# 1NC

### T

#### Increase is to add to. We add to the federal investment in transportation infrastructure.

**Dictionary.com 6**(Dictionary.com: definitions, 11/3/2006, dictionary.reference.com, DA 6/21/11, OST)

To make greater, as in number, size, strength, or quality; augment; add to: to increase taxes.

#### **Statutory means set by laws**

Vocabulary 13 Vocabulary.com, “statutory,” accessed 7-23-2013, https://www.vocabulary.com/dictionary/statutory

If something is statutory, it is related to or set by laws or statutes. Statutory restrictions on air pollution require drivers to have the emissions from their cars check every few years.

You might wonder what the difference is between statutory and legal. Both are adjectives and both are concerned with the law. If something is legal, it is allowed by the law, whereas if it is statutory, it is regulated by law. In the negative, this is easier to understand. If something is not legal, the law says you can't do it. If something is not statutory, there are no laws regulating it.

#### Restrictions are limitations

Law.com 9

(“restriction”, The People's Law Dictionary by Gerald and Kathleen Hill (legal writers),

http://dictionary.law.com/Default.aspx?selected=1835&bold=restrict, accessed 9-9-9)

restriction

n. any limitation on activity, by statute, regulation or contract provision. In multi-unit real estate developments, condominium and cooperative housing projects managed by homeowners' associations or similar organizations, such organizations are usually required by state law to impose restrictions on use. Thus, the restrictions are part of the "covenants, conditions and restrictions" intended to enhance the use of common facilities and property which are recorded and incorporated into the title of each owner.

#### Authority refers to permission given to take an action

Ellen Taylor 96, Associate Professor, Georgia State University College of Law, NEW AND UNJUSTIFIED RESTRICTIONS ON DELAWARE DIRECTORS' AUTHORITY, 21 Del. J. Corp. L. 870

The term authority is commonly thought of in the context of the law of agency, and the Restatement (Second) of Agency defines both power and authority.'89 Power refers to an agent's ability or capacity to produce a change in a legal relation (whether or not the principal approves of the change), and authority refers to the power given (permission granted) to the agent by the principal to affect the legal relations of the principal; the distinction is between what the agent can do and what the agent may do.

b. Agency Concepts

Agency principles are relevant to at least two issues in the Paramount case: the Paramount board's power and authority to cause Paramount to enter into binding contracts with Viacom, and QVC's standing to sue Paramount to invalidate the contracts. Although they are technically neither agents nor trustees, directors have been described as agents of the corporation and its shareholders, n191 as trustees, n192 and as fiduciaries. n193

 [\*872]

Power and authority of the board. An agent is one who acts on behalf of a principal, and subject to the principal's control. n194 Agents have the power and authority to incur legal obligations that bind their principals. n195 This authority may be either expressly or impliedly communicated by the principal to the agent (actual authority), or expressly or impliedly communicated by the principal to a third party (apparent authority). n196 Agents frequently have power that exceeds their authority to act on behalf of their principals (inherent agency power). n197 Although acts outside an agent's actual authority may be wrongful, and may subject the agent to personal liability to the principal, the acts may legally bind the principal vis- -vis third parties. n198

#### Violation —

The action of surrendering isn’t topical — repealing the AUMF isn’t increasing a statutory restriction on authority.

#### Standards —

Predictability — they derive advantages from surrender — that’s not a topical mechanism — hurts clash

Limits — they create a slew of new mechanisms — only defining restriction narrowly

It’s extra T at best — the plan text mandates the action of surrender — that might end a war, but it doesn’t curtail war powers.

### 1NC Shutdown DA

#### Congress will ultimately compromise to avert shutdown – GOP divisions make it more likely, not less

Tom Cohen, 9-20-2013, “Congress: will it be a government shutdown or budget compromise?” CNN, http://www.cnn.com/2013/09/19/politics/congress-shutdown-scenarios/index.html?utm\_source=feedburner&utm\_medium=feed&utm\_campaign=Feed%3A+rss%2Fcnn\_allpolitics+(RSS%3A+Politics)

There hasn't been a government shutdown in more than 17 years, since the 28 days of budget stalemate in the Clinton administration that cost more than $1 billion. Now we hear dire warnings and sharpening rhetoric that another shutdown is possible and perhaps likely in less than two weeks when the current fiscal year ends. Despite an escalating political imbroglio, the combination of how Congress works and what politicians want makes the chances of a shutdown at the end of the month uncertain at best. In particular, a rift between Republicans over how to proceed has heightened concerns of a shutdown in the short run, but remains a major reason why one is unlikely in the end. A more probable scenario is a last-minute compromise on a short-term spending plan to fund the government when the current fiscal year ends on September 30. After that, the debate would shift to broader deficit reduction issues tied to the need to raise the federal debt ceiling sometime in October. "There's going to be a lot of draconian talk from both sides, but the likelihood of their being an extended shutdown is not high," said Darrell West, the vice president and director of governance studies at the Brookings Institution. Government shutdown: Again? Seriously? Conservatives tie Obamacare to budget talks While the main issue is keeping the government funded when the new fiscal year begins October 1, a conservative GOP wing in the House and Senate has made its crusade against Obamacare the focus of the debate. They demand a halt to funding for the signature program from President Barack Obama's first term, and they seem indifferent about forcing a government shutdown if that doesn't happen. "I will do everything necessary and anything possible to defund Obamacare," Republican Sen. Ted Cruz of Texas said Thursday, threatening a filibuster and "any procedural means necessary." The GOP split was demonstrated later Thursday by Sen. John McCain, who told CNN that "we will not repeal or defund Obamacare" in the Senate. "We will not, and to think we can is not rational," McCain said. A compromise sought by House Speaker John Boehner and fellow GOP leaders would have allowed a symbolic vote on the defunding provision that the Senate would then strip out. The result would have been what legislators call a "clean" final version that simply extended current levels of government spending for about two months of the new fiscal year, allowing time for further negotiations on the debt ceiling. However, conservative opposition to the compromise made Boehner agree to a tougher version that made overall government funding contingent on eliminating money for Obamacare. Moderate Republicans question the strategy, but fear a right-wing backlash in the 2014 primaries if they go against the conservative wing. In reference to the divisions in the House, McCain said it was "pretty obvious that (Boehner) has great difficulties within his own conference." The House passed the tea party inspired plan on an almost strictly party line vote on Friday, setting in motion what is certain to be 10 days or so of legislative wrangling and political machinations. The measure now goes to the Democratic-led Senate, where Majority Leader Harry Reid made clear on Thursday that any plan to defund Obamacare would be dead on arrival. Instead, the Senate was expected to strip the measure of all provisions defunding Obamacare and send it back to the House. "They're simply postponing an inevitable choice they must face," Reid said of House Republicans. Here is a look at the two most-discussed potential outcomes -- a government shutdown or a short-term deal that keeps the government funded for a few months while further debate ensues. House GOP: defund Obamacare or shut government down Shutdown scenario According to West, the ultimate pressure on whether there is a shutdown will rest with Boehner. With the Republican majority in the House passing the spending measure that defunds Obamacare, Senate Democrats say they will stand united in opposing it. "Don't make it part of your strategy that eventually we'll cave," Sen. Chuck Schumer of New York warned Republicans on Thursday. "We won't. We're unified, we're together. You're not." That means the Senate would remove any provisions to defund Obamacare and send the stripped-down spending proposal back to the House. Boehner would then have to decide whether to put it to a vote, even though that could undermine his already weakened leadership by having the measure pass with only a few dozen moderate Republicans joining Democrats in support. If he refuses to bring the Senate version to the floor for a vote, a shutdown would ensue. "The key player is really Boehner," West said. Polls showing a decrease in public support for the health care reforms embolden the Republican stance. Meanwhile, surveys showing most people oppose a government shutdown and that more would blame Republicans if it happens bolster Democratic resolve. Compromise scenario Voices across the political spectrum warn against a shutdown, including Congressional Budget Office Director Douglas Elmendorf, Federal Reserve Chairman Ben Bernanke, the U.S. Chamber of Commerce and Republican strategist Karl Rove. "Even the defund strategy's authors say they don't want a government shutdown. But their approach means we'll get one," Rove argued in an op-ed published Thursday by the Wall Street Journal. He noted the Democratic-controlled Senate won't support any House measure that eliminates funding for Obamacare, and the White House said Thursday that Obama would veto such a spending resolution. "Republicans would need 54 House Democrats and 21 Senate Democrats to vote to override the president's veto," Rove noted, adding that "no sentient being believes that will happen." West concurred, telling CNN that "you can't expect a president to offer his first born to solve a political problem for the other party." "It's the House split that's causing this to happen," he noted. "People now equate compromise with surrender. It's hard to do anything under those circumstances." Under the compromise scenario, the Senate would remove provisions defunding Obamacare from what the House passes while perhaps making other relatively minor changes to provide Boehner and House Republicans with political cover to back it.

#### The plan would trade off with Congress’s ability to avert the shutdown - GOP has momentum and will, but they need literally every hour to get it done

Frank James, 9-13-2013, “Congress Searches For A Shutdown-Free Future,” NPR, http://www.npr.org/blogs/itsallpolitics/2013/09/13/221809062/congress-searches-for-a-shutdown-free-future

The only thing found Thursday seemed to be more time for negotiations and vote-wrangling. Republican leaders recall how their party was blamed for the shutdowns of the mid-1990s and earnestly want to avoid a repeat, especially heading into a midterm election year. Cantor alerted members Thursday that during the last week of September, when they are supposed to be on recess, they will now most likely find themselves in Washington voting on a continuing resolution to fund the government into October. It looks like lawmakers will need every hour of that additional time. While talking to reporters Thursday, Boehner strongly suggested that House Republicans weren't exactly coalescing around any one legislative strategy. "There are a lot of discussions going on about how — about how to deal with the [continuing resolution] and the issue of 'Obamacare,' and so we're continuing to work with our members," Boehner said. "There are a million options that are being discussed by a lot of people. When we have something to report, we'll let you know."

#### Shutdown wrecks the economy

Yi Wu, 8-27-2013, “Government Shutdown 2013: Still a Terrible Idea,” PolicyMic, http://www.policymic.com/articles/60837/government-shutdown-2013-still-a-terrible-idea

Around a third of House Republicans, many Tea Party-backed, sent a letter last week calling on Speaker John Boehner to reject any spending bills that include implementation of the Affordable Care Act, otherwise known as Obamacare. Some Senate Republicans echo their House colleagues in pondering this extreme tactic, which is nothing other than a threat of government shutdown as neither congressional Democrats nor President Obama would ever agree on a budget that abolishes the new health care law. Unleashing this threat would amount to holding a large number of of the federal government's functions, including processing Social Security checks and running the Centers for Disease Control, hostage in order to score partisan points. It would be an irresponsible move inflicting enormous damage to the U.S. economy while providing no benefit whatsoever for the country, and Boehner is rightly disinclined to pursue it. Government shutdowns are deleterious to the economy. Two years ago in February 2011, a similar government shutdown was looming due to a budget impasse, and a research firm estimated that quater's GDP growth would be reduced by 0.2 percentage points if the shutdown lasted a week. After the budget is restored from the hypothetical shutdown, growth would only be "partially recouped," and a longer shutdown would result in deeper slowdowns. Further, the uncertainties resulting from a shutdown would also discourage business. A shutdown was avoided last-minute that year, unlike in 1995 during the Clinton administration where it actually took place for four weeks and resulted in a 0.5 percentage-point dent in GDP growth. Billions of dollars were cut from the budget, but neither Boehner nor the Republicans at the time were reckless enough to demand cancellation of the entire health care reform enacted a year before.

#### Global nuclear war

Harris & Burrows 9 Mathew, PhD European History @ Cambridge, counselor of the U.S. National Intelligence Council (NIC) and Jennifer, member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” http://www.ciaonet.org/journals/twq/v32i2/f\_0016178\_13952.pdf

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the **harmful effects on fledgling democracies** and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which **the potential for** greater **conflict could grow** would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. **Terrorism**’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any **economically-induced drawdown** of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, **acquire additional weapons**, and consider pursuing their own **nuclear ambitions**. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an **unintended escalation** and **broader conflict** if clear red lines between those states involved are not well established. The close proximity of potential **nuclear rivals** combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on **preemption** rather than defense, potentially leading to **escalating crises**. 36 Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in **interstate conflicts** if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

### 1NC

#### There’s uncheck expansion of war powers now

David Gray Adler 11, Director of the Andrus Center for Public Policy @ Boise State University, March 4, “Presidential Ascendancy in Foreign Affairs and the Subversion of the Constitution,” http://www.civiced.org/pdfs/GermanAmericanConf2011/Adler.pdf

Presidential domination of American foreign affairs has become a commonplace after a half - century of unchecked expansion of executive powers. The emergence of a “presidential monopoly” over the conduct of foreign relations, built atop an extraordinary concentration of power in the president, reflects the doctrine of executive supremacy launched by the Supreme Court in United States v. Curtiss - Wright . 11 Across the decades, advocates of expansive presiden tial power in the realm of foreign affairs and national security have sought legal sanction in Justice George Sutherland’s opinion for the Court in Curtiss - Wright . In one way or another, the White House has adduced Sutherland’s characterization of the president as the “sole organ” of American foreign policy, endowed with plenary, inherent and extra - constitutional powers to initiate war, authorize torture, seize and detain American citizens indefinitely, set aside laws, establish military tribunals and s uspe nd and terminate treaties, in addition to assertions of authority to order covert operations, extraordinary rendition and warrantless wiretapping.

#### Only the executive has the resources, power, and flexibility to respond to crises --- outside intervention causes failure

Eric Posner 7, the Kirkland and Ellis Professor of Law @ U-Chicago, and Adrian Vermeule, the John H. Watson, Jr. Professor of Law @ Harvard, Jan 4, “Terror in the Balance: Security, Liberty, and the Courts,” Book, p. 4

 A different view, however, is that the history is largely one of political and constitutional success. The essential feature of the emergency is that national security is threatened; because the executive is the only organ of government with the resources, power, and flexibility to respond to threats to national security, it is natural, inevitable, and desirable for power to flow to this branch of government. Congress rationally acquiesces; courts rationally defer. Civil liberties are compromised because civil liberties interfere with effective response to the threat; but civil liberties are never eliminated because they remain important for the well-being of citizens and the effective operation of the government. People might panic, and the government must choose policies that enhance morale as well as respond to the threat, but there is nothing wrong with this. The executive implements bad policies as well as good ones, but error is inevitable, just as error is inevitable in humdrum policymaking during normal times. Policy during emergencies can never be mistake-free; it is enough if policymaking is not systematically biased in any direction, so that errors are essentially random and wash out over many decisions or over time. Both Congress and the judiciary realize that they do not have the expertise or resources to correct the executive during an emergency. Only when the emergency wanes do the institutions reassert themselves, but this just shows that the basic constitutional structure remains unaffected by the emergency. In the United States, unlike in many other countries, the constitutional system has never collapsed during an emergency.

#### Effective executive response is key to prevent global crises --- specifically: Iranian nuclearization, North African terrorism, Russian aggression, and Senkaku conflict

Ghitis 13 (Frida, world affairs columnist for The Miami Herald and World Politics Review. A former CNN producer and correspondent, she is the author of *The End of Revolution: A Changing World in the Age of Live Television*. “World to Obama: You can't ignore us,” 1/22, http://www.cnn.com/2013/01/22/opinion/ghitis-obama-world)

And while Obama plans to dedicate his efforts to the domestic agenda, a number of brewing international crises are sure to steal his attention and demand his time. Here are a few of the foreign policy issues that, like it or not, may force Obama to divert his focus from domestic concerns in this new term.¶ Syria unraveling: The United Nations says more than 60,000 people have already died in [a civil war t](http://www.cnn.com/2013/01/02/world/meast/syria-civil-war/index.html)hat the West has, to its shame, done little to keep from spinning out of control. Washington[has warned](http://www.nytimes.com/2012/12/04/world/middleeast/nato-prepares-missile-defenses-for-turkey.html?_r=0) that the use of chemical or biological weapons might force its hand. But the regime [may have already used them](http://www.reuters.com/article/2013/01/19/us-syria-chemical-newspaper-idUSBRE90I0JV20130119). The West has failed to nurture a moderate force in the conflict. Now Islamist extremists are growing [more powerful](http://www.al-monitor.com/pulse/originals/2013/01/fighter-syria-aleppo-turkey.html) within the opposition. The chances are growing that worst-case scenarios will materialize. Washington will not be able to endlessly ignore this dangerous war.¶ Egypt and the challenge of democracy: What happens in Egypt strongly influences the rest of the Middle East -- and hence world peace -- which makes it all the more troubling to see liberal democratic forces lose battle after battle for political influence against Islamist parties, and to hear blatantly [anti-Semitic speech](http://www.nytimes.com/2013/01/15/world/middleeast/egypts-leader-morsi-made-anti-jewish-slurs.html) coming from the mouth of Mohammed Morsy barely two years before he became president.¶ Iran's nuclear program: Obama took office promising a new, more conciliatory effort to persuade Iran to drop its nuclear enrichment program. Four years later, he has succeeded in implementing international sanctions, but Iran has continued enriching uranium, leading [United Nations inspectors](http://news.yahoo.com/un-credible-evidence-iran-working-nuke-weapons-153544271.html) to find "credible evidence" that Tehran is working on nuclear weapons. Sooner or later the moment of truth will arrive. If a deal is not reached, Obama will have to decide if he wants to be the president on whose watch a nuclear weapons race was unleashed in the most dangerous and unstable part of the world.¶ North Africa terrorism: A much-neglected region of the world is becoming increasingly difficult to disregard. In recent days, [Islamist extremists](http://edition.cnn.com/2013/01/18/opinion/ghitis-algeria-hostage-crisis/index.html?hpt=op_t1) took American and other hostages in Algeria and France sent its military to fight advancing Islamist extremists in Mali, a country that once represented optimism for democratic rule in Africa, now overtaken by militants who are potentially turning it into a staging ground for international terrorism.¶ Russia repression: As Russian President Vladimir Putin succeeds in [crushing opposition](http://www.france24.com/en/20121027-russian-opposition-leaders-detained-protest-navalny-udaltsov-vladimir-putin) to his [increasingly authoritarian](http://www.freedomhouse.org/report/freedom-world/2013/russia)rule, he and his allies are making anti-American words and policies their favorite theme. A recent ban on adoption of Russian orphans by American parents is only the most vile example. But Washington needs Russian cooperation to achieve its goals at the U.N. regarding Iran, Syria and other matters. It is a complicated problem with which Obama will have to wrestle.¶ Then there are the long-standing challenges that could take a turn for the worse, such as the Israeli-Palestinian conflict. Obama may not want to wade into that morass again, but events may force his hand.¶ And there are the so-called "black swans," events of low probability and high impact. [There is talk](http://www.economist.com/news/asia/21569757-armed-clashes-over-trivial-specks-east-china-sea-loom-closer-drums-war) that China and Japan could go to war over a cluster of disputed islands.¶ A war between two of the world's largest economies could prove devastating to the global economy, just as a sudden and dramatic reversal in the fragile Eurozone economy could spell disaster. Japan's is only the hottest of many territorial disputes between China and its Asian neighbors. Then there's North Korea with its nuclear weapons.¶ We could see regions that have garnered little attention come back to the forefront, such as Latin America, where conflict could arise in a post-Hugo Chavez Venezuela.¶ The president -- and the country -- could also benefit from unexpectedly positive outcomes. Imagine a happy turn of events in Iran, a breakthrough between Israelis and Palestinians, the return of prosperity in Europe, a successful push by liberal democratic forces in the Arab uprising countries, which could create new opportunities, lowering risks around the world, easing trade, restoring confidence and improving the chances for the very agenda Obama described in his inaugural speech.¶ The aspirations he expressed for America are the ones he should express for our tumultuous planet. Perhaps in his next big speech, the State of the Union, he can remember America's leadership position and devote more attention to those around the world who see it as a source of inspiration and encouragement.¶ After all, in this second term Obama will not be able to devote as small a portion of his attention to foreign policy as he did during his inaugural speech.¶ International disengagement is not an option. As others before Obama have discovered, history has a habit of toying with the best laid, most well-intentioned plans of

### Counterplan

#### The United States federal government should surrender to those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons.

### Surrender

So arg

**Zero scientific, empirical, or logical basis for psychoanalytic critique --- their distinctions are garbage**

Francis J. **Mootz 2k** II, Visiting Professor of Law, Pennsylvania State University, Dickinson School of Law; Professor of Law, Western New England College School of Law, Yale Journal of the Law & Humanities, 12 Yale J.L. & Human. 299, p. 319-320

Freudian psychoanalysis increasingly is the target of blistering criticism from a wide variety of commentators. **54** In a recent review, Frederick Crews reports that independent studies have begun to converge toward a verdict... that **there is literally nothing to be said, scientifically or therapeutically, to the advantage of the entire Freudian system or any of its component dogmas** Analysis as a whole remains powerless... and understandably so, because a thoroughgoing epistemological critique, based on **commonly acknowledged standards of evidence and logic** decertifies **every distinctively psychoanalytic proposition**. **55** The most telling criticism of Freud's psychoanalytic theory is that it has proven no more effective in producing therapeutic benefits than have other forms of psychotherapy. 56 Critics draw the obvious conclusion that the benefits (if any) of psychotherapy are neither explained nor facilitated by psychoanalytic theories. Although Freudian psychoanalytic theory purports to provide a truthful account of the operations of the psyche and the causes for mental disturbances, critics argue that psychoanalytic theory may prove in the end to be nothing more than fancy verbiage that tends to obscure whatever healing effects psychotherapeutic dialogue may have. **57** ¶ Freudian psychoanalysis failed because it **could not make good on its claim to be a rigorous and empirical science**. Although Freud's mystique is premised on a widespread belief that psychoanalysis was a profound innovation made possible by his genius, Freud claimed only that he was extending the scientific research of his day within the organizing context of a biological model of the human mind. **58** [\*320] Freud's adherents created the embarrassing cult of personality and the myth of a self-validating psychoanalytic method only after **Freud's empirical claims could not withstand critical scrutiny** in accordance with the **scientific methodology** demanded by his metapsychology. **59** The record is clear that Freud believed that psychoanalysis would take its place among the sciences and that his clinical work provided empirical confirmation of his theories. This belief now appears to be **completely unfounded and indefensible.¶** Freud's quest for a scientifically grounded psychotherapy was not amateurish or naive. Although Freud viewed his "metapsychology as a set of directives for constructing a scientific psychology," n60 Patricia Kitcher makes a persuasive case that he was not a blind dogmatist who refused to adjust his metapsychology in the face of contradictory evidence. n61 Freud's commitment to the scientific method, coupled with his creative vision, led him to construct a comprehensive and integrative metapsychology that drew from a number of scientific disciplines in an impressive and persuasive manner. n62 However, the natural and social sciences upon which he built his derivative and interdisciplinary approach developed too rapidly and unpredictably for him to respond. n63 As **developments in biology quickly undermined Freud's theory**, he "began to look to linguistics and especially to anthropology as more hopeful sources of support," n64 but this strategy later in his career proved equally [\*321] unsuccessful. n65 The scientific justification claimed by Freud literally eroded when **the knowledge base underlying his theory collapsed**, leaving his disciples with the impossible task of defending a theory whose presuppositions no longer were plausible according to their own criteria of validation. n66

#### Benign US and norms solve the impact

**Elshtain, ’11** [Jean Bethke, Prof. Social and Pol. Ethics – U. Chicago. “Reply”. International Relations, March 2011, 25. http://ire.sagepub.com/content/25/1/135.citation]

Finally, I do praise American principles, for these reflect high norms of human moral equality and political freedom; they are the benchmark against which the US measures itself internally. But I do not argue for a role for the US under the rubric of the responsibility to protect because of our alleged moral superiority. What is at stake is justice – and the possibility of minimally decent states. Certainly one would rather have states committed to principles of freedom and moral equality taking responsibility than states that spit on such ideas: states, it should be noted, far less likely to respond to ‘humanitarian catastrophes’, in any case. In recounting the horrors of the Taliban regime, I observed the difference between the principles and the practices of constitutional orders and the rampant disorder of Taliban misrule. Does the international community have no responsibility at all in these situations – when regimes violate human rights egregiously, systematically, with impunity? When such states sponsor terrorism, the road to responsibility is more clearly laid out. But what of other situations? Do we stand by and do nothing? What can we do? What ought we to do? If human rights mean anything – and I sometimes think they mean very little when the crunch comes – they require some modest enforcement. Law without enforcement is not law at all. Can some undertake that enforcement at the behest of others or at their own behest under norms of international justice? These are questions I raised in my book and have articulated at length in several essays. Given that, it does not strike me as quite fair to conclude, as Zehfuss does, that I favor ‘imperial violence’ in the end. The word ‘violence’ is excessively provocative, as I suspect Zehfuss realizes. It is a matter of the justifiable use of force, not violence, and this means force controlled and limited under in bello norms.

The blanket rejection of US power results in genocide  **Gitlin 3**. Todd Gitlin, Writer for Mother Jones, an Investigative Activist Organization, 7/14/2003 ("Goodbye, New World Order: Keep the Global Ideal Alive" - MotherJones.Com) <http://www.motherjones.com/commentary/gitlin/2003/07/we_478_01.html>
The point is that this would be a terrible time to give up on internationalism. The simple fact that the US proved victorious in Iraq does not alter the following chain of truths: To push the world toward democratic rights, power must be legitimate; it is only legitimate if it is held to be legitimate; it is very unlikely to be legitimate if it is unilateral or close to unilateral; and the wider the base of power, the more likely it is to appear legitimate. Bush may have no doubt that American armed force in the Middle East is legitimate, and right now Americans may agree, but that won't do. Common sense alone should tell us not to overreach. Even with the best intentions in the world -- which hundreds of millions doubt -- the United States is simply not up to the global mission that the Bush administration embraces. This nation hasn't the staying power, the economic strength, the knowledge, the wisdom, or the legitimacy to command the continents. It is sheerest delusion to think otherwise. Meanwhile, it is an irony of the recent past that as the United States has lost prestige, the United Nations has gained it -- at least outside our borders. For all its demonstrable flaws, it retains some credibility -- no small thing in a world growing more anarchic. Even the U. N.'s sharpest critics concede that it learns from its mistakes. Having failed miserably to stop ethnic cleansing in Bosnia and Rwanda, it started talking about the need to keep constabulary forces at the ready. Having been assigned much of the world's dirty work -- peacekeeping, public health, refugee and humanitarian aid -- its institutions accumulate the lore of experience. Resolution 1441, which the Security Council passed unanimously last year, might even be interpreted, strange to say, as a step forward in the enforcement of international law, for if the U. S. had been more adroit and patient diplomatically, the French and others could have been nudged into signing onto limited force a few months hence. In the end, the organization failed to prevent war, but its hopes have never been more necessary, its resurrection more indispensable. If internationalism is toothless, right now, that's not an argument against internationalist principle; it's an argument for implanting teeth. If what's left on the East River is nothing but a clunky hulk, there was still enough prestige left in the hulk that George W. Bush, master unilateralist, felt impelled to dally with the Security Council -- however reluctantly, however deceptively -- for months. No less a figure than his father's consigliore and former Secretary of State James W. Baker urged that course upon the president last summer. Going the Security Council route was the tribute George W. Bush paid to internationalism -- before underscoring his contempt for it by going to war on his own schedule. This is not the first time an international assembly of nation-states has failed abjectly to prove its mettle. Indeed, in 1945, the UN itself was built atop the site of an earlier breakdown. The rubble of the collapsed League of Nations, which had failed to arrest blatant aggression by Italy, Japan, and Germany, had to be cleared away before the UN could rise from the ashes. Yet rise it did. And people were inspired -- and frightened -- by it. Even as a spectral presence, the UN was substantial enough to arouse right-wingers to put up billboards urging the US to flee its clutches. Recently, George W. Bush fondly remembered those signs, conspicuous around Midland, Texas, during his early years. To Midland's America Firsters, the U. N. had a reputation as demonic as it was, to this writer, benign. In the General Assembly building, which my friends and I frequented in high school, the ceiling was left unfinished -- to signal, we were told, that world peace was unfinished. What if the symbolism was indeed a pointer toward a different order of things? It is not always easy to tell the difference between dead symbols and promising ones. Push came to shove, and the UN was mainly an intimation -- at most an inspiration. Neither as peacemaker nor peacekeeper was it the world government-in-the-making that some desired and others feared. It was a force in Korea only because the Russians agreed not to play. It was useless in Vietnam. During the endless Israel-Palestine war, it has been bootless. In the 1990s, it failed miserably to stop Serb aggression in Bosnia and Kosovo. It stood by during the Rwandan genocide, too, though its own military commander on the scene, Canadian General Romeo Dallaire, pleaded desperately for UN reinforcements. You can see why realists like to smirk and claim it's hopelessly idealistic to think that the UN could ever amount to anything more than a debating society whose main achievement has been to reserve a lot of Manhattan parking spots. Interestingly, Dallaire, who was shattered by UN failure in Rwanda, does not sneer. In retirement, he continues campaigning to strengthen world governance. "You can't on one side, say the UN is screwing it up and we're going to go to war, and on other side not give the UN the resources," he said recently. "It is not the UN that failed [in Iraq]. But it is the permanent five [members of the Security Council] in particular. If they don't want the UN to be effective, it won't be." Pause with this elementary observation a moment. The reasons for the UN's weakness are several, but not the least is that -- no surprise here -- the most powerful nations want it weak. They like the principle of national sovereignty, and then some, as the recent war amply demonstrates. It will take a long, steady, popular campaign to override the inhibitions. Campaigners might start by underscoring some modest successes. For all the impediments thrown in its way -- and not only by the US -- the UN has done constructive work. It helped restore decent governments in Cambodia, East Timor, and Bosnia. It helps keep the peace on the Golan Heights. On a thousand unnoticed fronts, it daily comes to the aid of refugees, the sick, the malnourished. A top UN official recently told me that Secretary General Kofi Annan was inches away from a partition-ending deal in long-suffering Cyprus, only to lose momentum with the distraction of the Bush-Saddam confrontation. In Afghanistan and Iraq, we need not less of the UN, but much more -- more efficient, better led, better funded. Rebuild The Destroyed Nations: Now there's an agenda for a peace movement. But much of the global movement that sprang up to oppose the Iraq war proceeded to subside into easy chants of "US Out" -- an analogue to the right wing's "US Out of the UN." This sort of short-circuit unilateralism begs the tough questions about the uses (as well as abuses) of international intervention. "US Out" resounds more ringingly if you refrain from thinking about what actual Afghans and actual Iraqis need -- constitutional rights, law enforcement, infrastructure. Protest has its time and place, but what's needed now is politics -- politics to plan the unilateralists' exit from office, combined with practical pressure, here and now, to solve practical problems. We must not permit ourselves to retreat noisily into protest's good night. Most of all, internationalism needs more than a nudge here and there -- it needs a jump-start, a riveting proof that multilateral action can change facts on the ground. Here's one idea: What if the UN and Europe decided to take on the toughest assignment? There is no more stringent test for internationalism's future than what seems the world's most intractable trauma: The endless Israel-Palestine war, which has outlasted a thousand manifestos, plans, meetings about meetings. The new postwar situation might just be promising, the Bush administration just possibly susceptible to pressure. Practical, peace-seeking Jews and Palestinians ought to get in on the pressure; so should Europeans looking for payback, not least Tony Blair. And we ought to be thinking of a practical role for a UN, or joint UN-NATO constabulary. As Tony Klug of Britain's Council for Jewish-Palestinian Dialogue has pointed out on openDemocracy.net, the two bloodied, intertwined, myopic peoples need far more than a road map: they need enforcement. Klug's idea is an international protectorate for the West Bank and Gaza. Some combination of the UN, NATO, and various national forces would play various parts. The point would be to supplant the Israeli occupation, relieve the immediate suffering, and guarantee secure borders. Such a scheme would seem to have taken leave of this earth. The U. S. won't permit it....Sharon won't permit it....The Europeans won't pay for it....The Israelis won't trust the UN, or the Palestinians, who won't trust the Israeli. But what is the alternative? More living nightmares? Occupation and massacre in perpetuity? Military enforcement on a global scale has been left to ad hoc coalitions -- sometimes with blue helmets, sometimes not. That won't do. To put human rights on the ground, avert genocides to come, and -- not incidentally -- help protect the United States from the more vengeful of empire's resentful subjects (funny, their not understanding how good our power is for them), we need a more muscular global authority -- including a global constabulary. Imagine, say, a flexible force permitted to commit, say, 10,000 troops if a simple majority, eight members, of the Security Council signed on, but expandable to 50,000 if the vote were unanimous. Wouldn't Europe have been in a stronger position to avert Bush's war if such a force had been in readiness to enforce resolutions of the Security Council? A wise superpower would know it needs to share responsibility -- which entails sharing the force that makes responsibility real. Of course such a denouement is scarcely around the corner, nor is there any guarantee that it is destined to come at all. Like the abolition of slavery, or the unity of Europe, it surely will not come without pain or error, nor will it be the work of a single generation. But again, what is the alternative? Tyranny and unilateralism; hubris and mile-high resentment. In the world as it is, effective moral force cannot preclude military force. If internationalists don't press more strongly for international law and multilateralist order, one thing is certain: we shall be left with protests, playing catch-up forever, waiting for "told you so" moments. "No" is not a foreign policy. Coupled with the properly skeptical "no" must be the transformative "yes" -- not a grudging, perfunctory afterthought, but international law with enforcers; not empire, but human rights with guns.

#### No impact to the intervention they cite and it is declining

**Melander et al ‘9** (Erik, Assistant Prof. Dept. Peace and Conflict Research – Uppsala U., Magnus Öberg, Dir. Studies Undergraduate Program Dept. Peace and Conflict Research – Uppsala U., and Jonathon Hall, Marie Curie Fellow – Center for Conflict Research – Utrecht U. and PhD Candidate Peace and Conflict Research– Uppsala U., European Journal of International Relations, “Are ‘New Wars’ More Atrocious? Battle Severity, Civilians Killed and Forced Migration Before and After the End of the Cold War”, 15:3, September, Sage)

What we find is that the human impact of civil conflict has diminished in the post-Cold War period. Battle severity, measured as battle deaths, has significantly declined. The magnitude of direct violence against civilians in civil conflict has also decreased. Civilian displacement follows a slightly more complicated pattern, similar to the trend in the number of civil conflicts; it is significantly higher in the period 1990–4 than in either the Cold War period or in the period 1995–9. While civil conflicts in the period 1990–4 generate larger flows of displaced people than civil conflicts of the Cold War era, there is no consistent increasing trend in the data. On the contrary, the decrease in forced migration flow in the most recent time period is statistically significant. The claim regarding the ratio of civilian to military casualties is not possible to evaluate directly since there are no systematic data on this aspect of armed conflict. However, we do offer an indirect test of this proposition: if the ratio of civilian to military victims has changed, when comparing conflicts with similar levels of battle severity from the Cold War and post-Cold War periods, we should expect to see higher numbers of civilian deaths in the latter. Moreover, if the ratio of civilian to military deaths is higher in the post-Cold War period then ipso facto conflicts have become more threaten ing and dangerous to civilians, which research on forced migration has consistently shown should generate higher levels of civilian displacement (Davenport et al., 2003; Melander, 2006; Melander and Öberg, 2006; Moore and Shellman, 2004; Schmeidl, 1997). By holding battle severity constant and looking at the variation in civilian displacement and civilians killed, we test whether or not the ratio has changed significantly over time. What we find is that the ratio of civilian to military victims has decreased since the end of the Cold War. Thus, our study makes two major contributions. First, we examine the average trends in the human impact of war, taking into account all civil conflicts and controlling for potentially confounding factors. Second, we show a decline in all four aspects of human impact. In other words, the dimensions of the human impact of civil conflicts for which we have systematic data all exhibit trends which are at odds with the basic claims of ‘new war’ theorists. Needless to say, this does not mean that civil conflict during the past decade and a half has not been greatly destructive to human life; it surely has been. But it has on average been less so than civil conflict during the Cold War period. We offer an explanation for this pattern, arguing that the ‘new wars’ thesis exaggerates the human impact of civil war motivated by identity politics, that it misreads the effects of an increasingly globalized economy on the gov ern ment side in civil conflict, and that it misjudges the consequences of reduced superpower interest in the developing world. We suggest that the pattern of lessening human impact of civil war following the ending of the Cold War reflects the decline of ideological conflict, the restraining influence of increasingly globalized economies on governments, **and the lessening of superpower campaigns of destabilization and counter-insurgency through proxy warfare**, sooner than any fundamental changes in the nature of warfare itself.

### Terror

#### Their understanding of terrorism is flawed – there are a variety of motivations but fanaticism is becoming more important.

**Laqueur 3** Walter– historian, has taught at Brandeis University, Georgetown, Harvard, University of Chicago, Tel Aviv and John Hopkins university; expert in terrorism and one of the founders of its study; holocaust survivor [No end to war: terrorism in the twenty-first century. Google Books]

It was only to be expected that there should be voices arguing that the events of September 2001 had been unique and unlikely to recur, as time had passed without many major terrorist attacks. Memories are short and wishful thinking is deeply rooted. Terrorism will be given less attention if a full scale war breaks out. But no war lasts forever. It is too expensive in every respect in our day and age, whereas terrorism is relatively cheap and will be with us for as long as anyone can envision, even if not always at the same frequency and intensity. Terrorism has become the subject of a great deal of study, comment, debate, and controversy. There has been an enormous amount of comment on the roots of terrorism as well as the best ways to deal with it. Unfortunately, these debates have been distinguished very often more by passion and emotion (and, of course, preconceived notions) than by knowledge and insight. The history of terrorism remains an essential key to understanding the phenomenon; most of the new terms that have appeared in the literature in recent years refer to concepts that have always been known since time immemorial. Guerrilla warfare and terrorism were always “asymmetric warfare,” and the discovery that terrorists need “failed countries” (or regions of failed countries) would have been considered less than sensational in biblical times, let alone by Mao Tse-tung (from the caves of Adulam to the caves of Yenan). But past experience is no longer the only key for understanding terrorism. **The crucial new elements are**, as I tried to show in a book several years ago, easier **access to weapons of mass destruction and the greater importance of religious-political fanaticism** as a motive. At the present time, radical Islamism is the single most important force, and it will probably remain so for a considerable time to come. But there is always the danger of being blinded by current events; radical Islamism was not always the main threat and it may not always be in the future. There is no authoritative systematic guide to terrorism – no Clausewitz, not even a Jomini – and perhaps there never will be one, simply because there is not one terrorism but a variety of terrorism and what is true for one does not necessarily apply to others. There are major obstacles on the road toward understanding terrorism; perhaps no other topic in our time has provoked such violent emotions. Those who have been commenting with the greatest assurance on terrorism are usually concerened with one group, ethnic or political. they are not preoocupied with the general phenomemon of terrorism, but the fate and interests of the specific group with which they identify with or oppose. Those preoocupied with terrorism in the Israeli-Palestinian context (except for a small group of professional experts) are usually unwilling to give even passing thought to events in Algeria or Sri Lanka; the fact that, to give another example, suicide terrorism occurs in various parts of the world and not just in one will merely be regarded as confusing by those engaging in sweeping generalizatiosn on the subject. People preoccupied with the Kashmir conflict have little interest in events in Colombia or the Balkans – faraway countries about which little is known and that seem irrelevant to the problems at hand. Those finding justifications for the violence of the extreme left (which leads them to far-reaching generalizations about the progressive character tout court of global terrorism) tend to forget that there is also a terrorism of the far right of which they do not approve at all. The student of terrorism has to consider the general picture; any fixation on one specific aspect of terrorism is bound to lead to wrong conclusions. The use of terms like “left” and “right” has become more and more problematical with the passing of timel it has become more often than not misleading in an age of growing populism that can with equal ease adopt views and politics that used to be considered “left” and “right.” Terrorist groups of the extreme “left” have often become aggressively nationalistic, whereas those of the far right are second to none with their ardent anticapitalism and anti-Americanism. Trotskyites have given critical support to Ayatolla Khomeini and the Talkiban with their radical “anti-imperialism,” and neo-Nazis are suggesting a “third position,” an anti-Westernism that should unite extremists from the left and the right. Anti-Semitism, once the preserve of the extreme right, has spread to the far left. Is Osama bin Laden a man of the left or the right? The question is, of course, absud: The religious-nationalist terrorists have nothing in common with the ideas of the traditional, secular left; they may have in common certain features with fascism. But such comparisons are of limited relevance only; traditional Western political categories do not apply to them. They are premodern and postmodern at the same time. Another major obstacle to understanding terrorism is the **psychological resistance against accepting uncomfortable facts.** Such resistance to accept new facts running counter to deeply ingrained beliefs is not, of course, new. It has occurred whenever a new movement appeared on the scene; fascism and communism, to give but two examples, were interpreted in the light of the past, and what was essentially new in these movements was overlooked. This form of resistance has been frequent even in the history of science, and it should have come as not surprise that in the study of terrorism in which scientific proof and prediction do not exist, resistance should be even stronger. As a result, the debate on terrorism has resembled quite often a parade of old hobby horses. People who have ready-made explanations of why terrorism occurs will not easily give up their beliefs, however much proof to the contrary is produced. My interest in terrorism and geurilla warfare goes back some three decades. I dealth with the history of these two subjects in two volumes in the 1970s. My assunmption at the time was that while terrorism was a topic of great fascination, its political importance was limited. But I did not exclude that a time might come when, for a variety of reasons, terrorism might assume a far more important role. I mentioned in my earlier writing growring fanaticism, religious and nationalist, on the one hand and access to weapons of mass destruction on the other. Fanaticism per se is of course not new, but it has had a major rebirth – much to the surprise of those in Europe and America who had believed that it was a thing of the past. The use of the weapons of mass destruction by fanatics is yet to come. Awareness of this danger has not yet percolated in the public consciousness: the possibility, indeed the probability, that even very small groups of people will be able to inflict enormous damage on societies and that **the number of victims could be infinitely greater** than in the past. There is yet another crucial difference between the old terrorism and the new: until recently, terrorism was, by and large, disciriminate, selecting its victims carefully – kings and queens, government ministers, generals, and other leading political figures and officials. It was, more often than not, “propaganda by deed.” Contemporary terrorism has increasingly become indiscriminate in the choice of its victims. Its aim is no longer to conduct propaganda but to effect maximum destruction. Another important difference between the old terrorism and the new is the crucial importance of paranoiac elements in the terrorism of the far right and the extreme left, perhaps most of all in terrorists inspired by religious fanaticism. National oppression (to give but one example) is not a delusional disorder, but it is precisely in individuals and groups of religious-nationalist extremists that aggression and hostility toward others become unmanageable, and that the all-consuming concern with nonexistent hidden motives leads to a loss of the sense of reality. The outlook is poor; there are no known cures for fanaticism and paranoia. Present debates about the causes of terrorism deal with topics such as ethnic and religious tensions, globalism and antiglobalism, poverty and exploitation. But these issues could be less important with regard to the terrorism of the future; the smaller the terrorism group, the more outlandish its doctrine is likely to be and the greater the relevance of psychological factors. There is bound to be great resistance to accepting this. But there is no accounting for the perceived complaints and injuries of a handful of people by means of invoking broad social, economic, and political trends. Eventually the old science-fiction scenario of the mad scientist taking vengeance on society could become reality.

#### Repealing AUMF bad- terror down now BECAUSE of increased pressure but AQ still wants to attack us- they won’t accept surrender and will never act defeated

Troy Senik 6/06/13, Senior Fellow at the Center for Individual Freedom. Mr. Senik served in the White House as a speechwriter for President George W. Bush, and previously wrote for California Governor Arnold Schwarzenegger and former Speaker of the House Newt Gingrich, "In the War on Terror, a Surrender," http://cfif.org/v/index.php/commentary/45-foreign-policy/1864-in-the-war-on-terror-a-surrender

Now Barack Obama has a scandal cocktail consisting of the deception surrounding last September’s terrorist attack in Benghazi; the IRS’s harassment of conservative non-profits, and the Justice Department’s surveillance of journalists. Obama may have thought he could stem the rise of the oceans, but he can’t resist the gravitational pull of a second term.¶ There is a playbook for these sorts of travails. A president generally focuses on “getting back to work,” in an attempt to both distract attention from scandal and reassert his relevancy. Most often, this takes the form of a focus on foreign policy, an area where presidents are relatively free to work their will without the intrusion of a Congress that regards them as irrelevant once lame-duck status sets in.¶ This was likely the motivation for Obama’s recent decision to give a major foreign policy address at the National Defense University in Washington D.C. Media coverage of the speech focused mostly on an extended exchange between Obama and a left-wing heckler over Guantanamo Bay, which buried the real story: Barack Obama has a plan for winning the War on Terror – he’ll simply say it’s over.¶ During his remarks, Obama proposed repealing the authorization of military force that emerged from Congress in the aftermath of 9/11 – the document that provides the legal justification to pursue terrorists around the globe and, it should be noted, which allows for the drone strikes that the president spent much of his speech bending over backwards to defend.¶ Now, Obama is far from the only person to take issue with the breadth of that authorization. Senator Rand Paul has also criticized the broad interpretation of the law, which has allowed the original post-9/11 mandate to extend to current conflicts with extremist groups (like those in Yemen and Somalia) that didn’t even exist at the time that Congress passed the bill.¶ Fair enough. But apart from a vague assertion that “Our systematic effort to dismantle terrorist organizations must continue,” Obama didn’t offer any thoughts on what would replace the authorization of military force … which is important, because you can’t keep up that “systematic effort” without some legal authority. Instead, he offered a particularly listless bromide, noting that, “this war, like all wars, must end. That’s what history advises. That’s what our democracy demands.”¶ Well, yes, but history also advises that wars don’t end because one side signs a piece of paper that the other ignores. It’s true, as Obama noted in his remarks, the scope of our war with Islamist terrorists has narrowed. We haven’t had anything remotely approaching another 9/11, thanks largely to the aggressive posture adopted in the wake of those attacks. But the threat has only been reduced because we’ve applied relentless pressure. Let up a little bit and you can be assured it will flare back up. That’s the thing about theocratic martyrs – they tend to define defeat differently than we do.¶ A more sober president would have taken the reality as he found it – Al Qaeda weakened, but not defeated; Islamists still keen to strike the United States – and tailored a strategy accordingly. Obama, by contrast, believes that, since things are going our way, this is as good a time as any to call off the whole affair. This is what happens when a president is guided by that aforementioned hubris: He begins to believe that reality will take whatever form his speechwriters command.¶ The task of combating radical Islam will be Obama’s for the rest of his term, whether he likes it or not. It will likely occupy several of his successors as well. The president can declare himself done with the War on Terror if he pleases. He just shouldn’t expect the War on Terror to return the favor.

#### Future terror attacks cause XTC- increasing tech and lack of effective US response

Nathan Myhrvold '13, Phd in theoretical and mathematical physics from Princeton, and founded Intellectual Ventures after retiring as chief strategist and chief technology officer of Microsoft Corporation , July 2013, "Stratgic Terrorism: A Call to Action," The Lawfare Research Paper Series No.2, <http://www.lawfareblog.com/wp-content/uploads/2013/07/Strategic-Terrorism-Myhrvold-7-3-2013.pdf>

Technology contains no inherent moral directive—it empowers people, whatever their intent, good or evil. This fact, of course, has always been true: when bronze implements supplanted those made of stone, the ancient world got swords and battle-axes as well as scythes and awls. Every technology has violent applications because that is one of the first things we humans ask of our tools. The novelty of our present situation is that modern technology can provide small groups of people with much greater lethality than ever before. We now have to worry that private parties might gain access to weapons that are as destructive as—or possibly even more destructive than—those held by any nation-state. A handful of people, perhaps even a single individual, now have the ability to kill millions or even billions. Indeed, it is perfectly feasible, from a technological standpoint, to kill every man, woman, and child on earth. The gravity of the situation is so extreme that getting the concept across without seeming silly or alarmist is challenging. Just thinking about the subject with any degree of seriousness numbs the mind. Worries about the future of the human race are hardly novel. Indeed, the notion that terrorists or others might use weapons of mass destruction is so commonplace as to be almost passé. Spy novels, movies, and television dramas explore this plot frequently. We have become desensitized to this entire genre, in part because James Bond always manages to save the world in the end. Reality may be different. In my estimation, the U.S. government, although well-meaning, is unable to protect us from the greatest threats we face. The other nations of the world are also utterly unprepared. Even obvious and simple steps are not being taken. The gap between what is necessary and what is being contemplated, much less being done, is staggering. My appraisal of the present situation does not discount the enormous efforts of many brave men and women in law enforcement, intelligence services, and the military. These people are doing what they can, but the resources that we commit to defense and the gathering of intelligence are mostly squandered on problems that are far less dangerous to the American public than the ones we are ignoring. Addressing the issue in a meaningful way will ultimately require large structural changes in many parts of the government. So far, however, our political leaders have had neither the vision to see the enormity of the problem nor the will to combat it. These weaknesses are not surprising: bureaucracies change only under extreme duress. And despite what some may say, the shocking attacks of September 11th, 2001, have not served as a wake-up call to get serious. Given the meager response to that assault, every reason exists to believe that sometime in the next few decades America will be attacked on a scale that will make 9/11 look trivial by comparison.

#### Pakistani jihadists presence growing with US withdrawal- leadership desires expansion

Tufail Ahmad 6/20/13 Director of South Asia Studies Project at the Middle East Media Research Institute, Washington D.C, 6/20/13, "The Next Decade of Jihadism in Pakistan," Hudson Institute, http://www.currenttrends.org/research/detail/the-next-decade-of-jihadism-in-pakistan

In the run-up to the U.S. troop withdrawal from Afghanistan in 2014, two trends within Islamism in South Asia are likely to have far-reaching implications for regional politics and security. First, jihadist movements in Pakistan and its neighborhood are increasingly emboldened; their leaderships and core organizations remain largely intact, and their expectations for greater power are rising amid the emerging security vacuum. Second, jihadist movements and the Islamists sympathetic to their goals are increasingly seeking to use political means, including negotiations and elections, to capture power and impose Sharia rule. ¶ Islamism may be described as an ideological orientation which seeks to reshape society and politics through the imposition of a radical understanding of Islam. In the wake of the Arab Spring, Islamists in South Asia have increasingly sought to use not just armed struggle but political means to advance their cause. In Afghanistan, the Taliban appear inclined to accept elections and referendum as a means to capture power and rewrite the country’s constitution. In Pakistan, the success of Egyptian Islamists inspired Dr. Tahirul Qadri, the religious scholar, to end his self-imposed exile in Canada and threaten to unseat the Pakistani government through staging a Tahrir Square-like mass uprising in Islamabad in January 2013.[1] The Islamists’ current turn toward politics does not mean that they have embraced democratic principles or the rule of law. What it does indicate, however, is the Islamist movements' increasing cohesiveness, mobilization capacity, and desire to achieve power.¶ This paper examines the essential ideological unity of jihadist groups in Pakistan and its neighborhood. These movements include the Islamic Emirate of Afghanistan and the Haqqani Network, the Tehreek-e-Taliban Pakistan (TTP), Sipah-e-Sahaba Pakistan (SSP), Jaish-e-Muhammad (JeM) and Lashkar-e-Taiba (LeT). Moreover, it examines how the forthcoming U.S. troop withdrawal has emboldened jihadist commanders, who hope to expand their Islamist struggle to a wider region, including to Kashmir, India and Bangladesh, and possibly also to the Middle East and the United States.

#### Pakistani Jihadists will provoke conflict between Pakistan and India as a proxy war- new Indian military postures ensures global nuclear escalation

Andrew Phillips '12, PhD in IR from Cornell and professor of International Relations and Strategic Studies at the University of Queensland, 3/16/13, "Horsemen of the apocalypse? Jihadist strategy and nuclear instability in South Asia," International Politics: 49 pp. 297-317

The rising prominence of South Asian jihadists since 9/11 has finally been coupled with a growing tendency for these groups to mimic Al Qaeda's preferred tactics of provocation and polarisation. South Asian jihadists now routinely resort to suicide bombings and other mass-casualty attacks to foment sectarian tensions, destabilise national governments and intimidate host communities into submission (Bergen and Hoffman, 2010, p. 18). Most pertinently for this enquiry, since 9/11, Pakistan-based jihadists have twice perpetrated mass-casualty attacks in India with a view towards aggravating Indo–Pakistani tensions and ideally provoking a confrontation between the two countries. Both the December 2001 attack on the Indian Parliament and the November 2008 attack on luxury hotels in Mumbai were deliberate provocations intended to stoke the fires of Indo–Pakistani hostility (Ganguly and Kapur, 2010, p. 54). Alarmingly, an escalation to armed hostilities between the two countries was only narrowly avoided on both occasions. Moreover, shifts in India's conventional military posture – intended to enhance its ability to deter what it sees as provocations undertaken with the cognisance and complicity of elements of the Pakistani security establishment – have the potential to further diminish crisis stability in the event of renewed jihadist attacks on Indian territory (Ladwig III, 2007/08, p. 169). Under conditions of persistent bilateral Indo–Pakistani tensions and significant crisis instability, the conditions remain favourable for jihadists to indirectly employ Pakistan's nuclear stockpile as a ‘proxy arsenal’ by provoking an Indo–Pakistani confrontation. What they would hope to gain from such a confrontation, and how it would fit within their broader goal of destabilising and ultimately destroying an infidel-dominated world order, is a matter that I will now consider.¶ The dangers of jihadist-inspired nuclear escalation in South Asia¶ A jihadist-inspired Indo–Pakistani nuclear exchange would conceivably promote jihadist goals at both the regional and global levels. Within South Asia, even a limited nuclear confrontation between India and Pakistan would be catastrophically destabilising for both countries, and would potentially permanently solidify estrangement between the two nations while radically amplifying communal tensions throughout the sub-continent. Since the deposition of the last Mughal emperor in 1857 and concomitant dissolution of Muslims’ nominal political supremacy in the sub-continent, local Islamists have consistently lamented their demographic inferiority and perceived marginalisation vis-à-vis India's Hindu majority (Kepel, 2006, p. 35). Following the 1971 Indo–Pakistani war and the ensuing separation of Bangladesh (formerly east Pakistan) from Islamabad, fears of Indian sub-continental supremacy further strengthened, and have informed Pakistan's subsequent efforts to exacerbate India's internal divisions through its covert sponsorship of insurgencies throughout the country (Zahab and Roy, 2003, p. 54). Many of the radical Islamists that have enjoyed Inter Services Intelligence (ISI) sponsorship since that time retain a desire to dismember India, and have worked consistently to stoke communal tensions in the country through resort to acts of terrorism, as well as efforts to propagate radical Islamist ideas throughout India's Muslim communities (Ganguly and Kapur, 2010, p. 54). Besides the enormous human toll of an Indo–Pakistani nuclear exchange, a disaster of this magnitude would significantly strain India's fragile social fabric, thereby assisting jihadists’ goals of destabilising India and promoting its potential balkanisation.¶ Although the potential destabilisation of India following an Indo–Pakistani nuclear exchange would serve jihadist goals, the impact of such a conflict on Pakistan's domestic stability would be of even greater import for the jihadists. From 2007 onwards, local jihadists have waged an escalating campaign against the Pakistani state, but while they have partially succeeded in consolidating their presence across swathes of the Pashtun tribal heartland, they have thus far failed to seize power nationally. Alarmist predictions of Pakistan's imminent descent into state failure notwithstanding, the Pakistani military has succeeded in containing the local jihadist threat. Before the August 2010 floods, the military had even been making solid progress in rolling back the Pakistani Taliban's influence in the tribal areas, further jeopardising jihadist aspirations for national political power (Mullick, 2010, p. 8). Although it is impossible to predict Pakistan's resilience in the aftermath of a limited nuclear war with India, such a disaster would profoundly strain the Pakistani state. This could potentially pave the way for the jihadists’ direct seizure of state power, along with any remaining elements of the Pakistani nuclear arsenal. At the very least, the immense humanitarian consequences of such a catastrophe would likely overwhelm the management capacities of an already depleted military, opening up further governance vacuums in the country for jihadist elements to exploit.¶ The destabilisation of India and the potentially fatal weakening of the Pakistani state would each advance jihadist interests at a regional level. However, perhaps the greatest strategic dividend for the jihadists might come from the systemic destabilisation that an Indo–Pakistani nuclear exchange would bring in its train. Speculating on the likely ‘catalytic effects’ of a terrorist detonation of a nuclear device in South Asia, Robert Ayson has convincingly argued that such a scenario could rapidly lead to an uncontrollable escalation in Indo–Pakistani tensions culminating in nuclear war between the two states, a conflict that might even witness the involvement of external powers such as China and the United States (Ayson, 2010, pp. 586–587).

#### Even a limited exchange causes extinction

Alan Robock '10 a professor of climatology and associate director of Center for Environmental Prediction, Rutgers University, AND Owen Brian Toon, chair of the department of atmospheric and oceanic sciences and fellow of the Laboratory for Atmospheric and Space Physics, University of Colorado, Boulder, January 2010, "Local Nuclear War, Global Suffering," Scientific American, Vol 302.1

Worry has focused on the U.S. versus Russia, but a regional nuclear war between India and Pakistan could blot out the sun, starving much of the human race. Twenty-five years ago international teams of scientists showed that a nuclear war between the U.S. and the Soviet Union could produce a "nuclear winter**." The smoke from vast fires started by bombs dropped on cities and industrial areas would envelop the planer and absorb so much sunlight that the earth's surface would get cold, dark and dry, killing plants worldwide and eliminating our food supply. Surface temperatures would reach winter values in the summer**. International discussion about this prediction, fueled largely by astronomer Carl Sagan, forced the leaders of the two superpowers to confront the possibility that their arms race endangered not just themselves but the entire human race. Countries large and small demanded disarmament. Nuclear winter became an important factor in ending the nuclear arms race. Looking back later, in 2000, former Soviet Union leader Mikhail S. Gorbachev observed, "Models made by Russian and American scientists showed that a nuclear war would result in a nuclear winter that would be extremely destructive to all life on earth; the knowledge of that was a great stimulus to us, to people of honor and morality, to act." Why discuss this topic now that the cold war has ended? **Because as other nations continue to acquire nuclear weapons, smaller, regional nuclear wars could create a similar global catastrophe. New analyses reveal that a conflict between India and Pakistan,** for example, in which 100 nuclear bombs were dropped on cities and industrial areas--only 0.4 percent of the world's more than 25,000 warheads--**would produce enough smoke to cripple global agriculture. A regional war could cause widespread loss of life even in countries far away from the conflict.** Regional War Threatens the World By deploying modern computers and modern climate models, the two of us and our colleagues have shown that not only were the ideas of the 1980s correct but the effects would last for at least 10 years, much longer than previously thought. And by doing calculations that assess decades of time, only now possible with fast, current computers, and by including in our calculations the oceans and the entire atmosphere--also only now possible--we have found that the smoke from even a regional war would be heated and lofted by the sun and remain suspended in the upper atmosphere for years, continuing to block sunlight and to cool the earth. **India and Pakistan, which together have more than 100 nuclear weapons, may be the most worrisome adversaries capable of a regional nuclear conflict today.** But other countries besides the U.S. and Russia (which have thousands) are well endowed: China, France and the U.K. have hundreds of nuclear warheads; Israel has more than 80, North Korea has about 10 and Iran may well be trying to make its own. In 2004 this situation prompted one of us (Toon) and later Rich Turco of the University of California, Los Angeles, both veterans of the 1980s investigations, to begin evaluating what the global environmental effects of a regional nuclear war would be and to take as our test case an engagement between India and Pakistan. The latest estimates by David Albright of the Institute for Science and International Security and by Robert S. Norris of the Natural Resources Defense Council are that India has 50 to 60 assembled weapons (with enough plutonium for 100) and that Pakistan has 60 weapons. **Both countries continue to increase their arsenals. Indian and Pakistani nuclear weapons tests indicate that the yield of the warheads would be similar to the 15-kiloton explosive yield** (equivalent to 15,000 tons of TNT) of the bomb the U.S. used on Hiroshima. Toon and Turco, along with Charles Bardeen, now at the National Center for Atmospheric Research, modeled what would happen if 50 Hiroshima-size bombs were dropped across the highest population-density targets in Pakistan and if 50 similar bombs were also dropped across India. Some people maintain that nuclear weapons would be used in only a measured way. **But in the wake of chaos, fear and broken communications that would occur once a nuclear war began, we doubt leaders would limit attacks in any rational manner. This likelihood is particularly true for Pakistan, which is small and could be quickly overrun in a conventional conflict.** Peter R. Lavoy of the Naval Postgraduate School, for example, has analyzed the ways in which a conflict between India and Pakistan might occur and argues **that Pakistan could face a decision to use all its nuclear arsenal quickly before India swamps its military bases with traditional forces.** Obviously, we hope the number of nuclear targets in any future war will be zero, but policy makers and voters should know what is possible. Toon and Turco found that more than 20 million people in the two countries could die from the blasts, fires and radioactivity--a horrible slaughter. But the investigators were shocked to discover that **a tremendous amount of smoke would be generated, given the megacities in the two countries,** assuming each fire would burn the same area that actually did burn in Hiroshima and assuming an amount of burnable material per person based on various studies. They calculated that the 50 bombs exploded in Pakistan would produce three teragrams of smoke, and the 50 bombs hitting India would generate four (one teragram equals a million metric tons). Satellite observations of actual forest fires have shown that smoke can be lofted up through the troposphere (the bottom layer of the atmosphere) and sometimes then into the lower stratosphere (the layer just above, extending to about 30 miles). Toon and Turco also did some "back of the envelope" calculations of the possible climate impact of the smoke should it enter the stratosphere. The large magnitude of such effects made them realize they needed help from a climate modeler. It turned out that one of us (Robock) was already working with Luke Oman, now at the NASA Goddard Space Flight Center, who was finishing his Ph.D. at Rutgers University on the climatic effects of volcanic eruptions, and with Georgiy L. Stenchikov, also at Rutgers and an author of the first Russian work on nuclear winter. They developed a climate model that could be used fairly easily for the nuclear blast calculations. Robock and his colleagues, being conservative, put five teragrams of smoke into their modeled upper troposphere over India and Pakistan on an imaginary May 15. The model calculated how winds would blow the smoke around the world and how the smoke particles would settle out from the atmosphere. **The smoke covered all the continents within two weeks. The black, sooty smoke absorbed sunlight, warmed and rose into the stratosphere. Rain never falls there, so the air is never cleansed by precipitation; particles very slowly settle out by falling, with air resisting them.** Soot particles are small, with an average diameter of only 0.1 micron (μm), and so drift down very slowly. They also rise during the daytime as they are heated by the sun, repeatedly delaying their elimination. The calculations showed that the smoke would reach far higher into the upper stratosphere than the sulfate particles that are produced by episodic volcanic eruptions. Sulfate particles are transparent and absorb much less sunlight than soot and are also bigger, typically 0.5 μm. **The volcanic particles remain airborne for about two years, but smoke from nuclear fires would last a decade.**

#### Extinction risks outweigh your impacts

Nick Bostrom, PhD and Professor at Oxford University, March, 2002

[Journal of Evolution and Technology, vol 9] <http://www.nickbostrom.com/existential/risks.html>

It’s dangerous to be alive and risks are everywhere. Luckily, not all risks are equally serious. For present purposes we can use three dimensions to describe the magnitude of a risk: scope, intensity, and probability. By “scope” I mean the size of the group of people that are at risk. By “intensity” I mean how badly each individual in the group would be affected. And by “probability” I mean the best current subjective estimate of the probability of the adverse outcome.[[1]](http://www.nickbostrom.com/existential/risks.html%22%20%5Cl%20%22_ftn1#_ftn1" \o ") 1.1         A typology of risk We can distinguish six qualitatively distinct types of risks based on their scope and intensity (figure 1). The third dimension, probability, can be superimposed on the two dimensions plotted in the figure. Other things equal, a risk is more serious if it has a substantial probability and if our actions can make that probability significantly greater or smaller.   “Personal”, “local”, or “global” refer to the size of the population that is directly affected; a global risk is one that affects the whole of humankind (and our successors). “Endurable” vs. “terminal” indicates how intensely the target population would be affected. An endurable risk may cause great destruction, but one can either recover from the damage or find ways of coping with the fallout. In contrast, a terminal risk is one where the targets are either annihilated or irreversibly crippled in ways that radically reduce their potential to live the sort of life they aspire to. In the case of personal risks, for instance, a terminal outcome could for example be death, permanent severe brain injury, or a lifetime prison sentence. An example of a local terminal risk would be genocide leading to the annihilation of a people (this happened to several Indian nations). Permanent enslavement is another example. 1.2         Existential risks In this paper we shall discuss risks of the sixth category, the one marked with an X. This is the category of global, terminal risks. I shall call these existential risks. Existential risks are distinct from global endurable risks. Examples of the latter kind include: threats to the biodiversity of Earth’s ecosphere, moderate global warming, global economic recessions (even major ones), and possibly stifling cultural or religious eras such as the “dark ages”, even if they encompass the whole global community, provided they are transitory (though see the section on “Shrieks” below). To say that a particular global risk is endurable is evidently not to say that it is acceptable or not very serious. A world war fought with conventional weapons or a Nazi-style Reich lasting for a decade would be extremely horrible events even though they would fall under the rubric of endurable global risks since humanity could eventually recover. (On the other hand, they could be a local terminal risk for many individuals and for persecuted ethnic groups.)

#### Terrorism studies are epistemologically and methodologically valid---our authors are self-reflexive

Michael J. Boyle '8, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

 Jackson (2007c) calls for the development of an explicitly CTS on the basis of what he argues preceded it, dubbed ‘Orthodox Terrorism Studies’. The latter, he suggests, is characterized by: (1) its poor methods and theories, (2) its state centricity, (3) its problemsolving orientation, and (4) its institutional and intellectual links to state security projects. Jackson argues that the major defining characteristic of CTS, on the other hand, should be ‘a skeptical attitude towards accepted terrorism “knowledge”’. **An implicit presumption from this is that terrorism scholars have laboured for all of these years without being aware that their area of study has an implicit bias, as well as definitional and methodological** **problems**. In fact**, terrorism scholars are not only well aware of these problems, but also have provided their own** searching **critiques** of the field at various points during the last few decades (e.g. Silke 1996, Crenshaw 1998, Gordon 1999, Horgan 2005, esp. ch. 2, ‘Understanding Terrorism’). **Some of those scholars most associated with the critique of empiricism** implied in ‘Orthodox Terrorism Studies’ **have also engaged in deeply critical examinations of the nature of sources, methods, and data in the study of terrorism**. For example, Jackson (2007a) regularly cites the handbook produced by **Schmid and Jongman** (1988) to support his claims that theoretical progress has been limited. But this fact was well recognized by the authors; indeed, in the introduction of the second edition they **point out** that they have not revised their chapter on theories of terrorism from the first edition, because the **failure to address** persistent conceptual and **data problems** has undermined progress in the field. The point of their handbook was to sharpen and make more comprehensive the result of research on terrorism, not to glide over its methodological and definitional failings (Schmid and Jongman 1988, p. xiv). Similarly, **Silke’s** (2004) **volume on the state of the field of terrorism research performed a similar function**, highlighting the shortcomings of the field, in particular the lack of rigorous primary data collection. **A non-reflective community of scholars does not produce such scathing indictments of its own work.**

#### We should focus on Jihadist extremism because it’s an empirical fact not because Islam is evil – obscuring it is condescending and turns their racism argument

**Berger, 12/9**/11 [J.M. Berger is editor of Intelwire.com and author of Jihad Joe: Americans Who Go to War in the Name of Islam.

On the right, embodied in comments by Republican presidential frontrunner Newt Gingrich, Muslims are treated largely as monsters, a seething mass of people who do not share American values and could, at any moment, establish a Taliban-style theocracy right here in the United States. On the left, as epitomized by President Barack Obama's new strategy, Muslims are treated as children who cannot be left to their own devices, who must be carefully tutored in proper behavior but not made to feel like they are singled out, lest someone pick on them. Virtually no one seems willing to speak to Muslims about this issue as if they are just people. In part, that's because our politicians and policymakers do not themselves seem to understand why they prioritize jihadist terrorism over other forms of violence. The reason jihadist terrorism is treated as a greater national security threat than racism and other forms of extremism has nothing to do with the nature of Islamist states or a failure to accept Muslims as part of the American family. It is as simple as this: Terrorists aligned with al Qaeda and related movements have proven themselves **willing and able to** plan and **carry out mass casualty attacks** on a consistent basis; other extremists, thus far, have not. It's true that considerably more Americans have died on U.S. soil at the hands of racists than jihadists during the last ten years. But these attacks are generally categorized as hate crimes and receive less media coverage, primarily because most of them consist of individuals targeting other individuals. It really is that simple. Glenn Beck may fear Muslims, and Newt Gingrich may suspect them of plotting to impose shariah law on America, but neither viewpoint would be part of our national discourse if not for 9/11. And Obama would not be introducing a strategy to combat violent extremism if not for the ongoing threat of a mass casualty event. We should not be complacent and assume that white supremacists and other extremists will never develop the will to carry out mass casualty attacks on a consistent basis. But the fact is that over the last 10 years, the majority of specific and credible plots to perpetrate mass casualty events have originated within the tiny fraction of 1 percent of the Muslim community that accepts al Qaeda's tactics. It is appropriate for law enforcement and intelligence agencies to single out individuals who possess the inclination and the capability to kill dozens or hundreds of people at a time. That is what drives the use of informants, drones, and other extraordinary tactics. That is why the government pursues al Qaeda and its adherents with such laser focus. But let's be clear: al Qaeda adherents are targeted because of their tactical focus on mass casualties, not because they are Islamists and not because they are Muslims. The fact that they are found among Muslims is an unavoidable reality, as is the corollary that law enforcement activities countering al Qaeda will take place among Muslims. Discrimination against Muslims in this country is unfortunately real. And it is unfortunately true that some American Muslims mix their religion and politics in ways that makes other Americans uncomfortable. But neither of these facts is responsible for -- or even all that relevant to -- America's focus on combating al Qaeda. Unfortunately, the talking points have taken possession of our politicians. It is unnecessary and counterproductive to treat the broad community of American Muslims as if they are monsters to be feared or children to be placated. It's time to start talking to them as what they are -- Americans who can handle a frank conversation about the safety of Americans.

# 2NC

## T

### Authority Definition

#### War powers are defined as the authority to direct the introduction of armed forces into hostilities

Miksha 3 Andre, Chief Deputy Prosecuting Attorney at Hamilton County Prosecutor's Office, JD from Valparaiso University, “NOTE: Declaring War on the War Powers Resolution”, Spring, 37 Val. U.L. Rev. 651, Lexis

Fearing the tyranny of a legislature or the tyranny of a single executive, the Framers of the Constitution sought to separate the powers of the government through a system of checks and balances. n6 War powers are no different. n7 War powers can be defined as the authority to direct the introduction of the armed forces into hostilities. n8 Congress is an integral part in the war powers design in our limited, constitutional government. n9

### Surrender Defintion

#### Surrender is only the cessation of fighting – has nothing to do with authority. Also, probably means we give AQ a bunch of weapons

Wikipedia, 2013, “Surrender (military),” http://en.wikipedia.org/wiki/Surrender\_(military)

Surrender is the cessation of fighting by soldiers, naval craft, nations, or other combatants and they eventually become prisoners of war, either as individuals or when ordered to by their officers. A white flag or handkerchief is a common symbol of surrender, as is the gesture of raising one's hands empty and open above one's head. When a tank commander is surrendering, the tank's turret should be turned opposite the direction of the opposing forces. Normally, a surrender will involve the handing over of weapons; in European warfare of earlier centuries, the commanding officer of a surrendering force would specifically offer up his sword to the victorious commander. Flags and ensigns are hauled down or furled, and ships' colours are struck to signal a surrender. When the parties agree to terms, the surrender may be conditional, i.e., if the surrendering party promises to submit only after the victor makes certain promises. Otherwise it is a surrender at discretion (unconditional surrender); the victor makes no promises of treatment other than those provided by the laws and customs of war – most of which are laid out in the Hague Convention of 1907 and the Geneva Conventions. Normally a belligerent will only agree to surrender unconditionally if completely incapable of continuing hostilities. The Third Geneva Convention states that prisoners of war should not be mistreated or abused. United States Army policy, for example, requires that surrendered persons should be secured and safeguarded while being evacuated from the battlefield. Similar regulations exist in most modern militaries. Entire nations can also surrender in an attempt to end a war or military conflict. This is done through an unconditional capitulation or the signing of a treaty, such as an armistice or peace treaty.

### T

#### Standards —

Predictability — they derive advantages from surrender — that’s not a topical mechanism — hurts clash

Limits — they create a slew of new mechanisms — only defining restriction narrowly

It’s extra T at best — the plan text mandates the action of surrender — that might end a war, but it doesn’t curtail war powers.

#### Increase is to add to. We add to the federal investment in transportation infrastructure.

**Dictionary.com 6**(Dictionary.com: definitions, 11/3/2006, dictionary.reference.com, DA 6/21/11, OST)

To make greater, as in number, size, strength, or quality; augment; add to: to increase taxes.

#### Statutory means set by laws

Vocabulary 13 Vocabulary.com, “statutory,” accessed 7-23-2013, https://www.vocabulary.com/dictionary/statutory

If something is statutory, it is related to or set by laws or statutes. Statutory restrictions on air pollution require drivers to have the emissions from their cars check every few years.

You might wonder what the difference is between statutory and legal. Both are adjectives and both are concerned with the law. If something is legal, it is allowed by the law, whereas if it is statutory, it is regulated by law. In the negative, this is easier to understand. If something is not legal, the law says you can't do it. If something is not statutory, there are no laws regulating it.

#### Restrictions are limitations

Law.com 9

(“restriction”, The People's Law Dictionary by Gerald and Kathleen Hill (legal writers),

http://dictionary.law.com/Default.aspx?selected=1835&bold=restrict, accessed 9-9-9)

restriction

n. any limitation on activity, by statute, regulation or contract provision. In multi-unit real estate developments, condominium and cooperative housing projects managed by homeowners' associations or similar organizations, such organizations are usually required by state law to impose restrictions on use. Thus, the restrictions are part of the "covenants, conditions and restrictions" intended to enhance the use of common facilities and property which are recorded and incorporated into the title of each owner.

#### Authority refers to permission given to take an action

Ellen Taylor 96, Associate Professor, Georgia State University College of Law, NEW AND UNJUSTIFIED RESTRICTIONS ON DELAWARE DIRECTORS' AUTHORITY, 21 Del. J. Corp. L. 870

The term authority is commonly thought of in the context of the law of agency, and the Restatement (Second) of Agency defines both power and authority.'89 Power refers to an agent's ability or capacity to produce a change in a legal relation (whether or not the principal approves of the change), and authority refers to the power given (permission granted) to the agent by the principal to affect the legal relations of the principal; the distinction is between what the agent can do and what the agent may do.

b. Agency Concepts

Agency principles are relevant to at least two issues in the Paramount case: the Paramount board's power and authority to cause Paramount to enter into binding contracts with Viacom, and QVC's standing to sue Paramount to invalidate the contracts. Although they are technically neither agents nor trustees, directors have been described as agents of the corporation and its shareholders, n191 as trustees, n192 and as fiduciaries. n193

 [\*872]

Power and authority of the board. An agent is one who acts on behalf of a principal, and subject to the principal's control. n194 Agents have the power and authority to incur legal obligations that bind their principals. n195 This authority may be either expressly or impliedly communicated by the principal to the agent (actual authority), or expressly or impliedly communicated by the principal to a third party (apparent authority). n196 Agents frequently have power that exceeds their authority to act on behalf of their principals (inherent agency power). n197 Although acts outside an agent's actual authority may be wrongful, and may subject the agent to personal liability to the principal, the acts may legally bind the principal vis- -vis third parties. n198

#### Violation —

The action of surrendering isn’t topical — repealing the AUMF isn’t increasing a statutory restriction on authority.

### Limits Impact

Limits outweigh: smaller lit bases produce in depth research, which creates clash, improves pre-round education and in round critical thinking—every ground and education claim assumes a predictable limit so if we win this argument it indicts their idea of beneficial debate.

Jurisdiction — if we win they’re not T, can’t vote for them.

### Turns Case

#### Political deliberation about war powers promotes agency and decision-making---reciprocity and public debate facilitates mutual respect that lays the groundwork for cooperation on other issues

Dr. Amy Gutmann 4, President and Christopher H. Browne Distinguished Professor of Political Science in the School of Arts and Sciences and Professor of Communication in the Annenberg School for Communication University of Pennsylvania, AND Dennis Thompson, Alfred North Whitehead Professor of Political Philosophy in the Faculty of Arts and Sciences and in the John F. Kennedy School of Government, Emeritus Political Theory, "Why Deliberative Democracy?" press.princeton.edu/chapters/s7869.html

WHAT DELIBERATIVE DEMOCRACY MEANS¶ To go to war is the most consequential decision a nation can make. Yet most nations, even most democracies, have ceded much of the power to make that decision to their chief executives--to their presidents and prime ministers. Legislators are rarely asked or permitted to issue declarations of war. The decision to go to war, it would seem, is unfriendly territory for pursuing the kind of reasoned argument that characterizes political deliberation.¶ Yet when President George W. Bush announced that the United States would soon take military action against Saddam Hussein, he and his advisors recognized the need to justify the decision not only to the American people but also to the world community. Beginning in October 2002, the administration found itself engaged in argument with the U.S. Congress and, later, with the United Nations. During the months of preparation for the war, Bush and his colleagues, in many different forums and at many different times, sought to make the case for a preventive war against Iraq.1 Saddam Hussein, they said, was a threat to the United States because he had or could soon have weapons of mass destruction, and had supported terrorists who might have struck again against the United States. Further, he had tyrannized his own people and destabilized the Middle East.¶ In Congress and in the United Nations, critics responded, concurring with the judgment that Hussein was a terrible tyrant but challenging the administration on all its arguments in favor of going to war before exhausting the nonmilitary actions that might have controlled the threat. As the debate proceeded, it became clear that almost no one disagreed with the view that the world would be better off if Saddam Hussein no longer ruled in Iraq, but many doubted that he posed an imminent threat, and many questioned whether he actually supported the terrorists who had attacked or were likely to attack the United States.¶ This debate did not represent the kind of discussion that deliberative democrats hope for, and the deliberation was cut short once U.S. troops began their invasion in March 2003. Defenders and critics of the war seriously questioned one another's motives and deeply suspected that the reasons offered were really rationalizations for partisan politics. The administration, for its part, declined to wait until nonmilitary options had been exhausted, when a greater moral consensus might have been reached. But the remarkable fact is that even under the circumstances of war, and in the face of an alleged imminent threat, the government persisted in attempting to justify its decision, and opponents persevered in responding with reasoned critiques of a preventive war.¶ The critics are probably right that no amount of deliberation would have prevented the war, and the supporters are probably right that some critics would never have defended going to war even if other nonmilitary sanctions had ultimately failed. Yet the deliberation that did occur laid the foundation for a more sustained and more informative debate after the U.S. military victory than would otherwise have taken place**. Because the administration had given reasons** (such as the threat of the weapons of mass destruction) for taking action, **critics had more basis to continue to dispute the original decision, and to challenge the administration's judgment. The imperfect deliberation that preceded the war** prepared the ground for the less imperfect deliberation that followed.¶ Thus even in a less than friendly environment, deliberative democracy makes an appearance, and with some effect. Both the advocates and the foes of the war acted as if they recognized an obligation to justify their views to their fellow citizens. (**That their motives were political or partisan is less important than that their actions were responsive to this obligation.**) This problematic episode can help us discern the defining characteristics of deliberative democracy if we attend to both the presence and the absence of those characteristics in the debate about the war.¶ What Is Deliberative Democracy?¶ Most fundamentally, deliberative democracy affirms the need to justify decisions made by citizens and their representatives. Both are expected to justify the laws they would impose on one another. In a democracy, leaders should therefore give reasons for their decisions, and respond to the reasons that citizens give in return. But not all issues, all the time, require deliberation. Deliberative democracy makes room for many other forms of decision-making (including bargaining among groups, and secret operations ordered by executives), as long as the use of these forms themselves is justified at some point in a deliberative process. Its first and most important characteristic, then, is its reason-giving requirement.¶ The reasons that deliberative democracy asks citizens and their representatives to give should appeal to principles that individuals who are trying to find fair terms of cooperation cannot reasonably reject. The reasons are neither merely procedural ("because the majority favors the war") nor purely substantive ("because the war promotes the national interest or world peace"). They are reasons that should be accepted by free and equal persons seeking fair terms of cooperation.¶ The moral basis for this reason-giving process is common to many conceptions of democracy**. Persons should be treated not merely as objects of legislation, as passive subjects to be ruled, but as** autonomous agents **who take part in the governance of their own society, directly or through their representatives.** In deliberative democracy an important way these agents take part is by presenting and responding to reasons, or by demanding that their representatives do so, with the aim of justifying the laws under which they must live together. The reasons are meant both to produce a justifiable decision and to express the value of mutual respect. It is not enough that citizens assert their power through interest-group bargaining, or by voting in elections. No one seriously suggested that the decision to go to war should be determined by logrolling, or that it should be subject to a referendum. Assertions of power and expressions of will, though obviously a key part of democratic politics, still need to be justified by reason. When a primary reason offered by the government for going to war turns out to be false, or worse still deceptive, then not only is the government's justification for the war called into question, so also is its respect for citizens.¶ A second characteristic of deliberative democracy is that the reasons given in this process should be accessible to all the citizens to whom they are addressed. To justify imposing their will on you, your fellow citizens must give reasons that are comprehensible to you. If you seek to impose your will on them, you owe them no less. This form of reciprocity means that the reasons must be public in two senses. First, the deliberation itself must take place in public**, not merely in the privacy of one's mind.** In this respect deliberative democracy stands in contrast to Rousseau's conception of democracy, in which individuals reflect on their own on what is right for the society as a whole, and then come to the assembly and vote in accordance with the general will.2¶ The other sense in which the reasons must be public concerns their content. A deliberative justification does not even get started if those to whom it is addressed cannot understand its essential content. It would not be acceptable, for example, to appeal only to the authority of revelation, whether divine or secular in nature. Most of the arguments for going to war against Iraq appealed to evidence and beliefs that almost anyone could assess. Although President Bush implied that he thought God was on his side, he did not rest his argument on any special instructions from his heavenly ally (who may or may not have joined the coalition of the willing).¶ **Admittedly, some of the evidence on both sides of the debate was technical** (for example, the reports of the U.N. inspectors). But this is a common occurrence in modern government. Citizens often have to rely on experts. This does not mean that the reasons**, or the bases of the reasons,** are inaccessible. Citizens are justified in relying on experts if they describe the basis for their conclusions in ways that citizens can understand; and if the citizens have some independent basis for believing the experts to be trustworthy (such as a past record of reliable judgments, or a **decision-making structure that contains checks and balances by experts who have reason to exercise critical scrutiny over one another**).¶ To be sure, the Bush administration relied to some extent on secret intelligence to defend its decision. Citizens were not able at the time to assess the validity of this intelligence, and therefore its role in the administration's justification for the decision. In principle, using this kind of evidence does not necessarily violate the requirement of accessibility if good reasons can be given for the secrecy, and if opportunities for challenging the evidence later are provided. As it turned out in this case, the reasons were indeed challenged later, and found to be wanting. Deliberative democracy would of course have been better served if the reasons could have been challenged earlier.¶ **The third characteristic of deliberative democracy is that its process** aims at producing a decision that is binding **for some period of time**. **In this respect the deliberative process is not like a talk show or an academic seminar. The participants do not argue for argument's sake; they do not argue even for truth's own sake** (although the truthfulness of their arguments is a deliberative virtue because it is a necessary aim in justifying their decision). They intend their discussion to influence a decision the government will make, or a process that will affect how future decisions are made. At some point, the deliberation temporarily ceases, and the leaders make a decision. The president orders troops into battle, the legislature passes the law, or citizens vote for their representatives. Deliberation about the decision to go to war in Iraq went on for a long period of time, longer than most preparations for war. Some believed that it should have gone on longer (to give the U.N. inspectors time to complete their task). But at some point the president had to decide whether to proceed or not. Once he decided, deliberation about the question of whether to go to war ceased.¶ Yet deliberation about a seemingly similar but significantly different question continued: was the original decision justified? Those who challenged the justification for the war of course did not think they could undo the original decision. They were trying to cast doubt on the competence or judgment of the current administration. They were also trying to influence future decisions--to press for involving the United Nations and other nations in the reconstruction effort, or simply to weaken Bush's prospects for reelection.¶ This continuation of debate illustrates the fourth characteristic of deliberative democracy--its process is dynamic. Although deliberation aims at a justifiable decision, it does not presuppose that the decision at hand will in fact be justified, let alone that a justification today will suffice for the indefinite future. **It keeps open the** possibility of a continuing dialogue**, one in which citizens can criticize previous decisions and move ahead on the basis of that criticism**. Although a decision must stand for some period of time, it is provisional in the sense that it must be open to challenge at some point in the future. This characteristic of deliberative democracy is neglected even by most of its proponents. (We discuss it further below in examining the concept of provisionality.)¶ Deliberative democrats care as much about what happens after a decision is made as about what happens before. Keeping the decision-making process open in this way--recognizing that its results are provisional--is important for two reasons. First, **in politics as in much of practical life, decision-making processes and the human understanding upon which they depend are imperfect.** We therefore cannot be sure that the decisions we make today will be correct tomorrow, and even the decisions that appear most sound at the time may appear less justifiable in light of later evidence. Even in the case of those that are irreversible, like the decision to attack Iraq, reappraisals can lead to different choices later than were planned initially. Second, **in politics most decisions are not consensual. Those citizens and representatives who disagreed with the original decision are more likely to accept it if they believe they have a chance to reverse or modify it in the future. And they are more likely to be able to do so if they have a chance to keep making arguments**.¶ One important implication of this dynamic feature of deliberative democracy is that the continuing debate it requires should observe what we call the principle of the economy of moral disagreement**. In giving reasons for their decisions, citizens and their representatives should try to find justifications that** minimize their differences with their opponents. Deliberative democrats do not expect deliberation always or even usually to yield agreement. How citizens deal with the disagreement that is endemic in political life should therefore be a central question in any democracy. Practicing the economy of moral disagreement promotes the value of mutual respect (which is at the core of deliberative democracy). By economizing on their disagreements, citizens and their representatives can continue to work together to find common ground, if not on the policies that produced the disagreement, then on related policies about which they stand a greater chance of finding agreement. Cooperation on the reconstruction of Iraq does not require that the parties at home and abroad agree about the correctness of the original decision to go to war. Questioning the patriotism of critics of the war, or opposing the defense expenditures that are necessary to support the troops, does not promote an economy of moral disagreement.¶ Combining these four characteristics, we can define deliberative democracy as a form of government in which free and equal citizens (and their representatives), justify decisions in a process in which they give one another reasons that are mutually acceptable and generally accessible, with the aim of reaching conclusions that are binding in the present on all citizens but open to challenge in the future.3 This definition obviously leaves open a number of questions. We can further refine its meaning and defend its claims by considering to what extent deliberative democracy is democratic; what purposes it serves; why it is better than the alternatives; what kinds of deliberative democracy are justifiable; and how its critics can be answered.

### T Links

Only this authentic letting go is an act that create immediate, authentic, and lasting personal change.

the aff is the sort of painful self-examination that creates change

the affirmative represents both a political and a psychological shift—Yes, we think congress should actually surrender the war on terror, but we also think it’s a useful thought experiment for any American.

#### They’re making solvency claims about self—reflection and surrender’s overall political effects

Double bind — either they are extra topical based on telling you to advocate surrender more generally, or they don’t spill over and their terminal impacts are inevitable.

### AT: Reasonability

Competing interps create a race to the top — find most defensible definitions.

They’re unreasonable — proven by the limits DA.

It’s arbitrary—reasonability is subjective which makes 2NR choice impossible.

### T Impacts

### 1NC Topic DA

#### Political deliberation about war powers promotes agency and decision-making---reciprocity and public debate facilitates mutual respect that lays the groundwork for cooperation on other issues

Dr. Amy Gutmann 4, President and Christopher H. Browne Distinguished Professor of Political Science in the School of Arts and Sciences and Professor of Communication in the Annenberg School for Communication University of Pennsylvania, AND Dennis Thompson, Alfred North Whitehead Professor of Political Philosophy in the Faculty of Arts and Sciences and in the John F. Kennedy School of Government, Emeritus Political Theory, "Why Deliberative Democracy?" press.princeton.edu/chapters/s7869.html

WHAT DELIBERATIVE DEMOCRACY MEANS¶ To go to war is the most consequential decision a nation can make. Yet most nations, even most democracies, have ceded much of the power to make that decision to their chief executives--to their presidents and prime ministers. Legislators are rarely asked or permitted to issue declarations of war. The decision to go to war, it would seem, is unfriendly territory for pursuing the kind of reasoned argument that characterizes political deliberation.¶ Yet when President George W. Bush announced that the United States would soon take military action against Saddam Hussein, he and his advisors recognized the need to justify the decision not only to the American people but also to the world community. Beginning in October 2002, the administration found itself engaged in argument with the U.S. Congress and, later, with the United Nations. During the months of preparation for the war, Bush and his colleagues, in many different forums and at many different times, sought to make the case for a preventive war against Iraq.1 Saddam Hussein, they said, was a threat to the United States because he had or could soon have weapons of mass destruction, and had supported terrorists who might have struck again against the United States. Further, he had tyrannized his own people and destabilized the Middle East.¶ In Congress and in the United Nations, critics responded, concurring with the judgment that Hussein was a terrible tyrant but challenging the administration on all its arguments in favor of going to war before exhausting the nonmilitary actions that might have controlled the threat. As the debate proceeded, it became clear that almost no one disagreed with the view that the world would be better off if Saddam Hussein no longer ruled in Iraq, but many doubted that he posed an imminent threat, and many questioned whether he actually supported the terrorists who had attacked or were likely to attack the United States.¶ This debate did not represent the kind of discussion that deliberative democrats hope for, and the deliberation was cut short once U.S. troops began their invasion in March 2003. Defenders and critics of the war seriously questioned one another's motives and deeply suspected that the reasons offered were really rationalizations for partisan politics. The administration, for its part, declined to wait until nonmilitary options had been exhausted, when a greater moral consensus might have been reached. But the remarkable fact is that even under the circumstances of war, and in the face of an alleged imminent threat, the government persisted in attempting to justify its decision, and opponents persevered in responding with reasoned critiques of a preventive war.¶ The critics are probably right that no amount of deliberation would have prevented the war, and the supporters are probably right that some critics would never have defended going to war even if other nonmilitary sanctions had ultimately failed. Yet the deliberation that did occur laid the foundation for a more sustained and more informative debate after the U.S. military victory than would otherwise have taken place**. Because the administration had given reasons** (such as the threat of the weapons of mass destruction) for taking action, **critics had more basis to continue to dispute the original decision, and to challenge the administration's judgment. The imperfect deliberation that preceded the war** prepared the ground for the less imperfect deliberation that followed.¶ Thus even in a less than friendly environment, deliberative democracy makes an appearance, and with some effect. Both the advocates and the foes of the war acted as if they recognized an obligation to justify their views to their fellow citizens. (**That their motives were political or partisan is less important than that their actions were responsive to this obligation.**) This problematic episode can help us discern the defining characteristics of deliberative democracy if we attend to both the presence and the absence of those characteristics in the debate about the war.¶ What Is Deliberative Democracy?¶ Most fundamentally, deliberative democracy affirms the need to justify decisions made by citizens and their representatives. Both are expected to justify the laws they would impose on one another. In a democracy, leaders should therefore give reasons for their decisions, and respond to the reasons that citizens give in return. But not all issues, all the time, require deliberation. Deliberative democracy makes room for many other forms of decision-making (including bargaining among groups, and secret operations ordered by executives), as long as the use of these forms themselves is justified at some point in a deliberative process. Its first and most important characteristic, then, is its reason-giving requirement.¶ The reasons that deliberative democracy asks citizens and their representatives to give should appeal to principles that individuals who are trying to find fair terms of cooperation cannot reasonably reject. The reasons are neither merely procedural ("because the majority favors the war") nor purely substantive ("because the war promotes the national interest or world peace"). They are reasons that should be accepted by free and equal persons seeking fair terms of cooperation.¶ The moral basis for this reason-giving process is common to many conceptions of democracy**. Persons should be treated not merely as objects of legislation, as passive subjects to be ruled, but as** autonomous agents **who take part in the governance of their own society, directly or through their representatives.** In deliberative democracy an important way these agents take part is by presenting and responding to reasons, or by demanding that their representatives do so, with the aim of justifying the laws under which they must live together. The reasons are meant both to produce a justifiable decision and to express the value of mutual respect. It is not enough that citizens assert their power through interest-group bargaining, or by voting in elections. No one seriously suggested that the decision to go to war should be determined by logrolling, or that it should be subject to a referendum. Assertions of power and expressions of will, though obviously a key part of democratic politics, still need to be justified by reason. When a primary reason offered by the government for going to war turns out to be false, or worse still deceptive, then not only is the government's justification for the war called into question, so also is its respect for citizens.¶ A second characteristic of deliberative democracy is that the reasons given in this process should be accessible to all the citizens to whom they are addressed. To justify imposing their will on you, your fellow citizens must give reasons that are comprehensible to you. If you seek to impose your will on them, you owe them no less. This form of reciprocity means that the reasons must be public in two senses. First, the deliberation itself must take place in public**, not merely in the privacy of one's mind.** In this respect deliberative democracy stands in contrast to Rousseau's conception of democracy, in which individuals reflect on their own on what is right for the society as a whole, and then come to the assembly and vote in accordance with the general will.2¶ The other sense in which the reasons must be public concerns their content. A deliberative justification does not even get started if those to whom it is addressed cannot understand its essential content. It would not be acceptable, for example, to appeal only to the authority of revelation, whether divine or secular in nature. Most of the arguments for going to war against Iraq appealed to evidence and beliefs that almost anyone could assess. Although President Bush implied that he thought God was on his side, he did not rest his argument on any special instructions from his heavenly ally (who may or may not have joined the coalition of the willing).¶ **Admittedly, some of the evidence on both sides of the debate was technical** (for example, the reports of the U.N. inspectors). But this is a common occurrence in modern government. Citizens often have to rely on experts. This does not mean that the reasons**, or the bases of the reasons,** are inaccessible. Citizens are justified in relying on experts if they describe the basis for their conclusions in ways that citizens can understand; and if the citizens have some independent basis for believing the experts to be trustworthy (such as a past record of reliable judgments, or a **decision-making structure that contains checks and balances by experts who have reason to exercise critical scrutiny over one another**).¶ To be sure, the Bush administration relied to some extent on secret intelligence to defend its decision. Citizens were not able at the time to assess the validity of this intelligence, and therefore its role in the administration's justification for the decision. In principle, using this kind of evidence does not necessarily violate the requirement of accessibility if good reasons can be given for the secrecy, and if opportunities for challenging the evidence later are provided. As it turned out in this case, the reasons were indeed challenged later, and found to be wanting. Deliberative democracy would of course have been better served if the reasons could have been challenged earlier.¶ **The third characteristic of deliberative democracy is that its process** aims at producing a decision that is binding **for some period of time**. **In this respect the deliberative process is not like a talk show or an academic seminar. The participants do not argue for argument's sake; they do not argue even for truth's own sake** (although the truthfulness of their arguments is a deliberative virtue because it is a necessary aim in justifying their decision). They intend their discussion to influence a decision the government will make, or a process that will affect how future decisions are made. At some point, the deliberation temporarily ceases, and the leaders make a decision. The president orders troops into battle, the legislature passes the law, or citizens vote for their representatives. Deliberation about the decision to go to war in Iraq went on for a long period of time, longer than most preparations for war. Some believed that it should have gone on longer (to give the U.N. inspectors time to complete their task). But at some point the president had to decide whether to proceed or not. Once he decided, deliberation about the question of whether to go to war ceased.¶ Yet deliberation about a seemingly similar but significantly different question continued: was the original decision justified? Those who challenged the justification for the war of course did not think they could undo the original decision. They were trying to cast doubt on the competence or judgment of the current administration. They were also trying to influence future decisions--to press for involving the United Nations and other nations in the reconstruction effort, or simply to weaken Bush's prospects for reelection.¶ This continuation of debate illustrates the fourth characteristic of deliberative democracy--its process is dynamic. Although deliberation aims at a justifiable decision, it does not presuppose that the decision at hand will in fact be justified, let alone that a justification today will suffice for the indefinite future. **It keeps open the** possibility of a continuing dialogue**, one in which citizens can criticize previous decisions and move ahead on the basis of that criticism**. Although a decision must stand for some period of time, it is provisional in the sense that it must be open to challenge at some point in the future. This characteristic of deliberative democracy is neglected even by most of its proponents. (We discuss it further below in examining the concept of provisionality.)¶ Deliberative democrats care as much about what happens after a decision is made as about what happens before. Keeping the decision-making process open in this way--recognizing that its results are provisional--is important for two reasons. First, **in politics as in much of practical life, decision-making processes and the human understanding upon which they depend are imperfect.** We therefore cannot be sure that the decisions we make today will be correct tomorrow, and even the decisions that appear most sound at the time may appear less justifiable in light of later evidence. Even in the case of those that are irreversible, like the decision to attack Iraq, reappraisals can lead to different choices later than were planned initially. Second, **in politics most decisions are not consensual. Those citizens and representatives who disagreed with the original decision are more likely to accept it if they believe they have a chance to reverse or modify it in the future. And they are more likely to be able to do so if they have a chance to keep making arguments**.¶ One important implication of this dynamic feature of deliberative democracy is that the continuing debate it requires should observe what we call the principle of the economy of moral disagreement**. In giving reasons for their decisions, citizens and their representatives should try to find justifications that** minimize their differences with their opponents. Deliberative democrats do not expect deliberation always or even usually to yield agreement. How citizens deal with the disagreement that is endemic in political life should therefore be a central question in any democracy. Practicing the economy of moral disagreement promotes the value of mutual respect (which is at the core of deliberative democracy). By economizing on their disagreements, citizens and their representatives can continue to work together to find common ground, if not on the policies that produced the disagreement, then on related policies about which they stand a greater chance of finding agreement. Cooperation on the reconstruction of Iraq does not require that the parties at home and abroad agree about the correctness of the original decision to go to war. Questioning the patriotism of critics of the war, or opposing the defense expenditures that are necessary to support the troops, does not promote an economy of moral disagreement.¶ Combining these four characteristics, we can define deliberative democracy as a form of government in which free and equal citizens (and their representatives), justify decisions in a process in which they give one another reasons that are mutually acceptable and generally accessible, with the aim of reaching conclusions that are binding in the present on all citizens but open to challenge in the future.3 This definition obviously leaves open a number of questions. We can further refine its meaning and defend its claims by considering to what extent deliberative democracy is democratic; what purposes it serves; why it is better than the alternatives; what kinds of deliberative democracy are justifiable; and how its critics can be answered.

#### Public deliberation facilitates an informed citizenry based on mutual respect and leads to better policies---shutting down switch-side debate is arrogant and ethically bankrupt

Dr. Amy Gutmann 4, President and Christopher H. Browne Distinguished Professor of Political Science in the School of Arts and Sciences and Professor of Communication in the Annenberg School for Communication University of Pennsylvania, AND Dennis Thompson, Alfred North Whitehead Professor of Political Philosophy in the Faculty of Arts and Sciences and in the John F. Kennedy School of Government, Emeritus Political Theory, "Why Deliberative Democracy?" press.princeton.edu/chapters/s7869.html

 What Purposes Does Deliberative Democracy Serve?¶ The general aim of deliberative democracy is to provide the most justifiable conception for dealing with moral disagreement in politics. In pursuing this aim, deliberative democracy serves four related purposes. The first is to promote the legitimacy of collective decisions. This aim is a response to one of the sources of moral disagreement--scarcity of resources. Citizens would not have to argue about how best to distribute health care or who should receive organ transplants if these goods and services were unlimited. In the face of scarcity, deliberation can help those who do not get what they want, or even what they need, to come to accept the legitimacy of a collective decision.¶ The hard choices that public officials have to make should be more acceptable, even to those who receive less than they deserve, if everyone's claims have been considered on the merits, rather than on the basis of the party's bargaining power. Even with regard to decisions with which many disagree, most of us take one attitude toward those that are adopted after careful consideration of the relevant conflicting moral claims, and quite a different attitude toward those that are adopted merely by virtue of the relative strength of competing political interests.¶ The second purpose of deliberation is to encourage public-spirited perspectives on public issues. This aim responds to another source of moral disagreement--limited generosity. Few people are inclined to be wholly altruistic when they are arguing about contentious issues of public policy, such as defense spending or health-care priorities. **Deliberation in well-constituted forums responds to this limited generosity by encouraging participants to take a broader perspective on questions of common interest.**¶ To be sure, politicians are not automatically transformed from representatives of special interests into trustees of the public interest as a result of talking to one another. The background conditions in which the deliberation takes place are critical. **Deliberation is more likely to succeed to the extent that the deliberators are well informed, have relatively equal resources, and take seriously their opponents' views**. But even when the background conditions are unfavorable (as they often are), citizens are more likely to take a broader view of issues in a process in which moral reasons are traded than in a process in which political power is the only currency.¶ The third purpose of deliberation is to promote mutually respectful processes of decision-making. It responds to an often neglected source of moral disagreement--incompatible moral values. Even fully altruistic individuals trying to decide on the morally best standards for governing a society of abundance would not be able to reconcile some moral conflicts beyond a reasonable doubt. They would still confront, for example, the problem of abortion, which pits the value of life against the value of liberty. Even issues of national security can pose questions about which people can reasonably disagree--under what conditions is a nation justified in starting a war, on its own, against another nation?¶ Deliberation cannot make incompatible values compatible, but it can help participants recognize the moral merit in their opponents' claims when those claims have merit. It can also help deliberators distinguish those disagreements that arise from genuinely incompatible values from those that can be more resolvable than they first appear. And it can support other practices of mutual respect, such as the economy of moral disagreement described earlier.¶ Inevitably, citizens and officials make some mistakes when they take collective actions. The fourth purpose of deliberation is to help correct these mistakes. This aim is a response to the fourth source of disagreement, incomplete understanding. A well-constituted deliberative forum provides an opportunity for advancing both individual and collective understanding. Through the give-and-take of argument, participants can learn from each other, come to recognize their individual and collective misapprehensions, and develop new views and policies that can more successfully withstand critical scrutiny. When citizens bargain and negotiate, they may learn how better to get what they want. But when they deliberate, they can expand their knowledge, including both their self-understanding and their collective understanding of what will best serve their fellow citizens.¶ It is all too easy to assume that we already know what constitutes the best resolution of a moral conflict, and do not need to deliberate with our fellow citizens. To presume that we know what the right resolution is before we hear from others who will also be affected by our decisions is not only arrogant but also unjustified in light of the complexity of the issues and interests that are so often at stake. **If we refuse to give deliberation a chance, not only do we forsake the possibility of arriving at a genuine moral compromise but we also give up the most defensible ground we could have for maintaining an uncompromising position: that we have fairly tested our views against those of others.**¶ Tugging on the coattails of Thomas Jefferson, a little boy (in a New Yorker cartoon) once asked: "If you take those truths to be self-evident, then why do you keep on harping on them so much?" The answer from a deliberative perspective is that such claims deserve their status as self-evident truths for the purposes of collective action only if they can withstand challenge in a public forum. Jefferson himself argued for open deliberative forums, indeed even periodic constitutional conventions, in which citizens could contest conventional wisdom.11 An implication of taking the problem of incomplete understanding seriously is that the results of the deliberative process should be regarded as provisional. Some results are rightly regarded as more settled than others. We do not have to reargue the question of slavery every generation. But the justification for regarding such results as settled is that they have met the deliberative challenge in the past, and there is no reason to believe that they could not do so today.¶ Why Is Deliberative Democracy Better Than Aggregative Democracy?¶ **To appreciate the value of deliberative democracy, we need to consider the alternatives**. Obviously, there are many conceptions of democracy, and many moral theories that support these conceptions. To begin, we should distinguish first- and second-order theories.12 First-order theories seek to resolve moral disagreement by demonstrating that alternative theories and principles should be rejected. The aim of each is to be the lone theory capable of resolving moral disagreement. The most familiar theories of justice--utilitarianism, libertarianism, liberal egalitarianism, communitarianism--are first-order theories in this sense. Each theory claims to resolve moral conflict, but does so in ways that require rejecting the principles of its rivals. In contrast, deliberative democracy is best understood as a second-order theory. Second-order theories are about other theories in the sense that they provide ways of dealing with the claims of conflicting first-order theories. They make room for continuing moral conflict that first-order theories purport to eliminate. They can be held consistently without rejecting a wide range of moral principles expressed by first-order theories. Deliberative democracy's leading rivals among second-order theories are what are known as aggregative conceptions of democracy.13¶ The deliberative conception, as we have indicated, considers the reasons that citizens and their representatives give for their expressed preferences. It asks for justifications. The aggregative conception, by contrast, takes the preferences as given (though some versions would correct preferences based on misinformation). It requires no justification for the preferences themselves, but seeks only to combine them in various ways that are efficient and fair. Some preferences may be discounted or even rejected, but only because they do not produce an optimal result, not because they are not justified by reasons.

#### Public deliberation unites citizens and politicians to lead to better decision-making and policies

Dr. Amy Gutmann 4, President and Christopher H. Browne Distinguished Professor of Political Science in the School of Arts and Sciences and Professor of Communication in the Annenberg School for Communication University of Pennsylvania, AND Dennis Thompson, Alfred North Whitehead Professor of Political Philosophy in the Faculty of Arts and Sciences and in the John F. Kennedy School of Government, Emeritus Political Theory, "Why Deliberative Democracy?" press.princeton.edu/chapters/s7869.html

 **In the face of disagreement, deliberative democracy tells citizens and their representatives to continue to reason together.** If the disagreement is resolvable on reciprocal terms, deliberation is more likely than aggregation to produce agreement. If it is not so resolvable, deliberation is more likely than aggregation to produce justifiable agreement in the future, and to promote mutual respect when no agreement is possible. By engaging in deliberation, citizens acknowledge the possibility that they may change their preferences. The preferences that they assert now may not be the preferences they find they wish to express later. The very nature of the deliberative process of justification sends a signal that its participants are willing to enter into a dialogue in which the reasons given, and the reasons responded to, have the capacity to change minds.¶ On many disagreements, especially reasonable ones, people will not change their minds, no matter how respectfully they deliberate with their opponents. If citizens persist in defending the position with which they began, what difference does it make if they come to regard their opponents' positions as morally reasonable? This thicker kind of respect encourages citizens to consider their opponents' positions on the merits, rather than to try to explain them as products of unfavorable conditions, such as impaired judgment, misguided motives, or cultural influences. Such an attitude is more conducive to appreciating that even benevolent and intelligent but fallible people are likely to disagree on morally difficult matters such as military intervention and heath-care policy--as well as abortion, capital punishment, affirmative action, and many other overtly moral issues. Moreover, considering positions on their merits generally builds a stronger basis for respect for persons than explaining positions as a product of unfavorable conditions. Certainly, some disagreements are the result of such conditions, and when a position can be shown to be justifiable mainly from a perspective that depends on such conditions, mutual respect (of both persons and positions) does not prevent, and may require, that the critics of the position point out its defective origins. But in the absence of a specific showing of this kind, the presumption of respectful deliberation is that positions should be challenged on their merits.¶ What Kind of Deliberative Democracy?¶ Deliberative democrats have to deal with another kind of disagreement--not among citizens but among themselves. They disagree about the value, status, aims, and scope of deliberation, and their disagreements yield different versions of the theory of deliberative democracy. Some of these differences, we suggest, can be reconciled, and some cannot. In either case, recognizing the differences can help clarify the nature of both the theory and the practice of deliberative democracy.¶ Instrumental or Expressive?¶ Deliberative democrats disagree about whether deliberation has only instrumental value, as a means of arriving at good policies, or whether it also has expressive value, as a manifestation of mutual respect among citizens. On the instrumental view (sometimes called the epistemic view), deliberating about political issues has no value in itself. It is valuable only to the extent that it enables citizens to make the most justifiable political decisions.20 On the expressive view of deliberation, significant value resides in the act of justifying laws and public policies to the people who are bound by them.21 By deliberating with one another, decision-makers manifest mutual respect toward their fellow citizens.¶ When the Oregon Commission consulted with community members about alternative proposals for funding health-care services, citizens could reasonably expect that Commission members would arrive at better outcomes than when they decided, without public deliberation, to rank capping teeth above treating acute appendicitis. The same citizens could also reasonably believe that the Commission's deliberation promoted a value basic to any democratic government--the expression of mutual respect between decision-makers and their fellow citizens. By their willingness to exchange views before rendering a binding decision, the commission members treated their fellow Oregonians as subjects, not merely objects, of decision-making. Had the Commission acted without deliberation, the value of this expression of mutual respect would have been lost, however correct or just the policy might have been.¶ These two views of the values that deliberative democracy is supposed to promote are not incompatible. Indeed, any adequate theory must recognize both. If deliberation tended to produce worse decisions than other processes in the long run, then it would not serve the expressive purpose. A process that generally produced bad outcomes would hardly express mutual respect. Citizens might participate on equal terms, but with results that few would see as worthy. The value would at best be like the faint satisfaction that players feel on a team that constantly loses its games. The instrumental view reminds us that because the stakes of political decision-making are high, and deliberation is a time-consuming activity, a deliberative process should contribute to fulfilling the central political function of making good decisions and laws.¶ But if we were to regard deliberation as only instrumental, we would fail to recognize the moral significance of the political fact that the decisions of government bind people other than the decision-makers themselves. Political officials cannot rightly decide an issue simply by claiming that they know that their preferred policies are right for their fellow citizens. They need to seek the views of those citizens who have to live with the results of the policies. When binding decisions are routinely made without deliberation, the government not only conveys disrespect for citizens, but also exposes its lack of adequate justification for imposing the decision on them. Furthermore, there is a practical reason for officials to recognize the **expressive value of deliberation**: they can thereby increase the likelihood not only of discovering but also of implementing good public policy**. If citizens perceive that their views are not being respected, they may seek to block otherwise good policies.**¶ If **political deliberation tends to produce better decisions in the long run**, and if political decision-makers in a democracy owe justifications to those who are bound by their decisions, then the instrumental and expressive rationales for deliberation can be mutually supportive. By deliberating with their fellow citizens, decision-makers can arrive at better, more adequately justified decisions and, in the process, express mutual respect among free and equal citizens.¶ The instrumental and expressive values cannot of course be reconciled in practice in every particular case. A deliberative process that otherwise expresses mutual respect can nonetheless produce an unjust outcome. And a nondeliberative process can produce a more nearly just result in some cases. **Yet deliberative democracy, as we shall see, has the capacity both to criticize unjust outcomes and to recognize its own limits.** In this way it tends, over time, to reconcile its own instrumental and expressive values.

## CP

### 2NC—Condo Good

#### Counter-interpretation—one conditional CP/one conditional critique.

Standards—

Argument Innovation—debaters are risk-averse—a fallback strategy encourages introduction of new positions—solves research skills.

Neg Flex—in-round testing is critical to balance aff prep.

Nuanced Advocacy—contradictory positions force aff defense of the political middle-ground through specific solvency deficits—prevents ideological extremism.

Strategic Thinking—causes introduction of the best arguments—necessitates intelligent coverage decisions—key to info processing and argument evaluation.

[If Dispo] Logic—a decision maker can always chose the status quo.

Substance crowd-out—re-appropriating time spent on condo solves fairness offense.

High Threshold—the 2AR is reactive and persuasive—theory has a 1-to-5 time trade-off—unless we make debate impossible, vote neg.

Defense—

Fairness impossible—resource and coaching differentials—no terminal impact—no one quits b/c of the process CP.

Skew inevitable—DAs and T

Contradictions inevitable—Security K and Deterrence DA

2NR collapse solves depth.

Cheating strategies lose to theory & competition args.

Judge is a referee—potential abuse isn’t a voter—blaming us for other teams behavior is unfair—voting down abuse solves their offence.

## Flex

### Ovw

#### Senkaku conflict is on the brink --- quick U.S. intervention is key to prevent global nuclear escalation

Klare 13 Michael is the Five College professor of peace and world security studies @ Hampshire College. He holds a Ph.D. from the Graduate School of the Union Institute. “The Next War, 1/23, http://www.realclearworld.com/articles/2013/01/23/the\_next\_war\_100500.html

Don't look now, but conditions are deteriorating in the western Pacific. Things are turning ugly, with consequences that could prove deadly and spell catastrophe for the global economy.¶ In Washington, it is widely assumed that a showdown with Iran over its nuclear ambitions will be the first major crisis to engulf the next secretary of defense -- whether it be former Senator Chuck Hagel, as President Obama desires, or someone else if he fails to win Senate confirmation. With few signs of an imminent breakthrough in talks aimed at peacefully resolving the Iranian nuclear issue, many analysts believe that military action -- if not by Israel, then by the United States -- could be on this year's agenda.¶ Lurking just behind the Iranian imbroglio, however, is a potential crisis of far greater magnitude, and potentially far more imminent than most of us imagine. China's determination to assert control over disputed islands in the potentially energy-rich waters of the East and South China Seas, in the face of stiffening resistance from Japan and the Philippines along with greater regional assertiveness by the United States, spells trouble not just regionally, but potentially globally.¶ Islands, Islands, Everywhere¶ The possibility of an Iranian crisis remains in the spotlight because of the obvious risk of disorder in the Greater Middle East and its threat to global oil production and shipping. A crisis in the East or South China Seas (essentially, western extensions of the Pacific Ocean) would, however, pose a greater peril because of the possibility of a U.S.-China military confrontation and the threat to Asian economic stability.¶ The United States is bound by treaty to come to the assistance of Japan or the Philippines if either country is attacked by a third party, so any armed clash between Chinese and Japanese or Filipino forces could trigger American military intervention. With so much of the world's trade focused on Asia, and the American, Chinese, and Japanese economies tied so closely together in ways too essential to ignore, a clash of almost any sort in these vital waterways might paralyze international commerce and trigger a global recession (or worse).¶ All of this should be painfully obvious and so rule out such a possibility -- and yet the likelihood of such a clash occurring has been on the rise in recent months, as China and its neighbors continue to ratchet up the bellicosity of their statements and bolster their military forces in the contested areas. Washington's continuing statements about its ongoing plans for a "pivot" to, or "rebalancing" of, its forces in the Pacific have only fueled Chinese intransigence and intensified a rising sense of crisis in the region. Leaders on all sides continue to affirm their country's inviolable rights to the contested islands and vow to use any means necessary to resist encroachment by rival claimants. In the meantime, China has increased the frequency and scale of its naval maneuvers in waters claimed by Japan, Vietnam, and the Philippines, further enflaming tensions in the region.¶ Ostensibly, these disputes revolve around the question of who owns a constellation of largely uninhabited atolls and islets claimed by a variety of nations. In the East China Sea, the islands in contention are called the Diaoyus by China and the Senkakus by Japan. At present, they are administered by Japan, but both countries claim sovereignty over them. In the South China Sea, several island groups are in contention, including the Spratly chain and the Paracel Islands (known in China as the Nansha and Xisha Islands, respectively). China claims all of these islets, while Vietnam claims some of the Spratlys and Paracels. Brunei, Malaysia, and the Philippines also claim some of the Spratlys.¶ Far more is, of course, at stake than just the ownership of a few uninhabited islets. The seabeds surrounding them are believed to sit atop vast reserves of oil and natural gas. Ownership of the islands would naturally confer ownership of the reserves -- something all of these countries desperately desire. Powerful forces of nationalism are also at work: with rising popular fervor, the Chinese believe that the islands are part of their national territory and any other claims represent a direct assault on China's sovereign rights; the fact that Japan -- China's brutal invader and occupier during World War II -- is a rival claimant to some of them only adds a powerful tinge of victimhood to Chinese nationalism and intransigence on the issue. By the same token, the Japanese, Vietnamese, and Filipinos, already feeling threatened by China's growing wealth and power, believe no less firmly that not bending on the island disputes is an essential expression of their nationhood.¶ Long ongoing, these disputes have escalated recently. In May 2011, for instance, the Vietnamese reported that Chinese warships were harassing oil-exploration vessels operated by the state-owned energy company PetroVietnam in the South China Sea. In two instances, Vietnamese authorities claimed, cables attached to underwater survey equipment were purposely slashed. In April 2012, armed Chinese marine surveillance ships blocked efforts by Filipino vessels to inspect Chinese boats suspected of illegally fishing off Scarborough Shoal, an islet in the South China Sea claimed by both countries.¶ The East China Sea has similarly witnessed tense encounters of late. Last September, for example, Japanese authorities arrested 14 Chinese citizens who had attempted to land on one of the Diaoyu/Senkaku Islands to press their country's claims, provoking widespread anti-Japanese protests across China and a series of naval show-of-force operations by both sides in the disputed waters.¶ Regional diplomacy, that classic way of settling disputes in a peaceful manner, has been under growing strain recently thanks to these maritime disputes and the accompanying military encounters. In July 2012, at the annual meeting of the Association of Southeast Asian Nations (ASEAN), Asian leaders were unable to agree on a final communiqué, no matter how anodyne -- the first time that had happened in the organization's 46-year history. Reportedly, consensus on a final document was thwarted when Cambodia, a close ally of China's, refused to endorse compromise language on a proposed "code of conduct" for resolving disputes in the South China Sea. Two months later, when Secretary of State Hillary Rodham Clinton visited Beijing in an attempt to promote negotiations on the disputes, she was reviled in the Chinese press, while officials there refused to cede any ground at all.¶ As 2012 ended and the New Year began, the situation only deteriorated. On December 1st, officials in Hainan Province, which administers the Chinese-claimed islands in the South China Sea, announced a new policy for 2013: Chinese warships would now be empowered to stop, search, or simply repel foreign ships that entered the claimed waters and were suspected of conducting illegal activities ranging, assumedly, from fishing to oil drilling. This move coincided with an increase in the size and frequency of Chinese naval deployments in the disputed areas.¶ On December 13th, the Japanese military scrambled F-15 fighter jets when a Chinese marine surveillance plane flew into airspace near the Diaoyu/Senkaku Islands. Another worrisome incident occurred on January 8th, when four Chinese surveillance ships entered Japanese-controlled waters around those islands for 13 hours. Two days later, Japanese fighter jets were again scrambled when a Chinese surveillance plane returned to the islands. Chinese fighters then came in pursuit, the first time supersonic jets from both sides flew over the disputed area. The Chinese clearly have little intention of backing down, having indicated that they will increase their air and naval deployments in the area, just as the Japanese are doing.¶ Powder Keg in the Pacific¶ While war clouds gather in the Pacific sky, the question remains: Why, pray tell, is this happening now?¶ Several factors seem to be conspiring to heighten the risk of confrontation, including leadership changes in China and Japan, and a geopolitical reassessment by the United States.¶ \* In China, a new leadership team is placing renewed emphasis on military strength and on what might be called national assertiveness. At the 18th Party Congress of the Chinese Communist Party, held last November in Beijing, Xi Jinping was named both party head and chairman of the Central Military Commission, making him, in effect, the nation's foremost civilian and military official. Since then, Xi has made several heavily publicized visits to assorted Chinese military units, all clearly intended to demonstrate the Communist Party's determination, under his leadership, to boost the capabilities and prestige of the country's army, navy, and air force. He has already linked this drive to his belief that his country should play a more vigorous and assertive role in the region and the world.¶ In a speech to soldiers in the city of Huizhou, for example, Xi spoke of his "dream" of national rejuvenation: "This dream can be said to be a dream of a strong nation; and for the military, it is the dream of a strong military." Significantly, he used the trip to visit the Haikou, a destroyer assigned to the fleet responsible for patrolling the disputed waters of the South China Sea. As he spoke, a Chinese surveillance plane entered disputed air space over the Diaoyu/Senkaku islands in the East China Sea, prompting Japan to scramble those F-15 fighter jets.¶ \* In Japan, too, a new leadership team is placing renewed emphasis on military strength and national assertiveness. On December 16th, arch-nationalist Shinzo Abe returned to power as the nation's prime minister. Although he campaigned largely on economic issues, promising to revive the country's lagging economy, Abe has made no secret of his intent to bolster the Japanese military and assume a tougher stance on the East China Sea dispute.¶ In his first few weeks in office, Abe has already announced plans to increase military spending and review an official apology made by a former government official to women forced into sexual slavery by the Japanese military during World War II. These steps are sure to please Japan's rightists, but certain to inflame anti-Japanese sentiment in China, Korea, and other countries it once occupied.¶ Equally worrisome, Abe promptly negotiated an agreement with the Philippines for greater cooperation on enhanced "maritime security" in the western Pacific, a move intended to counter growing Chinese assertiveness in the region. Inevitably, this will spark a harsh Chinese response -- and because the United States has mutual defense treaties with both countries, it will also increase the risk of U.S. involvement in future engagements at sea.¶ \* In the United States, senior officials are debating implementation of the "Pacific pivot" announced by President Obama in a speech before the Australian Parliament a little over a year ago. In it, he promised that additional U.S. forces would be deployed in the region, even if that meant cutbacks elsewhere. "My guidance is clear," he declared. "As we plan and budget for the future, we will allocate the resources necessary to maintain our strong military presence in this region." While Obama never quite said that his approach was intended to constrain the rise of China, few observers doubt that a policy of "containment" has returned to the Pacific.¶ Indeed, the U.S. military has taken the first steps in this direction, announcing, for example, that by 2017 all three U.S. stealth planes, the F-22, F-35, and B-2, would be deployed to bases relatively near China and that by 2020 60% of U.S. naval forces will be stationed in the Pacific (compared to 50% today). However, the nation's budget woes have led many analysts to question whether the Pentagon is actually capable of fully implementing the military part of any Asian pivot strategy in a meaningful way. A study conducted by the Center for Strategic and International Studies (CSIS) at the behest of Congress, released last summer, concluded that the Department of Defense "has not adequately articulated the strategy behind its force posture planning [in the Asia-Pacific] nor aligned the strategy with resources in a way that reflects current budget realities."¶ This, in turn, has fueled a drive by military hawks to press the administration to spend more on Pacific-oriented forces and to play a more vigorous role in countering China's "bullying" behavior in the East and South China Seas. "[America's Asian allies] are waiting to see whether America will live up to its uncomfortable but necessary role as the true guarantor of stability in East Asia, or whether the region will again be dominated by belligerence and intimidation," former Secretary of the Navy and former Senator James Webb wrote in the Wall Street Journal. Although the administration has responded to such taunts by reaffirming its pledge to bolster its forces in the Pacific, this has failed to halt the calls for an even tougher posture by Washington. Obama has already been chided for failing to provide sufficient backing to Israel in its struggle with Iran over nuclear weapons, and it is safe to assume that he will face even greater pressure to assist America's allies in Asia were they to be threatened by Chinese forces.¶ Add these three developments together, and you have the makings of a powder keg -- potentially at least as explosive and dangerous to the global economy as any confrontation with Iran. Right now, given the rising tensions, the first close encounter of the worst kind, in which, say, shots were unexpectedly fired and lives lost, or a ship or plane went down, might be the equivalent of lighting a fuse in a crowded, over-armed room. Such an incident could occur almost any time. The Japanese press has reported that government officials there are ready to authorize fighter pilots to fire warning shots if Chinese aircraft penetrate the airspace over the Diaoyu/Senkaku islands. A Chinese general has said that such an act would count as the start of "actual combat." That the irrationality of such an event will be apparent to anyone who considers the deeply tangled economic relations among all these powers may prove no impediment to the situation -- as at the beginning of World War I -- simply spinning out of everyone's control.¶ Can such a crisis be averted? Yes, if the leaders of China, Japan, and the United States, the key countries involved, take steps to defuse the belligerent and ultra-nationalistic pronouncements now holding sway and begin talking with one another about practical steps to resolve the disputes. Similarly, an emotional and unexpected gesture -- Prime Minister Abe, for instance, pulling a Nixon and paying a surprise goodwill visit to China -- might carry the day and change the atmosphere. Should these minor disputes in the Pacific get out of hand, however, not just those directly involved but the whole planet will look with sadness and horror on the failure of everyone involved.

#### Russian aggression causes nuclear war

Blank 9 – Dr. Stephen Blank is a Research Professor of National Security Affairs at the Strategic Studies Institute of the U.S. Army War College, March 2009, “Russia And Arms Control: Are There Opportunities For The Obama Administration?” http://www.strategicstudiesinstitute.army.mil/pdffiles/pub908.pdf

Proliferators or nuclear states like China and Russia can then deter regional or intercontinental attacks either by denial or by threat of retaliation.168 Given a multipolar world structure with little ideological rivalry among major powers, it is unlikely that they will go to war with each other. Rather, like Russia, they will strive for exclusive hegemony in their own “sphere of influence” and use nuclear instruments towards that end. However, wars may well break out between major powers and weaker “peripheral” states or between peripheral and semiperipheral states given their lack of domestic legitimacy, the absence of the means of crisis prevention, the visible absence of crisis management mechanisms, and their strategic calculation that asymmetric wars might give them the victory or respite they need.169 Simultaneously,¶ The states of periphery and semiperiphery have far more opportunities for political maneuvering. Since war remains a political option, these states may find it convenient to exercise their military power as a means for achieving political objectives. Thus international crises may increase in number. This has two important implications for the use of WMD**.** First, they may be used deliberately to offer a decisive victory (or in Russia’s case, to achieve “intra-war escalation control”—author170) to the striker, or for defensive purposes when imbalances in military capabilities are significant; and second, crises increase the possibilities of inadvertent or accidental wars involving WMD.171¶ Obviously nuclear proliferators or states that are expanding their nuclear arsenals like Russia can exercise a great influence upon world politics if they chose to defy the prevailing consensus and use their weapons not as defensive weapons, as has been commonly thought, but as offensive weapons to threaten other states and deter nuclear powers. Their decision to go either for cooperative security and strengthened international military-political norms of action, or for individual national “egotism” will critically affect world politics. For, as Roberts observes,¶ But if they drift away from those efforts [to bring about more cooperative security], the consequences could be profound. At the very least, the effective functioning of inherited mechanisms of world order, such as the special responsibility of the “great powers” in the management of the interstate system, especially problems of armed aggression, under the aegis of collective security, could be significantly impaired. Armed with the ability to defeat an intervention, or impose substantial costs in blood or money on an intervening force or the populaces of the nations marshaling that force, the newly empowered tier could bring an end to collective security operations, undermine the credibility of alliance commitments by the great powers, [undermine guarantees of extended deterrence by them to threatened nations and states] extend alliances of their own, and perhaps make wars of aggression on their neighbors or their own people.172

### UQ---AT: Syria Pounder

#### No Syria pounder --- wasn’t an abdication of any authority and won’t set a precedent --- prefer more qualified evidence

- Obama *chose* to ask, he wasn’t forced

- Doesn’t set a precedent because each crisis is different

- Doesn’t apply to the DA because Syria wasn’t a direct threat to US security

- Future presidents will ignore

- The AUMF expands his authority

Jack M. Balkin 9/3/13, is Knight Professor of Constitutional Law and the First Amendment @ Yale Law School, and the founder and director of Yale's Information Society Project, an interdisciplinary center that studies law and new information technologies, “What Congressional Approval Won't Do: Trim Obama's Power or Make War Legal,” 2013, The Atlantic, http://www.theatlantic.com/politics/archive/2013/09/what-congressional-approval-wont-do-trim-obamas-power-or-make-war-legal/279298/

One of the most misleading metaphors in the discussion of President Obama’s Syria policy is that the president has “boxed himself in” or has “painted himself into a corner.” These metaphors treat a president’s available actions as if they were physical spaces and limits on action as if they were physical walls. Such metaphors would make sense only if we also stipulated that Obama has the power to snap his fingers and create a door or window wherever he likes. The Syria crisis has not created a new precedent for limiting presidential power. To the contrary, it has offered multiple opportunities for increasing it.¶ If Congress says no to Obama, it will not significantly restrain future presidents from using military force. At best, it will preserve current understandings about presidential power. If Congress says yes, it may bestow significant new powers on future presidents -- and it will also commit the United States to violating international law. For Obama plans to violate the United Nations Charter, and he wants Congress to give him its blessing.¶ People who believe Obama has painted himself into a corner or boxed himself in might not remember that the president always has the option to ask Congress to authorize any military action he proposes, thus sharing the responsibility for decision if the enterprise goes sour. If Congress refuses, Obama can easily back away from any threats he has made against Syria, pointing to the fact that Congress would not go along. There is no corner. There is no box.¶ Wouldn’t congressional refusal make the United States look weak, as critics including Senator John McCain warn loudly? Hardly. The next dictator who acts rashly will face a different situation and a different calculus. The UN Security Council or NATO may feel differently about the need to act. There may be a new threat to American interests that lets Obama or the next president offer a different justification for acting. It just won’t matter very much what Obama said about red lines in the past. World leaders say provocative things all the time and then ignore them. Their motto is: That was then, and this is now.¶ If Congress turns him down, won’t Obama be undermined at home, as other critics claim? In what sense? It is hard to see how the Republicans could be less cooperative than they already are. And it’s not in the interest of Democrats to fault a president of their own party for acceding to what Congress wants instead of acting unilaterally. ¶ Some commentators argue (or hope) that whatever happens, Obama’s request for military authorization will be an important precedent that will begin to restore the constitutional balance between the president and Congress in the area of war powers. Don’t bet on it. By asking for congressional authorization in this case, Obama has not ceded any authority that he ­or any other president ­ has previously asserted in war powers. ¶ Syria presents a case in which previous precedents did not apply. There is no direct threat to American security, American personnel, or American interests. There is no Security Council resolution to enforce. And there is no claim that America needs to shore up the credibility of NATO or another important security alliance. Nor does Obama have even the feeble justification that the Clinton Administration offered in Kosovo­: that congressional appropriations midway through the operation offered tacit and retroactive approval for the bombings. ¶ It is naive to think that the next time a president wants to send forces abroad without congressional approval, he or she will be deterred by the fact that Barack Obama once sought congressional permission to bomb Syria. If a president can plausibly assert that any of the previous justifications apply -- ­including those offered in the Libya intervention -- the case of Syria is easily distinguishable. ¶ Perhaps more to the point, Congress still cannot go to the courts to stop the president, given existing legal precedents. Congress may respond by refusing to appropriate funds, but that is a remedy that they have always had -- and have rarely had the political will to exercise. ¶ The most important limit on presidential adventurism is political, not legal. It will turn less on the precedent of Syria than on whether the last adventure turned out well or badly. ¶ In fact, the Syria episode offers Obama­ and future presidents­ new opportunities for increasing presidential power. Obama has submitted a fairly broad authorization for the use of military force (AUMF) proposal to Congress. It is not limited either temporally or geographically; it does not specifically exclude the use of ground troops; and it requires only that the president determine that there is a plausible connection between his use of force and the use of weapons of mass destruction in the Syrian civil war. If Congress adopts this proposal, President Obama ­and every future president ­can simply add it to the existing body of AUMFs and congressional authorizations. ¶ In the American system, presidents often gain the most power not by acting unilaterally or in defiance of congressional statutes but by relying on previous congressional authorizations

msrkedd

 and interpreting them generously to expand their authority­ -- sometimes in ways that Congress never dreamed of. A case in point is the 2001 AUMF against al-Qaeda, which has no time limit. It has served as the justification for a wide range of executive actions by Presidents George W. Bush and Obama, and it will probably to continue to do so well into the future. That is a good reason to amend Obama’s proposal for a new AUMF to include a sunset clause, a geographical restriction, and a limit on what kinds of forces can be used.

#### Syria doesn’t set a precedent but the aff would --- our evidence is comparative

Ross Douthat 9/4/13, Op-ed columnist for the New York Times and former Senior Editor @ the Atlantic, “Syria and the Constitution,” http://douthat.blogs.nytimes.com/2013/09/04/syria-and-the-constitution/#more-19029

Somehow I doubt that it will work out this way. It would be a good thing for the country if the older constitutional norms regained some force – if we declared war in cases where we now issue so-called authorizations for the use of military force, and issued authorizations in situations where presidents of both parties claim the power to act with no congressional blessing whatsoever. But when a constitutional power atrophies, it’s extremely unlikely to be restored through the kind of last-minute, poorly-thought-out, and self-undermining approach that the White House has taken in this case.¶ If President Obama had, from the beginning of this debate, framed the possibility of a Syria intervention as something that would of course require congressional approval, and spent the days immediately following Assad’s deployment of chemical weapons reaching out to key congressmen to make sure the votes were there, and only when he was certain gone ahead and publicly called for a resolution authorizing strikes … well, then you would have had a precedent that future presidents might feel some pressure to actually follow, because it would provide both a public civics lesson and a blueprint for how to pursue the constitutional course to a politically successful conclusion.¶ But so far this White House is failing on both counts. The official “lesson” that the president’s words and choices are delivering is not one that actually elevates Congress back to its Article I level of authority. Rather, it’s one that treats Congress as a kind of ally of last resort, whose backing remains legally unnecessary for warmaking (as the White House keeps strenuously emphasizing, and as its conduct regarding Libya necessarily implies), and whose support is only worth seeking for pragmatic and/or morale-boosting reasons once other, extra-constitutional sources of legitimacy (the U.N. Security Council, Britain, etc.) have turned you down. The precedent being set, then, is one of presidential weakness, not high-minded constitutionalism: Going to Congress is entirely optional, and it’s what presidents do when they’re pitching wars that they themselves don’t fully believe in, and need to rebuild credibility squandered by their own fumbling and failed alliance management. What future White House would look at that example and see a path worth following?¶ Ah, you might say, but if Congress actually votes the Syria authorization down, then future presidents will feel constrained by the threat of a similar congressional veto whether they want to emulate Obama or not. Except that it’s actually more likely that future presidents will look at a congressional rejection in the case of Syria and see a case for going to Congress even less frequently than recent chief executives have done. The lesson will be clear enough: Presidents who ignore Congress’s Article I powers (Clinton in Kosovo, Obama in Libya) get away with it, while presidents who respect those powers set themselves up for a humiliation. It would be one thing if Congress were clearly the assertive party here — if President Obama had gone to war without asking for authorization, for instance, and had then seen funding for the operation immediately cut off and articles of impeachment issued. But since nobody imagines that would have happened, a defeat here will look much like an unforced executive branch error, rather than a case of Congress breaking decisively with its ongoing tendency to abdicate to the other branches. And future administrations will act accordingly.

#### Syria increases war powers because it’s on Obama’s terms

Eric Posner 9/3/13, the Kirkland and Ellis Professor of Law @ U-Chicago, “Obama Is Only Making His War Powers Mightier,” Slate, [www.slate.com/articles/news\_and\_politics/view\_from\_chicago/2013/09/obama\_going\_to\_congress\_on\_syria\_he\_s\_actually\_strengthening\_the\_war\_powers.html](http://www.slate.com/articles/news_and_politics/view_from_chicago/2013/09/obama_going_to_congress_on_syria_he_s_actually_strengthening_the_war_powers.html))

President Obama’s surprise announcement that he will ask Congress for approval of a military attack on Syria is being hailed as a vindication of the rule of law and a revival of the central role of Congress in war-making, even by critics. But all of this is wrong. Far from breaking new legal ground, President Obama has reaffirmed the primacy of the executive in matters of war and peace. The war powers of the presidency remain as mighty as ever. It would have been different if the president had announced that only Congress can authorize the use of military force, as dictated by the Constitution, which gives Congress alone the power to declare war. That would have been worthy of notice, a reversal of the ascendance of executive power over Congress. But the president said no such thing. He said: “I believe I have the authority to carry out this military action without specific congressional authorization.” Secretary of State John Kerry confirmed that the president “has the right to do that”—launch a military strike—“no matter what Congress does.” Thus, the president believes that the law gives him the option to seek a congressional yes or to act on his own. He does not believe that he is bound to do the first. He has merely stated the law as countless other presidents and their lawyers have described it before him. The president’s announcement should be understood as a political move, not a legal one. His motive is both self-serving and easy to understand, and it has been all but acknowledged by the administration. If Congress now approves the war, it must share blame with the president if what happens next in Syria goes badly. If Congress rejects the war, it must share blame with the president if Bashar al-Assad gases more Syrian children. The big problem for Obama arises if Congress says no and he decides he must go ahead anyway, and then the war goes badly. He won’t have broken the law as he understands it, but he will look bad. He would be the first president ever to ask Congress for the power to make war and then to go to war after Congress said no. (In the past, presidents who expected dissent did not ask Congress for permission.) People who celebrate the president for humbly begging Congress for approval also apparently don’t realize that his understanding of the law—that it gives him the option to go to Congress—maximizes executive power vis-à-vis Congress. If the president were required to act alone, without Congress, then he would have to take the blame for failing to use force when he should and using force when he shouldn’t. If he were required to obtain congressional authorization, then Congress would be able to block him. But if he can have it either way, he can force Congress to share responsibility when he wants to and avoid it when he knows that it will stand in his way.

#### Syria only affects humanitarian intervention, not intervention against threats

Jack Goldsmith 8/31/13, Jack Goldsmith is the Henry L. Shattuck Professor @ Harvard Law School, where he teaches and writes about national security law, presidential power, cybersecurity, international law, internet law, foreign relations law, and conflict of laws. Before coming to Harvard, Professor Goldsmith served as Assistant Attorney General, Office of Legal Counsel from 2003–2004, and Special Counsel to the Department of Defense from 2002–2003, “Obama’s Request to Congress Will Not Hamstring Future Presidents (Except for Some Humanitarian Interventions),” Lawfare Blog, http://www.lawfareblog.com/2013/08/obamas-request-to-congress-will-not-hamstring-future-presidents-except-for-some-humanitarian-interventions/

Peter Spiro at OJ, and David Rothkopf of FP whom he cites, both say that President Obama’s request for congressional authorization for Syria will allow Congress to hamstring future Presidents from using military force. Rothkopf exaggerates when he says that President Obama reversed “decades of precedent regarding the nature of presidential war powers” by going to Congress here, and Spiro exaggerates when he says that this is “a huge development with broad implications . . . for separation of powers.” What would have been unprecedented, and a huge development for separation of powers, is a unilateral strike in Syria. Seeking congressional authorization here in no way sets a precedent against President using force in national self-defense, or to protect U.S. persons or property, or even (as in Libya) to engage in humanitarian interventions (like Libya) with Security Council support. Moreover, the President and his subordinates have been implying for a while now that they will rely on Article II to use force without congressional authorization against extra-AUMF terrorist threats (and for all we know they already are). There is no reason to think that unilateral presidential military powers for national self-defense are in any way affected by the President’s decision today. That is as it should be.¶ To the extent that Spiro is suggesting that pure humanitarian interventions might be harder for presidents to do unilaterally after today (I think this is what he is suggesting, but I am not sure), I agree. Kosovo is the only other real precedent here, and the Clinton administration never explained why it was lawful as an original matter. The constitutional problem with pure humanitarian interventions – and especially ones (like Kosovo and Syria) that lack Security Council cover, and thus that do not implicate the supportive Korean War precedent – is that Presidents cannot easily articulate a national interest to trigger the Commander in Chief’s authority that is not at the same time boundless. President Obama, like President Clinton before him in Kosovo, had a hard time making that legal argument because it is in fact a hard argument to make. That is one reason (among many others) why I think it was a good idea, from a domestic constitutional perspective, for the President in this context to seek congressional approval.

#### The Syria precedent won’t be followed, not even by Obama

George Condon 9/5/13, National Journal, “What Obama's Gamble on Syria Means for Challenging Iran,” http://www.nationaljournal.com/magazine/what-obama-s-gamble-on-syria-means-for-challenging-iran-20130905

Anything a president does sets a precedent for the leaders who come after him. Except when it doesn’t. That is one constitutional reality brought home by President Obama’s unexpected decision to delay military action against Syria until Congress gives him authorization. With more than 200 examples to choose from in the history of American military operations over the past two centuries, a president can select just about any option and still be following a path first trod by a predecessor.¶ Future White Houses will study Obama’s actions. But what he has done may come back to haunt him first. The danger in Obama’s action is not in any precedent he sets for the presidents to come. It is in the precedent he is setting for himself, particularly regarding Iran. Tehran is less than 900 miles—a two-hour flight—from Damascus. But Iran is seen as a far greater potential threat both to Israel and to American interests than is Syria, despite the regional instability triggered by the civil war and by Syria’s support of terrorists. If Iran develops nuclear-weapons capability, Obama may want to strike quickly rather than following his own example with Syria and wait for a debate on Capitol Hill.¶ That is why it was important that when he announced his request to Congress, Obama emphasized, “I believe I have the authority to carry out this military action without specific congressional authorization.” History and the preponderance of legal opinion on the Constitution agree. Only five of those 200-plus instances of military operations followed Congress’s exercise of its constitutional right to declare war. Others followed congressional resolutions such as the 1964 Tonkin Gulf Resolution that supported President Johnson’s actions against North Vietnam and the 1991 vote that authorized President Bush to wage the first Persian Gulf War.¶ But most were strictly presidential actions, and no court has ever held they were unconstitutional. Even the 1973 War Powers Act that sought, post-Vietnam, to prevent such solo presidential action has done little to restrain later operations. And that law may itself be an unconstitutional infringement on the powers of a commander in chief—a ruling that neither wary chief executives nor unsure Congresses have sought.¶ “The fact is, the Constitution is ambiguous, and nothing that gets done can change that fact,” says Anthony Cordesman, a widely respected former director of intelligence assessment at the Pentagon and a longtime defense expert at the Center for Strategic and International Studies. “Yes, this is a precedent. But is it binding? No, not continually. It can’t be.”

#### Presidents will just distinguish the circumstances of future crises to get around Syria

Charlie Savage 9/8/13, Washington correspondent for The New York Times, “Obama Tests Limits of Power in Syrian Conflict,” http://www.nytimes.com/2013/09/09/world/middleeast/obama-tests-limits-of-power-in-syrian-conflict.html?pagewanted=all

In recent weeks, administration lawyers decided that it was within Mr. Obama’s constitutional authority to carry out a strike on Syria as well, even without permission from Congress or the Security Council, because of the “important national interests” of limiting regional instability and of enforcing the norm against using chemical weapons, Ms. Ruemmler said.¶ But even if he could act alone, that left the question of whether he should. The lack of a historical analogue and traditional factors that have justified such operations, she said, contributed to his decision to go to Congress.¶ “The president believed that it was important to enhance the legitimacy of any action that would be taken by the executive,” Ms. Ruemmler said, “to seek Congressional approval of that action and have it be seen, again as a matter of legitimacy both domestically and internationally, that there was a unified American response to the horrendous violation of the international norm against chemical weapons use.”¶ At a news conference last week, Mr. Obama argued that the United States should “get out of the habit” of having the president “stretch the boundaries of his authority as far as he can” while lawmakers “snipe” from the sidelines. But he also explained his decision in terms of very special circumstances: humanitarian interventions where there is no immediate pressure to act and the United Nations is blocked.¶ Jack Goldsmith, a head of the Office of Legal Counsel in the Bush administration, said the limited criteria cited by Mr. Obama mean his move might not apply to more traditional future interventions. The more important precedent, he said, may concern international law and what he portrayed as Mr. Obama’s dismissive attitude toward whether or not having permission from the Security Council should stop humanitarian interventions.¶ Mr. Obama has in recent days repeatedly portrayed the Security Council system as incapable of performing its function of “enforcing international norms and international law,” and as so paralyzed by the veto power wielded by Russia that it is instead acting as a “barrier” to that goal.¶ Mr. Goldsmith said that in the Kosovo campaign, the Clinton administration shied away from arguing that it was consistent with international law to carry out a military attack not authorized by the Security Council purely for humanitarian reasons. Its fear was that such a doctrine could be misused by other nations, loosening constraints on war.¶ In his 2009 Nobel Peace Prize acceptance speech, Mr. Obama said all nations “must adhere to standards that govern the use of force.” But he also argued that humanitarian grounds justified military force and cited “the Balkans,” leaving ambiguous whether he meant Bosnia, which had some Security Council approval; Kosovo, which did not; or both.¶ Ms. Ruemmler said that while an attack on Syria “may not fit under a traditionally recognized legal basis under international law,” the administration believed that given the novel factors and circumstances, such an action would nevertheless be “justified and legitimate under international law” and so not prohibited.¶ Still, she acknowledged that it was “more controversial for the president to act alone in these circumstances” than for him to do so with Congressional backing.¶ Steven G. Bradbury, a head of the Office of Legal Counsel in the Bush administration, said it would be “politically difficult” to order strikes if Congress refused to approve them. But he predicted future presidents would not feel legally constrained to echo Mr. Obama’s request. “Every overseas situation, every set of exigent circumstances, is a little different, so I don’t really buy that it’s going to tie future presidents’ hands very much,” he said.

#### The administration has explicitly clarified that Congress’s decision is non-binding

Glenn Greenwald 9/1/13, American political commentator for The Guardian, “Obama, Congress and Syria,” The Guardian, http://www.theguardian.com/commentisfree/2013/sep/01/obama-congress-syria-authorization

But what makes the celebratory reaction to yesterday's announcement particularly odd is that the Congressional vote which Obama said he would seek appears, in his mind, to have no binding force at all. There is no reason to believe that a Congressional rejection of the war's authorization would constrain Obama in any way, other than perhaps politically. To the contrary, there is substantial evidence for the proposition that the White House sees the vote as purely advisory, i.e., meaningless.¶Recall how - in one of most overlooked bad acts of the Obama administration - the House of Representatives actually voted, overwhelmingly, against authorizing the US war in Libya, and yet Obama simply ignored the vote and proceeded to prosecute the war anyway (just as Clinton did when the House rejected the authorization he wanted to bomb Kosovo, though, at least there, Congress later voted to allocate funds for the bombing campaign). Why would the White House view the President's power to wage war in Libya as unconstrainable by Congress, yet view his power to wage war in Syria as dependent upon Congressional authorization? ¶ More to the point, his aides are making clear that Obama does not view the vote as binding, as Time reports:¶ To make matters more complicated, Obama's aides made clear that the President's search for affirmation from Congress would not be binding. He might still attack Syria even if Congress issues a rejection."

### Impact---AT: Intervention Bad

#### No turns --- US intervention is inevitable --- it’s only a question of speed and effectiveness

Robert Kagan 11 is a contributing editor to The Weekly Standard and a senior fellow in foreign policy at the Brookings Institution. "The Price of Power" Jan 24 Vol 16 No18 www.weeklystandard.com/articles/price-power\_533696.html?page=3

In theory, the United States could refrain from intervening abroad. But, in practice, will it? Many assume today that the American public has had it with interventions, and Alice Rivlin certainly reflects a strong current of opinion when she says that “much of the public does not believe that we need to go in and take over other people’s countries.” That sentiment has often been heard after interventions, especially those with mixed or dubious results. It was heard after the four-year-long war in the Philippines, which cost 4,000 American lives and untold Filipino casualties. It was heard after Korea and after Vietnam. It was heard after Somalia. Yet the reality has been that after each intervention, the sentiment against foreign involvement has faded, and the United States has intervened again. ¶ Depending on how one chooses to count, the United States has undertaken roughly 25 overseas interventions since 1898: Cuba, 1898 The Philippines, 1898-1902 China, 1900 Cuba, 1906 Nicaragua, 1910 & 1912 Mexico, 1914 Haiti, 1915 Dominican Republic, 1916 Mexico, 1917 World War I, 1917-1918 Nicaragua, 1927 World War II, 1941-1945 Korea, 1950-1953 Lebanon, 1958 Vietnam, 1963-1973 Dominican Republic, 1965 Grenada, 1983 Panama, 1989 First Persian Gulf war, 1991 Somalia, 1992 Haiti, 1994 Bosnia, 1995 Kosovo, 1999 Afghanistan, 2001-present Iraq, 2003-present¶ That is one intervention every 4.5 years on average. Overall, the United States has intervened or been engaged in combat somewhere in 52 out of the last 112 years, or roughly 47 percent of the time. Since the end of the Cold War, it is true, the rate of U.S. interventions has increased, with an intervention roughly once every 2.5 years and American troops intervening or engaged in combat in 16 out of 22 years, or over 70 percent of the time, since the fall of the Berlin Wall. ¶ The argument for returning to “normal” begs the question: What is normal for the United States? The historical record of the last century suggests that it is not a policy of nonintervention. This record ought to raise doubts about the theory that American behavior these past two decades is the product of certain unique ideological or doctrinal movements, whether “liberal imperialism” or “neoconservatism.” Allegedly “realist” presidents in this era have been just as likely to order interventions as their more idealistic colleagues. George H.W. Bush was as profligate an intervener as Bill Clinton. He invaded Panama in 1989, intervened in Somalia in 1992—both on primarily idealistic and humanitarian grounds—which along with the first Persian Gulf war in 1991 made for three interventions in a single four-year term. Since 1898 the list of presidents who ordered armed interventions abroad has included William McKinley, Theodore Roose-velt, William Howard Taft, Woodrow Wilson, Franklin Roosevelt, Harry Truman, Dwight Eisenhower, John F. Kennedy, Ronald Reagan, George H.W. Bush, Bill Clinton, and George W. Bush. One would be hard-pressed to find a common ideological or doctrinal thread among them—unless it is the doctrine and ideology of a mainstream American foreign policy that leans more toward intervention than many imagine or would care to admit. ¶ Many don’t want to admit it, and the only thing as consistent as this pattern of American behavior has been the claim by contemporary critics that it is abnormal and a departure from American traditions. The anti-imperialists of the late 1890s, the isolationists of the 1920s and 1930s, the critics of Korea and Vietnam, and the critics of the first Persian Gulf war, the interventions in the Balkans, and the more recent wars of the Bush years have all insisted that the nation had in those instances behaved unusually or irrationally. And yet the behavior has continued.¶ To note this consistency is not the same as justifying it. The United States may have been wrong for much of the past 112 years. Some critics would endorse the sentiment expressed by the historian Howard K. Beale in the 1950s, that “the men of 1900” had steered the United States onto a disastrous course of world power which for the subsequent half-century had done the United States and the world no end of harm. But whether one lauds or condemns this past century of American foreign policy—and one can find reasons to do both—the fact of this consistency remains. It would require not just a modest reshaping of American foreign policy priorities but a sharp departure from this tradition to bring about the kinds of changes that would allow the United States to make do with a substantially smaller force structure. ¶ Is such a sharp departure in the offing? It is no doubt true that many Americans are unhappy with the on-going warfare in Afghanistan and to a lesser extent in Iraq, and that, if asked, a majority would say the United States should intervene less frequently in foreign nations, or perhaps not at all. It may also be true that the effect of long military involvements in Iraq and Afghanistan may cause Americans and their leaders to shun further interventions at least for a few years—as they did for nine years after World War I, five years after World War II, and a decade after Vietnam. This may be further reinforced by the difficult economic times in which Americans are currently suffering. The longest period of nonintervention in the past century was during the 1930s, when unhappy memories of World War I combined with the economic catastrophe of the Great Depression to constrain American interventionism to an unusual degree and produce the first and perhaps only genuinely isolationist period in American history. ¶ So are we back to the mentality of the 1930s? It wouldn’t appear so. There is no great wave of isolationism sweeping the country. There is not even the equivalent of a Patrick Buchanan, who received 3 million votes in the 1992 Republican primaries. Any isolationist tendencies that might exist are severely tempered by continuing fears of terrorist attacks that might be launched from overseas. Nor are the vast majority of Americans suffering from economic calamity to nearly the degree that they did in the Great Depression. ¶ Even if we were to repeat the policies of the 1930s, however, it is worth recalling that the unusual restraint of those years was not sufficient to keep the United States out of war. On the contrary, the United States took actions which ultimately led to the greatest and most costly foreign intervention in its history. Even the most determined and in those years powerful isolationists could not prevent it. ¶ Today there are a number of obvious possible contingencies that might lead the United States to substantial interventions overseas, notwithstanding the preference of the public and its political leaders to avoid them. Few Americans want a war with Iran, for instance. But it is not implausible that a president—indeed, this president—might find himself in a situation where military conflict at some level is hard to avoid. The continued success of the international sanctions regime that the Obama administration has so skillfully put into place, for instance, might eventually cause the Iranian government to lash out in some way—perhaps by attempting to close the Strait of Hormuz. Recall that Japan launched its attack on Pearl Harbor in no small part as a response to oil sanctions imposed by a Roosevelt administration that had not the slightest interest or intention of fighting a war against Japan but was merely expressing moral outrage at Japanese behavior on the Chinese mainland. Perhaps in an Iranian contingency, the military actions would stay limited. But perhaps, too, they would escalate. One could well imagine an American public, now so eager to avoid intervention, suddenly demanding that their president retaliate. Then there is the possibility that a military exchange between Israel and Iran, initiated by Israel, could drag the United States into conflict with Iran. Are such scenarios so farfetched that they can be ruled out by Pentagon planners? ¶ Other possible contingencies include a war on the Korean Peninsula, where the United States is bound by treaty to come to the aid of its South Korean ally; and possible interventions in Yemen or Somalia, should those states fail even more than they already have and become even more fertile ground for al Qaeda and other terrorist groups. And what about those “humanitarian” interventions that are first on everyone’s list to be avoided? Should another earthquake or some other natural or man-made catastrophe strike, say, Haiti and present the looming prospect of mass starvation and disease and political anarchy just a few hundred miles off U.S. shores, with the possibility of thousands if not hundreds of thousands of refugees, can anyone be confident that an American president will not feel compelled to send an intervention force to help?¶ Some may hope that a smaller U.S. military, compelled by the necessity of budget constraints, would prevent a president from intervening. More likely, however, it would simply prevent a president from intervening effectively. This, after all, was the experience of the Bush administration in Iraq and Afghanistan. Both because of constraints and as a conscious strategic choice, the Bush administration sent too few troops to both countries. The results were lengthy, unsuccessful conflicts, burgeoning counterinsurgencies, and loss of confidence in American will and capacity, as well as large annual expenditures. Would it not have been better, and also cheaper, to have sent larger numbers of forces initially to both places and brought about a more rapid conclusion to the fighting? The point is, it may prove cheaper in the long run to have larger forces that can fight wars quickly and conclusively, as Colin Powell long ago suggested, than to have smaller forces that can’t. Would a defense planner trying to anticipate future American actions be wise to base planned force structure on the assumption that the United States is out of the intervention business? Or would that be the kind of penny-wise, pound-foolish calculation that, in matters of national security, can prove so unfortunate?¶ The debates over whether and how the United States should respond to the world’s strategic challenges will and should continue. Armed interventions overseas should be weighed carefully, as always, with an eye to whether the risk of inaction is greater than the risks of action. And as always, these judgments will be merely that: judgments, made with inadequate information and intelligence and no certainty about the outcomes. No foreign policy doctrine can avoid errors of omission and commission. But history has provided some lessons, and for the United States the lesson has been fairly clear: The world is better off, and the United States is better off, in the kind of international system that American power has built and defended.

### Constistution

#### The aff turns the tide in war powers authority --- prevents continued expansion of executive power

FCNL 8, Friends Committee on National Legislation, the 501(c)(4) lobbying organization of the Religion Society of Friends (Quakers), October, “Reclaiming the Balance of Power: An Agenda for the 111th Congress,” Washington Newsletter No. 731, http://fcnl.org/assets/pubs/newsletter/2008/October.pdf

Pendulums swing by their nature, but sometimes they swing too far in one direction and need a push to return to balance. For several decades, the pendulum of power in the federal government has been swinging toward the president; in the past eight years, the president’s powers have reached unprecedented heights. The last two presidents have taken more power for themselves, but Congress has also ceded significant power to the executive branch. The 111th Congress has the opportunity to restore the balance. When members take their seats in January, reclaiming their constitutionally granted power to check the executive should be at the top of the agenda. Power Balanced by Design The framers of the Constitution had balance of power on their minds when they designed the U.S. government. They had recently rebelled against a monarchy with near total power over the people. Based on this experience, the framers limited specific government powers, such as compelling citizens to house soldiers in their homes, searching and seizing private property, and imposing taxes without a democratic process. The framers also structured the U.S. government to catch and prevent these kinds of abuses. They gave independent powers to the three branches of government — executive, legislative, and judicial — but they instituted mechanisms allowing the other branches to limit and balance these powers. In the first three words of the Constitution, “We the People,” the framers recognized a fourth branch of government to check the other three: the civil society. Unlike monarchs, U.S. presidents cannot act alone to commit their countries to war, empty their national treasuries, and impose new taxes on the citizenry to finance military adventures. Presidents can make treaties with other nations, and in time of war a president serves as commander in chief of the armed forces. Constitutionally, only Congress can formally declare war, “raise and support armies,” and increase taxes or otherwise fund a war. Maintaining these divisions is not easy. In the past 200 years, presidents have committed troops to military combat dozens of times without a formal declaration of war, and Congress has voted to cut off funding for war on only a few occasions. In the past eight years, Congress has failed to exercise adequate oversight of executive actions and uphold the Constitution in several areas. Most recently, President George W. Bush has defended the torture of prisoners held by the United States, denied prisoners the right to appeal their detention, and permitted spying on people in the United States without a warrant. Congress has turned a blind eye or acquiesced to the president’s requests to legalize his administration’s actions. The 111th Congress should reclaim its power on our behalf. In the mid-1970s, Congress passed laws to correct a pendulum of power that had swung too far toward the executive. The Congress that takes office in 2009 should do the same.

#### Congressional action now prevents Obama’s consolidation of Executive authority

Bruce Ackerman 11, Professor of Law @ Yale, and Oona Hathaway, Professor of I-Law @ Yale, “Limited War and The Constitution: Iraq and the Crisis of Presidential Legality,” Michigan Law Review, 109:447, http://www.michiganlawreview.org/assets/pdfs/109/4/ackermanhathaway.pdf

We live in an age of limited war. Yet the legal structure for authorizing and overseeing war has failed to address this modern reality. Nowhere is this failure more clear than in the recent U.S. conflict in Iraq. Congress self-consciously restricted the war’s aims to narrow purposes—expressly authorizing a limited war. But the Bush Administration evaded these constitutional limits and transformed a well-defined and limited war into an open-ended conflict operating beyond constitutional boundaries. President Obama has thus far failed to repudiate these acts of presidential unilateralism. If he continues on this course, he will consolidate the precedents set by his predecessor’s exercises in institutional aggrandizement. The presidency is not solely responsible for this unconstitutional escalation. Congress has failed to check this abuse because it has failed to adapt its central power over the use of military force—the power of the purse—to the distinctive problem of limited war. Our proposal restores Congress to its rightful role in our system of checks and balances. We suggest that the House and Senate adopt new “Rules for Limited War” that would create a presumption that any authorization of military force will expire after two years, unless Congress specifies a different deadline. The congressional time limit would be enforced by a prohibition on future war appro- priations after the deadline, except for money necessary to wind down the mission.

#### The aff sets a precedent against expansive war powers --- it’ll last for generations

Maya Schenwar 9, Executive Director @ Truthout, 1/14, “Congress Aims to Take Back Constitutional War Powers,” http://www.truth-out.org/archive/item/82004:congress-aims-to-take-back-constitutional-war-powers

Congress took little initiative to rein in Bush's excesses throughout his administration, and now, some members worry that his vast expansion of executive powers could set a dangerous precedent for generations to come. Unless Congress formally rejects Bush's generous interpretation of the role of the president, they say, the system of checks and balances could be permanently disrupted. Foremost on the list is one of Bush's most blatant unilateral actions: his recent signing, with Iraqi Prime Minister Nouri al Maliki, of the US-Iraq security pact without consulting Congress. The pact could keep US troops in Iraq until the end of 2011.

#### Reasserting Congressional war powers reverses the precedent of unfettered Executive authority

Jim Webb 13, former U.S. senator from Virginia and Secretary of the Navy in the Reagan administration, March 1, “Congressional Abdication,” The National Interest, http://nationalinterest.org/article/congressional-abdication-8138?page=4

The inaction (some of it deliberate) of key congressional leaders during this period has ensured that the president’s actions now constitute a troubling precedent. Under the objectively undefinable rubric of “humanitarian intervention,” President Obama has arguably established the authority of the president to intervene militarily virtually anywhere without the consent or the approval of Congress, at his own discretion and for as long as he wishes. It is not hyperbole to say that the president himself can now bomb a country with which we maintain diplomatic relations, in support of loosely aligned opposition groups that do not represent any coalition that we actually recognize as an alternative. We know he can do it because he already has done it. Few leaders in the legislative branch even asked for a formal debate over this exercise of unilateral presidential power, and in the Senate any legislation pertaining to the issue was prevented from reaching the floor. One can only wonder at what point these leaders or their successors might believe it is their constitutional duty to counter unchecked executive power exercised on behalf of overseas military action. AT BOTTOM, what we have witnessed in these instances, as with many others, is a breakdown of our constitutional process. Opinions will surely vary as to the merits of the actual solution that was reached in each case, but this sort of disagreement, which in and of itself forms the basis of our form of government, is the precise reason why each one of these cases, and others, should have been properly debated and voted on by Congress. In none of these situations was the consideration of time or emergency so great as to have precluded congressional deliberation. In each, we can be certain that Congress was deliberately ignored or successfully circumvented, while being viewed by some members of the executive branch as more of a nuisance than an equal constitutional partner. And there is no doubt that some key congressional leaders were reluctant, at best, to assert the authority that forms the basis of our governmental structure. When it comes to the long-term commitments that our country makes in the international arena, ours can be a complicated and sometimes frustrating process. But our Founding Fathers deliberately placed checks and counterchecks into our constitutional system for exactly that purpose. The congressional “nuisance factor” is supposed to act as a valuable tool to ensure that our leaders—and especially our commander in chief—do not succumb to the emotions of the moment or the persuasions of a very few. One hopes Congress—both Republicans and Democrats—can regain the wisdom to reassert the authority that was so wisely given to it so many years ago.

## Advantage

# 1NR

## 1NC

### T

#### Increase is to add to. We add to the federal investment in transportation infrastructure.

**Dictionary.com 6**(Dictionary.com: definitions, 11/3/2006, dictionary.reference.com, DA 6/21/11, OST)

To make greater, as in number, size, strength, or quality; augment; add to: to increase taxes.

#### **Statutory means set by laws**

Vocabulary 13 Vocabulary.com, “statutory,” accessed 7-23-2013, https://www.vocabulary.com/dictionary/statutory

If something is statutory, it is related to or set by laws or statutes. Statutory restrictions on air pollution require drivers to have the emissions from their cars check every few years.

You might wonder what the difference is between statutory and legal. Both are adjectives and both are concerned with the law. If something is legal, it is allowed by the law, whereas if it is statutory, it is regulated by law. In the negative, this is easier to understand. If something is not legal, the law says you can't do it. If something is not statutory, there are no laws regulating it.

#### Restrictions are limitations

Law.com 9

(“restriction”, The People's Law Dictionary by Gerald and Kathleen Hill (legal writers),

http://dictionary.law.com/Default.aspx?selected=1835&bold=restrict, accessed 9-9-9)

restriction

n. any limitation on activity, by statute, regulation or contract provision. In multi-unit real estate developments, condominium and cooperative housing projects managed by homeowners' associations or similar organizations, such organizations are usually required by state law to impose restrictions on use. Thus, the restrictions are part of the "covenants, conditions and restrictions" intended to enhance the use of common facilities and property which are recorded and incorporated into the title of each owner.

#### Authority refers to permission given to take an action

Ellen Taylor 96, Associate Professor, Georgia State University College of Law, NEW AND UNJUSTIFIED RESTRICTIONS ON DELAWARE DIRECTORS' AUTHORITY, 21 Del. J. Corp. L. 870

The term authority is commonly thought of in the context of the law of agency, and the Restatement (Second) of Agency defines both power and authority.'89 Power refers to an agent's ability or capacity to produce a change in a legal relation (whether or not the principal approves of the change), and authority refers to the power given (permission granted) to the agent by the principal to affect the legal relations of the principal; the distinction is between what the agent can do and what the agent may do.

b. Agency Concepts

Agency principles are relevant to at least two issues in the Paramount case: the Paramount board's power and authority to cause Paramount to enter into binding contracts with Viacom, and QVC's standing to sue Paramount to invalidate the contracts. Although they are technically neither agents nor trustees, directors have been described as agents of the corporation and its shareholders, n191 as trustees, n192 and as fiduciaries. n193

 [\*872]

Power and authority of the board. An agent is one who acts on behalf of a principal, and subject to the principal's control. n194 Agents have the power and authority to incur legal obligations that bind their principals. n195 This authority may be either expressly or impliedly communicated by the principal to the agent (actual authority), or expressly or impliedly communicated by the principal to a third party (apparent authority). n196 Agents frequently have power that exceeds their authority to act on behalf of their principals (inherent agency power). n197 Although acts outside an agent's actual authority may be wrongful, and may subject the agent to personal liability to the principal, the acts may legally bind the principal vis- -vis third parties. n198

#### Violation —

The action of surrendering isn’t topical — repealing the AUMF isn’t increasing a statutory restriction on authority.

#### Standards —

Predictability — they derive advantages from surrender — that’s not a topical mechanism — hurts clash

Limits — they create a slew of new mechanisms — only defining restriction narrowly

It’s extra T at best — the plan text mandates the action of surrender — that might end a war, but it doesn’t curtail war powers.

### Flex

#### There’s uncheck expansion of war powers now

David Gray Adler 11, Director of the Andrus Center for Public Policy @ Boise State University, March 4, “Presidential Ascendancy in Foreign Affairs and the Subversion of the Constitution,” http://www.civiced.org/pdfs/GermanAmericanConf2011/Adler.pdf

Presidential domination of American foreign affairs has become a commonplace after a half - century of unchecked expansion of executive powers. The emergence of a “presidential monopoly” over the conduct of foreign relations, built atop an extraordinary concentration of power in the president, reflects the doctrine of executive supremacy launched by the Supreme Court in United States v. Curtiss - Wright . 11 Across the decades, advocates of expansive presiden tial power in the realm of foreign affairs and national security have sought legal sanction in Justice George Sutherland’s opinion for the Court in Curtiss - Wright . In one way or another, the White House has adduced Sutherland’s characterization of the president as the “sole organ” of American foreign policy, endowed with plenary, inherent and extra - constitutional powers to initiate war, authorize torture, seize and detain American citizens indefinitely, set aside laws, establish military tribunals and s uspe nd and terminate treaties, in addition to assertions of authority to order covert operations, extraordinary rendition and warrantless wiretapping.

#### Only the executive has the resources, power, and flexibility to respond to crises --- outside intervention causes failure

Eric Posner 7, the Kirkland and Ellis Professor of Law @ U-Chicago, and Adrian Vermeule, the John H. Watson, Jr. Professor of Law @ Harvard, Jan 4, “Terror in the Balance: Security, Liberty, and the Courts,” Book, p. 4

 A different view, however, is that the history is largely one of political and constitutional success. The essential feature of the emergency is that national security is threatened; because the executive is the only organ of government with the resources, power, and flexibility to respond to threats to national security, it is natural, inevitable, and desirable for power to flow to this branch of government. Congress rationally acquiesces; courts rationally defer. Civil liberties are compromised because civil liberties interfere with effective response to the threat; but civil liberties are never eliminated because they remain important for the well-being of citizens and the effective operation of the government. People might panic, and the government must choose policies that enhance morale as well as respond to the threat, but there is nothing wrong with this. The executive implements bad policies as well as good ones, but error is inevitable, just as error is inevitable in humdrum policymaking during normal times. Policy during emergencies can never be mistake-free; it is enough if policymaking is not systematically biased in any direction, so that errors are essentially random and wash out over many decisions or over time. Both Congress and the judiciary realize that they do not have the expertise or resources to correct the executive during an emergency. Only when the emergency wanes do the institutions reassert themselves, but this just shows that the basic constitutional structure remains unaffected by the emergency. In the United States, unlike in many other countries, the constitutional system has never collapsed during an emergency.

#### Effective executive response is key to prevent global crises --- specifically: Iranian nuclearization, North African terrorism, Russian aggression, and Senkaku conflict

Ghitis 13 (Frida, world affairs columnist for The Miami Herald and World Politics Review. A former CNN producer and correspondent, she is the author of *The End of Revolution: A Changing World in the Age of Live Television*. “World to Obama: You can't ignore us,” 1/22, http://www.cnn.com/2013/01/22/opinion/ghitis-obama-world)

And while Obama plans to dedicate his efforts to the domestic agenda, a number of brewing international crises are sure to steal his attention and demand his time. Here are a few of the foreign policy issues that, like it or not, may force Obama to divert his focus from domestic concerns in this new term.¶ Syria unraveling: The United Nations says more than 60,000 people have already died in [a civil war t](http://www.cnn.com/2013/01/02/world/meast/syria-civil-war/index.html)hat the West has, to its shame, done little to keep from spinning out of control. Washington[has warned](http://www.nytimes.com/2012/12/04/world/middleeast/nato-prepares-missile-defenses-for-turkey.html?_r=0) that the use of chemical or biological weapons might force its hand. But the regime [may have already used them](http://www.reuters.com/article/2013/01/19/us-syria-chemical-newspaper-idUSBRE90I0JV20130119). The West has failed to nurture a moderate force in the conflict. Now Islamist extremists are growing [more powerful](http://www.al-monitor.com/pulse/originals/2013/01/fighter-syria-aleppo-turkey.html) within the opposition. The chances are growing that worst-case scenarios will materialize. Washington will not be able to endlessly ignore this dangerous war.¶ Egypt and the challenge of democracy: What happens in Egypt strongly influences the rest of the Middle East -- and hence world peace -- which makes it all the more troubling to see liberal democratic forces lose battle after battle for political influence against Islamist parties, and to hear blatantly [anti-Semitic speech](http://www.nytimes.com/2013/01/15/world/middleeast/egypts-leader-morsi-made-anti-jewish-slurs.html) coming from the mouth of Mohammed Morsy barely two years before he became president.¶ Iran's nuclear program: Obama took office promising a new, more conciliatory effort to persuade Iran to drop its nuclear enrichment program. Four years later, he has succeeded in implementing international sanctions, but Iran has continued enriching uranium, leading [United Nations inspectors](http://news.yahoo.com/un-credible-evidence-iran-working-nuke-weapons-153544271.html) to find "credible evidence" that Tehran is working on nuclear weapons. Sooner or later the moment of truth will arrive. If a deal is not reached, Obama will have to decide if he wants to be the president on whose watch a nuclear weapons race was unleashed in the most dangerous and unstable part of the world.¶ North Africa terrorism: A much-neglected region of the world is becoming increasingly difficult to disregard. In recent days, [Islamist extremists](http://edition.cnn.com/2013/01/18/opinion/ghitis-algeria-hostage-crisis/index.html?hpt=op_t1) took American and other hostages in Algeria and France sent its military to fight advancing Islamist extremists in Mali, a country that once represented optimism for democratic rule in Africa, now overtaken by militants who are potentially turning it into a staging ground for international terrorism.¶ Russia repression: As Russian President Vladimir Putin succeeds in [crushing opposition](http://www.france24.com/en/20121027-russian-opposition-leaders-detained-protest-navalny-udaltsov-vladimir-putin) to his [increasingly authoritarian](http://www.freedomhouse.org/report/freedom-world/2013/russia)rule, he and his allies are making anti-American words and policies their favorite theme. A recent ban on adoption of Russian orphans by American parents is only the most vile example. But Washington needs Russian cooperation to achieve its goals at the U.N. regarding Iran, Syria and other matters. It is a complicated problem with which Obama will have to wrestle.¶ Then there are the long-standing challenges that could take a turn for the worse, such as the Israeli-Palestinian conflict. Obama may not want to wade into that morass again, but events may force his hand.¶ And there are the so-called "black swans," events of low probability and high impact. [There is talk](http://www.economist.com/news/asia/21569757-armed-clashes-over-trivial-specks-east-china-sea-loom-closer-drums-war) that China and Japan could go to war over a cluster of disputed islands.¶ A war between two of the world's largest economies could prove devastating to the global economy, just as a sudden and dramatic reversal in the fragile Eurozone economy could spell disaster. Japan's is only the hottest of many territorial disputes between China and its Asian neighbors. Then there's North Korea with its nuclear weapons.¶ We could see regions that have garnered little attention come back to the forefront, such as Latin America, where conflict could arise in a post-Hugo Chavez Venezuela.¶ The president -- and the country -- could also benefit from unexpectedly positive outcomes. Imagine a happy turn of events in Iran, a breakthrough between Israelis and Palestinians, the return of prosperity in Europe, a successful push by liberal democratic forces in the Arab uprising countries, which could create new opportunities, lowering risks around the world, easing trade, restoring confidence and improving the chances for the very agenda Obama described in his inaugural speech.¶ The aspirations he expressed for America are the ones he should express for our tumultuous planet. Perhaps in his next big speech, the State of the Union, he can remember America's leadership position and devote more attention to those around the world who see it as a source of inspiration and encouragement.¶ After all, in this second term Obama will not be able to devote as small a portion of his attention to foreign policy as he did during his inaugural speech.¶ International disengagement is not an option. As others before Obama have discovered, history has a habit of toying with the best laid, most well-intentioned plans of

### Surrender

So arg

**Zero scientific, empirical, or logical basis for psychoanalytic critique --- their distinctions are garbage**

Francis J. **Mootz 2k** II, Visiting Professor of Law, Pennsylvania State University, Dickinson School of Law; Professor of Law, Western New England College School of Law, Yale Journal of the Law & Humanities, 12 Yale J.L. & Human. 299, p. 319-320

Freudian psychoanalysis increasingly is the target of blistering criticism from a wide variety of commentators. **54** In a recent review, Frederick Crews reports that independent studies have begun to converge toward a verdict... that **there is literally nothing to be said, scientifically or therapeutically, to the advantage of the entire Freudian system or any of its component dogmas** Analysis as a whole remains powerless... and understandably so, because a thoroughgoing epistemological critique, based on **commonly acknowledged standards of evidence and logic** decertifies **every distinctively psychoanalytic proposition**. **55** The most telling criticism of Freud's psychoanalytic theory is that it has proven no more effective in producing therapeutic benefits than have other forms of psychotherapy. 56 Critics draw the obvious conclusion that the benefits (if any) of psychotherapy are neither explained nor facilitated by psychoanalytic theories. Although Freudian psychoanalytic theory purports to provide a truthful account of the operations of the psyche and the causes for mental disturbances, critics argue that psychoanalytic theory may prove in the end to be nothing more than fancy verbiage that tends to obscure whatever healing effects psychotherapeutic dialogue may have. **57** ¶ Freudian psychoanalysis failed because it **could not make good on its claim to be a rigorous and empirical science**. Although Freud's mystique is premised on a widespread belief that psychoanalysis was a profound innovation made possible by his genius, Freud claimed only that he was extending the scientific research of his day within the organizing context of a biological model of the human mind. **58** [\*320] Freud's adherents created the embarrassing cult of personality and the myth of a self-validating psychoanalytic method only after **Freud's empirical claims could not withstand critical scrutiny** in accordance with the **scientific methodology** demanded by his metapsychology. **59** The record is clear that Freud believed that psychoanalysis would take its place among the sciences and that his clinical work provided empirical confirmation of his theories. This belief now appears to be **completely unfounded and indefensible.¶** Freud's quest for a scientifically grounded psychotherapy was not amateurish or naive. Although Freud viewed his "metapsychology as a set of directives for constructing a scientific psychology," n60 Patricia Kitcher makes a persuasive case that he was not a blind dogmatist who refused to adjust his metapsychology in the face of contradictory evidence. n61 Freud's commitment to the scientific method, coupled with his creative vision, led him to construct a comprehensive and integrative metapsychology that drew from a number of scientific disciplines in an impressive and persuasive manner. n62 However, the natural and social sciences upon which he built his derivative and interdisciplinary approach developed too rapidly and unpredictably for him to respond. n63 As **developments in biology quickly undermined Freud's theory**, he "began to look to linguistics and especially to anthropology as more hopeful sources of support," n64 but this strategy later in his career proved equally [\*321] unsuccessful. n65 The scientific justification claimed by Freud literally eroded when **the knowledge base underlying his theory collapsed**, leaving his disciples with the impossible task of defending a theory whose presuppositions no longer were plausible according to their own criteria of validation. n66

#### Benign US and norms solve the impact

**Elshtain, ’11** [Jean Bethke, Prof. Social and Pol. Ethics – U. Chicago. “Reply”. International Relations, March 2011, 25. http://ire.sagepub.com/content/25/1/135.citation]

Finally, I do praise American principles, for these reflect high norms of human moral equality and political freedom; they are the benchmark against which the US measures itself internally. But I do not argue for a role for the US under the rubric of the responsibility to protect because of our alleged moral superiority. What is at stake is justice – and the possibility of minimally decent states. Certainly one would rather have states committed to principles of freedom and moral equality taking responsibility than states that spit on such ideas: states, it should be noted, far less likely to respond to ‘humanitarian catastrophes’, in any case. In recounting the horrors of the Taliban regime, I observed the difference between the principles and the practices of constitutional orders and the rampant disorder of Taliban misrule. Does the international community have no responsibility at all in these situations – when regimes violate human rights egregiously, systematically, with impunity? When such states sponsor terrorism, the road to responsibility is more clearly laid out. But what of other situations? Do we stand by and do nothing? What can we do? What ought we to do? If human rights mean anything – and I sometimes think they mean very little when the crunch comes – they require some modest enforcement. Law without enforcement is not law at all. Can some undertake that enforcement at the behest of others or at their own behest under norms of international justice? These are questions I raised in my book and have articulated at length in several essays. Given that, it does not strike me as quite fair to conclude, as Zehfuss does, that I favor ‘imperial violence’ in the end. The word ‘violence’ is excessively provocative, as I suspect Zehfuss realizes. It is a matter of the justifiable use of force, not violence, and this means force controlled and limited under in bello norms.

The blanket rejection of US power results in genocide  **Gitlin 3**. Todd Gitlin, Writer for Mother Jones, an Investigative Activist Organization, 7/14/2003 ("Goodbye, New World Order: Keep the Global Ideal Alive" - MotherJones.Com) <http://www.motherjones.com/commentary/gitlin/2003/07/we_478_01.html>
The point is that this would be a terrible time to give up on internationalism. The simple fact that the US proved victorious in Iraq does not alter the following chain of truths: To push the world toward democratic rights, power must be legitimate; it is only legitimate if it is held to be legitimate; it is very unlikely to be legitimate if it is unilateral or close to unilateral; and the wider the base of power, the more likely it is to appear legitimate. Bush may have no doubt that American armed force in the Middle East is legitimate, and right now Americans may agree, but that won't do. Common sense alone should tell us not to overreach. Even with the best intentions in the world -- which hundreds of millions doubt -- the United States is simply not up to the global mission that the Bush administration embraces. This nation hasn't the staying power, the economic strength, the knowledge, the wisdom, or the legitimacy to command the continents. It is sheerest delusion to think otherwise. Meanwhile, it is an irony of the recent past that as the United States has lost prestige, the United Nations has gained it -- at least outside our borders. For all its demonstrable flaws, it retains some credibility -- no small thing in a world growing more anarchic. Even the U. N.'s sharpest critics concede that it learns from its mistakes. Having failed miserably to stop ethnic cleansing in Bosnia and Rwanda, it started talking about the need to keep constabulary forces at the ready. Having been assigned much of the world's dirty work -- peacekeeping, public health, refugee and humanitarian aid -- its institutions accumulate the lore of experience. Resolution 1441, which the Security Council passed unanimously last year, might even be interpreted, strange to say, as a step forward in the enforcement of international law, for if the U. S. had been more adroit and patient diplomatically, the French and others could have been nudged into signing onto limited force a few months hence. In the end, the organization failed to prevent war, but its hopes have never been more necessary, its resurrection more indispensable. If internationalism is toothless, right now, that's not an argument against internationalist principle; it's an argument for implanting teeth. If what's left on the East River is nothing but a clunky hulk, there was still enough prestige left in the hulk that George W. Bush, master unilateralist, felt impelled to dally with the Security Council -- however reluctantly, however deceptively -- for months. No less a figure than his father's consigliore and former Secretary of State James W. Baker urged that course upon the president last summer. Going the Security Council route was the tribute George W. Bush paid to internationalism -- before underscoring his contempt for it by going to war on his own schedule. This is not the first time an international assembly of nation-states has failed abjectly to prove its mettle. Indeed, in 1945, the UN itself was built atop the site of an earlier breakdown. The rubble of the collapsed League of Nations, which had failed to arrest blatant aggression by Italy, Japan, and Germany, had to be cleared away before the UN could rise from the ashes. Yet rise it did. And people were inspired -- and frightened -- by it. Even as a spectral presence, the UN was substantial enough to arouse right-wingers to put up billboards urging the US to flee its clutches. Recently, George W. Bush fondly remembered those signs, conspicuous around Midland, Texas, during his early years. To Midland's America Firsters, the U. N. had a reputation as demonic as it was, to this writer, benign. In the General Assembly building, which my friends and I frequented in high school, the ceiling was left unfinished -- to signal, we were told, that world peace was unfinished. What if the symbolism was indeed a pointer toward a different order of things? It is not always easy to tell the difference between dead symbols and promising ones. Push came to shove, and the UN was mainly an intimation -- at most an inspiration. Neither as peacemaker nor peacekeeper was it the world government-in-the-making that some desired and others feared. It was a force in Korea only because the Russians agreed not to play. It was useless in Vietnam. During the endless Israel-Palestine war, it has been bootless. In the 1990s, it failed miserably to stop Serb aggression in Bosnia and Kosovo. It stood by during the Rwandan genocide, too, though its own military commander on the scene, Canadian General Romeo Dallaire, pleaded desperately for UN reinforcements. You can see why realists like to smirk and claim it's hopelessly idealistic to think that the UN could ever amount to anything more than a debating society whose main achievement has been to reserve a lot of Manhattan parking spots. Interestingly, Dallaire, who was shattered by UN failure in Rwanda, does not sneer. In retirement, he continues campaigning to strengthen world governance. "You can't on one side, say the UN is screwing it up and we're going to go to war, and on other side not give the UN the resources," he said recently. "It is not the UN that failed [in Iraq]. But it is the permanent five [members of the Security Council] in particular. If they don't want the UN to be effective, it won't be." Pause with this elementary observation a moment. The reasons for the UN's weakness are several, but not the least is that -- no surprise here -- the most powerful nations want it weak. They like the principle of national sovereignty, and then some, as the recent war amply demonstrates. It will take a long, steady, popular campaign to override the inhibitions. Campaigners might start by underscoring some modest successes. For all the impediments thrown in its way -- and not only by the US -- the UN has done constructive work. It helped restore decent governments in Cambodia, East Timor, and Bosnia. It helps keep the peace on the Golan Heights. On a thousand unnoticed fronts, it daily comes to the aid of refugees, the sick, the malnourished. A top UN official recently told me that Secretary General Kofi Annan was inches away from a partition-ending deal in long-suffering Cyprus, only to lose momentum with the distraction of the Bush-Saddam confrontation. In Afghanistan and Iraq, we need not less of the UN, but much more -- more efficient, better led, better funded. Rebuild The Destroyed Nations: Now there's an agenda for a peace movement. But much of the global movement that sprang up to oppose the Iraq war proceeded to subside into easy chants of "US Out" -- an analogue to the right wing's "US Out of the UN." This sort of short-circuit unilateralism begs the tough questions about the uses (as well as abuses) of international intervention. "US Out" resounds more ringingly if you refrain from thinking about what actual Afghans and actual Iraqis need -- constitutional rights, law enforcement, infrastructure. Protest has its time and place, but what's needed now is politics -- politics to plan the unilateralists' exit from office, combined with practical pressure, here and now, to solve practical problems. We must not permit ourselves to retreat noisily into protest's good night. Most of all, internationalism needs more than a nudge here and there -- it needs a jump-start, a riveting proof that multilateral action can change facts on the ground. Here's one idea: What if the UN and Europe decided to take on the toughest assignment? There is no more stringent test for internationalism's future than what seems the world's most intractable trauma: The endless Israel-Palestine war, which has outlasted a thousand manifestos, plans, meetings about meetings. The new postwar situation might just be promising, the Bush administration just possibly susceptible to pressure. Practical, peace-seeking Jews and Palestinians ought to get in on the pressure; so should Europeans looking for payback, not least Tony Blair. And we ought to be thinking of a practical role for a UN, or joint UN-NATO constabulary. As Tony Klug of Britain's Council for Jewish-Palestinian Dialogue has pointed out on openDemocracy.net, the two bloodied, intertwined, myopic peoples need far more than a road map: they need enforcement. Klug's idea is an international protectorate for the West Bank and Gaza. Some combination of the UN, NATO, and various national forces would play various parts. The point would be to supplant the Israeli occupation, relieve the immediate suffering, and guarantee secure borders. Such a scheme would seem to have taken leave of this earth. The U. S. won't permit it....Sharon won't permit it....The Europeans won't pay for it....The Israelis won't trust the UN, or the Palestinians, who won't trust the Israeli. But what is the alternative? More living nightmares? Occupation and massacre in perpetuity? Military enforcement on a global scale has been left to ad hoc coalitions -- sometimes with blue helmets, sometimes not. That won't do. To put human rights on the ground, avert genocides to come, and -- not incidentally -- help protect the United States from the more vengeful of empire's resentful subjects (funny, their not understanding how good our power is for them), we need a more muscular global authority -- including a global constabulary. Imagine, say, a flexible force permitted to commit, say, 10,000 troops if a simple majority, eight members, of the Security Council signed on, but expandable to 50,000 if the vote were unanimous. Wouldn't Europe have been in a stronger position to avert Bush's war if such a force had been in readiness to enforce resolutions of the Security Council? A wise superpower would know it needs to share responsibility -- which entails sharing the force that makes responsibility real. Of course such a denouement is scarcely around the corner, nor is there any guarantee that it is destined to come at all. Like the abolition of slavery, or the unity of Europe, it surely will not come without pain or error, nor will it be the work of a single generation. But again, what is the alternative? Tyranny and unilateralism; hubris and mile-high resentment. In the world as it is, effective moral force cannot preclude military force. If internationalists don't press more strongly for international law and multilateralist order, one thing is certain: we shall be left with protests, playing catch-up forever, waiting for "told you so" moments. "No" is not a foreign policy. Coupled with the properly skeptical "no" must be the transformative "yes" -- not a grudging, perfunctory afterthought, but international law with enforcers; not empire, but human rights with guns.

#### No impact to the intervention they cite and it is declining

**Melander et al ‘9** (Erik, Assistant Prof. Dept. Peace and Conflict Research – Uppsala U., Magnus Öberg, Dir. Studies Undergraduate Program Dept. Peace and Conflict Research – Uppsala U., and Jonathon Hall, Marie Curie Fellow – Center for Conflict Research – Utrecht U. and PhD Candidate Peace and Conflict Research– Uppsala U., European Journal of International Relations, “Are ‘New Wars’ More Atrocious? Battle Severity, Civilians Killed and Forced Migration Before and After the End of the Cold War”, 15:3, September, Sage)

What we find is that the human impact of civil conflict has diminished in the post-Cold War period. Battle severity, measured as battle deaths, has significantly declined. The magnitude of direct violence against civilians in civil conflict has also decreased. Civilian displacement follows a slightly more complicated pattern, similar to the trend in the number of civil conflicts; it is significantly higher in the period 1990–4 than in either the Cold War period or in the period 1995–9. While civil conflicts in the period 1990–4 generate larger flows of displaced people than civil conflicts of the Cold War era, there is no consistent increasing trend in the data. On the contrary, the decrease in forced migration flow in the most recent time period is statistically significant. The claim regarding the ratio of civilian to military casualties is not possible to evaluate directly since there are no systematic data on this aspect of armed conflict. However, we do offer an indirect test of this proposition: if the ratio of civilian to military victims has changed, when comparing conflicts with similar levels of battle severity from the Cold War and post-Cold War periods, we should expect to see higher numbers of civilian deaths in the latter. Moreover, if the ratio of civilian to military deaths is higher in the post-Cold War period then ipso facto conflicts have become more threaten ing and dangerous to civilians, which research on forced migration has consistently shown should generate higher levels of civilian displacement (Davenport et al., 2003; Melander, 2006; Melander and Öberg, 2006; Moore and Shellman, 2004; Schmeidl, 1997). By holding battle severity constant and looking at the variation in civilian displacement and civilians killed, we test whether or not the ratio has changed significantly over time. What we find is that the ratio of civilian to military victims has decreased since the end of the Cold War. Thus, our study makes two major contributions. First, we examine the average trends in the human impact of war, taking into account all civil conflicts and controlling for potentially confounding factors. Second, we show a decline in all four aspects of human impact. In other words, the dimensions of the human impact of civil conflicts for which we have systematic data all exhibit trends which are at odds with the basic claims of ‘new war’ theorists. Needless to say, this does not mean that civil conflict during the past decade and a half has not been greatly destructive to human life; it surely has been. But it has on average been less so than civil conflict during the Cold War period. We offer an explanation for this pattern, arguing that the ‘new wars’ thesis exaggerates the human impact of civil war motivated by identity politics, that it misreads the effects of an increasingly globalized economy on the gov ern ment side in civil conflict, and that it misjudges the consequences of reduced superpower interest in the developing world. We suggest that the pattern of lessening human impact of civil war following the ending of the Cold War reflects the decline of ideological conflict, the restraining influence of increasingly globalized economies on governments, **and the lessening of superpower campaigns of destabilization and counter-insurgency through proxy warfare**, sooner than any fundamental changes in the nature of warfare itself.

### Terror

#### Their understanding of terrorism is flawed – there are a variety of motivations but fanaticism is becoming more important.

**Laqueur 3** Walter– historian, has taught at Brandeis University, Georgetown, Harvard, University of Chicago, Tel Aviv and John Hopkins university; expert in terrorism and one of the founders of its study; holocaust survivor [No end to war: terrorism in the twenty-first century. Google Books]

It was only to be expected that there should be voices arguing that the events of September 2001 had been unique and unlikely to recur, as time had passed without many major terrorist attacks. Memories are short and wishful thinking is deeply rooted. Terrorism will be given less attention if a full scale war breaks out. But no war lasts forever. It is too expensive in every respect in our day and age, whereas terrorism is relatively cheap and will be with us for as long as anyone can envision, even if not always at the same frequency and intensity. Terrorism has become the subject of a great deal of study, comment, debate, and controversy. There has been an enormous amount of comment on the roots of terrorism as well as the best ways to deal with it. Unfortunately, these debates have been distinguished very often more by passion and emotion (and, of course, preconceived notions) than by knowledge and insight. The history of terrorism remains an essential key to understanding the phenomenon; most of the new terms that have appeared in the literature in recent years refer to concepts that have always been known since time immemorial. Guerrilla warfare and terrorism were always “asymmetric warfare,” and the discovery that terrorists need “failed countries” (or regions of failed countries) would have been considered less than sensational in biblical times, let alone by Mao Tse-tung (from the caves of Adulam to the caves of Yenan). But past experience is no longer the only key for understanding terrorism. **The crucial new elements are**, as I tried to show in a book several years ago, easier **access to weapons of mass destruction and the greater importance of religious-political fanaticism** as a motive. At the present time, radical Islamism is the single most important force, and it will probably remain so for a considerable time to come. But there is always the danger of being blinded by current events; radical Islamism was not always the main threat and it may not always be in the future. There is no authoritative systematic guide to terrorism – no Clausewitz, not even a Jomini – and perhaps there never will be one, simply because there is not one terrorism but a variety of terrorism and what is true for one does not necessarily apply to others. There are major obstacles on the road toward understanding terrorism; perhaps no other topic in our time has provoked such violent emotions. Those who have been commenting with the greatest assurance on terrorism are usually concerened with one group, ethnic or political. they are not preoocupied with the general phenomemon of terrorism, but the fate and interests of the specific group with which they identify with or oppose. Those preoocupied with terrorism in the Israeli-Palestinian context (except for a small group of professional experts) are usually unwilling to give even passing thought to events in Algeria or Sri Lanka; the fact that, to give another example, suicide terrorism occurs in various parts of the world and not just in one will merely be regarded as confusing by those engaging in sweeping generalizatiosn on the subject. People preoccupied with the Kashmir conflict have little interest in events in Colombia or the Balkans – faraway countries about which little is known and that seem irrelevant to the problems at hand. Those finding justifications for the violence of the extreme left (which leads them to far-reaching generalizations about the progressive character tout court of global terrorism) tend to forget that there is also a terrorism of the far right of which they do not approve at all. The student of terrorism has to consider the general picture; any fixation on one specific aspect of terrorism is bound to lead to wrong conclusions. The use of terms like “left” and “right” has become more and more problematical with the passing of timel it has become more often than not misleading in an age of growing populism that can with equal ease adopt views and politics that used to be considered “left” and “right.” Terrorist groups of the extreme “left” have often become aggressively nationalistic, whereas those of the far right are second to none with their ardent anticapitalism and anti-Americanism. Trotskyites have given critical support to Ayatolla Khomeini and the Talkiban with their radical “anti-imperialism,” and neo-Nazis are suggesting a “third position,” an anti-Westernism that should unite extremists from the left and the right. Anti-Semitism, once the preserve of the extreme right, has spread to the far left. Is Osama bin Laden a man of the left or the right? The question is, of course, absud: The religious-nationalist terrorists have nothing in common with the ideas of the traditional, secular left; they may have in common certain features with fascism. But such comparisons are of limited relevance only; traditional Western political categories do not apply to them. They are premodern and postmodern at the same time. Another major obstacle to understanding terrorism is the **psychological resistance against accepting uncomfortable facts.** Such resistance to accept new facts running counter to deeply ingrained beliefs is not, of course, new. It has occurred whenever a new movement appeared on the scene; fascism and communism, to give but two examples, were interpreted in the light of the past, and what was essentially new in these movements was overlooked. This form of resistance has been frequent even in the history of science, and it should have come as not surprise that in the study of terrorism in which scientific proof and prediction do not exist, resistance should be even stronger. As a result, the debate on terrorism has resembled quite often a parade of old hobby horses. People who have ready-made explanations of why terrorism occurs will not easily give up their beliefs, however much proof to the contrary is produced. My interest in terrorism and geurilla warfare goes back some three decades. I dealth with the history of these two subjects in two volumes in the 1970s. My assunmption at the time was that while terrorism was a topic of great fascination, its political importance was limited. But I did not exclude that a time might come when, for a variety of reasons, terrorism might assume a far more important role. I mentioned in my earlier writing growring fanaticism, religious and nationalist, on the one hand and access to weapons of mass destruction on the other. Fanaticism per se is of course not new, but it has had a major rebirth – much to the surprise of those in Europe and America who had believed that it was a thing of the past. The use of the weapons of mass destruction by fanatics is yet to come. Awareness of this danger has not yet percolated in the public consciousness: the possibility, indeed the probability, that even very small groups of people will be able to inflict enormous damage on societies and that **the number of victims could be infinitely greater** than in the past. There is yet another crucial difference between the old terrorism and the new: until recently, terrorism was, by and large, disciriminate, selecting its victims carefully – kings and queens, government ministers, generals, and other leading political figures and officials. It was, more often than not, “propaganda by deed.” Contemporary terrorism has increasingly become indiscriminate in the choice of its victims. Its aim is no longer to conduct propaganda but to effect maximum destruction. Another important difference between the old terrorism and the new is the crucial importance of paranoiac elements in the terrorism of the far right and the extreme left, perhaps most of all in terrorists inspired by religious fanaticism. National oppression (to give but one example) is not a delusional disorder, but it is precisely in individuals and groups of religious-nationalist extremists that aggression and hostility toward others become unmanageable, and that the all-consuming concern with nonexistent hidden motives leads to a loss of the sense of reality. The outlook is poor; there are no known cures for fanaticism and paranoia. Present debates about the causes of terrorism deal with topics such as ethnic and religious tensions, globalism and antiglobalism, poverty and exploitation. But these issues could be less important with regard to the terrorism of the future; the smaller the terrorism group, the more outlandish its doctrine is likely to be and the greater the relevance of psychological factors. There is bound to be great resistance to accepting this. But there is no accounting for the perceived complaints and injuries of a handful of people by means of invoking broad social, economic, and political trends. Eventually the old science-fiction scenario of the mad scientist taking vengeance on society could become reality.

#### Repealing AUMF bad- terror down now BECAUSE of increased pressure but AQ still wants to attack us- they won’t accept surrender and will never act defeated

Troy Senik 6/06/13, Senior Fellow at the Center for Individual Freedom. Mr. Senik served in the White House as a speechwriter for President George W. Bush, and previously wrote for California Governor Arnold Schwarzenegger and former Speaker of the House Newt Gingrich, "In the War on Terror, a Surrender," http://cfif.org/v/index.php/commentary/45-foreign-policy/1864-in-the-war-on-terror-a-surrender

Now Barack Obama has a scandal cocktail consisting of the deception surrounding last September’s terrorist attack in Benghazi; the IRS’s harassment of conservative non-profits, and the Justice Department’s surveillance of journalists. Obama may have thought he could stem the rise of the oceans, but he can’t resist the gravitational pull of a second term.¶ There is a playbook for these sorts of travails. A president generally focuses on “getting back to work,” in an attempt to both distract attention from scandal and reassert his relevancy. Most often, this takes the form of a focus on foreign policy, an area where presidents are relatively free to work their will without the intrusion of a Congress that regards them as irrelevant once lame-duck status sets in.¶ This was likely the motivation for Obama’s recent decision to give a major foreign policy address at the National Defense University in Washington D.C. Media coverage of the speech focused mostly on an extended exchange between Obama and a left-wing heckler over Guantanamo Bay, which buried the real story: Barack Obama has a plan for winning the War on Terror – he’ll simply say it’s over.¶ During his remarks, Obama proposed repealing the authorization of military force that emerged from Congress in the aftermath of 9/11 – the document that provides the legal justification to pursue terrorists around the globe and, it should be noted, which allows for the drone strikes that the president spent much of his speech bending over backwards to defend.¶ Now, Obama is far from the only person to take issue with the breadth of that authorization. Senator Rand Paul has also criticized the broad interpretation of the law, which has allowed the original post-9/11 mandate to extend to current conflicts with extremist groups (like those in Yemen and Somalia) that didn’t even exist at the time that Congress passed the bill.¶ Fair enough. But apart from a vague assertion that “Our systematic effort to dismantle terrorist organizations must continue,” Obama didn’t offer any thoughts on what would replace the authorization of military force … which is important, because you can’t keep up that “systematic effort” without some legal authority. Instead, he offered a particularly listless bromide, noting that, “this war, like all wars, must end. That’s what history advises. That’s what our democracy demands.”¶ Well, yes, but history also advises that wars don’t end because one side signs a piece of paper that the other ignores. It’s true, as Obama noted in his remarks, the scope of our war with Islamist terrorists has narrowed. We haven’t had anything remotely approaching another 9/11, thanks largely to the aggressive posture adopted in the wake of those attacks. But the threat has only been reduced because we’ve applied relentless pressure. Let up a little bit and you can be assured it will flare back up. That’s the thing about theocratic martyrs – they tend to define defeat differently than we do.¶ A more sober president would have taken the reality as he found it – Al Qaeda weakened, but not defeated; Islamists still keen to strike the United States – and tailored a strategy accordingly. Obama, by contrast, believes that, since things are going our way, this is as good a time as any to call off the whole affair. This is what happens when a president is guided by that aforementioned hubris: He begins to believe that reality will take whatever form his speechwriters command.¶ The task of combating radical Islam will be Obama’s for the rest of his term, whether he likes it or not. It will likely occupy several of his successors as well. The president can declare himself done with the War on Terror if he pleases. He just shouldn’t expect the War on Terror to return the favor.

#### Future terror attacks cause XTC- increasing tech and lack of effective US response

Nathan Myhrvold '13, Phd in theoretical and mathematical physics from Princeton, and founded Intellectual Ventures after retiring as chief strategist and chief technology officer of Microsoft Corporation , July 2013, "Stratgic Terrorism: A Call to Action," The Lawfare Research Paper Series No.2, <http://www.lawfareblog.com/wp-content/uploads/2013/07/Strategic-Terrorism-Myhrvold-7-3-2013.pdf>

Technology contains no inherent moral directive—it empowers people, whatever their intent, good or evil. This fact, of course, has always been true: when bronze implements supplanted those made of stone, the ancient world got swords and battle-axes as well as scythes and awls. Every technology has violent applications because that is one of the first things we humans ask of our tools. The novelty of our present situation is that modern technology can provide small groups of people with much greater lethality than ever before. We now have to worry that private parties might gain access to weapons that are as destructive as—or possibly even more destructive than—those held by any nation-state. A handful of people, perhaps even a single individual, now have the ability to kill millions or even billions. Indeed, it is perfectly feasible, from a technological standpoint, to kill every man, woman, and child on earth. The gravity of the situation is so extreme that getting the concept across without seeming silly or alarmist is challenging. Just thinking about the subject with any degree of seriousness numbs the mind. Worries about the future of the human race are hardly novel. Indeed, the notion that terrorists or others might use weapons of mass destruction is so commonplace as to be almost passé. Spy novels, movies, and television dramas explore this plot frequently. We have become desensitized to this entire genre, in part because James Bond always manages to save the world in the end. Reality may be different. In my estimation, the U.S. government, although well-meaning, is unable to protect us from the greatest threats we face. The other nations of the world are also utterly unprepared. Even obvious and simple steps are not being taken. The gap between what is necessary and what is being contemplated, much less being done, is staggering. My appraisal of the present situation does not discount the enormous efforts of many brave men and women in law enforcement, intelligence services, and the military. These people are doing what they can, but the resources that we commit to defense and the gathering of intelligence are mostly squandered on problems that are far less dangerous to the American public than the ones we are ignoring. Addressing the issue in a meaningful way will ultimately require large structural changes in many parts of the government. So far, however, our political leaders have had neither the vision to see the enormity of the problem nor the will to combat it. These weaknesses are not surprising: bureaucracies change only under extreme duress. And despite what some may say, the shocking attacks of September 11th, 2001, have not served as a wake-up call to get serious. Given the meager response to that assault, every reason exists to believe that sometime in the next few decades America will be attacked on a scale that will make 9/11 look trivial by comparison.

#### Pakistani jihadists presence growing with US withdrawal- leadership desires expansion

Tufail Ahmad 6/20/13 Director of South Asia Studies Project at the Middle East Media Research Institute, Washington D.C, 6/20/13, "The Next Decade of Jihadism in Pakistan," Hudson Institute, http://www.currenttrends.org/research/detail/the-next-decade-of-jihadism-in-pakistan

In the run-up to the U.S. troop withdrawal from Afghanistan in 2014, two trends within Islamism in South Asia are likely to have far-reaching implications for regional politics and security. First, jihadist movements in Pakistan and its neighborhood are increasingly emboldened; their leaderships and core organizations remain largely intact, and their expectations for greater power are rising amid the emerging security vacuum. Second, jihadist movements and the Islamists sympathetic to their goals are increasingly seeking to use political means, including negotiations and elections, to capture power and impose Sharia rule. ¶ Islamism may be described as an ideological orientation which seeks to reshape society and politics through the imposition of a radical understanding of Islam. In the wake of the Arab Spring, Islamists in South Asia have increasingly sought to use not just armed struggle but political means to advance their cause. In Afghanistan, the Taliban appear inclined to accept elections and referendum as a means to capture power and rewrite the country’s constitution. In Pakistan, the success of Egyptian Islamists inspired Dr. Tahirul Qadri, the religious scholar, to end his self-imposed exile in Canada and threaten to unseat the Pakistani government through staging a Tahrir Square-like mass uprising in Islamabad in January 2013.[1] The Islamists’ current turn toward politics does not mean that they have embraced democratic principles or the rule of law. What it does indicate, however, is the Islamist movements' increasing cohesiveness, mobilization capacity, and desire to achieve power.¶ This paper examines the essential ideological unity of jihadist groups in Pakistan and its neighborhood. These movements include the Islamic Emirate of Afghanistan and the Haqqani Network, the Tehreek-e-Taliban Pakistan (TTP), Sipah-e-Sahaba Pakistan (SSP), Jaish-e-Muhammad (JeM) and Lashkar-e-Taiba (LeT). Moreover, it examines how the forthcoming U.S. troop withdrawal has emboldened jihadist commanders, who hope to expand their Islamist struggle to a wider region, including to Kashmir, India and Bangladesh, and possibly also to the Middle East and the United States.

#### Pakistani Jihadists will provoke conflict between Pakistan and India as a proxy war- new Indian military postures ensures global nuclear escalation

Andrew Phillips '12, PhD in IR from Cornell and professor of International Relations and Strategic Studies at the University of Queensland, 3/16/13, "Horsemen of the apocalypse? Jihadist strategy and nuclear instability in South Asia," International Politics: 49 pp. 297-317

The rising prominence of South Asian jihadists since 9/11 has finally been coupled with a growing tendency for these groups to mimic Al Qaeda's preferred tactics of provocation and polarisation. South Asian jihadists now routinely resort to suicide bombings and other mass-casualty attacks to foment sectarian tensions, destabilise national governments and intimidate host communities into submission (Bergen and Hoffman, 2010, p. 18). Most pertinently for this enquiry, since 9/11, Pakistan-based jihadists have twice perpetrated mass-casualty attacks in India with a view towards aggravating Indo–Pakistani tensions and ideally provoking a confrontation between the two countries. Both the December 2001 attack on the Indian Parliament and the November 2008 attack on luxury hotels in Mumbai were deliberate provocations intended to stoke the fires of Indo–Pakistani hostility (Ganguly and Kapur, 2010, p. 54). Alarmingly, an escalation to armed hostilities between the two countries was only narrowly avoided on both occasions. Moreover, shifts in India's conventional military posture – intended to enhance its ability to deter what it sees as provocations undertaken with the cognisance and complicity of elements of the Pakistani security establishment – have the potential to further diminish crisis stability in the event of renewed jihadist attacks on Indian territory (Ladwig III, 2007/08, p. 169). Under conditions of persistent bilateral Indo–Pakistani tensions and significant crisis instability, the conditions remain favourable for jihadists to indirectly employ Pakistan's nuclear stockpile as a ‘proxy arsenal’ by provoking an Indo–Pakistani confrontation. What they would hope to gain from such a confrontation, and how it would fit within their broader goal of destabilising and ultimately destroying an infidel-dominated world order, is a matter that I will now consider.¶ The dangers of jihadist-inspired nuclear escalation in South Asia¶ A jihadist-inspired Indo–Pakistani nuclear exchange would conceivably promote jihadist goals at both the regional and global levels. Within South Asia, even a limited nuclear confrontation between India and Pakistan would be catastrophically destabilising for both countries, and would potentially permanently solidify estrangement between the two nations while radically amplifying communal tensions throughout the sub-continent. Since the deposition of the last Mughal emperor in 1857 and concomitant dissolution of Muslims’ nominal political supremacy in the sub-continent, local Islamists have consistently lamented their demographic inferiority and perceived marginalisation vis-à-vis India's Hindu majority (Kepel, 2006, p. 35). Following the 1971 Indo–Pakistani war and the ensuing separation of Bangladesh (formerly east Pakistan) from Islamabad, fears of Indian sub-continental supremacy further strengthened, and have informed Pakistan's subsequent efforts to exacerbate India's internal divisions through its covert sponsorship of insurgencies throughout the country (Zahab and Roy, 2003, p. 54). Many of the radical Islamists that have enjoyed Inter Services Intelligence (ISI) sponsorship since that time retain a desire to dismember India, and have worked consistently to stoke communal tensions in the country through resort to acts of terrorism, as well as efforts to propagate radical Islamist ideas throughout India's Muslim communities (Ganguly and Kapur, 2010, p. 54). Besides the enormous human toll of an Indo–Pakistani nuclear exchange, a disaster of this magnitude would significantly strain India's fragile social fabric, thereby assisting jihadists’ goals of destabilising India and promoting its potential balkanisation.¶ Although the potential destabilisation of India following an Indo–Pakistani nuclear exchange would serve jihadist goals, the impact of such a conflict on Pakistan's domestic stability would be of even greater import for the jihadists. From 2007 onwards, local jihadists have waged an escalating campaign against the Pakistani state, but while they have partially succeeded in consolidating their presence across swathes of the Pashtun tribal heartland, they have thus far failed to seize power nationally. Alarmist predictions of Pakistan's imminent descent into state failure notwithstanding, the Pakistani military has succeeded in containing the local jihadist threat. Before the August 2010 floods, the military had even been making solid progress in rolling back the Pakistani Taliban's influence in the tribal areas, further jeopardising jihadist aspirations for national political power (Mullick, 2010, p. 8). Although it is impossible to predict Pakistan's resilience in the aftermath of a limited nuclear war with India, such a disaster would profoundly strain the Pakistani state. This could potentially pave the way for the jihadists’ direct seizure of state power, along with any remaining elements of the Pakistani nuclear arsenal. At the very least, the immense humanitarian consequences of such a catastrophe would likely overwhelm the management capacities of an already depleted military, opening up further governance vacuums in the country for jihadist elements to exploit.¶ The destabilisation of India and the potentially fatal weakening of the Pakistani state would each advance jihadist interests at a regional level. However, perhaps the greatest strategic dividend for the jihadists might come from the systemic destabilisation that an Indo–Pakistani nuclear exchange would bring in its train. Speculating on the likely ‘catalytic effects’ of a terrorist detonation of a nuclear device in South Asia, Robert Ayson has convincingly argued that such a scenario could rapidly lead to an uncontrollable escalation in Indo–Pakistani tensions culminating in nuclear war between the two states, a conflict that might even witness the involvement of external powers such as China and the United States (Ayson, 2010, pp. 586–587).

#### Extinction risks outweigh your impacts

Nick Bostrom, PhD and Professor at Oxford University, March, 2002

[Journal of Evolution and Technology, vol 9] <http://www.nickbostrom.com/existential/risks.html>

It’s dangerous to be alive and risks are everywhere. Luckily, not all risks are equally serious. For present purposes we can use three dimensions to describe the magnitude of a risk: scope, intensity, and probability. By “scope” I mean the size of the group of people that are at risk. By “intensity” I mean how badly each individual in the group would be affected. And by “probability” I mean the best current subjective estimate of the probability of the adverse outcome.[[1]](http://www.nickbostrom.com/existential/risks.html#_ftn1#_ftn1) 1.1         A typology of risk We can distinguish six qualitatively distinct types of risks based on their scope and intensity (figure 1). The third dimension, probability, can be superimposed on the two dimensions plotted in the figure. Other things equal, a risk is more serious if it has a substantial probability and if our actions can make that probability significantly greater or smaller.   “Personal”, “local”, or “global” refer to the size of the population that is directly affected; a global risk is one that affects the whole of humankind (and our successors). “Endurable” vs. “terminal” indicates how intensely the target population would be affected. An endurable risk may cause great destruction, but one can either recover from the damage or find ways of coping with the fallout. In contrast, a terminal risk is one where the targets are either annihilated or irreversibly crippled in ways that radically reduce their potential to live the sort of life they aspire to. In the case of personal risks, for instance, a terminal outcome could for example be death, permanent severe brain injury, or a lifetime prison sentence. An example of a local terminal risk would be genocide leading to the annihilation of a people (this happened to several Indian nations). Permanent enslavement is another example. 1.2         Existential risks In this paper we shall discuss risks of the sixth category, the one marked with an X. This is the category of global, terminal risks. I shall call these existential risks. Existential risks are distinct from global endurable risks. Examples of the latter kind include: threats to the biodiversity of Earth’s ecosphere, moderate global warming, global economic recessions (even major ones), and possibly stifling cultural or religious eras such as the “dark ages”, even if they encompass the whole global community, provided they are transitory (though see the section on “Shrieks” below). To say that a particular global risk is endurable is evidently not to say that it is acceptable or not very serious. A world war fought with conventional weapons or a Nazi-style Reich lasting for a decade would be extremely horrible events even though they would fall under the rubric of endurable global risks since humanity could eventually recover. (On the other hand, they could be a local terminal risk for many individuals and for persecuted ethnic groups.)

#### Terrorism studies are epistemologically and methodologically valid---our authors are self-reflexive

Michael J. Boyle '8, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

 Jackson (2007c) calls for the development of an explicitly CTS on the basis of what he argues preceded it, dubbed ‘Orthodox Terrorism Studies’. The latter, he suggests, is characterized by: (1) its poor methods and theories, (2) its state centricity, (3) its problemsolving orientation, and (4) its institutional and intellectual links to state security projects. Jackson argues that the major defining characteristic of CTS, on the other hand, should be ‘a skeptical attitude towards accepted terrorism “knowledge”’. **An implicit presumption from this is that terrorism scholars have laboured for all of these years without being aware that their area of study has an implicit bias, as well as definitional and methodological** **problems**. In fact**, terrorism scholars are not only well aware of these problems, but also have provided their own** searching **critiques** of the field at various points during the last few decades (e.g. Silke 1996, Crenshaw 1998, Gordon 1999, Horgan 2005, esp. ch. 2, ‘Understanding Terrorism’). **Some of those scholars most associated with the critique of empiricism** implied in ‘Orthodox Terrorism Studies’ **have also engaged in deeply critical examinations of the nature of sources, methods, and data in the study of terrorism**. For example, Jackson (2007a) regularly cites the handbook produced by **Schmid and Jongman** (1988) to support his claims that theoretical progress has been limited. But this fact was well recognized by the authors; indeed, in the introduction of the second edition they **point out** that they have not revised their chapter on theories of terrorism from the first edition, because the **failure to address** persistent conceptual and **data problems** has undermined progress in the field. The point of their handbook was to sharpen and make more comprehensive the result of research on terrorism, not to glide over its methodological and definitional failings (Schmid and Jongman 1988, p. xiv). Similarly, **Silke’s** (2004) **volume on the state of the field of terrorism research performed a similar function**, highlighting the shortcomings of the field, in particular the lack of rigorous primary data collection. **A non-reflective community of scholars does not produce such scathing indictments of its own work.**

#### We should focus on Jihadist extremism because it’s an empirical fact not because Islam is evil – obscuring it is condescending and turns their racism argument

**Berger, 12/9**/11 [J.M. Berger is editor of Intelwire.com and author of Jihad Joe: Americans Who Go to War in the Name of Islam.

On the right, embodied in comments by Republican presidential frontrunner Newt Gingrich, Muslims are treated largely as monsters, a seething mass of people who do not share American values and could, at any moment, establish a Taliban-style theocracy right here in the United States. On the left, as epitomized by President Barack Obama's new strategy, Muslims are treated as children who cannot be left to their own devices, who must be carefully tutored in proper behavior but not made to feel like they are singled out, lest someone pick on them. Virtually no one seems willing to speak to Muslims about this issue as if they are just people. In part, that's because our politicians and policymakers do not themselves seem to understand why they prioritize jihadist terrorism over other forms of violence. The reason jihadist terrorism is treated as a greater national security threat than racism and other forms of extremism has nothing to do with the nature of Islamist states or a failure to accept Muslims as part of the American family. It is as simple as this: Terrorists aligned with al Qaeda and related movements have proven themselves **willing and able to** plan and **carry out mass casualty attacks** on a consistent basis; other extremists, thus far, have not. It's true that considerably more Americans have died on U.S. soil at the hands of racists than jihadists during the last ten years. But these attacks are generally categorized as hate crimes and receive less media coverage, primarily because most of them consist of individuals targeting other individuals. It really is that simple. Glenn Beck may fear Muslims, and Newt Gingrich may suspect them of plotting to impose shariah law on America, but neither viewpoint would be part of our national discourse if not for 9/11. And Obama would not be introducing a strategy to combat violent extremism if not for the ongoing threat of a mass casualty event. We should not be complacent and assume that white supremacists and other extremists will never develop the will to carry out mass casualty attacks on a consistent basis. But the fact is that over the last 10 years, the majority of specific and credible plots to perpetrate mass casualty events have originated within the tiny fraction of 1 percent of the Muslim community that accepts al Qaeda's tactics. It is appropriate for law enforcement and intelligence agencies to single out individuals who possess the inclination and the capability to kill dozens or hundreds of people at a time. That is what drives the use of informants, drones, and other extraordinary tactics. That is why the government pursues al Qaeda and its adherents with such laser focus. But let's be clear: al Qaeda adherents are targeted because of their tactical focus on mass casualties, not because they are Islamists and not because they are Muslims. The fact that they are found among Muslims is an unavoidable reality, as is the corollary that law enforcement activities countering al Qaeda will take place among Muslims. Discrimination against Muslims in this country is unfortunately real. And it is unfortunately true that some American Muslims mix their religion and politics in ways that makes other Americans uncomfortable. But neither of these facts is responsible for -- or even all that relevant to -- America's focus on combating al Qaeda. Unfortunately, the talking points have taken possession of our politicians. It is unnecessary and counterproductive to treat the broad community of American Muslims as if they are monsters to be feared or children to be placated. It's time to start talking to them as what they are -- Americans who can handle a frank conversation about the safety of Americans.

## 1NR

### Terror

#### Al Qaeda seeks to destroy the globe---and that turns value-to-life --- err on the side of an imperfect West

Derrida 3 - Jacques Derrida, Directeur d’Etudes at the Ecole des Hautes Etudes en Sciences Sociales in Paris, and Professor of Philosophy, French and Comparative Literature at the University of California, Irvine, 2003, Philosophy in a Time of Terror, interviewed by Giovanni Borradori, p. 98-99

Borradori: Earlier you emphasized the essential role of international organizations and the need to cultivate a respect for international law. Do you think that the kind of terrorism linked to the al Qaeda organization and to bin Laden harbors international political ambitions?¶ Derrida: What appears to me unacceptable in the "strategy" (in terms of weapons, practices, ideology, rhetoric, discourse, and so on) of the "bin Laden effect" is not only the cruelty, the disregard for human life, the disrespect for law, for women, the use of what is worst in technocapitalist modernity for the purposes of religious fanaticism. No, it is, above all, the fact that such actions and such discourse open onto no future and, in my view, have no future. If we are to put any faith in the perfectibility of public space and of the world juridico-political scene, of the "world" itself, then there is, it seems to me, nothing good to be hoped for from that quarter. What is being proposed, at least implicitly, is that all capitalist and modern techno scientific forces be put in the service of an interpretation, itself dogmatic, of the Islamic revelation of the One. Nothing of what has been so laboriously secularized in the forms of the "political," of "democracy," of "international law," and even in the nontheological form of sovereignty (assuming, again, that the value of sovereignty can be completely secularized or detheologized, a hypothesis about which I have my doubts), none of this seems to have any place whatsoever in the discourse "bin Laden." That is why, in this unleashing of violence without name, if I had to take one of the two sides and choose in a binary situation, well, I would. Despite my very strong reservations about the American, indeed European, political posture, about the "international antiterrorist" coalition, despite all the de facto betrayals, all the failures to live up to democracy, international law, and the very international institutions that the states of this "coalition" themselves founded and supported up to a certain point, I would take the side of the camp that, in principle, by right of law, leaves a perspective open to perfectibility in the name of the "political," democracy, international law, international institutions, and so on. Even if this "in the name of" is still merely an assertion and a purely verbal commitment. Even in its most cynical mode, such an assertion still lets resonate within it an invincible promise. I don't hear any such promise coming from "bin Laden," at least not one for this world.

#### Nuclear terrorism is feasible---high risk of theft and attacks escalate

Vladimir Z. Dvorkin ‘12 Major General (retired), doctor of technical sciences, professor, and senior fellow at the Center for International Security of the Institute of World Economy and International Relations of the Russian Academy of Sciences. The Center participates in the working group of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, 9/21/12, "What Can Destroy Strategic Stability: Nuclear Terrorism is a Real Threat," belfercenter.ksg.harvard.edu/publication/22333/what\_can\_destroy\_strategic\_stability.html

Hundreds of scientific papers and reports have been published on nuclear terrorism. International conferences have been held on this threat with participation of Russian organizations, including IMEMO and the Institute of U.S. and Canadian Studies. Recommendations on how to combat the threat have been issued by the International Luxembourg Forum on Preventing Nuclear Catastrophe, Pugwash Conferences on Science and World Affairs, Russian-American Elbe Group, and other organizations. The UN General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism in 2005 and cooperation among intelligence services of leading states in this sphere is developing.¶ At the same time, these efforts fall short for a number of reasons, partly because various acts of nuclear terrorism are possible. Dispersal of radioactive material by detonation of conventional explosives (“dirty bombs”) is a method that is most accessible for terrorists. With the wide spread of radioactive sources, raw materials for such attacks have become much more accessible than weapons-useable nuclear material or nuclear weapons. The use of “dirty bombs” will not cause many immediate casualties, but it will result into long-term radioactive contamination, contributing to the spread of panic and socio-economic destabilization.¶ Severe **consequences can be caused by sabotaging nuclear power plants, research reactors, and radioactive materials storage facilities. Large cities are especially vulnerable to such attacks. A large city may host dozens of research reactors with a nuclear power plant or a couple of spent nuclear fuel storage facilities and dozens of large radioactive materials storage facilities located nearby.** The past few years have seen significant efforts made to enhance organizational and physical aspects of security at facilities, especially at nuclear power plants. Efforts have also been made to improve security culture. But these efforts do not preclude the possibility that well-trained terrorists may be able to penetrate nuclear facilities.¶ Some estimates show that sabotage of a research reactor in a metropolis may expose hundreds of thousands to high doses of radiation. A formidable part of the city would become uninhabitable for a long time.¶ Of all the scenarios, it is building an improvised nuclear device by terrorists that poses the maximum risk. **There are no engineering problems that cannot be solved if terrorists decide to build a simple “gun-type” nuclear device.** Information on the design of such devices, as well as implosion-type devices, is available in the public domain. It is the acquisition of weapons-grade uranium that presents the sole serious obstacle. Despite numerous preventive measures taken, we cannot rule out the possibility that such materials can be bought on the black market. Theft of weapons-grade uranium is also possible.

(MARKED)

 Research reactor fuel is considered to be particularly vulnerable to theft, as it is scattered at sites in dozens of countries. There are about 100 research reactors in the world that run on weapons-grade uranium fuel, according to the International Atomic Energy Agency (IAEA).¶ A terrorist “gun-type” uranium bomb can have a yield of least 10-15 kt, which is comparable to the yield of the bomb dropped on Hiroshima. The explosion of such a bomb in a modern metropolis can kill and wound hundreds of thousands and cause serious economic damage. There will also be long-term sociopsychological and political consequences.¶ The vast majority of states have introduced unprecedented security and surveillance measures at transportation and other large-scale public facilities after the terrorist attacks in the United States, Great Britain, Italy, and other countries. These measures have proved burdensome for the countries’ populations, but the public has accepted them as necessary. A nuclear terrorist attack will make the public accept further measures meant to enhance control even if these measures significantly restrict the democratic liberties they are accustomed to. Authoritarian states could be expected to adopt even more restrictive measures.¶ If a nuclear terrorist act occurs, nations will delegate tens of thousands of their secret services’ best personnel to investigate and attribute the attack. Radical Islamist groups are among those capable of such an act. We can imagine what would happen if they do so, given the anti-Muslim sentiments and resentment that conventional terrorist attacks by Islamists have generated in developed democratic countries. Mass deportation of the non-indigenous population and severe sanctions would follow such an attack in what will cause **violent protests in the Muslim world**. **Series of armed clashing terrorist attacks may follow**. The prediction that Samuel Huntington has made in his book “The Clash of Civilizations and the Remaking of World Order” may come true. Huntington’s book clearly demonstrates that it is not Islamic extremists that are the cause of the Western world’s problems. Rather there is a deep, intractable conflict that is rooted in the fault lines that run between Islam and Christianity. This is especially dangerous for Russia because these fault lines run across its territory. To sum it up, the political leadership of Russia has every reason to revise its list of factors that could undermine strategic stability.  BMD does not deserve to be even last on that list because its effectiveness in repelling massive missile strikes will be extremely low. BMD systems can prove useful only if deployed to defend against launches of individual ballistic missiles or groups of such missiles. Prioritization of other destabilizing factors—that could affect global and regional stability—merits a separate study or studies. But even without them I can conclude that nuclear terrorism should be placed on top of the list. The threat of nuclear terrorism is real, and a successful nuclear terrorist attack would lead to a radical transformation of the global order.  All of the threats on the revised list must become a subject of thorough studies by experts. States need to work hard to forge a common understanding of these threats and develop a strategy to combat them.

#### Bioterrorism causes extinction- no barriers to use and terrorists pursuing now

Nathan Myhrvold '13, Phd in theoretical and mathematical physics from Princeton, and founded Intellectual Ventures after retiring as chief strategist and chief technology officer of Microsoft Corporation , July 2013, "Stratgic Terrorism: A Call to Action," The Lawfare Research Paper Series No.2, <http://www.lawfareblog.com/wp-content/uploads/2013/07/Strategic-Terrorism-Myhrvold-7-3-2013.pdf>

A virus genetically engineered to infect its host quickly, to generate symptoms slowly—say, only after weeks or ¶ months—and to spread easily through the air or by casual contact would be vastly more devastating than HIV. It could silently penetrate the population to unleash its deadly effects suddenly. This type of epidemic would be almost impossible to combat because most of the infections would occur before the epidemic became obvious. A technologically sophisticated terrorist group could develop such a virus and kill a large part of humanity with it. Indeed, terrorists may not have to develop it themselves: some scientist may do so first and publish the details.¶ Given the rate at which biologists are making discoveries about viruses and the immune system, at some point in the near future, someone may create artificial pathogens that could drive the human race to extinction. Indeed, a ¶ detailed species-elimination plan of this nature was openly ¶ proposed in a scientific journal. ¶ The ostensible purpose of that particular research was ¶ to suggest a way to extirpate the malaria mosquito, but ¶ similar techniques could be directed toward humans.16 ¶ When I’ve talked to molecular biologists about this method, they are quick to point out that it is slow and easily ¶ detectable and could be fought with biotech remedies. If ¶ you challenge them to come up with improvements to the ¶ suggested attack plan, however, they have plenty of ideas.¶ Modern biotechnology will soon be capable, if it is not already, of bringing about the demise of the human race—¶ or at least of killing a sufficient number of people to end ¶ high-tech civilization and set humanity back 1,000 years or ¶ more. That terrorist groups could achieve this level of technological sophistication may seem far-fetched, but keep in mind that it takes only a handful of individuals to accomplish these tasks. Never has lethal power of this potency been accessible to so few, so easily. Even more dramatically ¶ than nuclear proliferation, modern biological science has ¶ frighteningly undermined the correlation between the lethality of a weapon and its cost, a fundamentally stabilizing ¶ mechanism throughout history. Access to extremely lethal agents—lethal enough to exterminate Homo sapiens—will be available to anybody with a solid background in biology, terrorists included.¶ The 9/11 attacks involved at least four pilots, each of ¶ whom had sufficient education to enroll in flight schools ¶ and complete several years of training. Bin laden had a degree in civil engineering. Mohammed Atta attended a German university, where he earned a master’s degree in urban ¶ planning—not a field he likely chose for its relevance to ¶ terrorism. A future set of terrorists could just as easily be students of molecular biology who enter their studies innocently enough but later put their skills to homicidal use. ¶ Hundreds of universities in Europe and Asia have curricula ¶ sufficient to train people in the skills necessary to make a ¶ sophisticated biological weapon, and hundreds more in the ¶ United States accept students from all over the world. ¶ Thus it seems likely that sometime in the near future a small band of terrorists, or even a single misanthropic individual, will overcome our best defenses and do something truly terrible, such as fashion a bioweapon that could kill ¶ millions or even billions of people. Indeed, the creation of such weapons within the next 20 years seems to be a virtual certainty.

#### Life has intrinsic and objective value achieved through subjective pleasures---its preservation should be an a priori goal

Amien Kacou 8 WHY EVEN MIND? On The A Priori Value Of “Life”, Cosmos and History: The Journal of Natural and Social Philosophy, Vol 4, No 1-2 (2008) cosmosandhistory.org/index.php/journal/article/view/92/184

Furthermore, that manner of finding things good that is in pleasure can certainly not exist in any world without consciousness (i.e., without “life,” as we now understand the word)—slight analogies put aside. In fact, we can begin to develop a more sophisticated definition of the concept of “pleasure,” in the broadest possible sense of the word, as follows: it is the common psychological element in all psychological experience of goodness (be it in joy, admiration, or whatever else). In this sense, pleasure can always be pictured to “mediate” all awareness or perception or judgment of goodness: there is pleasure in all consciousness of things good; pleasure is the common element of all conscious satisfaction. In short, it is simply the very experience of liking things, or the liking of experience, in general. In this sense, pleasure is, not only uniquely characteristic of life but also, the core expression of goodness in life—the most general sign or phenomenon for favorable conscious valuation, in other words. This does not mean that “good” is absolutely synonymous with “pleasant”—what we value may well go beyond pleasure. (The fact that we value things needs not be reduced to the experience of liking things.) However, what we value beyond pleasure remains a matter of speculation or theory. Moreover, we note that a variety of things that may seem otherwise unrelated are correlated with pleasure—some more strongly than others. In other words, there are many things the experience of which we like. For example: the admiration of others; sex; or rock-paper-scissors. But, again, what they are is irrelevant in an inquiry on a priori value—what gives us pleasure is a matter for empirical investigation.

Thus, we can see now that, in general, something primitively valuable is attainable in living—that is, pleasure itself. And it seems equally clear that we have a priori logical reason to pay attention to the world in any world where pleasure exists. Moreover, we can now also articulate a foundation for a security interest in our life: since the good of pleasure can be found in living (to the extent pleasure remains attainable),[17] and only in living, therefore, a priori, life ought to be continuously (and indefinitely) pursued at least for the sake of preserving the possibility of finding that good.

However, this platitude about the value that can be found in life turns out to be, at this point, insufficient for our purposes. It seems to amount to very little more than recognizing that our subjective desire for life in and of itself shows that life has some objective value. For what difference is there between saying, “living is unique in benefiting something I value (namely, my pleasure); therefore, I should desire to go on living,” and saying, “I have a unique desire to go on living; therefore I should have a desire to go on living,” whereas the latter proposition immediately seems senseless? In other words, “life gives me pleasure,” says little more than, “I like life.” Thus, we seem to have arrived at the conclusion that the fact that we already have some (subjective) desire for life shows life to have some (objective) value. But, if that is the most we can say, then it seems our enterprise of justification was quite superficial, and the subjective/objective distinction was useless—for all we have really done is highlight the correspondence between value and desire. Perhaps, our inquiry should be a bit more complex.