## 1NC – Case

#### Preventing death is the first ethical priority – it’s the only impact you can’t recover from.

Bauman 95 Zygmunt Bauman, University of Leeds Professor Emeritus of Sociology, 1995, Life In Fragments: Essays In Postmodern Morality, p. 66-71

The being‑for is like living towards‑the‑future: a being filled with anticipation, a being aware of the abyss between future foretold and future that will eventually be; it is this gap which, like a magnet, draws the self towards the Other,as it draws life towards the future, making life into an activity of overcoming, transcending, leaving behind. The self stretches towards the Other, as life stretches towards the future; neither can grasp what it stretches toward, but it is in this hopeful and desperate, never conclusive and never abandoned stretching‑toward that the self is ever anew created and life ever anew lived. In the words of M. M. Bakhtin, it is only in this not‑yet accomplished world of anticipation and trial, leaning toward stubbornly an‑other Other, that life can be lived ‑ not in the world of the `events that occurred'; in the latter world, `it is impossible to live, to act responsibly; in it, I am not needed, in principle I am not there at all." Art, the Other, the future: what unites them, what makes them into three words vainly trying to grasp the same mystery, is the modality of possibility. A curious modality, at home neither in ontology nor epistemology; itself, like that which it tries to catch in its net, `always outside', forever `otherwise than being'. The possibility we are talking about here is not the all‑too‑familiar unsure‑of‑itself, and through that uncertainty flawed, inferior and incomplete being, disdainfully dismissed by triumphant existence as `mere possibility', `just a possibility'; possibility is instead `plus que la reahte' ‑ both the origin and the foundation of being. The hope, says Blanchot, proclaims the possibility of that which evades the possible; `in its limit, this is the hope of the bond recaptured where it is now lost."' The hope is always the hope of *being fu filled,* but what keeps the hope alive and so keeps the being open and on the move is precisely its *unfu filment.* One may say that the paradox *of hope* (and the paradox of possibility founded in hope) is that it may pursue its destination solely through betraying its nature; the most exuberant of energies expends itself in the urge towards rest. Possibility uses up its openness in search of closure. Its image of the better being is its own impoverishment . . . The togetherness of the being‑for is cut out of the same block; it shares in the paradoxical lot of all possibility. It lasts as long as it is unfulfilled, yet it uses itself up in never ending effort of fulfilment, of recapturing the bond, making it tight and immune to all future temptations. In an important, perhaps decisive sense, it is selfdestructive and self‑defeating: its triumph is its death. The Other, like restless and unpredictable art, like the future itself, is a *mystery.* And being‑for‑the‑Other, going towards the Other through the twisted and rocky gorge of affection, brings that mystery into view ‑ makes it into a challenge. That mystery is what has triggered the sentiment in the first place ‑ but cracking that mystery is what the resulting movement is about. The mystery must be unpacked so that the being‑for may focus on the Other: one needs to know what to focus on. (The `demand' is *unspoken,* the responsibility undertaken is *unconditional;* it is up to him or her who follows the demand and takes up the responsibility to decide what the following of that demand and carrying out of that responsibility means in practical terms.) Mystery ‑ noted Max Frisch ‑ (and the Other is a mystery), is an exciting puzzle, but one tends to get tired of that excitement. `And so one creates for oneself an image. This is a loveless act, the betrayal." Creating an image of the Other leads to the substitution of the image for the Other; the Other is now fixed ‑ soothingly and comfortingly. There is nothing to be excited about anymore. I know what the Other needs, I know where my responsibility starts and ends. Whatever the Other may now do will be taken down and used against him. What used to be received as an exciting surprise now looks more like perversion; what used to be adored as exhilarating creativity now feels like wicked levity. Thanatos has taken over from Eros, and the excitement of the ungraspable turned into the dullness and tedium of the grasped. But, as Gyorgy Lukacs observed, `everything one person may know about another is only expectation, only potentiality, only wish or fear, acquiring reality only as a result of what happens later, and this reality, too, dissolves straightaway into potentialities'. Only death, with its finality and irreversibility, puts an end to the musical‑chairs game of the real and the potential ‑ it once and for all closes the embrace of togetherness which was before invitingly open and tempted the lonely self." `Creating an image' is the dress rehearsal of that death. But creating an image is the inner urge, the constant temptation, the *must* of all affection . . . It is the loneliness of being abandoned to an unresolvable ambivalence and an unanchored and formless sentiment which sets in motion the togetherness of being‑for. But what loneliness seeks in togetherness is an end to its present condition ‑ an end to itself. Without knowing ‑ without being capable of knowing ‑ that the hope to replace the vexing loneliness with togetherness is founded solely on its own unfulfilment, and that once loneliness is no more, the togetherness ( the being‑for togetherness) must also collapse, as it cannot survive its own completion. What the loneliness seeks in togetherness (suicidally for its own cravings) is the foreclosing and pre‑empting of the future, cancelling the future before it comes, robbing it of mystery but also of the possibility with which it is pregnant. Unknowingly yet necessarily, it seeks it all to its own detriment, since the success (if there is a success) may only bring it back to where it started and to the condition which prompted it to start on the journey in the first place. The togetherness of being‑for is always in the future, and nowhere else. It is no more once the self proclaims: `I have arrived', `I have done it', `I fulfilled my duty.' The being‑for starts from the realization of the bottomlessness of the task, and ends with the declaration that the infinity has been exhausted. This is the tragedy of being‑for ‑ the reason why it cannot but be death‑bound while simultaneously remaining an undying attraction. In this tragedy, there are many happy moments, but no happy end. Death is always the foreclosure of possibilities, and it comes eventually in its own time, even if not brought forward by the impatience of love. The catch is to direct the affection to staving off the end, and to do this against the affection's nature. What follows is that, if moral relationship is grounded in the being-for togetherness (as it is), then it can exist as a project, and guide the self's conduct only as long as its nature of a project (a not yet-completed project) is not denied. Morality, like the future itself, is forever not‑yet. (And this is why the ethical code, any ethical code, the more so the more perfect it is by its own standards, supports morality the way the rope supports the hanged man.) It is because of our loneliness that we crave togetherness. It is because of our loneliness that we open up to the Other and allow the Other to open up to us. It is because of our loneliness (which is only belied, not overcome, by the hubbub of the being‑with) that we turn into moral selves. And it is only through allowing the togetherness its possibilities which only the future can disclose that we stand a chance of acting morally, and sometimes even of being good, in the present.

#### No endless intervention

David Mathieson and, Associate Fellow at FRIDE. He holds a doctorate from the University of London, Richard Youngs 6, Co-ordinator of the Democratisation programme at FRIDE, and lecturer at the University of Warwick, “Democracy Promotion and the European Left: Ambivalence Confused?”, December, working paper 29 at FRIDE

Equally important, leftist analysts and politicians on the other (pro-Iraq invasion) side of the debate must also de-link their views on Iraq from the broader democracy agenda. A fixation with justifying the Iraq invasion from a progressive point of view is also in danger of obscuring a clearer vision on more proactive democracy promotion.29 This ‘democracy by force’ debate is a diversion. One analyst points out that this debate has dragged the European left into rallying forcefully behind the ‘imperialism’ judged to lie behind a small number of interventions, but to ignore the far larger number of cases around the world where the West has by its inaction and silence been complicit with autocracy.30 There is no prospect of a far-reaching ‘doctrine of democratic intervention’. Debate at the multilateral level has long settled on the view that an absence of democracy cannot in itself justify military intervention in a particular country. At least for the present, no state appears likely to challenge this. The morality of military intervention is of course a crucial issue for international ethics; but, the core business of democracy promotion is essentially about civilian strategies. It is here where the left must engage and have something more creative and productive to say. More than any other foreign policy issue of modern times, Iraq has split the European left. Some important points have been made, not least those around the validity of international law and the efficacy of using armies for regime change. But the debate has also been damaging and confused. When not actively disagreeing with each other some on the left have appeared simply to be talking at cross-purposes. Tony Blair’s speeches abound with references linking democracy with firmness whilst Zapatero constantly stresses the need for democracy through non-prescriptive dialogue. The European left risks regressing to an unsatisfactory binary distinction between ‘intervention’ and ‘doing nothing’ in non-democratic countries. Ironically, while it lambasts US military power, the left itself appears to have slid back towards a Westphalian view of international relations, reversing the evolution in its own internal debates during the 1990s.

#### Structural violence is caused by war

Bulloch 8 Millennium - Journal of International Studies May 2008 *vol. 36 no. 3 575-595* Douglas Bulloch, IR Department, London School of Economics and Political Science. He is currently completing his PhD in International Relations at the London School of Economics, during which time he spent a year editing Millennium: Journal of International Studies

 But the idea that poverty and peace are directly related presupposes that wealth inequalities are – in and of themselves – unjust, and that the solution to the problem of war is to alleviate the injustice that inspires conflict, namely poverty. However, it also suggests that poverty is a legitimate inspiration for violence, otherwise there would be no reason to alleviate it in the interests of peace. It has become such a commonplace to suggest that poverty and conflict are linked that it rarely suffers any examination. To suggest that war causes poverty is to utter an obvious truth, but to suggest the opposite is – on reflection – quite hard to believe. War is an expensive business in the twenty-first century, even asymmetrically. And just to examine Bangladesh for a moment is enough at least to raise the question concerning the actual connection between peace and poverty. The government of Bangladesh is a threat only to itself, and despite 30 years of the Grameen Bank, Bangladesh remains in a state of incipient civil strife. So although Muhammad Yunus should be applauded for his work in demonstrating the efficacy of micro-credit strategies in a context of development, it is not at all clear that this has anything to do with resolving the social and political crisis in Bangladesh, nor is it clear that this has anything to do with resolving the problem of peace and war in our times. It does speak to the Western liberal mindset – as Geir Lundestad acknowledges – but then perhaps this exposes the extent to which the Peace Prize itself has simply become an award that reflects a degree of Western liberal wish-fulfilment. It is perhaps comforting to believe that poverty causes violence, as it serves to endorse a particular kind of concern for the developing world that in turn regards all problems as fundamentally economic rather than deeply – and potentially radically – political.

#### Literature and psychological bias runs towards threat deflation—we are the opposite of paranoid

Schweller 4 —Associate Professor in the Department of Political Science at Ohio State University [Randall L. Schweller, “Unanswered Threats a Neoclassical Realist Theory of Underbalancing,” *International Security*, 29.2 (2004) 159-201, Muse]

Despite the historical frequency of underbalancing, little has been written on the subject. Indeed, Geoffrey Blainey's memorable observation that for "every thousand pages published on the causes of wars there is less than one page directly on the causes of peace" could have been made with equal veracity about overreactions to threats as opposed to underreactions to them.92 Library shelves are filled with books on the causes and dangers of exaggerating threats, ranging from studies of domestic politics to bureaucratic politics, to political psychology, to organization theory. By comparison, there have been few studies at any level of analysis or from any theoretical perspective that directly explain why states have with some, if not equal, regularity underestimated dangers to their survival. There may be some cognitive or normative bias at work here. Consider, for instance, that there is a commonly used word, paranoia, for the unwarranted fear that people are, in some way, "out to get you" or are planning to do oneharm. I suspect that just as many people are afflicted with the opposite psychosis: the delusion that everyone loves you when, in fact, they do not even like you. Yet, we do not have a familiar word for this phenomenon. Indeed, I am unaware of any word that describes this pathology (hubris and overconfidence come close, but they plainly define something other than what I have described). That noted, international relations theory does have a frequently used phrase for the pathology of states' underestimation of threats to their survival, the so-called Munich analogy. The term is used, however, in a disparaging way by theorists to ridicule those who employ it. The central claim is that the naïveté associated with Munich and the outbreak of World War II has become an overused and inappropriate analogy because few leaders are as evil and unappeasable as Adolf Hitler. Thus, the analogy either mistakenly causes leaders [End Page 198] to adopt hawkish and overly competitive policies or is deliberately used by leaders to justify such policies and mislead the public. A more compelling explanation for the paucity of studies on underreactions to threats, however, is the tendency of theories to reflect contemporary issues as well as the desire of theorists and journals to provide society with policy- relevant theories that may help resolve or manage urgent security problems. Thus, born in the atomic age with its new balance of terror and an ongoing Cold War, the field of security studies has naturally produced theories of and prescriptions for national security that have had little to say about—and are, in fact, heavily biased against warnings of—the dangers of underreacting to or underestimating threats. After all, the nuclear revolution was not about overkill but, as Thomas Schelling pointed out, speed of kill and mutual kill.93 Given the apocalyptic consequences of miscalculation, accidents, or inadvertent nuclear war, small wonder that theorists were more concerned about overreacting to threats than underresponding to them. At a time when all of humankind could be wiped out in less than twenty-five minutes, theorists may be excused for stressing the benefits of caution under conditions of uncertainty and erring on the side of inferring from ambiguous actions overly benign assessments of the opponent's intentions. The overwhelming fear was that a crisis "might unleash forces of an essentially military nature that overwhelm the political process and bring on a war thatnobody wants. Many important conclusions about the risk of nuclear war, and thus about the political meaning of nuclear forces, rest on this fundamental idea."94 Now that the Cold War is over, we can begin to redress these biases in the literature. In that spirit, I have offered a domestic politics model to explain why threatened states often fail to adjust in a prudent and coherent way to dangerous changes in their strategic environment. The model fits nicely with recent realist studies on imperial under- and overstretch. Specifically, it is consistent with Fareed Zakaria's analysis of U.S. foreign policy from 1865 to 1889, when, he claims, the United States had the national power and opportunity to expand but failed to do so because it lacked sufficient state power (i.e., the state was weak relative to society).95 Zakaria claims that the United States did [End Page 199] not take advantage of opportunities in its environment to expand because it lacked the institutional state strength to harness resources from society that were needed to do so. I am making a similar argument with respect to balancing rather than expansion: incoherent, fragmented states are unwilling and unable to balance against potentially dangerous threats because elites view the domestic risks as too high, and they are unable to mobilize the required resources from a divided society. The arguments presented here also suggest that elite fragmentation and disagreement within a competitive political process, which Jack Snyder cites as an explanation for overexpansionist policies, are more likely to produce underbalancing than overbalancing behavior among threatened incoherent states.96 This is because a balancing strategy carries certain political costs and risks with few, if any, compensating short-term political gains, and because the strategic environment is always somewhat uncertain. Consequently, logrolling among fragmented elites within threatened states is more likely to generate overly cautious responses to threats than overreactions to them. This dynamic captures the underreaction of democratic states to the rise of Nazi Germany during the interwar period.97 In addition to elite fragmentation, I have suggested some basic domestic-level variables that regularly intervene to thwart balance of power predictions.

#### Your security K is just a bunch of non-falsifiable conspiracy theories – they cherry-pick examples – this turns their methodology arguments

Marijke Breuning (professor of political science at the University of North Texas) December 2009 “Thinking Critically About Security Studies” International Studies Review Volume 11, Issue 4, Pages 792-794

In their zeal to critique conspicuous consumption and the American love affair with the SUV, Simon Dalby and Matthew Paterson resort to the familiar argument that the Dutch consume less oil because they choose "to walk, ride bicycles, or take the train" (p. 184). They forget to mention that this is an easy choice in a very densely populated country with public transportation plentiful in most locations, whereas gas is pricey and parking expensive (and difficult to find)—just as public transportation is preferred by many in New York City but generally not an option for residents of the many small towns of the American Midwest. These examples are typical of the interpretations offered in the volume's chapters. Greater reflection on initial judgments might have enabled the authors to arrive at deeper insights. Finally, there is the issue of assumptions. The contributors share a conviction that their perceptions are on target. There is no serious consideration of alternative explanations. Moreover, the explanations tend to attribute a unity of purpose to decisions made by disparate entities (e.g., government, business, and media) and occasionally resemble conspiracy theories. For instance, Marie Thorsten implies that TV shows such as 24 are designed to facilitate citizens' acceptance of the Bush administration's position that torture was both effective and acceptable. She does not consider the possibility that such shows may also turn people against such tactics or that they simply may have little impact because viewers understand them to be fictional entertainment. She also does not consider that the appearance of this show may have been a lucky happenstance for its creator, not something done by design and collusion. Ultimately, critical security studies as presented in this volume is remarkably uncritical. Careful investigation and considered judgment is replaced with the affirmation of foregone conclusions. More is required to successfully address contemporary security challenges.

#### Criticizing Western “colonialism” obscures more insidious practices by the orient

Shaw 2 – Sussex IR Professor (Martin, The Problem of the Quasi-Imperial State, www.martinshaw.org/empire.htm)

Nor have many considered the possibility that if the concept of imperialism has a relevance today, it applies to certain aggressive, authoritarian regimes of the non-Western world rather than to the contemporary West. In this paper I fully accept that there is a concentration of much world power - economic, cultural, political and military - in the hands of Western elites. In my recent book, Theory of the Global State, I discuss the development of a 'global-Western state conglomerate' (Shaw 2000). I argue that 'global' ideas and institutions, whose significance characterizes the new political era that has opened with the end of the Cold War, depend largely - but not solely - on Western power. I hold no brief and intend no apology for official Western ideas and behaviour. And yet I propose that the idea of a new imperialism is a profoundly misleading, indeed ideological concept that obscures the realities of power and especially of empire in the twenty-first century. This notion is an obstacle to understanding the significance, extent and limits of contemporary Western power. It simultaneously serves to obscure many real causes of oppression, suffering and struggle for transformation against the quasi-imperial power of many regional states. I argue that in the global era, this separation has finally become critical. This is for two related reasons. On the one hand, Western power has moved into new territory, largely uncharted -- and I argue unchartable -- with the critical tools of anti-imperialism. On the other hand, the politics of empire remain all too real, in classic forms that recall both modern imperialism and earlier empires, in many non-Western states, and they are revived in many political struggles today. Thus the concept of a 'new imperialism' fails to deal with both key post-imperial features of Western power and the quasi-imperial character of many non-Western states. The concept overstates Western power and understates the dangers posed by other, more authoritarian and imperial centres of power. Politically it identifies the West as the principal enemy of the world's people, when for many of them there are far more real and dangerous enemies closer to.

#### Structural violence prevents tyranny and annihilation.

**Mushkat ’94** (Marian, Fellow – World Academy of Art and Science, International Problems, “Peace Research in the Post Cold War Era”, 33:12, p. 42-43)

Many claim that the use of the term "structural violence" rather than class, party, elite dominance, mass exploitation, political subjection by sociologists, political scientists, lawyers, liberal marxists and adherents of other trends, is an additional evidence of imprecision and ambiguity. At the moment, there are no ideal social structures which do not require vigilance and coercive measures to combat crime. Structural violence, which uses such means to uphold law and order, established in a democratic way, is therefore a social necessity.24 If this view is interpreted to justify opposition to regimes that are despotic, totalitarian, illegitimate or deadly, like those of Hitler, Stalin or Amin Dada, then the classification of their evils in the same dimension as mass' extermination wars may be understandable. However, some peace researchers prefer to generalise against the use of force for any purpose. This leads to negation of the use of force even to protect justice and democracy, and the right of nations to defend themselves against tyranny, subjugation and annihilation.25 In the transitional post "cold war" era, and in consideration of the rebirth of Nazi and fascist tendencies in post-totalitarian regimes - modern peace research seems to act thoughtfully, drawing from the classical sources of the humanitarian doctrines and principles and the national liberation movements as wel1.26

#### Patriarchy doesn't explain war.

**Levy ’98** (Jack, Prof. Pol. Sci. – Rutgers, Senior Associate – Saltzman Institute of War and Peace Studies, and Past President – International Studies Association, Annual Review of Political Science, “The Causes of War and the Conditions of Peace”, 1:139-165)

Another exception to the focus on variations in war and peace can be found in some feminist theorizing about the outbreak of war, although most feminist work on war focuses on the consequences of war, particularly for women, rather than on the outbreak of war (Elshtain 1987, Enloe 1990, Peterson 1992, Tickner 1992, Sylvester 1994). The argument is that the gendered nature of states, cultures, and the world system contributes to the persistence of war in world politics. This might provide an alternative (or supplement) to anarchy as an answer to the first question of why violence and war repeatedly occur in international politics, although the fact that peace is more common than war makes it difficult to argue that patriarchy (or anarchy) causes war. Theories of patriarchy might also help answer the second question of variations in war and peace, if they identified differences in the patriarchal structures and gender relations in different international and domestic political systems in different historical contexts, and if they incorporated these differences into empirically testable hypotheses about the outbreak of war. This is a promising research agenda, and one that has engaged some anthropologists. Most current feminist thinking in political science about the outbreak of war, however, treats gendered systems and patriarchal structures in the same way that neorealists treat anarchy—as a constant—and consequently it cannot explain variations in war and peace.

#### Threats real and not constructed—rational risk assessment goes neg

Knudsen 1– PoliSci Professor at Sodertorn (Olav, Post-Copenhagen Security Studies, Security Dialogue 32:3)

Moreover, I have a problem with the underlying implication that it is unimportant whether states 'really' face dangers from other states or groups. In the Copenhagen school, threats are seen as coming mainly from the actors' own fears, or from what happens when the fears of individuals turn into paranoid political action. In my view, this emphasis on the subjective is a misleading conception of threat, in that it discounts an independent existence for what- ever is perceived as a threat. Granted, political life is often marked by misperceptions, mistakes, pure imaginations, ghosts, or mirages, but such phenomena do not occur simultaneously to large numbers of politicians, and hardly most of the time. During the Cold War, threats - in the sense of plausible possibilities of danger - referred to 'real' phenomena, and they refer to 'real' phenomena now. The objects referred to are often not the same, but that is a different matter. Threats have to be dealt with both ín terms of perceptions and in terms of the phenomena which are perceived to be threatening. The point of Waever’s concept of security is not the potential existence of danger somewhere but the use of the word itself by political elites. In his 1997 PhD dissertation, he writes, ’One can View “security” as that which is in language theory called a speech act: it is not interesting as a sign referring to something more real - it is the utterance itself that is the act.’24 The deliberate disregard of objective factors is even more explicitly stated in Buzan & WaeVer’s joint article of the same year.” As a consequence, the phenomenon of threat is reduced to a matter of pure domestic politics.” It seems to me that the security dilemma, as a central notion in security studies, then loses its foundation. Yet I see that Waever himself has no compunction about referring to the security dilemma in a recent article." This discounting of the objective aspect of threats shifts security studies to insignificant concerns. What has long made 'threats' and ’threat perceptions’ important phenomena in the study of IR is the implication that urgent action may be required. Urgency, of course, is where Waever first began his argument in favor of an alternative security conception, because a convincing sense of urgency has been the chief culprit behind the abuse of 'security' and the consequent ’politics of panic', as Waever aptly calls it.” Now, here - in the case of urgency - another baby is thrown out with the Waeverian bathwater. When real situations of urgency arise, those situations are challenges to democracy; they are actually at the core of the problematic arising with the process of making security policy in parliamentary democracy. But in Waever’s world, threats are merely more or less persuasive, and the claim of urgency is just another argument. I hold that instead of 'abolishing' threatening phenomena ’out there’ by reconceptualizing them, as Waever does, we should continue paying attention to them, because situations with a credible claim to urgency will keep coming back and then we need to know more about how they work in the interrelations of groups and states (such as civil wars, for instance), not least to find adequate democratic procedures for dealing with them.

#### Evolution drives intergroup violence

**Wrangham ’99** (Richard, Prof. Anthro. – Harvard, YEARBOOK OF PHYSICAL ANTHROPOLOGY, “Evolution of Coalitionary Killing”, 42:1-30, http://www.webster.edu/religion-violence/Readings/WrangamCoalitionaryKillingEvolution.pdf)

Warfare has traditionally been considered unique to humans. It has, therefore, often been explained as deriving from features that are unique to humans, such as the possession of weapons or the adoption of a patriarchal ideology. Mounting evidence suggests, however, that coalitional killing of adults in neighboring groups also occurs regularly in other species, including wolves and chimpanzees. This implies that selection can favor components of intergroup aggression important to human warfare, including lethal raiding. Here I present the principal adaptive hypothesis for explaining the species distribution of intergroup coalitional killing. This is the ‘‘imbalanceof- power hypothesis,’’ which suggests that coalitional killing is the expression of a drive for dominance over neighbors. Two conditions are proposed to be both necessary and sufficient to account for coalitional killing of neighbors: (1) a state of intergroup hostility; (2) sufficient imbalances of power between parties that one party can attack the other with impunity. Under these conditions, it is suggested, selection favors the tendency to hunt and kill rivals when the costs are sufficiently low. The imbalance-of-power hypothesis has been criticized on a variety of empirical and theoretical grounds which are discussed. To be further tested, studies of the proximate determinants of aggression are needed. However, current evidence supports the hypothesis that selection has favored a hunt-and-kill propensity in chimpanzees and humans, and that coalitional killing has a long history in the evolution of both species.

#### Commitment to justice demands a willingness to use military force. There is no possibility of transcending violence in the human condition.

**Schall ‘4** (James V., Prof. Gov. – Georgetown U., Policy Review, “When War Must Be The Answer”, December ‘4/January ‘5, http://www.hoover.org/publications/policyreview/3432296.html)

A calm and reasonable case can and should be made for the possession and effective use of force in today’s world. It is irresponsible not to plan for the necessity of force in the face of real turmoils and enemies actually present in the world. No talk of peace, justice, truth, or virtue is complete without a clear understanding that certain individuals, movements, and nations must be met with measured force, however much we might prefer to deal with them peacefully or pleasantly. Without force, many will not talk seriously at all, and some not even then. Human, moral, and economic problems are greater today for the lack of adequate military force or, more often, for the failure to use it when necessary. This view goes against a certain rhetorical grain, but it is a fact that needs attention and comprehension. We are not in some new world-historic age in which we can bypass these “outmoded” instruments of power, however rhetorically fine it may be to talk that way. Human nature has not changed, neither for better nor for worse. Human institutions, whether national or international, have not so improved that they themselves cannot be threats to the human good. Who watches the watchdogs remains a fundamental, if not the fundamental, question of the human condition. It is an issue with philosophical, theological, and political dimensions. This is a counter-cultural position. It goes against much articulate liberal and religious sentiment. Yet I consider these often ungrounded sentiments about abolishing war to be themselves part of the problem of war’s dangers. General Douglas MacArthur’s tomb is in the old city hall in Norfolk, Virginia. I recently visited it. On the wall above his grave is a plaque with the memorable and eloquent words that this military commander spoke on the occasion of the Japanese surrender in 1945: It is my earnest hope and indeed the hope of all mankind that from this solemn occasion a better world shall emerge out of the blood and carnage of the past — a world founded upon faith and understanding — a world dedicated to the dignity of man and the fulfillment of his most cherished wish, for freedom, tolerance, and justice. . . . We have had our last chance. If we do not now devise some greater and more equitable system, Armageddon will be at our door. The problem is basically theological, and involves a spiritual recrudescence and improvement of human character that will synchronize with our almost matchless advances in science, art, and literature, and all material and cultural developments in the past two thousand years. It must be of the spirit if we are to save the flesh. On reading these words, I was struck by how much they now appear to me to be part of the problem, not the solution, as I once thought. “Justice, brains, and strength” We thought that we had founded a system to prevent wars, especially small ones, in addressing theological and spiritual problems. MacArthur seemed to assume that such a perfect system could be established. But in this he was something of a utopian, not a realist. Since he spoke these words some 60 years ago, we have seen thousands of wars of varying degrees. The spirit and means whereby we believed many small wars could be stopped — the work of converting the whole world to a better “system”— actually resulted in little being done when needed on a scale that would be effective, often a small scale. My argument derives from Jacques Maritain’s assertion that “justice, brains, and strength” can and should belong together.2 We need not collapse before tyranny or terrorism or those who sponsor either, but we must effectively do something about them. “Peace and dialogue” do not work in the absence of a force component. The more the reality of measured force is present, the more dialogue and peaceful means — including religious means — are present. In practice, this “doing” peace must include adequate and intelligent force. The intense concern that weapons of mass destruction not fall into the hands of Muslim or other leaders is not fanciful. Every holiday since 9/11, some email comes, warning of the possible use of “dirty bombs” in some American or world city. That they have not been used, I suspect, is more because those who would use them have actually been prevented by force. Units that would blow up major installations, if they could, do exist. All they lack are delivery capabilities. Further, I argue that our main problems are not too much force, but too little. A peaceful world is not a world with no ready forces but one with adequate, responsible, and superior force that is used when necessary. The failure to have or use such forces causes terror and war to grow exponentially. Unused force, when needed at a particular time and place, ceases to be force. But force is meaningless if one does not know that he has an enemy or how this enemy works and thinks. That latter is a spiritual and philosophical problem, not a technical one. Many an adequately armed country has been destroyed because it did not recognize its real enemy. Nor is this an argument for force “for force’s sake.” It is an argument for force for justice’s sake. I am not for “eternal peace,” which is a this-worldly myth, but for real peace of actual men in an actual and fallen world. Peace is not a goal, but a consequence of doing what is right and preventing what is wrong and, yes, knowing the difference between the two. Justice and force require one another in the actual world. Too often they are placed in opposition in a way that renders both unbalanced and ineffective. It is not a virtue to praise justice as if it need not be actually enforced or defended. The greatest crimes usually are grounded in a utopianism that is blind to living men, that does not see how to limit and control disruptive forces that continually arise in human life. Though I argue mainly about military force, the same argument includes police power. These are not substitutes for the virtue of justice, but this difficult virtue relies also on the existence and proper use of force for its existence. Contrary to much rhetoric, we do not live in a world in which diplomacy, dialogue, diversity, and law, however valuable, have replaced force. We can hopefully reach an adequate public order, but the failure to understand that law and dialogue need the presence of reasoned force ends up creating not more peace but less.

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#### In fact it’s a NEG CARD – their ev concedes that the WPR original purpose was to constrain – its just failed – proves our arg.

**Fisher and Adler 13** [Louis Fisher and David Gray Adler, “The War Powers Resolution: Time to Say Goodbye,” Political Science Quarterly, February 15, 2013, Wiley Online, p. 16-17] KR

The War Powers Resolution has failed to achieve the basic purpose announced in Section 2(a): “to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and

#### They don’t limit authority, the CONGRESS has War powers authority

COLUMBIA JOURNAL OF TRANSNATIONAL LAW 2 [REPORT: THE LEGALITY AND CONSTITUTIONALITY OF THE PRESIDENT's AUTHORITY TO INITIATE AN INVASION OF IRAQ, 2002, 41 Colum. J. Transnat'l L. 15]

C. Arguments for Executive Authority to Initiate War

Some writers have argued that the Founders reserved for the President the power to initiate wars and gave Congress the power merely to ratify them, i.e., decide the legal status of the conflict initiated by the President. n17 These writers deny the authority expressly granted to Congress under the Constitution and argue in support of the President's authority to undertake unilateral action by positing that the President has the "inherent executive authority" to initiate wars, as Commander-in-Chief under Article II, Section 2 n18 and as part of his generic powers as President. n19 This argument, if [\*22] accepted, gives the President wide-ranging powers to use force—not just to repel a sudden attack but also to initiate full-scale offensives as part of the war against terrorism. n20 According to this view, Congress has also waived its authority over the years by acquiescing to numerous wars initiated by the President. n21

These arguments deny or miscast the plain text of the Constitution granting Congress the sole authority to declare war. Conversely, no text gives the President the discretion to deploy U.S. forces without Congressional approval in the absence of a sudden danger to national security, not even for the "moral" reasons or concerns of "emerging" threats cited by the Administration. n22

Advocates of unilateral executive authority over war powers also claim to bring an originalist understanding to the War powers clause that contradicts both the text and the clear (originalist) evidence that the Founders wished to prevent the President from having strong war powers. n23 Advocates of inherent executive authority to initiate wars argue that the American conception of executive war powers was largely shaped by Britain, even though the colonies revolted from Britain in part, as a reaction to the excess of [\*23] British executive power they had experienced. n24 The President's role as Commander-in-Chief emphasizes civilian control over the military and, absent an immediate threat to the nation requiring defense, only gives him the power to execute Congress' decision to commence a war. n25 Many Founders believed war declarations were simply not an executive function. n26

#### Best case it’s a CIC power which they cant restrict – those are constitutionally garunteed

Paulsen 9—Chair and Professor of Law @ University of St. Thomas [Michael Stokes Paulsen, “The War Power,” University of St. Thomas School of Law, Legal Studies Research Paper No. 09-23, 2009]

Congress, and not the President, thus possesses the constitutional power to declare war or not to declare war. This means that Congress, and not the President, has the constitutional power to initiate war. The Commander in Chief Clause power of the President is (as I discuss below) a formidable, fearful and plenary constitutional power of military command. But it does not include a power to declare war on another nation, entity, or group. The President may not—at least not constitutionally—launch a war all on his own. That power belongs to Congress.

Now this proposition is a bit controversial within a Federalist Society audience. But it ought not be. I submit that this is simply the proper understanding of the text—the original public meaning of the words of the Constitution. It is that understanding that should control constitutional practice—not policy, precedent, pragmatism or anything else.5 And the original meaning of the word “declare” as used in this context—that is, as applied to the power “to declare War”—was to initiate by word or action a legal condition of war.6 pg. 3

#### Reasonability is impossible—it’s arbitrary and undermines research and preparation

Resnick 1—Assistant professor of political science— Yeshiva University [Evan Resnick, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2]

In matters of national security, establishing a clear definition of terms is a precondition for effective policymaking. Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk alienating their constituencies. They also risk exacerbating misperceptions and hostility among those the policies target. Scholars who commit the same error undercut their ability to conduct valuable empirical research. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

### 2NC – Framing

#### 160 years of data prove – NO instance constraints worked

**Kelly 93** – Judge Advocate General's Corps @ US Army [Major Michael P. Kelly (JD from University of California-Davis (87) and Graduate of The Judge Advocate General's School (92), “Fixing The War Powers,” Military Law Review, 141 Mil. L. Rev. 83, Summer 1993

Historically, exercise of the war powers has fluctuated depending on the relative strengths of the political branches at that time. Power in the war powers arena generally has flowed unidirectionally to the President. When courts abdicate their judicial review¶ function, the only two mechanisms which cause governmental¶ powers to fluctuate are legislative enactments3 00 and practices which rise to the level of legislative or constitutional facts.3 01 Given these two mechanisms and the absence of any textual delineation of¶ the war powers, the President frequently has been able to overpower the Congress in the war powers arena.3 o2 The very essence of the executive's role in government is to act with dispatch; legislative enactments take time and require a consensus.

Presidents began encroaching on Congress's powers by acting pursuant to alleged constitutional authority based on a variety of theories. Over a period of approximately 160 years, presidents gradually¶ and methodically captured the war powers through practice.¶ Congress eventually revolted by enacting the WPR, but nearly all¶ presidents have considered the contest settled and victory theirs. From a constitutional perspective, the presidents are incorrect, but not a single court has attempted to liberate Congress by taking on this "political" challenge. 30 3 pg. 145

#### Their evidence overstates congress’s ability to constraint the president

Kelly 93—Judge Advocate General's Corps @ US Army [Major Michael P. Kelly (JD from University of California-Davis (87) and Graduate of The Judge Advocate General's School (92), “Fixing The War Powers,” Military Law Review, 141 Mil. L. Rev. 83, Summer 1993

(c) Congressional Enforcement of the WPR.-If Congress really meant to regain a meaningful role in the war powers arena, its reluctance to invoke and enforce the WPR has not been indicative of such a resolve. Although Congress intended the WPR to be largely automatic and "to control presidential discretion in the event Congress lacked the backbone to do So, "76 Congress has not met aggressive presidential avoidance with a determined response, at least as an institution. Congress's political will toward sharing the war powers apparently has been grossly overestimated. Fundamentally, Congress overestimated its institutional capabilities with regard to the war powers.77 The WPR resulted from singularly unique historical forces that provided Congress with the resolve to reassert its war powers. However, today's Congress appears institutionally incapable of sharing the war powers to the extent envisioned by the framers. 78 pg. 97

## Kritik

### 2NC – Overview

#### Being is impossible without security.

**Elshtain ‘2** (Jean Bethke, Prof. Social and Politics Ethics – U. Chicago, and Chair in Foundations of American Freedom – Georgetown U., Common Knowledge, “LUTHER’S LAMB: When and How to Fight a Just War”, 8:2, Highwire)

The ordinary civic peace that terrorist violence disrupts and attempts to destroy offers intimations of eschatological peace; it is a good to be cherished and not to make light of. It is a good we charge our public officials with maintaining. If we live from day to day in fear of deadly attack, the other goods we cherish become more difficult. Human beings are fragile, soft-shelled creatures. **We cannot reveal the fullness of our being, including our deep sociality, if airplanes are flying into buildings and cities become piles of rubble composed in part of the mangled bodies of victims.** We can neither take this civic peace for granted— as we have learned so shockingly—nor shake off our responsibility for helping to respect and to promote the norms and rules whose enforcement is constitutive of civic peace. Augustine taught us that we should not spurn worldly vocations, including the tragic vocation of the judge—tragic, because he or she can never know with absolute certainty whether punishment is being meted out to the guilty and not the innocent. But we depend on judges and others to uphold a world of responsibility, a world in which people are not permitted to “devour one another like fishes,” in Augustine’s pithy phrase. Public officials are charged with protecting a people. As those extraordinary firemen in New York City said, simply: “It’s my job.” The same holds for our military: it is their job, and it is our sons and daughters who do it. Another vital dimension of the just-war tradition is to limit—by its sanctioning a rightfully constituted military—all freelance, opportunistic, and individualistic violence. Responding justly to injustice is a tall order, for it means that it is better to risk the lives of one’s own combatants than to intentionally kill “enemy” noncombatants. It is often difficult to separate combatants from noncombatants, but try one must. The restraints internal to the just-war tradition encode the notion of limits to the use of force. Many of these rules and stipulations have been incorporated into international agreements, including several Geneva Conventions. During and after a conflict, we assess the conduct of a war-fighting nation by how its warriors conducted themselves. Did they rape and pillage? Were they under careful rules of engagement or was it a free-for-all? Was every attempt made to limit civilian casualties in the knowledge that, in time of war, civilians are invariably going to fall in harm’s way? It is unworthy of the solemn nature of these matters to respond cynically or naively to such attempts to limit damage. As the theologian Oliver O’Donovan put it at the time of Desert Storm: just ask yourself whether you would rather have been a citizen of Berlin in 1944 or a citizen of Baghdad during the Persian Gulf War? The answer is obvious, as every effort was made in American targeting strategy to avoid civilian targets during the later conflict.

### 2NC – A2 – No Nuclear Terrorism

#### They have the means and the motive for WMD attacks

Bunn 10, Associate Professor of Public Policy at the Belfer Center for Science and International Affairs at the John F. Kennedy School of Government, (Matthew, “Securing the Bomb 2010,” PROJECT ON MANAGING THE ATOM BELFER CENTER FOR SCIENCE AND INTERNATIONAL AFFAIRS HARVARD KENNEDY SCHOOL HARVARD UNIVERSITY COMMISSIONED BY THE NUCLEAR THREAT INITIATIVE, April, <http://www.nti.org/e_research/Securing_The_Bomb_2010.pdf>) )

Complacency about the threat is perhaps the biggest obstacle to forging the urgent, in-depth international cooperation needed to secure nuclear stockpiles and reduce the danger of nuclear terrorism. Many policymakers around the world continue to believe that it would take a Manhattan Project to make a nuclear bomb, that it would be almost impossible for terrorists to get the necessary nuclear material, and that the risk of terrorists getting and using a nuclear bomb is therefore vanishingly small. The experience of finding that Iraq did not have nuclear, chemical, or biological weapons in 2003 has made many justifiably skeptical of other assertions about serious threats from such weapons. Unfortunately, while no one can say precisely what the probability of nuclear terrorism is, the danger is very real. Several unfortunate facts shape the risk the world faces. Some Terrorists are Seeking Nuclear Weapons Most terrorist groups are focused on small-scale violence to attain local objectives. For them, the old adage that “terrorists want a lot of people watching, not a lot of people dead” holds true, and nuclear weapons are likely to be irrelevant or counterproductive for their goals. But a small set of terrorists with global ambitions and nihilistic visions clearly are eager to get and use a nuclear bomb. Osama bin Laden has called the acquisition of nuclear weapons or other weapons of mass destruction a “religious duty.”1 For years, al Qaeda operatives have repeatedly expressed the desire to inflict a “Hiroshima” on the United States.2 Al Qaeda operatives have made repeated attempts to buy nuclear material for a nuclear bomb, or to recruit nuclear expertise. Shortly before the 9/11 attacks, for example, bin Laden and Ayman al-Zawahiri met with two senior Pakistani nuclear scientists to discuss nuclear weapons.3 Former CIA Director George Tenet reports that the two provided al Qaeda with a rough sketch of a nuclear bomb design, and that U.S. officials were so concerned about the activities of the “charity” they had established (whose board of directors also included a range of senior retired military officers, and which reportedly also offered nuclear weapons help to Libya) that President Bush directed him to fly to Pakistan and discuss the matter directly with Pakistani President Pervez Musharraf. 4 Sultan Bashiruddin Mahmoud, the more senior of the two, had long argued that Pakistan’s nuclear weapons rightfully belonged to the whole worldwide “ummah,” or Muslim community, and had advocated sharing nuclear weapons technology. 5 After the 9/11 attacks, intelligence agencies from the United States and other countries learned that in the years leading up to the attacks, al Qaeda had a focused nuclear weapons program managed by Abdel Aziz al-Masri (aka Ali Sayyid al- Bakri), an Egyptian explosives expert. The program reported directly to Zawahiri, as did al Qaeda’s anthrax efforts, its other major strategic-scale weapons of mass destruction program. This program reportedly got to the point of carrying out tests of conventional explosives for use in a nuclear bomb.6 Al Qaeda’s nuclear efforts apparently continued after the disruptions the group faced following the overthrow of the Taliban government and the removal of al Qaeda’s Afghan sanctuary. In 2002-2003, U.S. intelligence received a “stream of reliable reporting” that the leadership of al Qaeda’s cell in Saudi Arabia was negotiating to purchase three objects they believed to be Russian “nuclear devices,” and that al Qaeda’s central leadership had approved the purchase if a Pakistani expert using his equipment confirmed that they were genuine. (The actual nature of these “devices,” if they existed, the name of the Pakistani expert, and the type of equipment he was to use to examine the devices have never been learned.)7 At the same time these discussions were taking place, bin Laden arranged for a radical Saudi cleric to issue a fatwa or religious ruling authorizing the use of nuclear weapons against American civilians.8 The cleric who issued the fatwa was the “steady companion” of the al Qaeda operative leading the negotiations over the nuclear devices. 9 Before al Qaeda, the Japanese terror cult Aum Shinrikyo also made a concerted effort to get nuclear weapons.10 Chechen terrorists have certainly pursued the possibility of a radioactive “dirty bomb,” and there are at least suggestive indications that they also have pursued nuclear weapons— including two incidents of terrorists conducting reconnaissance at secret nuclear weapon storage sites, confirmed by Russian officials. There are at least some indications that Pakistani groups such as Lashkar-e-Taiba may also be interested—a particularly troubling possibility given the deep past connections these groups have had with Pakistani security services, their ongoing cooperation with al Qaeda, and the example of in-depth cooperation on unconventional weapons provided by al Qaeda’s work with Jemaah Islamiyah on anthrax.11 With at least two groups going down this path in the last 15 years, and possibly more, there is no reason to expect that others will not do so in the future. Some Terrorist Groups Might be Able to Make Crude Nuclear Bombs Repeated assessments by the U.S. government and other governments have concluded that it is plausible that a sophisticated terrorist group could make a crude nuclear explosive—capable of destroying the heart of a major city—if they got enough plutonium or HEU. A “gun-type” bomb made from HEU, in particular, is basically a matter of slamming two pieces of HEU together at high speed. An “implosion-type” bomb—in which precisely arranged explosives crush nuclear material to a much higher density, setting off the chain reaction—would be substantially more difficult for terrorists to accomplish, but is still plausible, particularly if they got knowledgeable help (as they have been actively attempting to do).12 One study by the now-defunct congressional Office of Technology Assessment summarized the technical reality: “A small group of people, none of whom have ever had access to the classified literature, could possibly design and build a crude nuclear explosive device... Only modest machine-shop facilities that could be contracted for without arousing suspicion would be required.”13 Indeed, even before the revelations from Afghanistan, U.S. intelligence concluded that “fabrication of at least a ‘crude’ nuclear device was within al-Qa’ida’s capabilities, if it could obtain fissile material.”14 It is important to understand that making a crude, unsafe, unreliable bomb of uncertain yield that might be carried in the back of a large van is a dramatically simpler task than designing and building a safe, secure, reliable, and efficient weapon deliverable by a ballistic missile, which a state might want to incorporate into its arsenal. Terrorists are highly unlikely to ever be able to make a sophisticated and efficient weapon, a task that requires a substantial nuclear weapons enterprise— but they may well be able to make a crude one. Their task would be easier if they managed to recruit experts with experience in key aspects of a national nuclear weapons program. Nuclear weapons themselves generally have substantial security measures and would be more difficult to steal than nuclear materials. If terrorists nevertheless managed to steal an assembled nuclear weapon from a state, there is a significant risk that they might figure out how to set it off—though this, too, would in most cases be a difficult challenge for a terrorist group.15 Many modern U.S. and Russian nuclear weapons are equipped with sophisticated electronic locks, known in the United States as “permissive action links” or PALs, intended to make it difficult to detonate the weapon without inserting an authorized code, which terrorists might find very difficult to bypass. Some weapons, however, are either not equipped with PALs or are equipped with older versions that lack some of the highestsecurity features (such as “limited try” features that would permanently disable the weapon if the wrong code is inserted too many times or attempts are made to bypass the lock).16 Many nuclear weapons also have safety features designed to prevent the weapon from detonating unless it had gone through its expected flight to its target—such as intense acceleration followed by unpowered flight for a ballistic missile warhead—and these would also have to be bypassed, if they were present, for terrorists to be able to make use of an assembled nuclear weapon they acquired. If they could not figure out how to detonate a stolen weapon, terrorists might choose to remove its nuclear material and fashion a new bomb. Some modern, highly efficient designs might not contain enough material for a crude, inefficient terrorist bomb; but multistage thermonuclear weapons, with nuclear material in both the “primary” (the fission bomb that sets off the fusion reaction) and the “secondary” (where the fusion takes place) probably would provide sufficient material. In any case, terrorists in possession of a stolen nuclear weapon would be in a position to make fearsome threats, for no one would know for sure whether they could set it off. Terrorists Might be Able to Get HEU or Plutonium Unfortunately, there is also a real risk that terrorists could get the plutonium or HEU needed to make a nuclear bomb. As described in more detail in the next chapter, important weaknesses in nuclear security arrangements still exist in many countries, creating weaknesses that outsider or insider thieves might exploit. And as discussed in the previous chapter, theft of the essential ingredients of nuclear weapons is not a hypothetical worry but an ongoing reality—the IAEA has documented 18 cases of theft or loss or plutonium or HEU, confirmed by the states concerned. HEU-fueled research reactors, for example, sometimes located on university campuses, often have only the most minimal security measures in place. Many have few or no armed guards; very loose arrangements (if any) to screen personnel before granting them access to the reactor and its nuclear material; few means to detect intruders until they are entering the nuclear material areas; and little revenue to pay for more substantial security arrangements. In some cases, the security in place amounts to little more than a night watchman and a chain-link fence. In countries such as Pakistan, even substantial nuclear security systems are challenged by immense adversary threats, both from nuclear insiders—some with a demonstrated sympathy for Islamic extremists—and from outside attacks that might include scores or hundreds of armed attackers. In Russia, there have been dramatic improvements in security and accounting for nuclear materials since the early 1990s, and the most egregious security weaknesses—gaping holes in fences, lack of any detector to set off an alarm if plutonium or HEU is being removed—have been corrected, with U.S. and other assistance and Russia’s own efforts. But significant risks remain, from insider corruption to weak nuclear security regulation. In the end, all countries where these materials exist—including the United States—have more to do, and need to continually reassess their efforts, to ensure that the security and accounting measures they have in place are sufficient to meet the evolving threat. A nuclear security system not focused on continual improvement is likely to see its effectiveness decline over time as complacency sets in. Nuclear Smuggling Is Extremely Difficult to Interdict The nuclear material needed for a bomb is small and difficult to detect. Once such material has left the facility where it is supposed to be, it could be anywhere, and finding and recovering it poses an immense challenge. The plutonium re- quired for an implosion-type nuclear bomb would fit in a soda can. The HEU required for the simplest type of nuclear bomb for terrorists to make, a less efficient “gun-type” bomb that slams two pieces of HEU together at high speed, is smaller than two two-liter bottles.17 The radiation from plutonium, and particularly from HEU, is weak and difficult to detect, particularly if the adversaries attempting to smuggle it use any significant amount of shielding. The detectors that are being widely deployed throughout the world— or even the more expensive Advanced Spectroscopic Portals (ASPs) that are being considered to replace them—would have little chance of detecting HEU metal if it had significant shielding.18 (Plutonium’s radiation is more penetrating and easier to detect.) To date, only one of the successes in seizing stolen nuclear material reportedly included the material being detected by one of these detectors; the others were the result of police and intelligence efforts, often including participants in the conspiracy or people they were trying to convince to help them or to buy their stolen nuclear material informing the police.19 A crude terrorist nuclear bomb would be considerably larger than the plutonium or HEU at its core, perhaps weighing a ton or so. Nevertheless, just as interdicting smuggling of nuclear materials poses immense challenges, it would also be extremely difficult to stop terrorists from smuggling a crude nuclear weapon to its target. A nuclear bomb might be delivered, intact or in ready-to-assemble pieces, by boat or aircraft or truck. The length of national borders, the diversity of means of transport, the vast scale of legitimate traffic across borders, and the ease of shielding the radiation from plutonium or especially from HEU all operate in favor of the terrorists. Building the overall system of legal infrastructure, intelligence, law enforcement, border and customs forces, and radiation detectors needed to find and recover stolen nuclear weapons or materials, or to interdict these as they cross national borders, is an extraordinarily difficult challenge.20

#### Reject their defense – it creates a self-fulfilling prophecy that makes nuclear violence inevitable

Ayson 2010, Robert Ayson, Strategic Studies (Centre for), School of History, Philosophy, Political Science & International Relations, BSocSc(Hons) Waikato¶ MA ANU¶ PhD London¶ , Professor of Strategic Studies and directs the Centre for Strategic Studies: New Zealand, 2010, “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects”, Studies in Conflict & Terrorism¶ Volume 33, Issue 7, 2010, Taylor and Fransis, http://www.tandfonline.com/doi/full/10.1080/1057610X.2010.483756#.Uh1K3mTwI0M

But what if these considerations of cost and benefit mattered less to a terrorist group in possession of a nuclear weapon? As Quester writes: “Governments would, under many circumstances, have a strong incentive to preserve their adversary's ability to negotiate and surrender; terrorists, by contrast, might have a much stronger incentive to create general chaos, to disrupt and destroy all of their target's ability to control and moderate its responses.” 50 What if a terrorist group realized that it might just be able to spark a catalytic nuclear war? Might that group then work to increase the likelihood of such a war, or to threaten to do so, as a way of either increasing its bargaining power, prestige, or security or to bring about the apocalypse that some observers believe they really desire? Ferguson and Potter argue that “apocalyptic groups … may believe that detonating a nuclear warhead would spark a broader nuclear conflict, enabling them to hasten the end of the world.” 51 To the extent that any terrorist group has already recognized that this potential for inspiring catalysis may exist, could this also prove a major incentive for it to seek nuclear weapons in the first place?¶ What then might be the situations where a terrorist group could maximize the admittedly slim chances of setting off such a massive nuclear exchange? Once in possession of a useable nuclear weapon, such a group might be inclined to look for a time and place where relations between two or more major nuclear powers were already tense. The catalytic potential could be amplified if the two nuclear-armed countries (the original target of the terrorist detonation and the country with whom a wider nuclear exchange could then begin) were involved in a serious crisis in which case there was a heightened state of alert and even an expectation that some sort of attack by one on the other was likely or even imminent.¶ In such a hot-headed environment, a terrorist nuclear detonation might be even more easily misunderstood and misinterpreted, thus combining the Cold War fears of both catalytic and accidental nuclear war. A terrorist group might exploit the situation further with a false but enormously provocative claim that its nuclear attack had been supported by the state with which the victim of the attack was already in a crisis situation. The loudest of denials by the state so identified might fall on deaf ears in a period when fear and paranoia reigned 52 : in fact, the victimized state again might simply refuse to believe that the attack could have come from a non-state actor and would be busy looking for the “real” source of the attack.

#### This is a link argument – pretending there is no link ensures nuclear terrorism

Allison 2007, Graham T. Allison, Director, Belfer Center for Science and International Affairs, Harvard Kennedy School, April 16, 2007, “How Likely is a Nuclear Terrorist Attack on the United States?”, http://www.cfr.org/weapons-of-mass-destruction/likely-nuclear-terrorist-attack-united-states/p13097

In the hotly contested American presidential election in 2004, the two candidates agreed on only one fundamental point. In the first televised debate, they were asked, what is "the single most serious threat to the national security to the United States?" President Bush, answering second, said: "I agree with my opponent that the biggest threat facing this country is weapons of mass destruction in the hands of a terrorist network."¶ I also agree. This debate asks how likely is it that terrorists will explode a nuclear bomb and devastate a great American metropolis. In the judgment of former U.S. Senator Sam Nunn, the likelihood of a single nuclear bomb exploding in a single city is greater today than at the height of the Cold War. Nuclear Terrorism states my own judgment that, on the current trend line, the chances of a nuclear terrorist attack in the next decade are greater than 50 percent. Former Secretary of Defense William Perry has expressed his own view that Nuclear Terrorism underestimates the risk.¶ From the technical side, Richard Garwin, a designer of the hydrogen bomb who Enrico Fermi once called, "the only true genius I had ever met," told Congress in March that he estimated a "20 percent per year probability with American cities and European cities included" of "a nuclear explosion—not just a contamination, dirty bomb—a nuclear explosion." My Harvard colleague Matthew Bunn has created a probability model in the Annals of the American Academy of Political and Social Science that estimates the probability of a nuclear terrorist attack over a ten-year period to be 29 percent—identical to the average estimate from a poll of security experts commissioned by Senator Richard Lugar in 2005.¶ Rather than quibble over percentage points, the bottom line is recognition that risk equals probability times consequences. Even skeptics who believe that experts overestimate the probability find it difficult to discount the risk.¶ Prior to 9/11, most terrorism experts argued that terrorists sought not mass casualties but rather mass sympathy through limited attacks that called attention to their cause. But after that horrific attack, the bipartisan 9/11 Commission issued its major conclusion: The principal failure to act to prevent the September 11 attack was a "failure of imagination." A similar failure of imagination leads many today to discount the risk of a nuclear 9/11.¶ It is a mistake to confuse al-Qaeda's patience and careful planning with the view that they "hate to fail" or lack grander ambitions. When Khalid Sheikh Mohammed, the chief planner of 9/11, first proposed an easier plan to charter a small plane, fill it with explosives, and crash it into CIA headquarters in Langley, Virginia, Osama bin Laden replied, "Why do you use an axe when you can use a bulldozer?"¶ Finally, a crude gun-type bomb built from highly enriched uranium would be relatively simple to construct and reliable. Manhattan Project scientists were so confident about this design that they persuaded military authorities to drop the bomb, untested, on Hiroshima.

### 2NC – A2 – No Retal

#### Extinction---equivalent to full-scale nuclear war

Owen B. Toon 7, chair of the Department of Atmospheric and Oceanic Sciences at CU-Boulder, et al., April 19, 2007, “Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism,” online: http://climate.envsci.rutgers.edu/pdf/acp-7-1973-2007.pdf

To an increasing extent, people are congregating in the world’s great urban centers, creating megacities with populations exceeding 10 million individuals. At the same time, advanced technology has designed nuclear explosives of such small size they can be easily transported in a car, small plane or boat to the heart of a city. We demonstrate here that a single detonation in the 15 kiloton range can produce urban fatalities approaching one million in some cases, and casualties exceeding one million. Thousands of small weapons still exist in the arsenals of the U.S. and Russia, and there are at least six other countries with substantial nuclear weapons inventories. In all, thirty-three countries control sufficient amounts of highly enriched uranium or plutonium to assemble nuclear explosives. A conflict between any of these countries involving 50-100 weapons with yields of 15 kt has the potential to create fatalities rivaling those of the Second World War. Moreover, even a single surface nuclear explosion, or an air burst in rainy conditions, in a city center is likely to cause the entire metropolitan area to be abandoned at least for decades owing to infrastructure damage and radioactive contamination. As the aftermath of hurricane Katrina in Louisiana suggests, the economic consequences of even a localized nuclear catastrophe would most likely have severe national and international economic consequences. Striking effects result even from relatively small nuclear attacks because low yield detonations are most effective against city centers where business and social activity as well as population are concentrated. Rogue nations and terrorists would be most likely to strike there. Accordingly, an organized attack on the U.S. by a small nuclear state, or terrorists supported by such a state, could generate casualties comparable to those once predicted for a full-scale nuclear “counterforce” exchange in a superpower conflict. Remarkably, the estimated quantities of smoke generated by attacks totaling about one megaton of nuclear explosives could lead to significant global climate perturbations (Robock et al., 2007). While we did not extend our casualty and damage predictions to include potential medical, social or economic impacts following the initial explosions, such analyses have been performed in the past for large-scale nuclear war scenarios (Harwell and Hutchinson, 1985). Such a study should be carried out as well for the present scenarios and physical outcomes.

### 2NC – Prempt

Howell ‘7

William, professor of political science at U-Chicago, and Jon C. Pevehouse, professor of Political Science UW-Madison, “While Dangers Gather : Congressional Checks on Presidential War Powers,” 2007 ed.

SIGNALING RESOLVE To the extent that congressional discontent signals domestic irresolution to other nations, the job of resolving a foreign crisis is made all the more difficult. As Kenneth Schultz shows, an ''opposition party can undermine the credibility of some challenges by publicly opposing them. Since this strategy threatens to increase the probability of resistance from the rival state, it forces the government to be more selective about making threats "—and, concomitantly, more cautious about actually using military force.'4 When members of Congress openly object to a planned military operation, would-be **adversaries** of the United States may feel emboldened, believing that the president lacks the domestic support required to see a military venture through. Such nations, it stands to reason, will be more willing to enter conflict, and if convinced that the United States will back down once the costs of conflict are revealed, they may fight longer and make fewer concessions. Domestic political strife, as it were, weakens the ability of presidents to bargain effectively with foreign states, while increasing the chances that military entanglements abroad will become **protracted and unwieldy.** A large body of work within the field of international relations supports the contention that a nation's ability to achieve strategic military objectives in short order depends, in part**,** on the head of state's **credibility in conveying political resolve.** Indeed, a substantial game theoretic literature underscores the importance of domestic political institutions and public opinion as state leaders attempt to credibly commit to war,75 Confronting widespread and vocal domestic opposition, the president may have a difficult time signaling his willingness to see a military campaign to its end, While congressional opposition may embolden foreign enemies, the perception on the part of allies that the president lacks support may make them wary of **committing any troops at all.**

#### Spills over to all military action

Howell ‘7

William, professor of political science at U-Chicago, and Jon C. Pevehouse, professor of Political Science UW-Madison, “While Dangers Gather : Congressional Checks on Presidential War Powers,” 2007 ed.

Immersed in all of the uncertainty that precedes war, presidents struggle mightily to assess the possibility that the military's plans will fail, and to evaluate whether Congress in due course either will publicly condemn him and actively work to dismantle the engagement or will affirm its allegiance to him and give him the money and delegated authority he needs to proceed. If Congress will come to the president's aid and ptovide him with political cover, then he may have the assurances he needs to incur the risks involved. On the other hand, if the president looks up at Capitol Hill and sees a swarm of representatives poised to pounce at the first misstep taken, he may instead choose to abandon military options altogether. In chapter 2 of this book, we discuss in some detail how presidents make this calculation.

#### AND – They can’t win any offense – Terrorists hate us because of our freedom – they are homophobic, sexists who hate any good policy

Kittrie 2005, Orde Félix Kittrie, BA Yale, JD Michigan, Professor of Law at the Sandra Day O'Connor College of Law at Arizona State University and Visiting Scholar at the Johns Hopkins University School of Advanced International Studies in Washington, DC, and a member of the Council on Foreign Relations, 2005, US Public Diplomacy Efforts in the Muslim World, ITunes Podcast, Text Transcribed.

The first question to ask is why is the United States hated? To answer that question one first must turn to the idea people behind that hatred or that generated that hatred, or ideologues of that hatred. Well its radically anti-American Muslims such as Osama Bin Laden and Iran’s supreme leader Ayatollah Khomeini. The hatred finds its base in their writings, and I think radiates out from there. I’ve carefully researched and written about both Bin Laden and Khomeini and why they hate the United Sates. Bin Laden gave his best explanation for why he hates the United States in his November 2002 letter to the United States, addressed to the American people. In that letter Bin Laden complained about US foreign policy, about its support for the regime in Saudi Arabia, about its support for Israel against the Palestinians, but the letter made clear that his fundamental objection to the United States is not our foreign policy, what we do overseas, but our domestic policy, who we are here at home. In this letter to the American people after telling us we the American people that QUOTE “You are the worst civilization witnessed by the history of mankind” Bin Laden’s letter explains in anger “you are the nation, you are the nation who rather than ruling by the Shari, which is the divine law of Allah and its constitution and laws, you are the nation which choses to create your own laws as you will and desire”. Thus no matter what we do internationally; Bin Laden hates America because our democratic system represents a clear rejection of the authority of Allah. Even worse from Bin Laden’s perspective is people all over the world, including in Afghanistan and Iraq are choosing to emulate our godless system rather than Islam as system of governance. Bin Laden’s November 2002 letter to the American people goes on to include a list of conditions that he specifies that if you fail to respond to all of these conditions then prepare for a fight with the Islam nation. What are the conditions he spells out? The first condition is that the American people must convert to Islam. The American people must convert to Islam. The second condition American’s must fulfill if they are to be spared a fight with the Islamic nation I QUOTE “to reject the immoral acts of fornication, homosexuality, intoxicants, gambling, and trading with interest”. I QUOTE from him “to reject the immoral acts of fornication, homosexuality, intoxicants, gambling, and trading with interest”. Absent that we must prepare for a fight with the Islamic nation. So its clear we won’t win over Bin Laden by simply leaving Iraq and abandoning Israel to the destruction of the Palestinians. Bin Laden says we must fight him and the Islamic nation unless we shut down a lot of things in the United States that neither President Bush, nor frankly a President Kerry, nor frankly a President Nader for that matter are likely to shut down such as Christianity, Premarital sex, Homosexuality, The drinking of Alcohol Casinos, and Credit Cards. So that’s why Bin Laden hates the United Sates in his own words.