Karachi, killing or injuring more than 60 people, the Washington Post reported that “US officials said the attack was likely the work of extremists angry at both the United States and Pakistan’s president, Gen. Pervez Musharraf, for siding with the United States after September 11 and abandoning support for Afghanistan’s ruling Taliban.” 14 George W. and others of his administration may or may not believe what they tell the world about the motivations behind anti-American terrorism, but, as in the examples just given, some officials have questioned the party line for years. A Department of Defense study in 1997 concluded: “Historical data show a strong correlation between US involvement in international situations and an increase in terrorist attacks against the United States.” 15 Former US president Jimmy Carter told the New York Times in a 1989 interview: We sent Marines into Lebanon and you only have to go to Lebanon, to Syria or to Jordan to witness first-hand the intense hatred among many people for the United States because we bombed and shelled and unmercifully killed totally innocent villagers – women and children and farmers and housewives – in those villages around Beirut. … As a result of that … we became kind of a Satan in the minds of those who are deeply resentful. That is what precipitated the taking of our hostages and that is what has precipitated some of the terrorist attacks. 16 Colin Powell has also revealed that he knows better. Writing of this same 1983 Lebanon debacle in his memoir, he forgoes clichŽs about terrorists hating democracy: “The U.S.S. New Jersey started hurling 16-inch shells into the mountains above Beirut, in World War II style, as if we were softening up the beaches on some Pacific atoll prior to an invasion. What we tend to overlook in such situations is that other people will react much as we would.” 17 The ensuing retaliatory attack against US Marine barracks in Lebanon took the lives of 241 American military personnel. The bombardment of Beirut in 1983 and 1984 is but one of many examples of American violence against the Middle East and/or Muslims since the 1980s. The record includes: the shooting down of two Libyan planes in 1981 the bombing of Libya in 1986 the bombing and sinking of an Iranian ship in 1987 the shooting down of an Iranian passenger plane in 1988 the shooting down of two more Libyan planes in 1989 the massive bombing of the Iraqi people in 1991 the continuing bombings and sanctions against Iraq for the next 12 years the bombing of Afghanistan and Sudan in 1998 the habitual support of Israel despite the routine devastation and torture it inflicts upon the Palestinian people the habitual condemnation of Palestinian resistance to this the abduction of “suspected terrorists” from Muslim countries, such as Malaysia, Pakistan, Lebanon and Albania, who are then taken to places like Egypt and Saudi Arabia, where they are tortured the large military and hi-tech presence in Islam’s holiest land, Saudi Arabia, and elsewhere in the Persian Gulf region the support of undemocratic, authoritarian Middle East governments from the Shah of Iran to the Saudis. “How do I respond when I see that in some Islamic countries there is vitriolic hatred for America?” asked George W. “I’ll tell you how I respond: I’m amazed. I’m amazed that there’s such misunderstanding of what our country is about that people would hate us. I am – like most Americans, I just can’t believe it because I know how good we are.” 18 It’s not just people in the Middle East who have good reason for hating what the US government does. The United States has created huge numbers of potential terrorists all over Latin America during a half century of American actions far worse than what it’s done in the Middle East. If Latin Americans shared the belief of radical Muslims that they will go directly to paradise for martyring themselves in the act of killing the great Satan enemy, by now we might have had decades of repeated terrorist horror coming from south of the border. As it is, there have been many non-suicidal terrorist attacks against Americans and their buildings in Latin America over the years. To what extent do Americans really believe the official disconnect between what the US does in the world and anti-American terrorism? One indication that the public is somewhat skeptical came in the days immediately following the commencement of the bombing of Iraq on March 20 of this year. The airlines later announced that there had been a sharp increase in cancellations of flights and a sharp decrease in future flight reservations in those few days. 19 In June, the Pew Research Center released the results of polling in 20 Muslim countries and the Palestinian territories that brought into question another official thesis, that support for anti-American terrorism goes hand in hand with hatred of American society. The polling revealed that people interviewed had much more “confidence” in Osama bin Laden than in George W. Bush. However, “the survey suggested little correlation between support for bin Laden and hostility to American ideas and cultural products. People who expressed a favorable opinion of bin Laden were just as likely to appreciate American technology and cultural products as people opposed to bin Laden. Pro- and anti-bin Laden respondents also differed little in their views on the workability of Western-style democracy in the Arab world.” 20 The Iraqi resistance The official Washington mentality about the motivations of individuals they call terrorists is also manifested in current US occupation policy in Iraq. Secretary of War Donald Rumsfeld has declared that there are five groups opposing US forces – looters, criminals, remnants of Saddam Hussein’s government, foreign terrorists and those influenced by Iran. 21 An American official in Iraq maintains that many of the people shooting at US troops are “poor young Iraqis” who have been paid between $20 and $100 to stage hit-and-run attacks on US soldiers. “They’re not dedicated fighters,” he said. “They’re people who wanted to take a few potshots.” 22 With such language do American officials avoid dealing with the idea that any part of the resistance is composed of Iraqi citizens who are simply demonstrating their resentment about being bombed, invaded, occupied, and subjected to daily humiliations. Some officials convinced themselves that it was largely the most loyal followers of Saddam Hussein and his two sons who were behind the daily attacks on Americans, and that with the capture or killing of the evil family, resistance would die out; tens of millions of dollars were offered as reward for information leading to this joyful prospect. Thus it was that the killing of the sons elated military personnel. US Army trucks with loudspeakers drove through small towns and villages to broadcast a message about the death of Hussein’s sons. “Coalition forces have won a great victory over the Baath Party and the Saddam Hussein regime by killing Uday and Qusay Hussein in Mosul,” said the message broadcast in Arabic. “The Baath Party has no power in Iraq. Renounce the Baath Party or you are in great danger.” It called on all officials of Hussein’s government to turn themselves in. 23 What followed was several days of some of the deadliest attacks against American personnel since the guerrilla war began. Unfazed, American officials in Washington and Iraq continue to suggest that the elimination of Saddam will write finis to anti-American actions. Another way in which the political origins of terrorism are obscured is by the common practice of blaming poverty or repression by Middle Eastern governments (as opposed to US support for such governments) for the creation of terrorists. Defenders of US foreign policy cite this also as a way of showing how enlightened they are. Here’s Condoleezza Rice: [The Middle East] is a region where hopelessness provides a fertile ground for ideologies that convince promising youths to aspire not to a university education, a career or family, but to blowing themselves up, taking as many innocent lives with them as possible. We need to address the source of the problem. 24 Many on the left speak in a similar fashion, apparently unconscious of what they’re obfuscating. This analysis confuses terrorism with revolution. In light of the several instances mentioned above, among others which could be cited, of US officials giving the game away, in effect admitting that terrorists and guerrillas may be, or in fact are, reacting to actual hurts and injustices, it may be that George W. is the only true believer among them, if in fact he is one. The thought may visit leaders of the American Empire, at least occasionally, that all their expressed justifications for invading Iraq and Afghanistan and for their “War on Terrorism” are no more than fairy tales for young children and grown-up innocents. But officialdom doesn’t make statements to represent reality. It constructs stories to legitimize the pursuit of interests. And the interests here are irresistibly compelling: creating the most powerful empire in all history, enriching their class comrades, remaking the world in their own ideological image. Being the target of terrorism is just one of the prices you pay for such prizes, and terrorist attacks provide a great excuse for the next intervention, the next expansion of the empire, the next expansion of the military budget. A while ago, I heard a union person on the radio proposing what he called “a radical solution to poverty – pay people enough to live on.” Well, I’d like to propose a radical solution to anti-American terrorism – stop giving terrorists the motivation to attack America. As long as the imperial mafia insist that anti-American terrorists have no good or rational reason for retaliation against the United States for anything the US has ever done to their countries, as long as US foreign policy continues with its bloody and oppressive interventions, the “War on Terrorism” is as doomed to failure as the war on drugs has been. If I were the president, I could stop terrorist attacks against the United States in a few days. Permanently. I would first apologize – very publicly and very sincerely – to all the widows and orphans, the impoverished and the tortured, and all the many millions of other victims of American imperialism. Then I would announce to every corner of the world that America’s global military interventions have come to an end. I would then inform Israel that it is no longer the 51st state of the union but -ññ oddly enough -ññ a foreign country. Then I would reduce the military budget by at least 90% and use the savings to pay reparations to the victims and repair the damage from the many American bombings, invasions and sanctions. There would be more than enough money. One year’s military budget in the United States is equal to more than $20,000 per hour for every hour since Jesus Christ was born. That’s one year. That’s what I’d do on my first three days in the White House. On the fourth day, I’d be assassinated.

#### No impact to bioweapons—multiple reasons

Mueller 10 [John, Woody Hayes Chair of National Security Studies at the Mershon Center for International Security Studies and a Professor of Political Science at The Ohio State University, A.B. from the University of Chicago, M.A. and Ph.D. @ UCLA, Atomic Obsession – Nuclear Alarmism from Hiroshima to Al-Qaeda, Oxford University Press]

Properly developed and deployed, biological weapons could potentially, if thus far only in theory, kill hundreds of thousands, perhaps even millions, of people. The discussion remains theoretical because biological weapons have scarcely ever been used. For the most destructive results, they need to be dispersed in very low-altitude aerosol clouds. Since aerosols do not appreciably settle, pathogens like anthrax (which is not easy to spread or catch and is not contagious) would probably have to be sprayed near nose level. Moreover, 90 percent of the microorganisms are likely to die during the process of aerosolization, while their effectiveness could be reduced still further by sunlight, smog, humidity, and temperature changes. Explosive methods of dispersion may destroy the organisms, and, except for anthrax spores, long-term storage of lethal organisms in bombs or warheads is difficult: even if refrigerated, most of the organisms have a limited lifetime. Such weapons can take days or weeks to have full effect, during which time they can be countered with medical and civil defense measures. In the summary judgment of two careful analysts, delivering microbes and toxins over a wide area in the form most suitable for inflicting mass casualties-as an aerosol that could be inhaled-requires a delivery system of enormous sophistication, and even then effective dispersal could easily be disrupted by unfavorable environmental and meteorological conditions.

#### No nuclear terrorism—no capability nor intent reject their alarmism

* Many reasons to doubt both the capability and interest of terrorists getting nuclear devices
* Dangers of a loose nuke from Russia is far over-stated
* Even if a terrorist group got a nuclear weapon using it would be very difficult
* Terrorists and connections between rogue states is exaggerates
* Iran and North Korea are not going to give terrorists nukes because their arsenals are small
* What can go wrong will go wrong—multiple intensifying and compounding probability make terrorist failure inevitable
* Their evidence uses worst case scenarios which is alarmist and false
* Insider documents within Al-Qaeda show they don’t want nuclear weapons and prefer convention weapons
* Their evidence about them wanting nukes is wrong the 90s and out of date
* Even if they did want a nuke it was only to deter a U.S. invasion

Gavin 10—Francis J. Gavin is Tom Slick Professor of International Affairs and Director of the Robert S. Strauss Center for International Security and Law, Lyndon B. Johnson School of Public Affairs, University of Texas at Austin [International Security, Vol. 34, No. 3 (Winter 2009/10), pp. 7–37, the President and Fellows of Harvard College and the Massachusetts Institute of Technology, “Same As It Ever Was Nuclear Alarmism, Proliferation, and the Cold War”, http://www.mitpressjournals.org/doi/pdf/10.1162/isec.2010.34.3.7]

Nuclear Terrorism. The possibility of a terrorist nuclear attack on the United States is widely believed to be a grave, even apocalyptic, threat and a likely possibility, a belief supported by numerous statements by public officials. Since the collapse of the Soviet Union, “the inevitability of the spread of nuclear terrorism” and of a “successful terrorist attack” have been taken for granted.48 Coherent policies to reduce the risk of a nonstate actor using nuclear weapons clearly need to be developed. In particular, the rise of the Abdul Qadeer Khan nuclear technology network should give pause.49 But again, the news is not as grim as nuclear alarmists would suggest. Much has already been done to secure the supply of nuclear materials, and relatively simple steps can produce further improvements. Moreover, there are reasons to doubt both the capabilities and even the interest many terrorist groups have in detonating a nuclear device on U.S. soil. As Adam Garfinkle writes, “The threat of nuclear terrorism is very remote.”50 Experts disagree on whether nonstate actors have the scientific, engineering, financial, natural resource, security, and logistical capacities to build a nuclear bomb from scratch. According to terrorism expert Robin Frost, the danger of a “nuclear black market” and loose nukes from Russia may be overstated. Even if a terrorist group did acquire a nuclear weapon, delivering and detonating it against a U.S. target would present tremendous technical and logistical difficulties.51 Finally, the feared nexus between terrorists and rogue regimes may be exaggerated. As nuclear proliferation expert Joseph Cirincione argues, states such as Iran and North Korea are “not the most likely sources for terrorists since their stockpiles, if any, are small and exceedingly precious, and hence well-guarded.”52 Chubin states that there “is no reason to believe that Iran today, any more than Sadaam Hussein earlier, would transfer WMD [weapons of mass destruction] technology to terrorist groups like al-Qaida or Hezbollah.”53 Even if a terrorist group were to acquire a nuclear device, expert Michael Levi demonstrates that effective planning can prevent catastrophe: for nuclear terrorists, what “can go wrong might go wrong, and when it comes to nuclear terrorism, a broader, integrated defense, just like controls at the source of weapons and materials, can multiply, intensify, and compound the possibilities of terrorist failure, possibly driving terrorist groups to reject nuclear terrorism altogether.” Warning of the danger of a terrorist acquiring a nuclear weapon, most analyses are based on the inaccurate image of an “infallible tenfoot-tall enemy.” This type of alarmism, writes Levi, impedes the development of thoughtful strategies that could deter, prevent, or mitigate a terrorist attack: “Worst-case estimates have their place, but the possible failure-averse, conservative, resource-limited five-foot-tall nuclear terrorist, who is subject not only to the laws of physics but also to Murphy’s law of nuclear terrorism, needs to become just as central to our evaluations of strategies.”54 A recent study contends that al-Qaida’s interest in acquiring and using nuclear weapons may be overstated. Anne Stenersen, a terrorism expert, claims that “looking at statements and activities at various levels within the al-Qaida network, it becomes clear that the network’s interest in using unconventional means is in fact much lower than commonly thought.”55 She further states that “CBRN [chemical, biological, radiological, and nuclear] weapons do not play a central part in al-Qaida’s strategy.”56 In the 1990s, members of al-Qaida debated whether to obtain a nuclear device. Those in favor sought the weapons primarily to deter a U.S. attack on al-Qaida’s bases in Afghanistan. This assessment reveals an organization at odds with that laid out by nuclear alarmists of terrorists obsessed with using nuclear weapons against the United States regardless of the consequences. Stenersen asserts, “Although there have been various reports stating that al-Qaida attempted to buy nuclear material in the nineties, and possibly recruited skilled scientists, it appears that al-Qaida central have not dedicated a lot of time or effort to developing a high-end CBRN capability.... Al-Qaida central never had a coherent strategy to obtain CBRN: instead, its members were divided on the issue, and there was an awareness that militarily effective weapons were extremely difficult to obtain.”57 Most terrorist groups “assess nuclear terrorism through the lens of their political goals and may judge that it does not advance their interests.”58 As Frost has written, “The risk of nuclear terrorism, especially true nuclear terrorism employing bombs powered by nuclear fission, is overstated, and that popular wisdom on the topic is significantly fiawed.”59

## \*\*\* 2NC

### 2NC—No Transition Impact

#### No impact to hegemonic decline, that’s MacDonald and Parent—

#### The U.S. can shift burdens to allies, peacefully decrease international commitments, retain a strong military to deter adversaries, and can still play a role in alliance formation.

#### The empirical record supports our argument—transition periods aren’t more conflict prone; in fact 83 percent of retrenchment cases occurred peacefully because states drew down military obligations and moderated foreign policy ambitions.

#### Prefer our evidence—it’s the only comprehensive empirical study of retrenchment to date. Prefer it to their evidence from neo-con spin machines. Empirics should be your guide because they aren’t tainted by ideology.

MacDonald & Parent 11—Professor of Political Science at Williams College & Professor of Political Science at University of Miami [Paul K. MacDonald & Joseph M. Parent, “Graceful Decline? The Surprising Success of Great Power Retrenchment,” International Security, Vol. 35, No. 4 (Spring 2011), pp. 7–44]

In this article, we question the logic and evidence of the retrenchment pessimists. To date there has been neither a comprehensive study of great power retrenchment nor a study that lays out the case for retrenchment as a practical or probable policy. This article fills these gaps by systematically examining the relationship between acute relative decline and the responses of great powers. We examine eighteen cases of acute relative decline since 1870 and advance three main arguments.

First, we challenge the retrenchment pessimists’ claim that domestic or international constraints inhibit the ability of declining great powers to retrench. In fact, when states fall in the hierarchy of great powers, peaceful retrenchment is the most common response, even over short time spans. Based on the empirical record, we find that great powers retrenched in no less than eleven and no more than fifteen of the eighteen cases, a range of 61–83 percent. When international conditions demand it, states renounce risky ties, increase reliance on allies or adversaries, draw down their military obligations, and impose adjustments on domestic populations.

Second, we find that the magnitude of relative decline helps explain the extent of great power retrenchment. Following the dictates of neorealist theory, great powers retrench for the same reason they expand: the rigors of great power politics compel them to do so.12 Retrenchment is by no means easy, but necessity is the mother of invention, and declining great powers face powerful incentives to contract their interests in a prompt and proportionate manner. Knowing only a state’s rate of relative economic decline explains its corresponding degree of retrenchment in as much as 61 percent of the cases we examined.

Third, we argue that the rate of decline helps explain what forms great power retrenchment will take. How fast great powers fall contributes to whether these retrenching states will internally reform, seek new allies or rely more heavily on old ones, and make diplomatic overtures to enemies. Further, our analysis suggests that great powers facing acute decline are less likely to initiate or escalate militarized interstate disputes. Faced with diminishing resources, great powers moderate their foreign policy ambitions and offer concessions in areas of lesser strategic value. Contrary to the pessimistic conclusions of critics, retrenchment neither requires aggression nor invites predation. Great powers are able to rebalance their commitments through compromise, rather than conflict. In these ways, states respond to penury the same way they do to plenty: they seek to adopt policies that maximize security given available means. Far from being a hazardous policy, retrenchment can be successful. States that retrench often regain their position in the hierarchy of great powers. Of the fifteen great powers that adopted retrenchment in response to acute relative decline, 40 percent managed to recover their ordinal rank. In contrast, none of the declining powers that failed to retrench recovered their relative position. Pg. 9-10

### AT: Owen

#### Their piece of Owen evidence is awful—

#### First—the argument that hegemony explains the decline in violence isn’t a component of the study Owen is citing. Mack et al. looked at physical violence and argues it’s declining. The study DID NOT say the reason for the decline in violence was hegemony. Owen asserts this, but no study outlines the relationship between hegemony and violence.

#### Second—even if hegemonic stability theory explains the decrease in violence, there is no reason hegemony is necessary to preserve peace. Hegemonic stability theory argues hegemons contribute to peace by providing public goods. However, hegemony and peace are path dependent—even if hegemony was necessary to create international institutions to provide public goods, hegemony is no longer necessary to maintain them.

#### Third—this is a flawed methodology—Mack’s reason why violence is decreasing looks entirely at battle deaths. The study doesn’t consider the millions of Iraqi or Iranian citizens that died because of U.S. sanctions on their nuclear programs. The ideology of western policy advocates is that they choose to define the world by western precepts of what is violence—that deliberately masks imperial violence of US hegemony.

#### We should try to see the consequences of hegemony from the outside in—incredible destruction, further instability, and tyranny. Their impacts are constructed by our refusal to see beyond insular American IR.

Von Eschen 5—Penny Von Eschen, History @ Michigan [“Enduring Public Diplomacy,” *American Quarterly* 57.2 MUSE]

An account of U.S. public diplomacy and empire in Iraq can be constructed only through engaging fields outside the sphere of American studies. Political scientist Mahmood Mamdani locates the roots of the current global crisis in [End Page 339] U.S. cold war policies. Focusing on the proxy wars of the later cold war that led to CIA support of Osama Bin Laden and drew Iraq and Saddam Hussein into the U.S. orbit as allies against the Iranians, Mamdani also reminds us of disrupted democratic projects and of the arming and destabilization of Africa and the Middle East by the superpowers, reaching back to the 1953 CIA-backed coup ousting Mussadeq in Iran and the tyrannical rule of Idi Amin in Uganda. For Mamdani, the roots of contemporary terrorism must be located in politics, not the "culture" of Islam. Along with the work of Tariq Ali and Rashid Khalidi, Mamdani's account of the post–1945 world takes us through those places where U.S. policy has supported and armed military dictatorships, as in Pakistan and Iraq, or intervened clandestinely, from Iraq and throughout the Middle East to Afghanistan and the Congo. For these scholars, these events belong at the center of twentieth-century history, rather than on the periphery, with interventions and coups portrayed as unfortunate anomalies. These scholars provide a critical history for what otherwise is posed as an "Islamic threat," placing the current prominence of Pakistan in the context of its longtime support from the United States as a countervailing force against India.8

Stretching across multiple regions, but just as crucial for reading U.S. military practices in Iraq, Yoko Fukumura and Martha Matsuoka's "Redefining Security: Okinawa Women's Resistance to U.S. Militarism" reveals the human and environmental destruction wrought by U.S. military bases in Asia through the living archive of activists who are demanding redress of the toxic contamination and violence against women endemic to base communities.9 Attention to the development of exploitative and violent sex industries allows us to place such recent horrors as the abuse, torture, and debasement at Abu Ghraib prison in Iraq in a history of military practices.10 Taken together, these works are exemplary, inviting us to revisit the imposition of U.S. power in East and South Asia, the Middle East, and Africa, regions where the instrumental role of U.S. power in the creation of undemocratic military regimes has often been overlooked. That none of these works has been produced by scholars who were trained in American studies is perhaps not accidental, but rather symptomatic of a field still shaped by insularity despite increasing and trenchant critiques of this insularity by such American studies scholars as Amy Kaplan and John Carlos Rowe.11 In recommending that American studies scholars collaborate with those in other fields and areas of study and by articulating warnings about how easily attempts to "internationalize" can hurtle down the slippery slope of neoliberal expansion, Kennedy and Lucas join such scholars in furthering the project of viewing U.S. hegemony from the outside in. They [End Page 340] expose the insularity that has been an abiding feature of U.S. politics and public discourse.

### 2NC Overview

#### This aff is based on the premise the US needs moral authority. Our K questions whether the U.S. *should* be a moral authority in law.

#### The discourse of U.S. legal-modeling divides the world into liberal and illiberal forms of life. Those without the proper model are deemed sources of uncivilized threat. The “fear of radical executives that the plan tries to restrict” forms an ideological smokescreen for suppressing Third World social movements. Nationalization by Mossaddegh in Iran and Allende in Chile justified U.S. coups in the name of restricting executives who didn’t adhere to the rule of law. Justifying power to the courts through modeling might restrain the executive, but it empowers colonial narratives which draws racialized boundaries between civilizations. Violence is integral to this system which dehumanizes ‘others’ we view as culturally inferior. It’s try or die—colonialism ensures violence, genocide, and war will remain everyday parts of society—that’s Batur.

#### Their magnitude and escalation claims support an imperial paradigm of war against illiberal ways of life. Narratives of global vulnerability and extinction support recolonization by the global North.

Mark DUFFIELD Global Insecurities Centre & Politics @ Bristol (UK) 10 [“Global Insecurities Centre, Department of Politics Exploring the Global Life-Chance Divide” *Security Dialogue* 41 p. 67-69]

With the ending of the Cold War, the steady increase in humanitarian disasters plus the organizational imperative of a growing international rescue industry have helped justify a step-change in humanitarian, development and peace interventionism—indeed, in all forms of liberal interventionism. The permanent emergency of adaptive self-reliance provides a backdrop for the now well-rehearsed cartography of breakdown and anarchy in the global borderlands (Kaplan, 1994). It includes the discovery of livelihood wars fought by non-state actors on and through the modalities of subsistence, wars where the endemic abuse of human rights is part of the fabric of conflict itself (Le Billon, 2000). Such wars have generated their own narratives of state failure and state fragility (DFID, 2005), together with the associated fears of uncontrolled refugee surges (Cabinet Office, 2008). At the same time, these ‘ungoverned spaces’ are argued to lend themselves to capture and occupation by terrorist networks hostile to Western interests (Development Assistance Committee, 2003). This endemic reimagining of underdevelopment as dangerous, however, also renders self-reliance ambiguous. The liberal way of development privileges adaptive self-reliance. Importantly, however, this is a particular form of self-reliance, namely, those modes of existence and lines of change deemed to be safe or appropriate. Like beauty, sustainability is in the eye of the beholder. In practice, sustainability denotes internationally acceptable and pacific forms of self-reliance. It is the self-reliance of NGO-audited microcredit projects, legal forms of economic self-help, or the planting of commercial crops as substitutes for narcotics. These are approved forms of adaptive self-reliance. However, the reimagining of underdevelopment as dangerous in, for example, the literature on war economies (Kaldor, 1999) or descriptions of international criminal networks (Castells, 1998), points to another more challenging and edgy form of selfreliance. This is adaptive self-reliance as radical autonomy. It signals the discovery of effective means of existence beyond states and free of aid agencies. It includes novel forms of military self-provisioning, complete with radical means of global circulation and evasion. This is the self-reliance of constantly mutating transnational shadow economies, changing diaspora dynamics and complex adaptive systems that security actors worry are capable of sustaining adversary cultures (McFate, 2004). There is a tension between internationally acceptable forms of adaptive self-reliance and, arising from the impossibility (and for many the undesirability) of this form of existence, what could be called actually existing development (Duffield, 2002)—that is, those forms of adaptation, legitimacy and survival that exist despite, and often in opposition to, official aid efforts. This tension marks the point where the liberal way of development shades into what Dillon and Reid (2009) have described as the liberal way of war. It marks a stage where actually existing development tips from being acceptable into an unacceptable way of life. When forms of radical autonomy and emergence are deemed to be a risk to the system as a whole—indeed, to global-life itself—then the liberal way of war itself threatens to go global, unrestrained and unlimited in discharging its new security responsibilities (Reid, 2009). Connecting Mass Consumer Societies and Fragile States Given the circulatory powers of actually existing development, the struggle over acceptable and unacceptable ways of life in the global south interconnects with the security of the global north. Once war becomes a struggle over ways of life, and life itself is characterized by powers of emergence and radical interconnectivity (Duffield, 2002), then the old dichotomy between the national and the international, a division that still structures academic life, collapses within political imagination (Blair, 2001). While a Fortress Europe remains an essential perimeter defence, the geopolitics of immigration control now appears inadequate on its own. Since the end of the Cold War, the welfare bureaucracies and critical infrastructures of mass consumer society, essential for a developed-life, have been reimagined as sources of systemic vulnerability. Non-intentional disasters like foot and mouth disease in pigs, Creutzfeldt–Jakob disease in cattle, failures in the electricity grid, losses of computerized personal data, the fragility of just-in-time fuel deliveries and now swine flu are constant reminders of the integrated nature of these infrastructures and their problematic resilience (Cabinet Office, 2008). Contemporary disasters are made intelligible through enacting the possibility of catastrophic system-failure in terms of damage to one strategic node having a radiating impact on others with which it is networked to produce a complex (cumulative and multileveled) disaster having society-wide effects. When one factors in radical global interconnectivity—for example, refugee surges from failed states, geopolitical threats to fuel supplies, health pandemics emerging from inadequate infrastructure or, not least, the intentionality of terrorism (de Goede, 2008)—then mass consumer societies begin to appear inherently vulnerable. Their integrated critical infrastructures, vital to maintaining a developed but dependent way of life, become so many complex disasters waiting to happen. While the geopolitics of border control provides an important means of spatial ordering, new sovereign frontiers and biopolitical campaigns have opened within mass consumer societies and the global borderlands. Having its origins in decolonization, a global security framework has emerged that now works across the collapsed national–international, or inside–outside, dichotomy (Bigo, 2001). Struggles against potential enemies internal to mass consumer society and operations waged against external networks or the ungoverned spaces of the global borderland are now part of the same strategic terrain (IPPR, 2008). The overt geopolitical violence of the initial phase of the ‘War on Terror’ (Graham, 2006) has now given way to an unending war that, rather than extermination, privileges the biopolitical management and regulation of life within its appropriate social habitat (Gregory, 2008). Reconnecting with the turn to conflict resolution already evident in aid policy during the 1990s, the initial neoconservative excesses in Iraq and Afghanistan have now vectored into counterinsurgency (Gonzalez, 2007). With catastrophic violence having done its familiar job of redrawing spheres of influence and reasserting racial hierarchies (Duffield, 2007: 191–197), it’s now business as usual as the liberal way of development moves back to the political foreground.

### 2NC Turns Case

#### They overestimate effectiveness of law as a tool. Restrictions only work if we have the value based opposition that supports such a restriction. If national security is the goal, then any restriction on the institution we view as the best able to protect national security will fail. Law is an expression of value, not just an instrument. The effect of law depends upon cultural context.

#### If law is an instrument of national security that’s all it will ever be, just another means of warfare, not an actual restraint

### 2NC K Prior

#### Our framework is that the 1AC is the focus of the debate. They have to defend both the plan and their justifications.

#### Critiques are fair and relevant to the debate—we have read a specific critique of their assumptions of legal modeling. Prefer specificity in this instance, proves it’s grounded in the literature—the affirmative chose their advantages and they should be forced to defend them

#### And we are the middle ground—we allow them to access policy questions as long as they can defend their representations and method.

#### Our interpretation is best—

#### All of our link arguments turn their education claim. All our cards are about the interaction of democracy, war powers, and legal modeling. This is the core of the education on the topic. Proves discussion of the critique is both prior to solvency and policy relevant.

#### Legitimacy is a weapon for the national-security apparatus. Legal restrictions enable the U.S. to wage more precisely regulated and brutal forms of war.

Francisco J. CONTRERAS Prf. Philosophy of Law @ Seville AND Ignacio de la RASILLA Ph.D. candidate in international law, Graduate Institute of International Studies, Geneva, 8 [“On War as Law and Law as War” Leiden Journal of International Law Vol. 21 Issue 3 p. 770-773]

Kennedy begins by coldly contradicting those opponents of the Bush administration ‘that have routinely claimed that the United States has disregarded these rules’ (p. 40) by pointing out that both opponents and supporters of the Iraq war as well as both opponents and supporters of the great panoply of US legal measures related to the war on terror ‘were playing with the same deck’ (p. 40) in presenting ‘professional arguments about how recognised rules and standards, as well as recognised exceptions and jurisdictional limitations, should be interpreted’ (p. 40). The author’s only concession with reference to the Bush administration’s legal advisers is to point out that ‘as professionals, these lawyers failed to advise their client adequately about the consequences of the interpretations they proposed, and about the way others would read the same texts – and their memoranda’ (p. 39).Thus Kennedy does not adopt any legal position to the detriment of any other, as his assessment does not seemingly pretend to persuade his reader at the level of the world of legal validity presented in the vocabulary of the UN Charter. The extent to which that excludes the author from the category of being a ‘true jus-internationalist’, according to A. Canc¸ado Trindade’s understanding of those who actually ‘comply with the ineluctable duty to stand against the apology of the use of force which is manifested in our days through distinct “doctrinal” elaborations’,42 is not for us to judge. Suffice it to note that the starting point of Kennedy’s convoluted perspective on the matter is that ‘the law of force’ is a form of ‘vocabulary for assessing the legitimacy’ (p. 41) of a form of conduct (e.g. amilitary campaign) or ‘for defending as well as attacking the “legality”’ (p. 41) of an act (e.g. distinguishing legitimate from illegitimate targets) in which the same law of force becomes a two-edged sword, everybody’s and no one’s strategic partner in a contemporary world where ‘legitimacy has become the currency of power’ (p. 45). For the author, in today’s age of ‘lawfare’ (p. 12), ‘to resist war in the name of law . . . is to misunderstand the delicate partnership of war and law’ (p. 167). In Kennedy’s view, therefore, ‘there is little comfort in knowing that law has become the vernacular for evaluating the legitimacy of war and politics where it has done so by itself becoming a strategic instrument of war and the continuation of politics by similar means’ (p. 132). 3. LAW AS A MODERN LEGAL INSTITUTION Of War and Law seems, indeed, to be animated by a certain philosophical perplexity regarding the ambiguous relation between the apparently antithetical nature of the terms appearing in its title. Since antiquity both jurists and philosophers have taught that the law’s raison d’eˆ tre is that of making social peace possible, of overcoming what would later be commonly known as the Hobbesian state of nature: bellum omnium contra omnes. Kant noted that law should be perceived first and foremost as a pacifying tool – in other words, ‘the establishment of peace constitutes, not a part of, but the whole purpose of the doctrine of law’43 – and Lauterpacht projected that same principle onto the international sphere: ‘the primordial duty’ of international law is to ensure that ‘there shall be no violence among states’.44 The paradox lies, of course, in that law performs its pacifying function not by means of edifying advice, but by the threat of the use of force. In this sense, as Kennedy points out, ‘to use law is also to invoke violence, at least the violence that stands behind legal authority’ (p. 22). Hobbes himself never concealed the fact that the state, ‘that mortal god, to which we owe under the immortal God our peace and defence’,would succeed in eradicating inter-individual violence precisely due to its ability to ‘inspire terror’;45 but Weber – ‘the State is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory’46 – Godwin,47 and Kelsen48 have also provided support for the same proposition. This ambivalent and paradoxical relationship between law and violence,which is obvious in the domestic or intra-state realm, becomes even more obvious in the interstate domain with its classical twin antinomy of ubi jus, ibi pax and inter arma leges silent until the law in war emerges as a bold normative sector which dares to defy this conceptual incompatibility; even war can be regulated, be submitted to conditions and limitations. The hesitations of Kant in addressing jus in bello49 or the very fact that the Latin terms jus ad bellum and jus in bello were coined, as R. Kolb has pointed out,50 at relatively recent dates, seem to confirm that this has never been per se an evident aspiration.51 Kennedy explains his own calling as international lawyer as being partly inspired by his will to participate in the law’s civilizing mission (p. 29)52 as something utterly distinct from war: We think of these rules [law in war] as coming from ‘outside’ war, limiting and restricting the military. We think of international law as a broadly humanist and civilizing force, standing back from war, judging it as just or unjust, while offering itself as a code of conduct to limit violence on the battlefield. (p. 167) The author notes how this virginal confidence in the pacifying efficiency of international law – its presumed ability to forbid, limit, humanize war ‘from outside’ – becomes progressively nuanced, eroded, almost discredited by a series of considerations. The disquieting image of the ‘delicate partnership of war and law’ becomes more and more evidenced; the lawyer who attempts to regulate warfare inevitably also becomes its accomplice. As Kennedy puts it, The laws of force provide the vocabulary not only for restraining the violence and incidence of war – but also for waging war and deciding to go to war. . . . [L]aw no longer stands outside violence, silent or prohibitive. Law also permits injury, as it privileges, channels, structures, legitimates, and facilitates acts of war. (p. 167) Unable to suppress all violence, law typifies certain forms of violence as legally admissible, thus ‘privileging’ them with regard to others and investing some agents with a ‘privilege to kill’ (p. 115). Law thereby becomes, in Kennedy’s view, a tool not so much for the restriction of war as for the legal construction of war.53 Elsewhere we have labeled Kennedy ‘a relative outsider’54 who, peering from the edge of the vocabulary of international law, tries to ‘highlight its inherent structural limits, gaps, dogmas, blind spots and biases’, as someone ‘specialised in speaking the unspeakable, disclosing ambivalences and asking awkward questions’.55 The ‘unspeakable’, in the case of the ‘law of force’, is precisely, in Kennedy’s view, this process of involuntary complicity with the very phenomenon one supposedly wants to prohibit. Prepared to ‘stain his hands’ a` la Sartre, in his attempt to humanize the military machine from within, to walk one step behind the soldier reminding him constantly, as an imaginary CNN camera, of the legal limits of the legitimate use of force, the lawyer starts to realize, in the author’s view, that he is becoming but an accessory to the war machine. Kennedy maintains that law, in its attempt to subject war to its rule, has been absorbed by it and has now become but another war instrument (p. 32);56 law has been weaponized (p. 37).57 Contemporary war is by definition a legally organized war: ‘no ship moves, no weapon is fired, no target selected without some review for compliance with regulation – not because the military has gone soft, but because there is simply no other way to make modern warfare work. Warfare has become rule and regulation’ (p. 33).War ‘has become a modern legal institution’ (p. 5), with the result that the international lawyer finds himself before an evident instance of Marxian reification, in other words ‘the consolidation of our own products as a material power erected above us beyond our control that raises a wall in front of our expectations and destroys our calculations’.58 Ideas and institutions develop ‘a life of their own’, an autonomous, perverted dynamism.

### Smith Explanation

#### Extend the false science link— Liberal academics put forth blueprints to help guide policy makers to extend hegemony to make the world safe for democracy. The 1ac, like these academics, couch their impact arguments in terms of empirical calculations that prove both legitimate hegemony and liberal democracy solve war. This use of empirics is a ploy to disguise the ideological tenor of their 1ac.

#### They pretend to know the future, to predict the effects of democratic transition. They pretend to have found a way to secure peace and justice in the world. These claims come with an implicit moral imperative—to promote democracy globally. Imperialism has a new justification, to enforce liberal norms—this call to arms is aimed at any and all threats to liberalism. Yet this drive to destroy non-liberal ways of life will culminate in extinction

Batur 7 [Pinar, PhD @ UT-Austin – Prof. of Sociology @ Vassar, *The Heart of Violence: Global Racism, War, and Genocide*, Handbook of The Sociology of Racial and Ethnic Relations, eds. Vera and Feagin, p. 441-3]

### 2NC Link Wall

The courts’ strengths in offering a stable interpretation of the law, relative insulation from political pressure, and power to bestow legitimacy are **important for realizing the functional constitutional goal of effective U.S. foreign policy**

#### Link b/c it says that’s how people will model

#### Knowles evidence, we’ll quote some of this card to make our point.

#### “The stability of the current U.S.-led international system depends on the ability of the U.S. to govern effectively”—this view equivocates adequate Western governance with stability portraying non-Western institutions as ass-backwards and unstable.

#### “[L]aw bolsters the stability of the system because other nations will know that they can rely on those interpretations and that there will be … enforcement” by the U.S.—this link is obvious. They view U.S. backing of western law is necessary for global stability. This view elides the fact that not everyone has the same interpretation of law. The affirmative’s response to this is “we can just enforce our liberal interpretation on uncivilized peoples.” This replicates the very violence and instability they try to prevent—that’s Buchan.

#### Knowles also asserts “[a]cts having a basis in law are … universally regarded as more legitimate than merely political acts”—this supports the view of law as apolitical, rational, and objective. The assumption that this is “universally” the case creates a distinction between civility and barbarism, for if law is not “merely political,” then those who submit themselves to rule of law are the civil ones, and those who don’t are barbaric.

#### This view of the law reinforces our turns case arguments—law isn’t apolitical or ahistorical. Evolution of all law depends on political and historical context in different societies. The affirmative’s attempt to apply law as apolitical will fail because that’s not how law is created and institutionalized in societies—that’s Hobson and Kennedy.

### Terror Links

#### Most will be done on case in the 1nr—but the link is obvious—the idea that we can police the world through legitimate norms = bad

### AT: Perm (w/Multilat)

#### Perm guarantees legal norms serve national security. Their framing treats law as an *instrument*. That undermines restraint.

Susanne KRASMANN Institute for Criminological Research, University of Hamburg 12 [“Law’s knowledge: On the susceptibility and resistance of legal practices to security matters” *Theoretical Criminology* 16 (4) p. 380-382]

In the face of these developments, a new debate on how to contain governmental interference in the name of security has emerged. What is remarkable about this debate is that, on the one hand, it aims at establishing more civil and human rights and attendant procedural safeguards that allow for systematically calling into question the derogation of laws and the implementation of new laws in the name of security. On the other hand, it recognizes the existence of a new dimension of threats, particularly in the aftermath of the terror attacks of 11 September 2001. As John Ferejohn and Pasquale Pasquino (2004: 228), for instance, contend: We are faced, nowadays, with serious threats to the public safety that can occur anywhere and that cannot terminate definitively. … If we think that the capacity to deal effectively with emergencies is a precondition for republican government, then it is necessary to ask how emergency powers can be controlled in modern circumstances. Adequate legal frameworks and institutional designs are required that would enable us to ‘reconcile’ security with (human) rights, as Goold and Lazarus (2007b: 15) propose, and enduring emergency situations with the rule of law. Traditional problems in the relationship between law and security government within this debate form a point of departure of critical considerations:2 emergency government today, rather than facing the problem of gross abuses of power, has to deal with the persistent danger of the exceptional becoming normal (see Poole, 2008: 8). Law gradually adjusts to what is regarded as ‘necessary’.3 Hence, law not only constrains, but at the same time also authorizes governmental interference. Furthermore, mainstream approaches that try to balance security and liberty are rarely able, or willing, to expose fully the trade-offs of their normative presuppositions: ‘[T]he metaphor of balance is used as often to justify and defend changes as to challenge them’ (Zedner, 2005: 510). Finally, political responses to threats never overcome the uncertainty that necessarily accompanies any decision addressing future events. To ignore this uncertainty, in other words, is to ignore the political moment any such decision entails, thus exempting it from the possibility of dissent. Institutional arrangements that enforce legislative control and enable citizens to claim their rights are certainly the appropriate responses to the concern in question, namely that security gradually seizes political space and transforms the rule of law in an inconspicuous manner. They establish political spaces of dispute and provide sticking points against all too rapidly launched security legislation, and thus may foster a ‘culture of justification’, as David Dyzenhaus (2007) has it: political decisions and the exercise of state power are to be ‘justified by law’, in a fundamental sense of a commitment to ‘the principles of legality and respect for human rights’ (2007: 137). Nonetheless, most of these accounts, in a way, simply add more of the same legal principles and institutional arrangements that are well known to us. To frame security as a public good and ensure that it is a subject of democratic debate, as Ian Loader and Neil Walker (2007) for example demand, is a promising alternative to denying its social relevance. The call for security to be ‘civilized’, though, once again echoes the truly modern project of dealing with its inherent discontents. The limits of such a commitment to legality and a political ‘culture of justification’ (so termed for brevity) will be illustrated in the following section. Those normative endeavours will be challenged subsequently by a Foucauldian account of law as practice. Contrary to the idea that law can be addressed as an isolated, ideal body and thus treated like an instrument according to normative aspirations, the present account renders law’s reliance on forms of knowledge more discernable. Law is susceptible, in particular to security matters. As a practice, it constantly transforms itself and, notably, articulates its normative claims depending upon the forms of knowledge brought into play. Contrary to the prevailing debate on emergency government, this perspective enables us, on the one hand, to capture how certain forms of knowledge become inscribed into the law in a way that goes largely unnoticed. This point will be discussed on the example of automated surveillance technologies, which facilitate a particular rationality of pre-emptive action. The conception of law as a practice, on the other hand, may also be understood as a tool of critique and dissent. The recent torture debate is an extreme example of this, whereby torture can be regarded as a touchstone of law’s resistance to its own abrogation. Law and reasoning The idea that a political and juridical ‘culture of justification’ would be able to bring about the desired results should be treated with caution—for one thing, with regard to the particular logic of legal reasoning and justification and, for another thing, because of at least two empirical observations that shed light on law’s limitations vis-a-vis the governance of security. First of all, the establishment of a ‘culture of justification’ itself presupposes what has yet to arise, namely a common concern about governmental encroachment in the name of security and a willingness of all parties to join in that discourse, if not share in its related arguments. This presupposition, to be sure, is indispensable for inspiring communication and facilitating the exchange of arguments. Moreover, in order to take effect the tried and true liberal legal principles, like that of proportionality and necessity, clearly need to be concretized by reasoning about actual cases. Yet, the assumption of a common concern goes hand in hand with a general trust in a form of communicative reason that will allow for transparency eventually on the matters at stake. Reason and to reason within ‘a transparent, structured process of analysis to determine what degree of erosion is justifiable, by what measure, in what circumstances, and for how long’ (Zedner, 2005: 522), is considered basic to the solution. However, just as legal norms and principles are open to interpretation, they do not determine any normative orientations underlying the interpretative process. As Benjamin Goold and Liorna Lazarus (2007b: 11; see also Poole, 2008: 16) observe: ‘[P]re-emptive measures designed to increase security can never be truly objective or divorced from our political concerns and values.’ Typical for the acknowledgement of competing claims still to be weighed (Zedner, 2005: 508), therefore, is that they end up being couched in a rather appealing rhetoric (‘we should’, ‘judges should’). In a liberal vein, this requires a resorting to the least intrusive measures. Competing claims are thus relegated to the normative framework of balance (see Waldron, 2003; Zedner, 2005: 528). As regards the empirical observations, there is, first, a move in security legislation that is noticeable in western countries in which the threshold of governmental intervention has been gradually disposed in order to forestall actual offences, concrete suspicion and danger. 9/11 may be regarded as a catalyst here, as well as the fight against terrorism in general. But rather than being recent phenomena, these transformations in fact represent a continuity over decades in the identification of ever new dimensions of threats, from sexual offenders and organized crime right up to transnational terrorism.4 Although a tendency can be discerned, this is not to suggest that there have not been any disruptions to it. Civil and human rights organizations have time and again countered these developments, and so have higher-court rulings. Even new basic rights have been established.5 Though successful, these processes were unable to thwart the general trend of making private space accessible to surveillance in a way that would have been unimaginable decades ago. In this sense, paradoxically, new basic rights are rather indicators of new spaces of vulnerability. A closer look at higher courts’ decisions on security legislation and additional recommendations by human rights bodies suggests that these lead to the amendment of the laws in question but not necessarily to a change in practice. ‘For, as law becomes ever more closely intertwined with a proliferating assemblage of expertise, risk consulting, administration, and discretion, it inhabits an inescapable paradox’, as Louise Amoore (2008: 849) neatly put it. Law for civil and human rights activists and lawyers is the very medium for challenging governmental encroachment, and, notably, the ‘rule of law’ represents the very principle to be defended. Under review, however, law encounters its own legislation—the modes of risk management it once itself authorized, and that will now have to be amended in accordance not only with the principles of the rule of law but also with the identified necessities of security government.

### AT: Alt No Solve

#### We must challenge the background political judgments about *why* to restrain the executive. Centralizing power in the hands of militaristic elites is inevitable without systemic challenges to the underlying assumption that national security is the primary policy-making value. That’s Rana.

#### We should frame the question of executive power in terms of racialized harm and otherization. Refusing accommodation with values of the security state is a *precondition* for preventing racialized hierarchy.

Gil GOTT Int’l Studies @ DePaul 5 “The Devil We Know: Racial Subordination and National Security Law” Villanova Law Review, Vol. 50, Iss. 4, p. 1075-1076

Anti-subordinationist principles require taking more complete account of how enemy groups are racialized, and how they come to be constructed as outsiders and the kinds of harms that may befall them as such. Group-based status harms include those that have been inscribed in law and effectuated through state action, and those that arise within civil society, through social structures, institutions, culture and habitus. Familiarity with the processes of racialization is a necessary precondition for appreciating and remedying such injuries. Applying anti-subordinationist thinking to national security law and policy does not require arguing that only race-based effects matter, but does require affording significant analytical and normative weight to the problems of such status harms. Racial injuries require racial remedies. Foregrounding anti-subordinationist principles in national security law and policy analysis departs significantly from traditional approaches in the field. Nonetheless, arguments based in history, political theory and pragmatism suggest that such a fundamental departure is warranted. Historically, emergency-induced "states of exception" 6 that have suspended legal protections against governmental abuses have tended to be identitybased in conception and implementation. 7 Viewed from the perspective of critical political theory, the constellation of current "security threats" rests on the epochal co-production of identity-based and market-driven global political antagonisms, referred to somewhat obliquely as civilization clashes or perhaps more forthrightly as American imperialism. Pragmatically, it makes no sense to fight terrorism by alienating millions of Muslim, Arab and South Asian residents in the United States and hundreds of millions more abroad through abusive treatment and double standards operative in identity-based repression at home and in selective, preemptive U.S. militarism abroad. Such double standards undermine the democratic legitimacy of the United States both in its internal affairs and in its assertions of global leadership. Indeed, there seems to be no shortage of perspectives from which liberal legal institutions would be enjoined from embracing a philosophy of political decisionism precisely at the interface of law and security, an anomic frontier along which are likely to arise identity-based regimes of exception and evolving race-based forms of subordination. Part I analyzes accommodationist approaches that variously incorporate security-inflected logic in truncating the regulative role law plays in national security contexts. I will seek to understand the accommodationist thrust of these interventions in light of the authors' operative assumptions regarding the proper array of interests and exigencies to be balanced. I will argue that the interests of demonized "enemy groups" facing racebased status harm-Muslims, Arabs and South Asians in the United States-are ineffectively engaged through accommodationist frameworks. The decisionist impulse of these analyses, that is, the tendency to acquiesce in the outcomes of non-substantively constrained statist and/or majoritarian political process, results from an incomplete grasp of the racialization processes. In short, more race consciousness is needed in national security law and policy in order to cement substantive commitments and procedural safeguards against historical and ongoing racebased subordination through the racialization of "security threats."

#### Legal restriction enacts a politics. Anti-subordination pursues protection for otherized groups. The national security frame treats safety as the paramount virtue. There’s a difference between saying that racism is a moral wrong and arguing that Brown v. Board was important because it helped give the U.S. the credibility to win the Cold War.

#### Spillover from criticism is empirically proven. The role of the judge should be an intellectual whose goal is to destabilize the security regimes through critical interrogation of the status quo.

Jones 99 [Richard Wyn Jones, Professor International Politics at Aberystwyth University, Security, Strategy, and Critical Theory, 1999, p. 155-163]

The central political task of the intellectuals is to aid in the construction of a counterhegemony and thus undermine the prevailing patterns of discourse and interaction that make up the currently dominant hegemony. This task is accomplished through educational activity, because, as Gramsci argues, “every relationship of ‘hegemony’ is necessarily a pedagogic relationship” (Gramsci 1971: 350). Discussing the relationship of the “philosophy of praxis” to political practice, Gramsci claims: It [the theory] does not tend to leave the “simple” in their primitive philosophy of common sense, but rather to lead them to a higher conception of life. If it affirms the need for contact between intellectuals and “simple” it is not in order to restrict scientific activity and preserve unity at the low level of the masses, but precisely in order to construct an intellectual-moral bloc which can make politically possible the intellectual progress of the mass and not only of small intellectual groups. (Gramsci 1971: 332-333). According to Gramsci, this attempt to construct an alternative “intellectual-moral bloc” should take place under the auspices of the Communist Party—a body he described as the “modern prince.” Just as Niccolo Machiavelli hoped to see a prince unite Italy, rid the country of foreign barbarians, and create a virtu-ous state, Gramsci believed that the modern price could lead the working class on its journey toward its revolutionary destiny of an emancipated society (Gramsci 1971: 125-205). Gramsci’s relative optimism about the possibility of progressive theorists playing a constructive role in emancipatory political practice was predicated on his belief in the existence of a universal class (a class whose emancipation would inevitably presage the emancipation of humanity itself) with revolutionary potential. It was a gradual loss of faith in this axiom that led Horkheimer and Adorno to their extremely pessimistic prognosis about the possibilities of progressive social change. But does a loss of faith in the revolutionary vocation of the proletariat necessarily lead to the kind of quietism ultimately embraced by the first generation of the Frankfurt School? The conflict that erupted in the 1960s between them and their more radical students suggests not. Indeed, contemporary critical theorists claim that the deprivileging of the role of the proletariat in the struggle for emancipation is actually a positive move. Class remains a very important axis of domination in society, but it is not the only such axis (Fraser 1995). Nor is it valid to reduce all other forms of domination—for example, in the case of gender—to class relations, as orthodox Marxists tend to do. To recognize these points is not only a first step toward the development of an analysis of forms of exploitation and exclusion within society that is more attuned to social reality; it is also a realization that there are other forms of emancipatory politics than those associated with class conflict.1 This in turn suggests new possibilities and problems for emancipatory theory. Furthermore, the abandonment of faith in revolutionary parties is also a positive development. The history of the European left during the twentieth century provides myriad examples of the ways in which the fetishization of party organizations has led to bureaucratic immobility and the confusion of means with ends (see, for example, Salvadori 1990). The failure of the Bolshevik experiment illustrates how disciplined, vanguard parties are an ideal vehicle for totalitarian domination (Serge 1984). Faith in the “infallible party” has obviously been the source of strength and comfort to many in this period and, as the experience of the southern Wales coalfield demonstrates, has inspired brave and progressive behavior (see, for example, the account of support for the Spanish Republic in Francis 1984). But such parties have so often been the enemies of emancipation that they should be treated with the utmost caution. Parties are necessary, but their fetishization is potentially disastrous. History furnishes examples of progressive developments that have been positively influenced by organic intellectuals operating outside the bounds of a particular party structure (G. Williams 1984). Some of these developments have occurred in the particularly intractable realm of security. These examples may be considered as “resources of hope” for critical security studies (R. Williams 1989). They illustrate that ideas are important or, more correctly, that change is the product of the dialectical interaction of ideas and material reality. One clear security-related example of the role of critical thinking and critical thinkers in aiding and abetting progressive social change is the experience of the peace movement of the 1980s. At that time the ideas of dissident defense intellectuals (the “alternative defense” school) encouraged and drew strength from peace activism. Together they had an effect not only on short-term policy but on the dominant discourses of strategy and security, a far more important result in the long run. The synergy between critical security intellectuals and critical social movements and the potential influence of both working in tandem can be witnessed particularly clearly in the fate of common security. As Thomas Risse-Kappen points out, the term “common security” originated in the contribution of peace researchers to the German security debate of the 1970s (Risse-Kappen 1994: 186ff.); it was subsequently popularized by the Palme Commission report (Independent Commission on Disarmament and Security Issues 1982). Initially, mainstream defense intellectuals dismissed the concept as hopelessly idealistic; it certainly had no place in their allegedly hardheaded and realist view of the world. However, notions of common security were taken up by a number of different intellectuals communities, including the liberal arms control community in the United States, Western European peace researchers, security specialists in the center-left political parties of Western Europe, and Soviet “institutchiks”—members of the influential policy institutes in the Soviet Union such as the United States of America and Canada Institute (Landau 1996: 52-54; Risse-Kappen 1994: 196-200; Kaldor 1995; Spencer 1995). These communities were subsequently able to take advantage of public pressure exerted through social movements in order to gain broader acceptance for common security. In Germany, for example, “in response to social movement pressure, German social organizations such as churches and trade unions quickly supported the ideas promoted by peace researchers and the SPD” (Risse-Kappen 1994: 207). Similar pressures even had an effect on the Reagan administration. As Risse-Kappen notes: When the Reagan administration brought hard-liners into power, the US arms control community was removed from policy influence. It was the American peace movement and what became known as the “freeze campaign” that revived the arms control process together with pressure from the European allies. (Risse-Kappen 1994: 205; also Cortright 1993: 90-110). Although it would be difficult to sustain a claim that the combination of critical movements and intellectuals persuaded the Reagan government to adopt the rhetoric and substance of common security in its entirety, it is clear that it did at least have a substantial impact on ameliorating U.S. behavior. The most dramatic and certainly the most unexpected impact of alternative defense ideas was felt in the Soviet Union. Through various East-West links, which included arms control institutions, Pugwash conferences, interparty contacts, and even direct personal links, a coterie of Soviet policy analysts and advisers were drawn toward common security and such attendant notions as “nonoffensive defense” (these links are detailed in Evangelista 1995; Kaldor 1995; Checkel 1993; Risse-Kappen 1994; Landau 1996 and Spencer 1995 concentrate on the role of the Pugwash conferences). This group, including Palme Commission member Georgii Arbatov, Pugwash attendee Andrei Kokoshin , and Sergei Karaganov, a senior adviser who was in regular contact with the Western peace researchers Anders Boserup and Lutz Unterseher (Risse-Kappen 1994: 203), then influenced Soviet leader Mikhail Gorbachev. Gorbachev’s subsequent championing of common security may be attributed to several factors. It is clear, for example, that new Soviet leadership had a strong interest in alleviating tensions in East-West relations in order to facilitate much-needed domestic reforms (“the interaction of ideas and material reality”). But what is significant is that the Soviets’ commitment to common security led to significant changes in force sizes and postures. These in turn aided in the winding down of the Cold War, the end of Soviet domination over Eastern Europe, and even the collapse of Russian control over much of the territory of the former Soviet Union. At the present time, in marked contrast to the situation in the early 1980s, common security is part of the common sense of security discourse. As MccGwire points out, the North Atlantic Treaty Organization (NATO) (a common defense pact) is using the rhetoric of common security in order to justify its expansion into Eastern Europe (MccGwire 1997). This points to an interesting and potentially important aspect of the impact of ideas on politics. As concepts such as common security, and collective security before it (Claude 1984: 223-260), are adopted by governments and military services, they inevitably become somewhat debased. The hope is that enough of the residual meaning can survive to shift the parameters of the debate in a potentially progressive direction. Moreover, the adoption of the concept of common security by official circles provides critics with a useful tool for (immanently) critiquing aspects of security policy (as MccGwire 1997 demonsrates in relation to NATO expansion). The example of common security is highly instructive. First, it indicates that critical intellectuals can be politically engaged and play a role—a significant one at that—in making the world a better and safer place. Second, it points to potential future addressees for critical international theory in general, and critical security studies in particular. Third, it also underlines the role of ideas in the evolution in society. CRITICAL SECURITY STUDIES AND THE THEORY-PRACTICE NEXUS Although most proponents of critical security studies reject aspects of Gramsci’s theory of organic intellectuals, in particular his exclusive concentration on class and his emphasis on the guiding role of the party, the desire for engagement and relevance must remain at the heart of their project. The example of the peace movement suggests that critical theorists can still play the role of organic intellectuals and that this organic relationship need not confine itself to a single class; it can involve alignment with different coalitions of social movements that campaign on an issue or a series of issues pertinent to the struggle for emancipation (Shaw 1994b; R. Walker 1994). Edward Said captures this broader orientation when he suggests that critical intellectuals “are always tied to and ought to remain an organic part of an ongoing experience in society: of the poor, the disadvantaged, the voiceless, the unrepresented, the powerless” (Said 1994: 84). In the specific case of critical security studies, this means placing the experience of those men and women and communities for whom the present world order is a cause of insecurity rather than security at the center of the agenda and making suffering humanity rather than raison d’etat the prism through which problems are viewed. Here the project stands full-square within the critical theory tradition. If “all theory is for someone and for some purpose,” then critical security studies is for “the voiceless, the unrepresented, the powerless,” and its purpose is their emancipation. The theoretical implications of this orientation have already been discussed in the previous chapters. They involve a fundamental reconceptualization of security with a shift in referent object and a broadening of the range of issues considered as a legitimate part of the discourse. They also involve a reconceptualization of strategy within this expanded notion of security. But the question remains at the conceptual level of how these alternative types of theorizing—even if they are self-consciously aligned to the practices of critical or new social movements, such as peace activism, the struggle for human rights, and the survival of minority cultures—can become “a force for the direction of action.” Again, Gramsci’s work is insightful. In the Prison Notebooks, Gramsci advances a sophisticated analysis of how dominant discourses play a vital role in upholding particular political and economic orders, or, in Gramsci’s terminology, “historic blocs” (Gramsci 1971: 323-377). Gramsci adopted Machiavelli’s view of power as a centaur, ahlf man, half beast: a mixture of consent and coercion. Consent is produced and reproduced by a ruling hegemony that holds sway through civil society and takes on the status of common sense; it becomes subconsciously accepted and even regarded as beyond question. Obviously, for Gramsci, there is nothing immutable about the values that permeate society; they can and do change. In the social realm, ideas and institutions that were once seen as natural and beyond question (i.e., commonsensical) in the West, such as feudalism and slavery, are now seen as anachronistic, unjust, and unacceptable. In Marx’s well-worn phrase, “All that is solid melts into the air.” Gramsci’s intention is to harness this potential for change and ensure that it moves in the direction of emancipation. To do this he suggests a strategy of a “war of position” (Gramsci 1971: 229-239). Gramsci argues that in states with developed civil societies, such as those in Western liberal democracies, any successful attempt at progressive social change requires a slow, incremental, even molecular, struggle to break down the prevailing hegemony and construct an alternative counterhegemony to take its place. Organic intellectuals have a crucial role to play in this process by helping to undermine the “natural,” “commonsense,” internalized nature of the status quo. This in turn helps create political space within which alternative conceptions of politics can be developed and new historic blocs created. I contend that Gramsci’s strategy of a war of position suggests an appropriate model for proponents of critical security studies to adopt in relating their theorizing to political practice. THE TASKS OF CRITICAL SECURITY STUDIES If the project of critical security studies is conceived in terms of war of position, then the main task of those intellectuals who align themselves with the enterprise is to attempt to undermine the prevailing hegemonic security discourse. This may be accomplished by utilizing specialist information and expertise to engage in an immanent critique of the prevailing security regimes, that is, comparing the justifications of those regimes with actual outcomes. When this is attempted in the security field, the prevailing structures and regimes are found to fail grievously on their own terms. Such an approach also involves challenging the pronouncements of those intellectuals, traditional or organic, whose views serve to legitimate, and hence reproduce, the prevailing world order. This challenge entails teasing out the often subconscious and certainly unexamined assumptions that underlie their arguments while drawing attention to the normative viewpoints that are smuggled into mainstream thinking about security behind its positivist façade. In this sense, proponents of critical security studies approximate to Foucault’s notion of “specific intellectuals” who use their expert knowledge to challenge the prevailing “regime of truth” (Foucault 1980: 132). However, critical theorists might wish to reformulate this sentiment along more familiar Quaker lines of “speaking truth to power” (this sentiment is also central to Said 1994) or even along the eisteddfod lines of speaking “truth against the world.” Of course, traditional strategists can, and indeed do, sometimes claim a similar role. Colin S. Gray, for example, states that “strategists must be prepared to ‘speak truth to power’” (Gray 1982a: 193). But the difference between Gray and proponents of critical security studies is that, whereas the former seeks to influence policymakers in particular directions without questioning the basis of their power, the latter aim at a thoroughgoing critique of all that traditional security studies has taken for granted. Furthermore, critical theorists base their critique on the presupposition, elegantly stated by Adorno, that “the need to lend suffering a voice is the precondition of all truth” (cited in Jameson 1990: 66). The aim of critical security studies in attempting to undermine the prevailing orthodoxy is ultimately educational. As Gramsci notes, “every relationship of ‘hegemony’ is necessarily a pedagogic relationship” (Gramsci 1971: 350; see also the discussion of critical pedagogy in Neufeld 1995: 116-121). Thus, by criticizing the hegemonic discourse and advancing alternative conceptions of security based on different understandings of human potentialities, the approach is simultaneously playing apart in eroding the legitimacy of the ruling historic bloc and contributing to the development of a counterhegemonic position. There are a number of avenues of avenues open to critical security specialists in pursuing this educational strategy. As teachers, they can try to foster and encourage skepticism toward accepted wisdom and open minds to other possibilities. They can also take advantage of the seemingly unquenchable thirst of the media for instant pundistry to forward alternative views onto a broader stage. Nancy Fraser argues: “As teachers, we try to foster an emergent pedagogical counterculture …. As critical public intellectuals we try to inject our perspectives into whatever cultural or political public spheres we have access to” (Fraser 1989: 11). Perhaps significantly, support for this type of emancipatory strategy can even be found in the work of the ultrapessimistic Adorno, who argues: In the history of civilization there have been not a few instances when delusions were healed not by focused propaganda, but, in the final analysis, because scholars, with their unobtrusive yet insistent work habits, studied what lay at the root of the delusion. (cited in Kellner 1992: vii) Such “unobtrusive yet insistent work” does not in itself create the social change to which Adorno alludes. The conceptual and the practical dangers of collapsing practice into theory must be guarded against. Rather, through their educational activities, proponent of critical security studies should aim to provide support for those social movements that promote emancipatory social change. By providing a critique of the prevailing order and legitimating alternative views, critical theorists can perform a valuable role in supporting the struggles of social movements. That said, the role of theorists is not to direct and instruct those movements with which they are aligned; instead, the relationship is reciprocal. The experience of the European, North American, and Antipodean peace movements of the 1980s shows how influential social movements can become when their efforts are harnessed to the intellectual and educational activity of critical thinkers. For example, in his account of New Zealand’s antinuclear stance in the 1980s, Michael C. Pugh cites the importance of the visits of critical intellectuals such as Helen Caldicott and Richard Falk in changing the country’s political climate and encouraging the growth of the antinuclear movement (Pugh 1989: 108; see also COrtright 1993: 5-13). In the 1980s peace movements and critical intellectuals interested in issues of security and strategy drew strength and succor from each other’s efforts. If such critical social movements do not exist, then this creates obvious difficulties for the critical theorist. But even under these circumstances, the theorist need not abandon all hope of an eventual orientation toward practice. Once again, the peace movement of the 1980s provides evidence of the possibilities. At that time, the movement benefited from the intellectual work undertaken in the lean years of the peace movement in the late 1970s. Some of the theories and concepts developed then, such as common security and nonoffensive defense, were eventually taken up even in the Kremlin and played a significant role in defusing the second Cold War. Those ideas developed in the 1970s can be seen in Adornian terms of the a “message in a bottle,” but in this case, contra Adorno’s expectations, they were picked up and used to support a program of emancipatory political practice. Obviously, one would be naïve to understate the difficulties facing those attempting to develop alternative critical approaches within academia. Some of these problems have been alluded to already and involve the structural constraints of academic life itself. Said argues that many problems are caused by what he describes as the growing “professionalisation” of academic life (Said 1994: 49-62). Academics are now so constrained by the requirements of job security and marketability that they are extremely risk-averse. It pays—in all senses—to stick with the crowd and avoid the exposed limb by following the prevalent disciplinary preoccupations, publish in certain prescribed journals, and so on. The result is the navel gazing so prevalent in the study of international relations and the seeming inability of security specialists to deal with the changes brought about by the end of the Cold War (Kristensen 1997 highlights the search of U.S. nuclear planners for “new targets for old weapons”). And, of course, the pressures for conformism are heightened in the field of security studies when governments have a very real interest in marginalizing dissent. Nevertheless, opportunities for critical thinking do exist, and this thinking can connect with the practices of social movements and become a “force for the direction of action.” The experience of the 1980s, when, in the depths of the second Cold War, critical thinkers risked demonization and in some countries far worse in order to challenge received wisdom, thus arguably playing a crucial role in the very survival of the human race, should act as both an inspiration and a challenge to critical security studies.

### AT: Nonviolence Fails

#### Our alternative is NOT nonviolence. We kritik the culture of treating national security as the endpoint for restraining executive action. Criticizing national security doesn’t require absolute non-violence. We ask you to pay attention to the discursive regime that empowers both the executive and a global imperial liberalism. The intersubjective construction of national identity shapes our political institutions towards executive power. That’s Rana.

### 2NC/1NR—Conditionality Good

#### Counter-interp: \_\_# conditional worlds. It may be arbitrary but sets a cap on abuse.

#### Conditionality is good—

#### 1. Fosters argumentative innovation—

Incentivizes introduction of innovative positions—research spurs exploration of new literature and guards against argument repetition—sets the most educational curriculum.

#### 2. Negation theory—

Proving the CP is worse than the squo doesn’t logically justify the plan. Logic outweighs—it creates predictable rules.

#### Reasonability—

If we don’t make debate impossible, voting on theory crowds out substance—reject the argument.

## \*\*\* 1NR

### AT: Human Nature is Self-Interested

#### This is a link—the assumption that humans are self-interested guarantees extinction and is disproven by recent scientific evidence—the communications revolution enables the creation of a cosmopolitan identity.

Rifkin 10—a senior lecturer at the Wharton School’s Executive Education Program at the University of Pennsylvania—the world’s #1 ranked business school, author, an advisor to the European Union since 2002, the founder and chairperson of the Third Industrial Revolution Global CEO Business Roundtable [January 11, 2010, Jeremy Rifkin, “‘The Empathic Civilization’: Rethinking Human Nature in the Biosphere Era,” http://www.huffingtonpost.com/jeremy-rifkin/the-empathic-civilization\_b\_416589.html]

The problem runs deeper than the issue of finding new ways to regulate the market or imposing legally binding global green house gas emission reduction targets. The real crisis lies in the set of assumptions about human nature that governs the behavior of world leaders--assumptions that were spawned during the Enlightenment more than 200 years ago at the dawn of the modern market economy and the emergence of the nation state era.

The Enlightenment thinkers--John Locke, Adam Smith, Marquis de Condorcet et. al.--took umbrage with the Medieval Christian world view that saw human nature as fallen and depraved and that looked to salvation in the next world through God’s grace. They preferred to cast their lot with the idea that human beings’ essential nature is rational, detached, autonomous, acquisitive and utilitarian and argued that individual salvation lies in unlimited material progress here on Earth.

The Enlightenment notions about human nature were reflected in the newly minted nation-state whose raison d’être was to protect private property relations and stimulate market forces as well as act as a surrogate of the collective self-interest of the citizenry in the international arena. Like individuals, nation-states were considered to be autonomous agents embroiled in a relentless battle with other sovereign nations in the pursuit of material gains.

It was these very assumptions that provided the philosophical underpinnings for a geopolitical frame of reference that accompanied the first and second industrial revolutions in the 19th and 20th centuries. These beliefs about human nature came to the fore in the aftermath of the global economic meltdown and in the boisterous and acrimonious confrontations in the meeting rooms in Copenhagen, with potentially disastrous consequences for the future of humanity and the planet.

If human nature is as the Enlightenment philosophers claimed, then we are likely doomed. It is impossible to imagine how we might create a sustainable global economy and restore the biosphere to health if each and every one of us is, at the core of our biology, an autonomous agent and a self-centered and materialistic being.

Recent discoveries in brain science and child development, however, are forcing us to rethink these long-held shibboleths about human nature. Biologists and cognitive neuroscientists are discovering mirror-neurons--the so-called empathy neurons--that allow human beings and other species to feel and experience another’s situation as if it were one’s own. We are, it appears, the most social of animals and seek intimate participation and companionship with our fellows.

Social scientists, in turn, are beginning to reexamine human history from an empathic lens and, in the process, discovering previously hidden strands of the human narrative which suggests that human evolution is measured not only by the expansion of power over nature, but also by the intensification and extension of empathy to more diverse others across broader temporal and spatial domains. The growing scientific evidence that we are a fundamentally empathic species has profound and far-reaching consequences for society, and may well determine our fate as a species.

What is required now is nothing less than a leap to global empathic consciousness and in less than a generation if we are to resurrect the global economy and revitalize the biosphere. The question becomes this: what is the mechanism that allows empathic sensitivity to mature and consciousness to expand through history?

The pivotal turning points in human consciousness occur when new energy regimes converge with new communications revolutions, creating new economic eras. The new communications revolutions become the command and control mechanisms for structuring, organizing and managing more complex civilizations that the new energy regimes make possible. For example, in the early modern age, print communication became the means to organize and manage the technologies, organizations, and infrastructure of the coal, steam, and rail revolution. It would have been impossible to administer the first industrial revolution using script and codex.

Communication revolutions not only manage new, more complex energy regimes, but also change human consciousness in the process. Forager/hunter societies relied on oral communications and their consciousness was mythologically constructed. The great hydraulic agricultural civilizations were, for the most part, organized around script communication and steeped in theological consciousness. The first industrial revolution of the 19th century was managed by print communication and ushered in ideological consciousness. Electronic communication became the command and control mechanism for arranging the second industrial revolution in the 20th century and spawned psychological consciousness.

Each more sophisticated communication revolution brings together more diverse people in increasingly more expansive and varied social networks. Oral communication has only limited temporal and spatial reach while script, print and electronic communications each extend the range and depth of human social interaction.

By extending the central nervous system of each individual and the society as a whole, communication revolutions provide an evermore inclusive playing field for empathy to mature and consciousness to expand. For example, during the period of the great hydraulic agricultural civilizations characterized by script and theological consciousness, empathic sensitivity broadened from tribal blood ties to associational ties based on common religious affiliation. Jews came to empathize with Jews, Christians with Christians, Muslims with Muslims, etc. In the first industrial revolution characterized by print and ideological consciousness, empathic sensibility extended to national borders, with Americans empathizing with Americans, Germans with Germans, Japanese with Japanese and so on. In the second industrial revolution, characterized by electronic communication and psychological consciousness, individuals began to identify with like-minded others.

Today, we are on the cusp of another historic convergence of energy and communication--a third industrial revolution--that could extend empathic sensibility to the biosphere itself and all of life on Earth. The distributed Internet revolution is coming together with distributed renewable energies, making possible a sustainable, post-carbon economy that is both globally connected and locally managed.

In the 21st century, hundreds of millions--and eventually billions--of human beings will transform their buildings into power plants to harvest renewable energies on site, store those energies in the form of hydrogen and share electricity, peer-to-peer, across local, regional, national and continental inter-grids that act much like the Internet. The open source sharing of energy, like open source sharing of information, will give rise to collaborative energy spaces--not unlike the collaborative social spaces that currently exist on the Internet.

When every family and business comes to take responsibility for its own small swath of the biosphere by harnessing renewable energy and sharing it with millions of others on smart power grids that stretch across continents, we become intimately interconnected at the most basic level of earthly existence by jointly stewarding the energy that bathes the planet and sustains all of life.

The new distributed communication revolution not only organizes distributed renewable energies, but also changes human consciousness. The information communication technologies (ICT) revolution is quickly extending the central nervous system of billions of human beings and connecting the human race across time and space, allowing empathy to flourish on a global scale, for the first time in history.

Whether in fact we will begin to empathize as a species will depend on how we use the new distributed communication medium. While distributed communications technologies-and, soon, distributed renewable energies - are connecting the human race, what is so shocking is that no one has offered much of a reason as to why we ought to be connected. We talk breathlessly about access and inclusion in a global communications network but speak little of exactly why we want to communicate with one another on such a planetary scale. What’s sorely missing is an overarching reason that billions of human beings should be increasingly connected. Toward what end? The only feeble explanations thus far offered are to share information, be entertained, advance commercial exchange and speed the globalization of the economy. All the above, while relevant, nonetheless seem insufficient to justify why nearly seven billion human beings should be connected and mutually embedded in a globalized society. The idea of even billion individual connections, absent any overall unifying purpose, seems a colossal waste of human energy. More important, making global connections without any real transcendent purpose risks a narrowing rather than an expanding of human consciousness. But what if our distributed global communication networks were put to the task of helping us re-participate in deep communion with the common biosphere that sustains all of our lives?

The biosphere is the narrow band that extends some forty miles from the ocean floor to outer space where living creatures and the Earth’s geochemical processes interact to sustain each other. We are learning that the biosphere functions like an indivisible organism. It is the continuous symbiotic relationships between every living creature and between living creatures and the geochemical processes that ensure the survival of the planetary organism and the individual species that live within its biospheric envelope. If every human life, the species as a whole, and all other life-forms are entwined with one another and with the geochemistry of the planet in a rich and complex choreography that sustains life itself, then we are all dependent on and responsible for the health of the whole organism. Carrying out that responsibility means living out our individual lives in our neighborhoods and communities in ways that promote the general well-being of the larger biosphere within which we dwell. The Third Industrial Revolution offers just such an opportunity.

If we can harness our empathic sensibility to establish a new global ethic that recognizes and acts to harmonize the many relationships that make up the life-sustaining forces of the planet, we will have moved beyond///

the detached, self-interested and utilitarian philosophical assumptions that accompanied national markets and nation state governance and into a new era of biosphere consciousness. We leave the old world of geopolitics behind and enter into a new world of biosphere politics, with new forms of governance emerging to accompany our new biosphere awareness.

The Third Industrial Revolution and the new era of distributed capitalism allow us to sculpt a new approach to globalization, this time emphasizing continentalization from the bottom up. Because renewable energies are more or less equally distributed around the world, every region is potentially amply endowed with the power it needs to be relatively self-sufficient and sustainable in its lifestyle, while at the same time interconnected via smart grids to other regions across countries and continents.

When every community is locally empowered, both figuratively and literally, it can engage directly in regional, transnational, continental, and limited global trade without the severe restrictions that are imposed by the geopolitics that oversee elite fossil fuels and uranium energy distribution.

Continentalization is already bringing with it a new form of governance. The nation-state, which grew up alongside the First and Second Industrial Revolutions, and provided the regulatory mechanism for managing an energy regime whose reach was the geosphere, is ill suited for a Third Industrial Revolution whose domain is the biosphere. Distributed renewable energies generated locally and regionally and shared openly--peer to peer--across vast contiguous land masses connected by intelligent utility networks and smart logistics and supply chains favor a seamless network of governing institutions that span entire continents.

The European Union is the first continental governing institution of the Third Industrial Revolution era. The EU is already beginning to put in place the infrastructure for a European-wide energy regime, along with the codes, regulations, and standards to effectively operate a seamless transport, communications, and energy grid that will stretch from the Irish Sea to the doorsteps of Russia by midcentury. Asian, African, and Latin American continental political unions are also in the making and will likely be the premier governing institutions on their respective continents by 2050.

In this new era of distributed energy, governing institutions will more resemble the workings of the ecosystems they manage. Just as habitats function within ecosystems, and ecosystems within the biosphere in a web of interrelationships, governing institutions will similarly function in a collaborative network of relationships with localities, regions, and nations all embedded within the continent as a whole. This new complex political organism operates like the biosphere it attends, synergistically and reciprocally. This is biosphere politics.

The new biosphere politics transcends traditional right/left distinctions so characteristic of the geopolitics of the modern market economy and nation-state era. The new divide is generational and contrasts the traditional top-down model of structuring family life, education, commerce, and governance with a younger generation whose thinking is more relational and distributed, whose nature is more collaborative and cosmopolitan, and whose work and social spaces favor open-source commons. For the Internet generation, "quality of life" becomes as important as individual opportunity in fashioning a new dream for the 21st century.

The transition to biosphere consciousness has already begun. All over the world, a younger generation is beginning to realize that one’s daily consumption of energy and other resources ultimately affects the lives of every other human being and every other creature that inhabits the Earth.

The Empathic Civilization is emerging. A younger generation is fast extending its empathic embrace beyond religious affiliations and national identification to include the whole of humanity and the vast project of life that envelops the Earth. But our rush to universal empathic connectivity is running up against a rapidly accelerating entropic juggernaut in the form of climate change. Can we reach biosphere consciousness and global empathy in time to avert planetary collapse?

### Terrorism

### 2NC—Burden Of Proof

#### Burden of proof is on the affirmative—overwhelming odds mean they must prove terrorism is a threat and will be destructive—lack of defense by us isn’t proof their impact is true—you can use rational judgment

Mueller 8—John Mueller, Department of Political Science, Ohio State University [January 1, 2008, “THE ATOMIC TERRORIST: ASSESSING THE LIKELIHOOD,” http://politicalscience.osu.edu/faculty/jmueller//APSACHGO.PDF]

It is essential to note, however, that making a bomb is an extraordinarily difficult task. Thus, a set of counterterrorism and nuclear experts interviewed in 2004 by Dafna Linzer for the Washington Post pointed to the "enormous technical and logistical obstacles confronting would-be nuclear terrorists, and to the fact that neither al-Qaeda nor any other group has come close to demonstrating the means to overcome them." Allison nonetheless opines that a dedicated terrorist group, al-Qaeda in particular, could get around all the problems in time and eventually steal, produce, or procure a "crude" bomb or device, one that he however acknowledges would be "large, cumbersome, unsafe, unreliable, unpredictable, and inefficient" (2004, 97; see also Bunn and Wier 2006, 139; Pluta and Zimmerman 2006, 61). In his recent book, Atomic Bazaar: The Rise of the Nuclear Poor, William Langewiesche spends a great deal of time and effort assessing the process by means of which a terrorist group could come up with a bomb. Unlike Allison, he concludes that it "remains very, very unlikely. It's a possibility, but unlikely." Also: The best information is that no one has gotten anywhere near this. I mean, if you look carefully and practically at this process, you see that it is an enormous undertaking full of risks for the would-be terrorists. And so far there is no public case, at least known, of any appreciable amount of weapons-grade HEU [highly enriched uranium] disappearing. And that's the first step. If you don't have that, you don't have anything. As it happens, the first of these bold declarations comes from a book discussion telecast in June 2007 on C-SPAN and the second from an interview on National Public Radio.5 Judgments in the book itself, while consistent with such conclusions, are expressed more ambiguously, even coyly: "at the extreme is the possibility, entirely real, that one or two nuclear weapons will pass into the hands of the new stateless guerrillas" (2007, 17) or "if a would-be nuclear terrorist calculated the odds, he would have to admit that they are stacked against him," but they are "not impossible" (2007, 69) Even more, blurb writers have concluded (needless to say) that it is hysteria, not reassurance, that sells. Thus, the jacket flap says the book "examines in dramatic and tangible detail the chances of such weapons being manufactured and deployed by terrorists," an accurate description, but one that deftly avoids revealing the author's conclusion as to what those chances actually happen to be. And when the Atlantic (purveyor last decade of cheery cover screeds about "The Crisis of Public Order," "The Drift Toward Disaster," "The Coming Anarchy," and "The Coming Plague") published the relevant chapter from Langewiesche's book in December 2006, it chose to accentuate the negative on its wraparound grabber: "The Nuclear Nightmare: How a Terrorist Could [not even the slightly more circumspect "Might"] Get a Bomb," and the article itself was provocatively and misleadingly entitled, "How to Get a Nuclear Bomb." Many alarmists have taken that to be the Langewiesche's message. If the prospects that terrorists might come up with a bomb are "not impossible," how close to impossible are they? Langewiesche's discussion, as well as other material, helps us assess the many ways such a quest--in his words, "an enormous undertaking full of risks"--could fail. The odds, indeed, are stacked against the terrorists, perhaps massively so.

#### All war on terror evidence is suspect – terrorism-security complex narrows our debates to meaningless factoids.

Glenn **GREENWALD** Columnist @ Salon – Winner IF Stone Award for Investigative Journalism and Online Journalism Association Award **‘11**

http://www.salon.com/2011/12/05/politifact\_and\_the\_scam\_of\_neutral\_expertise/

But the real import of PolitiFact‘s analysis is that it relies entirely on two supposedly neutral legal “experts”: The Brooking Institution’s Benjamin Wittes and University of Texas Law School’s Robert Chesney, both of whom co-founded and write together on the “Lawfare” blog (along with former Bush DOJ lawyer Jack Goldsmith). That duo mocks as “nonsense” and “preposterous” Paul’s view that these new AUMF standards vest the President with dangerous levels of discretion. They ridicule Paul’s concerns even as Chesney admits that “Paul fairly points out the lack of a definition of associated forces.” PolitiFact then blindly relies upon what these two experts told them to declare Paul’s concerns to be “largely false.” The notion that these two individuals — or anyone like them — are entitled to be treated as neutral, ideology-free experts is what is “preposterous nonsense.” But this is a common means of deceit in our political discourse: depicting highly biased, ideologically rigid establishment advocates as some kind of neutral expert-arbiters of fact, even though they’re **drenched** **in all sorts of biases and ideological objectives**. I recently wrote about this with regard to the conceit of establishment journalists that they are “objective” even though they ooze all sorts of obvious, serious establishment biases. Identically, Paul Krugman and Brad DeLong, among others, recently pointed out that a slew of economists typically referred to as “technocrats” — as though they are merely ideology-free, objective administrators and experts — are, in fact, hard-core ideologues. This is exactly true of the two “experts” on whom PolitiFact relies to conclude that there is nothing particularly worrisome in the new AUMF language, and **it’s true of most “national security and Terrorism experts**” paraded by media outlets to justify the government’s conduct. Just on the level of credentials, in what sense is Wittes — who, just by the way, is not a lawyer and never studied law — more of an expert on these matters than, say, Ron Paul or Kevin Drum? And why are the pronouncements of Robert Chesney that this AUMF language is not dangerously permissive more authoritative than the views on the same topic of ACLU lawyers or Professor Hafetz, who say exactly the opposite? Both Wittes and Chesney are perfectly well-versed in these issues, but so are countless others who have expressed Paul’s exact views. Why is the Wittes/Chesney opinion that these AUFM standards are perfectly narrow and trustworthy — and that’s all it is: an opinion — treated by PolitiFact as factually dispositive, while the views of Paul and those who agree with him are treated as false? That is preposterous nonsense. But this is the **cult of contrived neutrality** that dominates so much political and media narrative. One of these objective experts, Wittes, works for a think tank lavishly funded by Haim Saban, who described himself this way: On the issues of security and terrorism I am a total hawk. I’m a Democrat for the reinforcement of the Patriot Act. It’s not strong enough. The A.C.L.U. can eat their heart out, but they are living in the 1970′s. We should all have ID’s. You betcha. What do you have to hide? Some friends of mine on the left side think I’m crazy. . . . I’m a one-issue guy and my issue is Israel. Wittes — unsurprisingly — has a long history of cheerleading for some of the worst War on Terror excesses and those who committed them, as well as advocating for even more extreme measures than we’ve seen so far. Identically, Chesney has expended substantial energy over the years publicly defending many of the most controversial aspects of the Bush/Cheney — now Bush/Cheney/Obama — War on Terror. The name of their blog — “Lawfare” — is a word used to mock the notion that law should interfere with the glories of war. There is nothing less surprising in the world than the fact that these two dismiss as paranoia and hysteria concerns over the government’s excessive detention powers. \* \* \* \* \* This is how this contrived neutrality scam typically functions. Wittes and Chesney are not pure neocons, which is why they are able to parade around as objective arbiters. But they are every bit as ideological as Bill Kristol; it’s just a **mildly different ideology**. What they are are standard defenders of government prerogatives, dutiful servants of political power, wholesale cheerleaders for American exceptionalism, masquerading under the banner of “centrism.” They are full-throttled believers in the War on Terror. One can agree or disagree with them all one wants, but one cannot reasonably depict them as even slightly more neutral or objective than Ron Paul, and they are certainly not above-the-fray arbiters who can descend down and authoritatively resolve political disputes. This **contrived neutrality** is a common scam in our political discourse, and it frequently shapes our national security and civil liberties debates. There is a whole insular, rotted culture based in Washington — they refer variously to themselves as the Foreign Policy Community or “natsec” experts and they’re found at think tanks, a small set of academic institutions (which serve as feeders for government agencies), and establishment media outlets — who have endless, amiable, **self-flattering** **debates** with themselves **within an extremely narrow range of opinion**. But even when they **feign disagreement**, it’s all grounded in the same common nationalistic **assumptions**. What they are, above all else, are **devotees to political power**. They’re the classic royal court courtiers and hangers-on. They’ll **question** the **tactics** of American foreign policy endlessly (are we fighting this war the right way?), but **never the ends**, and most especially never America’s right to do what it wants in the world and the right of its government to seize ever more power in the name of those wars. They’re free to express those views, but — like the bevy of bias-ridden establishment journalists, economic “technocrats,” and the sham Terrorism expert community — they’re anything but neutral, objective and ideology-free. One trick they use to prevent anyone from talking about the embedded biases and operating dynamics of their insular culture is to **proclaim these discussions off-limits** on the **ground of incivility.** The last time I wrote about the Brookings culture and funding sources, Wittes wrote a series of petulant posts declaring that he would never again engage or mention me (since then, he has responded to what I’ve written several times while childishly refusing to use my name, even once re-printing a response to a column of mine from a cowardly “senior administration lawyer” insisting on (and receiving) anonymity who did the same: “He Whose Name Must Not Be Mentioned”). They try to create **rules** in the **name of civility** where you are forced to accept and honor their expertise and objectivity — you must simply ignore and never mention the cultural, financial and careerist incentives they have to spout pro-government, authoritarian views (recall what Les Gelb said about why they often are pro-war) — so that their expertise, objectivity and good faith remain unquestioned. If you do anything other than pretend that they are Beacons of Bias-Free Objectivity — if you analyze the mandated orthodoxies in their world and the cultural pressures to accept and spout those orthodoxies — then you’re engaged in **unfair** “personal attacks” and will prompt outcries from the fellow devotees of their National Security priesthood. You’re not permitted to question their objectivity or expertise. We’re all supposed to pretend that war cheerleaders at Brookings and similar think tanks are honorable “scholars” and good faith, ideology-free experts — like the leading Democratic Saban-funded cheerleader for the Iraq War and now leading agitator for the Iranian Threat — or else we’re proving how crass, gauche and mean we are: how unSerious. This is the scam of contrived neutrality and objective expertise which PolitiFact fell for in condemning Ron Paul’s perfectly rational statements as “largely false”: Ben Wittes and Bobby Chesney said there was nothing to worry about and such concerns about detention abuses were “preposterous”! What more proof do you need? The objective “centrist” expert hath thus decreed it, and thus is it proven.

### At: but our specific scneario

#### Extinction level impact scenarios around terrorism structurally distort risk analysis. Their case impact solidifies an ideology of national security at all costs. This ev could not be better about type of specific internal link scenarios exemplified by their waterways argument, and explicitly says that absence of ev is not ev of absence

Oliver KESSLER Sociology @ Bielefeld AND Christopher DAASE Poli Sci @ Munich 8 [“From Insecurity to Uncertainty: Risk and the Paradox of Security Politics” *Alternatives* 33 p. 223-228]

The objective is to develop means and methods to deal with uncertainty and reduce it to risk.46 Uncertainty is subsequently redefined in terms of contingency: One may not know what the next state of the world exactly is going to be but one can have a good guess and possibly find some insurance. To calculate risks does not mean that they can be measured objectively. Not all uncertainties are of quantitative nature and thus understandable within the common definition of rationality.47 In particular, the evaluation of risks may vary according to the political interests or cultural contextes If this is acknowledged, the traditional concept of deterministic causality loses its validity. Uncertain political results and uncertain strategies do not follow predetermined laws, but, if anything, probabilistic laws. Thus, what political scientists can achieve at best is probabilistic knowledge—that is, knowledge about necessary and sufficient reasons and causes that may not be able to predict single events but that do identify the conditions under which the realization of specific events is more or less likely. If this is accepted, the question of how big the threat of international terrorism currently is can no longer be answered by pointing to the next terrorist act that will surely happen at some point in the future. For the fact that the current calm is just the calm before the next storm is as true as it is trivial. However, exactly such trivial insights that the next terrorist "attack" will happen determine current security policy discourses. There are two reasons for this. First, there are two equally inadequate standard models to examine the risk of terrorism.49 The one inquires into the motivational structure of terrorist groups and individual terrorists and tries to extrapolate future attacks from past terrorist activities. The other attempts to calculate the risk by multiplying expected losses by their probability of occurrence. The former is preferred by terrorism experts and regional specialists, the latter by decision makers and security analysts. The problem of the first method, however, is that it cannot account for new developments and spontaneous changes in terrorist practices. There is always a first time when new strategies are used or new targets are selected. Even using planes as cruise missiles in order to destroy skyscrapers was an innovation not clearly foreseen by specialists, because such behavior was nearly unimaginable at the time. Extrapolation methods to determine terrorism risks are thus inherently conservative and tend to underestimate the danger. The problem of the second method is that it is very difficult to "calculate" politically unacceptable losses. If the risk of terrorism is defined in traditional terms by probability and potential loss, then the focus on dramatic terror attacks leads to the marginalization of probabilities. The reason is that even the highest degree of improbability becomes irrelevant as the measure of loss goes to infinity. The mathematical calculation of the risk of terrorism thus tends to overestimate and to dramatize the danger. This has consequences beyond the actual risk assessment for the formulation and execution of "risk policies": If one factor of the risk calculation approaches infinity (e.g., if a case of nuclear terrorism is envisaged), then there is no balanced measure for antiterrorist efforts, and risk management as a rational endeavor breaks down. Under the historical condition of bipolarity, the "ultimate" threat with nuclear weapons could be balanced by a similar counterthreat, and new equilibria could be achieved, albeit on higher levels of nuclear overkill. Under the new condition of uncertainty, no such rational balancing is possible since knowledge about actors, their motives and capabilities, is largely absent. The second form of security policy that emerges when the deterrence model collapses mirrors the "social probability" approach. It represents a logic of catastrophe. In contrast to risk management framed in line with logical probability theory, the logic of catastrophe does not attempt to provide means of absorbing uncertainty. Rather, it takes uncertainty as constitutive for the logic itself; uncertainty is a crucial precondition for catastrophies. In particular, catastrophes happen at once, without a warning, but with major implications for the world polity. In this category, we find the impact of meteorites. Mars attacks, the tsunami in South East Asia, and 9/11. To conceive of terrorism as catastrophe has consequences for the formulation of an adequate security policy. Since catastrophes happen irrespectively of human activity or inactivity, no political action could possibly prevent them. Of course, there are precautions that can be taken, but the framing of terrorist attack as a catastrophe points to spatial and temporal characteristics that are beyond "rationality." Thus, political decision makers are exempted from the responsibility to provide security—as long as they at least try to preempt an attack. Interestingly enough, 9/11 was framed as catastrophe in various commissions dealing with the question of who was responsible and whether it could have been prevented. This makes clear that under the condition of uncertainty, there are no objective criteria that could serve as an anchor for measuring dangers and assessing the quality of political responses. For example, as much as one might object to certain measures by the US administration, it is almost impossible to "measure" the success of countermeasures. Of course, there might be a subjective assessment of specific shortcomings or failures, but there is no "common" currency to evaluate them. As a consequence, the framework of the security dilemma fails to capture the basic uncertainties. Pushing the door open for the security paradox, the main problem of security analysis then becomes the question how to integrate dangers in risk assessments and security policies about which simply nothing is known. In the mid 1990s, a Rand study entitled "New Challenges for Defense Planning" addressed this issue arguing that "most striking is the fact that we do not even know who or what will constitute the most serious future threat, "^i In order to cope with this challenge it would be essential, another Rand researcher wrote, to break free from the "tyranny" of plausible scenario planning. The decisive step would be to create "discontinuous scenarios . . . in which there is no plausible audit trail or storyline from current events"52 These nonstandard scenarios were later called "wild cards" and became important in the current US strategic discourse. They justified the transformation from a threat-based toward a capabilitybased defense planning strategy.53 The problem with this kind of risk assessment is, however, that even the most absurd scenarios can gain plausibility. By constructing a chain of potentialities, improbable events are linked and brought into the realm of the possible, if not even the probable. "Although the likelihood of the scenario dwindles with each step, the residual impression is one of plausibility///

. "54 This so-called Othello effect has been effective in the dawn of the recent war in Iraq. The connection between Saddam Hussein and Al Qaeda that the US government tried to prove was disputed from the very beginning. False evidence was again and again presented and refuted, but this did not prevent the administration from presenting as the main rationale for war the improbable yet possible connection between Iraq and the terrorist network and the improbable yet possible proliferation of an improbable yet possible nuclear weapon into the hands of Bin Laden. As Donald Rumsfeld famously said: "Absence of evidence is not evidence of absence." This sentence indicates that under the condition of genuine uncertainty, different evidence criteria prevail than in situations where security problems can be assessed with relative certainty. Contemporary dynamics in the fight against terrorism seem to result from a clash of different logics of probability. As Ulrich Beck has shown, terrorism has altered the meaning of space and time for the analysis of risk. Spatially, terrorist networks escape the logic of the nation-state and "diplomacy." Networks are neither private nor public in the sovereign sense; they represent neither a domestic nor an international "actor." Temporally, attacks always have a catastrophic element. They are simply faster than mihtary "threats" in the tradirional sense because they happen without a contextual warning. In other words, uncertainries associated with terrorism escape the logic of risk as terrorism alters the very contours of world politics: It represents a qualitative change that redefines the very game and reality that states face.^s However, by focusing primarily on "sponsor states" and an "axis of evil," the current fight against terrorism attempts to reduce the interplay of those various logics to the imperative of deterrence. It is the attempt to ignore categorical shifts and its associated uncertainties and replace it by "traditional security policy." In this sense, the readdressing of terrorism to states that harbor terrorists is then an attempt to invoke the traditional vocabulary of deterrence and the logic of the security dilemma. So when we look at terrorism as an issue of "systemic" importance, the fight represents an expansion of "uncertainty to risk" reasoning to a phenomenon that, from its qualities, belongs to the realm of epistemic probability theory. Neither the assumption of well-defined problem settings and repeatable events nor the fixation of the political vocabulary or the mutual formation of expectations based on "known" adversaries applies. When read from the context of probability theory, the current endeavors are subject to a conflict between intersubjective epistemology and individualist ontology that manifests itself as a conflict between universal validity of statements and the particularity of contexts. While the universality argument points to the laws associated with the balance of power, of deterrence and pursuit of national interests, the contextual dimension points to (self-) reflexivity and contingency of one's own position. What might be true here might not be true there. Accepting uncertainty would make it imperative to understand the other's position and engage in a dialogue. However, in a sense, the current fight uses a universal method to fight a contextual problem. The article proposed a framework of risk, uncertainty, and probability and argued that we experience an overall transformation from "insecurity" to "uncertainty." The insecurity paradigm treats the notion of security as theoretically superior to that of uncertainty and risk. The primary task of security policy is then the avoidance of risk. Starting from welldenned categories and games, this approach is constitutive for deterrence and détente as two modes dealing with contingency within preset games. Positions based on the uncertainty paradigm that sees a categorical differentiation between risk and uncertainty leave the confines of the security dilemma behind. Security becomes an empty concept and politically unachievable. In this context, uncertainty describes an unstructured realm, where standard criteria of rationality do not apply. Pointing to a possible- and multiple-worlds' semantic, this approach is interested in how actors actively structure or construct the world they live in. From this perspective, the current problem is not insecurity deriving from the security dilemma, but uncertainty deriving from the changing categories of our political vocabulary signifying unpredictable futures and inconsistent policies. At the same time, however, the current fight against terrorism is structured in such a way as to reduce the various kinds of uncertainties and contingencies to the logic of deterrence. Hence deterrence has not lost any of its actuality; however, by applying this logic in a context that challenges its constitutive boundaries, it seems as if the option of détente has been lost. In other words, what we see is that the logic of the security dilemma, and its particular semantics of threat, risk, and security, is used for the framing of terrorism as a threat. As a consequence, we can identify three dynamics "driving" today's security policy that result exactly from the conflict between the intersubjective constitution of threats and the individual ontology of the deterrence strategy as today's main strategy. First, as Aradau and van Muster have convincingly argued, it translates into a dramatic increase of surveillance technologies: In the fight against terrorism, surveillance functions as an early warning system that allows identification of potential terrorists and therewith, and at the same time, is thought to "deter" future attacks. The introduction of private data, video cameras, and biométrie data is presented as a legitimate means to detect and deter future terrorist attacks. These measures are introduced on the basis of the precautionary principle that—in our view—is so attractive exactly because it tries to reduce various kinds of uncertainty to a logic of insecurity. Second, what is commonly known as the revolution in military affairs, introduces the same individualist ontology on the level of military policy: It translates the catastrophic features of terrorism into a logic of deterrence by actively reshaping the spatial and temporal conditions of military conduct. The strategy is to introduce technologies that can be remotely controlled without employment of soldiers. The task is to be ready to "strike back," instantly and at any time from any place in the world. However, and thirdly, these measures are based on an unnecessary necessity. Presenting terrorism as an objective threat that "exists" independent of practices might produce a distance between oneself and "the other." However, it misses out the importance of context and other means of "risk management" that would require a selfreflective analysis of how "us and them" are constructed in the first place.

#### Empirical ev shows targeted killings are counterproductive counterterrorism policy

Jordan 9—Jenna Jordan is a PhD Candidate at the University of Chicago [“When Heads Roll: Assessing the Effectiveness of Leadership Decapitation,” *Security Studies*, Volume 18, Issue 4, 2009, pg. 719-755]

This article explores the effectiveness of decapitation as a counterterrorism policy. First, I identified the conditions under which decapitation results in organizational decline. A group's age, size, and type are all important predictors of when decapitation is likely to be effective. The data indicate that as an organization becomes larger and older, decapitation is less likely to result in organizational collapse. Furthermore, religious groups are highly resistant to attacks on their leadership, while ideological organizations are much easier to destabilize through decapitation.

Second, the data also show that decapitation is not an effective counterterrorism strategy. Decapitation does not increase the likelihood of organizational collapse beyond to a baseline rate of collapse for groups over time. The marginal utility for decapitation is actually negative. Groups that have not had their leaders targeted have a higher rate of decline than groups whose leaders have been removed. Decapitation is actually counterproductive, particularly for larger, older, religious, or separatist organizations.

Finally, in order to determine whether decapitation hindered the ability of an organization to carry out terrorist attacks, I looked at three cases in which decapitation did not result in a group's collapse. The results were mixed over the extent to which decapitation has resulted in organizational degradation. While in some cases decapitation resulted in fewer attacks, in others the attacks became more lethal in the years immediately following incidents of decapitation. I argue that these results are largely driven by a group's size and age.

Ultimately, these findings indicate that our current counterterrorism strategies need rethinking. The data show that independent of other measures, going after the leaders of older, larger, and religious groups is not only ineffective, it is counterproductive. Moreover, the decentralized nature of many current terrorist organizations has proven to be highly resistant to decapitation and to other counterterrorism measures. The remainder of this article will proceed in five parts. First, I will look at existing explanations for leadership decapitation, focusing on theories of charismatic leadership and social network analysis. Second, I will outline the data and methodology used in this study. Third, I will identify the conditions under which decapitation is likely to result in organizational collapse. Fourth, I will evaluate the effectiveness of decapitation. Fifth, I will look at three cases to explore the extent to which decapitation can weaken an organization. I will conclude with a discussion of policy implications.