### 1AC

**The United States federal government should increase statutory restrictions on the war powers authority of the President of the United States to introduce United States Armed Forces into hostilities based on responsibility to protect.**

**Advantage 1 is Intervention**

**US decline causes a shift to multipolarity –great power war and regional conflict**

**Varisco 13** (Andrea Edoardo Varisco, “Towards a Multi-Polar International System: Which Prospects for Global Peace?” Ph.D. candidate at the Post-war Reconstruction and Development Unit of the University of York, 6/3/13) http://www.e-ir.info/2013/06/03/towards-a-multi-polar-international-system-which-prospects-for-global-peace/

Multi-Polarity in History History has indeed already shown how multi-polarity is more unstable and war-prone than bipolarity or unipolarity. The modern history of Europe for example has been characterized by many multi-polar moments. At the beginning of the 17th century, the multi-polar European order was swept away by the Thirty Years War, a conflict that lasted from 1618 to 1648 and was triggered by religious, territorial and dynastic disputes over the internal politics and balance of power among various Christian groups and principalities. The conflict involved the Holy Roman Empire of the Hapsburgs, German Protestant princes, the foreign powers of France, Sweden, Denmark, England and the United Provinces and was ended by the Peace of Westphalia, which introduced the concept of state sovereignty and gave rise to the modern international system of states. This system of states was challenged by the expansion of the Napoleonic Empire at the beginning of the 19th century. After the defeat of the Emperor, in 1815 the great powers held the Congress of Vienna to re-establish the previous state order and formulated the Concert of Europe as a mechanism to enforce their decisions. The Concert of Europe was composed by the Quadruple Alliance of Russia, Prussia, Austria and Great Britain and was aimed to achieve a balance of power in Europe, preserving the territorial status quo, protecting legitimate governments and containing France after decades of war. The Concert of Europe was one of the few historical examples of stable multi-polarity: the regular meetings of the great powers assured decades of peace and stability in the continent. The Concert of Europe suppressed uprisings for constitutional governments in Italy and Spain, secured the independence of Greece and Belgium but did not prevent the Crimean War in 1853 and a return to great power rivalry. During the 20th century multi-polar international systems resulted in instability and led to two world wars in less than 50 years. The balance of power and the system of alliances of the early 20th century was swept away by the assassination of Franz Ferdinand of Austria in 1914. That event triggered World War I, a global conflict that caused the death of more than 15 million people in less than five years. After few decades, the multi-polar world emerged by World War I with a new system of alliances and the multilateral body of the League of Nations was not able to tame the totalitarian aspirations of Hitler. The German invasion of Poland in 1939 triggered World War II, the deadliest conflict of the history which resulted in millions of deaths and in the holocaust. Since the end of the World War II the world has never been multi-polar again, nevertheless these historical accounts seem to indicate how multi-polarity often created an unstable and unpredictable world, characterized by shifting alliances and by the aspiration of the rising powers to change the balance of power and create a new order. These historical features of multi-polarity will likely distinguish also the future multi-polar world, in spite of its strong economic interconnection and institutionalization. History indeed has also shown how the effects on stability of a global economy and of multilateral institutions have been sometimes overestimated. The multi-polar world at the beginning of the 20th century was highly economically interconnected and characterized by a large cross-border flows of goods, capital and people, at the point that the ratio of trade to output indicates that “Britain and France are only slightly more open to trade today than they were in 1913, while Japan is less open now than then” (The Economist, 99; Van den Bossche, 4). Nevertheless, this high interconnection was swept away by World War I. Furthermore, the presence of the League of Nations did not prevent World War II; likewise, the multilateral organization of the UN has not always been effective in promoting peace and security, and membership in the European Union did not prevent European countries from having different positions and antithetic behaviors in the wake of US war in Iraq in 2003. A shifting from a well defined hierarchy of power to a great power rivalry will therefore result in a less stable world order. Towards a Multi-Polar, Nuclear International System: Which Prospects for Global Peace? The prospects of a great power rivalry are particularly strong in East Asia, a region characterized by weak regional alliances and institutions, in which the economic rise of some actors could indeed represent a serious source of instability in the near future. The decline of the US and the rise of China could for example undermine the Asian balance of power and bring to light the old rivalry between China and Japan (Shambaugh). A strong rising China armed with middle range missiles could be perceived as threatening by Japan, worried that its historical American ally could not defend it because of US high involvement in other corners of the globe. The stability of the region appears even more difficult to achieve considering that the concept of balance of power requires shared common values and similar cultural understanding, requisites that are not present between the two major powers of the Asia Pacific region, China and Japan (Friedberg). India has been portrayed as the third pole of the multi-polar world in 2050 (Virmani; Gupta). Yet its constant rise could undermine Asian stability and, for example, worsen Indian relations with its neighbor Pakistan. Moreover, the scarcity of natural resources in a world that is consuming and demanding a high quantity of them could have several implications on global security and stability (Dannreuther; Kenny; Laverett and Bader). In this framework, the rise of Russia, a country which exports large quantities of oil and gas, controls the European provisions of energy and has had high increases in military expenditure in the last decade could represent another potential source of instability for the future world order. Russia has increased military spending by 16 per cent in real terms since 2008, including a 9.3 per cent increase in 2011 (Background Paper on Military Expenditures 5). Before 2008, it had increased its military expenditure by 160 per cent in a decade, (SIPRI, SIPRI Yearbook 2008 199), accounting for 86 per cent of the total increase of 162 per cent in military expenditure of Eastern Europe, the region of the world with the highest increment in military expenditure from 1998 to 2007 (SIPRI, SIPRI Yearbook 2008 177). Moreover, the control of the gas prices in Europe and the enlargement of the North Atlantic Treaty Organization in Central and Western Europe have already been causes of tension between Russia and the West. The possibility to exploit and supply a large amount of natural resources, the growth of its military power and divergences with the US in some foreign policy issues, such as the Iranian nuclear program or the status of Kosovo, indicate that the stability of the future multi-polar world could be seriously undermined by a resurgent Russia (Arbatov; Goldman; Trenin; Wallander). A return to multi-polarity will therefore imply more instability among great powers. But great power rivalry will not be the only source of possible instability for the future multi-polar world. The current distribution of power allows not only great powers but also middle, small powers and non-state actors to have military capabilities that could threaten the global security. In particular, the presence of nuclear weapons constitutes a further reason of concern and implies that the future world could carry not only the potential instability of multi-polarity and great powers rivalry, but also the dangers entailed in nuclear proliferation. The future multi-polar world will thus be potentially more unstable than all the other multi-polar periods history has experienced until nowadays: for the first time in history, the world could become both multi-polar and nuclear. While some scholars argue that nuclear deterrence “could reduce the war-proneness of the coming multi-polar system” (Layne, 44-45), the majority of them consider the presence of nuclear weapons as a source of instability (McNamara; Rosen; Allison). In particular, regional powers and states that are not great powers armed with nuclear capabilities could represent a cause of concern for global security. A nuclear Iran could for example attack – or be attacked – by Israel and easily involve in this war the rest of the world (Sultan; Huntley). A war between Pakistan and India, both nuclear states, could result in an Armageddon for the whole Asia. An attack from the Democratic Peoples’ Republic of Korea (DPRK) on Japan or South Korea will trigger an immediate reaction from the US and “a nuclear proliferation ‘domino effect’ in East Asia” (Huntley, 725). Terrorists armed with nuclear weapons could wreak havoc and target the heart of the most powerful countries of the world (Bunn and Wier). Iran, Pakistan, DPRK, terrorist groups will rarely be great powers or poles in a future multi-polar world. Nevertheless, the effects of their actions could easily reverberate all over the globe and represent another cause of potential instability. For the first time in history, the stability of the future world will therefore depend not only on the unpredictable effects of the rivalry among great powers, but also on the dangerous potential of middle and small powers and non-state actors armed with nuclear weapons. Conclusion On the morning of the 5th April 2009 the DPRK sent a communication satellite into space using a Taepodong-2 ballistic missile. Suspicious neighbouring countries and the US considered the rocket launch as a cover for testing ballistic long-range missile technology and a threat for their national security: South Korea and Japan feared that their unpredictable neighbour could target their population, the US was afraid that DPRK missiles could in the future reach its western shores. The result of the launch is debated: while Pyongyang asserted that the satellite reached the orbit, US experts considered it as a failure and remarked that the missile travelled 3,200 km before landing in the Pacific Ocean (Broad). Surely DPRK actions achieved the goal to deeply divide the international community: the UN Secretary General regretted the launch and urged Security Council Resolutions (Statement SG/SM/12171), the then Chinese Ambassador to the UN Yesui Zhang stressed “cautious and proportionate” (Richter and Baum) responses to avoid “increased tensions” (Richter and Baum), the then Japanese Prime Minister Taro Aso considered it an “extremely provocative act” (Ricther and Baum), while US President Obama declared that, “North Korea’s development and proliferation of ballistic missile technology pose a threat to the northeast Asian region and to international peace and security” (Obama, Statement from Prague). This essay has explained why a clumsy launch of a communication satellite, or a military exercitation of the nation with the 197th Gross Domestic Product pro capita of the world (Central Intelligence Agency) can become a threat “to international peace and security” (Obama, Statement from Prague) and could represent a serious source of instability for the world in the near future. It has been argued that the current decline of the hegemon of the international system, together with a rise of new actors could create the conditions for a shifting to multi-polarity and great powers rivalry. The future multi-polar order will not be different from the other multi-polar moments history has witnessed and will result in more instability and unpredictability than in the current unipolar world. However, for the first time in the history multi-polarity will not only carry the risks entailed in the research of balance of power among great powers. The availability of the nuclear weapons will indeed represent another potential source of instability. Middle powers, small powers and non-state actors with nuclear capabilities could become a serious threat for the global security; they could trigger and reinforce the rivalry among great powers which usually characterizes multi-polarity, and eventually undermine the peace and stability of the future world.

**Enshrining R2P doctrine causes overstretch**

Vigeant 13

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LIMITED RESOURCES IN AN AGE OF AUSTERITY

The first problem which R2P missions could create is the cost of such missions. We live in an era of large federal deficits and national debt, 117 and in response to these pressing fiscal issues, members of government have called for cuts to federal spending. 118 One area that has already seen cuts, and faces more reductions, is the defense budget. 119 This past year, in response to these anticipated constraints, former Secretary of Defense Leon Panetta ordered military commanders to slash $52 billion from their operating budgets on January 11, 2013. 120 Yet while defense budgets are reduced, the proportion of defense spending that will go towards healthcare and veterans benefits is set to increase steadily over the coming decades. 121 So to balance spending priorities, a recent RAND study suggests cutting back the military’s operations tempo abroad. 122 Additionally, calls to cut the size of the military have been made. Michael O’Hanlon of the Brookings Institution recently proposed a reduction in the number of active duty military personnel by 100,000 service members. 123 A 2011 RAND study similarly called for a reduction to the Army’s overall force structure (active and reserve components), as did the 2010 Sustainable Defense Task Force Report, and a CATO Institute report suggested a dramatic reduction in the size of the active duty Army to only 360,000 troops. 124 The Army is already set to fall over five years to 490,000 service member from a peak of 570,000, and the Marines are to drop to 182,000 from 202,000 service members, but further cuts will be required according to testimony Secretary of Defense Chuck Hagel delivered this summer. 125 Yet in the face of calls for a reduced operations tempo and smaller force structure, the global problem of failed and failing states is not going away. 126 So there will be a continuing need for R2P missions, which will have to be conducted by a smaller military operating on a smaller budget. Yet in the face of calls for a reduced operations tempo and smaller force structure, the global problem of failed and failing states is not going away. 126 So there will be a continuing need for R2P missions, which will have to be conducted by a smaller military operating on a smaller budget. For instance, with cuts and an ongoing war in Afghanistan, there are calls for America to intervene in Syria in the name of R2P. 127 One estimate put the size of the Syrian military at 280,000 soldiers, so any R2P intervention there would require a force larger than the one in Afghani-stan currently. 128 With a smaller military and a continued need for R2P missions, soldiers would face repeated deployments. But the last decade of repeated deployments have led to a drop in the military’s ability to retain its best junior officers; a rise in military suicides; 129 significant family stress and uncertainty; and a number of other negative consequences. 13

**An unconditional R2P obligation destroys US sovereignty, drains the military**

Groves 8

<http://www.heritage.org/research/reports/2008/05/the-us-should-reject-the-un-responsibility-to-protect-doctrine>

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If wholly accepted as official U.S. policy, the R2P doctrine would greatly expand U.S. obligations to prevent acts of genocide around the world. More important, adoption of R2P would effectively cede U.S. national sovereignty and decision-making power over key components of national security and foreign policy and subject them to the whims of the international community. The U.S. government, as a party to the Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention), is currently obligated to prevent acts of genocide that occur within U.S. territory.[29] The Genocide Convention Implementation Act of 1987 (the Proxmire Act), the legislation implementing the Genocide Convention, was signed into law by President Ronald Reagan in 1988.[30] The Proxmire Act defined the crime of genocide as an act committed "with the specific intent to destroy, in whole or in substantial part, a national, ethnic, racial, or religious group." The new law even criminalized the act of inciting another person to commit an act of genocide.[31] Importantly, U.S. enforcement of these criminal offenses was limited to acts committed in the United States.[32] However, adoption of the R2P norm would obligate the United States to prevent all acts of genocide, ethnic cleansing, and war crimes even if they occur outside of the U.S. Such an obligation would impose unique responsibilities. As the world's preeminent military force, the United States would have to bear a disproportionate share of the R2P international commitment. In the event that acts of genocide and ethnic cleansing occur, the vast majority of nations in the international community could reasonably plead military inferiority on each such occasion, leaving the United States to bear the brunt of any intervention. Most members of the international community could also plead poverty, again leaving the United States to fund the intervention. Even if the intervention is funded through the United Nations system, the United States would still pay an unequal share of the cost.[33]

**R2P wrecks America’s global leadership**

Kaplan 13

<http://nationalinterest.org/commentary/the-tragedy-us-foreign-policy-8810>

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The 1990s were full of calls for humanitarian intervention: in Rwanda, which tragically went unheeded; and in Bosnia and Kosovo where interventions, while belated, were by and large successful. Free from the realpolitik necessities of the Cold War, humanitarians have in the past two decades tried to reduce foreign policy to an aspect of genocide prevention. Indeed, the Nazi Holocaust is only one lifetime removed from our own—a nanosecond in human history—and so post–Cold War foreign policy now rightly exists in the shadow of it. The codified upshot has been R2P: the “Responsibility to Protect,” the mantra of humanitarians. But American foreign policy cannot merely be defined by R2P and Never Again! Statesmen can only rarely be concerned with humanitarian interventions and protecting human rights to the exclusion of other considerations. The United States, like any nation—but especially because it is a great power—simply has interests that do not always cohere with its values. That is tragic, but it is a tragedy that has to be embraced and accepted. What are those overriding interests? The United States, as the dominant power in the Western Hemisphere, must always prevent any other power from becoming equally dominant in the Eastern Hemisphere. Moreover, as a liberal maritime power, the United States must seek to protect the sea lines of communication that enable world trade. It must also seek to protect both treaty and de facto allies, and especially their access to hydrocarbons. These are all interests that, while not necessarily contradictory to human rights, simply do not operate in the same category. Because the United States is a liberal power, its interests—even when they are not directly concerned with human rights—are generally moral. But they are only secondarily moral. For seeking to adjust the balance of power in one’s favor has been throughout history an amoral enterprise pursued by both liberal and illiberal powers. Nevertheless, when a liberal power like the United States pursues such a goal in the service of preventing war among major states, it is acting morally in the highest sense. A telling example of this tension—one that gets to the heart of why Never Again! and R2P cannot always be the operative words in statesmanship—was recently provided by the foreign-affairs expert Leslie H. Gelb. Gelb noted that after Saddam Hussein had gassed close to seven thousand Kurds to death in northern Iraq in 1988, even a “truly ethical” secretary of state, George Shultz, committed a “moral outrage.” For Shultz basically ignored the incident and continued supporting Saddam in his war against Iran, because weakening Iran—not protecting the citizens of Iraq—was the primary American interest at the time. So was Shultz acting immorally? Not completely, I believe. Shultz was operating under a different morality than the one normally applied by humanitarians. His was a public morality; not a private one. He and the rest of the Reagan administration had a responsibility to the hundreds of millions of Americans under their charge. And while these millions were fellow countrymen, they were more crucially voters and citizens, essentially strangers who did not know Shultz or Reagan personally, but who had entrusted the two men with their interests. And the American public’s interest clearly dictated that of the two states, Iran and Iraq, Iran at the time constituted the greater threat. In protecting the public interest of even a liberal power, a statesman cannot always be nice; or humane. I am talking here of a morality of public outcomes, rather than one of private intentions. By supporting Iraq, the Reagan administration succeeded in preventing Iran in the last years of the Cold War from becoming a regional hegemon. That was an outcome convenient to U.S. interests, even if the morality of the affair was ambiguous, given that Iraq’s regime was at the time the more brutal of the two. In seeking good outcomes, policymakers are usually guided by constraints: a realistic awareness of what, for instance, the United States should and should not do, given its finite resources. After all, the United States had hundreds of thousands of troops tied down in Europe and Northeast Asia during the Cold War, and thus had to contain Iran through the use of a proxy, Saddam’s Iraq. That was not entirely cynical: it was an intelligent use of limited assets in the context of a worldwide geopolitical struggle. The problem with a foreign policy driven foremost by Never Again! is that it ignores limits and the availability of resources. World War II had the secondary, moral effect of saving what was left of European Jewry. Its primary goal and effect was to restore the European and Asian balance of power in a manner tolerable to the United States—something that the Nazis and the Japanese fascists had overturned. Of course, the Soviet Union wrested control of Eastern Europe for nearly half a century following the war. But again, limited resources necessitated an American alliance with the mass-murderer Stalin against the mass-murderer Hitler. It is because of such awful choices and attendant compromises—in which morality intertwines with amorality—that humanitarians will frequently be disappointed with the foreign policy of even the most heroic administrations. World War II certainly involved many hideous compromises and even mistakes on President Franklin D. Roosevelt’s part. He got into the war in Europe very late, he did not bomb the rail tracks leading to the concentration camps, he might have been more aggressive with the Soviets on the question of Eastern Europe. But as someone representing the interests of the millions of strangers who had and had not voted for him, his aim was to defeat Nazi Germany and Imperial Japan in a manner that cost the fewest American soldiers’ lives, and utilized the least amount of national resources. Saving the remnants of European Jewry was a moral consequence of his actions, but his methods contained tactical concessions that had fundamental amoral elements. Abraham Lincoln, for his part, brought mass suffering upon southern civilians in the last phase of the Civil War in order to decisively defeat the South. The total war waged by generals William Tecumseh Sherman and Ulysses S. Grant was evidence of that. Simply put, there are actions of state that are the right things to do, even if they cannot be defined in terms of conventional morality. Amoral goals, properly applied, do have moral effects. Indeed, in more recent times, President Richard Nixon and his secretary of state, Henry Kissinger, rushed arms to Israel following a surprise attack by Arab armies in the fall of 1973. The two men essentially told the American defense establishment that supporting Israel in its hour of need was the right thing to do, because it was necessary to send an unambiguous message of resolve to the Soviets and their Arab allies at a critical stage in the Cold War. Had they justified the arms transfers purely in terms of helping embattled post-Holocaust Jewry—rather than in terms of power politics as they did—it would have made for a much weaker argument in Washington, where officials rightly had American interests at heart more than Israeli ones. George McGovern was possibly a more ethical man than either Nixon or Kissinger. But had he been elected president in 1972, would he have acted so wisely and so decisively during the 1973 Middle East war? The fact is, individual perfection, as Machiavelli knew, is not necessarily synonymous with public virtue. Then there is the case of Deng Xiaoping. Deng approved the brutal suppression of students at Beijing’s Tiananmen Square in 1989. For that he is not respected among humanitarians in the West. But the consolidation of Communist Party control that followed the clampdown allowed for Deng’s methodical, market-oriented reforms to continue for a generation in China. Perhaps never before in recorded economic history have so many people seen such a dramatic rise in living standards, with an attendant rise in personal (if not political) freedoms in so short a time frame. Thus, Deng might be considered both a brutal Communist and the greatest man of the twentieth century. The morality of his life is complex. The Bosnia and Kosovo interventions of 1995 and 1999 are frequently held out as evidence that the United States is most effective when it acts according to its humanitarian values—never mind its amoral interests. But those who make that argument neglect to mention that the two successful interventions were eased by the fact that America operated in the Balkans with the balance-of-power strongly in its favor. Russia in the 1990s was weak and chaotic under Boris Yeltsin’s incompetent rule, and thus temporarily less able to challenge the United States in a region where historically the czars and commissars had exerted considerable sway. However, Russia, even in the 1990s, still exerted considerable sway in the Caucasus, and thus a Western response to halt ethnic cleansing there during the same decade was not even considered. More broadly, the 1990s allowed for ground interventions in the Balkans because the international climate was relatively benign: China was only just beginning its naval expansion (endangering our Pacific allies) and September 11 still lay in the future. Truly, beyond many a moral response lies a question of power that cannot be explained wholly in terms of morality. Thus, to raise morality as a sole arbiter is ultimately not to be serious about foreign policy. R2P must play as large a role as realistically possible in the affairs of state. But it cannot ultimately dominate. Syria is the current and best example of this. U.S. power is capable of many things, yet putting a complex and war-torn Islamic society’s house in order is not one of them. In this respect, our tragic experience in Iraq is indeed relevant. Quick fixes like a no-fly zone and arming the rebels may topple Syrian dictator Bashar al-Assad, but that might only make President Barack Obama culpable in midwifing to power a Sunni-Jihadist regime, even as ethnic cleansing of al-Assad’s Alawites commences. At least at this late juncture, without significant numbers of Western boots on the ground for a significant period—something for which there is little public support—the likelihood of a better, more stable regime emerging in Damascus is highly questionable. Frankly, there are just no easy answers here, especially as the pro-Western regime in Jordan is threatened by continued Syrian violence. R2P applied in 2011 in Syria might actually have yielded a better strategic result: it will remain an unknowable. Because moralists in these matters are always driven by righteous passion, whenever you disagree with them, you are by definition immoral and deserve no quarter; whereas realists, precisely because they are used to conflict, are less likely to overreact to it. Realists know that passion and wise policy rarely flow together. (The late diplomat Richard Holbrooke was a stunning exception to this rule.) Realists adhere to the belief of the mid-twentieth-century University of Chicago political scientist, Hans Morgenthau, who wrote that “one must work with” the base forces of human nature, “not against them.” Thus, realists accept the human material at hand in any given place, however imperfect that material may be. To wit, you can’t go around toppling regimes just because you don’t like them. Realism, adds Morgenthau, “appeals to historical precedent rather than to abstract principles [of justice] and aims at the realization of the lesser evil rather than of the absolute good.” No group of people internalized such tragic realizations better than Republican presidents during the Cold War. Dwight Eisenhower, Richard Nixon, Ronald Reagan and George H. W. Bush all practiced amorality, realism, restraint and humility in foreign affairs (if not all the time). It is their sensibility that should guide us now. Eisenhower represented a pragmatic compromise within the Republican Party between isolationists and rabid anti-Communists. All of these men supported repressive, undemocratic regimes in the third world in support of a favorable balance of power against the Soviet Union. Nixon accepted the altogether brutal regimes in the Soviet Union and “Red” China as legitimate, even as he balanced one against the other. Reagan spoke the Wilsonian language of moral rearmament, even as he awarded the key levers of bureaucratic power to realists like Caspar Weinberger, George Shultz and Frank Carlucci, whose effect regarding policy was to temper Reagan’s rhetoric. The elder Bush did not break relations with China after the Tiananmen uprising; nor did he immediately pledge support for Lithuania, after that brave little country declared its independence—for fear of antagonizing the Soviet military. It was caution and restraint on Bush’s part that helped bring the Cold War to a largely peaceful—and, therefore, moral—conclusion. In some of these policies, the difference between amorality and morality was, to paraphrase Joseph Conrad in Lord Jim, no more than “the thickness of a sheet of paper.” And that is precisely the point: foreign policy at its best is subtle, innovative, contradictory, and truly bold only on occasion, aware as its most disciplined practitioners are of the limits of American power. That is heartrending, simply because calls to alleviate suffering will in too many instances go unanswered. For the essence of tragedy is not the triumph of evil over good, so much as the triumph of one good over another that causes suffering.

**Fruitless crusades sap leadership**

Clemmons 13

<http://www.theatlantic.com/international/archive/2013/08/how-to-toughen-up-human-rights-activists-and-liberal-interventionists/278641/>

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Realists, in contrast, want to square away national interests first and foremost and make sure that America's stock of power is not eroded by crusades and endeavors that distract from core interests. That said, they believe America serves a great global good in shaping the international system in ways that serve both its own interests and those of its liberal, mostly (but not always) democratic allies -- and that when America has the stock of power on hand to do so, it can help mitigate great humanitarian crises around the world in a way that both serves others and keeps American power intact and growing. Realists don't believe, however, that even a superpower (less super than decades ago) like the United States can easily influence the deep internal dynamics and behavior of other countries -- nor should the U.S. attempt to do so. They feel that this kind of intervention inside other nations can just as easily generate blowback, or a perception of either bullying or impotency about the U.S., for objectives that were never really in reach anyway or worth the gamble. In other words, the starting error that many human rights and liberal interventionist analysts make is that their aspirations for foreign policy were never attainable, or to say it less charitably, not solvent. For example, Tepperman opens his essay suggesting that Obama's foreign policy weakness is responsible for all sorts of "bads" in the domestic scenes of other countries. He writes: In just the last few weeks, the Russian government has used a show trial to silence a prominent activist, Egypt's junta has massacred protesters, Turkey has cracked down on peaceful dissent, and the rulers of Cambodia and Zimbabwe have stolen elections -- again. In each case, the Obama administration has done little more than mutter objections under its breath. Bad stuff has been happening inside other countries for a very long time -- even when U.S. power was its zenith after World War II and during the toughest spots during the Cold War with the Soviet Union. Elections were stolen then. Genocides happened. Tyrants manhandled their citizens. Show trials occurred not only in the USSR, but also in places like Cuba, Argentina, Chile, and more. Tepperman is mistaken, I think, to suggest that any of these cases reflects a weak foreign policy posture of the United States in general, and of the Obama administration during this period in time. Had he instead suggested that the inability of President Obama to get Germany's Angela Merkel to do what he wanted at the 2009 London G-20 Summit; or the difficulty the administration has in getting the U.S.-military dependent Japan to ratchet down its nationalistic, China-antagonizing rhetoric; or Obama's inability to get Israel's Netanyahu to stop building Middle-East-peace-wrecking settlements on Occupied Territories; or the president's inability to (as of yet) move or seduce Iran on to a normalization track that comes without nuclear weapons capacity; or that Saudi Arabia has shifted away from its general foreign affairs docility to more active engagement in the MENA region based on its calculation of U.S. weakness and strategic contraction; he would have been on target, as these are better measures of America's declining foreign policy effectiveness and strength. Unfortunately, Tepperman sees American vacillation and lack of resolve as the reason for its ineffectiveness and perceived weakness -- even if he and I could agree on what measures reflect American power in the world. The realist answer to Tepperman's concern about declining U.S. power, and the right one in my view, is that America's national security decline is a function of (1) the mismanagement of its foreign policy resources and equities in the past -- i.e., too many "wars of choice" and the ascension of global policy crusades untethered by realistic cost and benefit calculations, (2) the relative rise in both economic and military power of other global stakeholders (America is still great and greater than the rest but not GREAT like in days of old), and (3) an absence of coherent strategy -- that could include waffling, duplicity, pugnaciousness, and earnest involvement in wrestling through foreign policy challenges. Tepperman suggests that articulating a clear strategy for the world and sticking to it would be better, but my sense is that America's stock of power had been badly depleted during the Bush/Cheney years and that Obama is working hard to increase that stock of power. That takes time -- and it means that waffling on some things, while moving on others, is the smarter play. Tepperman's essay is wonderful as a teaching tool and offers opportunity for a serious debate about what drives successful or failed foreign policy outcomes. He references democracy strategists like Stanford's Larry Diamond who suggests a roster of economic and diplomatic sticks that the U.S. could use to influence the behavior of some small countries. But the bigger question that the cases mentioned raises is whether or not America's limited amount of diplomatic, military, and economic capital should be spent on compelling change in these small countries -- or whether that power should be directed at more serious challenges, like Iran for instance. Tepperman also mentions Burma as a successful case in which diplomacy, seasoned with improved diplomatic and trade ties with the United States, moved the country's generals toward democratic liberalization. What is not mentioned is that an increasingly, regionally pugnacious China compelled Burma's leadership to hedge its bets. Vietnam did the same. Once I asked Henry Kissinger about the process of normalizing with China, and he said that the commander of a large Russian tank division amassed on the Sino-Soviet border really deserved the Nobel Peace Prize for clarifying matters to China. Myanmar, Vietnam, and the ASEAN region as a whole have had their U.S.-tilting interests clarified by a juggernaut they reside next to and worry about. When President George W. Bush came into office, his then-National Security Advisor Condoleezza Rice initiated a set of teach-ins with prominent national security and foreign policy intellectuals. One of these was Robert Kaplan, then an acclaimed "realist" traveling correspondent for The Atlantic and now Chief Geopolitical Anaylst at Stratfor, who told Bush in a private meeting that he would have to talk a lot about democracy and posture in favor of the expansion of democratic ideals -- but in truth he would have to do deals with thugs. Kaplan was right. America has to waffle on occasion because deeply intervening somewhere involves risks and can recklessly spend down the stock of American power so that the U.S. is less able to fix problems in the world tomorrow than it was prepared to yesterday. The problem with the costly wars America recently pursued is that they were not designed first to ensure that U.S. power prevailed in the long run -- they were mostly emotional, knee-jerk reactions to events triggered either by 9/11 or by a faction of a policy establishment types trying to settle old grievances. For the record, I supported the assault on Afghanistan and the Taliban -- but I did not support the Iraq War, nor the doubling down in Afghanistan after Obama came to office. These wars, rationalized by many in humanitarian terms, telegraphed military fatigue and overextension to nations like Russia, China, Iran, and more. They generated abuses at Bagram, Abu Ghraib, and Guantanamo that fed extremist terrorist recruitment in the region. U.S. military power was not leveraged in these missions; it was squandered and contained. One Chinese strategist once told me that China's grand strategy was trying to figure a way to keep America distracted by wars with small countries in the Middle East. While America was distracted, China had an easy time expanding its influence globally. Humanitarian interventionism has its place -- but the deployment of U.S. forces should be infrequent. Overuse of the military has burst the bubble of America's superpower mystique, and mystique was always the secret sauce of America's global influence. There was a time when people around the world -- both in the developing and developed world -- perceived the U.S. to be without limit, without boundaries, always able to invent, or create, or compel change in the world like no other nation. In recent years, because of a self-created economic crisis, the collapse of its global moral prestige, and the sense of military overextension, America is perceived by the rest of the world as a limited, rather than a boundless, force in the world. That is what well-meaning humanitarian and democracy advocates need to figure out. Their objectives are easier and more likely to be attained when America gets its stock of power restored. That means choices between challenges.That means delivering success on one or two major challenges and then translating that momentum into dealing with the next global conundrum. What Tepperman should really be calling for is not the abandonment of foreign policy waffling, or of duplicity in foreign affairs, where the U.S. says one thing and does another, but rather for a decided "strategy" as its North Star. That North Star for me is increasing America's stock of power and capability so that it can shape the international system with other partners in beneficial ways well into the future -- including on great humanitarian goals. The head -- and then the heart. Power is a function of future expectations, just like the value of a business in the stock market, and America has to rewire itself so it convinces its citizens and others around the world that its power will be considerable and consequential in the future.

**Controlled humanitarian intervention solves overstretch**

Gay 13

<http://nationalinterest.org/blog/the-buzz/the-deceptive-appeal-the-responsibility-protect-8764>

John Allen Gay is an assistant managing editor at The National Interest. His book (co-authored with Geoffrey Kemp) War with Iran: Political, Military, and Economic Consequences was released by Rowman and Littlefield in early 2013.

Of course, second-pillar actions that do respect national sovereignty can do a great deal of good, as so many successful efforts by international and nongovernmental organizations attest. And violations of other nations’ sovereignty can sometimes be vital to American security. Albright and Williamson’s are quite conscious of all that. What’s alarming is that they don’t seem to realize that there are trade-offs to be made and balances to be weighed. Breaches of sovereignty anger other nations and give them reason to take action against the United States. They must thus be employed with utmost care, in defense of vital U.S. interests. Atrocity prevention and other humanitarian causes rarely rise to that level.

**Advantage 2 is Stability**

**R2P interventionism is uniquely destabilizing BECAUSE it’s ineffective**

Menon 13

<http://www.the-american-interest.com/articles/2013/06/12/its-fatally-flawed/>

Rajan Menon is Anne and Bernard Spitzer Professor of Political Science, City College of New York/City University of New York, and a senior fellow at the Atlantic Council.

Yet the reassurances that force would be a rare, last-ditch response have not placated critics, for several reasons. R2P’s pre-intervention prescriptions merely repeat existing remedies and add nothing to diplomacy’s toolkit. What’s new is the casuistry of reframing and diminishing sovereignty in order to legitimize altruistic armed intervention in defense of the abstract rights that most political communities agree upon in theory. Given R2P’s emphasis on feasibility and the chances for success, weak states are its most likely proving grounds; powerful ones need not fear, no matter the magnitude of their misdeeds. Because idealism and power are inextricably intertwined, with the latter frequently corrupting the former, R2P provides powerful states one script for playing the Good Samaritan when intervention promotes their interests, and another for eschewing or opposing aid when it doesn’t. R2P’s defenders see this indictment as reflecting hyperbole or misunderstanding, or as the artifice of dictators who declaim about sovereignty and legality but in truth seek to avoid accountability. Yes, dictators have every reason to avoid accountability, but it doesn’t really matter which side is right. What matters is that in a world of diverse polities and cultures, such objections and anxieties have sufficient appeal to prevent the doctrine from acquiring the universal pragmatic applicability its supporters seek. Many states have signed on to R2P, but it does not follow that they will stand behind its sovereignty-eroding features when it is proposed as a plan for military action.

**Disrupting sovereignty destroying the basis for collective security**

Brooks 13

<http://www.globalpolicy.org/qhumanitarianq-intervention/52290-hate-obamas-drone-war.html?itemid=id#26087>

Rosa Brooks is a law professor at the Georgetown University Law Center, a columnist and contributing editor for Foreign Policy and a Bernard L. Schwartz senior fellow at the New America Foundation. From April 2009 to July 2011, she served as Counselor to the Under Secretary of Defense for Policy, Michele Flournoy, and in May 2010 she also became [1] Special Coordinator for Rule of Law and Humanitarian Policy, running a new Pentagon office dedicated to those issues. Brooks wrote a weekly column for the Los Angeles Times from 2005 to 2009, and is an expert on national security, international law and human rights issues. At the Pentagon her portfolio included both rule of law and human rights issues and global engagement, strategic communication, and she received the Secretary of Defense Medal for Outstanding Public Service for her work.

Second, arguments premised on the Responsibility to Protect are transparent: Evidence that a state is unwilling or unable to protect its population from egregious harm can be examined by all, and R2P-based interventions are publicly proclaimed, making it possible to hold interveners accountable for errors or abuses. Nonetheless, the parallels between R2P and the understanding of sovereignty that undergirds U.S. drone policy are troubling. I'm no fan of the traditional legal conception of sovereignty, which has been used to mask many abuses. But in a world with no meaningful international governance structures, sovereignty -- even a weak and hypocritical conception of sovereignty -- is one of the few bulwarks against unilateral overreaching by great powers. Our fragile international order rests less on "law" than on implicit bargains between states, and insofar as U.S. drone policy further undermines traditional norms relating to sovereignty and the use of force, it risks undermining those tenuous bargains. It risks sending the message -- to friends and foes alike -- that we will no longer even offer much pretence of respecting sovereignty. As a result, it risks undermining the fragile order we so desperately need.

**Sovereignty erosion causes international wars**

Gay 13

<http://nationalinterest.org/blog/the-buzz/the-deceptive-appeal-the-responsibility-protect-8764>

John Allen Gay is an assistant managing editor at The National Interest. His book (co-authored with Geoffrey Kemp) War with Iran: Political, Military, and Economic Consequences was released by Rowman and Littlefield in early 2013.

Why is R2P’s gutting of national sovereignty a problem? Respect for sovereignty is generally a stabilizing force in the international community. It narrows the scope of acceptable disagreement between states—there are fewer things to fight about. This can lead, in turn, to fewer international armed conflicts—and fewer of their attendant atrocities. R2P’s disregard for sovereignty might empower the international community to, from time to time, actually stop a genocide by intervention. Yet all too often, no “international community” exists. Interventions can become proxy conflicts (this would happen in a Syria intervention, and was a danger in the Balkans). And these proxy conflicts can readily yield atrocities of their own, perhaps far worse than those the intervention was launched to prevent.

**The impact is WW III**

Johnstone 13

<http://www.globalpolicy.org/qhumanitarianq-intervention/52236-responsibility-to-protect-is-a-power-play.html?itemid=id#26087>

Johnstone gained a BA in Russian Area Studies and a Ph.D. in French Literature from the University of Minnesota.[1] She was active in the movement against the Vietnam War, organizing the first international contacts between American citizens and Vietnamese representatives. Most of Johnstone's adult life has been spent in France, Germany, and Italy. Johnstone was European editor of the U.S. weekly In These Times from 1979 to 1990. She was press officer of the Green group in the European Parliament from 1990 to 1996. Johnstone also regularly contributes to the online magazine CounterPunch.[further explanation needed].

Opposing genocide has become a cottage industry in the United States. An example is a program called "World Without Genocide" at William Mitchell College of Law in St. Paul. The recent commentary by its executive director, Ellen Kennedy ("‘Never again,’ it’s been said of genocide. Do we finally grasp it?" Jan. 19), employs all the usual clichés of that well-meaning but misguided campaign. Misguided, and, above all, misguiding. The antigenocide movement is directing people of good intention away from the essential cause of our time -- to reverse the drift toward worldwide war. The Bible of this campaign is Samantha Power's book, "A Problem from Hell." Power's thesis is that the United States is too slow to intervene to "stop genocide." It is a suggestion the U.S. government embraces, to the point of taking on Power as a White House adviser. The reason is clear. Since the Holocaust has become the most omnipresent historical reference in Western societies, the concept of "genocide" is widely accepted as the greatest evil to afflict the planet. It is felt to be worse than war. Therein lies its immense value to the U.S. military-industrial complex, and to a foreign-policy elite seeking an acceptable pretext for military intervention. The obsession with "genocide" as the primary humanitarian issue in the world today relativizes war. It reverses the final judgment of the Nuremberg Trials that: "War is essentially an evil thing. Its consequences are not confined to the belligerent states alone, but affect the whole world. To initiate a war of aggression, therefore, is not only an international crime; it is the supreme international crime, differing only from other war crimes in that it contains within itself the accumulated evil of the whole." Instead, war is transformed into a chivalrous action to rescue whole populations from "genocide." At the same time, national sovereignty, erected as the barrier to prevent strong nations from invading weaker ones -- that is, to prevent aggression and "the scourge of war" -- is derided as nothing but a protection for evil rulers ("dictators") whose only ambition is to "massacre their own people." This ideological construct is the basis for the Western-sponsored doctrine, forced on a more or less reluctant United Nations, of "R2P," the ambiguous shorthand for both the "right" and the "responsibility" to protect people from their own governments. In practice, this can give the dominant powers carte blanche to intervene militarily in weaker countries in order to support whatever armed rebellions they favor. Once this doctrine seems to be accepted, it can even serve as an incitement to opposition groups to provoke government repression in order to call for "protection." Kennedy blames "genocide" on the legal barrier set up to try to prevent aggressive war: national sovereignty. For more than 350 years," she writes, "the concept of 'national sovereignty' held primacy over the idea of 'individual sovereignty' ... The result has been an 'over and over again' phenomenon of genocide since the Holocaust, with millions of innocent lives lost in Cambodia, Bosnia, Rwanda, Congo, Guatemala, Argentina, East Timor ..." Yet Hitler initiated World War II precisely in violation of the national sovereignty of Czechoslovakia and Poland -- partly, he claimed, to stop alleged human-rights violations against ethnic Germans who lived there. It was to invalidate this pretext, and "save succeeding generations from the scourge of war," that the United Nations was founded on the basis of respect for national sovereignty. Of course, there is no chance that the United States will abandon itsnational sovereignty. Rather, other countries are called upon to abandon their national sovereignty to the United States. Kennedy's list includes events that do not remotely fit the term "genocide" and leaves out others that do -- all according to the official U.S. narrative of contemporary conflicts. But the significant fact is that the worst of these slaughters -- Cambodia, Rwanda and the Holocaust itself -- occurred during warsand as a result of wars. The systematic killing of European Jews took place during World War II. In Rwanda, the horrific slaughter was a response to an invasion by Tutsi forces from neighboring Uganda. The Cambodian slaughter was not the fault of "national sovereignty" but the direct result of the U.S. violation of Cambodia's national sovereignty. Years of secret U.S. bombing of the Cambodian countryside, followed by a U.S.-engineered overthrow of the Cambodian government, opened the way for takeover of that country by embittered Khmer Rouge fighters who took out their resentment against the devastation of rural areas on the hapless urban population, considered accomplices of their enemies. Some of the bloodiest events do not make Kennedy's genocide list. Missing is the killing of more than half a million members of the Indonesian Communist Party in 1965 and 1966. But the dictator responsible, Suharto, was "a friend of the United States," and the victims were communists. A principal danger of the R2P doctrine is that it encourages rebel factions to provoke repression, or to claim persecution, solely to bring in foreign forces on their behalf. It is certain that opposition militants exaggerated Moammar Gadhafi's threat to Benghazi to provoke the 2011 French-led NATO war against Libya. The war in Mali is a direct result of the brutal overthrow of Gadhafi, who was a major force for African stability. The sole purpose of R2P is to create a public opinion willing to accept U.S. and NATO intervention in other countries. It is not meant to allow the Russians or the Chinese, say, to intervene to protect housemaids in Saudi Arabia from being beheaded -- much less to allow Cuban forces to shut down Guantanamo and end U.S. violations of human rights (on Cuban territory). Intervention means war; war causes massacres and more wars. The sense of being threatened by U.S. power incites other countries to build up their own military defenses and to repress opposition militants who might serve as excuses for outside intervention. Today, the greatest threat to the peoples of the world is not "evil dictators," but the militarization of international relations which, unless reversed, is leading toward the unimaginable catastrophe of World War III.

**R2P incentivizes escalation to provoke an intervention**

Menon 13

<http://www.the-american-interest.com/articles/2013/06/12/its-fatally-flawed/>

Rajan Menon is Anne and Bernard Spitzer Professor of Political Science, City College of New York/City University of New York, and a senior fellow at the Atlantic Council.

The point here is not to condemn particular states for their selective moral outrages or for putting interests before ethics. This is what states of all stripes tend to do. It’s not that they never act in defense of principles or altruistically; it’s that they don’t do so when important interests point another way, or when the costs and hazards of defending them are deemed prohibitive. R2P boosters and revolutionary liberals will reply that the inability to defend basic values everywhere does not mean they can’t be defended when possible. Examples of supposedly successful action (Bosnia, Kosovo, East Timor and Libya) are trotted out, perhaps supplemented by Emerson’s quip about consistency’s allure for “little minds.” But given the realities of power, what this riposte concedes is that if a weak and ally-bereft state kills its citizens, it risks falling into the R2P file and facing armed intervention. If not, then not—which brings us to the problem of moral hazard inherent in R2P. The prospect of an external humanitarian intervention, as noted earlier, led the KLA to adopt tactics that bordered on terrorism, and Serbia in turn to adopt tactics that resembled migratory genocide. In Libya, once the UN-sanctioned machinery of intervention began to move, anti-Qaddafi insurgents had no reason to compromise and Qaddafi had no motivation to hold back. R2P presents a theoretical continuum of measures with armed intervention at one end, but engaged antagonists know that the various intermediate steps can easily and rapidly be skipped, the continuum collapsed, and the concept applied expansively. That encourages opposition forces to magnify violence to attract and suborn outside help, and it encourages embattled regimes to accelerate efforts at repression before external intervention can be agreed upon and implemented. In short, the prospect of R2P interventions can easily make bad situations worse. onsider Syria in this light. The Assad government has certainly slaughtered enough of its own citizens to attract R2P attention. But no major power has proposed armed intervention or even arming the insurgents in a dramatic or open way. Why? Because, unlike Qaddafi, Assad has the equipment to make the establishment of a no-fly zone, let alone use of ground troops, a very hazardous venture. Syria also has reliable supporters and arms suppliers in Russia and Iran, and Beijing has joined Moscow in scuttling successive Security Council resolutions aimed at the Assad regime. Russia and China had not forgotten that in Libya what began as an R2P intervention to protect civilians turned quickly into one aimed at regime change. It’s impossible to prove, being a counterfactual, but had an R2P intervention in Syria ever seemed possible to the combatants, it might well have made the carnage worse by quickening the tempo of killing.

**Moral hazards spark massive global secessionist wave**

Janik 13

Janik, Ralph R. A., The Responsibility to Protect as an Impetus for Secessionist Movements: On the Necessity to Re-Think Territorial Integrity (December 6, 2013). Matthias Kettemann (ed), Grenzen im Völkerrecht (Jan Sramek Verlag, 2013). Available at SSRN: <http://ssrn.com/abstract=2364478>

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Furthermore, even if such a remedial right to secession existed, some serious problems would arise. First of all, the cases of Biafra, Bosnia and Herzegovina, Kosovo, or the comparatively recent issue of Abkhazia and South Ossetia show the difficulty in establishing such extreme circumstances that make it impossible for different groups to live within the same state which prevents the principle from having practical effect. 53 Secondly, a remedial right that would set aside international law’ s prevailing preference for statehood in light of an » abnormal situation « 54 could have the problematic and unintended effect of providing an incentive for groups eager to establish their own states to actively contribute towards the creation of such a situation by provoking massive retaliation, most often against the civilian population. This problem has not been particular evident until the beginning of the 1990s since any remedial right would not have been more than a mere paper tiger due to the lack of enforcement. However, things have changed in light of new developments regarding outside interference in civil wars. Now that states have become increasingly willing to act in cases of massive human rights abuses by their peers, which would obviously trigger the remedial right to secession, this unintended consequence may be more likely than ever. IV. The Changed Attitude Towards Intervention: Indirect Support for Secessionists ? A. The Route to the Responsibility to Protect In contrast to the lasting rejection of granting any right to secession in international law, the attitude towards civil wars changed drastically over the years. To begin with, a literal interpretation of the Charter text suggests to qualify these as » essentially domestic « in the sense of Article 2 ( 7 ) and thus outside the scope of UN-interference. Still, practice during the Cold War-era deviated somewhat from such a restrictive view and allowed for allowed for UN involvement under the principle of neutrality and on the basis of and within the limits set forth in agreements with the respective affected state. 56 55 In the 1990s, the notion of state sovereignty underwent a significant re-interpretation that rendered the requirement of consent by the affected state less crucial and finally even irrelevant. Meanwhile, however, international law remained keen on protecting the territorial integrity of states. As then-Secretary General Boutros-Ghali observed in light of the fact that » fierce new assertions of nationalism and sovereignty spring up, and the cohesion of States is threatened by brutal ethnic, religious, social, cultural or linguistic strife «: » [ t ] he foundation-stone [ of maintaining international peace and security ] is and must remain the State. Respect for its fundamental sovereignty and integrity are crucial to any common international progress. The time of absolute and exclusive sovereignty, however, has passed; its theory was never matched by reality. It is the task of leaders of States today to understand this and to find a balance between the needs of good internal governance and the requirements of an ever more interdependent world. Commerce, communications and environmental matters transcend administrative borders; but inside those borders is where individuals carry out the first order of their economic, political and social lives.« 57 These findings were written in the aftermath of the 1991 War in Iraq and Security Council resolution 688, which marked the starting point for a new era of intervention in what had earlier been interpreted as » essentially domestic « since it qualified the refugees caused by the repression of the Kurds in the North of Iraq as a threat to international peace and security. 58 The next significant step was the intervention in the civil war in Somalia which was granted without prior invitation or acceptance since no effective and / or recognized government existed. Ultimately, it was the subsequent failure to prevent the genocides in Srebrenica and Rwanda, which, while showing that the trend did not follow a straight line, provided the final decisive ground for a reconcep 59 tualization of the legal and political possibilities of intervention that was initiated by the unauthorized NATO campaign in Kosovo. The solution to reconcile these seemingly contradictory fundamental principles was taken up by the 2001 report of the International Commission on Intervention and State Sovereignty, which identified sovereignty as not only entailing rights but also duties, namely the responsibility of a state to protect its own population from gross human rights abuses. 61 Most importantly and in contrast to the right to humanitarian intervention, the Responsibility to Protect concept is not proposing a » right « to intervene but even an obligation upon third states to act once a state is unable or unwilling to protect its population or even carrying out the named acts himself. 62 As to its practical relevance, this principle has been referred to in the post-election crisis in Kenya, resolution 1706 on Darfur and, most notably, resolutions 1970 and 1973 on the 2011 civil war in Libya, which marked the first time that the Security Council authorized the use of force for human protection purposes in such a situation notwithstanding the lack of consent by a basically functioning government. 63 At the same time, one must not forget that the Responsibility to Protect is an » emerging norm « at best 64 and thus far from having created any obligations to take action, neither for the Security Council nor for individual states. Yet, the Security Council is nowadays undisputedly competent to deal with conflicts taking place within any kind of state regardless of the respective government’ s approval. Hence, even if its status as a legal norm is questionable at best, the Responsibility Protect has significant value as a mere » political « or » soft law « principle, 60 65 thereby putting pressure on the international community to intervene, ideally on the basis of Security Council authorization, in cases of gross human rights abuses committed or at least not prevented by a state. B. The Moral Hazard of Intervention in NonInternational Armed Conflicts 1. The Theory of Moral Hazard The emerging willingness of states and the UN to intervene in civil wars on the basis of human rights considerations has not only received praise. Such actions have been criticised for creating a vast amount of problems and coming with significant unintended side-effects. Perhaps most significant among these is the theory of moral hazard, which states that the envisaged effect of deterring genocide and ethnic cleansing is far from proven, while the expectation of intervention is found to have the consequence that it may even spur violence which would otherwise not occur. 68 This so because, in absence of this prospect, the threat that states are ready and willing to use massive force to crush insurgent movements would usually prevent the latter from resorting to violence. However, this equilibrium is changed by the possibility of outside force against the government which commits such abuses, thereby creating moral hazard in the sense that secessionist groups are instigated to actively provoke massive retaliation because 66 67 hey rely on thereby-triggered interventions as decisive help in overcoming the respective states’ military, administrative, and financial superiority. Given the fact that the preceding acts by the affected state not only constituted the basis for outside intervention but also created a case for the application of remedial secession, the incentives for resorting to violence in such situations are doubled. The most drastic form of moral hazard is evoked by the Responsibility to Protect, since this principle, if applied consequently, would effectively work as a form of insurance against state retaliation. This has the effect that non-state armed groups are led » to view rebellion as a no-lose proposition: if the state eschews retaliation, the rebels win; if the state does retaliate, the international community intervenes and the rebels still win.« 69 In sum, the combination of remedial secession and Responsibility to Protect thus provides an entirely new impetus for secessionist struggles. While Responsibility to Protect provides armed groups with the military help they need in encountering an otherwise clearly superior enemy, the right to remedial secession constitutes the legal basis for their claim to secession after they fighting is over or as a means to end it. The prospects for successful secessions have thus never been better.

**Global secessionism causes multiple global hotspot conflicts**

Mead 13

<http://www.the-american-interest.com/wrm/2013/12/15/peace-in-the-congo-why-the-world-should-care/>

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The first should be a warning to us all. While the world’s intelligentsia today spends an endless amount of time “celebrating difference” and singing the praises of diversity (and we join in that chorus), diversity and difference constitute potentially catastrophic political challenges. One thing that seems to happen with modernization is that groups of people start feeling more need to have the state and the laws reflect the values and the priorities of their own ethnic or religious communities. Identity demands to be reflected in politics. Pre-modern and “primitive” cultures don’t seem to feel this as strongly as more modern ones do, and democracies are sometimes even more chauvinistic than other forms of government as these pressures are felt. It is often populists who lead campaigns for ethnic cleansing or nationalist war. The history of Europe and the Middle East has been shaped by 150 years of sometimes genocidal wars of conquest, revenge, national liberation and religion. Tens of millions have been killed in these wars, multinational states have broken down into ethnic nation states, and millions of refugees have been forced into exile. These wars continue today; the Israeli-Palestinian conflict, the war in Syria, the Kurdish struggle for independence, the tensions in the Caucasus. So far, the only way of settling them for good has been to exterminate minorities or to kick hundreds of thousands or even millions of people (Germans from Poland and the Sudentenland after World War II) out to create homogeneity. One of the biggest questions of the 21st century is whether this destructive dynamic can be contained, or whether the demand for ethnic, cultural and/or religious homogeneity will continue to convulse world politics, drive new generations of conflict, and create millions more victims. The Congo conflict is a disturbing piece of evidence suggesting that, in Africa at least, there is potential for this kind of conflict. The Congo war (and the long Hutu-Tutsi conflict in neighboring countries) is not, unfortunately alone. The secession of South Sudan from Sudan proper, the wars in what remains of that unhappy country, the secession of Eritrea from Ethiopia and the rise of Christian-Muslim tension right across Africa (where religious conflict often is fed by and intensifies “tribal”—in Europe we would say “ethnic” or “national”—conflicts) are strong indications that the potential for huge and destructive conflict across Africa is very real. But one must look beyond Africa. The Middle East of course is aflame in religious and ethnic conflict. The old British Raj including India, Pakistan, Bangladesh, Burma and Sri Lanka offers countless examples of ethnic and religious conflict that sometimes is contained, and sometimes boils to the surface in horrendous acts of violence. Beyond that, rival nationalisms in East and Southeast Asia are keeping the world awake at night. The Congo war should be a reminder to us all that the foundations of our world are dynamite, and that the potential for new conflicts on the scale of the horrific wars of the 20th century is very much with us today. The second lesson from this conflict stems from the realization of how much patience and commitment from the international community (which in this case included the Atlantic democracies and a coalition of African states working as individual countries and through various international institutions) it has taken to get this far towards peace. Particularly at a time when many Americans want the US to turn inwards, there are people who make the argument that it is really none of America’s business to invest time and energy in the often thankless task of solving these conflicts. That might be an ugly but defensible position if we didn’t live in such a tinderbox world. Someone could rationally say, yes, it’s terrible that a million plus people are being killed overseas in a horrific conflict, but the war is really very far away and America has urgent needs at home and we should husband the resources we have available for foreign policy on things that have more power to affect us directly. The problem is that these wars spread. They may start in places that we don’t care much about (most Americans didn’t give a rat’s patootie about whether Germany controlled the Sudetenland in 1938 or Danzig in 1939) but they tend to spread to places that we do care very much about. This can be because a revisionist great power like Germany in 1938-39 needs to overturn the balance of power in Europe to achieve its goals, or it can be because instability in a very remote place triggers problems in places that we care about very much. Out of Afghanistan in 2001 came both 9/11 and the waves of insurgency and instability that threaten to rip nuclear-armed Pakistan apart or trigger wider conflict with India. Out of the mess in Syria a witches’ brew of terrorism and religious conflict looks set to complicate the security of our allies in Europe and the Middle East and even the security of the oil supply on which the world economy so profoundly depends. Africa, and the potential for upheaval there, is of more importance to American security than many people may understand. The line between Africa and the Middle East is a soft one. The weak states that straddle the southern approaches of the Sahara are ideal petri dishes for Al Qaeda type groups to form and attract local support. There are networks of funding and religious contact that give groups in these countries potential access to funds, fighters, training and weapons from the Middle East. A war in the eastern Congo might not directly trigger these other conflicts, but it helps to create the swirling underworld of arms trading, money transfers, illegal commerce and the rise of a generation of young men who become experienced fighters—and know no other way to make a living. It destabilizes the environment for neighboring states (like Uganda and Kenya) that play much more direct role in potential crises of greater concern to us. This is why the Clinton, Bush and Obama administrations (representing three very different kinds of American politics) have all been engaged in efforts like the peace keeping effort in the Congo. It is why, despite our budget problems at home and despite our often justifiable impatience with the complexities of dealing with international coalitions and the inadequacies of international institutions, we need to continue the slow and painstaking work that makes agreements like this one possible. The world we live in is an explosive one. There are all kinds of things that can go horribly wrong, and what happens in one corner of the world doesn’t necessarily stay there. Reducing the danger requires an active, global American foreign policy whether we like it or not. The potential for new communal and religious wars that kill millions of people and endanger American security and world peace is very real. The world seems safer than the world of the 1930s and 1940s in part because the United States and many of our friends and allies are working quietly around the world to contain outbreaks of violence, address the issues that exacerbate hatred and distrust, and in the last analysis are willing to provide the security guarantees and deterrents that prevent mass mayhem.

**Global secession wave spills over to Kurdistan**

Milosevic 10

<http://www.allvoices.com/contributed-news/6608057-kosovo-is-everywhere>

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It is sufficient to analyse the political situation in 69 countries that have formally recognised Kosovo to be clear that majority of them could experience the Serbian fate in near or distant future due to the secessionist problems they have “pushed under the carpet” for decades. USA secessionist movements are very persistent in idea to “dismember” the most powerful world’s country to the smallest independent regions. The leading U.S separatist organisation and parties pretend in establishing 14 new independent states: Alaska, Republic of Lakotah, Republic of New Afrika, People's Republic of the North Star, New York State , Independent Long Island, Oklahoma, Cascadia, Northwest American Republic, Confederate States of America, South Carolina, Republic of Texas, Green Mountain Republic of Vermont, Hawaii. Less influential groups seek to set aside dozens of almost negligible counties as autonomous and independent mini-states such as Martha's Vineyard and Nantucket that tried unsuccessfully to secede from Massachusetts and USA in 1977. From 1850 up to now there have been 27 various attempts for partition of California. The three most persistent ethnic groups that advocate the USA secessionism are Afro Americans, Native Americans (originated from different Indians tribes) and white Anglo-Saxon ethnic group. Canada could be disintegrated into 6 new countries: Newfoundland, Nova Scotia, Quebec, Western Canada, Manitoba and federation British Colombia and Yukon. The Clarity Act issued in 2000 enables provinces to legally secede from Canada if they meet the rules defined by the law. United Kingdom has all chances to collapse like a house of cards on Cornwall, England, Gibraltar, Guernsey, Isle of Man, Scotland, Shetland, Wales, Wessex and Northern Ireland. Ireland Republican Army (IRA) as the most militant secessionist movements have traditionally practiced bombings, assassinations, kidnappings, extortion, and robberies in battle for independence of Northern Ireland rightly called British Kosovo. In attempts to separate Scotland from the United Kingdom a militant group Scottish National Liberation Army (SNLA) using also very aggressive methods including brutal tactics like sending bottles of vodka contaminated with caustic soda to English people. British over-seas territories in Caribbean archipelago (Anguilla, Bermuda, Cayman Islands, Montserrat Turks and Caicos Islands)and African island Saint Helena also express political tendency to be independent countries after centuries of British protectorate rule. Italy could be “cut” like a “pizza” in 17 independent “pieces” : Padania, Aosta Valley, Piedmont, Lombardy, Insubria, Trentino, South Tyrol, Veneto, Friuli-Venezia Giulia, Liguria, Emilia, Romagna, Tuscany , Marche, Umbria, Sicily, Southern Italy and Sardinia. Very strong French secessionist movements, a mixture of political parties, pressure groups, trade unions, young pressure groups and military groups dream about a partitioned France into ten, new, independent territories: Brittany, Normandy, Basque, Alsez-Lorraine, Nice, North Catalonia, Savoy, Occitania and French Flanders and Corsica. The National Liberation Front of Corsica has been practicing a very violent campaign since the 1970s including bombings and assassination that certainly influenced the decision of French government, in 2000, to grant increased autonomy to this island, primarily right on the own language Corsu. French overseas countries Mayotte, French Guyana, Guadeloupe, Martinique French Polynesia and New Caledonia also seek independence. Belgium nationalist parties have been endeavouring for decades to divide Belgium into two new independent states: Dutch-speaking Flemish Republic and French-speaking Wallonia. Left-wing Frisian National Party advocates for autonomy of Netherland’s region Frisia insisting on the own government, Frisian language and, before all, on control over Frisian gas reserves. Independent Frisia would be extended from the north-western Netherlands across north-western Germany to the border of Denmark. Netherland overseas territories Aruba, Netherlands Antilles and Saint Maarten seek own sovereignty. Germany’s sore point is Bavaria while Portugal’s Democratic Party of Atlantic promotes autonomy for the exotic Azores following the case of Bermuda Islands, British overseas territory, Aruba, Netherlands Antilles and Saint Maarten hose Premier in 2004 announced the formation of Bermuda Independence Commission while considering the potential of cutting ties with the British Crown. Switzerland, one of the most economically stable country in world and one of the first who recognised Kosovo due to strong influence of Albanian lobby in “ country of chocolate”, seriously faces the potential separations of cantons Jura, Roman and Ticino for decades now. Inhabitants of Silesia, historical region of Central Europe located in parts of Poland, Czech Republic and Germany seeks the independent country primarily due to nature underground wealth such as large stores of coal, iron, zinc, lead, silver, copper, cobalt, arsenic, the rarer metal cadmium, alum, brown coal, marble, and commoner precious stones, jaspers, agates and amethyst . They also insist on recognition of the Silesian language. As Kosovo did not satisfy the Albanian political appetite, the Albanian nationalists, who proudly call themselves “irredentists” continue working on establishing the Greater Albania that would incorporates Republic of Albania ( as “mother-country”), southern part of Serbia ( Presevo Valley, Medveda, and Bujanovac) as well as territories in southern Montenegro, northwestern Greece (Chameria), and western part of the Republic of Macedonia known as Illiriyada with administrative centre in Macedonian city Tetovo, where Albanians make 70% of total population. Inuit Radical Party advocates the independence of Greenland who belongs to Denmark as an administrative region. In 2009, Denmark Government made a step forward giving the limited autonomy to Greenlanders. They got right on self-government of judicial affairs, policing, and natural resources. Also, they are recognized as a separate people under international law. Faroe Islands requests for a years the separation from the Danish Kingdom. Finland, whose ex-president Marti Ahtisaari initiated and supported the independent Kosovo, within the so-called “Ahtisaari plan” is on the way to lose the own Kosovo. Swedish secessionist party "The Future of Åland" tends to separate the Åland Islands, Finnish administrative area, into an independent region joining them with the European Union. Although the Åland, as part of Finland joined the European Union, its inhabitants have already a “special status”. They are not subject to the EU tax system (VAT and taxes on alcohol). Persons who are not regional citizens are denied the opportunity to own real estate. They can get citizenship after five years of residence in Åland after passing the test in Finnish or Swedish Members of the Finnish Sami population living in Finnish area Karelia plan to reunify with their compatriots in Norway, Sweden and Russia establishing independent country Sapmi from the parts of those countries. Samogitian cultural society, a group interested in preserving Samogitian culture and language, try to establish the independent state Samogitia, a region in north-western Lithuania. Kurdish people, one of the most numerous ethnic population without formal and internationally recognized state, are adherent to the idea of Kurdistan including parts of Turkey, Syria, Iraq, Iran, Azerbaijan, Armenia in Armenia, Georgia, Israel, Russia, and Lebanon. Each of these countries openly feared for their own territorial integrity taking various type of suppressive measures against Kurds from prohibition of Kurdish language in Syria to mass killing by chemical poisoning in Iraq during the government of Saddam Hussein. Turkish government rejects any notion of the existence of Turkish Kurdistan, although this population is present in even 13 Turkish provinces. In same time the Turkish government has territorial claims over the northern part of the island of Cyprus that is already declared as “de facto independent state”. In order to avoid military conflict, the island was divided into two parts, with the southern part that belonged to the Greeks. Japan, a homeland of Hisashi Owada, the president of International Courte of Justice and one of 10 judges who voted for legality of Kosovo declaration, could lose even three islands: Ainu, Hokkaido and Okinawa with Ryukyu Islands under new name Ryukyu Republic. Two Malaysian regions, Sabah and Sarawak try to secede from “mother-country”. Indigenous Maori people seek autonomy in New Zealand. Same requests have Cook Islands, Niue, Tokelau. Western Australia wants their own state not forgetting the referendum from1933 when 68% of the 237,198 voters voted in favour of separation. Christmas Island and Norflok Islands, as a part of soverign Australian territory tend to establish independent states. Costa Rica, a first country that recognised Kosovo faces the potential separation of two provinces Guanacaste and Limon. Colombian separatists dream to divide this South American country on three independent territories: Republic of Antioquia, Autonomous Region Caribbean and region associate of Raizals Archipelago of San Andrés, Providencia and Santa Catalina. Tupac Catary Guerrilla Army have made several attempts to secede region Arequipa from Peru and even designed the city's own passport and flag. Mexican state is at risk to lose the region of Chiapas, where in 2000, Zapatista National Liberation Army (EZLN) autotomized a number of jungle villages. In August 2003, the EZLN self- declared all Zapatista territory as an autonomous government independent of the Mexican state. From the group of 12 Kosovo-friendly African countries, four of them are on the way to be disintegrated. Bloody civil war in Somalia started in 1991 could divide this country into four new states: State of Southwestern Somalia, States of the Central Somalia, Republic of Puntland State of Somalia and Republic of Somaliland. Dominant ethnic group Diola try to separate Casamance region (part of Senegal south of tThe Gambia including the Casamance River). Violent separatist movement is in bloody conflict with Senegalese government forces for decades. Southern islands of Maldives are trying to unite in United Suvadivian Republic while Anjouan and Moheli want to separate from Comores.

**Kurdish succession escalates**

Barkey 9

[Henri J., Senior Associate in the Carnegie Middle East Program, “Preventing Conflict over Kurdistan”, Carnegie Endowment for International Peace, http://carnegieendowment.org/files/preventing\_conflict\_kurdistan.pdf]

The consequences of the 2003 U.S. invasion of Iraq will doubtless be debated for years to come. One result, however, is already clear: the long suppressed nationalist aspirations of the Kurdish people now dispersed across four states—Iraq, Turkey, Iran, and Syria—have been aroused, perhaps irrevocably, by the war. This is translating into demands for greater political and cultural rights and, for the Kurds of Iraq, autonomy from Baghdad’s control. If ignored or badly handled, Kurdish aspirations have the potential to cause considerable instability and violence at a particularly delicate time for the region. For the United States, the Kurdish issue touches on many vital concerns—the future of Iraq and the ability of U.S. combat forces to disengage responsibly; its relations with Turkey, a key North Atlantic Treaty Organization (NATO) ally and aspirant for European Union (EU) membership; and more generally, the stability of an oil-rich region during a period of considerable uncertainty over energy security. In short, Washington must pay close attention to the many dimensions of the Kurdish question and, in particular, to the very real potential for conflict and outside intervention. There are three interconnected sources of potential violent conflict in the Kurdish region. The first concerns the role the Kurds and the Kurdistan Regional Government (KRG) will play in Iraq, namely the extent and size of the territory (including the oil-rich region and city of Kirkuk) they will control as part of a federal state. There is a real possibility of secession in the event that the central government and its allies fail to satisfy some of the basic requirements put forward by the Kurds. Kurdish secession, resistance to Kurdish claims on Kirkuk, and other scenarios could plunge Iraq into an all-out civil war. The second potential source involves the rising tensions in Turkey between the state and its Kurdish minority. Ankara perceives the KRG and the Kurdish successes in northern Iraq as potential threats to its territorial integrity. It fears greater political mobilization by its own Kurdish minority and a stronger Kurdistan Workers’ Party (PKK), a homegrown insurgent group with approximately half of its fighters based in northern Iraq. Turks were adamant in trying to prevent the emergence of a robust, autonomous Kurdish state in northern Iraq. This has already emerged as a major irritant in U.S. relations with Turkey, a NATO ally; last year, Washington, under tremendous pressure from Ankara, provided Turkey with a green light to engage in cross-border military operations against the PKK in northern Iraq. Since December 2007, Turkish aircraft have been staging continuous, though contained, operations against the PKK, supplemented by one ground operation. Those operations risk escalating into a Turkish–Iraqi Kurdish conflict with a full-fledged Turkish intervention that could cause other neighbors to do the same. The third source of conflict is the reaction of Iranian and Syrian Kurds to developments in their neighborhoods. Tehran and Damascus have long opposed Iraqi Kurdish aspirations and have cooperated with each other and with Turkey to stymie Kurdish advances in Iraq. Although Iranian and Syrian Kurds have not received as much attention as their counterparts in Turkey and Iraq, they too have been influenced by the regional events. Increased Kurdish mobilization and instances of violence in both Syria and Iran have alarmed these two regimes. They too may choose to intervene if Iraqi developments are perceived to threaten their territorial integrity. For the United States, all three of these potential causes of conflict give rise to a slew of problems. Political instability, violence, or all-out civil war in Iraq would certainly interfere with the plans to withdraw U.S. forces, as would intervention from neighboring states. Civil war would have disastrous consequences for U.S. interests in the region as a whole. A Turkey that turns inward because of its inability to peacefully resolve this domestic challenge is unlikely to play either a constructive role in the Middle East or succeed in joining the EU, a goal that has had bipartisan support in Washington for more than two decades. For those reasons, the Obama administration should view the Kurdish question, writ large, as central to a successful and responsible disengagement from Iraq and, ultimately, to U.S. policy in the Middle East. Preventing Conflict Over Kurdistan. The challenges created by Kurdish aspirations and the realities on the ground in northern Iraq are daunting, but Washington must take the lead. Whatever its current constraints in the region, the United States still remains the only power with sufficient clout, resources, and influence over most of the parties to begin to resolve these conflicts. First and foremost, how it disengages from Iraq will influence developments in Kurdistan as a whole. This report suggests an approach for the new U.S. administration to prevent problems associated with the Kurdish question from undermining its policies in the region, especially in Iraq. The report argues that Kurdish issues in Iraq, Turkey, Iran, and Syria are inexorably linked and that as a consequence, Washington must develop a comprehensive approach that recognizes and, where possible, leverages those linkages to achieve its policy goals. This is not to suggest that the many facets of the Kurdish issue can only be solved simultaneously in a “Big Bang” fashion, but rather that Washington has to be sensitive to how potential progress—and setbacks—in one area can affect movement elsewhere. Of primary importance should be settling Kirkuk’s future and consolidating the legitimacy of Iraq’s federal structure. Closely related is the development of a working relationship between Ankara and the KRG. Both sides have compelling reasons to cooperate, and such a relationship would go a long way toward mitigating Turkey’s internal Kurdish unrest. Iran and Syria play tertiary roles at this stage, though their own Kurdish problems could escalate in nature and content. The report begins with an overview of the Kurdish question throughout the Middle East and an overview of the situation of Kurds in Iraq, Turkey, Iran, and Syria. An analysis of U.S. stakes and objectives leads into recommendations for U.S. policy.

**Kurdish secession spills over to Nagorno-Karabakh – triggers war between Turkey, Armenia and Azerbaijan**

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(Stephen, Professor at the US Army War College; "The Kurdish Issue and Nagorno-Karabakh," [http://www.eurasianet.org/departments/insight/articles/eav052708a.shtml)](http://www.eurasianet.org/departments/insight/articles/eav052708a.shtml%29)

The Kurdish issue, specifically the matter of establishing a homeland for Kurds, has complicated efforts to stabilize Iraq. Now, there is growing concern among international experts that the Kurdish question could become a source of tension, and possibly conflict in the South Caucasus. Media outlets in Turkey and Azerbaijan have reported that militant Kurds, in particular fighters affiliated with the Kurdistan Workers Party, have been settling in Nagorno-Karabakh and in portions of Armenian-occupied Azerbaijan, with the tacit support of the Armenian government in Yerevan. Many of the Kurds are reputed to have resettled in the strategically important Lachin Corridor, a strip of territory now occupied by Armenia that was formerly part of Azerbaijan proper. Control of Lachin is one of the main obstacles in the search for a Karabakh settlement. [For background see the Eurasia Insight archive]. Before the outbreak of the Karabakh conflict, Lachin had a high number of Kurdish residents, and during the 1920s, it was part of a Kurdish Autonomous Area within the Soviet Union. Much of the Kurdish population fled the region during the Karabakh war. But the fact remains that there is a historical precedent for a Kurdish presence in Lachin. Even so, their resettlement today -- especially if reports about PKK militants being among the migrants are accurate -- is fraught with peril for regional security. Some recent Turkish and Azerbaijani reports have seemed downright hyperbolic in sounding the alarm about the Kurdish threat, as well as about Armenia's supposed role in promoting resettlement. The reports alleged that Kurdish militants have established training camps in and around Karabakh, and that Armenian authorities have given Kurds access to state broadcasting facilities. They likewise claimed that political organizations in Armenia, such as the Armenian Revolutionary Federation (Dashnakstoutiun), are actively assisting the Kurds, seeing them as a means to strengthen Armenians' hold on Karabakh. In addition, Turkish and Azerbaijani media have stressed that both Ankara and Baku consider the PKK a terrorist organization. On May 14, a commentary in the Istanbul newspaper Yeni Safak, a staunch supporter of Turkey's governing Justice and Development Party, claimed that the PKK's leadership, perhaps feeling insecure in northern Iraq, was mulling a move to Nagorno-Karabakh. The report could not be independently confirmed. Armenia officials have vigorously denied a PKK presence in either Armenia proper or in Karabakh. "The unsubstantiated rumors about the intentions on the side of the Kurdistan Workers' Party (PKK) to move to Nagorno-Karabakh and controlled territories cannot be called anything less than another provocation," stated Foreign Ministry press spokesman Vladimir Karapetian. It might be tempting to downplay the news reports as Turkish and Azerbaijani propaganda aimed at their longtime enemy -- Armenia. But dismissing Turkish and Azerbaijani assertions and concerns could prove dangerous. They require further investigation. There is a danger that Turkey and Azerbaijan could take matters into their own hands, using the reported Kurdish threat as a pretext for military operations in Karabakh. In a February commentary published by the Ekho newspaper in Baku, political analyst Mubariz Ahmadoglu stated that that the country's political leadership might feel compelled to use force in an attempt to address the Kurdish issue. "If Armenia continues moving in this direction, resistance on the part Azerbaijan will be increasing. And not only at a diplomatic level," the newspaper quoted Ahmadoglu as saying. "I cannot rule out that Azerbaijan can start real actions of a military character. I know officials who made remarks lately and I formed such an impression." For example, Azerbaijan's Deputy Foreign Minister Araz Azimov has stated publicly that Baku would consider military operations to root out Kurdish militants.

**Uniquely likely to escalate to Great Power war**

Avetyan 11

(Avetik, Special Agent, US Department of State, Master’s Thesis for the JOINT ADVANCED WARFIGHTING SCHOOL at National Defense University; "War in the Caucasus is Inevitable," <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA54574126Location=U226doc=GetTRDoc.pdf>, http://www.dtic.mil/dtic/tr/fulltext/u2/a545741.pdf)

A protracted war between Armenia and Azerbaijan is sure to affect the geopolitical and economic factors of the region including disruption of Caspian Sea oil and gas production which certainly will upset the interests of the larger players. suppose that humanity will take lessons from history and change course is grossly naive. Although Russia, Iran, United States, and Turkey have been able to avoid a direct conflict over Nagorno-Karabagh, relying on each nation’s self restraint is a tremendous risk which can have disastrous consequences. Maintaining the status-quo of the conflict has helped Russia, Turkey, Iran, and the United States to advance their own strategic interests in the region at the expense of allowing escalating tensions between the Armenian and Azerbaijani nations. Since 1988, United States has countered Iran’s involvement in the region by encouraging Turkey’s role, especially in securing Azeri oil resources, and in the process also containing Russian domination of the region. 43 Russia has countered the U.S. role by fostering Turkish-Russian relationship through economic interdependence, while manipulating Iran to counter Turkey’s Pan-Turkish ambitions in Azerbaijan. has used the Russian influence in the region to counter U.S. and NATO basing in Azerbaijan while simultaneously developing Turkish-Iranian economic relationship. Officially Turkey, Russia, Iran and the United States have announced their commitment to help resolve the Nagorno-Karabagh conflict peacefully within the framework of the OSCE however, a small change in an already tense environment may seriously undermine the strategic interests of all of these regional players. 46 44 Iran 45 appears. Brinkmanship in Caucasus The current frozen status of Nagorno-Karabagh conflict is not as stable as it 47 Armenians and Azerbaijanis have used rhetoric, accusing the opposing side on charges of discrimination, racism, bigotry, hatred, mistrust, qualms, injustice, intimidation, and coercion in an effort to classify, categorize, and dehumanize the opponent, a tactic which dates back to the overall tone in the First and Second World Wars. “The two governments have so far undertaken virtually nothing to prepare their populations for the necessity of concessions.” 48 Both presidents have manipulated memory and identity to maintain the status-quo of the frozen conflict and through corruption and brutal oppression they have managed to remain in their political positions. 49 However, there is mounting, external and internal political pressure to end corruption and promote democratic way of life in both countries. This may force the politicians to rally political support and exacerbate ethnic national actions to resume the conflict in Nagorno-Karabagh and divert the focus of their populations from seeking change to fighting for a national cause: a miscalculation and provocation which could easily lead to war. 50 The following recent events capture the danger. On February 25, 2010, Safar Abiyev, the Defense Minister of Azerbaijan, told the OSCE Minsk Group co-chairs that “Azerbaijan is seriously preparing to liberate its territories.” 51 This statement started a slew of similar inflammatory rhetoric and increased the number of sniper attacks and counterattacks on the Nagorno-Karabagh border, with the heaviest Azeri attack on June 18, 2010 that resulted in four Armenian and two Azeri soldiers killed. 52 President Aliyev warned at a public event, “this is the last chance for Armenia to leave the occupied lands voluntarily for the sake of its own future and its own security.” December 1, 2010, the Armenian president addressed the OSCE co-chairs in Astana indicating Armenia’s position on the Nagorno-Karabagh conflict by stating that, “Azerbaijan has no legal, historical, or moral right to lay any claim on NagornoKarabagh. Armenia is strongly against a military settlement of the conflict. However, in the case of Azerbaijani military aggression Armenia will have no alternative but recognize Nagorno-Karabagh as an independent state, as it has no future as part of Azerbaijan.” 54 On July 7, 2010, Azerbaijani diplomats have begun a heavy effort to increase Armenia’s economic isolation by trying to convince the government of Georgia to deny Armenian businesses easy access to the Georgian coastal city of Kabuleti. On February 27, 2011, the Azerbaijani Ambassador to Georgia, Namig Aliyev, alluded to the possibility that 53 On Armenians are on a “Pan-Armenian” quest to expand their territory and gain access to the Black Sea. 55 The Armenia-Georgia route was the only direct line of operation for supplies and equipment during the Armenian-Azeri war. If it is eliminated, it will restrict Armenia to only one land based supply source, Iran. The Azeri actions in Georgia are viewed by the Armenians as an effort by the Azeri government to further extend its economic blockade on Armenia and weaken Armenia’s ability to resist an Azeri attack on Nagorno-Karabagh. On March 5, 2011, Russian President Dmitri Medvedev invited the Armenian and Azerbaijani presidents to a meeting in Sochi to renew talks. Although both presidents promised to increase the number of diplomatic dialogues and meetings, the atmosphere of trust between two nations no longer exists. 56 From these events it became clear that in the words of one observer, “No comparable conflict in the world today arguably has the potential to involve as many regional and global powers as does the Armenian-Azerbaijani conflict.” the U.S., Turkey and Iran are the big regional and global powers with important interests tied to the Nagorno-Karabagh conflict that may blunder unintentionally into war. 57 Indeed, Russia,

**Unchecked humanitarian intervention tanks US – Brazilian relations**

Spektor 12

<http://www.americasquarterly.org/humanitarian-interventionism-brazilian-style>

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While Washington saw the Libya episode as a successful model for future humanitarian interventions, Brasília saw it as a dangerous precedent. Brazil’s foreign policy elite believed the resolution was too broad, giving NATO free rein over the terms and conditions of the intervention. For Brazilian leadership, the thin rules governing the use of force on the part of the major powers represent a great threat to international stability. The idea stems from a belief that intrusive norms of humanitarian intervention will corrode the principles of sovereignty and national autonomy and threaten international stability—representing potentially even a greater risk than the rise of new powers, radical Islam and even nuclear terror.

**Brazil wants LIMITED and RESTRAINED r2p – syncing with the Brazilian position boosts relations and Brazilian soft power**

Spektor 12

<http://www.americasquarterly.org/humanitarian-interventionism-brazilian-style>

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Brazilian officials were sensitive to the criticism. By November 2011, they began to circulate a concept paper at the UN entitled “Responsibility While Protecting,” or RWP. The paper argued that without limits on what the powerful may do, the emerging ideology of humanitarian intervention could easily become a tool for foreign manipulation. It then went on to suggest that the international community ought to codify standards and procedures to govern humanitarian intervention in the future. In practice, RWP proposed the introduction of criteria—such as last resort, proportionality, and balance of consequences—before the Security Council authorized the use of force. The paper called for the creation of a system for monitoring and reviewing the intervention as it evolves. The RWP concept was not open- ended and it stopped short of specifying how to roll out the criteria it proposed. Brasília conceived it less as a finished doctrine and more as a broad message to the international community: if humanitarian interventions in the future are loosely regulated and big power coalitions intervene as they please, then R2P will divide the international community between north and south, rich and poor, strong and weak. There was nothing new here. Brazil’s core message that interventions need to be carefully regulated can in fact be found in the 2005 R2P initiative. The fact that the Brazilian government dusted off its old proposal and presented it to the public demonstrated its willingness to engage constructively in the global debate over the rules that govern the use of force in the next decades. The reception of Brazil’s RWP in the U.S. and parts of Europe was negative at first. With the partial exception of Germany, Europe quickly dismissed the initiative as an attempt to block action and let tyrannical leaders hide behind the legal shield of sovereignty. So far, Brazil has done a poor job of explaining what RWP entails and answering suspicions that it is an attempt to paralyze global action against mass atrocities instead of what it claims it is: a tool to ensure interventions cause less damage than they set out to prevent. China, Russia and India did not show much sympathy for RWP either. They were unhappy to see Brazil go further than they were ready to go in criticizing the Assad regime in Syria, and in their eyes RWP only confirms Brazil’s unpredictability when it comes to defending the primacy of sovereignty. This is, of course, problematic for Brazil. Without the military or financial resources to be a major player in the business of intervention and peacekeeping operations, its ability to speak up in global councils rests on the tacit support of others. If it wants its new ideas to stick, then Brazil first needs to convince and influence powerful countries. RWP has yet to achieve this. Equally complicated is the reception of RWP at home. Brazil’s commitment to sovereignty is deeply rooted in and around the state apparatus, and talk of humanitarian intervention is bound to clash with embedded understandings of how the world works. It is among networks of activists and private foundations, however, that RWP seems to have found its closest friends. Anecdotal evidence suggests that networks of human rights NGOs active in Brazil and in and around the UN system welcomed the initiative and are keen to learn more about it. Among these activists, there is a sense that if R2P is ever going to become a key organizing principle of global order that is embraced by all, then part of the bargain will have to involve some form of criteria for intervention. On this view, weaker nations around the globe will only grant legitimacy to humanitarian intervention if the use of force on behalf of strangers is strictly regulated to ensure that the interests of the people come before those of powerful nations. Stepping Up or Stepping Out of Line? Future disagreement between the U.S. and Brazil over humanitarian intervention is not inevitable. Brazilian leaders have been sensitive to the accusation that they just want to be recognized as a major power without paying any of the costs. Instead, Brasília believes it has gone out of its way to demonstrate its burden-sharing credentials. To further the debate, though, Brazilian leaders will need to remain involved in the shaping of humanitarian intervention norms and avoid alienating the United States. As part of this process, Brazil is aiming to demonstrate that it is entitled to a permanent seat on the UN Security Council, based not only on its willingness to deploy military missions abroad to enforce peace and stability, but on the argument that it can bring to international and multilateral debates and decisions a new, modern perspective on security that is more in tune with the demands of a changing world. Along these lines, Brasília believes that it can add legitimacy to global order because it seeks to preserve humanitarian intervention while defending the weak from the selective geostrategic predations of the most powerful. This is a message that strikes a chord with large swaths of people around the globe. What is the implication for the United States? Since Brazil is more interested in adapting existing conceptions of intervention than in offering alternative ones, the U.S. would be wise to invest in greater dialogue and practical cooperation on the ground. A good example is the work currently conducted by the two countries in Haiti or in bilateral military cooperation in partner countries throughout Africa. Along these lines, Washington should not discard RWP too quickly. If notions of civilian protection are going to become fixtures in the emerging normative landscape, then they will have to be embraced by major rising powers, first among them the members of the BRICS (Brazil, Russia, India, China, and South Africa). Among those countries Brazil has been the one most willing to engage on this topic. Rather than see RWP as an attempt to block progress toward better and more efficient humanitarian interventions, the U.S. should take it as an attempt to return to the initial spirit of R2P in the mid-2000s. At inception, the principle did not focus on the use of military force as the sole or primary instrument to cease violations of rights. Instead, it gave equal attention to building state capacity to address structural causes of violence, such as poverty. Brazil wants to emphasize that side of humanitarian intervention because it will not and cannot take active part in it through military force. But it is keen to make contributions in the fields where it has the ability to deliver, such as poverty alleviation, sustainable agriculture, public service reform, and international aid and cooperation. These may not be integral to current understandings of humanitarian intervention, but are likely to become so if R2P is to become a dominant norm in twenty-first century international society. The best response by the U.S. would be to take Brazil’s proposals seriously and engage Brasília in further specifying how the concept would work in practice. Dialogue with Brazil is a low-cost initiative to try bridging the gap between the Western industrial countries and the major developing states that now threatens the future survival of a global shared responsibility to protect.

**Constrained R2p boosts Brazilian prestige**

Stuenkl 11

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In this context, Brazil’s President Dilma Rousseff has offered an interesting concept that may bring the two sides together. During her opening speech at the UN General Assembly earlier this year, Rousseff argued that better mechanisms were needed to assure that in an intervention unwanted damage would be kept at a minimum, calling it “the responsibility while protecting” (responsabilidade ao proteger). Since then, Brazil has been low-key about the idea, and it has attempted to integrate the concept into last month’s IBSA declaration. Brazilian President’s Rousseff argument during her speech that “while there was been a lot of talk (…) of the right to protect, there is little said about the responsibility while protecting” may seem insignificant, but in essence means that if carried out in a responsible manner, Brazil could, in principle, support intervention in the UN Security Council in the future – and India and South Africa are not fundamentally opposed to this idea. In an op-ed in today’s Folha de São Paulo, Matias Spektor, professor at Fundação Getulio Vargas who coordinates the Center for International Relations, argues that the concept has the potential to turn into one of the Rousseff administration’s important contributions to the international debate. If accepted by the P5, the Brazilian initiative would impose constraints on interventions that could help reluctant actors such as China and Russia support them, mitigating worries that interventions cause more damage than necessary or support a hidden agenda. In order to successfully launch the concept, Spektor argues, Brazil needs to promote it on many levels – such as the G20 and during the BRICS summit, which takes place in India next year. Whatever happens, the case shows Brazil is eager to turn into an international agenda-setter: It is not only willing to participate in international negotiations, but it also increasingly seeks to frame the debate and decide which issues should be discussed in the first place.

**Continued diplomatic setbacks cause Brazilian military buildup to compensate**

Casanova and Kasum 13

F rom S oft to H ard P ower : In S earch of B razil’s W inning B lend Lourdes Casanova\* Julian Kassum \*\* Draft 06/05/2013 \* Lecturer, Strategy Department, at INSEAD, Boulevard de Constance, 77305 Fontainebleau, France. Email: lourdes.casanova@insead.edu \*\* Independent Consultant, International Economic Relations, Buenos Aires, Argentina. Email: jkassum@gmail.com

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Over the last ten years , Brazilian leaders have relied heavily on the country’s soft power – the admiration and influence it d erives from its diplomatic capabilities, socio economic model , and cultural projection – as a means to increase Brazil ’s international status . But a closer look at what Brazil has actually achieved a s a result of its new stature calls for a more cautious judgment. A number of recent events suggest that the country does not yet have the capacity to influence global outcomes and to play a decisive role in international affairs . In other words, Brazil is not yet the “great power” or “global power” it aspire s to become. In particular , Brazil’s diplomacy has experienced a number of major setbacks in recent years. Its campaign to land a permanent seat at the United Nations Security Council fell short of receiving the crucial endorsement of the United States and C hina. Brazilian diplomats have even str uggled to receive backing from their Latin American neighbors : Mexico and Colombia see themselves as possible contestant s for a permanent seat, while Argentina publicly opposed Brazil’s demand in 2004 . The US decision to endorse India's bid 10 and to ignore Brazil’s was a major blow for Brasília . 11 Likewise , Brazil was never able to convince other BRICS to rally around a single candidate for the presidency of the World Bank . O ther example s of Brazil’ s shortcomings were its failed attempts to act as a mediator between Iran and Western powers in 2010 and during the Honduran crisis of 2009 . A possible remedy for these diplomatic setbacks wou ld be to boost the country’s hard power credentials. Proponents of hard power suggest that t o win the respect of its peers, a country must keep a leading edge in the global competition for economic, technologic al and military power. As it happens, Brazil h as recently embarked on an unprecedented “catching up” process which could go a long way towards strengthening the country’s hard power capabilities . First, it is taking steps to consolidat e its status as the world’s sixth largest economy . Second, it is lo oking to gain increased bargaining power from its position as a global supplier of key natural resources. Third, it has become a big source of investment abroad by actively promoting the internationalization of its largest domestic companies. Last but not least, Brazil is slowing establishing itself as a military power with a proactive defense agenda

**Specifically nuclear breakout**

Tokaltan 14

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<http://jia.sipa.columbia.edu/online-articles/state-of-argentine-brazilian-nuclear-relations/>

Professor at University of Colorado, Bryan C. Taylor asserts that, “nuclear weapons have always had a tense relationship with the future.”[xiii] In that sense, there seem to be two alternatives regarding Argentine-Brazilian nuclear diplomacy. These options, in turn, are closely related to the three aforementioned dimensions of nuclear politics: security concerns, prestige issues, and national reasons. Both Argentina and Brazil face a complex and uneasy international security conjuncture. Critical, externally-driven anxieties are very important in the decision to convert latent nuclear production capabilities into a nuclear weapons development initiative.[xiv] Concerns with current global shifts may be higher in Brazil than in Argentina, because Brasilia is committed to become a visible, emerging, world player in the context of growing international frictions, but its potential role as a pragmatic broker on nuclear issues is not yet recognized—as was the case of the 2010 Turkey-Brazil-Iran deal—by key Western NWS. A combination of ambition, fear, and mistreatment may provoke an opportunity to justify a significant improvement of its nuclear program.[xv] The regional facet of concern should be nonexistent to Brazil: nothing originating within Argentina—its ongoing, notably transparent nuclear program, eloquently low defense budget, negligible policy of arms acquisition, non-altered alliance structure, and foreign strategy—should create hesitation on the part of Brazil. Thus, neither the global nor regional security considerations are, per se, powerful enough incentives to modify Brazil’s restraint on the nuclear question. Prestige issues such as status-seeking recognition, identity-constructed politics, and independent self-image, among others, are recognized as relevant elements in the nuclear debate.[xvi] The search for significance and prominence makes it more likely to build up or obtain nuclear armaments. It is understandable if Brazil seeks greater appreciation by, and participation in, different formal and informal institutions as a key state in world affairs.

**Spills over to Latin American cascade and nuclear war**

Ghoshal 13

<http://www.gatestoneinstitute.org/3941/nuclear-brazil>

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Brazil's nuclear submarine would apparently mean a "revival of nuclear development by the Brazilian military that was halted in 1990 with the end of the country's nuclear bomb program."[20] In 2000, however, Brazil's government began exploring a civil nuclear program. Even though Brazil is officially a party to the Non Proliferation Treaty, former President Lula da Silva criticized the NPT as discriminatory toward non-nuclear-weapons states. Brazil's unwillingness to join the Additional Protocol of the Nuclear Non Proliferation Treaty further signals efforts toward nuclearization. Venezuela's close collaboration with Russia and Iran may result in the proliferation of nuclear material or weapons from these countries to Venezuela. There were reports in 2011 that Venezuela, in collaboration with Iran, was building missiles deployed within range of the United States. Brazil would be reasonable to conclude that even basic nuclear capability could deter hostile South American states or other rival attempts on its vast oil resources. Brazil's constitution bans the development of nuclear weapons; also, as a member of Agência Brasileiro-Argentina de Contabilidade e Côntrole de Materiais Nucleares (ABACC), the country would be subject to the monitoring of all nuclear stockpiles. Still, the agency's ability to prevent Brazil from becoming nuclear state is questionable. Moreover, the NPT has a loophole for the non-nuclear-weapons states: in a "critical non-proliferation concern for international community," [21] members can legitimately stockpile large amounts of enriched, weapons-grade uranium, resulting, as with Brazil, in their drifting away from the treaty.[22] Of note, therefore, is Brazil's support for the development of nuclear weapons as a crucial tool of deterrence: to portray itself as an important player in international politics and possibly an eventual bid for permanent membership in the United Nations Security Council. Brazil carries out its nuclear submarine construction in areas it considers "restricted military areas" that bar investigation from the International Atomic Energy Agency. As nuclear submarines require enriched uranium, Brazil could disguise its submarine development as a means to develop nuclear weapons. Deterrence Existential deterrence -- the product of a mode of thought that emphasizes military capabilities over diplomacy and rhetoric -- has, in the nu

clear age, been acclaimed by many states as a strategic necessity. As has been stated: "Potential opponents would be expected to draw conclusions about the capacity and will which would inform their own posture and actions."[23] Brazil therefore asserts its nuclear powered submarines as a peaceful deterrent and not a weapon of war. Since the Cold War era, common belief has held that mutual assured destruction ["MAD",] especially with a stated policy of "no first use," can be strengthened with the deployment of nuclear-powered submarines. Brazil may well determine that if it acquires nuclear capability, at least some of its weapons could survive an enemy's first strike and thereby deter further attempts at aggression. Conclusion By stating that submarines would be used for defensive roles only, Brazil apparently tries to make clear, as the analyst William Goncalvez stated, that it has "strategic needs," but no desire to fuel an "arms race….nor does it want to be a military power."[24] At a time when countries such as China, Russia, and Iran are intensifying their efforts to deny to their adversaries access to certain areas,[25] Brazil's nuclear-powered submarines could also enable the country to enhance its sea-denial capabilities. Brazil's nuclear-powered submarine is expected to have a "world wide reach, deep water stealth, and strike capability."[26] The submarine could further be used for finding and tracking enemy submarines and to carry out covert missions for intelligence gathering. The cost of building the fleet of submarines would be high, estimated up to USD $4 billion. As such, Brazil's domestic problems might cause a reduction to its defense budget. Moreover, the Brazilian navy has had an uneven experience with its French Sao Paulo aircraft carrier which, when deployed,[27] has undergone a number of mechanical problems. Brazil's submarine capabilities could, of course, enable it to take part in warfare away from Brazil's borders. When under the threat of nuclear war, having the capability to wage a war distant from the homefront is advantageous. Although, under the Treaty of Tlalelolco of 1967, Latin America is at present is a nuclear-weapons-free zone, Brazil's move towards nuclearization could prompt Venezuela and Argentina to follow suit. Brazil could also eventually develop SSBNs(ship-submersible ballistic missile nuclear-powered submarines), which can fire submarine-launched ballistic missiles, and which are one of the components of a nuclear triad -- to move towards a credible deterrent. Brazil could choose to develop submarine-launched missiles or torpedoes. In the long run, the nuclear attack submarines could be converted to submarines capable of carrying nuclear-capable cruise missiles. Only then can Brazil strengthen its Continuous-at-Sea Deterrent, or the ability of a submarine armed with nuclear missiles to be on constant patrol. These nuclear developments in Brazil are worth watching closely: the precariousness of deterrence, or of collapsed or ineffective deterrence, easily leads to all-out war.

**Brazilian soft power key to seat on Security Council**

Ristovic 14

<http://uscpublicdiplomacy.org/index.php/pdin_monitor/article/brazils_soft_power_and_dilmas_dilemma/>

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Outside the Western Hemisphere, as Latin America’s rising oil power, it not only commands the globe as a top ranked country in clean energy but it is also leading by example in gender equality with the appointment of a woman to head the nation’s thriving energy industry. President Dilma Rousseff herself is an example of the progress that women have achieved in Brazil. Despite the limitations of social inequality and violent crime, the “B” in the BRICS exults as the world’s 6th largest economy. As it affirms its economic clout as one of the BRICS nations and seeks a permanent seat on the United Nations Security Council, Brazil’s successful execution of its current public diplomacy efforts, specifically in the realm of sports diplomacy and aid diplomacy, could be an important selling point.

**Failure to expand Security Council tanks United Nations cred**

Gowan 13

<http://www.worldpoliticsreview.com/articles/12759/diplomatic-fallout-the-fading-dream-of-u-n-security-council-reform>

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Diplomats are rarely dreamers or gamblers. The experience of grinding negotiations means that most ambassadors and their advisers dislike big ideas and unnecessary risks. But sometimes they have to take a gamble in pursuit of national goals. Two years ago, officials from Brazil, Germany, India and Japan -- working collectively as the “Group of 4” or G4 -- gambled on a drive to win permanent seats on the United Nations Security Council, despite the failure of several similar initiatives over the past decade. This time, too, they were unable to secure a U.N. General Assembly resolution endorsing their hopes. The long-term consequences of the G4’s most recent defeat could prove corrosive for the U.N. Foreign policy experts do not typically take Security Council reform very seriously. The technical obstacles to updating the council are almost insurmountable. Even if governments agreed on a reform package today, it could take years to be ratified. Analysts also question whether non-Western powers really take the council seriously. Brazil and India may want permanent seats for prestige reasons, but they do not want the U.N. to have a major role in their neighborhoods. The diplomatic setbacks of the past two years could exacerbate Brazilian and Indian officials’ doubts about the U.N.’s relevance to their security and prestige. Germany and Japan, meanwhile, have been left to ponder what damage the reform drive may have done to their relations with the U.S. and Western allies. It is possible that the G4’s members, driven by divergent priorities, will struggle to work together effectively in the future. This could lead to a broader loss of energy in discussions of council reform that are already often lethargic. Such an outcome might be welcome to some powers, not least the U.S. and Russia, which face tough times patching up their relations at the U.N. after Syria. They may prefer to focus on their bilateral problems rather than broader institutional reform issues. Nonetheless, if what little pressure still exists for overhauling the council dissipates, the U.N. will appear increasingly detached from the real world.

**Extinction**

Schlesinger 3

<http://articles.latimes.com/2003/sep/24/opinion/oe-schlesinger24>

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The ultimate outcome of the San Francisco Conference is still not known. However, what happened there that produced the last of these grand compacts, the United Nations, has already had an enormous impact over the last six decades. Indeed, the founding of the U.N. in the age of nuclear weaponry -- far more sinister circumstances than any faced by those earlier meetings -- is affecting the survival or demise of humanity. The U.N. and its labors have become the background noise of our global age. It is truly ubiquitous. It has overseen 40 years of decolonization around the planet; sent peacekeepers to places like Cambodia, Cyprus and Sinai; helped end apartheid in South Africa via sanctions. The United Nations' World Health Organization was critical in eradicating smallpox and is on the verge of stamping out polio; its World Food Program feeds hungry people in Africa; its U.N. Development Program sends more multilateral aid dollars abroad than any nation. People forget that before the U.N.'s founding, there was no truly functioning international organization (except for the creaky, faltering League of Nations). This meant that for many decades there was no place for nations to go in global crises. Today, after half a century of the U.N., few of us are unaware that this aging experiment in global society exists and has given some modicum of hope to the world -- despite a dearth of financial resources and the brickbats tossed at it by American politicians. It has become the world's geopolitical emergency room. The question is whether it can survive.

**Us-Brazilian relations revive DOHA**

Hakim 11

<http://www.thedialogue.org/page.cfm?pageID=32&pubID=2679>

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Their ongoing clashes notwithstanding, the two countries would both benefit from new global commercial arrangements. By joining forces, the world’s two leading food exporters could increase the chances of reviving the nearly moribund Doha global trade talks — a declared priority of both nations. However, that would require them to make politically difficult concessions, not only on agricultural issues, but also on trade in services, industrial tariffs and intellectual property. Brazil would have to press its closest Doha allies (including India and China) to give ground on these issues, while the U.S. would confront a bitter domestic political battle.

**Maintaining DOHA momentum key to global free trade**

Economist 13

<http://www.economist.com/blogs/freeexchange/2013/12/world-trade-organisation>

Casual observers might be surprised to learn Doha was not already dead, so long and treacherous was the road to the round’s conclusion. Doha, which began in 2001, suffered near-fatal breakdowns in 2003 and 2008. When trade officials worked to resuscitate discussions in 2012 they opted to keep the agenda as simple and attractive as possible. Even so, talks almost collapsed on multiple occasions. Cuba nearly sank an agreement at the eleventh hour, by threatening to oppose any deal that failed to chip away at America’s embargo of the small economy. Over the past few months Roberto Azevedo (pictured above, to the left, with the meeting's host, Indonesia's trade minister), who took over the job of Director-General of the WTO in September, repeatedly warned that this or that disagreement posed a mortal threat to the Bali package. Yet at each turn Mr Azevedo kept the parties at the table until compromise could be reached.

At the heart of the deal is an agreement on “trade facilitation”, or measures to reduce trade costs by cutting red tape in customs procedures. Trade facilitation could cut global trade costs by more than 10%, by one estimate, raising annual global output by over $400 billion, with benefits flowing disproportionately to developing economies. It nonetheless proved a tricky item to settle. Some poorer countries raised concerns about their ability to make the required capacity upgrades, and talks briefly stalled as arrangements for assistance were worked out.

Yet agriculture proved the sorest subject, as ever. Disagreement spanned several issues, the most contentious of which concerned agriculture subsidies. India, its government facing a general election next year, spearheaded an effort to prevent emerging markets from facing challenges at the WTO over subsidies granted to farmers under the aegis of “food security” measures. In the months leading up to the Bali meeting India wrung substantial concessions from rich-world economies, including a four-year “peace clause” that would have granted developing countries protections from such challenges. Not satisfied with that, India later threatened to derail talks unless the issue was reopened. India ultimately won an indefinite waiver, good until a permanent solution can be reached.

Several other disputes received similar papering over. Indeed, while trade facilitation counts as a meaningful achievement, the deal is unlikely to convince sceptics that the multilateral process can produce ambitious reforms—not while those least committed to progress, like India in this case, can threaten to sink an entire agreement unless their demands are met.

Relief at having finally reached a WTO deal will therefore turn quickly to hand-wringing over what should follow. It will fall to Mr Azevedo to read the mood of the membership and chart a course forward. He will emerge from this process with new credibility and a trust in his ability to choose attainable goals. But he will quickly have to make two key decisions: what issues to press and how to achieve them.

Plenty of bullet points remain on the Doha agenda. They include further progress on matters, like the food security waiver, that received inconclusive treatment at Bali, and other long-simmering issues like progress on ending agricultural subsidies altogether. Yet plowing back into such territory risks wasting the momentum of the Bali deal. Mr Azevedo might instead seek to open discussions on fresher subjects. Investment issues provide one possibility; the WTO could work to rein in investment subsidies and set ground rules for when countries can invest across borders without interference. Trade in environmental goods and services, which covers everything from air filters to environmental consulting, is also expected to take centre-stage.

Mr Azevedo will have a more difficult decision in choosing which items to keep on the multilateral docket, for negotiation among all WTO members, and which to let slip into “plurilateral” deals. Plurilaterals can proceed within the WTO, and allow coalitions of willing countries to agree deals that apply only to signatories, and not to all members. Agreements on services and on IT that are now under discussion fall into this category. China’s minister of commerce used a speech in Bali to suggest it supported the use of plurilaterals to move liberalisation forward. It is possible that Bali, while enhancing the role of the WTO as a forum for negotiations, nonetheless reinforced the difficulty in achieving ambitious multilateral reforms.

Still, the landscape for international trade talks looks much different with a Bali deal than without one. The completion of a WTO agreement reflects a broad appetite for trade integration and reduces the risk that regional deals degenerate into a world of Balkanised trade. Not before time.

**Protectionism causes nuclear war**

Panzner 8

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Continuing calls for curbs on the flow of finance and trade will inspire the United States and other nations to spew forth protectionist legislation like the notorious Smoot-Hawley bill. Introduced at the start of the Great Depression, it triggered a series of tit-for-tat economic responses, which many commentators believe helped turn a serious economic downturn into a prolonged and devastating global disaster, But if history is any guide, those lessons will have been long forgotten during the next collapse. Eventually, fed by a mood of desperation and growing public anger, restrictions on trade, finance, investment, and immigration will almost certainly intensify.

Authorities and ordinary citizens will likely scrutinize the cross-border movement of Americans and outsiders alike, and lawmakers may even call for a general crackdown on nonessential travel. Meanwhile, many nations will make transporting or sending funds to other countries exceedingly difficult. As desperate officials try to limit the fallout from decades of ill-conceived, corrupt, and reckless policies, they will introduce controls on foreign exchange, foreign individuals and companies seeking to acquire certain American infrastructure assets, or trying to buy property and other assets on the (heap thanks to a rapidly depreciating dollar, will be stymied by limits on investment by noncitizens. Those efforts will cause spasms to ripple across economies and markets, disrupting global payment, settlement, and clearing mechanisms. All of this will, of course, continue to undermine business confidence and consumer spending.

In a world of lockouts and lockdowns, any link that transmits systemic financial pressures across markets through arbitrage or portfolio-based risk management, or that allows diseases to be easily spread from one country to the next by tourists and wildlife, or that otherwise facilitates unwelcome exchanges of any kind will be viewed with suspicion and dealt with accordingly.

The rise in isolationism and protectionism will bring about ever more heated arguments and dangerous confrontations over shared sources of oil, gas, and other key commodities as well as factors of production that must, out of necessity, be acquired from less-than-friendly nations. Whether involving raw materials used in strategic industries or basic necessities such as food, water, and energy, efforts to secure adequate supplies will take increasing precedence in a world where demand seems constantly out of kilter with supply. Disputes over the misuse, overuse, and pollution of the environment and natural resources will become more commonplace. Around the world, such tensions will give rise to full-scale military encounters, often with minimal provocation.

In some instances, economic conditions will serve as a convenient pretext for conflicts that stem from cultural and religious differences. Alternatively, nations may look to divert attention away from domestic problems by channeling frustration and populist sentiment toward other countries and cultures. Enabled by cheap technology and the waning threat of American retribution, terrorist groups will likely boost the frequency and scale of their horrifying attacks, bringing the threat of random violence to a whole new level.

Turbulent conditions will encourage aggressive saber rattling and interdictions by rogue nations running amok. Age-old clashes will also take on a new, more healed sense of urgency. China will likely assume an increasingly belligerent posture toward Taiwan, while Iran may embark on overt colonization of its neighbors in the Mideast. Israel, for its part, may look to draw a dwindling list of allies from around the world into a growing number of conflicts. Some observers, like John Mearsheimer, a political scientist at the University of Chicago, have even speculated that an "intense confrontation" between the United States and China is "inevitable" at some point.

More than a few disputes will turn out to be almost wholly ideological. Growing cultural and religious differences will be transformed from wars of words to battles soaked in blood. Long-simmering resentments could also degenerate quickly, spurring the basest of human instincts and triggering genocidal acts. Terrorists employing biological or nuclear weapons will vie with conventional forces using jets, cruise missiles, and bunker-busting bombs to cause widespread destruction. Many will interpret stepped-up conflicts between Muslims and Western societies as the beginnings of a new world war.

**Next is Solvency**

**The expansion of war powers authority into HUMANITARIAN intervention sends signal of commitment to “responsibility to protect”**

Vigeant 13

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Under the Obama Administration, however, R2P has become a component of U.S. foreign policy. The first U.S. government action that brought R2P into the wheelhouse of American foreign policy came just prior to the 2008 elections. The Genocide Prevention Task Force — an organization jointly convened by the U.S. Institute of Peace, the U.S. Holocaust Memorial Museum, and the American Academy of Diplomacy — “urge[d] America’s 44th president to demonstrate at the outset that preventing genocide and mass atrocities is a national priority.” 23 The Task Force also suggested that the next President “develop and promulgate a government-wide policy on preventing genocide and mass atrocities . . . create a standing interagency mechanism for analysis of threats and consideration of appropriate action . . . [and] strengthen global efforts to prevent mass atrocities and genocide.” 24 The Obama Administration seized on the Task Force’s recommendations, and translated them into a broader elevation of R2P as a national interest, via three key docume nts. First, Presidential Study Directive 10 (“PSD-10”) on Mass Atrocities declares mass atrocity prevention to be a “core national security interest and core moral responsibility.” 25 PSD-10 directed the establishment of an interagency Atrocities Prevention Board (“APB”), made up of government officials across multiple federal agencies, and tasked the APB to meet regularly to identify and address atrocity threats. 26 The APB is also ordered to “consider the recommendations of relevant bipartis an and expert studies, including the recommendations of the bipartisan Genocide Prevention Task Force” in developi ng U.S. policy. 27 The APB first met on April 23, 2012, and its first Director was Samantha Power, now the U.S. Ambassador to the U.N., who once wrote that America had a “duty to act” to prevent any foreign genocide. 28 The second document is the 2010 National Security Strategy (“NSS”). The NSS states that “[t]he United States and all member states of the U.N. have endorsed the concept of the Responsibility to Protect.” 29 The NSS continues that “[i]n the event that prevention fails, the United States will work both multilaterally and bilaterally to mobilize diplomatic, humanitarian, financial, and — in certain instances — military means to prevent and respond to genocide and mass atrocities .” 30 The inclusion of R2P in the National Security Strategy is seen by the international community as a signal from the Obama Administration that embracing R2P is in the national interest of the U.S. 31 Third, the Mass Atrocity Response Operations (“MARO”) Project, a joint project between Harvard’s Kennedy School of Government and the U.S. Army War College, has “developed a conceptual framework for MARO, explaining the underlying common elements and unique challenges of a MARO compared to other types of military operations.” 32 The outcome of the Project is the MARO Handbook, which senior Department of Defense, Department of State, National Security Council, and other Administration officials have utilized in table-top exercise simulations. 33 Following publication of the MARO handbook, mass atrocity response was incorporated into Army Training and Doctrine Command publications, and the 2010 Department of Defense Quad- rennial Review. 34 In addition to these documents and actions, the President and members of his admi nistration have made public pronouncements supporting the concept of R2P multiple times. President Obama’s 2009 Nobel Peace Prize Address discussed the role that militaries can play to protect vulnerable populations. 35 Later, the President stated that “I believe that force can be justified on humanitarian grounds. . . . Inaction tears at our conscience and can lead to more costly intervention later. That’s why all responsible nations must embrace the role that militaries with a clear mandate can play to keep the peace.” 36 In 2009, then-U.N. Ambassador Susan Rice stated that the U.S. took its responsibility to protect civilians from violations of international law “seriously.” 37 Assistant Secretary of State Andrew Shapiro labeled “the prevention of mass atrocities and genocide as a core national security interest of the United States.” 38 And on April 23, 2012, President Obama said that “national sovereignty is never a license to slaughter your own people,” as he discussed the creation of the APB. 39 These public comments are only a small sampling of public Obama Administration support for R2P. Additionally, the placement of R2P proponents, such as Susan Rice and Samantha Power in senior U.S. defense and foreign relations posts signals the President’s support for the doctrine. 40 Under the Obama Administration, the concept of R2P has become a core national interest.

**Congressional acceptance reinforced this signal**

Vigeant 13

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Nevertheless, the voices of a minority of the 535 members of the Congress who oppose the President’s view of the balance of power between the branches should not be viewed as resistance from the Congress as a whole. Congress allowed the Libyan intervention to proceed, and did not push back against the view that humanitarian interventions are a U.S. national interest which gives the President unilateral deployment power — so the Libya deployment precedent added a gloss on the power which the President possesses to deploy U.S. military forces. Senator Webb seemed to realize this when he said the logic used by this Administration to intervene in Libya on the basis . . . of ‘ humanitarian intervention’ . . . and the precedent it has set, now requires us to accept one of two uncomfortable alternatives. Either we as a legislative body must reject this . . . or we must accept a redefinition of the very precepts upon which this government was founded. 116 Without formulating any meaningful rejection of the President’s course of action, Congress is accepting a “redefinition” of what interests allow the President to unilaterally deploy the military.

**Congressional restriction creates the BEST of BOTH WORLDS – Congress will stop rampant intervention but keep the backstop**

Vigeant 13

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B. JUDGING SECOND AND THIRD ORDER EFFECTS The biggest inherent problem in R2P missions is that it is exceedingly hard to judge what the second and third order effects of any deployment will be. Executive decision makers are notoriously unable to judge what the outcome of an intervention will be. For example, in Afghanistan the CIA armed the forerunners of Al Qaeda; in Somalia the U.S. intervention led to “Black Hawk Down”; Iraq turned into a raging insurgency rather than an instant democracy; and now there is a rise in violence in the Sahel due to America’s Libyan intervention. 131 According to former CIA Director Michael Hayden, the Obama Administration: went into Libya for reasons that seemed very powerful for some people at the time, almost all of them humanitarian, perhaps without a true or deep appreciation for what the secondary and tertiary effects of overthrowing Gadhafi would be. . . . This was always the story we saw in those cell phone videos of oppressed and oppressor, but there were other stories going on too, other narratives — East vs. West in Libya, tribal disputes in Libya, eastern Libya being hom of the Islamic Libyan fighting group. . . . All these subplots were always out there and once you shatter the old society, these subplots become far more powerful and now we are seeing the results of that: Loss of control, portable air missiles, weapons from Libya being used to grab the northern half of Mali away from the Malian government, which is a good friend of the U.S. 132 Hayden is not the only person to tie the Libyan intervention to the current unrest in Mali, or to the Benghazi attacks. 133 The radicalization of the Syrian civil war is further evidence of the unintended consequences of U.S. interventions overseas. While the Syrian opposition may have begun as a Syrian movement, the opposition is now dominated by foreign fighters, including Iraqis who fought as part of the Islamic State of Iraq and Libyans from Ansar al-Sharia. 134 These fighters learned their tradecraft fighting against American soldiers, and are now part of an opposition which any R2P mission would end up helping. Why would American leaders be unable to see these second and third order effects of interventions? Perhaps this is because whenever outside, uninvolved states embroil themselves in internecine conflicts, they fall into three traps: First, the leadership that replaces the former regime finds that it cannot rule because it has not been able to mobilize the support to win on its own, and, as in Iraq, civil strife follows the liberating invasion. The new leadership finds itself in the second trap when it can only remain in power thanks to ongoing foreign support. As a result, it renders the country a client state rather than a free nation. The third trap occurs when the leadership learns that it can only govern as the previous dictator did — by force. The liberating invaders are thus responsible not only for the monetary and human costs of the invasion but for having produced a civil war, a colony, or one more tyranny with a new ideological label attached. 135 While the problems described in this section are certainly not the only challenges posed by R2P interventions, they serve as a warning for what a future of unilateral R2P interventions could entail. So how could these problems be averted, while still giving the government the ability to deploy military force if it is truly needed to defend America or its interests? One possible solution is to bring the other two branches of the federal government into decision-making on R2P deployments, to enable them to serve as a check on the President which validates that such deployments are worth their cost in U.S. blood and treasure. V. A P ROPOSED S OLUTION TO U NILATERAL R2P D EPLOYMENTS In order to better weigh whether a R2P mission is worth the potential cost, the President’s ability to unilaterally deploy the military on R2P missions must be constrained to give the Legislative Branch a voice on such deployments. Not every R2P intervention is bad — perhaps U.S. intervention in Rwanda could have saved hundreds of thousands of lives. But every R2P situation will be different, and will present unique scenarios and risks. So rather than giving total power to one person and his advisors to commit the U.S. to intervention in another sovereign state’s affairs, Congress — the branch whose members are elected to directly represent the people — should serve as a check over whether American lives should be risked for R2P deployments. As discussed in Section III, the extent of the political branches powers in national security and foreign affairs are decided by custom and historical practice. 136 If Congress were to pass a bill restricting the President’s ability to unilaterally deploy military force on R2P missions, it would effectively block this power, because “as a matter of constitutional law, the President and the Congress share authority to respond to national security issues. The President does not possess exclusive authority to act, and Congress has the constitutional right to participate, in the national security process.” 137 Yet Congress has not passed such a bill and it has increasingly been distanced from the national security decision-making process, perhaps because of “(1) the executive’s incentive and ability to act quickly and decisively; (2) Congress’s own acquiescence due to poorly drafted statutes, inadequate legislative tools, and a lack of political will; and (3) the judiciary’s acquiescence to unilateral assertions of presidential power.” 138 Thus to serve as a check on deployments for R2P missions, Congress should exercise its national security powers and pass a bill prohibiting the President from unilaterally deploying military forces on R2P missions. In May 2012, in response to the Libyan intervention, Senator James Webb introduced one such bill, his “Humanitarian Intervention” Bill. The Bill would have required the President to obtain congressional approval before using military force for humanitarian or peacekeeping operations, while also requiring debate on such a request begin within days, and a vote "in a timely manner.” 139 Webb introduced this bill because “[w]e would be facing the exact same constitutional challenges [over humanitarian interventions] no matter the party of the president. In fact, unless we resolve this matter, there is no doubt that we someday will.” 140 A bill similar to Webb’s would act as a check on hasty Executive decision-making by giving Congress a voice, yet would also allow for a speedy U.S. response if needed under its timely debate procedures. This is the type of solution Congress should enact. Congress is given a role under both the Constitution and the WPR in authorizing humanitarian interventions, as Senator Javits explicitly stated during debate over the WPR, and passing legislation similar to the Webb bill would enable Congress to fulfill that role. The added check of Congress also helps to avoid the problems discussed in Part IV by interjecting a fresh perspective from both parties into a decision-making process that, if left to the Executive alone, could be overtaken by the singular view of the President and the peculiarities of that office.

**Congressional oversight stops quagmires and makes interventions CREDIBLE**

Dowd 12

<http://www.sagamoreinstitute.org/article/a-helping-hand-for-the-commander-in-chief/>

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We tend to think of humanitarian military intervention as a modern phenomenon. Yet more than a century ago, Theodore Roosevelt argued against “cold-blooded indifference to the misery of the oppressed.” Even when “our own interests are not greatly involved,” he declared, there are times to act “in the interest of humanity at large.” That same sentiment continues to compel presidents to dispatch U.S. troops around the world to help the helpless—in Libya, Bosnia, Kosovo, Somalia, Haiti, Kurdistan. The list grows longer each year. And most of the time, Congress isn’t involved in the process. Sens. Jim Webb (D-Va.) and Mike Lee (R-Utah) hope to change that. Their Military Humanitarian Operations Act (MHOA) would require the president to seek congressional approval before deploying U.S. forces on humanitarian missions. In an era when the U.S. military serves as the world’s first-responder—and with interventions in Syria’s civil war and any number of failed states in Africa looming—the MHOA may offer a helpful roadmap in navigating what’s to come. The bill is a response to the 2011 operation in Libya. Reasonable people disagree about the merits of intervening in Libya. Given that not intervening would likely have allowed Moammar Qaddafi to turn Libya into another Rwanda, a strong case can be made that NATO prevented a massacre—and that President Obama did the right thing. But the MHOA suggests that he went about in the wrong way. As one Democratic lawmaker told Politico, administration officials “consulted the United Nations. They did not consult the United States Congress.” And that’s a problem. In fact, when Defense Secretary Leon Panetta was asked to explain the administration’s view of the dynamic between Congress and the Executive regarding the use of force in future Libya-style operations, Panetta replied, “our goal would be to seek international permission” and then “we would come to the Congress and inform you.” That seems precisely backwards. To be sure, the president has unique authority under the Constitution to wage war—authority which should not be undermined by Congress. After all, the Constitution describes the president as the “commander-in-chief.” Presidents must have the flexibility to act swiftly in defense of American interests. That’s why the MHOA narrowly defines military humanitarian operations as those “where hostile activities are reasonably anticipated” and where the aim is “preventing or responding to a humanitarian catastrophe.” The MHOA would not impact retaliatory operations, operations aimed at preventing or repelling attacks on the United States or U.S. interests, operations related to collective self-defense, operations to protect or rescue U.S. citizens or personnel, operations conducted to fulfill treaty commitments, operations in response to natural disasters “where no civil unrest or combat with hostile forces is reasonably anticipated,” freedom-of-navigation exercises, or training exercises “where no combat with hostile forces is reasonably anticipated.” And to prevent congressional foot-dragging, the MHOA would require the Senate Majority Leader and Speaker of the House to introduce identical enabling legislation within a day of notification from the White House, and would require a vote within 48 hours of the conclusion of debate. At the same time, the president’s war-making power should not undermine the unique authority the Constitution accords Congress in determining when U.S. forces should be put into harm’s way. As James Madison observed, “The Constitution supposes what the history of all governments demonstrates, that the Executive is the branch of power most interested in war and most prone to it. The Constitution has accordingly, with studied care, vested the question of war in the Legislature.” Congress has ceded far too much leeway to the president in the postwar era and especially since the end of the Cold War. As Webb said on the Senate floor, “Year by year, skirmish by skirmish, the role of the Congress in determining where the U.S. military would operate, and when the awesome power of our weapon systems would be unleashed has diminished.” When it comes to launching military operations to support humanitarian aims—operations where no national interests are at stake, where there is no immediate threat to the U.S. and hence where timing is not of the essence, as in Somalia 1992, Kosovo 1999, Libya 2011—seeking Congressional authorization should not be seen as a hindrance. In fact, Congress can actually help the Executive by conferring legitimacy onto a humanitarian operation—thereby sharing the burden and responsibility of intervention—or by rejecting plans for intervention. This would prevent the Executive from committing to an effort lacking popular support. However, the purpose of the MHOA isn’t to prevent humanitarian intervention—as Webb puts it, “I’m not advocating a retreat from anywhere”—but to ensure Congress is a co-equal partner in determining where, when and whether to intervene. That makes sense, given that the ingredients for humanitarian intervention—mass-suffering and mass-communications—are constantly being stirred around the globe. That’s a crucial point: The need for humanitarian intervention is not greater today than in the past—Ireland was ravaged by famine in the 1840s, and the U.S. sent warships loaded with food; Stalin tried to starve Berlin into submission, and Harry Truman launched Operation Vittles; Vietnamese babies were abandoned, and Gerald Ford launched Operation Babylift—but our awareness and capabilities are. This wireless, networked world makes averting our gaze from the “misery of the oppressed” nearly impossible. And given our unmatched geopolitical power, claiming that we are unable to stop the Milosevics, Assads and Qaddafis of the world would be a lie. Yet just because America has the ability to intervene anywhere doesn’t mean it has to intervene everywhere. That’s where Congress can and should help the commander-in-chief.

### 2AC—Solvency

**Self-interest and normative pressure**

Pildes 12 – Richard H. Pildes, Sudler Family Professor of Constitutional Law at the NYU School of Law and Co-Director of the NYU Center on Law and Security, "Book Review: Law and the President", Harvard Law Review, April, 125 Harv. L. Rev. 1381, Lexis

III. The Incomplete Consequentialist Theory for the Role of Law  
For these reasons, I want to move beyond empirical issues and engage Posner and Vermeule on their own terms, and at a deeper, more theoretical, and general level. Posner and Vermeule see presidents as Holmesians, not Hartians. [n69](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n69) Yet even if we enter their purely consequentialist world, in which presidents follow the law not out of any normative obligation or the more specific duty to faithfully execute the laws but only when the cost-benefit metric of compliance is more favorable than that of noncompliance, powerful reasons suggest that presidents will comply with law far more often than Posner and Vermeule imply. And analysis of those reasons might also point us to understanding better the contexts in which presidents are less likely to comply (either by invoking disingenuous or wholly unpersuasive legal interpretations or by defying the law outright).

The Posner and Vermeule approach is characteristic of a general approach to assessing public institutions and the behavior of judges, legislators, presidents, and other public officials that has emerged recently within legal scholarship. Under the influence of rational-choice theory and empirical social science from other disciplines, such as political science and economics, some public law scholarship has shifted to trying to predict and understand the behavior of public officials wholly in terms of the material incentives to which they are posited to respond. These incentives include the power of effective sanctions other actors can impose on public officials who deviate from those actors' preferred positions. In this general rational-choice approach, considerations of morality or duty internal to the legal system do not motivate public actors. Indeed, in the case of Posner and Vermeule's book, that is more the working assumption of the approach than a fact that the theories actually prove. Public officials do not follow the law out of any felt normative sense of official or moral obligation. In what they view as hard-headed realism, scholars like Posner and Vermeule believe a more external perspective is required to understand presidential behavior. All that matters, from this vantage point, are the consequences that will or will not flow from compliance or defiance and manipulation of the law. If other actors, including Congress, the  [\*1405] courts, or "the public" (whatever that might mean, precisely) will accept an action, the President will be able to do it; if not, his credibility and power will be undermined. It is that externally oriented cost-benefit calculation - not the law and not any internal sense of obligation to obey the law - that determines how presidents act in fact. Thus, "politics," not "law," determines how much discretion presidents actually have.

This approach to presidential power finds its analog in the way a number of constitutional law scholars have come to portray the behavior of the Supreme Court. These scholars, such as Professors Michael Klarman, [n70](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n70) Barry Friedman, [n71](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n71) Jack Balkin, [n72](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n72) and others, have asserted various versions of what I call the "majoritarian thesis" [n73](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n73): the claim that Court decisions are constrained to reflect the policy preferences of national political majorities (or national political elite majorities), rather than the outcomes that good-faith internal elaboration of legal doctrine would compel based on normative considerations about appropriate methods of legal reasoning and interpretation. In some versions of the majoritarian thesis, these potential external sanctions impose outer boundaries on the degrees of freedom the Court has; within those boundaries, the Court remains free to act on its own considerations, including perhaps purely legal ones as viewed from an internal perspective. In other versions, the Court is cast as almost mirroring the preferences of national political majorities. Here, too, the behavior of the Court is seen as based less on internal, legal considerations and more on the anticipated external reactions to decisions.

At an even broader theoretical level, Professor Daryl Levinson has employed the same kind of purely consequentialist framework to analyze what he calls the "puzzle" of the stability and effectiveness in general of constitutional law. [n74](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n74) Constitutional law decisions often frustrate  [\*1406]  the preferences of political majorities. As Levinson puts it, the question of why those majorities do or should ever abide by such decisions is much like the question of why presidents do or should abide by law. For Levinson, as for Posner and Vermeule, legal compliance, to the extent that it occurs, cannot be explained by more traditional accounts of the normative force of law or by the sense that courts are politically legitimate institutions whose authority ought to be accepted for that reason. Instead, the explanation must lie in considerations external to the legal system, such as the material incentives other actors have to obey, or ignore, Court decisions. Levinson then catalogues an array of material incentives political majorities confront in deciding whether to follow Court decisions whose outcomes they dislike; the resulting cost-benefit calculations end up making compliance with Court decisions usually the "rational" course of action even for disappointed political majorities (at least in well-functioning constitutional systems). [n75](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n75) Thus, the rational-choice and normative views end up converging in practice. And presumably, most actors do not actually run through these consequentialist calculations in deciding whether to obey particular Court decisions. Instead, these calculations lie deep beneath the surface of much larger systems of education, socialization, public discourse, and the like; most individuals, including public officials, comply with Court decisions unreflectively, because it is the "right" thing to do. But the rational-choice framework leaves open the possibility that, at any given moment, the actors the Court's decision limits - the President, Congress, state legislatures, or others - could mobilize the underlying cost-benefit calculations that otherwise lie latent and conclude that, this time around, refusal to abide by the law is the more "rational" course.

But as Levinson's work helps to show, even on its own terms, Posner and Vermeule's approach offers an incomplete account of the role of law. Levinson's work, for example, is devoted to showing why constitutional law will be followed, even by disappointed political majorities, for purely instrumental reasons, even if those majorities do not experience any internal sense of duty to obey. He identifies at least six rational-choice mechanisms that will lead rational actors to adhere to constitutional law decisions of the Supreme Court: coordination, reputation, repeat-play, reciprocity, asset-specific investment, and posit0069ve political feedback mechanisms. [n76](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n76) No obvious reason exists to explain why all or some of these mechanisms would fail to lead presidents similarly to calculate that compliance with the law is usually important to  [\*1407]  a range of important presidential objectives. At the very least, for example, the executive branch is an enormous organization, and for internal organizational efficacy, as well as effective cooperation with other parts of the government, law serves an essential coordination function that presidents and their advisors typically have an interest in respecting. There is a reason executive branch departments are staffed with hundreds of lawyers: while Posner and Vermeule might cynically speculate that the reason is to figure out how to circumvent the law artfully, the truth, surely, is that law enables these institutions to function effectively, both internally and in conjunction with other institutions, and that lawyers are there to facilitate that role. In contrast to Posner and Vermeule, who argue that law does not constrain, and who then search for substitute constraints, scholars like Levinson establish that rational-choice theory helps explain why law does constrain. Indeed, as Posner and Vermeule surely know, there is a significant literature within the rational-choice framework that explains why powerful political actors would agree to accept and sustain legal constraints on their power, including the institution of judicial review. [n77](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n77)

That Posner and Vermeule miss the role of legal compliance as a powerful signal, perhaps the most powerful signal, in maintaining a President's critical credibility as a well-motivated user of discretionary power is all the more surprising in light of the central role executive self-binding constraints play in their theory. After asserting that "one of the greatest constraints on [presidential] aggrandizement" is "the president's own interest in maintaining his credibility" (p. 133), they define their project as seeking to discover the "social-scientific microfoundations" (p. 123) of presidential credibility: the ways in which presidents establish and maintain credibility. One of the most crucial and effective mechanisms, in their view, is executive self-binding, "whereby executives commit themselves to a course of action that would impose higher costs on ill-motivated actors" (p. 137). As they also put it, "a well-motivated president can distinguish himself from an ill-motivated president by binding himself to a policy position that an ill-motivated president would reject" (p. 135).

By complying with these constraints, presidents signal their good faith and accrue more trust to take further action. Most importantly from within Posner and Vermeule's theory, these constraints, many self-generated through executive self-binding, substitute for the constraints of law. Law does not, or cannot, or should not constrain presidents, in their view, but rational-actor presidents recognize that  [\*1408] complying with constraints is in their own self-interest; presidents therefore substitute or accept other constraints. Thus, Posner and Vermeule recognize the importance of "enabling constraints" [n78](http://www.lexisnexis.com.proxy.cc.uic.edu/lnacui2api/frame.do?tokenKey=rsh-20.65508.91047456886&target=results_DocumentContent&returnToKey=20_T19544051447&parent=docview&rand=1396007717605&reloadEntirePage=true" \l "n78) in effective mobilization and maintenance of political power; that is, they recognize that what appear to be short-term constraints on the immediate preferences of actors like presidents might actually enable long-term marshaling of effective presidential power. Yet they somehow miss that law, too, can work as an enabling constraint; when it comes to law, Posner and Vermeule seem to see nothing but constraint. Indeed, this failing runs even deeper. For if presidents must signal submission to various constraints to maintain and enhance their credibility - as Posner and Vermeule insist they must - Posner and Vermeule miss the fact that the single most powerful signal of that willingness to be constrained, particularly in American political culture, is probably the President's willingness to comply with law.

In theoretical terms, then, Posner and Vermeule emerge as inconsistent or incomplete consequentialists. Even if law does not bind presidents purely for normative reasons, presidents will have powerful incentives to comply with law - even more powerful than the incentives Posner and Vermeule rightly recognize presidents will have to comply with other constraints on their otherwise naked power. To the extent that Posner and Vermeule mean to acknowledge this point but argue that it means presidents are not "really" complying with the law and are only bowing to these other incentives, they are drawing a semantic distinction that seems of limited pragmatic significance, as the next Part shows.

### 2AC—Adv 2

**Disease**

**Extinction genetically impossible and ahistorical**

**Posner 2005** (Richard A., Judge U.S. Court of Appeals 7th Circuit, Professor Chicago School of Law, January 1, 2005, Skeptic, Altadena, CA, Catastrophe: Risk and Response, http://goliath.ecnext.com/coms2/gi\_0199-4150331/Catastrophe-the-dozen-most-significant.html#abstract)

Yet the fact that Homo sapiens has managed to survive every disease to assail it in the 200,000 years or so of its existence is a source of genuine comfort, at least if the focus is on extinction events. There have been enormously destructive plagues, such as the Black Death, smallpox, and now AIDS, but none has come close to destroying the entire human race. There is a biological reason. Natural selection favors germs of limited lethality; they are fitter in an evolutionary sense because their genes are more likely to be spread if the germs do not kill their hosts too quickly. The AIDS virus is an example of a lethal virus, wholly natural, that by lying dormant yet infectious in its host for years maximizes its spread. Yet there is no danger that AIDS will destroy the entire human race. The likelihood of a natural pandemic that would cause the extinction of the human race is probably even less today than in the past (except in prehistoric times, when people lived in small, scattered bands, which would have limited the spread of disease), despite wider human contacts that make it more difficult to localize an infectious disease. The reason is improvements in medical science. But the comfort is a small one. Pandemics can still impose enormous losses and resist prevention and cure: the lesson of the AIDS pandemic. And there is always a lust time. That the human race has not yet been destroyed by germs created or made more lethal by modern science, as distinct from completely natural disease agents such as the flu and AIDS viruses, is even less reassuring. We haven't had these products long enough to be able to infer survivability from our experience with them. A recent study suggests that as immunity to smallpox declines because people am no longer being vaccinated against it, monkeypox may evolve into "a successful human pathogen," (9) yet one that vaccination against smallpox would provide at least some protection against; and even before the discovery of the smallpox vaccine, smallpox did not wipe out the human race. What is new is the possibility that science, bypassing evolution, will enable monkeypox to be "juiced up" through gene splicing into a far more lethal pathogen than smallpox ever was.

Can’t solve warming even if we stopped all emissions today

ANI 10

3-2010, http://news.oneindia.in/2010/03/20/ipcchas-underestimated-climate-change-impacts-sayscientis.html

According to Charles H. Greene, Cornell professor of Earth and atmospheric science,"Even if all man-made greenhouse gas emissions were stopped tomorrow and carbon-dioxide levels stabilized at today's concentration, by the end of this century, the global average temperature would increase by about 4.3 degrees Fahrenheit, or about 2.4 degrees centigrade above pre-industrial levels, which is significantly above the level which scientists and policy makers agree is a threshold for dangerous climate change." "Of course, greenhouse gas emissions will not stop tomorrow, so the actual temperature increase will likely be significantly larger, resulting in potentially catastrophic impacts to society unless other steps are taken to reduce the Earth's temperature," he added. "Furthermore, while the oceans have slowed the amount of warming we would otherwise have seen for the level of greenhouse gases in the atmosphere, the ocean's thermal inertia will also slow the cooling we experienceonce we finally reduce our greenhouse gas emissions," he said. This means that the temperature rise we see this century will be largely irreversible for the next thousand years. "Reducing greenhouse gas emissions alone is unlikely to mitigate the risks of dangerous climate change," said Green.

**No impact to warming – models are flawed and consensus is a BAD thing – breaks down effective peer review.**

**Happer 11** – (5/23/11, William, PhD in Physics, Cyrus Fogg Brackett Professor of Physics at Princeton University, former director of research for the United States Department of Energy, fellow of the American Physical Society and the American Association for the Advancement of Science, and a member of the National Academy of Sciences, “The Truth About Greenhouse Gases,” The Marshall Institute, <http://www.marshall.org/article.php?id=953&print=1> DH)

Let me turn to some of the problems the non-pollutant CO2 is supposed to cause. More CO2 is supposed to cause flooded cities, parched agriculture, tropical diseases in Alaska, etc., and even an epidemic of kidney stones. It does indeed cause some warming of our planet, and we should thank Providence for that, because without the greenhouse warming of CO2 and its more potent partners, water vapor and clouds, the earth would be too cold to sustain its current abundance of life.

Other things being equal, more CO2 will cause more warming. The question is how much warming, and whether the increased CO2 and the warming it causes will be good or bad for the planet.

The argument starts something like this. CO2 levels have increased from about 280 ppm to 390 ppm over the past 150 years or so, and the earth has warmed by about 0.8 degree Celsius during that time. Therefore the warming is due to CO2. But correlation is not causation. Roosters crow every morning at sunrise, but that does not mean the rooster caused the sun to rise. The sun will still rise on Monday if you decide to have the rooster for Sunday dinner.

There have been many warmings and coolings in the past when the CO2 levels did not change. A well-known example is the medieval warming, about the year 1000, when the Vikings settled Greenland (when it was green) and wine was exported from England. This warm period was followed by the “little ice age” when the Thames would frequently freeze over during the winter. There is no evidence for significant increase of CO2 in the medieval warm period, nor for a significant decrease at the time of the subsequent little ice age.

Marked

Documented famines with millions of deaths occurred during the little ice age because the cold weather killed the crops. Since the end of the little ice age, the earth has been warming in fits and starts, and humanity’s quality of life has improved accordingly.

A rare case of good correlation between CO2 levels and temperature is provided by ice-core records of the cycles of glacial and interglacial periods of the last million years of so. But these records show that changes in temperature preceded changes in CO2 levels, so that the levels were an effect of temperature changes. This was probably due to outgassing of CO2 from the warming oceans and the reverse effect when they cooled.

### 2AC—Flex DA

**R2p** – other justification

Congress constrains bolster the credibility of threats – solves escalation

Waxman 8/25/13 (Matthew Waxman is a law professor at Columbia Law School, where he co-chairs the Roger Hertog Program on Law and National Security. He is also Adjunct Senior Fellow for Law and Foreign Policy at the Council on Foreign Relations and a member of the Hoover Institution Task Force on National Security and Law. He previously served in senior policy positions at the State Department, Defense Department, and National Security Council. After graduating from Yale Law School, he clerked for Judge Joel M. Flaum of the U.S. Court of Appeals and Supreme Court Justice David H. Souter, “The Constitutional Power to Threaten War” Forthcoming in YALE LAW JOURNAL, vol. 123, 2014, August 25th DRAFT)

Part II draws on several strands of political science literature to illuminate the relationship between war powers law and threats of force. As a descriptive matter, the swelling scope of the president’s practice in wielding threatened force largely tracks the standard historical narrative of war powers shifting from Congress to the President. Indeed, adding threats of force to that story might suggest that this shift in powers of war and peace has been even more dramatic than usually supposed, at least in terms of how formal congressional checks are exercised.

Part II also shows, however, that congressional checks and influence – even if not formal legislative powers – operate more robustly and in different ways to shape strategic decision-making than usually supposed in legal debates about war powers, and that **these checks and influence can enhance the potency of threatened force**. This Article thus fits into a broader scholarly debate now raging about the extent to which the modern President is meaningfully constrained by law, and in what ways. 20 Recent political science scholarship suggests that Congress already exerts constraining influences on presidential decisions to threaten force, even without resorting to binding legislative actions. 21 Moreover, when U.S. security strategy relies heavily on threats of force, credibility of signals is paramount. Whereas it often used to be assumed that institutional checks on executive discretion undermined democracies’ ability to threaten war credibly, some **recent political science scholarship** also offers reasons to expect that congressional political constraints can actually bolster the credibility of U.S. threats. 22

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### 2AC—Exec CP

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Contrubis 99

<http://www.llsdc.org/assets/sourcebook/crs-exec-orders-procs.pdf>

Legislative Attorney, American Law Division

The President’s ability to issue executive orders and proclamations is also derived from express or implied statutory authority from Congress.1 The ambiguity behind executive orders and proclamations poses a great concern for Congress and the public. At issue is the possibility that these presidential instruments may direcdy or indirectly affect the substantive rights, duties or obligations of persons outside the government. As a consequence, since executive orders and proclamations are a species of executive legislation, they liave important constitutional implications, particularly with respect to the separation of powers. Furthermore, these instruments, if issued under a valid claim of authority and published,4 have the force and effect of law' and courts are required to take judicial notice of their existence.6 Thus, it is important to examine the legal basis for each executive order and proclamation issued and the manner in w hich the President has used these instruments. The primary focus of this report is to determine the limits of the President’s authority to issue executive orders and proclamations and to determine the r ole of the legislature and judiciary in shaping the President’s use of these powerful instruments. This report will also compare presidential memorauda, a frequently used executive instrument, to executive orders.

**Can’t sustain CP – not durable**

**Hanania 12 –**

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Recent history has shown that presidents have been more willing to engage in humanitarian intervention than Congress. Here, I present a model that explains why, in the form of t he five empirical claims on which it is based. First of all, we see that the public weakly supports humanitarian intervention. Thus, in a system where intensity of preferences to a great extent determines the political pressure leaders face to act in certa in ways, there will be little pressure for these kinds of wars. On the other hand, the second premise of the model assumes that political leaders seek approbation for their actions. This fact, when combined with the weak public preference for humanitarian intervention, indicates that American leaders will occasionally face sufficient incentives to engage in humanitarian wars. The final three premises explain why the executive is more inclined than the legislature to engage in humanitarian interventions. Ind ividual congressmen face a collective action problem in receiving approbation for intervening in the affairs of other states in order to save lives. 307 Any accolades and honors that Congress can be expected to receive for acting humanely would be shared with the institution as a whole, while any legislature who began championing humanitarian intervention would bear a disproportionate amount of the costs. A legislature’s opportunity cost of advocating humanitarian intervention might be delivering on a local pr oject, the kind of legislative act for which constituents are more likely to give a congressman credit. 308 Fourth, we may believe that leaders genuinely care about foreigners killed by their own governments. An executive will feel stronger psychological pres sures to act when facing these kinds of tragedies, since individual legislatures are able to engage in a sort of psychological buck passing. There is historical evidence suggesting that presidents and others in the executive branch feel psychological press ure to act to stop atrocities overseas, 309 as well as psychological literature indicating that ndividuals are less inclined to help others when they see bystanders in the same position to act behaving passively. Finally, even if a majority of Congress wants to undertake a humanitarian intervention and overcomes all the issues already mentioned, it may not be able to come to an agreement about the proper course to take. This is different from the situation in a war fought in self defense, where such issues ar e thought of as tactical and within the proper domain of executive power.

#### Executive actions not enforced and will get rolled back

Richard Wolf, citing Paul Light, professor of public service, “Obama Uses Executive Powers to Get Past Congress,” USA TODAY, 10—27—11, www.usatoday.com/news/washington/story/2011-10-26/obama-executive-orders/50942170/1, accessed 7-18-12.

On all three initiatives, Obama used his executive authority rather than seeking legislation. That limited the scope of his actions, but it enabled him to blow by his Republican critics. "It's the executive branch flexing its muscles," presidential historian and author Douglas Brinkley says. "President Obama's showing, 'I've still got a lot of cards up my sleeve.'" The cards aren't exactly aces, however. Unlike acts of Congress, executive actions cannot appropriate money. And they **can be wiped off the books** by courts, Congress or the next president. Thus it was that on the day after Obama was inaugurated, he revoked one of George W. Bush's executive orders limiting access to presidential records. On the very next day, Obama signed an executive order calling for the Guantanamo Bay military detention facility in Cuba to be closed within a year. **It remains open** today. Harry Truman's federal seizure of steel mills was invalidated by the Supreme Court. George H.W. Bush's establishment of a limited fetal tissue bank was blocked by Congress. Bill Clinton's five-year ban on senior staff lobbying former colleagues was lifted eight years later — by Clinton. "**Even presidents sometimes reverse themselves**," says Paul Light, a professor of public service at New York University. "Generally speaking, it's more symbolic than substantive."

#### Can’t solve signalling on r2p without INTERBRANCH UNITY

Shank 7/2/11

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<http://www.theguardian.com/commentisfree/cifamerica/2011/jul/02/libya-usforeignpolicy>

With Republicans and Democrats alike split, confusion reigns over two crucial issues: war powers and R2P. It's time for clarity Last week, as the US Senate picked up the Libya debate where the House of Representatives left off, it was apparent that Libya has created a political and moral quagmire for America. At the crux of continuing House debate is the legality of the invasion, given lack of congressional approval and its war powers implications, and the morality of the invasion, given a democratic imperative vis-à-vis the "responsibility to protect" (R2P). Needless to say, reporters scrambled to present House consensus after the votes on 24 June. The first vote was clear. The House voted overwhelmingly against authorisation for the Libya invasion. This is an important gesture from a war-weary Congress, especially in light of lack of congressional approval in the past 90 days, which is required under the 1973 War Powers Resolution. For some in Congress, this vote was about taking legislative power back and reaffirming the checks and balances instated in the War Powers Act. For others, this was purely a political move, tapping into an increasingly tangible anti-war sentiment and growing discontent about the billions of dollars spent abroad, while American infrastructure crumbles. Republicans, interestingly enough, are becoming more anti-war – in part, because that is where the American public is headed. The second vote, however, was less clear, with some media outlets reporting that the House voted to continue funding the Libyan operation. This was a misread of the House vote. The bill, had it passed, would cut funding for some US operations in Libya, but not all – allowing the refuelling of bombers, identification and selection of targets, guidance of munitions, logistical support and operational planning to continue. It left congressmen and women in a bind: cut some funding, but support the continuation of an unauthorised war, or vote against any continuation whatsoever? While a House majority voted against this bill because it was too weak, failed to cut off all funds, or implicitly authorised the intervention, some congressmen and women supported it, concerned that press would interpret "no" votes as a desire to keep funding the war. The "nays" had it, ending debate until the Defence Appropriations bill comes up next week, wherein Representative Dennis Kucinich will offer his amendment to prohibit funds from being used to fund US military operations in Libya. A far clearer mandate for Congress to consider, this will ultimately test congressional mettle. And here lies the rub. Even if the House votes to prohibit funding of Libya operations, this does little to address both the political and moral imperatives implicated by the Libya invasion. As House members get mired in the minutiae of amendments, who will illuminate the issues that lie at the heart of the matter, which, left unaddressed, are doomed to be repeated in the future? Unless Washington finds consensus on where and how we apply the War Powers Resolution or when and how we pursue R2P, we could easily witness similar votes related to Syria, Yemen or Pakistan. Given that we ignored R2P imperatives in the Democratic Republic of Congo, Rwanda and Sudan – none of which come close to Libya's known oil reserves, which are second only to Saudi Arabia – Washington must decide whether it is going to apply a moral injunction consistently, or whether national interests will dictate civilian protection. If it is the latter, then say so. Own up to the fact that the US is now engaged in hostile actions in at least five Muslim countries, including Iraq, Afghanistan, Pakistan, Yemen and Libya. Own up to the fact that War Powers legislation, created to ensure accountability between the executive and legislative branches, is being discursively disregarded and disembowelled. And own up to the fact that the "responsibility to protect" is increasingly about protecting economic interests, and not primarily civilian innocents.

#### \_\_\_\_UN VETO DA:

#### Only Congressional intervention solves R2P grant of power to the UN

Samples 10/27/11

<http://www.cato.org/sites/cato.org/files/pubs/pdf/pa687.pdf>

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Libya was also different than earlier interventions. Members of Congress had little to say one way or another prior to the war; the president acted quickly and then inf ormed Congress. President Obama resolutely ignored the War Powers Resolution, more than President Clinton had. Obama also generally ignored Congress, and Congress was largely passive during the first two months of the war, which suggests that more than a few Republicans supported the policy toward Libya. 210 For the first 60 days or more of the war, neither the president nor Congress acted as if the latter should legitimate the use of force by the United States. But the president, unlike some of his predecessors, was unwilling to initiate and make war on his own account. In Libya, President Obama was wary of making war in a third (or fifth if we include Pakistan and Yemen) Muslim nation. 211 He sought legitimacy for the war by soliciting supporting resolutions from the Arab League and United Nations Security Council. Arguably, those institutions, and not the U.S. Congress, held a veto over American war-making. Of course, those institutions did not refuse to endorse the war so we cannot know for sure whether international support was necessary for the United States to enter the Libyan war. It is clear that the president emphasized the UN’s role. At the beginning of his letter to Congress announcing American participation in the war, Obama noted the fighting was authorized by the UN and supported by other nations. 212 In a later report to Congress, we learn that it is the president’s view that the war in Libya was “legitimated by” a UN Security Council Resolution. 213 That resolution in turn reflected an earlier openended commitment to protect civilians from their government (the “Responsibility to Protect” doctrine). President Obama was not the first post– Cold War president to appeal to international institutions and the welfare of foreign nationals to justify a war. As early as the Somalian intervention, the OLC had cited the defense of foreign nationals as an interest justifying presidentialist war powers. It also said UN agreement was not a precondition for American action in Somalia. In Operation Desert Fox and other uses of force against Iraq, President Clinton had referred to UN resolutions enacted years earlier. In the case of Libya, however, the president himself said a current UN resolution legitimated his war-making. That which makes lawful the use of force presumably serves as a precondition for a war. In Libya, the president did indeed seek authorization to use force. The legitimacy provided by that authorization, however, did not come from a domestic political institution like Congress. The war in Libya was different because it fit neither a constitutionalist nor a purely presidentialist point of view on the war powers. It was something different, a war that grounded presidential discretion in international institutions. The Obama administration also stated that the UN Security Council Resolution regarding Libya limited the use of force “solely to protect civilians and civilian populated areas under attack or threat of attack and to enforce a no-fly zone and an arms embargo.” 214 Those limits were not observed as the fighting developed; the United States and its allies provided air support for Libyan rebels in a successful effort to change the Libyan regime. The Libyan example suggests that while the UN Security Council may hold power over the start of a war, it cannot control the scope of actual fighting In practice the United States appears to be developing a post–Cold War regime that distinguishes between wars proper and limited wars. In wars proper, soldiers are expected to die in fighting that may persist for a long time. They are wars that might turn out to be similar to Vietnam or Korea. Although presidents protest and claim a power to initiate wars proper, in the end they seek congressional approval to undertake such wars. We have also discovered why they do so. The public values the lives of American soldiers. They also believe it is vital, when American lives are at risk, that the president get approval from Congress to use force. For this reason, a presidentialist position on the power to make wars proper might be defended but not acted upon. Presidentialism in a war proper would risk political disaster ab initio. This analysis has examined the development of wars that are expected to be limited in scope and duration. However, the practice of such wars suggests they are defined not by limits on their scope or duration (some went on long beyond initial hopes) but rather by the expectation that few, if any, combat deaths are likely. A limited war is fought from the air to preclude casualties. Politically, a president can ignore public views on congressional approval of fighting because a limited war involves no combat deaths and hence is not salient for the public. The executive makes traditional “presidentialist” claims about how such limited wars may begin. Presidents both argue that limited wars do not require congressional approval and act on that claim. A limited war might seem to be a funny kind of war. After all, it is a use of force that must not put any American soldiers in harm’s way. Politically, however, the limited war concept seems well adapted to its circumstances. After showing early enthusiasm for the Somalia and Bosnia missions, the public has been at best ambivalent toward limited wars for humanitarian ends. Most often, majorities or pluralities report no sense of obligation to get involved in foreign fighting. Significant majorities oppose sacrificing American lives for the “common defense” of foreigners. If one believes limited wars should be fought and yet cannot be authorized by “constitutionalist” processes, then a “presidentialist” view of limited war powers makes domestic political sense. The president might act to begin and prosecute limited wars in the national interest without undue constraint from public opinion (or Congress) either at the start or as the war continues. Such wars would be paternalistic in that the president would give the public policies it does not want but are good for it (or the nation) in the shorter or longer run. Yet this argument for presidentialism begs important questions, especially for a president like Obama who comes from a political tradition that values international institutions. After all, what is good for the American public (whether they know it or not) might be bad for other nations or the world in general. A president might require external authorization to initiate a war precisely because he was acting in the interests of the United States. Hence, a body that speaks for other nations or the world in general would be the proper institution to authorize the use of force by an American president. The Arab League and the UN Security Council functioned in this way in the Libyan case. Indeed, even if Congress did authorize a limited war, from this point of view, the UN should still have a veto over the use of force; Congress may reflect the public’s desire to impose losses on other nations. For the “weak internationalist,” both the president and Congress might be too parochial to legitimate a limited war, or properly irrelevant. The weak internationalist argument prompts several objections. The U.S. Constitution empowers Congress to tax and spend for the common defense. Put aside the question of whether Libyan nationals may be afforded the benefits of the common defense. The power to tax has a long historical and normative tie to representation. In part, giving the power to declare war to Congress in Article I reinforces the tie between defense spending and representation. Shifting the power to legitimate war to a body like the United Nations Security Council vitiates the connection between taxation and representation in the United States. Representatives of foreign nationals do not represent American taxpayers; Americans do not cast ballots in elections to select governments who serve on the UN Security Council. Weak internationalism weakens representative (and constitutional) democracy in the United States. Some might object that weak internationalism provides for representation of American taxpayers. The president must be re-elected. Voters may remove from office a president who pursues an unpopular limited war. But limited wars seem tailor-made to avoid accountability in an election. Voters usually focus on the health of the economy. Voters focus on wars that involve casualties. As we have seen, a limited war is defined by the expectation that American troops will not suffer any casualties. In other words, a limited war, so far as it is limited, will not be salient for voters. Presidents then have a free hand to initiate and make war within the boundary set by the nature of a limited war. What will the future practice of limited wars look like? Libya is a limited war fought for no vital interest at the command of a president who sought legitimacy for the war from international institutions while ignoring Congress. In this way, President Obama has quietly moved the practice of limited wars toward presidentialism in service to weak internationalism. This change is incremental; it is too soon to say that weak internationalism provides the regime for the exercise of the war powers in the United States. But Obama has taken an important step in Libya, and the next president may well be more inclined to see the UN as more an authorizer than a national interest. At least a weak internationalist president could appeal to current claims by Obama to justify his declaration of a future limited war; such is the way practices become norms and law. By acting “as if ” international approval mattered, President Obama has strengthened the expectation that international institutions should legitimate an American use of force. This incremental move toward weak internationalism has several problems. It essentially “amends” the U.S. Constitution and transfers the power to declare war to an external body that does not represent American taxpayers. The move also contravenes settled and persistent public views about war-making. There is no question that this innovation should be resisted. The question is how it might be effectively rejected. History suggests the courts are unlikely to intervene in the war in Libya or future limited wars. They have not done so with regard to the war powers clause in Article I. Claims that the UN legitimates limited U.S. wars are not obviously justiciable. In any case, such limited wars will be treated as a political question to be decided by the other branches. Is there hope that Congress might act? Congress provides representation by controlling spending on wars. By defunding a war, Congress essentially exits the policy. Should that happen, weak internationalism is rendered irrelevant; the UN Security Council could authorize a war that a U.S. president could not make. What about the alternative? If Congress does not defund a war, does that constitute authorization and hence, representation? In limited wars, Congress has often refused to defund the military for fear of harming American troops (or perhaps, for fear of appearing to be against the welfare of the troops). By initiating hostilities, a president can thus define a war in a way that makes defunding unlikely. In this situation, Congress offers a view on the welfare of American soldiers but not on the war in which they are engaged. In other cases (e.g., Libya), the House has refused both to defund (or partially defund) the war and to authorize it. In this case, Congress chose neither to exit nor to enter the war. It decided to not decide. In cases where the public is ambivalent, such nondecisions may represent public opinion. In cases where the war is either supported or opposed by majorities, such nondecisions would appear to be failures of representation. Congressional ambivalence also contravenes the longstanding majoritarian preference for congressional authorization of wars, limited or otherwise. By not deciding, Congress is ignoring the public’s views about proper procedure if not about the wisdom of a war. But political representation has other facets. It has given voice to public dissatisfaction about wars proper and limited wars. Congress “has historically been actively engaged in debates over the proper conduct of major military initiatives. It has proposed, publicly debated, and voted on various legislative initiatives to authorize or curtail the use of force.” Congress has also held hearings about the conduct of limited and proper wars. 215 Many believe that such legislative actions have little effect on the president. Yet such actions can affect the cost-benefit calculations of the president in pursuing or failing to pursue a limited war. Congress can raise the costs of a policy by shaping and mobilizing public opinion against a war, thereby increasing the cost in political capital a president must pay to sustain a policy. Congressional actions also signal disunity (or unity) to foreign actors, who in turn act on their expectations, thereby raising the costs of a limited war. Congressional actions also affect presidential expectations about how the conduct of a war will be received in the legislature; Congress can thus influence presidential policies without directly overturning them. 216 Systematic evidence indicates that since 1945 Congress has been able to influence presidential policies through these means. 217 Although short of constitutional propriety, congressional voice can matter in war-making. How might congressional voice matter in regard to the current and future practice of limited wars? Congress can constrain presidents by affecting public opinion and thereby raising the costs for presidential policies. First, members should frame future Libyas properly. The administration will wish to frame such wars as a defense of civilians and an effort to rid the world of a longtime enemy of the United States. They will wish to focus on substance rather than procedure. This framing is likely to renew the debate between constitutionalists and presidentialists. This way of looking at the war tends to divide Americans in general and critics of the administration in particular. Some of both groups are inclined to a presidentialist position and thus inclined to support the administration formally though opposing them on the merits. Yet, another framing of such wars is possible. As we have seen, in Libya, the administration has adopted both presidentialist and weak internationalist positions regarding the legitimation of the use of force. Critics could raise questions not only of constitutional propriety but also of representation and taxation, issues that go to the heart of American identity. This framing of the issue would divide the war between internationalists and constitutionalists. That division would inform public debate by posing clearly an important question: Should American wars be authorized by international organizations rather than Congress? A democratic and conscious choice would preempt presidential practices that undermine representation in the United States. Congress may also affect public opinion in other ways. Members should publicize the numerous survey findings that indicate the public strongly prefers the constitutional perspective on the war powers (i.e., congressional authorization of war). This recommendation assumes, of course, that Congress wishes to uphold its constitutional obligations in regard to war. Congress should also represent the public’s doubts about the value of limited wars. As we have seen, the public is willing to pay little for success in limited wars; yet the expected or actual costs are often obscure. In regions where the United States might wage limited war, Congress should also examine the assumption that such conflicts could be fought without U.S. casualties. Congressional hearings, for example, could ask military leaders and experts about expected casualties. Members could also highlight the costs of such wars even when no deaths are expected. Even a “presidentialist” president who is considering declaring a limited war might be forced to take account of a public with better information about the expected costs of his actions. Congress can foster a better informed public. Congress should also concern itself with the goals, and not just the means, of limited wars. At least Congress should debate whether to continue the national obligation undertaken by endorsing at the UN a “responsibility to protect” foreign nationals from their governments. Such a debate could increase public knowledge about such obligations on the way toward an informed public judgment about their value. A joint resolution that rescinds American affirmation of the 2005 document or perhaps, just section 139 of it, would deprive future presidents of a reason to intervene to help foreign nationals, thereby pushing the nation off the path that runs from presidentialism to strong internationalism regarding war. Such a resolution might not bind legally, but if supported by the public, it would increase the costs of limited wars authorized by the United Nations alone. Finally, Congress should enact a resolution denying that limited wars may be legitimated by international institutions. If it does not do so, a future Office of Legal Counsel could well conclude that Congress did nothing in 2011 to push back on President Obama’s claim that a limited war could be legitimated by the United Nations Security Council. In the practice of limited wars, congressional silence is taken to be consent, however improbably

#### UN Veto power kills US leadership

Schafer 11

http://www.nationalreview.com/articles/263700/bombing-international-consensus-brett-schaefer/page/0/1

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In his speech last Monday, President Obama did manage to identify a few U.S. interests that could be threatened by the turmoil in Libya. But he placed far more emphasis on the moral case for action — our “responsibility to act.” And when he summarized his actions — consulting with other nations, pressing for U.N. Security Council resolutions that condemn Libya, imposing sanctions, and authorizing the use of force to protect civilians — notably missing was any effort to secure congressional approval. The speech, in other words, clarified Obama’s views on how U.S. foreign policy should be conducted. This stark contrast — no formal consultation with Congress, but robust consultation with, and obeisance to, the U.N. Security Council — supports those who have argued that the Obama Doctrine deemphasizes American sovereignty. The president evidently believes that 1) U.S. interests are better served through consultation with the international community and 2) U.S. goals are better met by multilateral efforts negotiated through bodies such as the U.N. Security Council. Advertisement President Obama put it this way in the speech: The burden of action should not be America’s alone. As we have in Libya, our task is instead to mobilize the international community for collective action. Because contrary to the claims of some, American leadership is not simply a matter of going it alone and bearing all of the burden ourselves. Real leadership creates the conditions and coalitions for others to step up as well; to work with allies and partners so that they bear their share of the burden and pay their share of the costs; and to see that the principles of justice and human dignity are upheld by all. This belief rejects, or at least gives scant credence to, the idea that America should lead other nations through its actions and that, if action is deemed necessary, it is worth pursuing unilaterally. Contrary to the president’s claims, leadership often requires taking the unpopular course and assuming difficult burdens or heavy costs, rather than joining a comfortable consensus. Leaders don’t await the approval of international focus groups. To borrow the words of George H. W. Bush, the Obama Doctrine would seemingly relegate the U.S. to being just “another pleasant country on the United Nations roll call somewhere out there between Albania and Zimbabwe.” The administration can take pride in winning Security Council approval of the Libyan resolutions. It was no easy matter, considering China and Russia’s longstanding opposition to external interference in sovereign territory. (Both countries can veto Security Council resolutions, but abstained from the vote on Libya.) But going down the multilateral route in this matter has costs as well as benefits. The Obama administration’s motivation in seeking these resolutions was to secure “international legitimacy” for its actions in Libya. The problem is that now, the war’s legitimacy is dependent on international support. If that support withers, the legitimacy similarly fades. There is already pressure from countries that did not support the resolution: China, India, Russia, Turkey, and the Arab League all promptly condemned the attacks. Worse, the strikes haven’t convinced Qaddafi to “go.” There have been defections, but the regime’s forces are now pushing back the rebels. So what next if Qaddafi stays? By justifying his actions through international approval in the Security Council, the president has made it extremely difficult to take additional actions — which could include offensive strikes to oust Qaddafi, or a ground-force invasion — if they are not approved in the same manner. The administration could argue that ousting Qaddafi is necessary to “to protect civilians and civilian-populated areas under threat of attack.” That’s probably correct. But as the president said in his speech, “If we tried to overthrow Qaddafi by force, our coalition would splinter.” Moreover, such action would cast grave doubt on the “international legitimacy” of the operation, which is integral to the president’s argument for action, by violating the terms of the Security Council resolution. The administration could seek additional Security Council authorization to oust Qaddafi, but that looks unlikely now that China and Russia have expressed concern about the current operation. essence, the administration has trapped itself. It most likely can’t protect civilians in Libya without forcing Qaddafi out. But that would likely require actions that would violate the very resolutions that it thought necessary to legitimize its actions. With military options narrowing, politicians in the U.S. and other countries have offered alternative solutions to the crisis, including arming the rebels or facilitating a comfortable retirement for Qaddafi. But the administration’s multilateral strategy has made these possibilities more complicated than they might have been. As for arming the rebels, Paragraph 9 of U.N. Resolution 1970 (adopted in February) establishes an arms embargo for the “Libyan Arab Jamahiriya.” It prohibits all military support to anyone in Libya, including the rebels, unless approved by the Sanctions Committee (which the resolution set up). The U.S. has argued that, since the Security Council later authorized – in resolution 1973 (adopted in March) — “all necessary measures” to protect civilians in Libya “notwithstanding paragraph 9,” it would be permissible to provide arms to the rebels. But other nations, including the United Kingdom, disagree with that interpretation. Dispute over this issue belies consensus and undermines the legitimacy argument. Alternatively, can someone orchestrate an escape route for Qaddafi? Resolution 1970 referred the situation in Libya to the International Criminal Court. Only the ICC can now decide whether criminal investigations and trials are justified for actions in Libya. A political settlement cannot be forced on the ICC. Thus, the threat of an ICC investigation hangs over Qaddafi wherever he may go. Qaddafi himself criticized the precedent set when Nigeria, in the face of international pressure, broke its “retirement” deal with former Liberian despot Charles Taylor and turned him over to the Special Court for Sierra Leone. This possibility will, no doubt, factor heavily in his deliberations over any escape-route offer. Multilateralism can be a valuable foreign-policy tool. But the Obama administration too often mistakes the tool for an end in itself. The administration must recognize the limitations of international cooperation. If the U.S. places too great an emphasis on operating through the U.N. or gaining U.N. approval before taking action to defend our interests, we hand “spoiler” nations the means to frustrate our efforts. This strategy can also inadvertently create complications down the road. Yes, the U.S. should be open to working through the U.N. and other international organizations to address joint concerns. But we must recognize that going through the U.N. will also result in fewer options and less freedom to adjust strategy. When key interests are at stake, the United States must not allow solutions to be held hostage by an irrational obeisance to the idea of “international legitimacy,” a notion that often dissipates when the real world fails to follow the preset script.

### 2AC—NSA Politics

Uniqueness overwhelms

Nakashima 3-26 (Ellen,- national security reporter for The Washington Post “Emerging political consensus supports end to NSA collection of Americans’s phone records”)

For those not following the ins and outs of National Security Agency surveillance reform, the one big takeaway is this: There is an emerging consensus from 1600 Pennsylvania Avenue to Capitol Hill that the government’s mass collection of data about Americans’ phone calls must end. President Obama said Tuesday that the intelligence community has given him a plan to get there, and key factions in Congress have developed various alternatives. The questions are: Which version or which hybrid of versions will emerge the winner? And what will the result mean for Americans? The answer to the former: It’s too soon to tell. The answer to the latter: **No matter which version emerges**, the days of the government collecting Americans’ phone records in bulk **are numbered**. In truth, momentum has been building toward that since June, when the NSA’s program that collects billions of records on Americans’ phone call activity was disclosed in a document leaked by former intelligence contractor Edward Snowden. What the NSA has been collecting is “metadata” — numbers dialed, times and lengths of calls — not the content of conversations. The goal was to have numbers that analysts could search when they were looking for clues to terrorism plots. Several major phone companies have been turning over their caches of data to the agency every day since 2006, under court orders. Although the administration and some judges have said the program is lawful and constitutional, Obama concluded in January that its scale — collecting tens of billions of citizens’ records that are stored for five years at the NSA — was making too many people uncomfortable about the potential for abuse. He ordered his subordinates to find a way to end the government’s collection of so many records. Obama said he thinks the plan he has is “workable.” Essentially, the phone companies would keep records about who called whom just as they always have. (Some companies keep such information for a year or two, others for 10 years.) A judge would determine that a number the government wants data on is linked to a terrorist organization. Then the phone company would send the government all call activity linked to that number, in real time, as it comes in. This plan has two key features: It requires judicial approval before a number can be searched, a requisite for privacy advocates. Second, it does not require the phone companies to hold the data longer than they normally would. That was a prospect the firms opposed. But a downside, privacy advocates say, is that it apparently does not address all forms of mass data collection — just telephone records. The law used to justify the NSA collection, Section 215 of the USA Patriot Act, can be interpreted to apply to other forms of data, such as credit card records and phone location data, reform advocates argue. “If we’re going to fix it, let’s fix it right and end bulk collection for all types of data,” said Harley Geiger, senior counsel at the Center for Democracy & Technology. A bill introduced Tuesday by the leaders of the House Intelligence Committee also would end bulk collection. And the measure seems to go further than the White House’s approach in that it would outlaw such collection of other types of data. But it would allow the government to submit the phone numbers to the companies first and then seek a judge’s okay that the numbers were linked to a terrorist group or foreign power. The lack of prior judicial approval makes that approach unworkable for many privacy advocates. What’s significant about the bill, introduced by Intelligence Committee Chairman Mike Rogers (R-Mich.) and Rep. C.A. Dutch Ruppersberger (Md.), the panel’s ranking Democrat, is that its sponsors are staunch defenders of the national security agencies. The fact that they have a measure that would end bulk collection shows how far the political climate has shifted in the past year. The Obama administration and House intelligence panel’s bill would let the government seek records two “hops” removed from a suspect number. A third major approach — what privacy advocates consider the “gold standard” — is the USA Freedom Act, co-sponsored by Rep. F. James Sensenbrenner Jr. (R-Wis.) and Sen. Patrick J. Leahy (D-Vt.). That bill, which has not advanced in either chamber of Congress, would end bulk collection in all forms. It requires judicial approval before companies can turn over data linked to a particular number. Capitol Hill watchers say it’s too soon to tell what version might gain the necessary votes to pass. If no one does anything, the underlying law — Section 215 — will expire in June 2015. It is widely acknowledged that Congress lacks the votes to extend it without changes. Bulk collection under that authority would end. As Michelle Richardson of the American Civil Liberties Union said, “Let the whole dang thing sunset.” But, reform advocates including Richardson say, they want to take advantage of the momentum now to make broader fixes. The bottom line: Change is in the air.

**Plan boosts Obama’s capital**

Douglas **Kriner 10**, Assistant Profess of Political Science at Boston University, After the Rubicon: Congress, Presidents, and the Politics of Waging War, p. 59-60

Presidents and politicos alike have long recognized Congress's ability to reduce the political costs that the White House risks incurring by pursuing a major military initiative. While declarations of war are all but extinct in the contemporary period, Congress has repeatedly moved to authorize presidential military deployments and consequently to tie its own institutional prestige to the conduct and ultimate success of a military campaign. Such authorizing legislation, even if it fails to pass both chambers, creates a sense of **shared legislative-executive responsibility** for a military action's success and provides the president with **considerable political support** for his chosen policy course.34 Indeed, the desire for this political cover—and not for the constitutional sanction a congressional authorization affords—has historically motivated presidents to seek Congress's blessing for military endeavors. For example, both the elder and younger Bush requested legislative approval for their wars against Iraq, while assiduously maintaining that they possessed sufficient independent authority as commander in chief to order the invasions unilaterally.35 This fundamental tension is readily apparent in the elder Bush's signing statement to HJ Res 77, which authorized military action against Saddam Hussein in January of 1991. While the president expressed his gratitude for the statement of congressional support, he insisted that the resolution was not needed to authorize military action in Iraq. "As I made clear to congressional leaders at the outset, my request for congressional support did not, and my signing this resolution does not, constitute any change in the long-standing positions of the executive branch on either the President's constitutional authority to use the Armed Forces to defend vital U.S. interests or the constitutionality of the War Powers Resolution."36

**No reason Obama pushes the plan – true in general/specific**

William Howell and Jon Pevehouse, Associate Professors at the Harris School of Public Policy at the University of Chicago, 2007, When Congress Stops Wars, Foreign Affairs, EBSCO

After all, when presidents anticipate congressional resistance they will not be able to overcome, they often abandon the sword as their primary tool of diplomacy. More generally, when the White House knows that Congress will strike down key provisions of a policy initiative, it usually backs off. President Bush himself has relented, to varying degrees, during the struggle to create the Department of Homeland Security and during conflicts over the design of military tribunals and the prosecution of U.S. citizens as enemy combatants. Indeed, by most accounts, the administration recently forced the resignation of the chairman of the Joint Chiefs of Staff, General Peter Pace, so as to avoid a clash with Congress over his reappointment.

**Not a loss for Obama – hasn’t publicly embraced r2p**

Lander 7/23/13

<http://www.nytimes.com/2013/07/24/us/politics/us-urged-to-adopt-policy-justifying-intervention.html?_r=0>

staff, NYT

Listening Post is a Web column looking at foreign policy and national security issues from a Washington perspective. Mark Landler is a White House correspondent for the Times. The exchange before the Senate Foreign Relations Committee captured the awkward place that “responsibility to protect” occupies in the Obama administration. A 2005 United Nations initiative that calls on countries to intervene to prevent genocide and other mass atrocities, R2P, as it is known, has been endorsed by the United States and many other countries. Some administration officials cited R2P to justify Mr. Obama’s backing of NATO-led airstrikes in Libya in 2011, which headed off a potential massacre of rebels by Col. Muammar el-Qaddafi. Yet the administration has said nothing about R2P during two and a half years of bloody civil war in Syria, in which Mr. Obama has resolutely refused to become entangled. In that case, the strategic complexities of the conflict have outweighed any moral imperative to intervene militarily on behalf of Syria’s embattled rebels.

**R2p politically toxic**

Lander 7/23/13

<http://www.nytimes.com/2013/07/24/us/politics/us-urged-to-adopt-policy-justifying-intervention.html?_r=0>

staff, NYT

Listening Post is a Web column looking at foreign policy and national security issues from a Washington perspective. Mark Landler is a White House correspondent for the Times.

But Mr. Williamson, who served under President George W. Bush, said there were deeper reasons for the American aversion to foreign entanglements, having to with fatigue after a decade of war. “It’s a funny time in American politics when you have Rand Paul allying with the left about not getting involved overseas,” he said.

To some critics, particularly on the right, R2P smacks of a multilateral approach to foreign policy that encroaches on American sovereignty. An aide to Mr. Corker, for example, said he wanted to make sure that Ms. Power concurred that the United States should only decide to act militarily based on its own national interests.

Obama push isn’t key

Tweney 3-25 (Dylan,- Editor-in-chief of Venture Beat “Maybe we don’t really need legislation to curb the NSA’s voracious appetite for data”)

U.S. president Barack Obama plans to ask Congress to rein in the National Security Agency — at least a little bit. A White House official confirmed the President’s plans today, after rumors about the plan to curb the NSA leaked out last night. But do we really need this legislation? And is it enough of a restraint on the NSA? The answer, in both cases, may be “No.” As the Electronic Frontier Foundation, a privacy and cyber-rights organization, noted, the proposal is still very sketchy. “This is good news, but we have not seen the details of either and details, as we have learned, are very important in assessing suggested changes to the NSA’s mass spying,” the EFF wrote today in a response to the news. What’s more, the proposal responds only to one slice of the NSA’s data-collection efforts: Namely, its collection of metadata about phone calls. Not mentioned, as we noted yesterday, are the NSA’s programs aimed at collecting Internet content, Internet metadata, or the content of phone calls. (Ever heard of the NSA’s PRISM program? Yeah, that wouldn’t be stopped by this.) Nor did it address the NSA’s attempts to crack encrypted communications between individuals or to compromise the security of encryption algorithms by secreting “back doors” in them. As the EFF observed, “the Obama administration does not go beyond the telephone records programs, which are important, but are only a relatively small piece of the NSA’s surveillance and, by itself won’t stop mass surveillance.” Finally, there’s the question of whether the proposed legislation is even necessary. There’s already a bill aimed at ending the bulk collection of data by the NSA, called the USA FREEDOM Act, cosponsored by by Judiciary Committee chairs Sen. Patrick Leahy (D-Vt.) and Rep. Jim Sensenbrenner (R-Wisc.). That act’s purpose: “To rein in the dragnet collection of data by the National Security Agency (NSA) and other government agencies, increase transparency of the Foreign Intelligence Surveillance Court (FISC), provide businesses the ability to release information regarding FISA requests, and create an independent constitutional advocate to argue cases before the FISC.” In other words: Thank you for the proposal, Mr. President. Have you noticed the bill that we are already working on?

Budget fight drains capital

Samuelsohn 3-4 (Darren,- writer for politico “Budget: Obama's challenges on the home front”)

President Barack Obama is facing a major foreign policy test — but on Tuesday he’ll have to pause for the ritualistic domestic politics of the budget. Unlike Vladimir Putin, budget politics are predictable: Obama’s fiscal blueprint isn’t going anywhere in Congress, and it’s designed primarily as an appeal to his Democratic base in a midterm election year. The president will unveil the $3 trillion-plus fiscal plan at 11:30 a.m. at a Washington elementary school, while most of official Washington’s attention is halfway around the world. It’s another split-screen moment for a White House that has dealt with quite a few of them — such as the Obamacare rollout as the shutdown began — and underscores **how** **difficult** it is for Obama **to set the agenda** amid partisan gridlock and seismic global challenges. The budget will follow on themes from his State of the Union address of economic inequality. It will avoid calling for a big change to entitlements that’s been widely panned by liberals and instead seek to expand a popular tax credit to middle-class workers without children. It also suggests slashing the Pentagon and beefing up spending for early childhood education, highway repairs and combating climate change. Budget politics are often Kabuki theater at their best — this year will be no different. After all, the critical spending caps that will help keep the government open are already in place, and both sides have reasons to avoid tough votes on appropriations bills before November. Yet, as tradition dictates, Washington is sure to proceed with a mad dash to analyze — and pick apart — most of the goodies stuffed into the latest White House budget. (Sign up for POLITICO’s Morning Tax tip sheet) “It’ll give us the thing we want most in this town, which is to engage in a lot of rhetorical excess but not do much,” said Jim Dyer, a former Republican staff director to the House Appropriations Committee. Obama laid out his vision in a speech Friday to the Democratic National Committee, saying his fiscal blueprint would “create new jobs in manufacturing and energy and innovation and infrastructure,” while he vowed to pay “for every dime of it by cutting unnecessary spending, closing wasteful tax loopholes.” He also chided the GOP for pitching a recent change to its platform on overseas tax havens, which “adds billions of dollars to our deficits every year.” Republicans counter that Obama’s priorities are way out of whack and ignore long-term deficits. But the GOP faces its own deep internal divisions over spending, especially after sequestration last year exposed fault lines on whether to cut once-cherished defense programs. The White House has already **ignited a partisan storm** with its decision not to include chained CPI, which would reduce benefit increases for Social Security and other federal social programs. Administration officials said the idea — pitched in late 2012 to Republicans despite vehement protests from Obama’s own political base — was a good-faith offer made amid negotiations for a fiscal cliff deal and with the sequester cuts looming. (POLITICO's full coverage of the budget) But that was more than a year ago, and the country has moved on to sounder fiscal footing and exited the constant crisis environment that had surrounded previous budget showdowns. Obama’s budget will show that the deficit is down to 2 percent of the gross domestic product, with a debt-to-GDP ratio lower than in previous administrations. Republicans, however, aren’t buying the administration’s math — or its budget strategy. Sen. Rob Portman (R-Ohio), a former director of President George W. Bush’s Office of Management and Budget, complained last week that the country is “witnessing a slow-motion train wreck” with its finances that should be addressed with changes to mandatory spending programs. He urged Obama to keep the CPI proposal in his budget while also expanding means testing and capping the amount of federal spending per Medicaid beneficiary. “Let’s hope the rumors aren’t true,” Portman said. “I hope the president won’t take an easy way out and sort of give a political sop to his base.” Page 2 of 2 From left, clockwise: Harry Reid, Barack Obama, John Boehner, Mitch McConnell and Nancy Pelosi are shown in this composite. | Getty Republicans aren’t buying the administration’s math — or its budget strategy. | Getty Close Obama’s budget is also expected to include an overhaul in Pentagon spending that shows how the U.S. is transitioning away from the Iraq and Afghanistan wars. Defense hawks will cringe at the move to a smaller force, but Secretary Chuck Hagel had tried to get in front of the complaints by detailing the administration’s plan to call for more base closures, weapons program cancellations and cuts to troop pay and benefits. Hagel has cautioned that if Congress didn’t go along, it could create more gridlock and even more painful sequestration cuts. On the domestic front, Obama’s budget tries to make up for sequestration’s scars with targeted boosts for some of his party’s favorite issues. Poor workers without children could access the Earned Income Tax Credit, a proposal that the administration said would move about 500,000 people above the poverty line. Obama also would expand tax credits for child care, retirement savings and college tuition. There’s a call for more than $300 billion to repair aging mass transit, rail and roads as part of the next highway bill, with the revenue partly coming from a series of Tax Code changes. Climate activists fretting over whether the president will approve the Keystone XL pipeline can take comfort in a new $1 billion fund that would help the country prepare for rising sea levels, temperature increases and more severe weather. And there’s also a major expansion for early childhood education. White House officials acknowledge the new spending proposals — totaling more than $56 billion and split between defense and domestic programs — exceed the limits spelled out in the budget deal negotiated last year between Senate Budget Committee Chairwoman Patty Murray (D-Wash.) and House Budget Committee Chairman Paul Ryan (R-Wis.). But Obama is well within his rights to request more money by targeting areas that appeal to both sides of the aisle. “You can argue the president is being politically unrealistic, but at the same time, with the balance of spending on defense and nondefense, I think he’s trying to offer something to both sides,” said Jared Bernstein, a former economic adviser to Vice President Joe Biden. Asked about the increases to education and environment programs that are far more popular with Democrats, Bernstein replied, “I’d argue that in each case, the constituents for those ideas are a majority of the electorate.” Douglas Holtz-Eakin, a former Congressional Budget Office director and John McCain’s 2008 presidential campaign chief economic adviser, said going outside the Ryan-Murray budget agreement showed the plan is destined to go nowhere on the Hill. “This is just sort of magic,” Holtz-Eakin said. “He says he supports the deal. He signs it into law. But there’s $56 billion more over here. How?” Lawmakers aren’t very interested in answering questions about their budget plans either. Murray said last week that she had no plans to write a budget resolution, and House Republicans are likely to have their own troubles getting a majority on a fiscal package. And like the powdery snow that piled up Monday in Washington, just give the president’s budget submission a couple of days and it, too, will be history. “Nothing is going to happen this year,” said Maya MacGuineas, president of the Committee for a Responsible Federal Budget. “The political environment is terrible, virtually broken, and it’s not going to accomplish anything else that this country needs to do.”

### at: eu rel

US-EU high now --- Crimea crisis overwhelms

The Economist 3-29 (“Putin’s arrow: The crisis in Ukraine is reinvigorating transatlantic ties”)

UNWITTINGLY, perhaps, Vladimir Putin is playing Cupid to America’s Mars and Europe’s Venus. By seizing Crimea, he has rekindled the love lost between the transatlantic allies. As with so many old couples, irritation has built up in recent years: over the war in Iraq, how to fight jihadi terrorism, the NSA spying scandals, the euro crisis and Europe’s ever-shrinking defence budgets. Now Russia is reminding both sides of the ties that bind. “I have not felt this good about transatlantic relations in a long time,” whispers one senior European politician. After his “pivot” to Asia, events in Ukraine are forcing Barack Obama back to the old continent. His trip to Europe this week was dominated by the issue of Russian militarism. Fittingly, perhaps, Mr Obama began in Belgium by honouring fallen American soldiers of the first world war, when Europe’s security first became an American concern. To turn a blind eye to the redrawing of borders by force, Mr Obama said, would be to “ignore the lessons that are written in the cemeteries of this continent.” Yet the new affection is more than just a return to Europe’s dependence on American protection via NATO (see article). The relationship is now more complex, and increasingly with the European Union. For Mr Obama, Europe’s Lilliputians made a mess of the euro crisis. And the confrontation over Ukraine confirms to some in the administration that Europeans cannot be left to manage their own backyard. US-EU summits have become less frequent under Mr Obama, and his encounter with leaders of EU institutions on March 26th lasted little more than an hour over a working lunch. But for all of Mr Obama’s ennui, political contacts between America and the EU are intensifying. The president will be back in Brussels in three months’ time for a G7 summit, replacing the G8 that Russia was due to host in Sochi. America’s mission to the EU is one of its few embassies that is expanding. As secretaries of state, first Hillary Clinton and then John Kerry have worked closely with Cathy Ashton, the EU’s high representative for foreign policy. At times American officials have been stronger advocates of European integration than European federalists, encouraging the euro zone to bind itself together and urging Britain not to leave the EU. In part this is borne of a desire for simplicity. Better to deal with one Lady Ashton than have to call 28 European foreign ministers. In part it is because many of the world’s threats, from terrorism to cyber-attacks, are not exclusively, or even mainly, military or national in nature. Foreign-policy problems, such as Iran’s nuclear programme, are more effectively dealt with if Europe adds its weight to sanctions (Lady Ashton has been the lead negotiator with Iran). If America is still the world’s “indispensable” power, Europe is often its indispensable partner. The EU’s embryonic military ambitions were once viewed in Washington with some suspicion, which deepened after Franco-German opposition to the war in Iraq in 2003. Musings of intellectuals such as Jürgen Habermas and Jacques Derrida, who once said “Europe has to throw its weight on the scale to counterbalance the hegemonic unilateralism of the United States”, did not help. Yet these days Europe’s worry is not America’s hegemony, but its indifference. And America’s fear is not European military rivalry, but incapacity. If Europeans want to act on their own in, say, Africa, America is more likely to help than hinder them. Many now want to add an economic pillar. Supporters of the ambitious Transatlantic Trade and Investment Partnership (TTIP) hope it might be an economic NATO. TTIP has been given a strong political push, but all know it has many obstacles to overcome. France has excluded the audio-visual sector from the outset in the name of its “cultural exception”. Congress has not given Mr Obama the necessary trade promotion authority, and it is not about to. “There will be many people in Moscow who are happy if we fail on TTIP,” says one EU official. Success would make it easier for America to export gas to Europe. Mr Obama was sympathetic to helping Europe reduce its dependence on Russia, which supplies about a fifth of all the gas burned in the EU (and much more in some countries). But he was also clear that Europeans must pump unpopular shale-gas from under their own feet. Of trade and war The power of trade can be seen in the revolution in Kiev after Ukraine rejected the EU’s proposed free-trade deal in November. The surprise is that America, and indeed European governments, had carelessly left such an explosive issue in the hands of EU technocrats. Now that it finds itself in a dangerous confrontation with Russia, the EU has been more cautious about sanctions than America. It has declined to follow America in imposing travel bans and freezing the assets of Mr Putin’s business cronies. Many EU members oppose wider economic sanctions that will hurt some more than others. “Europeans are not from Venus. They are from Pluto—as in plutocrats who are only interested in making money from Russia,” was the scathing comment of one hawk. Yet the EU still has powerful weapons. Its trade with Russia is more extensive than America’s. The Russian elite has more assets in Europe than America. And in the struggle over Ukraine, Europe is best placed to help the country succeed in its second democratic revolution after the failure of its first Orange version. EU leaders rushed to sign the political chapters of the contentious association agreement with Ukraine last week, and will open their borders unilaterally to Ukrainian goods. The remaining trade chapters will follow after Ukraine’s presidential election in May. Agreements will also be signed with Georgia and Moldova. Mr Putin has not only rekindled relations between America and Europe, but also hastened Russia’s divorce from many ex-Soviet partners, despite trying to win them back by fair means or foul.

### 2AC—Law/Security K

**No prior questions—focus on critical theory makes it impossible to describe the world and act**

David Owen, Reader of Political Theory at the Univ. of Southampton, Millennium Vol 31 No 3 2002 p. 655-7

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritise issues of ontology and epistemology over explanatory and/or interpretive power as if the latter two were merely a simple function of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), it is by no means clear that it is, in contrast, wholly dependent on these philosophical commitme

nts. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical weakness—but this does not undermine the point that, for a certain class of problems, rational choice theory may provide the best account available to us. In other words, while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, it is not the only or even necessarily the most important kind. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates a theory-driven rather than problem-driven approach to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip on the action, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a question for social-scientific inquiry, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the pursuit of generality over that of empirical validity. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one theoretical approach which gets things right, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.

Perm do both - Short term legal reform is key – alt cedes the state, interim goals propel movements forward, perms solves cause pluralist movements are key

Connolly (Krieger-Eisenhower Professor of Political Science at Johns Hopkins University) 13

(William, The Fragility of Things: Self-Organizing Processes, Neoliberal Fantasies, and Democratic Activism, pg. 40-42)

6) The democratic state, while it certainly cannot alone tame capital or re- constitute the ethos and infrastructure of consumption, must play a sig- nificant role in reconstituting our lived relations to climate, weather, re- source use, ocean currents, bee survival, tectonic instability, glacier flows, species diversity, work, local life, consumption, and investment, as it also responds favorably to the public pressures we must generate to forge a new ethos. A new, new left will thus experimentally enact new intersections be- tween role performance and political activity, outgrow its old disgust with the very idea of the state, and remain alert to the dangers states can pose. It will do so because, as already suggested, the fragile ecology of late capital requires state interventions of several sorts. **A refusal to participate in the state today cedes too much hegemony to neoliberal markets***,* either explicitly or by implication. Drives to fascism, remember, rose the last time in capitalist states after a total market meltdown. Most of those movements failed.

But a couple became consolidated through a series of resonances (vibrations) back and forth between industrialists, the state, and vigilante groups in neighborhoods, clubs, churches, the police, the media, and pubs. You do not fight the danger of a new kind of neofascism by withdrawing from either micropolitics or state politics. You do so through a multisited politics designed to infuse a new ethos into the fabric of everyday life. Changes in ethos can in turn open doors to new possibilities of state and interstate action, so that an advance in one domain seeds that in the other. And vice versa. A positive dynamic of mutual amplification might be generated here. Could a series of significant shifts in the routines of state and global capital ism even press the fractured system to a point where it hovers on the edge of capitalism itself? We don't know. That is one reason it is important to focus on *interim goals.* Another is that in a world of becoming, replete with periodic and surprising shifts in the course of events, you cannot project far beyond an interim period. Another yet is that activism needs to project concrete, interim possibilities to gain **support and propel itself forward**. That being said, it does seem unlikely to me, at least, that a positive interim future includes either socialist productivism or the world projected by proponents of deep ecology.

7) To advance such an agenda it is also imperative to negotiate new connec- tions between nontheistic constituencies who care about the future of the Earth and numerous devotees of diverse religious traditions who fold posi- tive spiritualities into their creedal practices. The new, multifaceted move- ment needed today, if it emerges, will take the shape of a vibrant pluralist assemblage acting at multiple sites within and across states, rather than either a centered movement with a series of fellow travelers attached to it or a mere electoral constellation. Electoral victories are important, but they work best when they touch priorities already embedded in churches, uni- versities, film, music, consumption practices, media reporting, investment priorities, and the like. A related thing to keep in mind is that the capitalist modes of acceleration, expansion, and intensification that heighten the fra- gility of things today also generate pressures to *minoritize* the world along multiple dimensions at a more rapid pace than heretofore. A new pluralist constellation will build upon the latter developments as it works to reduce the former effects.

I am sure that the forgoing comments will appear to some as "opti- mistic" or "utopian." But optimism and pessimism are both primarily spec- tatorial views. Neither seems sufficient to the contemporary condition. In- deed pessimism, if you dwell on it long, easily slides into cynicism, and cynicism often plays into the hands of a right wing that applies it exclu- sively to any set of state activities not designed to protect or coddle the corporate estate. That is one reason that "dysfunctional politics" redounds so readily to the advantage of cynics on the right who work to promote it. *They want to promote cynicism with respect to the state and innocence with respect to the market.* Pure critique, as already suggested, does not suffice either. Pure critique too readily carries critics and their followers to the edge of cynicism.

It is also true that the above critique concentrates on neoliberal capital- ism, not capitalism writ large. That is because it seems to me that we need to specify the terms of critique as closely as possible and think first of all about interim responses. If we lived under, say, Keynesian capitalism, a somewhat different set of issues would be defined and other strategies identified. Capitalism writ large—while it sets a general context that neoliberalism inflects in specific ways—sets too large and generic a target. It can assume multiple forms, as the differences between Swedish and American capitalism suggest; the times demand a set of interim agendas targeting the hegemonic form of today, pursued with heightened militancy at sev- eral sites. The point today is not to wait for a revolution that overthrows the whole system. The "system," as we shall see further, is replete with too many loose ends, uneven edges, dicey intersections with nonhuman forces, and uncertain trajectories to make such a wholesale project plausible. Be- sides, things are too urgent and too many people on the ground are suffer- ing too much now.

The need now is to activate the most promising political strategies to the contemporary condition out of a bad set. On top of assessing *probabilities* and predicting them with secret relish or despair—activities I myself pur- sue during the election season—we must define the urgent *needs* of the day in relation to a set of *interim possibilities* worthy of pursuit on several fronts, even if the apparent political odds are stacked against them. We then test ourselves and those possibilities by trying to enact this or that aspect of them at diverse sites, turning back to reconsider their efficacy and side effects as circumstances shift and results accrue. In so doing we may ex- perience more vibrantly how apparently closed and ossified structures are typically punctuated by jagged edges, seams, and fractures best pried open with a mix of public contestation of established interpretations, experimen- tal shifts in multiple role performances, micropolitics in churches, univer- sities, unions, the media, and corporations, state actions, and large-scale, cross-state citizen actions.

**No generic links. Must consider each use of the law as unique – cannot universalize our opposition to the law or multiple international oppression are inevitable**

Derrida 3

(Jacques, THE "WORLD" OF THE ENLIGHTENMENT TO COME (EXCEPTION, CALCULATION, SOVEREIGNTY), Research in Phenomenology. Pittsburgh: 2003. Vol. 33 pg. 9, 44 pgs)

And yet, in the second place, it would be imprudent and hasty, in truth hardly reasonable, to oppose unconditionally, that is, head on, a sovereignty that is itself unconditional and indivisible. One cannot combat, head on, all sovereignty, sovereignty in general, without threatening at the same time, beyond the nation-state figure of sovereignty, the classical principles of freedom and self-determination. Like the classical tradition of law (and the force that it presupposes), these classical principles remain inseparable from a sovereignty at once indivisible and yet able to be shared. Nation-state sovereignty can even itself, in certain conditions, become an indispensable bulwark against certain international powers, certain ideological, religious, or capitalist, indeed linguistic, hegemonies, which, under the cover of liberalism or universalism, would still represent, in a world that would be little more than a market, a rationalization in the service of particular interests. Yet again, in a context that is **each time singular**, where the respectful attention paid to singularity is not relativist but universalizable and rational, responsibility would consist in orienting ourselves without any determinative knowledge of the rule. To be responsible, to keep within reason [garder raison], would be to invent maxims of transaction for deciding between two just as rational and universal but contradictory exigencies of reason as well as its enlightenment.

**Social science proves—multipolarity supports the natural incentive to seek status by fighting**

**Wohlforth, 09** – professor of government at Dartmouth (William, “Unipolarity, Status Competition, and Great Power War,” World Affairs, January, project muse)

The upshot is a near scholarly consensus that unpolarity’s consequences for great power conflict are indeterminate and that a power shift resulting in a return to bipolarity or multipolarity will not raise the specter of great power war. This article questions the consensus on two counts. First, I show that it depends crucially on a dubious assumption about human motivation. Prominent theories of war are based on the assumption that people are mainly motivated by the instrumental pursuit of tangible ends such as physical security and material prosperity. This is why such theories seem irrelevant to interactions among great powers in an international environment that diminishes the utility of war for the pursuit of such ends. Yet we know that people are motivated by a great many noninstrumental motives, not least by concerns regarding their social status. 3 As John Harsanyi noted, “Apart from economic payoffs, social status (social rank) seems to be the most important incentive and motivating force of social behavior.”4 This proposition rests on much firmer scientific ground now than when Harsanyi expressed it a generation ago, as cumulating research shows that humans appear to be hardwired for sensitivity to status and that relative standing is a powerful and independent motivator of behavior.5 [End Page 29] Second, I question the dominant view that status quo evaluations are relatively independent of the distribution of capabilities. If the status of states depends in some measure on their relative capabilities, and if states derive utility from status, then different distributions of capabilities may affect levels of satisfaction, just as different income distributions may affect levels of status competition in domestic settings. 6 Building on research in psychology and sociology, I argue that even capabilities distributions among major powers foster ambiguous status hierarchies, which generate more dissatisfaction and clashes over the status quo. And the more stratified the distribution of capabilities, the less likely such status competition is. Unipolarity thus generates far fewer incentives than either bipolarity or multipolarity for direct great power positional competition over status. Elites in the other major powers continue to prefer higher status, but in a unipolar system they face comparatively weak incentives to translate that preference into costly action. And the absence of such incentives matters because social status is a positional good—something whose value depends on how much one has in relation to others.7 “If everyone has high status,” Randall Schweller notes, “no one does.”8 While one actor might increase its status, all cannot simultaneously do so. High status is thus inherently scarce, and competitions for status tend to be zero sum.9

**You can’t solve the root cause of war – deterrence key to empirically reduce its likelihood**

Moore 4 – Dir. Center for Security Law @ University of Virginia, 7-time Presidential appointee, & Honorary Editor of the American Journal of International Law, Solving the War Puzzle: Beyond the Democratic Peace, John Norton Moore, pages 41-2.

If major interstate war is predominantly a product of a synergy between a potential nondemocratic aggressor and an absence of effective deterrence, what is the role of the many traditional "causes" of war? Past, and many contemporary, theories of war have focused on the role of specific disputes between nations, ethnic and religious differences, arms races, poverty or social injustice, competition for resources, incidents and accidents, greed, fear, and perceptions of "honor," or many other such factors. Such factors may well play a role in motivating aggression or in serving as a means for generating fear and manipulating public opinion. The reality, however, is that while some of these may have more potential to contribute to war than others, there may well be an infinite set of motivating factors, or human wants, motivating aggression. It is not the independent existence of such motivating factors for war but rather the circumstances permitting or encouraging high risk decisions leading to war that is the key to more effectively controlling war. And the same may also be true of democide. The early focus in the Rwanda slaughter on "ethnic conflict," as though Hutus and Tutsis had begun to slaughter each other through spontaneous combustion, distracted our attention from the reality that a nondemocratic Hutu regime had carefully planned and orchestrated a genocide against Rwandan Tutsis as well as its Hutu opponents.I1 Certainly **if we were able to press a button** and **end** poverty, racism, religious intolerance, injustice, and endless disputes, we would want to do so. Indeed, democratic governments must remain committed to policies that will produce a better world by all measures of human progress. The broader achievement of democracy and the rule of law will itself assist in this progress. No one, however, has yet been able to demonstrate the kind of robust correlation with any of these "traditional" causes of war as is reflected in the "democratic peace." Further, given the difficulties in overcoming many of these social problems, an approach to war exclusively dependent on their solution may be to doom us to war for generations to come.

A useful framework in thinking about the war puzzle is provided in the Kenneth Waltz classic Man, the State, and War,12 first published in 1954 for the Institute of War and Peace Studies, in which he notes that previous thinkers about the causes of war have tended to assign responsibility at one of the three levels of individual psychology, the nature of the state, or the nature of the international system. This tripartite level of analysis has subsequently been widely copied in the study of international relations. We might summarize my analysis in this classical construct by suggesting that the most critical variables are the second and third levels, or "images," of analysis. Government structures, at the second level, seem to play a central role in levels of aggressiveness in high risk behavior leading to major war. In this, the "democratic peace" is an essential insight. The third level of analysis, the international system, or totality of external incentives influencing the decision for war, is also critical when government structures do not restrain such high risk behavior on their own. Indeed, nondemocratic systems may not only fail to constrain inappropriate aggressive behavior, they may even massively enable it by placing the resources of the state at the disposal of a ruthless regime elite. It is not that the first level of analysis, the individual, is unimportant. I have already argued that it is important in elite perceptions about the permissibility and feasibility of force and resultant necessary levels of deterrence. It is, instead, that the second level of analysis, government structures, may be a powerful proxy for settings bringing to power those who may be disposed to aggressive military adventures and in creating incentive structures predisposing to high risk behavior. We should keep before us, however, the possibility, indeed probability, that a war/peace model focused on democracy and deterrence might be further usefully refined by adding psychological profiles of particular leaders, and systematically applying other findings of cognitive psychology, as we assess the likelihood of aggression and levels of necessary deterrence in context. A post-Gulf War edition of Gordon Craig and Alexander George's classic, Force and Statecraft,13 presents an important discussion of the inability of the pre-war coercive diplomacy effort to get Saddam Hussein to withdraw from Kuwait without war.14 This discussion, by two of the recognized masters of deterrence theory, reminds us of the many important psychological and other factors operating at the individual level of analysis that may well have been crucial in that failure to get Hussein to withdraw without war. We should also remember that nondemocracies can have differences between leaders as to the necessity or usefulness of force and, as Marcus Aurelius should remind us, not all absolute leaders are Caligulas or Neros. Further, the history of ancient Egypt reminds us that not all Pharaohs were disposed to make war on their neighbors. Despite the importance of individual leaders, however, we should also keep before us that major international war is predominantly and critically an interaction, or synergy, of certain characteristics at levels two and three, specifically an absence of democracy and an absence of effective deterrence.

Yet another way to conceptualize the importance of democracy and deterrence in war avoidance is to note that each in its own way internalizes the costs to decision elites of engaging in high risk aggressive behavior. Democracy internalizes these costs in a variety of ways including displeasure of the electorate at having war imposed upon it by its own government. And deterrence either prevents achievement of the objective altogether or imposes punishing costs making the gamble not worth the risk.I5

VI

Testing the Hypothesis

Theory without truth is but costly entertainment.

HYPOTHESES, OR PARADIGMS, are useful if they reflect the real world better than previously held paradigms. In the complex world of foreign affairs and the war puzzle, perfection is unlikely. No general construct will fit all cases even in the restricted category of "major interstate war"; there are simply too many variables. We should insist, however, on testing against the real world and on results that suggest enhanced usefulness over other constructs. In testing the hypothesis, we can test it for consistency with major wars; that is, in looking, for example, at the principal interstate wars in the twentieth century, did they present both a nondemocratic aggressor and an absence of effective deterrence?' And although it is by itself not going to prove causation, we might also want to test the hypothesis against settings of potential wars that did not occur. That is, in nonwar settings, was there an absence of at least one element of the synergy? We might also ask questions about the effect of changes on the international system in either element of the synergy; that is, what, in general, happens when a totalitarian state makes a transition to stable democracy or vice versa? And what, in general, happens when levels of deterrence are dramatically increased or decreased?

**Best statistical studies prove heg solves war – violence is declining and heg maintains free trade, deterrence, democracy and other proximate checks**

**Owen 11** – John M. Owen Professor of Politics at University of Virginia PhD from Harvard "DON’T DISCOUNT HEGEMONY" Feb 11 www.cato-unbound.org/2011/02/11/john-owen/dont-discount-hegemony/

Andrew Mack and his colleagues at the Human Security Report Project are to be congratulated. Not only do they present a study with a striking conclusion, driven by data, free of theoretical or ideological bias, but they also do something quite unfashionable: they bear good news. Social scientists really are not supposed to do that. Our job is, if not to be Malthusians, then at least to point out disturbing trends, looming catastrophes, and the imbecility and mendacity of policy makers. And then it is to say why, if people listen to us, things will get better. We do this as if our careers depended upon it, and perhaps they do; for if all is going to be well, what need then for us?

Our colleagues at Simon Fraser University are brave indeed. That may sound like a setup, but it is not. I shall challenge neither the data nor the general conclusion that **violent conflict around the world has been decreasing in fits** and starts since the Second World War. When it comes to **violent conflict among and within countries**, things have been getting better. (The trends have not been linear—Figure 1.1 actually shows that the frequency of interstate wars peaked in the 1980s—but the 65-year movement is clear.) Instead I shall accept that Mack et al. are correct on the macro-trends, and focus on their explanations they advance for these remarkable trends. With apologies to any readers of this forum who recoil from academic debates, this might get mildly theoretical and even more mildly methodological.

Concerning international wars, one version of the “nuclear-peace” theory is not in fact laid to rest by the data. It is certainly true that nuclear-armed states have been involved in many wars. They have even been attacked (think of Israel), which falsifies the simple claim of “assured destruction”—that any nuclear country A will deter any kind of attack by any country B because B fears a retaliatory nuclear strike from A.

But the most important “nuclear-peace” claim has been about mutually assured destruction, which obtains between two robustly nuclear-armed states. The claim is that (1) rational states having second-strike capabilities—enough deliverable nuclear weaponry to survive a nuclear first strike by an enemy—will have an overwhelming incentive not to attack one another; and (2) we can safely assume that nuclear-armed states are rational. It follows that states with a second-strike capability will not fight one another.

Their colossal atomic arsenals neither kept the United States at peace with North Vietnam during the Cold War nor the Soviet Union at peace with Afghanistan. But the argument remains strong that those arsenals did help keep the United States and Soviet Union at peace with each other. Why non-nuclear states are not deterred from fighting nuclear states is an important and open question. But in a time when calls to ban the Bomb are being heard from more and more quarters, we must be clear about precisely what the broad trends toward peace can and cannot tell us. They may tell us nothing about why we have had no World War III, and little about the wisdom of banning the Bomb now.

Regarding the downward trend in international war, Professor Mack is friendlier to more palatable theories such as the “democratic peace” (democracies do not fight one another, and the proportion of democracies has increased, hence less war); the interdependence or “commercial peace” (states with extensive economic ties find it irrational to fight one another, and interdependence has increased, hence less war); and the notion that people around the world are more anti-war than their forebears were. Concerning the downward trend in civil wars, he favors theories of economic growth (where commerce is enriching enough people, violence is less appealing—a logic similar to that of the “commercial peace” thesis that applies among nations) and the end of the Cold War (which end reduced superpower support for rival rebel factions in so many Third-World countries).

These are all plausible mechanisms for peace. What is more, none of them excludes any other; all could be working toward the same end. That would be somewhat puzzling, however. Is the world just lucky these days? How is it that an array of peace-inducing factors happens to be working coincidentally in our time, when such a magical array was absent in the past? The answer may be that one or more of these mechanisms reinforces some of the others, or perhaps some of them are mutually reinforcing. Some scholars, for example, have been focusing on whether economic growth might support democracy and vice versa, and whether both might support international cooperation, including to end civil wars.

We would still need to explain how this charmed circle of causes got started, however. And here let me raise another factor, perhaps even less appealing than the “nuclear peace” thesis, at least outside of the United States. That factor is what international relations scholars call hegemony—specifically American hegemony.

A theory that many regard as discredited, but that refuses to go away, is called hegemonic stability theory. The theory emerged in the 1970s in the realm of international political economy. It asserts that for the global economy to remain open—for countries to keep barriers to trade and investment low—one powerful country must take the lead. Depending on the theorist we consult, “taking the lead” entails paying for global public goods (keeping the sea lanes open, providing liquidity to the international economy), coercion (threatening to raise trade barriers or withdraw military protection from countries that cheat on the rules), or both. The theory is skeptical that international cooperation in economic matters can emerge or endure absent a hegemon. The distastefulness of such claims is self-evident: they imply that it is good for everyone the world over if one country has more wealth and power than others. More precisely, they imply that it has been good for the world that the United States has been so predominant.

There is no obvious reason why hegemonic stability theory could not apply to other areas of international cooperation, including in security affairs, human rights, international law, peacekeeping (UN or otherwise), and so on. What I want to suggest here—suggest, not test—is that American hegemony might just be a deep cause of the steady decline of political deaths in the world.

How could that be? After all, the report states that United States is the third most war-prone country since 1945. Many of the deaths depicted in Figure 10.4 were in wars that involved the United States (the Vietnam War being the leading one). Notwithstanding politicians’ claims to the contrary, a candid look at U.S. foreign policy reveals that the country is as ruthlessly self-interested as any other great power in history.

The answer is that U.S. hegemony might just be a deeper cause of the proximate causes outlined by Professor Mack. Consider economic growth and openness to foreign trade and investment, which (so say some theories) render violence irrational. American power and policies may be responsible for these in two related ways. First, at least since the 1940s Washington has prodded other countries to embrace the market capitalism that entails economic openness and produces sustainable economic growth. The United States promotes capitalism for selfish reasons, of course: its own domestic system depends upon growth, which in turn depends upon the efficiency gains from economic interaction with foreign countries, and the more the better. During the Cold War most of its allies accepted some degree of market-driven growth.

Second, the U.S.-led western victory in the Cold War damaged the credibility of alternative paths to development—communism and import-substituting industrialization being the two leading ones—and left market capitalism the best model. The end of the Cold War also involved an end to the billions of rubles in Soviet material support for regimes that tried to make these alternative models work. (It also, as Professor Mack notes, eliminated the superpowers’ incentives to feed civil violence in the Third World.) What we call globalization **is** caused in part by the emergence of the United States as the global hegemon.

The same case can be made, with somewhat more difficulty, concerning the spread of democracy. Washington has supported democracy only under certain conditions—the chief one being the absence of a popular anti-American movement in the target state—but those conditions have become much more widespread following the collapse of communism. Thus in the 1980s the Reagan administration—the most anti-communist government America ever had—began to dump America’s old dictator friends, starting in the Philippines. Today Islamists tend to be anti-American, and so the Obama administration is skittish about democracy in Egypt and other authoritarian Muslim countries. But general U.S. material and moral support for liberal democracy remains strong.

### 1AR—disease

**SARS proves intervening actors check**

**Nishiura 05** (H Nishiura Bangkok School of Tropical Medicine, Mahidol University,Thailand , K Patanarapelert, M Sriprom, W Sarakorn, S Sriyab , Department of Mathematics, Faculty of Science, Mahidol University and I Ming Tang Institute of Science and Technology for Research and Development, Mahidol University “EVIDENCE BASED PUBLIC HEALTH POLICY AND PRACTICE Modelling potential responses to severe acute respiratory syndrome in Japan: the role of initial attack size, precaution, and quarantine” http://www.hawaii.edu/hivandaids/Modelling\_Potential\_Responses\_to\_Sev ere\_Acute\_Respiratory\_Syndrome\_in\_Japan.pdf August 29, 2005)

There has been an intensive assessment of the different public health interventions that contributed substantially to the eventual curtailing of the epidemic in Hong Kong.27 It is well known that an effective strategy requires aggressive public health measures in combination with stringent hospital infection control practices that meet the recommendations of World Health Organisation.29 30 The SARS pandemic has shown that governments and public health officials need to consider the use of quarantine as a public health tool to prevent the spread of infectious diseases, particularly when other preventive interventions (for example, vaccines and antibiotics) are unavailable.31 From our study, it is shown that either 100% effective precautionary measures or quarantine would lead to decline in the incidence. Both of them reduce R0 in a linear way unlike the practice of isolation. The importance in the coverage should be therefore emphasised. Although recent studies with modelling14 15 provided us with dynamics of SARS including transmissibility as well as the impact of quarantine and isolation, the role of precautionary steps was not taken into consideration. Precautionary measures themselves are quite important especially in hospital settings because a high proportion of the SARS patients were healthcare workers as was pointed out.

### 1AR—environment

**Their arg is wrong, trade boosts**

**Norberg 3** – Cato Institute Senior Fellow (Johan, In Defense of Global Capitalism, p 225-37

Although multinational corporations and free trade are proving good for development and human rights in the Third World, there still remains the objection that globalization harms the environment. Factories in the Western world, the argument runs, will relocate to poorer countries with no environmental legislation, where they can pollute with impunity. The West has to follow suit and lower its own environmental standards in order to stay in business. That is a dismal thesis, with the implication that when people obtain better opportunities, resources, and technology, they use them to abuse nature. Does there really have to be a conflict between development and the environment?

The notion that there has to be a conflict runs into the same problem as the whole idea of a race to the bottom: it doesn't tally with reality. There is no exodus of industry to countries with poor environmental standards, and there is no downward pressure on the level of global environmental protection. Instead, the bulk of American and European investments goes to countries with environmental regulations similar to their own. There has been much talk of American factories moving to Mexico since NAFTA was signed. Less well known, however, is that since free trade was introduced Mexico has tightened up its environmental regulations, following a long history of complete nonchalance about environmental issues. This tightening up is part of a global trend. All over the world, economic progress and growth are moving hand in hand with intensified environmental protection. Four researchers who studied these connections found “a very strong, positive association between our [environmental] indicators and the level of economic development.” A country that is very poor is too preoccupied with lifting itself out of poverty to bother about the environment at all. Countries usually begin protecting their natural resources when they can afford to do so. When they grow richer, they start to regulate effluent emissions, and when they have still more resources they also begin regulating air quality. 19

A number of factors cause environment protection to increase with wealth and development. Environmental quality is unlikely to be a top priority for people who barely know where their next meal is coming from. Abating misery and subduing the pangs of hunger takes precedence over conservation. When our standard of living rises we start attaching importance to the environment and obtaining resources to improve it. Such was the case earlier in western Europe, and so it is in the developing countries today. Progress of this kind, however, requires that people live in democracies where they are able and allowed to mobilize opinion; otherwise, their preferences will have no impact. Environmental destruction is worst in dictatorships. But it is the fact of prosperity no less than a sense of responsibility that makes environmental protection easier in a wealthy society. A wealthier country can afford to tackle environmental problems; it can develop environmentally friendly technologies—wastewater and exhaust emission control, for example—and begin to rectify past mistakes.

### 1AR—heg/cp

**They also don’t solve PUBLIC SUPPORT, 1 intervention at a time**

**Friedman 11** (Benjamin H. Friedman, research fellow in defense and homeland security studies at the CATO Institute, and a Ph.D. candidate in Political Science and an affiliate of the Security Studies Program at the Massachusetts Institute of Technology., “Three Phony Reasons to Bomb Libya,” 3/25/11, <http://nationalinterest.org/blog/the-skeptics/three-phoney-reasons-bomb-libya-5073?page=show>)

The latest White House [justification](http://www.politico.com/news/stories/0311/51782_Page3.html) for war is credibility or demonstration effects. The idea is that attacking Qaddafi shows willingness to do so elsewhere, encouraging protesters and pushing dictators to capitulate to them. [Hillary Clinton and Susan Rice](http://nationaljournal.com/whitehouse/obama-s-first-new-war-20110319?page=1) apparently pushed this line in White House meetings, even including Iran in the list of regimes that would be deterred. Wilsonian pundits of both [the](http://www.nytimes.com/roomfordebate/2011/03/22/what-is-the-us-plan-for-libya/fundamental-contradictions-in-us-actions-and-words-in-libya-3) [neoconservative](http://www.nationalreview.com/corner/262576/libya-will-vs-wolfowitz-robert-costa) and [liberal](http://www.nytimes.com/roomfordebate/2011/03/22/what-is-the-us-plan-for-libya/the-us-should-play-a-crucial-but-limited-role) [internationalist](http://www.theworld.org/tag/03182011/) varieties agree. Credibility arguments attach peripheral concerns to more important ones—hence the term “domino theory.” The Johnson administration claimed that leaving Vietnam would embolden Communists globally, undermining U.S. defense commitments. We bombed Serbia in 1999 partially in the name of bucking up NATO’s credibility for other wars. The Bush administration argued that deposing Saddam Hussein would deter other dictators from seeking nuclear and biological weapons or otherwise defying American and U.N. directives. Opponents of ending the U.S. wars in Iraq and Afghanistan often argue that leaving would damage our reputation for resolve and invite trouble elsewhere. Credibility rationales for wars suffer two crippling deficiencies. First, there is little evidence credibility travels much. Second, even if it did, fighting limited wars of questionable value seems likely to damage one’s perceived willingness to fight elsewhere. Western intervention in Libya may encourage Middle-Eastern dictators to crush dissenters rather than accommodate them. As Christopher Fettweis [shows](http://www.ingentaconnect.com/content/taps/psq/2007/00000122/00000004/art00004), political scientists are [nearly](http://books.google.com/books?id=_wzay4OEWBEC&printsec=frontcover&dq=Peripheral+Visions:+Deterrence+Theory+and+American+Foreign+Policy+in+the+Third+World,++1965-1990&source=bl&ots=sTDi66R6x4&sig=sdpUaiJUt9RCaqGR-WrtwNs_fGA&hl=en&ei=beGLTde8EpKatwe5n6yoDQ&s) unanimous in finding little evidence for the proposition that the believability of threats depends on the outcome of prior threats—Thomas Schelling’s [game theory](http://www.amazon.com/Arms-Influence-Henry-Stimson-Lectures/dp/0300002211) notwithstanding. Daryl Press’ case studies [show](http://www.cornellpress.cornell.edu/cup_detail.taf?ti_id=4328) that when leaders, Hitler included, consider going to war in the face of deterrent threats, they focus on the balance of power and the threat-maker’s interests. It’s not that past credibility does not matter at all, but that it matters far less than other factors. Soviet leaders did not measure American commitment to defend Europe by its resolve in fighting a useless war in Vietnam. The stakes were obviously different. Whatever Hillary Clinton thinks, Iran’s leaders are not stupid enough to think that enforcing a no-fly zone over Libya means that the United States or United Nations would prevent it from attacking its citizens or Hezbollah from killing Lebanese. The action in Libya would be low on their list of considerations. If the press succeeds in its intellect-draining efforts to glean an “Obama doctrine” from his administration’s ad hoc decision to bomb Libya, the states it threatens are unlikely to give it much credence. Our past credibility is especially useless where our threats mean to compel change rather than deter it, to use Schelling’s terminology. Saying “give up power by holding fair elections, or we bomb” asks for capitulation. Saying “if you attack your neighbor, we bomb” defends the status quo and requires less humiliation. Leaders clinging to power are unlikely to care what threats we issue to make them surrender it. Let’s say that’s all wrong and credibility travels easily. We should then husband it, rather than risk it in circumstances where we lack other interests. If deterring the Soviets from attacking Western Europe or anywhere else depended on what we did in Vietnam, credibility would have encouraged American leaders to avoid fighting there and escalating and overstating our interests once we were. Keeping troops available and hence free of diversions that waste the public’s limited support for bloodshed would enhance credibility. **Were it a real consideration, credibility would often encourage peace. The fact that only hawks make credibility arguments shows their phoniness.**

### 1AR—framework

**Don’t be an academic—their framework dooms the alt**

**Gitlin 5** (Todd Gitlin formerly served as professor of sociology and director of the mass communications program at the University of California, Berkeley, and then a professor of culture, journalism and sociology at New York University. He is now a professor of journalism and sociology and chair of the Ph.D. program in Communications at Columbia University.  “The Intellectuals and the Flag”, <http://www.ciaonet.org.proxy2.cl.msu.edu/book/git01/git01_04.pdf>

Yet the audacious adepts of “theory” constitute themselves the equivalent of a vanguard party—laying out propositions to be admired for their audacity rather than their truth, defending themselves when necessary as victims of stodgy and parochial old-think, priding themselves on their cosmopolitan majesty. “Theory” dresses critical thought in a language that, for all its impenetrability, certifies that intellectuals are central and indispensable to the ideological and political future. The far right might be firmly in charge of Washington, but Foucault (and his rivals) rules the seminars. At a time of political rollback, intellectual flights feel like righteous and thrilling consolations. Masters of “theory,” left to themselves, could choose among three ways of understanding their political role. They could choose the more-or-less Leninist route, flattering themselves that they are in the process of reaching correct formulations and hence (eventually) bringing true consciousness to benighted souls who suffer from its absence. They could choose the populist path, getting themselves off the political hook in the here and now by theorizing that potent forces will **some day,** willy-nilly, gather to upend the system. Or they could reconcile themselves to Frankfurt-style futilitarianism, conceding that history has run into a cul-de-sac and making do nevertheless. In any event, practitioners of “theory” could carry on with their lives, practicing politics by publishing without perishing, indeed, without having to set foot outside the precincts of the academy. As the revolutionary tide has gone out, a vanguard marooned without a rearguard has made the university into an asylum. As many founders and masters of “theory” pass from the scene, the genre has calcified, lost much of its verve, but in the academy verve is no prerequisite for institutional weight, and so the preoccupation and the style go on and on.

### 1AR—Alt

**Alt seeks an end of all violence – that’s violent**

Peterson (Professor of Comparative Literature at University of Western Sydney) 13

(Christopher, Bestial Traces: Race, Sexuality, Animality, pg. 100)

That there is no final overcoming of this violence, however, does nor provide an alibi for either ignoring or (even worse) fostering particularly egregious acts of discrimination. Throwing up one's hands and saying "everyone is racist!" does not absolve one of pursuing what Derrida describes as the "lesser violence." Derrida employs this phrase only briefly in "Violence and Metaphysics," which offers a reading of Levinas that contests his tendency to oppose peace and violence. For Derrida, absolute peace without violence paradoxically **amounts to the worst violence**: "**Pure nonviolence**, the non-relation of the same to the other (in the sense understood by Levinas) **is pure violence"** precisely because such absolute peace requires the elimination of alterity.62The Levinasiau no- tion of the "absolute other" inures itself against alterity in order not to relate itself to the same. That this other is wholly identical to itself means that it retreats into the very solipsism that Levinasian ethics aims toresist. Hence, the absolute other that announces a wholly nonviolent relation to alteriry collapses onto the "absolute same." Far from naming the purest ethical comportment toward alterity, the absolute other would bear absolutely no relation to others. Only a world without others could therefore witness the complete eradication, the absolute exclusion, as it were, of exclusion itself The seemingly desirable ideal of a world without exclusion, a world cleansed of ante-racism, would therefore amount to **the worst possible violence**. The "purist" antiracist politics would turn out to be the most racist. As long as there are others, there will be racism. And since there cannot not be others, racism cannot be eradicated.

Postracialist thought assumes two distinct forms, a utopic version that figures absolute equality as desirable and possible, and a dystopic version that renders absolute equality desirable yet impossible. Neither formulation, however. comes to terms with the implications that Martin Hagglund draws from his teading of Derrida: that the total eradication of violence is *undesirable* to extent that it would produce the worst violence imaginable. That the unavoidability of "discrimination is at the heart of Derrida's thinking," however, does not mean that Dcrrida ascribes either a negative or positive value to such constitutive violence. On the contrary, **violence is the "condition of the desirable and the undesirable.**"6S This constitutive violence can thus lead only to greater or lesser forms of violence, to stronger or weaker forms of racism, but never to a complete absence of racism.

**Concern for security is ethically necessary**

Survival politics is key – Every demand for justice and emancipation is inherently violent. The alt makes action impossible

**Hagglund 8**

(Martin, Radical Atheism: Derrida and the Time of Life, pg. 204)

Emancipatory struggle has therefore never been driven by a desire for absolute fullness but **presupposes the unconditional affirmation of survival**. Without the affirmation of survival one would never care for a better future and be compelled to make decisions about what is more or less violent. The urgency of such decisions is not mitigated by the fact chat the fate of violence cannot finally be decided. On the contrary, the undecidable coming of time is what makes the question of violence urgent, since it exposes us to violence in the first place. This argument confirms the need for emancipatory narratives at the same time as it transforms the understanding of the desire that informs these narratives. Emancipatory politics does not aspire to a telos of absolute liberation, but must always negotiate an irreducible discrimination. Whatever future one desires is both inherently violent (since it can only come at the expense of other futures) and is itself exposed to violence (since it may be negated by the coming of other futures).

They’ll say they just use it as an endpoint to strive towards

**Hägglund** (PhD candidate @ Cornell University. Author of Chronophobia: Essays on Time and Finitude, also edited and wrote the preface to the Swedish translation of Derrida's Spectres de Marx) **4**

(Martin, diacritics 34.1, 40-71, The Necessity of Discrimination, MUSE)

A possible objection here is that we must strive toward an ideal origin or end, an arkhe or telos that would prevail beyond the possibility of violence. Even if every community is haunted by victims of discrimination and forgetting, we should try to reach a state of being that does not exclude anyone, namely, a consummated presence that includes everyone. However, it is precisely with such an "ontological" thesis that Derrida's hauntological thinking takes issue. At several places in Specters of Marx he maintains that a completely present life—which would not be "out of joint," not haunted by any ghosts—would be nothing but a complete death

Marked

14 Derrida's point is not simply that a peaceful state of existence is impossible to realize, as if it were a desirable, albeit unattainable end. Rather, he challenges the very idea that absolute peace is desirable. In a state of being where all violent change is precluded, nothing can ever happen. Absolute peace is thus **inseparable from absolute violence**, as Derrida argued already in "Violence and Metaphysics." Anything that would finally put an end to violence (whether the end is a religious salvation, a universal justice, a harmonious intersubjectivity or some other ideal) **would end the possibility of life in general**. The idea of absolute peace is the idea of eliminating the undecidable future that is the condition for anything to happen. Thus, the idea of absolute peace is the idea of absolute violence.

### 1AR—reps

**The causality of their impact is awful – particular discursive acts aren’t the case of war**

**Ghughunishvili 10**

Securitization of Migration in the United States after 9/11: Constructing Muslims and Arabs as Enemies Submitted to Central European University Department of International Relations European Studies In partial fulfillment of the requirements for the degree of Master of Arts Supervisor: Professor Paul Roe <http://www.etd.ceu.hu/2010/ghughunishvili_irina.pdf>

As provided by the Copenhagen School securitization theory is comprised by speech act, acceptance of the audience and facilitating conditions or other non-securitizing actors contribute to a successful securitization. The causality or a one-way relationship between the speech act, the audience and securitizing actor, where politicians use the speech act first to justify exceptional measures, has been criticized by scholars, such as Balzacq. According to him, the one-directional relationship between the three factors, or some of them, is not the best approach. To fully grasp the dynamics, it will be more beneficial to “rather than looking for a one-directional relationship between some or all of the three factors highlighted, it could be profitable to focus on the degree of congruence between them. 26 Among other aspects of the Copenhagen School’s theoretical framework, which he criticizes, the thesis will rely on the criticism of the lack of context and the rejection of a ‘one-way causal’ relationship between the audience and the actor. The process of threat construction, according to him, can be clearer if external context, which stands independently from use of language, can be considered. 27 Balzacq opts for more context-oriented approach when it comes down to securitization through the speech act, where a single speech does not create the discourse, but it is created through a long process, where context is vital. 28 He indicates: In reality, the speech act itself, i.e. literally a single security articulation at a particular point in time, will at best only very rarely explain the entire social process that follows from it. In most cases a security scholar will rather be confronted with a process of articulations creating sequentially a threat text which turns sequentially into a securitization. 29 This type of approach seems more plausible in an empirical study, as it is more likely that a single speech will not be able to securitize an issue, but it is a lengthy process, where a the audience speaks the same language as the securitizing actors and can relate to their speeches.