## \*\*\* 1NC

### 1NC CP

#### The United States Federal Government should require legislative authorization prior to initiating military use of force, unless to repel attacks on the United States.

#### Text: The Office of Legal Counsel should determine that the Executive Branch lacks the legal authority [to initiate military use of force unless to repel attacks on the United States without prior legislative authorization.

#### The President should require the Office of Legal Counsel to publish any legal opinions regarding policies adopted by the Executive Branch.

#### The CP is competitive and solves the case—OLC rulings do not actually remove authority but nevertheless hold binding precedential value on the executive.

Trevor W. Morrison, October 2010. Professor of Law, Columbia Law School. “STARE DECISIS IN THE OFFICE OF LEGAL COUNSEL,” Columbia Law Review, 110 Colum. L. Rev. 1448, Lexis.

On the other hand, an OLC that says "yes" too often is not in the client's long-run interest. n49 Virtually all of OLC's clients have their own legal staffs, including the White House Counsel's Office in the White House and the general counsel's offices in other departments and agencies. Those offices are capable of answering many of the day-to-day issues that arise in those components. They typically turn to OLC when the issue is sufficiently controversial or complex (especially on constitutional questions) that some external validation holds special value. n50 For example, when a department confronts a difficult or delicate constitutional question in the course of preparing to embark upon a new program or course of action that raises difficult or politically sensitive legal questions, it has an interest in being able to point to a credible source affirming the  [\*1462]  legality of its actions. n51 The in-house legal advice of the agency's general counsel is unlikely to carry the same weight. n52 Thus, even though those offices might possess the expertise necessary to answer at least many of the questions they currently send to OLC, in some contexts they will not take that course because a "yes" from the in-house legal staff is not as valuable as a "yes" from OLC. But that value depends on OLC maintaining its reputation for serious, evenhanded analysis, not mere advocacy. n53

The risk, however, is that OLC's clients will not internalize the long-run costs of taxing OLC's integrity. This is in part because the full measure of those costs will be spread across all of OLC's clients, not just the client agency now before it. The program whose legality the client wants OLC to review, in contrast, is likely to be something in which the client has an immediate and palpable stake. Moreover, the very fact that the agency has come to OLC for legal advice will often mean it thinks there is  [\*1463]  at least a plausible argument that the program is lawful. In that circumstance, the agency is unlikely to see any problem in a "yes" from OLC.

Still, it would be an overstatement to say that OLC risks losing its client base every time it contemplates saying "no." One reason is custom. In some areas, there is a longstanding tradition - rising to the level of an expectation - that certain executive actions or decisions will not be taken without seeking OLC's advice. One example is OLC's bill comment practice, in which it reviews legislation pending in Congress for potential constitutional concerns. If it finds any serious problems, it writes them up and forwards them to the Office of Management and Budget, which combines OLC's comments with other offices' policy reactions to the legislation and generates a coordinated administration position on the legislation. n54 That position is then typically communicated to Congress, either formally or informally. While no statute or regulation mandates OLC's part in this process, it is a deeply entrenched, broadly accepted practice. Thus, although some within the Executive Branch might find it frustrating when OLC raises constitutional concerns in bills the administration wants to support as a policy matter, and although the precise terms in which OLC's constitutional concerns are passed along to Congress are not entirely in OLC's control, there is no realistic prospect that OLC would ever be cut out of the bill comment process entirely. Entrenched practice, then, provides OLC with some measure of protection from the pressure to please its clients.

But there are limits to that protection. Most formal OLC opinions do not arise out of its bill comment practice, which means most are the product of a more truly voluntary choice by the client to seek OLC's advice. And as suggested above, although the Executive Branch at large has an interest in OLC's credibility and integrity, the preservation of those virtues generally falls to OLC itself. OLC's nonlitigating function makes this all the more true. Whereas, for example, the Solicitor General's aim of prevailing before the Supreme Court limits the extent to which she can profitably pursue an extreme agenda inconsistent with current doctrine, OLC faces no such immediate constraint. Whether OLC honors its oft-asserted commitment to legal advice based on its best view of the law depends largely on its own self-restraint.

2. Formal Requests, Binding Answers, and Lawful Alternatives. - Over time, OLC has developed practices and policies that help maintain its independence and credibility. First, before it provides a written opinion, n55 OLC typically requires that the request be in writing from the head or general counsel of the requesting agency, that the request be as specific and concrete as possible, and that the agency provide its own written  [\*1464]  views on the issue as part of its request. n56 These requirements help constrain the requesting agency. Asking a high-ranking member of the agency to commit the agency's views to writing, and to present legal arguments in favor of those views, makes it more difficult for the agency to press extreme positions.

Second, as noted in the Introduction, n57 OLC's legal advice is treated as binding within the Executive Branch until withdrawn or overruled. n58 As a formal matter, the bindingness of the Attorney General's (or, in the modern era, OLC's) legal advice has long been uncertain. n59 The issue has never required formal resolution, however, because by longstanding tradition the advice is treated as binding. n60 OLC protects that tradition today by generally refusing to provide advice if there is any doubt about whether the requesting entity will follow it. n61 This guards against "advice-shopping by entities willing to abide only by advice they like." n62 More broadly, it helps ensure that OLC's answers matter. An agency displeased with OLC's advice cannot simply ignore the advice. The agency might  [\*1465]  construe any ambiguity in OLC's advice to its liking, and in some cases might even ask OLC to reconsider its advice. n63 But the settled practice of treating OLC's advice as binding ensures it is not simply ignored.

In theory, the very bindingness of OLC's opinions creates a risk that agencies will avoid going to OLC in the first place, relying either on their general counsels or even other executive branch offices to the extent they are perceived as more likely to provide welcome answers. This is only a modest risk in practice, however. As noted above, legal advice obtained from an office other than OLC - especially an agency's own general counsel - is unlikely to command the same respect as OLC advice. n64 Indeed, because OLC is widely viewed as "the executive branch's chief legal advisor," n65 an agency's decision not to seek OLC's advice is likely to be viewed by outside observers with skepticism, especially if the in-house advice approves a program or initiative of doubtful legality.

OLC has also developed certain practices to soften the blow of legal advice not to a client's liking. Most significantly, after concluding that a client's proposed course of action is unlawful, OLC frequently works with the client to find a lawful way to pursue its desired ends. n66 As the OLC Guidelines put it, "when OLC concludes that an administration proposal is impermissible, it is appropriate for OLC to go on to suggest modifications that would cure the defect, and OLC should stand ready to work with the administration to craft lawful alternatives." n67 This is a critical component of OLC's work, and distinguishes it sharply from the courts. In addition to "providing a means by which the executive branch lawyer can contribute to the ability of the popularly-elected President and his administration to achieve important policy goals," n68 in more instrumental terms the practice can also reduce the risk of gaming by OLC's clients. And that, in turn, helps preserve the bindingness of OLC's opinions. n69

 [\*1466]  To be sure, OLC's opinions are treated as binding only to the extent they are not displaced by a higher authority. A subsequent judicial decision directly on point will generally be taken to supersede OLC's work, and always if it is from the Supreme Court. OLC's opinions are also subject to "reversal" by the President or the Attorney General. n70 Such reversals are rare, however. As a formal matter, Dawn Johnsen has argued that "the President or attorney general could lawfully override OLC only pursuant to a good faith determination that OLC erred in its legal analysis. The President would violate his constitutional obligation if he were to reject OLC's advice solely on policy grounds." n71 Solely is a key word here, especially for the President. Although his oath of office obliges him to uphold the Constitution, n72 it is not obvious he would violate that oath by pursuing policies that he thinks are plausibly constitutional even if he has not concluded they fit his best view of the law. It is not clear, in other words, that the President's oath commits him to seeking and adhering to a single best view of the law, as opposed to any reasonable or plausible view held in good faith. Yet even assuming the President has some space here, it is hard to see how his oath permits him to reject OLC's advice solely on policy grounds if he concludes that doing so is indefensible as a legal matter. n73 So the President needs at least a plausible legal basis for  [\*1467]  disagreeing with OLC's advice, which itself would likely require some other source of legal advice for him to rely upon.

The White House Counsel's Office might seem like an obvious candidate. But despite recent speculation that the size of that office during the Obama Administration might reflect an intention to use it in this fashion, n74 it continues to be virtually unheard of for the White House to reverse OLC's legal analysis. For one thing, even a deeply staffed White House Counsel's Office typically does not have the time to perform the kind of research and analysis necessary to produce a credible basis for reversing an OLC opinion. n75 For another, as with attempts to rely in the first place on in-house advice in lieu of OLC, any reversal of OLC by the White House Counsel is likely to be viewed with great skepticism by outside observers. If, for example, a congressional committee demands to know why the Executive Branch thinks a particular program is lawful, a response that relies on the conclusions of the White House Counsel is unlikely to suffice if the committee knows that OLC had earlier concluded otherwise. Rightly or wrongly, the White House Counsel's analysis is likely to be treated as an exercise of political will, not dispassionate legal analysis. Put another way, the same reasons that lead the White House to seek OLC's legal advice in the first place - its reputation for  [\*1468]  providing candid, independent legal advice based on its best view of the law - make an outright reversal highly unlikely. n76

Of course, the White House Counsel's Office may well be in frequent contact with OLC on an issue OLC has been asked to analyze, and in many cases is likely to make it abundantly clear what outcome the White House prefers. n77 But that is a matter of presenting arguments to OLC in support of a particular position, not discarding OLC's conclusion when it comes out the other way. n78The White House is not just any other client, and so the nature of - and risks posed by - communications between it and OLC on issues OLC is analyzing deserve special attention. I take that up in Part III. n79 My point at this stage is simply that the prospect of literal reversal by the White House is remote and does not meaningfully threaten the effective bindingness of OLC's decisions.

### 1NC DA

#### GOP will move past the shutdown to force a fight on the debt ceiling – looking for signs of weakness – the economy will collapse.

DICKERSON 9 – 30 – 13 Slate chief political correspondent [John Dickerson, The Battle Cry of the GOP, http://www.slate.com/articles/news\_and\_politics/politics/2013/09/republicans\_government\_shutdown\_and\_debt\_limit\_which\_fight\_does\_the\_gop.html]

If the government shuts down, it may be because House Republicans were contemplating the next fight over the debt limit more than the current one over keeping the government running. Though closing the federal government would affect the economy, a breach of the debt limit could cause economic collapse. Within the GOP, there are two major strains of thought: those who would like to fight now over funding the government and those who would like to fight later over a debt limit increase when the Treasury Department hits its borrowing limit Oct. 17. Each camp’s view is shaped by how seriously its individual members take the warnings of debt limit cataclysm, and how he or she interprets the president’s declaration that he will not negotiate on any matters tied to increasing the debt limit.

The “fight later” group argues for settling the question of funding the government in order to close ranks and focus the public on the bigger fight over the debt limit. Effectively that means voting for the so-called “clean” continuing resolution—the measure passed by Senate Democrats on Friday.

Their thinking is based on the idea that Republicans will have more leverage on the debt limit—and the president will have less. In the current fight, Republicans, who have tried to use the government funding crisis to kill or delay Obamacare, have been bucking public opinion. Though people may not like the law, polls have shown that they don't think it is worth risking a government shutdown to attack it. In a recent CBS poll, for example, 56 percent said they wanted Congress to make the health care law work and only 38 percent said the law should be stopped by defunding it. When it comes to the debt ceiling, however, the country supports the Republican position. Fifty-five percent in the CBS/New York Times poll said the debt ceiling should only be raised if spending cuts are also enacted. Another 24 percent didn't want it raised at all. That means 79 percent of Americans disagree with the president who wants the debt ceiling raised without conditions.

Here the president's interests and the interests of Senate Democrats could split in a way that might offer an opening to Republicans. The president is not up for re-election. It doesn't matter to him that only about 20 percent of the country thinks it's a good idea to lift the debt limit without cutting spending, but to some senators up for re-election it matters quite a lot. Could Majority Leader Harry Reid get a “clean” debt limit bill through the Senate? Red state Democratic senators up for re-election in 2014 have already had to reaffirm their support for the unpopular Obamacare. They might not want to take another unpopular vote.

The president has said he won't negotiate on the debt limit. In this game of chicken, he says he has thrown the steering wheel out of the window. But can he do that? One senator pointed me to a passage from Bob Woodward's The Price of Politics in which Obama's former Treasury secretary explains the catastrophe that would ensue if the president didn’t sign a debt limit bill—even one he didn’t like. “It would have massive effects,” Geithner said. “Every financial asset in the United States, every financial asset in the world, rests on that basic foundation [of a stable U.S. Treasury securities] … you put that in question, everything comes crashing down and you cannot rebuild it. It’s something that will be lasting for generations.”

If part of this high-stakes gamble is interpreting the mindset of your opponent, House Republicans imagine that President Obama is driving a bus full of children. No matter how much he talks tough, he'll swerve at the last minute because too much is at stake.

The other GOP group, known as the “fight now” camp, buys into the overwhelming economic consensus that breaching the debt limit is insane. Even walking up to it is dangerous. The General Accounting Office found that in 2011 simply approaching the deadline cost $1.4 billion in extra borrowing costs. These Republicans think that in a showdown over the debt limit they will have to buckle, which would be their second capitulation in less than a month if they cave now on the government shutdown. Their supporters would riot. So, given the cave that they see coming on the debt ceiling, they must hold firm on not funding the government and endure a limited shutdown, which their constituents will only praise them for.

On Monday afternoon, it appeared as if House Speaker John Boehner was going with option two—a fight now rather than a certain buckle over the debt limit later. The House sent a funding bill back to the Senate with yet another round of amendments. This time they were asking to delay the implementation of the Affordable Care Act’s individual mandate and asked for an amendment to remove the congressional subsidy for insurance coverage, known as the Vitter amendment. Boehner said there would be no vote on a clean continuing resolution, which suggested we were headed to Shutdownsville.

But a careful reading of what Boehner actually said suggests he was talking just about that moment in time. When the Senate rejects the latest House GOP effort Monday night, Boehner could still bring up the clean Senate funding bill and pass it with Democratic votes before midnight or after only a brief shutdown. That would cause him heartburn in his conference, but it might tell us that he has decided to make peace now so that he can fight later.

#### PLAN destroys Obama – sends a major signal of weakness

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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 authority would embolden the GOP on the debt ceiling fight

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.

#### Global nuke wars

Kemp 10—Director of Regional Strategic Programs at The Nixon Center, served in the White House under Ronald Reagan, special assistant to the president for national security affairs and senior director for Near East and South Asian affairs on the National Security Council Staff, Former Director, Middle East Arms Control Project at the Carnegie Endowment for International Peace [Geoffrey Kemp, 2010, *The East Moves West: India, China, and Asia’s Growing Presence in the Middle East*, p. 233-4]

The second scenario, called Mayhem and Chaos, is the opposite of the first scenario; everything that can go wrong does go wrong. The world economic situation weakens rather than strengthens, and India, China, and Japan suffer a major reduction in their growth rates, further weakening the global economy. As a result, energy demand falls and the price of fossil fuels plummets, leading to a financial crisis for the energy-producing states, which are forced to cut back dramatically on expansion programs and social welfare. That in turn leads to political unrest: and nurtures different radical groups, including, but not limited to, Islamic extremists. The internal stability of some countries is challenged, and there are more “failed states.” Most serious is the collapse of the democratic government in Pakistan and its takeover by Muslim extremists, who then take possession of a large number of nuclear weapons. The danger of war between India and Pakistan increases significantly. Iran, always worried about an extremist Pakistan, expands and weaponizes its nuclear program. That further enhances nuclear proliferation in the Middle East, with Saudi Arabia, Turkey, and Egypt joining Israel and Iran as nuclear states. Under these circumstances, the potential for nuclear terrorism increases, and the possibility of a nuclear terrorist attack in either the Western world or in the oil-producing states may lead to a further devastating collapse of the world economic market, with a tsunami-like impact on stability. In this scenario, major disruptions can be expected, with dire consequences for two-thirds of the planet’s population.

### 1NC K

#### Liberal institutionalism 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.

#### Instrumental framing of legal restriction *enables* the very violence it attempts to prevent.

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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.

#### 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—We should reject the appeal to national security as a value for restraining the executive. We should restrain executive war powers through an anti-racial subordination frame. 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."

#### Only our alternative displaces the source of executive overreach. Legal restraint without conceptual change is futile.

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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.

### SOP

#### Decisions will be guided by political needs. Russian judiciary is not independent

**Volkov 13** - Vice rector for international affairs @ European University in St. Petersburg and head of its Research Institute for the Rule of Law [Vadim Volkov, “Why Do Russian Judges Act That Way?,” Transtions Online, Interviewed By: Sergey Chernov, 6 February 2013

TOL: Russian Prime Minister Dmitry Medvedev, a lawyer by education, attributed the high conviction rate in Russia to judges feeling awkward about investigations. “Judges are ashamed to acquit a person and thus question the work done by the investigation bodies,” he told German newspaper Neue Zurcher Zeitung. What do you say to this?

Vadim Volkov: Medvedev means that the judges don’t want to go against the investigation and the prosecution, because if they acquit someone it means that system worked in vain. Basically, they held in custody and interrogated an innocent person, and they just do not want to go against it, so they are ashamed.

 Medvedev’s main idea is right: the judges are weak. The judiciary has a weak position vis-à-vis the prosecution and the investigation. He said also that this is the Soviet legacy, which is also correct. Criminal courts in Russia were officially part of the so-called pravookhranitelnaya sistema [the law-enforcement system]. Now, according to the constitution, they are separate and independent. They are not part of the pravookhranitelniye organy [the law-enforcement organs], so to speak. In the Soviet Union, they were. They were part of the same machine—the last instance of checking on the work of preceding instances in the criminal process, meaning the militia, the investigation, the prosecution. This wasn’t an independent system.

 Now in Russia, the judiciary has become an independent institution and its independence is guaranteed by the constitution and a number of other laws, but in fact, in practice, it doesn’t work as independent. It remains the last element of the law-enforcement system, in practice.

 But Medvedev didn’t say anything about how we can change this situation. There’s a very hard dilemma: it’s not in the interests of political authorities to increase the independence of the judiciary, because the judges can make the work of the police, the investigation, and the prosecutor very hard. They may give them a hard time. The political powers don’t want this conflict. On the other hand, this is a matter of the international prestige of Russia, and the investment climate, to have independent judges and independent courts. So Medvedev, as usual, stopped halfway. He said more or less about how things are, but he said nothing about how we can make things better, because a radical decision is needed here.

#### Russia is peaceful

**Ottens ‘11** (Nick Ottens, editor of the transatlantic news and commentary site the Atlantic Sentinel and contributing analyst for the geostrategic consultancy Wikistrat, “The Myth of Russia’s Resurgence,” August 20 2011, http://atlanticsentinel.com/2011/08/the-myth-of-russias-resurgence/)

Wikistrat‘s Thomas Barnett reminds readers of Russian fears of encirclement in his latest World Politics Review column. After shrugging off its empire in 1991, Russia was denied a “sense of belonging,” Barnett notes, when Europe and the United States refused to consider Russia’s entry to NATO. Instead, America moved in militarily from the south as part of its global War on Terror while China progressively encroached, in an economic sense, on Russia’s “near abroad” in Central Asia and the Far East. Russia has been remarkably reluctant to counter these infringements. Although nearly all former Warsaw Pact members belong to the European Union now, it has made only halfhearted attempts to regain a semblance of hegemony on its western border. Old Eastern Bloc nations may still worry about Russian antagonism, especially if Germany, which is so dependent on Russian gas imports, won’t truly protect them in the EU (which is why they expect security from the United States in NATO)—the likelihood of Moscow deploying force against Poland, Lithuania or even the Ukraine is close to zero. In other parts of its former empire, too, Russia is far from belligerent. Although vying for influence there with nearby greater powers, Russia has refrained from policing Central Asia in Soviet style despite the alluring natural resources that the region possesses. When Kyrgyzstan asked for a Russian troop presence last year to quell political unrest, the Kremlin balked at the request. It had no desire to become entangled in the internal power struggles of its former client state. Russian cultural and political influence pervades especially in the northernmost of former socialist republics in Central Asia but Chinese, Iranian and Turkish attempts at fostering stable relations in the area could set the stage for a greater power confrontation, one from which Moscow stands nothing to gain. Russian governors in the Far East occasionally raise the specter of the “yellow menace” and talk of the danger posed to their underpopulated provinces by unregulated Chinese labor migrants but as Dmitry Gorenburg pointed out here last year, “this kind of talk rarely emanates from Moscow and certainly does not affect troop positioning.” Indeed, “it is stunning how little trouble Moscow has fomented” since the demise of the Soviet Union, writes Barnett, “all while engineering arguably the greatest military demobilization in human history, going from more than two hundred army divisions to less than one hundred brigades.”

#### No Russian War

Weitz ‘11 (Richard, senior fellow at the Hudson Institute and a World Politics Review senior editor, “Global Insights: Putin not a Game-Changer for U.S.-Russia Ties,” <http://www.scribd.com/doc/66579517/Global-Insights-Putin-not-a-Game-Changer-for-U-S-Russia-Ties>, September 27, 2011)

Fifth, there will inevitably be areas of conflict between Russia and the United States regardless of who is in the Kremlin. Putin and his entourage can never be happy with having NATO be Europe's most powerful security institution, since Moscow is not a member and cannot become one. Similarly, the Russians will always object to NATO's missile defense efforts since they can neither match them nor join them in any meaningful way. In the case of Iran, Russian officials genuinely perceive less of a threat from Tehran than do most Americans, and Russia has more to lose from a cessation of economic ties with Iran -- as well as from an Iranian-Western reconciliation. On the other hand, these conflicts can be managed, since they will likely remain limited and compartmentalized. Russia and the West do not have fundamentally conflicting vital interests of the kind countries would go to war over. And as the Cold War demonstrated, nuclear weapons are a great pacifier under such conditions. Another novel development is that Russia is much more integrated into the international economy and global society than the Soviet Union was, and Putin's popularity depends heavily on his economic track record. Beyond that, there are objective criteria, such as the smaller size of the Russian population and economy as well as the difficulty of controlling modern means of social communication, that will constrain whoever is in charge of Russia.

### RTP

#### Their restriction is a smokescreen and will not be enforced

Nzelibe 7—Professor of Law @ Northwestern University [Jide Nzelibe, “Are Congressionally Authorized Wars Perverse?” Stanford Law Review, Vol. 59, 2007]

These assumptions are all questionable. As a preliminary matter, there is not much causal evidence that supports the institutional constraints logic. As various commentators have noted, Congress's bark with respect to war powers is often much greater than its bite. Significantly, skeptics like Barbara Hinckley suggest that any notion of an activist Congress in war powers is a myth and members of Congress will often use the smokescreen of "symbolic resolutions, increase in roll calls and lengthy hearings, [and] addition of reporting requirements" to create the illusion of congressional participation in foreign policy.' 0 Indeed, even those commentators who support a more aggressive role for Congress in initiating conflicts acknowledge this problem," but suggest that it could be fixed by having Congress enact more specific legislation about conflict objectives and implement new tools for monitoring executive behavior during wartime. 12

Yet, even if Congress were equipped with better institutional tools to constrain and monitor the President's military initiatives, it is not clear that it would significantly alter the current war powers landscape. As Horn and Shepsle have argued elsewhere: "[N]either specificity in enabling legislation ... nor participation by interested parties is necessarily optimal or self-fulfilling; therefore, they do not ensure agent compliance. Ultimately, there must be some enforcement feature-a credible commitment to punish ....Thus, no matter how much well-intentioned and specific legislation Congress passes to increase congressional oversight of the President's military initiatives, it will come to naught if members of Congress lack institutional incentives to monitor and constrain the President's behavior in an international crisis.

Various congressional observers have highlighted electoral disincentives that members of Congress might face in constraining the President's military initiatives. 14 Others have pointed to more institutional obstacles to congressional assertiveness in foreign relations, such as collective action problems. 15 Generally, lawmaking is a demanding and grueling exercise. If one assumes that members of Congress are often obsessed with the prospect of reelection, 16 then such members will tend to focus their scarce resources on district-level concerns and hesitate to second-guess the President's response in an international crisis. 17 Even if members of Congress could marshal the resources to challenge the President's agenda on national issues, the payoff in electoral terms might be trivial or non-existent. Indeed, in the case of the President's military initiatives where the median voter is likely to defer to the executive branch's judgment, the electoral payoff for members of Congress of constraining such initiatives might actually be negative. In other words, regardless of how explicit the grant of a constitutional role to Congress in foreign affairs might be, few members of Congress are willing to make the personal sacrifice for the greater institutional goal. Thus, unless a grand reformer is able to tweak the system and make congressional assertiveness an electorally palatable option in war powers, calls for greater congressional participation in war powers are likely to fall on deaf ears. Pg. 912-913

#### No internal link—no ev congress authorizing use of force stops US pushing the R2P doctrine

#### No ev US is pushing R2P now

#### Many, many alt causes to rising food prices

IMF in ‘8 (International Monetary Fund, “Impact of High Food and Fuel Prices on Developing Countries—Frequently Asked Questions”, Last Updated 4-11, http://www.imf.org/external/np/exr/faq/ffpfaqs.htm)

Q. Why is this happening? A. Prices have been propelled by a mix of permanent and temporary factors: • Strong food demand from emerging economies, reflecting stronger per capita income growth, accounts for much of the increase in consumption. Although demand growth has been high for some time now, the recent sustained period of high global growth contributed to depleting global inventories, particularly of grains. • Rising biofuel production adds to the demand for corn and rapeseeds oil, in particular, spilling over to other foods through demand and crop substitution effects. Almost half the increase in consumption of major food crops in 2007 was related to biofuels, mostly because of corn-based ethanol production in the US; and the new biofuel mandates in the US and the EU that favor domestic production will continue to put pressure on prices. • At the same time, supply adjustment to higher prices has remained slow, notably for oil, and inventory levels in many markets have declined to the lowest levels in years. • The policy responses in some countries are exacerbating the problem: (i) Some major exporting countries have introduced export taxes, export bans, or other restrictions on exports of agricultural products. (ii) Some importing countries are not allowing full pass-through of international prices into domestic prices (less than half a sample of 43 developing and emerging market countries allowed for full pass through in 2007). • Drought conditions in major wheat-producing countries (e.g., Australia and Ukraine), higher input costs (animal feed, energy, and fertilizer), and restrictive trade policies in major net exporters of key food staples such as rice have also contributed. • Financial factors: the depreciating US$ increases purchasing power of commodity users outside of the dollar area; falling policy interest rates in some major currencies reduce inventory holding costs and induce shifts from money market instruments to higher-yielding assets such as commodity-indexed funds.

#### High oil prices make food spikes inevitable

**Brown in ‘8** (Lester, President of the Earth Policy Institute, “Plan B 3.0: Mobilizing to Save Civilization”, http://www.earth-policy.org/Books/PB3/pb3ch2.pdf)

Modern agriculture depends heavily on the use of fossil fuels. Most tractors use gasoline or diesel fuel. Irrigation pumps use diesel fuel, natural gas, or coal-fired electricity. Fertilizer production is also energy-intensive. Natural gas is used to synthesize the basic ammonia building block in nitrogen fertilizers. The mining, manufacture, and international transport of phosphates and potash all depend on oil.25 Efficiency gains can help reduce agriculture’s dependence on oil. In the United States, the combined direct use of gasoline and diesel fuel in farming fell from its historical high of 7.7 billion gallons (29.1 billion liters) in 1973 to 4.2 billion in 2005—a decline of 45 percent. Broadly calculated, the gallons of fuel used per ton of grain produced dropped from 33 in 1973 to 12 in 2005, an impressive decrease of 64 percent.26 One reason for this achievement was a shift to minimumand no-till cultural practices on roughly two fifths of U.S. cropland. But while U.S. agricultural fuel use has been declining, in many developing countries it is rising as the shift from draft animals to tractors continues. A generation ago, for example, cropland in China was tilled largely by draft animals. Today much of the plowing is done with tractors.27 Fertilizer accounts for 20 percent of U.S. farm energy use. Worldwide, the figure may be slightly higher. As the world urbanizes, the demand for fertilizer climbs. As people migrate from rural areas to cities, it becomes more difficult to recycle the nutrients in human waste back into the soil, requiring the use of more fertilizer. Beyond this, the growing international food trade can separate producer and consumer by thousands of miles, further disrupting the nutrient cycle. The United States, for example, exports some 80 million tons of grain per year— grain that contains large quantities of basic plant nutrients: nitrogen, phosphorus, and potassium. The ongoing export of these nutrients would slowly drain the inherent fertility from U.S. cropland if the nutrients were not replaced.28 Irrigation, another major energy claimant, is requiring more energy worldwide as water tables fall. In the United States, close to 19 percent of farm energy use is for pumping water. And in some states in India where water tables are falling, over half of all electricity is used to pump water from wells. Some trends, such as the shift to no-tillage, are making agriculture less oil intensive, but rising fertilizer use, the spread of farm mechanization, and falling water tables are having the opposite effect.29 Although attention commonly focuses on energy use on the farm, agriculture accounts for only one fifth of the energy used in the U.S. food system. Transport, processing, packaging, marketing, and kitchen preparation of food are responsible for the rest. The U.S. food economy uses as much energy as the entire economy of the United Kingdom.30 The 14 percent of energy used in the food system to move goods from farmer to consumer is equal to two thirds of the energy used to produce the food. And an estimated 16 percent of food system energy use is devoted to canning, freezing, and drying food—everything from frozen orange juice concentrate to canned peas.31 Food staples such as wheat have traditionally moved over long distances by ship, traveling from the United States to Europe, for example. What is new is the shipment of fresh fruits and vegetables over vast distances by air. Few economic activities are more energy-intensive.32 Food miles—the distance that food travels from producer to consumer—have risen with cheap oil. At my local supermarket in downtown Washington, D.C., the fresh grapes in winter typically come by plane from Chile, traveling almost 5,000 miles. One of the most routine long-distance movements of fresh produce is from California to the heavily populated U.S. East Coast. Most of this produce moves by refrigerated trucks. In assessing the future of long-distance produce transport, one writer observed that the days of the 3,000-mile Caesar salad may be numbered.33 Packaging is also surprisingly energy-intensive, accounting for 7 percent of food system energy use. It is not uncommon for the energy invested in packaging to exceed that in the food it contains.34 The U.S. farmer gets about 20 percent of the consumer food dollar. And for some products, the figure is much lower. As one analyst has observed, “An empty cereal box delivered to the grocery store would cost about the same as a full one.”35 The most energy-intensive segment of the food chain is the kitchen. Much more energy is used to refrigerate and prepare food in the home than is used to produce it in the first place. The big energy user in the food system is the kitchen refrigerator, not the farm tractor. While oil dominates the production end of the food system, electricity dominates the consumption end. With higher energy prices, the modern food system that evolved when oil was cheap will not survive as it is now structured.36

### 1NC—Power Projection

#### No regional rebalancing or security dilemmas—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.

## \*\*\* 2NC

### AT: Perm

#### The multilateral vision of American leadership is no less Orientalist – they still divide the world between liberal democracies and illiberal peoples. Rejecting the aff’s justifications is a pre-requisite for genuine change.

Richard **FALK** Emeritus Int’l Law @ Princeton **‘9** *Achieving Human Rights* p. 52-53

The transition to a regulated structure of world order is underway and is assured unless a catastrophic breakdown occurs, due to ecological, economic, or political collapse. That is, the Westphalian form of world order, based on the state system, while resilient, is essentially being displaced from above and below. It is not only the case that the main struggle since 9/11 is being waged by a global state on the one side and a loosely linked headless network on the other side; the impact of multi-dimensional globalization is also making borders less important in most respects (although more important in some-for instance, restricting transnational migrants). And normative developments are now associated with international accountability for gross violations of human rights and for the commission of such crimes as genocide, torture, and ethnic cleansing. Much of the literature that recognizes this emergent global governance stresses the **inevitability** of **American leadership**. The **mainstream** debate is whether this leadership will take a **cooperative**, economic form as it did in the 1990s or move in direction of the unilateralist, coercive form of the early years of the twenty-first century.36 The outcome of the November 2004 American presidential elections, together with the impact of the purported transfer of sovereignty to Iraq on June 30, 2004, as well as the anti-war outcome of the 2006 congressional elections seemed to supply a short-term answer. The main argument being made seems likely to be unaffected by a change in the elected leadership of the United States, although the 2008 presidential elections might produce some **tactical adjustments** associated with the high costs of continuing the Iraq War. **Either** foreign policy **path** is **essentially Orientalist** in the sense of building a future world order on the basis of **American interests**, **an American worldview**, and an **American model** of constitutional democracy. Neither is sensitive, in the slightest, to the ordeal of the Palestinian people, and thus bitter resentments directed at the United States will be kept alive, especially in the Arab world. International law will continue to play a double role, facilitating the pretensions of the American model of "democracy" as an expression of a commitment to the realization of international human rights and offering opponents of this model legal standards and principles by which to validate their anti-imperial, antiAmerican resistance. In my view, only a **non-Orientalist reshaping** of global governance can be beneficial for the peoples of the world and **sustainable** over time. In that process, the **de-Orientalizing** of the **normative order** is of **paramount importance**, providing positive images of accountability, participation, and justice that do not universalize the mythic or existential realities of the American experience and that draw fully upon the creative energies and cultural worldviews of the diverse civilizations that together constitute the world. Such expectations may presently seem utopian , but that is only because our horizons are now clouded by **warmongering "realists"** and **global imperialists**. To **dream freely** of a benevolent future is the only way to encourage the **moral and political imagination** of people throughout the world to take responsibility for their own future, thereby repudiating in the most decisive way the deforming impacts of Orientalism in all of its sinister forms.

### 2NC Impact

#### Colonialism is an unacceptable ethical violation. You should refuse to vote affirmative regardless of the good they claim to achieve.

Nermeen Shaikh, @ Asia Source, 7 [*Development* 50, “Interrogating Charity and the Benevolence of Empire,” Palgrave-Journals]

It would probably be incorrect to assume that the principal impulse behind the imperial conquests of the 18th and 19th centuries was charity. Having conquered large parts of Africa and Asia for reasons other than goodwill, however, countries like England and France eventually did evince more benevolent aspirations; the civilizing mission itself was an act of goodwill. As Anatol Lieven (2007) points out, even 'the most ghastly European colonial project of all, King Leopold of Belgium's conquest of the Congo, professed benevolent goals: Belgian propaganda was all about bringing progress, railways and peace, and of course, ending slavery'. Whether or not there was a general agreement about what exactly it meant to be civilized, it is likely that there was a unanimous belief that being civilized was better than being uncivilized—morally, of course, but also in terms of what would enable the most in human life and potential. But what did the teaching of this civility entail, and what were some of the consequences of changes brought about by this benevolent intervention? In the realm of education, the spread of reason and the hierarchies created between different ways of knowing had at least one (no doubt unintended) effect. As Thomas Macaulay (1935) wrote in his famous Minute on Indian Education, We must at present do our best to form a class who may be interpreters between us and the millions whom we govern; a class of persons, Indian in blood and colour, but English in taste, in opinions, in morals, and in intellect. To that class we may leave it to refine the vernacular dialects of the country, to enrich those dialects with terms of science borrowed from the Western nomenclature, and to render them by degrees fit vehicles for conveying knowledge to the great mass of the population. This meant, minimally, that English (and other colonial languages elsewhere) became the language of instruction, explicitly creating a hierarchy between the vernacular languages and the colonial one. More than that, it meant instructing an elite class to learn and internalize the culture—in the most expansive sense of the term—of the colonizing country, the methodical acculturation of the local population through education. As Macaulay makes it clear, not only did the hierarchy exist at the level of language, it also affected 'taste, opinions, morals and intellect'—all essential ingredients of the civilizing process. Although, as Gayatri Chakravorty Spivak points out, colonialism can always be interpreted as an 'enabling violation', it remains a violation: the systematic eradication of ways of thinking, speaking, and being. Pursuing this line of thought, Spivak has elsewhere drawn a parallel to a healthy child born of rape. The child is born, the English language disseminated (the enablement), and yet the rape, colonialism (the violation), remains reprehensible. And, like the child, its effects linger. The enablement cannot be advanced, therefore, as a justification of the violation. Even as vernacular languages, and all habits of mind and being associated with them, were denigrated or eradicated, some of the native population was taught a hegemonic—and foreign—language (English) (Spivak, 1999). Is it important to consider whether we will ever be able to hear—whether we should not hear—from the peoples whose languages and cultures were lost? The colonial legacy At the political and administrative levels, the governing structures colonial imperialists established in the colonies, many of which survive more or less intact, continue, in numerous cases, to have devastating consequences—even if largely unintended (though by no means always, given the venerable place of divide et impera in the arcana imperii). Mahmood Mamdani cites the banalization of political violence (between native and settler) in colonial Rwanda, together with the consolidation of ethnic identities in the wake of decolonization with the institution and maintenance of colonial forms of law and government. Belgian colonial administrators created extensive political and juridical distinctions between the Hutu and the Tutsi, whom they divided and named as two separate ethnic groups. These distinctions had concrete economic and legal implications: at the most basic level, ethnicity was marked on the identity cards the colonial authorities introduced and was used to distribute state resources. The violence of colonialism, Mamdani suggests, thus operated on two levels: on the one hand, there was the violence (determined by race) between the colonizer and the colonized; then, with the introduction of ethnic distinctions among the colonized population, with one group being designated indigenous (Hutu) and the other alien (Tutsi), the violence between native and settler was institutionalized within the colonized population itself. The Rwandan genocide of 1994, which Mamdani suggests was a 'metaphor for postcolonial political violence' (2001: 11; 2007), needs therefore to be understood as a natives' genocide—akin to and enabled by colonial violence against the native, and by the new institutionalized forms of ethnic differentiation among the colonized population introduced by the colonial state. It is not necessary to elaborate this point; for present purposes, it is sufficient to mark the significance (and persistence) of the colonial antecedents to contemporary political violence. The genocide in Rwanda need not exclusively have been the consequence of colonial identity formation, but does appear less opaque when presented in the historical context of colonial violence and administrative practices. Given the scale of the colonial intervention, good intentions should not become an excuse to overlook the unintended consequences. In this particular instance, rather than indulging fatuous theories about 'primordial' loyalties, the 'backwardness' of 'premodern' peoples, the African state as an aberration standing outside modernity, and so forth, it makes more sense to situate the Rwandan genocide within the logic of colonialism, which is of course not to advance reductive explanations but simply to historicize and contextualize contemporary events in the wake of such massive intervention. Comparable arguments have been made about the consolidation of Hindu and Muslim identities in colonial India, where the corresponding terms were 'native' Hindu and 'alien' Muslim (with particular focus on the nature and extent of the violence during the Partition) (Pandey, 1998), or the consolidation of Jewish and Arab identities in Palestine and the Mediterranean generally (Anidjar, 2003, 2007).

#### 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.

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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.

### Democratic Peace K—Turns Case

#### Stability offered by liberal-democratic assistance comes at a price—they establish the conditions for long-term exploitation and genocide. The historical record of democratic interventions proves the reality of solvency never lives up to the rhetoric

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Backsliding: Emerging problems with the liberal peace The liberal peace offers a blueprint and process for stabilizing postconflict societies. Yet it has shown a marked propensity for backsliding. In cases including Cambodia, the Middle East, Sri Lanka, Lebanon, Kosovo, Bosnia and Timor-Leste, direct or indirect attempts have been made through donor conditionality, arrangements with the World Bank, or diplomatic and strategic relations to instil democratization, pluralism, the rule of law, human rights and neo-liberal forms of marketization. Broad agreement on these terms is normally apparent amongst peacebuilders, which I have previously described as a weak "peace building consensus" about the liberal peace,26 and local actors often nominally join this consensus. Yet, in comparative work in a number of cases, research indicates that, despite the construction of liberal conditionality and institutions, little changes in the discursive political frameworks in post-conflict settings. Nationalists in Bosnia still threaten the unity ofpost-Dayton Bosnia and few reforms have been internalized. In Kosovo, ethnic violence is a regular occurrence and ethnic difference looks set to be the basis for the state that will emerge from the recent declaration of independence. In Timor-Leste, political and socioeconomic problems led to the complete collapse of the liberal state in 2006, four years after the United Nations withdrew and independence was achieved. Recent moves in Timor-Leste have seen welfare and cultural issues placed at the forefront of political debate (and a concurrent stabilization). 2 7 The liberal international " bubble" in Afghanistan barely covers all of Kabul. In many of these cases, a "draw-down" is currently taking place, but there is little indication that what has been achieved is self-sustainable.28 Kant was clear that his perpetual peace system would not advance progressively, but would be subject to attacks, obstacles and problems, both internally and externally. It is also important to note that Kant believed that his system needed to be able to conduct peaceful relations with nonliberal others and should not be used as an excuse for hegemonic practices or wars with such others. It should not become a basis for new and exclusionary practices, as Macmillan argues, against non-liberal others. 29 Any hope of developing a broader peace in these terms therefore requires a broader engagement than is often projected by theorists of the democratic peace—in other words, more liberalism, not a reversion to illiberalism in the hope it will avert any "backsliding". Thus, Kantian approaches to peace required a focus not just on democracy and trade but also on the broader root causes of conflict, including welfare and culture. 30 In this way, Kant was not merely a pillar of his establishment but actually sought to unsettle the comfortable assumptions that his own thinking might lead to, though he also extended Rousseau's thinking on peace by favouring democracy.31 So, extending this line of thought, backsliding for Kant was more than just a structural obstacle; it was also representative of the failure of the putative " liberal" polity to encounter the other in a reflexive and pluralist manner, without reverting to coercive and conditional hegemonic engagement. Kant would not have wanted to see the democratic peace argument, for example, become a reason for colonialism or imperialism redux, as J ahn has shown.32 Backsliding is as much about post-conflict polities failing to achieve and maintain liberal standards as it is about a peace building consensus being imposed with little regard for the "local" and indigenous and, of course, with simplistic assumptions about the universality and transferability of technical and contextual solutions for peace. It also points to the need for a move beyond liberalism. Institutional responses to the problems of liberal peacebuilding often focus on coordination and efficiency in peace building operations, rather than on the deeper issues that have also appeared. These are as follows. As Mann and Snyder have argued, democratization can lead to ethnic polarization and even genocidal violence. 33 Certainly, such polarization has occurred in Bosnia and Kosovo. Liberal human rights can be culturally inappropriate or contested, as can be seen in cultural settings where communities, tribes or clans, rather than individuals, are the unit of analysis, as in much of sub-Saharan Africa, the Pacific or Asia. 34 The rule of law can mask inequity and the privatization of state functions at the expense of the needy, as appears to be the case across all peacebuilding interventions, where subsistence and unemployment rates rarely improve. 35 Civil society building is often subject to "forum shopping" and an instrumentalist project mentality rather than looking at localized needs. Development, in its neo-liberal or modernization forms, can marginalize the needy.36 Indeed, because liberal peace building is more or less always imagined within a liberal and neo-liberal state framework, it can become an agent of ethnocentric self-determination, nationalism and a "bare" socioeconomic life because such states cannot compete internationally in an open market and do not have the resources to establish an economic base. This emergence of bare life for citizens means that the aspired-to liberal social contract between government and citizen is not achieved, and, indeed, citizens may choose to move into grey or black markets, militias or transnational crime. 37 These unintended dynamics are major sources of backsliding and can be observed across a range of peace operations since the end of the Cold War. Do these criticisms mean that the liberal peace is a failed project, or is it merely suffering from stress and can be salvaged? The editors of this volume disagree significantly on this point. Quite clearly it is a top-down project, promoted by an alliance of liberal, hegemonic actors. The peacebuilding consensus behind it is broad, but the liberal peace project is under considerable strain because it does not deliver all that it promises in conflict zones. What is more, it is onto logically incoherent, which is reflected in its coordination. It offers several different states of being—for a state-centric world dominated by sovereign constitutional democracies, a world dominated by institutions, a world in which human rights and selfdetermination are valued. The only way in which this peace system can be coherent is if it is taken to be hierarchical and regulative, which then provides the framework in which human rights and self-determination can be observed. Democracy provides the political system in which this process is made nationally representative. The trouble with this is that the individual is subservient to the structure and system, which may be enabling in some contexts but not in others. Where enforcement and surveillance are weak, abuses generally follow and are committed by the elites who control the various systems that make up the liberal peace. This means that the post-conflict individual, who is relatively powerless, is required to perform "liberal peace acts", such as voting, paying taxes, engaging in the free market and expecting rights, in order to keep the international gaze satisfied, but is not to expect that this performance carries any weight. The liberal peace is easily rendered virtual or hyperreal; the copy does not represent the actual intention of the international community. Thus the liberal peace becomes a virtual peace; more strongly associated with conservative forms of liberalism and underpinned by realist theory. In this sense the liberal peace produced by realist and idealist thinking, and even in the contexts of constructivism and critical theory, is virtual and is constructed primarily for the benefit of the international community, in the hope that locals will benefit later when it becomes internalized and the local is 'converted'. Post-structuralist contributions to international relations theory, which turn this process on its head and argue for the recognition, contextualization, emancipation and de-securitization of the individual, fail to offer a way out of this impasse. Indeed, the mainstream debates have even managed to co-opt aspects of the post-structural agenda—in particular the requirements for emancipation, empathy and care (but not the recognition of alterity)—into the mainstream consensus, producing an emancipatory form of liberalism, at least in rhetorical terms. The international and academic consensus on the liberal peace across the board has been achieved on the assumption that its norms and governance frameworks are universal. But this conclusion has been reached only on the basis of a limited consultation, mainly among the victors of the Second World War. Unfortunately, as is well known, this conversation has reinforced and favoured the hegemony of official actors, key states and their organizations, and has resulted in the relative marginalization of non-state actors, developing states, postcolonial states, individuals, communities and other identity groupings. This can also be described as a form of orientalism, in which liberal epistemic communities of peacebuilders transfer governance regimes through a process of conditional funding, training and dependency creation to more " primitive" recipients in conflict zones. This process is supported by the ideological hegemony of contemporary forms of liberalism, which are projected through the various mediums of print capitalism as unassailable. They aim to make recipients internalize the liberal peace while contradictorily gaining agency and autonomy. There are a number of reasons why this has not worked. First, despite the fact that the Cold War is over, there is a varying resistance to the different ideological aspects and basic assumptions of this liberal peace. Though most accept that democratization should be a cornerstone of political organization, parts of the Middle East, South Asia and subSaharan Africa are led by governments that do not aspire to democracy. This is not to say that the populations of these regions do not aspire to democratic self-determination, but democratic aspirations are very often closely linked with secessionist aspirations and state creation where identity minorities desire separation in order to avoid minority status. Democratization has been shown regularly to result in only a softening of feudal or corrupt politics rather than radical reform. Many across the world aspire to free markets and unfettered trade, but the vast majority of the populations affected by war and conflict are economically disadvantaged because of both war and free trade. Many more see the international political economy as redistributing resources in favour of the elites that drive the neo-liberal character of the liberal peace, meaning that neo-liberal economic policies generally disadvantage the already marginalized. Many resist the neo-liberal development strategies that accompany the liberal peace. Some resist the universal claims of the human rights rhetoric. Many traditional elites have adopted what van der Walle has called the " partial reform syndrome",38 in which local elites use the institutions and dynamics of the liberal peace to their own advantage by literally freeriding on the resources that it provides and by only partially implementing its demands. In this sense, the liberal peace agenda is driven by a neo-liberal notion of power—money and resources can be used to induce institutional development and reform in conflict zones. Local elites often use this to camouflage the lack of reform. Much of the critical focus on this liberal version of peace, however, is on how it concentrates on institutions, officialdom and top-down reform, and thus results in the creation of "empty states" in which citizens are generally not seen or heard. In fact, there has been a major attempt to engage with this problem in order to identify and empower isolated and marginalized groups in post-conflict zones, and indeed to provide every citizen with rights and agency as befits their status in the liberal peace. Yet, inevitably, this has been a troubled process, far outweighed by the more traditional assumption that, if one builds institutions first, then every other aspect of the liberal peace will automatically fall into place. This, of course, means that most energy is expended on the top-down model of the liberal peace. Some, such as Ignatieff, have called this a "rough and ready peace";39 others, such as Fukuyama, have argued that this in effect results in the destruction of what little local or indigenous capacity was already in existence.4o In other words, the liberal peace agenda is far from uncontested, coherent or proven in practice. It is marked by local co-option, backsliding and international unease.

## \*\*\* 1NR

### AIKS Legitimate

#### 1. We should be analyzing the relationship between the plan and the advantages, not just the plan alone. *Policy stories*, like the 1ac institutionalize a particular understanding of both problems and solutions. Their advantage choices crowd out different policy practices and concepts.

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Granted that the objectification and definition of a given phenomenon is open to a variety of normative and political considerations, it becomes interesting to explore how scientific knowledge constitutes a symbolic resource used by politically motivated actors. In order to justify and legitimize certain courses of action, and to render these possible and effective, scientific knowledge forms an important component both for efforts of persuading and mobilizing different groups, and for formulating and establishing policy practices. This can he grasped through the concept of poli1y stories. A policy story can be defined as follows: A set of factual, causal claims, normative principles and a desired objective, all of which are constructed as a more or less coherent argument a story which points to a problem to be addressed and the desirability and adequacy of adopting a specific policy approach to resolve it.

This conceptualization incorporates how politically motivated actors integrate scientifically produced imowledge in the form of facts, concepts or theories in order to i) convince others that a certain phenomenon is a problem, (ii) demonstrate that this problem is best understood in a certain way as shown by the facts presented, and (iii) link these factual claims to normative principles giving moral force to the argument that it should be resolved. This perspective thus subjects the factual dimensions of political processes to the interests and normative commitments of actors, in the sense that knowledge is used to justify and legitimize calls for adopting certain policies to resolve what is seen to be a problem that 'ought' to be resolved. The formulation is partly inspired by Rein and Schuss (1991. 265), who refer to problem-setting stories that 'link causal accounts of policy problems to particular proposals for action and facilitate the normative leap from "is" to 'ought"'. We depart from Rein and Schon's conception somewhat by emphasizing more strongly the factual claims (the characteristics of a phenomenon and normative principles (the morally' grounded principles used to legitimize the policy formulation invoked by actors as they define a problem and argue for a specific policy approach. The concept of policy stories seeks to capture how actors integrate knowledge claims into their politically charged arguments so as to 'frame' the issue under discussion. Because of the interlocking of the factual and normative dimension of policy making, a policy story, can be seen to create space for political agency. That is: a policy story serves by creating an argument grounded in a body of scientifically produced knowledge, to persuade and mobilize different groups as it represents a complete package: an authoritative problem-definition and a concomitant policy solution that is legitimized in both factual and normative terms. A policy story- that wins acceptance at the discursive level can be seen to define the terms of the debate for the establishment of policy and to de- legitimize competing conceptualizations and policy approaches. Through the political agency performed through a policy story it may come to dominate the policy field as it forms the central cognitive-normative organising device for specific formulation and establishment of policy within different organizations. In this way, the policy story' may over time attain a 'taken for granted' char- acter as it comes to structure, and reflect, policy practice. This process of stabilization is best described as a process of institutionalization. Following Scott, we can define institutionalization as a 'process by which a given set of units and a pattern of activities come so be normatively' and cognitively held in place, and practically taken for granted as lawful' Scott at al. 1994: 10). This latter feature is critical to the argument presented here. In the change from an argument for a specific policy approach to the establishment of that policy in practice, the policy story comes to define the cognitive-normative outlook of a policy regime. This can he defined as an interlock between the knowledge which underwrites the policy story, and the establishment in practice of the policy advocated in a policy story: That is: the knowledge that once formed part of an argument for a policy is now an integral part of the very rationality and identity' of the organization involved with managing this policy in practice. As such it becomes pact of the bundle of routines, rules, priorities and rationality of the organizations in the policy field see Douglas 1986; March and Olsen 1989: Scott and Meyer. 1994).

#### 2. Different advocacies affect implementation—an alternative that includes the plan but challenges part of the advocacy is legitimate.

Neta CRAWFORD Poli Sci & African American Studies @ Boston University 2 [*Argument and Change in World Politics* p. 9-10]

Chapter 9, “Poiesis and Praxis: Toward Ethical World Politics,” develops an approach for making the practices of world politics more ethical and legitimate. In a world of clashing cultures and conflicting beliefs about what is right, how ought we decide what to do about the pressing questions of world politics? Specifically, how can we decide the important ethical and policy questions of when and how to conduct humanitarian interventions? “Poiesis and Praxis”—unlike previous chapters which are historical and analytical—is forward-looking and prescriptive. Using and elaborating on the approach to argument known as “discourse ethics,” it discusses the process of ethical argument by which world politics might be remade with regard to the problem of humanitarian intervention. International politics and foreign policy decisionmaking involve deliberation and choice, though decisions are made in highly constrained choice situations. The answer to the why question—why this thing and not another—is found in the content of the arguments and the process of reason. The process and content of argument are fundamental forces in world politics—they are constitutive of the world. The beliefs that actors hold about the world and the outcome of political arguments, whether they are considered persuasive, make world politics and foreign policy what it is, as much or more than the distribution of power among states. The content of world politics is found in particular beliefs, and the process of politics is shaped by the arguments and beliefs of everyday discourse, public political rhetoric, legislation, court proceedings, and private memos. In turn, the process of argument and the content of beliefs are institutionalized in practices—organizational routines and knowledge-making processes—that are part of the cultural environments of domestic and world politics. This argument about arguments offers an alternative theory of choice in international relations that is not based on rational actor theory, but on the role of practical reason and the importance of beliefs rooted in culture. The major evolutionary or revolutionary changes of world politics are thus a consequence of reasoned choice—as much as change is due to accident or material forces and structures.

### AT: Perm

#### Including their mainstream liberal option *ward offs kritik* of the discourses that ground u.s. foreign policy.

Burke 7—Anthony Burke, Senior Lecturer @ School of Politics & IR @ Univ. of New South Wales [*Beyond Security, Ethics and Violence*, p. 3-4]

These frameworks are interrogated at the level both of their theoretical conceptualisation and their practice: in their influence and implementation in specific policy contexts and conflicts in East and Central Asia, the Middle East and the 'war on tei-ror', where their meaning and impact take on greater clarity. This approach is based on a conviction that the meaning of powerful political concepts cannot be abstract or easily universalised: they all have histories, often complex and conflictual; their forms and meanings change over time; and they are developed, refined and deployed in concrete struggles over power, wealth and societal form. While this should not preclude normative debate over how political or ethical concepts should be defined and used, and thus be beneficial or destructive to humanity, it embodies a caution that the meaning of concepts can never be stabilised or unproblematic in practice. Their normative potential must always be considered in relation to their utilisation in systems of political, social and economic power and their consequent worldly effects. Hence this book embodies a caution by Michel Foucault, who warned us about the 'politics of truth . . the battle about the status of truth and the economic and political role it plays', and it is inspired by his call to 'detach the power of truth from the forms of hegemony, social, economic and cultural, within which it operates at the present time'.1

It is clear that traditionally coercive and violent approaches to security and strategy are both still culturally dominant, and politically and ethically suspect. However, the reasons for pursuing a critical analysis relate not only to the most destructive or controversial approaches, such as the war in Iraq, but also to their available (and generally preferable) alternatives. There is a necessity to question not merely extremist versions such as the Bush doctrine, Indonesian militarism or Israeli expansionism, but also their mainstream critiques - whether they take the form of liberal policy approaches in international relations (IR), just war theory, US realism, optimistic accounts of globalisation, rhetorics of sensitivity to cultural difference, or centrist Israeli security discourses based on territorial compromise///

 with the Palestinians. The surface appearance of lively (and often significant) debate masks a deeper agreement about major concepts, forms of political identity and the imperative to secure them. Debates about when and how it may be effective and legitimate to use military force in tandem with other policy options, for example, mask a more fundamental discursive consensus about the meaning of security, the effectiveness of strategic power, the nature of progress, the value of freedom or the promises of national and cultural identity. As a result, political and intellectual debate about insecurity, violent conflict and global injustice can become hostage to a claustrophic structure of political and ethical possibility that systematically wards off critique.

### AT: Case Outweighs (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.

### AT: Specificity

#### Concludes ABOSLUTELY NEG – This is an article criticizing constructivists for abandoning grounding in *critical* theory and *interpretivist* methods.

#### Here’s the abstract:

Richard **PRICE** **AND** Christian **REUS-SMIT** **’98** “Dangerous Liaisons? Critical International

Theory and Constructivism” http://www.artsrn.ualberta.ca/courses/PoliticalScience/661B1/documents/PriceReusSmithCriticalInternatlTheoryConstructivism.pdf

The 1990s have seen the emergence of a new ‘constructivist’ approach to international theory and analysis. This article is concerned with the relationship between constructivism and critical international theory, broadly defined. Contrary to the claims of several prominent critical theorists of the Third Debate, we argue that constructivism has its intellectual roots in **critical social theory**, and that the constructivist project of conceptual elaboration and empirical analysis **need not violate** the principal epistemological, **methodological** or **normative tenets** of **critical international theory**. Furthermore, we contend that constructivism can make a **vital contribution** to the development of critical international theory, offering crucial insights into the **sociology** of **moral community** in world politics. The advent of constructivism should thus be seen as a positive development, one that not only enables critical theorists to mount a **more powerful challenge to the dominant rationalist theories,** but one that also promises to advance critical international theory itself.

#### We’ll concede this claim to prove that aff inclusivity is legitimate. Their own card says we should use *interpretative* methods that avoid *totalizing* claims instead of positivist *covering-law* methods. Intersubjective social construction and normative effects are in play. To quote from their conclusion:

Richard **PRICE** **AND** Christian **REUS-SMIT** **’98** “Dangerous Liaisons? Critical International

Theory and Constructivism” http://www.artsrn.ualberta.ca/courses/PoliticalScience/661B1/documents/PriceReusSmithCriticalInternatlTheoryConstructivism.pdf

Conclusion There are many constructivists, and thus perhaps many constructivisms. Our concern here has not been so much with the purity of categorizing a diverse array of scholars past and present, but to assess whether the empirically oriented scholarship of contemporary constructivists versed in Third Debate critical theory need violate key tenets of the critical project. We argue that it need not, and indeed that constructivist scholarship can help to realize the promises of critical theory. The rise of constructivism is often portrayed as a ‘turn’, and this is certainly the case for those who have embraced constructivism out of a dissatisfaction with their backgrounds in behavioralist traditions. But for the many constructivists self-consciously inspired by the promise of critical international theory, systematic empirical work involved not a turn but a logical continuation of Third Debate critical theory. This work has been of **singular importance,** clearly establishing, in a systematic and rigorous fashion, the **value of cultural and discursive analysis** in world politics. The initial charge that ‘reflectivists’ don’t do empirical work has gone by the wayside, and the charge that norms or discourses simply don’t matter is now made by only a small (if vocal) minority. The mainstream now often consists of engaged, interested and potentially friendly critics, who admonish constructivists for not being adequately attentive to their traditional concerns of variability, comparison and middlerange theory. Answering such challenges can only lead to the further strengthening of constructivist scholarship, and in turn to the enhanced development of critical international theory. All of this will inevitably produce tensions in the varieties of elaborations of the constructivist program and in responses to it — all the better for the discipline.

### Bacevich

#### Alt doomed to fail – militarism entrenched in the public and leaders at an unprecedentedly high level

Bacevich 13

[Andrew, professor of history and international relations (Boston University), Ph.D. in American Diplomatic History (Princeton), “The New American Militarism”, Oxford Press, Revised Edition]

Today as never before in their history Americans are enthralled with military power. The global military supremacy that the United States presently enjoys—and is bent on perpetuating—has become central to our national identity. More than America’s matchless material abundance or even the effusions of its pop culture, the nation’s arsenal of high-tech weaponry and the soldiers who employ that arsenal have come to signify who we are and what we stand for. When it comes to war, Americans have persuaded themselves that the United States possesses a peculiar genius. Writing in the spring of 2003, the journalist Gregg Easterbrook observed that “the extent of American military superiority has become almost impossible to overstate.” During Operation Iraqi Freedom, U.S. forces had shown beyond the shadow of a doubt that they were “the strongest the world has ever known, . . . stronger than the Wehrmacht in 1940, stronger than the legions at the height of Roman power.” Other nations trailed “so far behind they have no chance of catching up.”1 The commentator Max Boot scoffed at comparisons with the German army of World War II, hitherto “the gold standard of operational excellence.” In Iraq, American military performance had been such as to make “fabled generals such as Erwin Rommel and Heinz Guderian seem positively incompetent by comparison.”2 Easterbrook and Boot concurred on the central point: on the modern battlefield Americans had located an arena of human endeavor in which their flair for organizing and deploying technology offered an apparently decisive edge. As a consequence, the United States had (as many Americans have come to believe) become masters of all things military. Further, American political leaders have demonstrated their intention of tapping that mastery to reshape the world in accordance with American interests and American values. That the two are so closely intertwined as to be indistinguishable is, of course, a proposition to which the vast majority of Americans subscribe. Uniquely among the great powers in all of world history, ours (we insist) is an inherently values-based approach to policy. Furthermore, we have it on good authority that the ideals we espouse represent universal truths, valid for all times. American statesmen past and present have regularly affirmed that judgment. In doing so, they validate it and render it all but impervious to doubt. Whatever momentary setbacks the United States might encounter, whether a generation ago in Vietnam or more recently in Iraq, this certainty that American values are destined to prevail imbues U.S. policy with a distinctive grandeur. The preferred language of American statecraft is bold, ambitious, and confident. Reflecting such convictions, policymakers in Washington nurse (and the majority of citizens tacitly endorse) ever more grandiose expectations for how armed might can facilitate the inevitable triumph of those values. In that regard, George W. Bush’s vow that the United States will “rid the world of evil” both echoes and amplifies the large claims of his predecessors going at least as far back as Woodrow Wilson.3 Coming from Bush the warrior-president, the promise to make an end to evil is a promise to destroy, to demolish, and to obliterate it. One result of this belief that the fulfillment of America’s historic mission begins with America’s destruction of the old order has been to revive a phenomenon that C. Wright Mills in the early days of the Cold War described as a “military metaphysics”—a tendency to see international problems as military problems and to discount the likelihood of finding a solution except through military means.4 To state the matter bluntly, Americans in our own time have fallen prey to militarism, manifesting itself in a romanticized view of soldiers, a tendency to see military power as the truest measure of national greatness, and outsized expectations regarding the efficacy of force. To a degree without precedent in U.S. history, Americans have come to define the nation’s strength and well-being in terms of military preparedness, military action, and the fostering of (or nostalgia for) military ideals.5 Already in the 1990s America’s marriage of a militaristic cast of mind with utopian ends had established itself as the distinguishing element of contemporary U.S. policy. The Bush administration’s response to the horrors of 9/11 served to reaffirm that marriage, as it committed the United States to waging an open-ended war on a global scale. Events since, notably the alarms, excursions, and full-fledged campaigns comprising the Global War on Terror, have fortified and perhaps even sanctified this marriage. Regrettably, those events, in particular the successive invasions of Afghanistan and Iraq, advertised as important milestones along the road to ultimate victory, have further dulled the average American’s ability to grasp the significance of this union, which does not serve our interests and may yet prove our undoing.