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## Soft Power

#### Indefinite detention is ineffective---fosters terrorism and damages soft power

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Wittes and Goldsmith are correct that fighters in enemy forces can be held in military detention until the war is over. But that’s a law of war aimed at foreign soldiers who have not committed crimes, but pose a future danger by virtue of their status as enemy soldiers. They are to be released once hostilities have ceased. It makes no sense in the context of admitted mass murderers who committed the most heinous terrorist strike in history on U.S. soil. The “war on terror” of which they are supposedly a part will, by definition, have no end.

To the extent that Goldsmith and Wittes are arguing merely for detaining suspected terrorists a few more years until the political tides turn, it’s worth remembering that justice delayed is often justice denied.

The challenges the government faced in convicting Ghailani all stemmed from his having been held for a prolonged period in military and CIA custody. First, none of his statements could be used because, as the government admitted, the CIA had coerced them out of him. And much of the other evidence was compromised by the passage of time. At least one witness available in the earlier successful 1998 bombings trial in 2001 was now dead. And many of the witnesses brought in 12 years after the crime couldn’t remember what they’d seen or said just after the bombing happened. On the witness stand, they appeared to be contradicting their earlier statements to the FBI. Ghailani’s defense team effectively used that to question their credibility and raise doubts in the jurors’ minds about what role Ghailani really played in the terrorist plot hatched more than a dozen years ago.

Sitting in the courtroom, I was constantly aware that the witnesses flown in from Tanzania and Kenya were being asked to remember such minute details as which of two people with the same name in a shop in Dar es Salaam in 1998 handed over the cash to purchase a truck or a gas tank (one of them was Ghailani), or what Ghailani told a friend once about his future travel plans, more than a decade later and often after dozens of interrogations by the FBI. I had to wonder if they were really testifying based on memory, or based on what the government might have suggested it wanted to hear. The jury may well have been wondering the same thing.

Prolonged indefinite detention, then, only complicates the government’s ability to prove a terrorist’s guilt later. It could mean the inability to ever hold serious criminals accountable at all. The victims of the 9/11 terror attacks – and the potential victims of all forms of terrorism — deserve better than that.

Of course, those who favor indefinite military detention without trial may respond that “justice” isn’t really their concern. The most important thing is U.S. security, and if we can incapacitate terrorists by locking them away for the rest of their lives without a trial to make sure we’ve got the right ones, well, that’s the price we need to pay.

Setting aside any constitutional arguments with that, even if one believes that national security trumps all, the failure to provide a fair trial to suspected terrorists will ultimately do far more harm to U.S. national security than it will do good. Nothing enrages people more than hypocrisy, and the failure to adhere to the basic principles of fairness and due process that we press others to adopt around the world would only help al Qaeda win new and more vicious recruits. If the United States’ experiment with torture techniques taught us anything, it’s that our global reputation is fragile and that abusive detention and interrogation of suspects won’t win the war on terrorism; on the contrary, it will fuel further attacks.

Now is not the time to resign ourselves to abandoning both law and principle in the name of national security. We already know that going down that path will lead to just the opposite.

#### Specifically- Human rights credibility---now is key to set the global standard for human rights protection

Suzanne Nossel 12 is executive director of Amnesty International USA, "Time for a Reset on Human Rights," 11-7-12, www.foreignpolicy.com/articles/2012/11/07/time\_for\_a\_reset\_on\_human\_rights?page=0,1, DOA: 7-22-13, Y2K

In 2008, Barack Obama's election thrilled many human rights activists. For eight years under George W. Bush, the U.S. government had used torture, held hundreds in long-term detention without trial, and committed abuses at wartime prisons such as Iraq's Abu Ghraib. Rights advocates hoped -- and, based on many of Obama's election-season remarks, reasonably expected -- that the unlawful renditions, secret prisons, and unfair trials would give way to a new American commitment the Constitution and international law. Although Obama faced truculent political opposition in his first term, his weak record on human rights cannot be explained away by economic exigencies or even congressional defiance. Obama now openly embraces the concept of a global "war on terror" as grounds to override international human rights norms and reinterpret the Constitution. Osama Bin Laden's killing was not only the chief talking point of his campaign but a synecdoche for his approach to the terrorist threat, one in which the administration writes its own rules. Although preventing attacks on U.S. soil represents an important human rights victory, this should not overshadow the worrisome direction of U.S. human rights policy and its long-term consequences. If the president's legacy is to include reclaiming U.S. human rights credibility, he needs to face up to his troubling record, and fix it. The Obama administration has led in some areas of human rights policy; examples include advancing gay and lesbian rights, bolstering U.N. human rights mechanisms, and promoting Internet freedom. But where human rights norms are pitted against counterterrorism tactics, it has fallen down. Blocked by Congress, Obama broke his first-term promise to close Guantánamo. Four years later, that failure barely seems to register as a disappointment; 167 men languish in the prison, including 55 who are cleared for release but have not been transferred. Recent weeks have revealed details of an Orwellian "disposition matrix" -- a kill list of top terrorist targets that keeps getting longer. The administration claims the authority to kill those named, anytime and anywhere, based on secret information and unreviewable judgments. The administration has declared any man killed by a drone to be an enemy terrorist, and defends such killings regardless of resulting civilian casualties. With the U.S. withdrawing from Afghanistan, these extraordinary powers are detached from any major battlefield or conventional war. The administration is now backed into claiming that a war exists because it has convinced itself it cannot function without a broad license to kill. Short of al Qaeda suing for peace, this war may never end. The administration's reshaping of the concept of war risks undoing over 100 years of evolution of the laws of war, and the protections those laws have delivered. The next four years will define whether this rewriting of the rules becomes a bipartisan "new normal" in the United States, and implicit permission for the rest of the world to sidestep human rights. Absent swift progress to close Guantánamo, the men now held will likely die there of old age decades from now, since no future president is likely to renew Obama's ill-fated pledge to close the facility. And even if the Guantánamo detainees are transferred to a U.S. prison, bringing indefinite detention onshore, it is hard to fathom the practice will not be used again to deal with future threats. The bipartisan affirmation of drone use will make those weapons routine for the United States and any other government with a kill list of its own.

#### AND- US is key to global human rights protection---indefinite detention undermines US credibility and American interests

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What has been far more problematic over the last few years than random disparities between domestic and international interpretations of human rights law has been a fundamental disparagement of the authority of the international community itself. Such depreciation started early: in 2000 Condoleezza Rice, then foreign policy advisor to candidate George W. Bush, wrote in Foreign Affairs magazine, “Foreign policy in a Republican administration…will proceed from the firm ground of the national interest, not from the interests of an illusory international community [emphasis added].” Over the past seven years the U.S. has repeatedly demonstrated its contempt for that allegedly chimerical community by doing such things as “unsigning” the Rome statute of the International Criminal Court (ICC); declaring the Geneva Conventions inapplicable to prisoners at Guantanamo Bay and other so-called “unlawful combatants;” ignoring UN findings and resolutions in the run-up to the Iraq War; or refusing to stand for election to the UN Human Rights Council. The consequences have been devastating for the reputations both of the U.S., which has seen its favorability ratings drop precipitously around the world,5 and, paradoxically, of human rights themselves. The U.S. has long prided itself on being a champion of human rights and with much good reason. We would have had no Universal Declaration of Human Rights had it not been for Eleanor and Franklin Roosevelt; the U.S. pushed hard for the civil rights provisions of the Helsinki Accords, thereby contributing to the eventual liberation of Eastern Europe; the U.S. judicial system with its wide array of due process protections has been a model emulated by newly emerging countries around the world; U.S. diplomats have frequently intervened on behalf of political dissidents; the Kosovo War was spearheaded by an American commitment to prevent ethnic cleansing; and the annual State Department human rights reports have long been an invaluable resource to the cause of human rights. The current U.S. administration’s commitment to battling HIV/AIDS in Africa and its outspokenness on Darfur are consistent with this tradition. But for the most powerful nation in the world, long looked to as a model of human rights virtue, to undermine the international system itself—the very framework upon which human rights are predicated—is to cause immeasurable damage to the struggle for liberty. Backtracking on our commitments to international treaties and norms in the name of defending human rights is not just ironic. One of the consequences of the Iraq War with its latter-day human rights rationale and of the “War on Terror” with its oft-stated goals of defending freedom and the rule of law is that human rights themselves have come to be identified with America’s worldwide ambitions. For human rights to be conflated with, fairly or not, in the words of the critic David Rieff, “the official ideology of American empire,”6 only exacerbates the customary suspicion in which human rights have been held by some in the developing world who see them as a guise for the imposition of Western values. The truth is that if human rights and the U.S.’s pursuit of them are discredited, American interests are put in peril. Reserving the option to torture prisoners, denying them habeas corpus, sending them into “black site” prisons—all this makes it harder to defend America against the charge of hypocrisy; the claim that we are carrying out a war in defense of the rule of law by abandoning that very rule. Such a charge hands fodder for recruitment to our adversaries and makes the world less safe for Americans. No country can claim protection for its own citizens overseas (be they soldiers taken as prisoners, nationals charged with crimes, or corporations faced with extortion) if it fails to respect international norms at home. Global relations are based in good part on reciprocity. Nor can the U.S. offer effective objection to the human rights violations of others if it is guilty of those same violations itself or has shunned cooperation with international allies. No nation, no matter how powerful, can successfully pursue improvements in human rights around the world independent of the international community. Unilateral sanctions imposed upon a country to protest human rights abuses will inevitably fail if they lack the support of others

#### Credibility key to foster foreign cooperation and hegemony

John Ikenberry 4 Professor of Politics and International Affairs at Princeton, “Liberal Realism: The Foundations of a Democratic Foreign Policy”, The National Interest, Fall

The Bush Administration's disregard for legitimacy has had devastating consequences for America's standing in the world, particularly among Europeans. The country that for decades was seen to be at the forefront of progressive change is now regarded as a threat to the international system. During the heyday of American legitimacy amid the Cold War, it would have been unthinkable for a German chancellor to rescue his bid for re-election by insisting that Berlin stand up to Washington. Not only did Gerhard Schroder do so in 2002, but candidates in other countries--Spain, Brazil and South Korea--have thrived by distancing themselves from the United States. In a world of degraded American legitimacy, other countries are more reluctant to cooperate with the United States. Over the longer term--and in a thousand different ways--countries will take steps to separate themselves from the United States, to resist its leadership and to organize their regions of the world in opposition to Washington. From the perspective of liberal realism, legitimacy is an intrinsic aspect of power. To care about legitimacy is not to cede American power to the UN or any other party. Instead, it is to exercise American power in a manner that continues to attract the support of others. Successive American presidents have found ways to do so because they realized that to legitimate American power was to turn coercion and domination into authority and consent. In Jean-Jacques Rousseau's famous formulation from The Social Contract: "The strongest is never strong enough to be always master, unless he transforms strength into right and obedience into duty."

#### Soft-power is key to leadership

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Indeed anti-American sentiment is sweeping the world after the Iraq war. It has, of course, been aggravated by the aggressive style of the present American President. Under George Bush, anti-Americanism is widely thought to have reached new heights. In the coming years the USA will lose more of its ability to lead others if it decides to act unilaterally. If other states step aside and question the USA's policies and objectives and seek to de-legitimise them, the problems of the USA will increase manifold. American success will lie in melding power and cooperation and generating a belief in other countries that their interests will be served by working with instead of opposing the United States. It is aptly said that use of power without cooperation becomes dictatorial and breeds resistance and resentment. But cooperation without power produces posturing and no concrete progress. There is also another disquieting development. It seems American soft power is waning and it is losing its allure as a model society. Much of the rest of the world is no longer looking up to the USA as a beacon. Rising religiosity, rank hostility to the UN, Bush's doctrine of preventive war, Guantanamo Bay etc are creating disquiet in the minds of many and turning them off America. This diminution of America's soft power will also create disenchantment and may gradually affect American pre-eminence.

#### Latent power ensures U.S. hegemony can withstand any challenge – estimates of American power don’t take hidden safeguards into account.William Wohlforth (Professor of Government at Dartmouth College, where he is also the Chair of the Department of Government) Spring, 2007 "Unipolar Stability," Harvard International Review Vol. XXIX, No. 1 p 47-8

U.S. military forces are stretched thin, its budget and trade deficits are high, and the country continues to finance its profligate ways by borrowing from abroad—notably from the Chinese government. These developments have prompted many analysts to warn that the United States suffers from "imperial overstretch." And if U.S. power is overstretched now, the argument goes, unipolarity can hardly be sustainable for long. The problem with this argument is that it fails to distinguish between actual and latent power. One must be careful to take into account both the level of resources that can be mobilized and the degree to which a government actually tries to mobilize them. And how much a government asks of its public is partly a function of the severity of the challenges that it faces. Indeed, one can never know for sure what a state is capable of until it has been seriously challenged. Yale historian Paul Kennedy coined the term "imperial overstretch" to describe the situation in which a state's actual and latent capabilities cannot possibly match its foreign policy commitments. This situation should be contrasted with what might be termed "self-inflicted overstretch"—a situation in which a state lacks the sufficient resources to meet its current foreign policy commitments in the short term, but has untapped latent power and readily available policy choices that it can use to draw on this power. This is arguably the situation that the United States is in today. But the U.S. government has not attempted to extract more resources from its population to meet its foreign policy commitments. Instead, it has moved strongly in the opposite direction by slashing personal and corporate tax rates. Although it is lighting wars in Afghanistan and Iraq and claims to he fighting a global "war" on terrorism, the United States is not acting like a country under intense international pressure. Aside from the volunteer servicemen and women and their families, U.S. citizens have not been asked to make sacrifices for the sake of national prosperity and security. The country could clearly devote a greater proportion of its economy to military spending: today it spends only about 4 percent of its GDP on the military as compared to 7 to 14 percent during the peak years of the Cold War. It could also spend its military budget more efficiently, shifting resources from expensive weapons systems to boots on the ground. Even more radically, it could reinstitute military' conscription, shifting resources from pay and benefits to training and equipping more soldiers. On the economic front, it could raise taxes in a number of ways, notably on fossil fuels, to put its fiscal house hack in order. No one knows for sure what would happen if a U.S. president undertook such drastic measures, but there is nothing in economics, political science, or history to suggest that such policies would be any less likely to succeed than China is to continue to grow rapidly for decades. Most of those who study U.S. politics would argue that the likelihood and potential success of such power-generating policies depends on public support, which is a function of the public's perception of a threat. And as unnerving as terrorism is, there is nothing like the threat of another hostile power rising up in opposition to the United States for mobilizing public support. With latent power in the picture, it becomes clear that unipolarity might have more built-in self-rein forcing mechanisms than many analysts realize, it is often noted that the rise of a peer competitor to the United States might be thwarted by the counterbalancing actions of neighboring powers. For example, China's rise might push India and Japan closer to the United States—indeed, this has already happened to some extent. There is also the strong possibility that a peer rival that comes to be seen as a threat would create strong incentives for the United States to end its self inflicted overstretch and tap potentially large wellsprings of latent power.

#### No impact turns---hegemonic decline emboldens rising power and challengers---US intervention is inevitable, only a question of effectiveness.

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But the question is not whether promises to bring home troops and reduce military spending can be sold in an election year -- the question is what impact would retrenchment have on future U.S. and global security. If history is any guide, the answer is troubling: Over the past century, each of America's attempts to reduce its role in the world was met by rising global threats, eventually requiring a major U.S. re-engagement. This is not to argue that the U.S. should sustain its muscular post-9/11 global posture or continue its land war in Afghanistan. It is to urge caution against a growing belief that scaling back American power in the world will be without risks or costs. History shows that in the aftermath of America's major wars of the 20th century -- World War I, World War II and Vietnam -- the American public and powerful leaders in Washington demanded strict new limits in foreign policy. After World War I, that meant rejecting participation in the League of Nations and receding into isolation. After World War II, it meant embarking on one of the largest voluntary military demobilizations in world history. And after Vietnam, it meant placing new restrictions on a president's ability to conduct overseas operations. But in each case, hopes were soon dashed by global challengers who took advantage of America's effort to draw back from the world stage -- Germany and Japan in the 1930s, the Soviet Union in the immediate post-World War II period and the Soviet Union again after Vietnam. In each case, the United States was forced back into a paramount global leadership role -- in World War II, the Cold War and the military build-up and proxy wars of the 1980s. Similar effects have also followed the withdrawal of U.S. troops from global hot spots, as in Somalia in 1993. America's need to extricate itself from that calamitous humanitarian mission, in which 18 U.S. soldiers were killed, was clear. But the withdrawal came at a huge strategic cost: It emboldened the narrative of the emerging al Qaeda network that America was a "paper tiger," setting the stage for the escalating terrorist attacks of the 1990s and September 11, 2001. The Afghan war: When friends are enemies U.S. steps up Mideast military presence Military option for Pres. Obama in Libya Obama's desire to withdraw from costly and unpopular foreign conflicts and refocus on domestic issues is understandable. And he is by no means an isolationist, as his intensified war on al Qaeda can attest. But Obama's assertion that his recalibration of U.S. foreign policy -- centered on withdrawing U.S. troops from Mideast wars and leaning more on allies and the United Nations -- has awakened "a new confidence in our leadership" is without foundation. Like Great Britain in the 19th century, America since the turn of the 20th century has been the world's pivotal global power. Fair or not, in moments when America seemed unsure of its role in the world, the world noticed and reacted. There is no reason to believe now is different. Indeed, in many ways looming opportunists are more obvious today than the 1930s, 1970s and 1990s. These include al Qaeda and other Islamist movements spinning U.S. troop withdrawals from Iraq and Afghanistan as strategic defeats; an emboldened Iran on the cusp of attaining nuclear weapons; and a rising China flexing its muscles in the South China Sea. To his credit, Romney has strongly warned against a world with more limited American leadership. He has also promised to reverse Obama's defense cuts and offer his own increases. But while Obama's approach may be shortsighted, Romney's would face an uphill battle against fiscal and popular sentiment. These issues must certainly be raised in the upcoming presidential debates. Whoever wins in November will confront not just an increasingly dangerous world, but also an increasingly isolationist public. The great challenge will be to convince the American people that robust U.S. leadership in the world remains vital to their security and prosperity and convince the world it remains unwavering. History shows that doing otherwise only raises the stakes down the line.

#### Even if they win their offense, legitimacy smooths the transition---key to global stability

Kevin Fujimoto 12, Lt. Colonel, U.S. Army, January 11, 2012, “Preserving U.S. National Security Interests Through a Liberal World Construct,” online: <http://www.strategicstudiesinstitute.army.mil/index.cfm/articles/Preserving-US-National-Security-Interests-Liberal-World-Construct/2012/1/11>

The emergence of peer competitors, not terrorism, presents the greatest long-term threat to our national security. Over the past decade, while the United States concentrated its geopolitical focus on fighting two land wars in Iraq and Afghanistan, China has quietly begun implementing a strategy to emerge as the dominant imperial power within Southeast Asia and the Indian Ocean. Within the next 2 decades, China will likely replace the United States as the Asia-Pacific regional hegemonic power, if not replace us as the global superpower.1 Although China presents its rise as peaceful and non-hegemonic, its construction of naval bases in neighboring countries and military expansion in the region contradict that argument. With a credible threat to its leading position in a unipolar global order, the United States should adopt a grand strategy of “investment,” building legitimacy and capacity in the very institutions that will protect our interests in a liberal global construct of the future when we are no longer the dominant imperial power. Similar to the Clinton era's grand strategy of “enlargement,”2 investment supports a world order predicated upon a system of basic rules and principles, however, it differs in that the United States should concentrate on the institutions (i.e., United Nations, World Trade Organization, ASEAN, alliances, etc.) that support a world order, as opposed to expanding democracy as a system of governance for other sovereign nations. Despite its claims of a benevolent expansion, China is already executing a strategy of expansion similar to that of Imperial Japan's Manchukuo policy during the 1930s.3 This three-part strategy involves: “(i) (providing) significant investments in economic infrastructure for extracting natural resources; (ii) (conducting) military interventions (to) protect economic interests; and, (iii) . . . (annexing) via installation of puppet governments.”4 China has already solidified its control over neighboring North Korea and Burma, and has similarly begun more ambitious engagements in Africa and Central Asia where it seeks to expand its frontier.5 Noted political scientist Samuel P. Huntington provides further analysis of the motives behind China's imperial aspirations. He contends that “China (has) historically conceived itself as encompassing a “‘Sinic Zone'. . . (with) two goals: to become the champion of Chinese culture . . . and to resume its historical position, which it lost in the nineteenth century, as the hegemonic power in East Asia.”6 Furthermore, China holds one quarter of the world's population, and rapid economic growth will increase its demand for natural resources from outside its borders as its people seek a standard of living comparable to that of Western civilization. The rise of peer competitors has historically resulted in regional instability and one should compare “the emergence of China to the rise of. . . Germany as the dominant power in Europe in the late nineteenth century.”7 Furthermore, the rise of another peer competitor on the level of the Soviet Union of the Cold War ultimately threatens U.S. global influence, challenging its concepts of human rights, liberalism, and democracy; as well as its ability to co-opt other nations to accept them.8 This decline in influence, while initially limited to the Asia-Pacific region, threatens to result in significant conflict if it ultimately leads to a paradigm shift in the ideas and principles that govern the existing world order. A grand strategy of investment to address the threat of China requires investing in institutions, addressing ungoverned states, and building legitimacy through multilateralism. The United States must build capacity in the existing institutions and alliances accepted globally as legitimate representative bodies of the world's governments. For true legitimacy, the United States must support these institutions, not only when convenient, in order to avoid the appearance of unilateralism, which would ultimately undermine the very organizations upon whom it will rely when it is no longer the global hegemon. The United States must also address ungoverned states, not only as breeding grounds for terrorism, but as conflicts that threaten to spread into regional instability, thereby drawing in superpowers with competing interests. Huntington proposes that the greatest source of conflict will come from what he defines as one “core” nation's involvement in a conflict between another core nation and a minor state within its immediate sphere of influence.9 For example, regional instability in South Asia10 threatens to involve combatants from the United States, India, China, and the surrounding nations. Appropriately, the United States, as a global power, must apply all elements of its national power now to address the problem of weak and failing states, which threaten to k,l as the principal catalysts of future global conflicts.11 Admittedly, the application of American power in the internal affairs of a sovereign nation raises issues. Experts have posed the question of whether the United States should act as the world's enforcer of stability, imposing its concepts of human rights on other states. In response to this concern, The International Commission on Intervention and State Sovereignty authored a study titled, The Responsibility to Protect,12 calling for revisions to the understanding of sovereignty within the United Nations (UN) charter. This commission places the responsibility to protect peoples of sovereign nations on both the state itself and, more importantly, on the international community.13 If approved, this revision will establish a precedent whereby the United States has not only the authority and responsibility to act within the internal affairs of a repressive government, but does so with global legitimacy if done under the auspices of a UN mandate. Any effort to legitimize and support a liberal world construct requires the United States to adopt a multilateral doctrine which avoids the precepts of the previous administration: “preemptive war, democratization, and U.S. primacy of unilateralism,”14 which have resulted in the alienation of former allies worldwide. Predominantly Muslim nations, whose citizens had previously looked to the United States as an example of representative governance, viewed the Iraq invasion as the seminal dividing action between the Western and the Islamic world. Appropriately, any future American interventions into the internal affairs of another sovereign nation must first seek to establish consensus by gaining the approval of a body representing global opinion, and must reject military unilateralism as a threat to that governing body's legitimacy. Despite the long-standing U.S. tradition of a liberal foreign policy since the start of the Cold War, the famous liberal leviathan, John Ikenberry, argues that “the post-9/11 doctrine of national security strategy . . . has been based on . . . American global dominance, the preventative use of force, coalitions of the willing, and the struggle between liberty and evil.”15 American foreign policy has misguidedly focused on spreading democracy, as opposed to building a liberal international order based on universally accepted principles that actually set the conditions for individual nation states to select their own system of governance. Anne-Marie Slaughter, the former Dean of the Woodrow Wilson School of Public and International Affairs, argues that true Wilsonian idealists “support liberal democracy, but reject the possibility of democratizing peoples . . .”16 and reject military primacy in favor of supporting a rules-based system of order. Investment in a liberal world order would also set the conditions for the United States to garner support from noncommitted regional powers (i.e., Russia, India, Japan, etc.), or “swing civilizations,” in countering China's increasing hegemonic influence.17 These states reside within close proximity to the Indian Ocean, which will likely emerge as the geopolitical focus of the American foreign policy during the 21st century, and appropriately have the ability to offset China's imperial dominance in the region.18 Critics of a liberal world construct argue that idealism is not necessary, based on the assumption that nations that trade together will not go to war with each other.19 In response, foreign affairs columnist Thomas L. Friedman rebukes their arguments, acknowledging the predicate of commercial interdependence as a factor only in the decision to go to war, and argues that while globalization is creating a new international order, differences between civilizations still create friction that may overcome all other factors and lead to conflict.20 Detractors also warn that as China grows in power, it will no longer observe “the basic rules and principles of a liberal international order,” which largely result from Western concepts of foreign relations. Ikenberry addresses this risk, citing that China's leaders already recognize that they will gain more authority within the existing liberal order, as opposed to contesting it. China's leaders “want the protection and rights that come from the international order's . . . defense of sovereignty,”21 from which they have benefitted during their recent history of economic growth and international expansion. Even if China executes a peaceful rise and the United States overestimates a Sinic threat to its national security interest, the emergence of a new imperial power will challenge American leadership in the Indian Ocean and Asia-Pacific region. That being said, it is more likely that China, as evidenced by its military and economic expansion, will displace the United States as the regional hegemonic power. Recognizing this threat now, the United States must prepare for the eventual transition and immediately begin building the legitimacy and support of a system of rules that will protect its interests later when we are no longer the world's only superpower

#### Soft power prevents extinction – disease, climate change, terrorism, and great power war

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Power always depends on context, and in today's world, it is distributed in a pattern that resembles a complex three-dimensional chess game. On the top chessboard, military power is largely unipolar and likely to remain so for some time. But on the middle chessboard, economic power is already multi-polar, with the US, Europe, Japan and China as the major players, and others gaining in importance. The bottom chessboard is the realm of transnational relations that cross borders outside of government control, and it includes actors as diverse as bankers electronically transferring sums larger than most national budgets at one extreme, and terrorists transferring weapons or hackers disrupting Internet operations at the other. It also includes new challenges like pandemics and climate change. On this bottom board, power is widely dispersed, and it makes no sense to speak of unipolarity, multi-polarity or hegemony. Even in the aftermath of the financial crisis, the giddy pace of technological change is likely to continue to drive globalisation, but the political effects will be quite different for the world of nation states and the world of non-state actors. In inter-state politics, the most important factor will be the continuing "return of Asia". In 1750, Asia had three-fifths of the world population and three-fifths of the world's product. By 1900, after the industrial revolution in Europe and America, Asia's share shrank to one-fifth of the world product. By 2040, Asia will be well on its way back to its historical share. The "rise" in the power of China and India may create instability, but it is a problem with precedents, and we can learn from history about how our policies can affect the outcome. A century ago, Britain managed the rise of American power without conflict, but the world's failure to manage the rise of German power led to two devastating world wars. In transnational politics, the information revolution is dramatically reducing the costs of computing and communication. Forty years ago, instantaneous global communication was possible but costly, and restricted to governments and corporations. Today it is virtually free to anyone with the means to enter an internet café. The barriers to entry into world politics have been lowered, and non-state actors now crowd the stage. In 2001, a non-state group killed more Americans than the government of Japan killed at Pearl Harbor. A pandemic spread by birds or travelers on jet aircraft could kill more people than perished in the first or second world wars. This is a new world politics with which we have less experience. The problems of power diffusion (away from states) may turn out to be more difficult than power transition among states. The problem for American power in the 21st century is that there are more and more things outside the control of even the most powerful state. Although the United States does well on the traditional measures, there is increasingly more going on in the world that those measures fail to capture. Under the influence of the information revolution and globalisation, world politics is changing in a way that means Americans cannot achieve all their international goals acting alone. For example, international financial stability is vital to the prosperity of Americans, but the United States needs the cooperation of others to ensure it. Global climate change too will affect the quality of life, but the United States cannot manage the problem alone. And in a world where borders are becoming more porous than ever to everything from drugs to infectious diseases to terrorism, America must mobilise international coalitions to address shared threats and challenges. As the largest country, American leadership will remain crucial. The problem of American power after this crisis is not one of decline, but realisation that even the largest country cannot achieve its aims without the help of others.

## Legitimacy

#### Single rulings have drastic effect on perception of court legitimacy- Voting Rights Act decision has put legitimacy at an all time low

**Robert A. Schapiro**, Op-ed contributor / August 5, 2013
OBJECTION! AMERICANS’ OPINION OF SUPREME COURT CAN’T KEEP DROPPING [http://www.csmonitor.com/Commentary/Opinion/2013/0805/Objection!-Americans-opinion-of-Supreme-Court-can-t-keep-dropping](http://www.csmonitor.com/Commentary/Opinion/2013/0805/Objection%21-Americans-opinion-of-Supreme-Court-can-t-keep-dropping)

Last month, the [Pew Research Center](http://www.csmonitor.com/tags/topic/Pew%2BResearch%2BCenter) reported that for the [first time in its nearly 30 years of polling](http://www.people-press.org/2013/07/24/supreme-courts-favorability-edges-below-50/), the favorability rating of the [**US Supreme Court**](http://www.csmonitor.com/tags/topic/U.S.%2BSupreme%2BCourt) fell below 50 percent. Only 48 percent of the public has a positive view of the court. Perhaps more disturbing, the current level reflects a steady trend. The court’s approval fell below 60 percent in 2010 and has been sliding ever since. Public confidence in the judiciary provides a critical foundation for a society committed to the rule of law. As America’s unelected justices confront controversial questions, the legitimacy of their decisions depends on public support for the institution. The court must rely on other government officials, including elected leaders and law enforcement officers, to implement its rulings. Examples around the world suggest that obedience to judicial decisions may well depend on the level of respect that the courts enjoy. The drop in court approval occurs at a time when Americans have less respect for other institutions. But the immediate cause of the most recent dip in the high court's rating seems clear. In the wake of the court’s invalidation of a key provision of the [**Voting Rights Act**](http://www.csmonitor.com/tags/topic/Voting%2BRights%2BAct), court approval among African-Americans fell to 44 percent in July from 61 percent in March.

#### Indefinite detention undermines judicial legitimacy- increased powers lead to authoritarian presidents who roll back Obama’s promises[**Henry Zheng**](http://www.policymic.com/profiles/3433/henry-zheng) **September, 2012**NDAA Terrorism Law: Obama and His Unchecked Power Grab<http://www.policymic.com/articles/14856/ndaa-terrorism-law-obama-and-his-unchecked-power-grab>

Despite his promises to end the war, President Obama has continued to expand his presidential powers in the War on Terror, which are legal executive privileges that began in the Bush administration. The key difference is that Obama's authority seems to be more ambiguous, more powerful, and less defined than in the previous administrations. When Obama was accused of violating the Constitution with the passage of his Affordable Care Act, at least the Supreme Court could justify the legitimacy of the legislation by invoking the Constitution's Taxing and Spending Clause. However, with the passage of the National Defense Authorization Act for Fiscal Year 2012, he is vested with extrajudicial powers that at times contradict the very principles codified by the Founding Fathers. One such power is granted under the [NDAA's section 1021 and 1022](http://tenthamendmentcenter.com/2012/02/06/ndaa-sections-1021-and-1022-scary-potential/), which contain the provisions that allow the president to indefinitely detain a terrorist suspect without a trial. In an [interview with John Cusack on Truthout.com](http://truth-out.org/opinion/item/11264-john-cusack-and-jonathan-turley-on-obamas-constitution), the George Washington University law professor Jonathan Turley observes that this effectively undermines the due process guaranteed by the Fifth Amendment of the Constitution that could be detrimental to our civil liberties if the power is used irresponsibly. This violation of the due process of law is viewed by Turley as a dangerous concession by U.S. citizens that could lead to greater encroachment on our liberties in the future. According to Turley, it is "meaningless" that Obama has pledged to not use his powers against U.S. citizens because he still possesses the legal authority to do so. It is uncertain whether future administrations will be so "disciplined" in its refrain from indefinitely detaining or killing U.S. citizens (on home soil) who speak out against the government, tasks that can be legally accomplished by labeling them terrorists and subsequently circumventing the mechanisms of the judicial process guaranteed by the Constitution. In response to such concerns, President Obama issued a [policy directive](http://www.justice.gov/opa/documents/ppd-14.pdf) in February that narrows the coverage of indefinite detention to non-U.S. citizens and does not allow those under his administration to detain citizens or legal permanent residents captured on U.S. soil. However, legal columnist [Joanne Mariner still finds the issue unresolved](http://verdict.justia.com/2012/02/29/chipping-away-at-the-ndaa) because the directive could just as easily be rescinded by future presidents. She suggests that American citizens on U.S. soil have not ensured that their constitutional liberties are protected as long as section 1021 and section 1022 of the NDAA remain as they are now because we are subjected to the executive branch's "discretion" unless there are changes to the statute itself. Currently, a bill called the [Due Process Guarantee Act](http://www.opencongress.org/bill/112-s2003/) that would make it illegal to detain a citizen or lawful permanent resident has been in review by the Senate Judiciary Committee since last year.

#### Court Legitimacy in the eyes of the people is key to enforce democratic rights

Yoo 2k1

(Yoo 2k1, James, Professor, Law at University of California, berkely, and bush’s Lapdog, “In Defense of the Courts’ Legitimacy, 68 U Chi. L. Rev. 775, Proquest, <http://www.lexisnexis.com:80/us/lnacademic/results/docview/docview.do?docLinkInd=true&risb=21_T6897594105&format=GNBFI&sort=null&startDocNo=1&resultsUrlKey=29_T6897594116&cisb=22_T6897594115&treeMax=true&treeWidth=0&csi=7358&docNo=1>)
How does the Court maintain this legitimacy? According to the Casey plurality, **the Court receives its public support by "making legally principled decisions under circumstances in which their principled character is sufficiently plausible to be accepted by the Nation."** [n39](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n39) In other words**, only by acting in a manner that suggests that its decisions are the product of law rather than politics can the Court maintain its legitimacy.** Therefore, the Court must adhere to settled precedent, lest the public believe that the Court is merely just another political actor. "T**o overrule under fire in the absence of the most compelling reason to reexamine a watershed decision would subvert the Court's legitimacy beyond any serious question**." [n40](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n40) Without this legitimacy, the Court would be unable to perform its role as interpreter of the Constitution, which at times may require the Court to act against the popular will in favor of individual rights. Leading social scientists appear to agree with the Casey plurality's notion of judicial legitimacy. The Court's institutional legitimacy both enhances the legitimacy of particular decisions and increases the voluntarily acceptance of unpopular decisions. [n41](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n41) Valuable as it is, however, legitimacy is hard to come by. Political scientists have emphasized the limited ability of the federal courts to enforce their decisions, and hence have turned to the Court's legitimacy as an explanation for compliance. [n42](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n42) The Court's standing is further complicated because it lacks any electoral basis for its legitimacy. [n43](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n43) The way to acquire this legitimacy, many scholars seem to believe, is for the Court to appear to act neutrally, [n44](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n44) objectively, [n45](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n45) or fairly [n46](http://www.lexisnexis.com:80/us/lnacademic/frame.do?tokenKey=rsh-20.6415.345589086296&target=results_DocumentContent&reloadEntirePage=true&rand=1246644309013&returnToKey=20_T6897594122&parent=docview#n46) by following standards of procedural justice or by making decisions that follow principled rules

#### Undermining democratic rights causes extinction

Henkin 88

(Columbia, 1988, (Atlantic Comm Qtly, Spring)

Lawyers, even constitutional lawyers, argue "technically," with references to text and principles of construction, drawing lines, and insisting on sharp distinctions.  Such discussion sometimes seems ludicrous when it addresses issues of life and death and Armaggedon.  **But behind the words of the Constitution and the technicalities of constitutional construction lie the basic values of the United States**–limited government even at the cost of inefficiency; **safeguards against autarchy and oligarchy; democratic values** represented differently in the presidency and in Congress**, as well as in the intelligent participation and consent of the governed.**  In the nuclear age the technicalities  of constitutionalism and of constitutional jurisprudence safeguard also the valuesand concerns of civilized people committed to human survival.

#### There is a global public opinion that indefinite detention must end which is being ignored by the US**Alia Malek****/ December 28, 2011** America's big mistake on indefinite detention of terror suspectsThe approval of indefinite detention of terror suspects by Congress and Obama maintains the premise that because of exigent circumstances, civil rights and civil liberties must be curbed. This is much like the argument used for decades from Cairo to Damascus.

And so, unfortunately, the NDAA stays the course of the War on Terror as it relates to restricted civil liberties. It maintains the underlying premise that because of exigent circumstances, the power of the executive must be enlarged and civil rights and civil liberties must be curbed. These are much like arguments that have been made for decades and continue to be made from[Cairo](http://www.csmonitor.com/tags/topic/Cairo%2B%28Egypt%29) to [Damascus](http://www.csmonitor.com/tags/topic/Damascus%2B%28Syria%29) to justify emergency laws and military overrides of civilian rule. These weak arguments also continue to be rejected by the citizens of those countries and those who stand in solidarity with them as part of a growing worldwide movement. Obama and Congress’s approval of the NDAA suggests they are blind to their perpetuation of a paradigm that, in light of the events of 2011, is not only outdated, but stands against where the tide of global history wants to go. And their lecturing of autocrats to get out of the way of that same tide suggests they are also deaf to the irony of their plea.

#### Causes escalation of policy globally-

**Perception of justice key to prevent terrorism**

**Shapiro 3** (Jeremy, Associate Director and Research Associate – Brookings Institute, March “French Lessons: The Importance of the Judicial System in Fighting Terrorism http://www.brookings.edu/fp/cusf/analysis/shapiro20030325.htm)

**The unique nature of terrorism means that maintaining the appearance of justice and democratic legitimacy will be much more important than in past wars.** The terrorist threat is in a perpetual state of mutation and adaptation in response to government efforts to oppose it. The war on terrorism more closely resembles the war on drugs than World War II; it is unlikely to have any discernable endpoint, only irregular periods of calm. The French experience shows that ad-hoc anti-terrorist measures that have little basis in societal values and shallow support in public opinion may wither away during the periods of calm. **In the U.S., there is an enormous reservoir of legitimacy**, established by over 200 years of history and tradition**, in the judiciary. That** reservoir represents **an important asset that the U.S. government can profit from to maintain long-term vigilance in this type of war**. Despite the unusual opportunity for innovation afforded by the crisis of September 11, the U.S. government has not tried to reform American judicial institutions to enable them to meet the threat of terrorism. **To prevent the next wave of attacks,** however far off they might be, and to avoid re-inventing a slightly different wheel each time **will require giving life to institutions that can persist and evolve, even in times of low terrorist activity.** Given the numerous differences between the two countries, the U.S. cannot and should not simply import the French system, but it can learn from their mistakes. Their experience suggests a few possible reforms: A specialized U.S. Attorney tasked solely with terrorism cases and entirely responsible for prosecuting such cases in the U.S. Direct and formal links between that U.S. Attorney’s office and the various intelligence agencies, allowing prosecutors to task the intelligences agencies during judicial investigations Special procedures for selecting and protecting juries in terrorism cases and special rules of evidence that allow for increased protection of classified information in terrorist cases **Creating a** normal, civilian **judicial process that can** prosecuteterrorists and yet **retain legitimacy** is not merely morally satisfying. It **may** also **help to prevent terrorist attacks** in the long run. Not incidentally, it would demonstrate to the world a continuing faith in the ability of democratic societies to manage the threat of terrorism without sacrificing the very values they so desperately desire to protect.

#### The U.S. would retaliate ensuring superpower war with China and Russia─

Ayson 10 (Robert, Professor of Strategic Studies, Director of Strategic Studies: New Zealand, Senior Research Associate with Oxford’s Centre for International Studies. “After a Terrorist Nuclear Attack: Envisaging Catalytic Effects. Studies in Conflict and Terrorism, Volume 33, Issue 7, July 2010, pages 571-593)

Washington's early response to a terrorist nuclear attack on its own soil might also raise the possibility of an unwanted (and nuclear aided) confrontation with Russia and/or China. For example, in the noise and confusion during the immediate aftermath of the terrorist nuclear attack, the U.S. president might be expected to place the country's armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality, it is just possible that Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use force (and possibly nuclear force) against them. In that situation, the temptations to preempt such actions might grow, although it must be admitted that any preemption would probably still meet with a devastating response. § Marked 11:58 § As part of its initial response to the act of nuclear terrorism (as discussed earlier) Washington might decide to order a significant conventional (or nuclear) retaliatory or disarming attack against the leadership of the terrorist group and/or states seen to support that group. Depending on the identity and especially the location of these targets, Russia and/or China might interpret such action as being far too close for their comfort, and potentially as an infringement on their spheres of influence and even on their sovereignty. One far-fetched but perhaps not impossible scenario might stem from a judgment in Washington that some of the main aiders and abetters of the terrorist action resided somewhere such as Chechnya, perhaps in connection with what Allison claims is the “Chechen insurgents' … long-standing interest in all things nuclear.”42 American pressure on that part of the world would almost certainly raise alarms in Moscow that …might require a degree of advanced consultation from Washington that the latter found itself unable or unwilling to provide.

## Plan:

#### The US Congress should substantially increase its statutory restrictions on the war powers authority of the President by repealing the NDAA authorization to indefinitely detain terrorist suspects

## Solvency

#### Plan solves detention and transfers detainees to trials

Dave Nalle June 14, 2013
Effort to block indefinite detention (NDAA) fails in U.S. House
<http://communities.washingtontimes.com/neighborhood/liberty-our-times/2013/jun/14/effort-block-indefinite-detention-fails-us-house/>

Indefinite detention remains in effect, but this week an effort was made to fix the problem with the Smith-Gibson amendment to the 2014 NDAA act. This bi-partisan amendment, sponsored by Republican Chris Gibson of New York and Democrat Adam Smith of Washington, would have guaranteed any detainee a trial and prohibited the transfer of anyone arrested in the United States to military custody. As happened with the substantially similar Smith-Amash amendment last year, this effort failed by a close 226 to 200 vote on the floor of the House. The House Armed Services Committee and House GOP leadership urged Republican representatives to vote “no.” Despite that pressure, many of the more libertarian Republicans in the House voted for the amendment, including recently elected representatives Thomas Massie, Mark Sanford, Kerry Bentivolio and Ted Yoho, who were all endorsed by the Republican Liberty Caucus. Notably absent from the list were two long-time RLC endorsees, Dana Rohrabacher of California, and Steve Stockman from Texas.

#### Collaboration with Congress is key to efficacy + legitimacy of counter terrorism operations

Prieto 9 (Daniel, Council on Foreign Relations, “War About Terror: Civil Liberties and National Security After 9/11”, February 2009, <http://pubs.mantisintel.com/Civil_Liberties_WorkingPaper.pdf>, RSR)

Within the Bush administration, policy development and decision-making on a number of critical ¶ counterterrorism programs took place within a very small circle. For example, at the direction of the ¶ White House, the Justice Department’s Office of Legal Counsel did not solicit input from the State ¶ Department as it developed the controversial August 2002 opinion on enhanced interrogation techniques.136In another example, NSA lawyers were not given access to the OLC’s legal memoranda on ¶ the NSA’s activities related to the Terrorist Surveillance Program. Getting counterterrorism policies ¶ right after 9/11 was hampered by the administration’s strategy of self-reliance at a time when presidential actions and counterterrorism policy could have been strengthened by a more meaningful involvement of Congress. Greater transparency and a more sustained effort to work with Congress ¶ could have helped mitigate the controversies that have undermined and hampered U.S. counterterrorism policies, provide a more solid legal basis for counterterrorism efforts, and defend against criticisms regarding the legitimacy of many new policies.

#### Congressional restrictions of the president solve best- better flexibility and recognition of politics and foreign policy– Bellia ‘2

Patricia Bellia; “Executive Power in Youngstown’s Shadows”; Constitutional Commentary; Spring 2002

We can in fact detect the seeds of this reluctance to give content to the President's constitutional powers in Justice Jackson's concurrence. Recall Justice Jackson's observation about his second category of executive action, where Congress is silent. **Congressional silence**, he wrote, may "**invite[] measures on independent presidential responsibility**." (269) The outcome of the dispute is likely to turn more on "contemporary imponderables" than "on abstract theories of law." (270) If Justice Jackson's statement was purely predictive, he was right. Justiciability doctrines require or permit courts to avoid resolving many significant separation of powers disputes. (271) But Justice Jackson's claim that **powers "fluctuate" according to Congress's will also yields two related normative conclusions**. The first is a prudential point that **the task of policing the Executive should fall to Congress, not the courts, because the political branches are more likely to arrive at a narrow resolution that will preserve the Government's flexibility in later, unforeseen circumstances**. This view seemed to animate Justice Powell's concurrence in the Supreme Court's decision to deny review in Goldwater v. Carter, (272) a dispute over President Carter's termination of the United States' mutual defense treaty with Taiwan. Justice Powell argued that judicial intervention was inappropriate because Congress and the President had not yet reached a "constitutional impasse." (273) The Senate had considered a resolution declaring that Senate approval is necessary for termination of a treaty but had taken no final action. (274) Justice Powell suggested that "[i]t cannot be said that either the Senate or the House has rejected the President's claim. If the Congress chooses not to confront the President, it is not our task to do so." (275) In other words, so long as Congress was silent, Justice Powell saw no role for the Court in resolving questions about the appropriate division of power. (276) The second normative point that flows from Justice Jackson's **claim that powers "fluctuate" is one made by some executive primacy scholars--that because the Constitution confers authority over foreign affairs and national security to the political branches, there is a "risk that judicial intervention will itself be a serious violation of separation of powers**." (277) Under this theory, **judicial intervention would be inappropriate where Congress is silent, and may not even be appropriate when there is a conflict between congressional and presidential will**. Four of the Justices who concurred in the decision not to grant review in Goldwater took this view. Because the Justices found no constitutional provision expressly governing the termination of treaties, the dispute presented a political question that "should be left for resolution by the Executive and Legislative Branches of the Government." (278) The concurring Justices observed **that a court's resolution of a political question can create "disruption among the three coequal branches of government."**

# **2AC**

**Their protest against imperialism empirically fails and creates the illusion that they create change – only by rejecting and realizing the futility of such protest will create real change**

Chelsey **Clammer 2007**, how nonviolence protects the state, http://feministreview.blogspot.com/2007/07/how-nonviolence-protects-state.html

Do anti-war protests really stop the United States from invading another country? Do pro-choice marches affect legislation on abortion? Did sit-ins during the Civil Rights movement help to end racism? These are the questions that Peter Gelderloos asks in his new book How Nonviolence Protects the State. With a wealth of experience in anti-prison work, prisoner support organizations,and the anti-war and anti-globalization movements, Gelderloos brings his seasoned perspective to these important issues. Drawing on large historical events, such as the Vietnam War and the Civil Rights movement, Gelderloos shows how pacifists and nonviolent protests have not achieved the same results that active resistance has. At a time when everyone in the world, except for the US government, is realizing that US troops need to leave Iraq now, Gelderloos’ book argues how ineffective the current peace movement has been at stopping the war and creating any sort of political change. Before the war broke out over four years ago, “[s]ome groups, like United for Peace and Justice, suggested the protests might avert the war. Of course, they were totally wrong, and the protests totally ineffective. The invasion occurred as planned, despite the millions of people nominally, peacefully, and powerlessly opposed to it.” So how do we switch our peace movement from marching in the streets to actually resisting our government and creating change? It is this question that Gelderloos has a difficult time answering. How Nonviolence Protects the State is not meant to change any minds. Instead, it reads as a reassurance for those who already know the ineffectiveness of peace movements. Gelderloos’ language is aggressive at times, as he conflates peace activists with “good sheep.” But perhaps this is his point. **Maybe if** we started to realize that marches and nonviolent protests were ultimately tools of society to make people feel as if they are creating change, then we would actually find a way to resist our government and create the change we want on our own terms. Covering a diverse range of topics, from how nonviolence is racist to how nonviolence is patriarchal, How Nonviolence Protects the State is an important book to read for anyone who recognizes the ineffectiveness of peace activism today. And while the text doesn’t provide many answers, it does inspire the reader to reconsider her notions of “activism” and “change.”

## K

#### Abandoning realism won’t spillover and makes us more vulnerable – means case is a disad to the alternative

Schweller 4**--**[**Professor**](http://en.wikipedia.org/wiki/Professor) **of** [**Political Science**](http://en.wikipedia.org/wiki/Political_Science) **at** [**Ohio State University**](http://en.wikipedia.org/wiki/Ohio_State_University)**, PhD from Columbia** [Randall L. Schweller, Fall 2004, “Unanswered Threats A Neoclassical RealistTheory of Underbalancing”, International Security—The MIT Press, http://www.jstor.org/pss/4137589]

From the policymaker's perspective, however, balancing superior power and filling power vacuums hardly appear as laws of nature. Instead, these behaviors, which carry considerable potential political costs and uncertain policy risks, emerge through the medium of the political process; as such, they are the product of competition and consensus building among elites with differing ideas about the political-military world and divergent views on the nation's goals and challenges and the means that will best serve those purposes.14 As Nicholas Spykman observed many years ago, "Political equilibrium is neither a gift of the gods nor an inherently stable condition. It results from the active intervention of man, from the operation of political forces. States cannot afford to wait passively for the happy time when a miraculously achieved balance of [End Page 163] power will bring peace and security. If they wish to survive, they must be willing to go to war to preserve a balance against the growing hegemonic power of the period."15 In an era of mass politics, the decision to check unbalanced power by means of arms and allies—and to go to war if these deterrent measures fail—is very much a political act made by political actors. War mobilization and fighting are distinctly collective undertakings. As such, political elites carefully weigh the likely domestic costs of balancing behavior against the alternative means available to them (e.g., inaction, appeasement, buck-passing, bandwagoning, etc.) and the expected external benefits of a restored balance of power. Structural imperatives rarely, if ever, compel leaders to adopt one policy over another; decisionmakers are not sleepwalkers buffeted about by inexorable forces beyond their control. This is not to say, however, that they are oblivious to structural incentives. Rather, states respond (or not) to threats and opportunities in ways determined by both internal and external considerations of policy elites, who must reach consensus within an often decentralized and competitive political process.

#### Utilitarianism is the only moral framework and alternatives are inevitability self-contradictory

Nye, 86 (Joseph S. 1986; Phd Political Science Harvard. University; Served as Assistant Secretary of Defense for International Security Affairs; “Nuclear Ethics” pg. 18-19)

The significance and the limits of the two broad traditions can be captured by contemplating a hypothetical case.34 Imagine that you are visiting a Central American country and you happen upon a village square where an army captain is about to order his men to shoot two peasants lined up against a wall. When you ask the reason, you are told someone in this village shot at the captain's men last night. When you object to the killing of possibly innocent people, you are told that civil wars do not permit moral niceties. Just to prove the point that we all have dirty hands in such situations, the captain hands you a rifle and tells you that if you will shoot one peasant, he will free the other. Otherwise both die. He warns you not to try any tricks because his men have their guns trained on you. Will you shoot one person with the consequences of saving one, or will you allow both to die but preserve your moral integrity by refusing to play his dirty game? The point of the story is to show the value and limits of both traditions. Integrity is clearly an important value, and many of us would refuse to shoot. But at what point does the principle of not taking an innocent life collapse before the consequentialist burden? Would it matter if there were twenty or 1,000 peasants to be saved? What if killing or torturing one innocent person could save a city of 10 million persons from a terrorists' nuclear device? At some point does not integrity become the ultimate egoism of fastidious self-righteousness in which the purity of the self is more important than the lives of countless others? Is it not better to follow a consequentialist approach, admit remorse or regret over the immoral means, but justify the action by the consequences? Do absolutist approaches to integrity become self-contradictory in a world of nuclear weapons? "Do what is right though the world should perish" was a difficult principle even when Kant expounded it in the eighteenth century, and there is some evidence that he did not mean it to be taken literally even then. Now that it may be literally possible in the nuclear age, it seems more than ever to be self-contradictory.35 Absolutist ethics bear a heavier burden of proof in the nuclear age than ever before.

#### Insecurity and disorder aren’t inevitable—careful future planning has been enormously effective. Debates amongst citizens are key to assessing probability and effectively planning.

Kurasawa, 04 (Professor of Sociology, York University of Toronto, Fuyuki, Constellations Volume 11, No 4, 2004).

Moreover, keeping in mind the sobering lessons of the past century cannot but make us wary about humankind’s supposedly unlimited ability for problemsolving or discovering solutions in time to avert calamities. In fact, the historical track-record of last-minute, technical ‘quick-fixes’ is hardly reassuring. What’s more, most of the serious perils that we face today (e.g., nuclear waste, climate change, global terrorism, genocide and civil war) demand complex, sustained, long-term strategies of planning, coordination, and execution. On the other hand, an examination of fatalism makes it readily apparent that the idea that humankind is doomed from the outset puts off any attempt to minimize risks for our successors, essentially condemning them to face cataclysms unprepared. An a priori pessimism is also unsustainable given the fact that long-term preventive action has had (and will continue to have) appreciable beneficial effects; the examples of medical research, the welfare state, international humanitarian law, as well as strict environmental regulations in some countries stand out among many others. The evaluative framework proposed above should not be restricted to the critique of misappropriations of farsightedness, since it can equally support public deliberation with a reconstructive intent, that is, democratic discussion and debate about a future that human beings would freely self-determine. Inverting Foucault’s Nietzschean metaphor, we can think of genealogies of the future that could perform a farsighted mapping out of the possible ways of organizing social life. They are, in other words, interventions into the present intended to facilitate global civil society’s participation in shaping the field of possibilities of what is to come. Once competing dystopian visions are filtered out on the basis of their analytical credibility, ethical commitments, and political underpinnings and consequences, groups and individuals can assess the remaining legitimate catastrophic scenarios through the lens of genealogical mappings of the future. Hence, our first duty consists in addressing the present-day causes of eventual perils, ensuring that the paths we decide upon do not contract the range of options available for our posterity.42 Just as importantly, the practice of genealogically inspired farsightedness nurtures the project of an autonomous future, one that is socially self-instituting. In so doing, we can acknowledge that the future is a human creation instead of the product of metaphysical and extra-social forces (god, nature, destiny, etc.), and begin to reflect upon and deliberate about the kind of legacy we want to leave for those who will follow us. Participants in global civil society can then take – and in many instances have already taken – a further step by committing themselves to socio-political struggles forging a world order that, aside from not jeopardizing human and environmental survival, is designed to rectify the sources of transnational injustice that will continue to inflict needless suffering upon future generations if left unchallenged.

#### Isolating threats key to solve extinction

Kurasawa, 04 (Professor of Sociology, York University of Toronto, Fuyuki, Constellations Volume 11, No 4, 2004).

State and market institutions may seek to produce a culture of fear by deliberately stretching interpretations of reality beyond the limits of the plausible so as to exaggerate the prospects of impending catastrophes, or yet again, by intentionally promoting certain prognoses over others for instrumental purposes. Accordingly, regressive dystopias can operate as Trojan horses advancing political agendas or commercial interests that would otherwise be susceptible to public scrutiny and opposition. Instances of this kind of manipulation of the dystopian imaginary are plentiful: the invasion of Iraq in the name of fighting terrorism and an imminent threat of use of ‘weapons of mass destruction’; the severe curtailing of American civil liberties amidst fears of a collapse of ‘homeland security’; the neoliberal dismantling of the welfare state as the only remedy for an ideologically constructed fiscal crisis; the conservative expansion of policing and incarceration due to supposedly spiraling crime waves; and so forth. Alarmism constructs and codes the future in particular ways, producing or reinforcing certain crisis narratives, belief structures, and rhetorical conventions. As much as alarmist ideas beget a culture of fear, the reverse is no less true. If fear-mongering is a misappropriation of preventive foresight, resignation about the future represents a problematic outgrowth of the popular acknowledgment of global perils. Some believe that the world to come is so uncertain and dangerous that we should not attempt to modify the course of history; the future will look after itself for better or worse, regardless of what we do or wish. One version of this argument consists in a complacent optimism perceiving the future as fated to be better than either the past or the present. Frequently accompanying it is a self-deluding denial of what is plausible (‘the world will not be so bad after all’), or a naively Panglossian pragmatism (‘things will work themselves out in spite of everything, because humankind always finds ways to survive’).37 Much more common, however, is the opposite reaction, a fatalistic pessimism reconciled to the idea that the future will be necessarily worse than what preceded it. This is sustained by a tragic chronological framework according to which humanity is doomed to decay, or a cyclical one of the endless repetition of the mistakes of the past. On top of their dubious assessments of what is to come, alarmism and resignation would, if widely accepted, undermine a viable practice of farsightedness. Indeed, both of them encourage public disengagement from deliberation about scenarios for the future, a process that appears to be dangerous, pointless, or unnecessary. The resulting ‘depublicization’ of debate leaves dominant groups and institutions (the state, the market, techno-science) in charge of sorting out the future for the rest of us, thus effectively producing a heteronomous social order. How, then, can we support a democratic process of prevention from below? The answer, I think, lies in cultivating the public capacity for critical judgment and deliberation, so that participants in global civil society subject all claims about potential catastrophes to examination, evaluation, and contestation.

#### Link ev says democracy promotion after conflict fails… No conflict now means no link

#### Aff eliminates the ability to wage war and works with nations diplomatically which solves all of your internal links to conflict

#### Your K impact of retaliation is inevitable in a world of the alternative because we retaliate against terrorists when they strike us

## Yes terrorism

#### The threat is high – fissile material goes missing every year – al Qaeda has nuclear ambitions

Dahl, 2013 (Fredrik Dahl, Reuters, July 1, 2013, “Governments warn about nuclear terrorism threat” <http://www.reuters.com/article/2013/07/01/us-nuclear-security-idUSBRE96010E20130701>)

\*NSEG=Nuclear Security Governance Experts Group

Cites Yukiya Amano, director general of the IAEA

Analysts say radical groups could theoretically build a crude but deadly nuclear bomb if they had the money, technical knowledge and materials needed. Ministers remained "concerned about the threat of nuclear and radiological terrorism ... More needs to be done to further strengthen nuclear security worldwide", the statement said. The document "encouraged" states to take various measures such as minimizing the use of highly-enriched uranium, but some diplomats said they would have preferred firmer commitments. Many countries regard nuclear security as a sensitive political issue that should be handled primarily by national authorities. This was reflected in the statement's language. Still, Yukiya Amano, director general of the International Atomic Energy Agency (IAEA), which hosted the conference, said the agreement was "very robust" and represented a major step forward. RADICAL GROUPS' "NUCLEAR AMBITIONS" Amano earlier warned the IAEA-hosted conference against a "false sense of security" over the danger of nuclear terrorism. Holding up a small lead container that was used to try to traffic highly enriched uranium in Moldova two years ago, the U.N. nuclear chief said it showed a "worrying level of knowledge on the part of the smugglers". "This case ended well," he said, referring to the fact that the material was seized and arrests were made. But he added: "We cannot be sure if such cases are just the tip of the iceberg." Obtaining weapons-grade fissile material - highly enriched uranium or plutonium - poses the biggest challenge for militant groups, so it must be kept secure both at civilian and military facilities, experts say. An apple-sized amount of plutonium in a nuclear device and detonated in a highly populated area could instantly kill or wound hundreds of thousands of people, according to the Nuclear Security Governance Experts Group (NSGEG) lobby group. But experts say a so-called "dirty bomb" is a more likely threat than a nuclear bomb. In a dirty bomb, conventional explosives are used to disperse radiation from a radioactive source, which can be found in hospitals or other places that are generally not very well protected. More than a hundred incidents of thefts and other unauthorized activities involving nuclear and radioactive material are reported to the IAEA every year, Amano said. "Some material goes missing and is never found," he said. U.S. Energy Secretary Ernest Moniz said al Qaeda was still likely to be trying to obtain nuclear material for a weapon. "Despite the strides we have made in dismantling core al Qaeda we should expect its adherents ... to continue trying to achieve their nuclear ambitions," he said.

#### Its try or die – catastrophic terrorism is inevitable

Graham Allison, Director – Belfer Center for Science and International Affairs, Professor of Government, and Faculty Chair of the Dubai Initiative – Harvard University’s Kennedy School of Government, “Symposium: Apocalypse When?”, The National Interest, November / December 2007, Lexis

MUELLER IS entitled to his opinion that the threat of nuclear proliferation and nuclear terrorism is "exaggerated" and "overwrought." But analysts of various political persuasions, in and out of government, are **virtually unanimous** in their judgment to the contrary. As the national-security community learned during the Cold War, risk = likelihood x consequences. Thus, even when the likelihood of nuclear Armageddon was small, the consequences were so catastrophic that prudent policymakers felt a categorical imperative to do everything that feasibly could be done to prevent that war. Today, a single nuclear bomb exploding in just one city would change our world. Given such consequences, differences between a 1 percent and a 20 percent likelihood of such an attack are relatively insignificant when considering how we should respond to the threat. Richard Garwin, a designer of the hydrogen bomb who Enrico Fermi once called "the only true genius I had ever met", told Congress in March that he estimated a "20 percent per year probability [of a nuclear explosion-not just a contaminated, dirty bomb-a nuclear explosion] with American cities and European cities included." My Harvard colleague Matthew Bunn has created a model in the Annals of the American Academy of Political and Social Science that estimates the probability of a nuclear terrorist attack over a ten-year period to be 29 percent-identical to the average estimate from a poll of security experts commissioned by Senator Richard Lugar in 2005. My book, Nuclear Terrorism, states my own best judgment that, on the current trend line, the chances of a nuclear terrorist attack in the next decade are greater than 50 percent. Former Secretary of Defense William Perry has expressed his own view that my work may even underestimate the risk. Warren Buffet, the world's most successful investor and legendary odds-maker in pricing insurance policies for unlikely but catastrophic events, concluded that **nuclear terrorism is "inevitable."** He stated, "I don't see any way that it won't happen." To assess the threat one must answer five core questions: who, what, where, when and how? Who could be planning a nuclear terrorist attack? Al-Qaeda remains the leading candidate. According to the most recent National Intelligence Estimate (NIE), Al-Qaeda has been substantially reconstituted-but with its leadership having moved from a medieval Afghanistan to Pakistan-a nation that actually has nuclear weapons. As former CIA Director George J. Tenet's memoir reports, Al-Qaeda's leadership has remained "singularly focused on acquiring WMDs" and that "the main threat is the nuclear one." Tenet concluded, "I am convinced that this is where [Osama bin Laden] and his operatives want to go." What nuclear weapons could terrorists use? A ready-made weapon from the arsenal of one of the nuclear-weapons states or an elementary nuclear bomb constructed from highly enriched uranium made by a state remain most likely. As John Foster, a leading U.S. bomb-maker and former director of the Lawrence Livermore National Laboratory, wrote a quarter of a century ago, "If the essential nuclear materials are at hand, it is possible to make an atomic bomb using information that is available in the open literature." Where could terrorists acquire a nuclear bomb? If a nuclear attack occurs, Russia will be the most likely source of the weapon or material. A close second, however, is North Korea, which now has ten bombs worth of plutonium, or Pakistan with sixty nuclear bombs. Finally, research reactors in forty developing and transitional countries still hold the essential ingredient for nuclear weapons. When could terrorists launch the first nuclear attack? If terrorists bought or stole a nuclear weapon in good working condition, they could explode it today. If terrorists acquired one hundred pounds of highly enriched uranium, they could make a working elementary nuclear bomb in less than a year. How could terrorists deliver a nuclear weapon to its target? In the same way that illegal items come to our cities every day. As one of my former colleagues has quipped, if you have any doubt about the ability of terrorists to deliver a weapon to an American target, remember: They could hide it in a bale of marijuana.

#### They can build the bomb:

#### Delivery

Graham Allison, Professor of Government and Former Director of the Belfer Center, Harvard University, and Andrei Kokoshin, Member of the Russian Academy of Natural Sciences and Member of the Board of Directors, NTI, Fall 2002 (“The New Containment” – the National Interest) p. lexis

As Robert Walpole, a National Intelligence Officer, told a Senate subcommittee in March, "**Nonmissile delivery means are less costly, easier to acquire, and more reliable and accurate**." Despite this assessment, the U.S. government continues to invest much more heavily in developing and deploying missile defenses than in addressing more likely trajectories by which weapons could arrive. Terrorists would not find it very difficult to sneak a nuclear device or nuclear fissile material into the United States via shipping containers, trucks, ships or aircraft. Recall that the nuclear material required is smaller than a football. Even an assembled device, like a suitcase nuclear weapon, could be shipped in a container, in the hull of a ship or in a trunk carried by an aircraft. After this past September 11, the number of containers that are x-rayed has increased, to about 500 of the 5,000 containers currently arriving daily at the port of New York/New Jersey-approximately 10 percent. But as the chief executive of CSX Lines, one of the foremost container-shipping companies, put it: "If you can **smuggle heroin** in containers, you may be able to smuggle in a nuclear bomb."

#### Financial resources

Hashmi 2012 (Muhammad Jawad Hashmi, defense analyst, M.Phil in Defence and Strategic Studies, January 29, 2012, “Al Qaeda In Pursuit Of Nuclear Weapons/Radiological Material – Analysis,” Eurasia Review, http://www.eurasiareview.com/29012012-al-qaeda-in-pursuit-of-nuclear-weaponsradiological-material-analysis/)

The pursuit of nuclear weapons and material by sub national groups has been an alarming challenge to deal with. This article will examine groups like al Qaeda that are said to have the ability and motivation to pursue nuclear capabilities. This study simultaneously provides an insight into the issues related to the demand for these weapons capabilities and their supply.¶ According to Daniel Metraux, on the demand side of the nuclear market there are small national groups working with political or religious belief structures that may be stirred to pursue massive devastation. Some of these groups have large financial and organizational resources, together with the physical assets. Some of these groups also enjoy sanctuary either in a lawless grey zone or as guests of the local rulers where they can pursue their plans. On the other hand, in Japan, extensive legal protections for religious organizations operate in a very permissive environment without much state interference.

## k

#### Perm do both – alt overcomes links or it can’t overcome SQuo

#### Perm plan plus noncompetitive parts of the alternative

#### Perm plan and alternative in every other instance.

####  Competition should be both textual and functional – centers the Aff thesis while avoiding alphabet soup

#### The term terrorism is a critical uniting term for critical studies. The alternative would silence these voices and leaves the term to be utilized in its most violent form.

Jeroen **Gunning** (lecturer in international politics at the Department of International Politics at the University of Wales) **2007** “A Case for Critical Terrorism Studies?” Blackwell Synergy

Without a central concept like ‘terrorism’, many of these disparate voices are unlikely to converge. Yet without an explicit acknowledgement of the difficulties of this concept, and of the effects of ‘problem-solving’ approaches on the study of ‘terrorism’, many of those same voices are unlikely to converge under a ‘traditional terrorism studies’ umbrella. It is for this reason that it is necessary to instigate an explicitly ‘critical turn’ in ‘terrorism studies’ since only a field that explicitly problematizes some of the key aspects of ‘traditional terrorism studies’ is likely to facilitate the coming together of all these disparate voices. It is for the same reason that any critically constituted field may have to maintain the term ‘terrorism’ as the central unifying concept, despite its many drawbacks and the lack of an agreed definition, since without it there would be little reason for these fragmented voices to converge. In my own work on Hamas and Hizbollah, most of what I want to understand or explain can be said without reference to the term ‘terrorism’ (unless it concerns the way ‘terrorism’ discourse is used to demonize Hamas and Hizbollah).83 The decision of these organizations to target civilians can be explained without the term ‘terrorism’, and this is only one aspect of a much larger picture. Where ‘terrorism’ does come into its own is as a delineation of research dealing with similar issues. Without ‘terrorism’ as a conceptual umbrella, it is unlikely that I would have been aware of the model Ross and Gurr developed to explain the demise of political violence in North America, or of the similarities between the dynamics between massmovement, violent organization and state forces in 1970s Italy and 1990s Israel/Palestine.84 Thus, as a comparative conceptual category, ‘terrorism’ and the research that has been carried out into it is useful. Besides offering a central, organizing concept under which these fragmented voices can converge, there are two further reasons for retaining the term ‘terrorism’. One of the key tasks of a critically constituted field is to investigate the political usage of this term. For that reason alone, it should be retained as a central marker. But, even more compellingly, the term ‘terrorism’ is currently so dominant that a critically constituted field cannot afford to abandon it. Academia does not exist outside the power structures of its day. However problematic the term, it dominates public discourse and as such needs to be engaged with, deconstructed and challenged, rather than abandoned and left to those who use it without problematization or purely for political ends. Using the term also increases the currency and relevance of one's research in both funding and policy circles, as well as among the wider public. It is because of this particular constellation of power structures that a ‘critical’ field cannot afford, either morally or pragmatically, to abandon the term ‘terrorism’.

#### Censoring the word ‘terrorist’ is a perverted linguistic act that fractures true political debate, disconnects us from reality, and rationalizes atrocities

**Investor’s Business Daily 2005** (“Use the ‘T’ Word.” July 13, http://www.investors.com/editorial/issues01.asp?v=7/13

Most people agree words should have meaning. That's why it's so disturbing when major media outlets can't bring themselves to use the word "terrorism" to describe despicable acts against civilians. One of the most troubling aspects of the war on terror is that many in the media don't even think terrorism exists. At least, not as average people understand it. That was driven home last week after six terrorist bombs ripped through London's subway and a double-decker bus, killing 52 innocent people. Clearly an act of terrorism by terrorists, right? Hold on. The BBC, which is funded by British taxpayers, isn't so sure. The BBC did use the T-word in early reports. But then it thought better of it and went back and re-edited bits of coverage to delete descriptions of the evil-doers as terrorists. In the space of hours, Thursday morning's terrorists had become mere "bombers." Why? BBC "guidelines" on usage provide an answer. "The word 'terrorist' itself can be a barrier rather than an aid to understanding," they say, and should be "avoided." That's how language, and thus political debate, gets debased. Calling things what they are becomes "a barrier to understanding" — pure linguistic perversion. The beloved "Beeb" isn't solely responsible for this. Indeed, expunction of the noun "terrorist" is endemic among major media. It started shortly after the 9-11 attack, when the Reuters news service declared it would no longer use the "t" word in its reports. After all, "one man's terrorist is another man's freedom fighter," as one top Reuters editor put it at the time. Yeah, right. And one man's Nazi is another man's "misunderstood nationalist." The Associated Press, New York Times, Los Angeles Times and National Public Radio are among the media outlets that have joined in this collective dishonesty — to their everlasting shame. No wonder a Gallup poll showed the media's standing with the public has fallen to a new low, or that a Pew poll showed that many Americans believe the media undermine national security. George Orwell, in his "Politics and the English Language," inveighed against the use of weasel words. "The result," said the author of "1984," "is an increase in slovenliness and vagueness." That describes today's media perfectly, especially with regard to terrorism. They are slovenly and vague, using terms like "militant" and "insurgent" for the more concrete — and factually accurate — terrorist. Our democracy deserves better.

#### Censoring language merely shifts that meaning to another term that creates new forms of harassment and aggressivity magnifying the impacts

Slavoj **Zizek 1999** “The Ticklish Subject” p. 253-4

Take politically correct probing into hate speech and sexual harassment: the trap into which this effort falls is not only that it makes us aware of (and thus generates) new forms and layers of humiliation and harassment (we learn that ‘fat’, ‘stupid’, ‘shortsighted’… are to be replaced by weight-challenged, etc; the catch is, rather, that this censoring activity itself, by a kind of devilish dialectical reversal, starts to participate in what is purports to censor and fight – it is not immediately evident how, in designating somebody as ‘mentally cahllenged’ instead of ‘stupid’, an ironic distance can always creep in and give rise to an excess of humiliating aggressivity – one adds insult to injury, as it were, by the supplementary polite patronizing dimension (it is well known that aggressvity coated politeness can be much more painful than directly abusive words, since violence is heightened by the additional contrast between the aggressive content and the polite surface form…). In short, what Foucault’s account of the discourses that discipline and regulate sexuality leaves out of consideration is the process by means of which the power mechanism itself becomes eroticized, that is, contaminated by what it endeavours to repress. It is not enough to claim that the ascetic Christian subject who, in order ot fight temptation, enumerates and categorizes the various forms of temptation, actually proliferates the object he tries to combat; the point is, rather, to conceive of how the ascetic who flagellates in order to resist temptation finds sexual pleasure in this very act of inflicting wounds on himself

#### The terrorism label is key to progressive political change to challenge all forms of violence against innocent civilians

Richard **Jackson** (Reader in International Politics at Aberystwyth University and the Founding Editor of the journal, Critical Studies on Terrorism) **2008** “An Argument for Terrorism” http://www.terrorismanalysts.com/pt/index.php?option=com\_rokzine&view=article&id=28

In addition to its analytical advantages, the terrorism label could be employed as means to advancing a progressive political project aimed at protecting marginalised and vulnerable populations from indiscriminate and oppressive forms of violence. That is, at the most basic level, employing the above criteria can have the effect of de-legitimising any and all forms of violence that seek to instrumentalise human suffering for the sole purpose of sending a message to an audience. Related to this, it also de-legitimises all forms of civilian-directed violence, including the direct targeting of civilians during war.

#### Abandoning the term terrorism marginalizes critical voices and eliminates their access to power structures to create top-level change

Richard **Jackson** (Reader in International Politics at Aberystwyth University and the Founding Editor of the journal, Critical Studies on Terrorism) **2008** “An Argument for Terrorism” http://www.terrorismanalysts.com/pt/index.php?option=com\_rokzine&view=article&id=28

It is my argument here that in spite of its insecure ontological status, its negative cultural-political baggage and its frequent misuse by political and academic actors, there are a number of important political and normative reasons for retaining the term “terrorism” as an organising concept for the field. I want to further suggest that the term can serve a useful function within a broader progressive political project to restrict and eliminate the use of certain kinds of illegitimate and oppressive forms of political violence. However, in order to achieve these lofty goals, scholars need to adopt the aims and commitments of a more ‘critical’ approach to terrorism. Politically, there are a number of reasons why we should retain the term “terrorism” and engage in sustained and rigorous discursive struggle over its constitution and knowledge production. Most obviously, the term now has widespread political and cultural currency. It is the organising concept for a vast array of powerful political institutions, processes and practices in contemporary society, and scholars who refuse to employ or engage with it risk marginalising their views and their access to power. The term also clearly retains a great deal of academic currency. There is now a whole field of research, teaching and advocacy surrounding the concept of terrorism, with numerous journals, conferences, teaching programmes, think-tanks, research centres, funding opportunities and advisory posts in existence. To refuse to employ the term or engage in debates about its definition and application in research is again, to risk marginalisation and irrelevance within this broader scholarly context.

#### Focus on language is a prison-house that kills human agency and makes real political action to stop violence and oppression impossible

David **McNally** (professor of political science at York University) **1997** “in defense of history” p. 26-7

We are witnessing today a new idealism, infecting large sections of the intellectual left, which has turned language not merely into an independent realm, but into an all pervasive realm, a sphere so omnipresent, so dominant, as virtually to extinguish human agency. Everything is discourse, you see and discourse is everything. Because human beings are linguistic creatures, because the world in which we act is a world we know and describe through language, it allegedly follows that there is nothing outsides language. Our language, or “discourse”, or “text” – the jargon varies but not the message – define and limits what we know, what we can imagine, what we can do. There is a political theory here too. Oppression is said to be rooted ultimately in the way in the way in which we are and others are defined linguistically, the way in which we are positioned by words in relation to other words, or by codes which are said to be “structured like a language.” Our very being, our identities and “subjectivites,” are constituted through langague. As one trndy literary theorist puts it in David Lodge’s novel Nice Work, it is not merely that you are what you speak; no, according to the new idealism, “you are what speaks of you,” Language is thus the final “prison-house”. Our confinement there is beyond resistance: It is impossible to escape from that which makes us what we are. This new idealism corresponds to a profound collapse of political horizons. It is the pseudoradicalism of a period of retreat for the left, a verbal radicalism of the world without deed, or, rather, of the word as deed. In response to actual structures and practices of oppression and exploitation, it offers the rhetorical gesture, the ironic turn of phrase. It comes as little surprise, then, when on of the chief philosophers of the new idealism, Jacques Derrida, tells us that he “would hesitate to use such terms as ‘liberation’” Imprisoned within language, we may play with words; but we can never hope to liberate ourselves from immutable structures of oppression rooted in language itself. The new idealism and the politics it entails are not simply harmless curiosities; they are an abdication of political responsibility, especially at a time of ferocious capitalist restructuring, of widening gaps between rich and poor, of ruling class offensives against social programs. They are also an obstacle to the rebuilding of mass movements of protest and resistance

#### The War on Terrorism is not constructed, nor can it be deterred. Our criticisms of the government won’t deter those who are ready to strike us.

Jean Bethke **Elshtain and** Laura- Rockefeller **Spelman** (Professor of Social and Political Ethics, University of Chicago Divinity School) **2003** “Just War Against Terrorism”

Certain critical events in the past remind us of this mordant fact. Looking back on twentieth-century fascism, we do not wring our hands and blame everyone but the Nazis for their murderous policies. Of course, it is important for historians and political analysts to take account of the political, social, and economic milieu out of which National Socialism emerged. But the difficulty and desperation of post— World War I conditions—runaway inflation, a war-torn economy, and war reparations, all of which Germany faced—do not add up to the inevitability of the evil that was Nazism. To claim such is to set in motion an exculpatory strategy that, whether intentionally or inadvertently, rationalizes political pathology. The overriding truth and most salient fact of National Socialism is simply stated: A group of people took over state power, aimed to expand an Aryan Empire through ruthless force, and, as dictated by their ideology of biological racism, murdered whole categories of people not because of anything they had done but because of who they were. Why, then, in the context of America's war against terrorism, do so many tick off a list of American "failures" or even insist that America brought the horrors of September 11, 2001, on herself? Let me be clear that I exempt from this mode of argument the ludicrous claims that have arisen since that day, such as the slander that Israel carried out the attacks after having first warned Jews who worked in New York's World Trade Center towers to stay home that day, or the preposterous charge that American officials, up to and including the president of the United States, engineered the attacks to bolster their popularity. This sort of in- lammatory madness exists outside the boundary of political debate and festers instead in the fever swamps of conspiracy theory. Conducted within the boundary of reasonable political debate, however, are those arguments that an international "war on poverty and despair," or a change in the direction of U.S. Middle Eastern policy, or a different U.S. policy toward Iraq will stay the hands of murderous terrorists in the future. Certainly these arguments deserve a hearing. Pushing more programs that deal with poverty and despair or rethinking American foreign policy, including our approach to Iraq, may have desirable outcomes. But no such change, either singly or together, will deter Osama bin Laden and those like him. To believe such is to plunge headfirst into the strategy of denial characteristic of the citizens of Oran in Camus's novel. We could do everything demanded of us by those who are critical of America, both inside and outside our boundaries, but Islamist fundamentalism and the threat it poses would not be deterred.

# **1AR**

### Disease outbreaks and mutations risk extinction

South China Morning Post 1996 (January 4, “Leading the way to a cure for AIDS”)

Despite the importance of the discovery of the "facilitating" cell, it is not what Dr Ben-Abraham wants to talk about. There is a much more pressing medical crisis at hand - one he believes the world must be alerted to: the possibility of a virus deadlier than HIV. If this makes Dr Ben-Abraham sound like a prophet of doom, then he makes no apology for it. AIDS, the Ebola outbreak which killed more than 100 people in Africa last year, the flu epidemic that has now affected 200,000 in the former Soviet Union - they are all, according to Dr Ben-Abraham, the "tip of the iceberg".  Two decades of intensive study and research in the field of virology have convinced him of one thing: in place of natural and man-made disasters or nuclear warfare, humanity could face extinction because of a single virus, deadlier than HIV. "An airborne virus is a lively, complex and dangerous organism," he said. "It can come from a rare animal or from anywhere and can mutate constantly. If there is no cure, it affects one person and then there is a chain reaction and it is unstoppable. It is a tragedy waiting to happen." That may sound like a far-fetched plot for a Hollywood film, but Dr Ben -Abraham said history has already proven his theory. Fifteen years ago, few could have predicted the impact of AIDS on the world. Ebola has had sporadic outbreaks over the past 20 years and the only way the deadly virus - which turns internal organs into liquid - could be contained was because it was killed before it had a chance to spread. Imagine, he says, if it was closer to home: an outbreak of that scale in London, New York or Hong Kong. It could happen anytime in the next 20 years - theoretically, it could happen tomorrow. The shock of the AIDS epidemic has prompted virus experts to admit "that something new is indeed happening and that the threat of a deadly viral outbreak is imminent", said Joshua Lederberg of the Rockefeller University in New York, at a recent conference. He added that the problem was "very serious and is getting worse". Dr Ben-Abraham said: "Nature isn't benign. The survival of the human species is not a preordained evolutionary programme. Abundant sources of genetic variation exist for viruses to learn how to mutate and evade the immune system." He cites the 1968 Hong Kong flu outbreak as an example of how viruses have outsmarted human intelligence. And as new "mega-cities" are being developed in the Third World and rainforests are destroyed, disease-carrying animals and insects are forced into areas of human habitation. "This raises the very real possibility that lethal, mysterious viruses would, for the first time, infect humanity at a large scale and imperil the survival of the human race," he said.