# 1AC – KY RR Race 4

### 1AC – Deterrence

#### CONTENTION 1: DETERRENCE

#### Global strike Command is focused on its nuclear mission now

Elaine M. Grossman 9/18, Global Security Newswire, "Air Force Chief Calls New Bomber a 'Must-Have Capability'", 2013, www.nti.org/gsn/article/air-force-chief-calls-new-bomber-must-have-capability/

Welsh suggested that the Air Force could not afford to compromise on ensuring that it can continue to hit targets at long range, a capability that he called “foundational” to his service. He reiterated the remarks in Wednesday testimony before the House Armed Services Committee.¶ “Global Strike will continue to be a focus area,” the service chief said on Tuesday, speaking at an Air Force Association symposium just outside of Washington.¶ Welsh also underscored the importance of maintaining high standards in his service’s day-to-day handling of nuclear weapons, following a new report last month of failed ICBM unit inspections at Malmstrom Air Force Base, Mont. That was the second such incident in the past six months, following insufficient ICBM readiness drill results at Minot Air Force Base, N.D., in March.¶ “The nuclear mission -- continuing to strengthen the enterprise -- is still our No. 1 priority in the United States Air Force and it will remain that way,” Welsh said at the AFA event. “In our nuclear inventory, we have two-thirds of the triad that provides nuclear deterrence for the United States of America. That’s a huge responsibility.”¶ The Air Force has sought to strengthen its nuclear training and operations over roughly the past five years. The initiative followed an accidental 2006 shipment of warhead fuses to Taiwan and a mistaken bomber transport of six atomic-armed cruise missiles across several U.S. states the following year.¶ The service created its Global Strike Command in 2008 to oversee nuclear-armed bomber and ICBM units.¶ “It’s a big deal for us,” Welsh told the conference audience. “We can’t ever afford to get this wrong.”¶ During a separate Tuesday session at the same forum, Maj. Gen. Sandra Finan implied that the recent ICBM readiness-inspection failures reflect her service’s dedication to holding its personnel to high performance standards.¶ “We do demand perfection in the nuclear enterprise,” said Finan, who commands the Nuclear Weapons Center at Kirtland Air Force Base, N.M. “To be honest with you, the nuclear enterprise is not for everybody, because you have to be detail-oriented. You have to pay attention to everything you do, because everything you do matters.”

#### That crushes bomber readiness and sends a global signal --- trades off with conventional strike deterrence

Elaine M. Grossman 9, “New U.S. Global Strike Command to Juggle Nuclear, Conventional Missions”, Global Security Newswire, April 2009, http://www.globalsecuritynewswire.org/gsn/nw\_20090427\_2483.php

U.S. Air Force leaders say nuclear weapons will be the central focus of a new Global Strike Command, but the service faces growing questions about how the strike headquarters will juggle its additional responsibilities in training and providing forces for conventional combat operations (see GSN, April 7).¶ Currently, two different Air Force commands are responsible for ICBM operations and bomber aircraft missions. The new Global Strike Command, expected to open its doors by October, is to oversee both types of nuclear delivery systems.¶ "Bringing them together under one command -- so that nuclear is No. 1 all the time and doesn't have to compete against other resourcing demands inside that command -- is certainly one of the virtues of Air Force Global Strike Command," Maj. Gen. Donald Alston, Air Force assistant chief of staff for strategic deterrence and nuclear integration, said Friday at a breakfast event on Capitol Hill.¶ However, B-2 and B-52 bombers are capable of carrying either nuclear weapons or conventional muniations. That dual role means that even if the new command puts nuclear missions as its highest priority, it must also grapple with day-to-day demands for bomber aircraft in their conventional role in Iraq, Afghanistan and elsewhere around the world.¶ In the future, another conventional strike system is expected to come under the new command's purview, as well.¶ The Air Force's first non-nuclear "prompt global strike" weapon -- the Conventional Strike Missile -- could be fielded as early as 2012, according to defense officials. Alston said he has not yet had an opportunity to sort out how operational authority over the new, long-range conventional weapon system would be integrated into Global Strike Command.¶ For many years -- with bombers flying in Iraq and elsewhere in their conventional combat role -- Defense Department leaders viewed Air Combat Command as the appropriate headquarters to oversee training for the long-range aircraft.¶ Meanwhile, Space Command has taken responsibility for the preparedness of ICBMs, which share some of the same rocket technologies as those used for satellite launches.¶ However, an independent task force on nuclear weapons management, headed by former Defense Secretary James Schlesinger, last year recommended establishing a single, consolidated command to oversee nuclear operations (see GSN, Sept. 15, 2008).¶ Defense Secretary Robert Gates convened the panel following revelations about the Air Force's unauthorized transfer of nuclear-armed cruise missiles from one base to another in 2007 and an unintentional shipment of nuclear fuses to Taiwan in 2006 (see GSN, Feb. 3).¶ Last June, Gates fired Air Force Secretary Michael Wynne and Chief of Staff Gen. Michael Moseley, saying the two had not moved assertively enough to reverse erosion in the service's ability to manage its nuclear weapons (see GSN, June 6, 2008).¶ Alston sought to assure his audience that today's Air Force -- led by Secretary Michael Donley and Chief of Staff Gen. Norton Schwartz -- understands the unique role that nuclear weapons must play in service operations.¶ "It is very important that the nuclear business is considered a special business," he said at the breakfast session, co-sponsored by the National Defense University Foundation and the National Defense Industrial Association. "These are nuclear weapons. The people that are involved in these systems at all levels -- whether they are in the field or they're at headquarters -- need to have special focus in order to be successful in these mission areas."¶ Still, with a brighter spotlight now on nuclear weapon safety and security, some are beginning to raise concerns that the Air Force might actually overemphasize the centrality of these arms in a post-Cold War world.¶ "The reality of the day for the bombers is not the nuclear mission," Hans Kristensen of the Federation of American Scientists said after hearing Alston's presentation last week. "Their [most pressing role] is to be ready to fly over to the Middle East and do missions there."¶ The new Global Strike Command, he said, almost certainly will have to grapple with the same challenge bedeviling Air Combat Command: balancing a need to carefully manage nuclear weapons with a sometimes-competing requirement to train bomber crews for their ongoing, conventional combat role.¶ "Today, Air Combat Command is the single Air Force provider for presenting organized, trained, and equipped conventional attack forces and nuclear-capable forces through Joint Forces Command to joint force commanders upon demand," according to Schlesinger's September 2008 task force report. "The current organizational approach has emphasized support for conventional combat campaigns, predominantly in Iraq and Afghanistan, but also in other operations around the world over the past 15-plus years."¶ Given this contest for attention and resources, "there is general acknowledgment that there has been substantial decay in the vitality, readiness, and resourcing" for nuclear-capable bomber forces, the task force stated.¶ "So what has changed in that sense?" said Kristensen, who directs the FAS Nuclear Information Project.¶ During a question-and-answer session at Friday's event, Kristensen asked Alston whether the new emphasis on the nuclear role might also send a confusing signal to the world that Washington now considers these weapons the preferred choice for prompt global strike.¶ Such a strategic approach would seemingly conflict with a Pentagon initiative over the past several years to highlight both nuclear and conventional weapon options for long-range attack, the analyst said. The Air Force might unwittingly stoke international tensions if it underscored a new significance for nuclear weapons at the expense of equilibrium sought in the Pentagon's "New Triad" construct -- which combines nuclear and conventional offenses, missile defenses, and a responsible national security framework -- Kristensen suggested.¶ Alston responded that he was unaware of any confusion over the matter, adding that the new command's dual approach would match that of the overarching, multiservice combatant headquarters, U.S. Strategic Command.¶ "STRATCOM's responsibilities include both conventional capability and nuclear capability," Alston said. "Global Strike [Command's] responsibilities are nuclear and conventional. So they will be directly connected to U.S. Strategic Command in support of the combatant commander."¶ The Air Force cannot "take our eye off that [conventional] part of our capability," said the two-star general. "The dual-role bomber force ... is providing a great deal of value to our forces deployed in Central Command. And as a consequence of that, we need to keep those skills up. They need to be able to continue to perform at the level that they're performing. That is a very demanding mission.¶ "At the same time," Alston added, "we cannot let that compete with the nuclear responsibilities that we have, and fail in our ability to deliver the nuclear deterrent ... We're ready to take all that on. We have done that and we will do it well inside Global Strike Command."¶ Kristensen remained unconvinced.¶ In declaring nuclear weapons the first priority for Global Strike Command, "they overemphasize the nuclear mission rather than put it in the proper perspective," Kristensen told Global Security Newswire. "It's one thing to fix the nuclear [management] deficiencies. ... It's quite another to signal to the world that you're now going to focus on the nuclear," with more pragmatic conventional strike missions taking a back seat, he said.

#### The nuclear option in Global Strike undermines our deterrence credibility

Gen. Chilton 8, Former Head of STRATCOM, “FISCAL 2009 BUDGET U.S. STRATEGIC POSTURE”, Committee on House Armed Services Subcommittee on Strategic Forces, CQ Congressional Testimony, Feb 27

While our nuclear capability remains vital, our ability to integrate conventional long-range precision weapons is every bit as important. Although our conventional forces are second to none, we no longer have these forces forward-deployed permanently throughout the world. Therefore, it is prudent to have the ability to defeat attacks and eliminate high value targets at global ranges on short notice. We have a prompt global strike delivery capability on alert today, but it is configured only with nuclear weapons, which limits the options available to the President and may in some cases reduce the credibility of our deterrence.

#### Nuclear threats against Iran aren’t credible under Obama --- kills deterrence

Robert Joseph 12, a senior scholar at the National Institute for Public Policy, was under secretary

of state for arms control and international security from 2005 to 2007, and Keith Payne, a professor at Missouri State University and the head of its graduate department of defense and strategic studies, was co-chairman of the Pentagon’s Deterrence Concepts Advisory Group from 2001 to 2002 and a deputy assistant secretary of defense from 2002 to 2003, “On Deterring Iran”, June 25, http://www.nipp.org/Publication/Downloads/Downloads%202012/Joseph.Payne%20National%20Review%206.12.pdf

Will the United States be able to establish credible strategies for deterring Iran’s leadership?¶ Perhaps, but the policies of the Obama administration with respect to Iran are not encouraging.¶ To date, they likely have reduced the credibility of U.S. deterrence strategies. How so?¶ A central theme of the administration’s national-security policy has been an almost unshakable¶ faith in engagement. President Obama came to office promising an open hand to the mullahs in¶ Tehran. In practice, this has meant that for¶ almost three years the administration opposed —¶ actually opposed — the imposition of effective sa¶ nctions on the regime in order not to reduce¶ prospects for nuclear talks. By placing engag¶ ement at the center of its Iran policy, the¶ administration has not only failed to achieve its objective, but has also bought time for Tehran to¶ continue work on its nuclear program.¶ If the sanctions to which Iran is now subject had¶ been imposed earlier, perhaps they would have¶ been more effective. As things stand, they are¶ causing economic pain, but there is no apparent¶ evidence that they are slowing Iran’s nuclear¶ program. One can only speculate about what the¶ leadership in Tehran is thinking. Will the sancti¶ ons perversely lead to an acceleration of the¶ program now that its completion may be near? Fo¶ rmer CIA director Leon Panetta estimated in¶ December 2011 that it would take Iran “about¶ a year” to build a nuclear weapon following a¶ decision to do so. Would it not be rational for¶ Iran’s leaders to calculate that, once they have¶ achieved their goal of becoming a nuclear power,¶ the international community would, after a¶ decent interval, forget and forgive, as it has¶ done with India, Pakistan, and other states?¶ While the Obama administration has asserted that a¶ ll options are on the table, it has also been¶ explicit in saying that it does not want to threaten or use force. Indeed, former secretary of¶ defense Robert Gates called the use of force¶ “insane.” More recently, President Obama has¶ reportedly sought to constrain Israel from threatening or using force. The irony is that the most effective way to improve the prospects for a peaceful diplomatic settlement would be to make it clear to Tehran that force is a credible option.¶ What was the case with Libya in 2003 — that it preferred abandoning its nuclear-weapons program to risking the military strike it believed the United States was prepared to launch against it — is likely the case with Iran today. In a similarly unhelpful vein, the Obama administration has promoted its vision of “global nuclear¶ zero,” according to which the U.S. should take steps toward unilateral nuclear reductions. The¶ argument, unsupported by evidence, is that¶ such measures would rally the international¶ community in support of nonproliferation and, in the process, of sanction¶ s against proliferators.¶ This is expected in turn to serve the cause¶ of keeping nuclear weapons out of the hands of¶ terrorists. It’s all very neat. It’s all very logical. But just think about how the international¶ community has responded to the Iranian nuclear challenge, and the conclusion seems¶ inescapable: The proposition is without merit.¶ The ultimate question is how to effect or encourage political change in Iran. Here, again, we are¶ handicapped by a history of seeking accommodation with the mullahs. In 2009, the U.S. response¶ to protests in the streets of Tehran and other¶ Iranian cities was to sit quietly and wait, out of¶ concern that support for the protesters would derail the prospects for engagement with the Iranian¶ government.¶ We need to devise our policies and adjust our capabilities in a way that will deter and defend¶ against threats to our country and our allies. The¶ underlying problem, the real danger, is when our¶ government pursues that goal in a way that produc¶ es effects that are the opposite of what it¶ intends. That is what we did in the aftermath of¶ the First World War, with the promotion of first the¶ Wilsonian League of Nations and then the Kellogg¶ -Briand Pact of 1928. Both contributed to a¶ failure of deterrence that helped create the condi¶ tions that brought about the Second World War.¶ The flaw of those two measures was not in thei¶ r vision. It was, as George Kennan has argued, in¶ their implementation — in the naivete and wishful thinking that, combined, increased the¶ likelihood of war, through bad policy and self-deluding complacency. ¶ The hope that Iranian leaders will ul¶ timately choose to forgo nuclea¶ r weapons, or t¶ hat they will be¶ reliably deterrable, should not be a source of co¶ mparable wishful thinking and complacency today.¶ A realistic assessment can only end in the conclu¶ sion that Iran might continue on its path to a¶ nuclear weapon, and that, if so, strengthened U. S. deterrence strategies will be critically¶ important but not foolproof.

#### Iran’s emboldened now --- only credible threat of force and Congressional action can prevent conflict

Jennifer Rubin 9/29, Washington Post, Worries about the Rouhani phone call", 2013, www.washingtonpost.com/blogs/right-turn/wp/2013/09/29/worries-about-the-rouhani-phone-call/

The substance of the call and the president’s remarks afterward were deeply worrisome. Whenever the president parrots the idea that the problem is “mistrust” between the parties — one an open democracy and the other a theocratic dictatorship – you know it’s trouble. The president in doing so merely reinforces the Iranian propaganda that we bear equal responsibility for this “mistrust.”¶ Even worse was his mouthing the Iranian deception that it can’t possibly pursue nuclear weapons because “Iran’s supreme leader has issued a fatwa against the development of nuclear weapons.” It is frightful to imagine Obama takes seriously Iran’s deceitful line, which has long since been debunked. The fatwa doesn’t exist and, even if it did, it would never be a serious restraint on Iran’s nuclear ambitions.¶ The problem is not that Iran “mistrusts” us or that there is some religious prohibition on nuclear weapons; it is that the mullahs’ regime sponsors terror, helps kill Americans, threatens its neighbors, represses its people, holds Americans against their will and violates sanctions prohibiting development of nuclear weapons. As the former official remarked, “Why is it an honor and delight to talk to this leader of the top state sponsor of terrorism, who represents a government that is famous for repression — and who was unwilling to shake his hand a few days ago?”¶ Majority Leader Eric Cantor (R-Va.) put out a statement on Friday that struck the right notes:¶ I am concerned that President Obama did not press Iranian President Rouhani to halt Iran’s ongoing support for radical Islamic terrorism, its repeated violations of U.N. and IAEA resolutions, and its support of Bashar Assad’s war against the Syrian people. These topics were not publicly addressed by the President today, but require his urgent attention. Iran’s government remains — in spite of President Rouhani’s rhetoric — a brutal, repressive theocracy. “It is particularly unfortunate that President Obama would recognize the Iranian people’s right to nuclear energy but not stand up for their right to freedom, human rights, or democracy.¶ The President suggests there is ‘new leadership’ in Iran, yet Supreme Leader Ayatollah Khamenei remains the true ruler in Tehran, and we are only fooling ourselves when we suggest otherwise.”¶ Worse still was the administration flacking on behalf of the Iranian dictatorship. Former White House aide and Obama super PAC head honcho Bill Burton tweeted indignantly that it was wrong to call Rouhani a Holocaust-denier. A White House spokesman said it was a positive sign that the Iranians were using social media. (For propaganda, we should note; their citizens are not afforded that right.) The Obama team’s willingness to grab hold of the bait and hold on tightly was quite remarkable.¶ What we see on the part of the U.S. government is undisguised desperation for a deal. The United States will leave the repressive regime alone (Obama said they can stop worrying about regime change) and even allow it the right to pursue a peaceful nuclear program (Why? How is that advisable given its serial violations of international law?). Obama, as on Syria, needs an agreement from Iran to calm calls for action; the contents matter far less than the existence of a deal.¶ The Iranians demand the right to enrich uranium and a lifting of sanctions. One suspects the Obama administration will cave on those points. Before the telephone call, Congress was poised to move forward with additional sanctions to put the mullahs’ feet to the fire. We wonder if the call was staged to hold that off and whether the administration, as it has done in the past, will try to slow Congress down. We have a dialogue now! Can’t spoil the good mood, you see.¶ Sens. Robert Menendez (D-N.J.) and Lindsey Graham (R-S.C.) reflect the bipartisan concern that the president is getting snowed by a more sophisticated messenger, warning: “We believe that four strategic elements are necessary to achieve a resolution of this issue: an explicit and continuing message that the United States will not allow Iran to acquire a nuclear weapons capability, a sincere demonstration of openness to negotiations by Iran, the maintenance and toughening of sanctions and a convincing threat of the use of force.” They promise further sanctions “requiring countries to again reduce their purchases of Iranian petroleum and imposing further prohibitions on strategic sectors of the Iranian economy.” That’s a wise move.¶ Congress should be resolute. Unless and until there is an airtight deal, Congress should refuse to lift sanctions and should tighten the conditions under which Obama is permitted to waive sanctions. In refusing to vote for authorization on the use of force against Syria, Iran’s junior partner, and its use of weapons of mass destruction, lawmakers on the right and left contributed to an impression of unseriousness and, no doubt, emboldened Iran. They have an obligation to reverse that impression and cooperate with Menendez and Graham.¶ The danger is that the Americans will be lured into endless negotiations or, worse, actually sign a deal that gives the mullahs diplomatic cover, enabling Iran to reach its nuclear weapons capability. At that point “containment” is the only option. Israeli Prime Minister Benjamin Netanyahu is scheduled to talk at the United Nations on Monday; we’ll get our first look at how he will address that challenge. Unlike Obama, he won’t endanger the Jewish state by deluding himself and his people into thinking an incomplete or unverifiable agreement resolves the Iranian problem. How he will prevent a nuclear-armed Iran operating in the protective cocoon of Obama’s diplomacy is as yet uncertain.

#### Clear and credible commitments are key

Larry J. Arbuckle 8, "The Deterrence of Nuclear Terrorism through an Attribution Capability", Naval Postgraduate School, Thesis for master of science in defense analysis, approved by Professor Robert O'Connell, and Gordon McCormick, Chairman, Department of Defense Analysis, Naval Postgraduate School, June

Additionally, the deterrent threat should be made clearly, and without ambiguity. This is not in accordance with current administrations policy. With regard to the specific threat of North Korea transferring nuclear materials President Bush said that, “We would hold North Korea fully accountable for the consequences of such action” (as cited in Shanker & Sanger, 2006). The president and other top officials declined to comment, however, on the nature of the accountability. Many leaders instead said that the, “power of deterrence was its very ambiguity.” Indeed one White House official stated that, “These declarations are constructed with some elasticity, specifically to raise questions and doubts in the mind of the object” (as cited in Shanker & Sanger, 2006). There are certainly times when in international relations deterrent ambiguity is an ally. The U.S. position vis-à-vis Taiwan’s independence is one such example. Here ambiguity is effective because the PRC is risk averse, and is fairly satisfied with its status quo position. Taking an unambiguous stance could actually alter this position and make the PRC more risk acceptant in order to demonstrate its regional authority. This can not be said of other countries such as North Korea or Iran. The leaders of these countries are likely to be far more risk acceptant and often operate under a losses frame when dealing with the United States. It is entirely possible that relations with these countries could deteriorate even further in the future, increasing risk acceptant behavior. As Paul Huth (1998, pp. 2-3) explains, ambiguity creates uncertainty. This uncertainty allows the policy makers of deterrent targets to selectively interpret messages according to their biases and desires. This could provide the room necessary then for foreign leaders to decide that the United States would not act decisively if attacked through a proxy. It is not sufficient to assume that the actions of the United States in Afghanistan or Iraq following the September 11 attacks would be sufficient to deter other states from supporting terrorist organizations. It appears that the past actions of a deterring state when in a confrontation with a state uninvolved in the current deterrent situation have little effect on the credibility of the current deterrent threat (Huth, 1998, p. 81). Thus the deterrent threat must be unambiguously transmitted to each potential threatening state. Huth’s findings have another positive aspect. Since deterrent threats and outcomes vis-à-vis other countries seem to have little effect on how other states view their current deterrent situation, it is possible to have asymmetric deterrent policies with regard to the control of nuclear materials and weapons. For example the U.S. should be very clear that if attacked by a nuclear device of North Korean origin, that prompt, decisive, and regime changing military action will follow. The policy necessarily must be different if the U.S. is attacked by a nuclear weapon found to have been stolen from former Soviet stockpiles. These different policies are unlikely to affect the North Korean or Iranian assessment of the dangers of transferring nuclear weapons.

#### High risk of Iranian adventurism now

EG 13, Eurasia Group, a leading political risk consultancy, "Top Risks: 2013", 2013, www.eurasiagroup.net/pages/top-risks-2013#8

There is a significant risk; it's just not the one people are thinking about. We’re likely to see a sharp escalation in the shadow war between Iran and Israel and the United States–a cycle of mutual killings, cyber-attacks, and proxy battles–that has been ongoing for several years. This shadow war has the potential to rattle markets and put upward pressure on oil prices (though in a generally more bearish overall energy environment--see red herrings), and could lead Iran, feeling especially vulnerable given the deterioration in Syria that we mentioned in the "Arab summer," toward more aggressive action and tit-for-tat escalation. It's not hard to see how we get from here to there.¶ The early months of 2013 will likely see a round of intense negotiations between Iran and the west, but unless Iran’s supreme leader Ali Khamenei sharply recalculates Iran’s options (unlikely but not impossible--particularly given the timing of the upcoming Iranian presidential elections), these talks will fail and by spring we will again see intensifying sanctions. Those sanctions are already biting--over a million barrels of oil production have been taken off line from sales and tough banking restrictions. Against the backdrop of economic mismanagement and sanctions, Iran’s currency has virtually collapsed.¶ As new sanctions are put in place, efforts to sabotage the Iranian nuclear program will also escalate. Pressure will intensify on Iran’s leadership to do something in response, both to rally domestic support and to project an image of strength. The combination of continuing Iranian resolve on the nuclear program and internal political and economic weakness will likely lead Iran to escalate its side of the shadow war. ¶ The chance of miscalculation and over-reaction on both sides would then rise. A successful plot similar to the October 2011 plan to assassinate the Saudi ambassador to the United States by bombing a restaurant in Washington would provoke swift and lethal retaliation by the United States. An episode like the 2008 swarming of US naval ships in the gulf by Iranian revolutionary guards’ “fast boats” could equally spark a sharp escalation. So despite our contrarian view that 2013 is not going to be the “year of decision” on the basis of the status of the Iranian nuclear program, the escalating shadow war will keep tensions high and investors on edge.

#### That causes war---credible deterrence’s key to solve

Alon Ben-Meir 7, professor of international relations at the Center for Global Affairs at NYU, 2/6/07, Realpolitik: Ending Iran's defiance, <http://www.upi.com/Security_Industry/2007/02/06/Realpolitik-Ending-Irans-defiance/UPI-69491170778058/>

Feeling emboldened and unrestrained, Tehran may, however, miscalculate the consequences of its own actions, which could precipitate a catastrophic regional war. The Bush administration has less than a year to rein in Iran's reckless behavior if it hopes to prevent such an ominous outcome and achieve, at least, a modicum of regional stability. By all assessments, Iran has reaped the greatest benefits from the Iraq war. The war's consequences and the American preoccupation with it have provided Iran with an historic opportunity to establish Shiite dominance in the region while aggressively pursuing a nuclear weapon program to deter any challenge to its strategy. Tehran is fully cognizant that the successful pursuit of its regional hegemony has now become intertwined with the clout that a nuclear program bestows. Therefore, it is most unlikely that Iran will give up its nuclear ambitions at this juncture, unless it concludes that the price will be too high to bear. That is, whereas before the Iraq war Washington could deal with Iran's nuclear program by itself, now the Bush administration must also disabuse Iran of the belief that it can achieve its regional objectives with impunity. Thus, while the administration attempts to stem the Sunni-Shiite violence in Iraq to prevent it from engulfing other states in the region, Washington must also take a clear stand in Lebanon. Under no circumstances should Iranian-backed Hezbollah be allowed to topple the secular Lebanese government. If this were to occur, it would trigger not only a devastating civil war in Lebanon but a wider Sunni-Shiite bloody conflict. The Arab Sunni states, especially, Saudi Arabia, Egypt and Jordan, are terrified of this possible outcome. For them Lebanon may well provide the litmus test of the administration's resolve to inhibit Tehran's adventurism but they must be prepared to directly support U.S. efforts. In this regard, the Bush administration must wean Syria from Iran. This move is of paramount importance because not only could Syria end its political and logistical support for Hezbollah, but it could return Syria, which is predominantly Sunni, to the Arab-Sunni fold. President Bush must realize that Damascus' strategic interests are not compatible with Tehran's and the Assad regime knows only too well its future political stability and economic prosperity depends on peace with Israel and normal relations with the United States. President Bashar Assad may talk tough and embrace militancy as a policy tool; he is, however, the same president who called, more than once, for unconditional resumption of peace negotiation with Israel and was rebuffed. The stakes for the United States and its allies in the region are too high to preclude testing Syria's real intentions which can be ascertained only through direct talks. It is high time for the administration to reassess its policy toward Syria and begin by abandoning its schemes of regime change in Damascus. Syria simply matters; the administration must end its efforts to marginalize a country that can play such a pivotal role in changing the political dynamic for the better throughout the region. Although ideally direct negotiations between the United States and Iran should be the first resort to resolve the nuclear issue, as long as Tehran does not feel seriously threatened, it seems unlikely that the clergy will at this stage end the nuclear program. In possession of nuclear weapons Iran will intimidate the larger Sunni Arab states in the region, bully smaller states into submission, threaten Israel's very existence, use oil as a political weapon to blackmail the West and instigate regional proliferation of nuclear weapons' programs. In short, if unchecked, Iran could plunge the Middle East into a deliberate or inadvertent nuclear conflagration. If we take the administration at its word that it would not tolerate a nuclear Iran and considering these regional implications, Washington is left with no choice but to warn Iran of the severe consequences of not halting its nuclear program. Such a warning, however, cannot be ambiguous or open ended; rather, it should include a reasonable timeline (a few months) to allow the representatives of the European Union -- France, Germany and England, perhaps with the support of Russia and China -- to make a last-ditch effort. To prevent Iran from miscalculating the consequences of its own actions, the administration should back this warning with credible punitive measures that leave Iran in no doubt whatsoever of the consequences for defying the international community. As it is, there is growing concerns inside Iran both about socio-economic conditions and President Mahmoud Ahmadinejad's foreign policy provocations. American pressure at this time will not be taken lightly by Iran, which dreads major U.S. punitive measures.

#### The Iranian regime’s deterrable---empirics prove they’ll act with caution

Paul Pillar 12, Security Studies Professor at Georgetown University and was the national intelligence officer for the Near East and South Asia from 2000-2005, "We Can Live with a Nuclear Iran", March/April, www.washingtonmonthly.com/magazine/marchapril\_2012/features/we\_can\_live\_with\_a\_nuclear\_ira035772.php?page=all

The simple argument is that Iranian leaders supposedly don’t think like the rest of us: they are religious fanatics who value martyrdom more than life, cannot be counted on to act rationally, and therefore cannot be deterred. On the campaign trail Rick Santorum has been among the most vocal in propounding this notion, asserting that Iran is ruled by the “equivalent of al-Qaeda,” that its “theology teaches” that its objective is to “create a calamity,” that it believes “the afterlife is better than this life,” and that its “principal virtue” is martyrdom. Newt Gingrich speaks in a similar vein about how Iranian leaders are suicidal jihadists, and says “it’s impossible to deter them.”¶ The trouble with this image of Iran is that it does not reflect actual Iranian behavior. More than three decades of history demonstrate that the Islamic Republic’s rulers, like most rulers elsewhere, are overwhelmingly concerned with preserving their regime and their power—in this life, not some future one. They are no more likely to let theological imperatives lead them into self-destructive behavior than other leaders whose religious faiths envision an afterlife. Iranian rulers may have a history of valorizing martyrdom—as they did when sending young militiamen to their deaths in near-hopeless attacks during the Iran-Iraq War in the 1980s—but they have never given any indication of wanting to become martyrs themselves. In fact, the Islamic Republic’s conduct beyond its borders has been characterized by caution. Even the most seemingly ruthless Iranian behavior has been motivated by specific, immediate concerns of regime survival. The government assassinated exiled Iranian dissidents in Europe in the 1980s and ’90s, for example, because it saw them as a counterrevolutionary threat. The assassinations ended when they started inflicting too much damage on Iran’s relations with European governments. Iran’s rulers are constantly balancing a very worldly set of strategic interests. The principles of deterrence are not invalid just because the party to be deterred wears a turban and a beard.¶ If the stereotyped image of Iranian leaders had real basis in fact, we would see more aggressive and brash Iranian behavior in the Middle East than we have. Some have pointed to the Iranian willingness to incur heavy losses in continuing the Iran-Iraq War. But that was a response to Saddam Hussein’s invasion of the Iranian homeland, not some bellicose venture beyond Iran’s borders. And even that war ended with Ayatollah Khomeini deciding that the “poison” of agreeing to a cease-fire was better than the alternative. (He even described the cease- fire as “God’s will”—so much for the notion that the Iranians’ God always pushes them toward violence and martyrdom.)

**Studies confirm --- Iran’s ideology and regime structure ensure consistent security posture**

JEFFREY S. **LANTIS 9,** Associate Professor in the Department of Political Science at The College of Wooster, “Strategic Culture and Tailored Deterrence: Bridging the Gap between Theory and Practice”, Contemporary Security Policy, Vol.30, No.3 (December 2009), pp.467-485, http://www.contemporarysecuritypolicy.org/assets/CSP-30-3-Lantis.pdf

Recent literature on strategic culture also focuses on authoritarian states, implying that there are more measurable or identiliable strains manifest in certain types of political ideology, doctrine, and discourse. Contemporary studies of North Korea and Iran emphasize the power of strategic culture in shaping policy choices. North Korea has developed a highly focused core ideology of self-reliance (Juche) which defines a strategic culture appears to prioritize national security over all other policy concerns. This may help to explain that country's seemingly relentless drive for nuclear weapons. The cult of personality of Kim Jong-Il also ensures some measure of continuity in expression of military priorities and other security orientations. Similarly, studies of Iran suggest a definable strategic culture. Iran's strategic culture may be rooted in a nearly 3,000-year history of Persian civilization that lends itself to a combination of feelings of 'cultural superiority', 'manifest destiny', coupled with a 'deep sense of insecurity'. 7 Gregory Giles argues that, 'specific attributes of Shi'ism, which was adopted by Persia in the sixteenth century, both reinforce and expand certain traits in Iranian strategic culture'. 8 Experts believe that Iran seeks a nuclear capability as a symbol of national pride, as well as a way to deter the United States, gain influence in the Middle East region and achieve status and power internationally. Broadly speaking, strategic cultural models might work best for authoritarian states where there is typically a singular historical narrative.

**Tailored incentives are key --- targeting leaders and the elite makes deterrence effective**

JEFFREY S. **LANTIS 9**, Associate Professor in the Department of Political Science at The College of Wooster, “Strategic Culture and Tailored Deterrence: Bridging the Gap between Theory and Practice”, Contemporary Security Policy, Vol.30, No.3 (December 2009), pp.467-485, http://www.contemporarysecuritypolicy.org/assets/CSP-30-3-Lantis.pdf

What are the implications of strong leadership for tailored deterrence? Dominant leaders who link themselves to prevailing cultural narratives may have a profound impact on security policy. If, drawing from insights in constructivism, one views the relationship between elites and strategic cultures as mutually constitutive, the leaders themselves become an **important target of tailored deterrence initiatives**. Elite allegiance to strategic culture also may be understood through the lens of emerging scholarship on identity and strategic choice. George emphasizes, 'the effectiveness of deterrence and coercive diplomacy **is highly context dependent'**.52 Much of the existing literature on strategic culture tends to focus on its role in authoritarian states, implying that there are more measurable strains of strategic culture manifest in certain types of political ideology, doctrine, and discourse. But recent case studies also suggest the power of elites to carry forward and shape strategic culture. Glenn Chafetz, Hillel Abramson, and Suzette Grillot suggest that the leaders of Ukraine and Belarussia demonstrated different attitudes toward acceding to the Nuclear Nonproliferation Treaty (NPT) after the collapse of the Soviet Union, partly as a function of strategic cultural orientations.5 Rodney Jones' study of Indian strategic culture emphasizes the interplay between leaders and a complex historical foundation. While deeply influenced by history, he argues, 'India's strategic culture is elite-driven and patrician-like rather than democratic in inspiration or style\*. Successful leaders tap into a larger common historical narrative, the 'near mystical features of India's strategic culture\* in shaping policy decisions. Murhaf Jouejati's study of Syrian strategic culture suggests that the al-Assad family has identified closely with Ba'athist secular traditions in the region to promote their own interests.55¶ Tailoring deterrence toward potential adversaries involves the identification of political leaders and elites, as well as individuals in the national military command, who should be **the targets of important threat (or incentive) messages. -**American responses to North Korea's nuclear weapon tests in 2006 and 2009 may demonstrate the evolution of deterrence messages. In 2006 President Bush declared that it was in the United States national interests to prevent North Korea from developing nuclear weapons. He added, in no uncertain terms that the United States would 'hold North Korea fully accountable for the consequences' if it provided nuclear weapons or materials to other countries or non-state actors. In early 2009 the Obama administration appears to have diversified its instruments of diplomacy from opening a back-channel to North Korea and pushing a new set of highly targeted sanctions through the UN Security Council focused on individuals and firms doing business with that country. Former President Clinton's surprise visit and personal meetings with Kim Jong-il in August 2009 seemed to augment policies and messages targeted at select individuals in the leadership structure.

#### Shift to conventional global strike solves --- it’s a much better tailored deterrent for Iran than nuclear weapons

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As the IFPA report on Iran points out, Iran’s efforts to acquire and/or develop an indigenous nuclear weapons capability have profound consequences for U.S. strategic and operational planning, crisis management, escalation dominance, and war termination policies**.** For that reason, and, again, to provide the National Command Authority with credible options in regional contingencies or in those in which vital U.S. national interests are not at stake, new capabilities are needed below the nuclear threshold that still would have a strategic impact. This goes to the heart of the “conventional deterrence” construct that was first raised as part of the NATO debate in the 1980s about the so-called Follow-on Forces Attack concept (FOFA)10 and the trade-offs between nuclear and non-nuclear deterrence considerations. Since FOFA days, the technologies for implementing global strikes using non-nuclear weapons that could hold at risk protected and/or buried targets have matured considerably, but their value for the deterrence construct has not been explained adequately, nor have ideas for their integration into strategic strike planning. With the articulation of the New Strategic Triad, and the enunciation of the Global Strike concept, the opportunity to do so existed, but was not realized, as the focus of attention quickly shifted to IW and post-9/11 contingency planning. Steps to correct this oversight remain a priority for U.S. deterrence planning, but we must also go beyond this to elaborate a new deterrence framework that can be tailored for specific contingencies and that can draw upon force posture options that offer a flexibility of means, to include coercive strike options, missile defenses, and consequence management capabilities.

#### Empirics and incentive theory are the only adequate methods to understand war --- any alternative locks in the war system--- infinite number of non-falsifiable ‘root causes’

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

If major interstate war is predominantly a product of a synergy between a potential nondemocratic aggressor and an absence of effective deterrence, what is the role of the many traditional "causes" of war? Past, and many contemporary, theories of war have focused on the role of specific disputes between nations, ethnic and religious differences, arms races, poverty or social injustice, competition for resources, incidents and accidents, greed, fear, and perceptions of "honor," or many other such factors. Such factors may well **play a role** in **motivating** aggression or in serving **as a means for generating fear** and manipulating public opinion. The reality, however, is that while some of these may have more potential to contribute to war than others, there may well be **an infinite set of motivating factors**, or human wants, **motivating aggression**. It is not the **independent existence of such motivating factors** for war but rather t**he circumstances permitting or encouraging high risk decisions** leading to war that is **the key to more effectively controlling war**. And the same may also be true of democide. The early focus in the Rwanda slaughter on "ethnic conflict," as though Hutus and Tutsis had begun to slaughter each other through spontaneous combustion, distracted our attention from the reality that a nondemocratic Hutu regime had carefully planned and orchestrated a genocide against Rwandan Tutsis as well as its Hutu opponents.I1 Certainly **if we were able to press a button** and **end** poverty, racism, religious intolerance, injustice, and endless disputes, we would want to do so. Indeed, democratic governments must remain committed to policies that will produce a better world by all measures of human progress. The broader achievement of democracy and the rule of law will itself assist in this progress. No one, however, has yet been able to demonstrate the kind of **robust correlation with any of these "traditional" causes of war** as is reflected in the "democratic peace." Further, given the **difficulties in overcoming many of these social problems**, an approach to war **exclusively dependent on their solution** may be to **doom us to war for generations to come**.¶ A useful framework in thinking about the war puzzle is provided in the Kenneth Waltz classic Man, the State, and War,12 first published in 1954 for the Institute of War and Peace Studies, in which he notes that previous thinkers about the causes of war have tended to assign responsibility at one of the three levels of individual psychology, the nature of the state, or the nature of the international system. This tripartite level of analysis has subsequently been widely copied in the study of international relations. We might summarize my analysis in this classical construct by suggesting that the most critical variables are the second and third levels, or "images," of analysis. Government structures, at the second level, seem to play a central role in levels of aggressiveness in high risk behavior leading to major war. In this, the "democratic peace" is an essential insight. The third level of analysis, the international system, or totality of external incentives influencing the decision for war, is also critical when government structures do not restrain such high risk behavior ¶ on their own. Indeed, nondemocratic systems may not only fail to constrain inappropriate aggressive behavior, they may even massively enable it by placing the resources of the state at the disposal of a ruthless regime elite. It is not that the first level of analysis, the individual, is unimportant. I have already argued that it is important in elite perceptions about the permissibility and feasibility of force and resultant necessary levels of deterrence. It is, instead, that the second level of analysis, government structures, may be a powerful proxy for settings bringing to power those who may be disposed to aggressive military adventures and in creating incentive structures predisposing to high risk behavior. We should keep before us, however, the possibility, indeed probability, that a war/peace model focused on democracy and deterrence might be further usefully refined by adding psychological profiles of particular leaders, and systematically applying other findings of cognitive psychology, as we assess the likelihood of aggression and levels of necessary deterrence in context. ¶ A post-Gulf War edition of Gordon Craig and Alexander George's classic, Force and Statecraft,13 presents an important discussion of the inability of the pre-war coercive diplomacy effort to get Saddam Hussein to withdraw from Kuwait without war.14 This discussion, by two of the recognized masters of deterrence theory, reminds us of the many important psychological and other factors operating at the individual level of analysis that may well have been crucial in that failure to get Hussein to withdraw without war. We should also remember that nondemocracies can have differences between leaders as to the necessity or usefulness of force and, as Marcus Aurelius should remind us, not all absolute leaders are Caligulas or Neros. Further, the history of ancient Egypt reminds us that not all Pharaohs were disposed to make war on their neighbors. Despite the importance of individual leaders, however, we should also keep before us that major international war is predominantly and critically an interaction, or synergy, of certain characteristics at levels two and three, specifically an absence of democracy and an absence of¶ effective deterrence.¶ Yet another way to conceptualize the importance of democracy and deterrence in war avoidance is to note that each in its own way internalizes the costs to decision elites of engaging in high risk aggressive behavior. Democracy internalizes these costs in a variety of ways including displeasure of the electorate at having war imposed upon it by its own government. And deterrence either prevents achievement of the objective altogether or imposes punishing costs making the gamble not worth the risk.I5¶ VI¶ Testing the Hypothesis¶ Theory without truth is but costly entertainment.¶ HYPOTHESES, OR PARADIGMS, are useful **if they reflect the real world better than previously held paradigms**. In the complex world of foreign affairs and the war puzzle, perfection is unlikely. **No general construct will fit all cases** even in the restricted category of "major interstate war"; **there are simply too many variables**. We should insist, however, on testing **against the real world** and on **results that suggest enhanced usefulness** over other constructs. In testing the hypothesis, we can test it for consistency with major wars; that is, in looking, for example, at the principal interstate wars in the twentieth century, did they present both a nondemocratic aggressor and an absence of effective deterrence?' And although it is by itself not going to prove causation, we might also want to test the hypothesis against settings of potential wars that did not occur. That is, in nonwar settings, was there an absence of at least one element of the synergy? We might also ask questions about the effect of changes on the international system in either element of the synergy; that is, what, in general, happens when a totalitarian state makes a transition to stable democracy or vice versa? And what, in general, happens when levels of deterrence are dramatically increased or decreased?

**Only deterrence is an empirically verifiable solution to war**

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As so broadly conceived, there is strong evidence that deterrence, that is, the effect of external factors on the decision to go to war, is **the missing link in the war/peace equation**. In my War/Peace Seminar, I have undertaken to examine the level of deterrence before the principal wars of the twentieth century.10 This examination has led me to believe that in every case the potential aggressor made a rational calculation that the war would be won, and won promptly.11 In fact, the longest period of time calculated for victory through conventional attack seems to be the roughly six reeks predicted by the German General Staff as the time necessary ) prevail on the Western front in World War I under the Schlieffen Plan. Hitler believed in his attack on Poland that Britain and France could not take the occasion to go to war with him. And he believed his 1941 Operation Barbarossa against the Soviet Union that “[w]e have only to kick in the door and the whole rotten structure will come crashing down."12 In contrast, following Hermann Goering's failure to obtain air superiority in the Battle of Britain, Hitler called off the invasion of Britain and shifted strategy to the nighttime bombing of population centers, which became known as the Blitz, in a mistaken effort to compel Britain to sue for peace. Calculations in the North Korean attack on South Korea and Hussein’s attack on Kuwait were that the operations would be completed in a matter of days. Indeed, virtually all principal wars in the twentieth century, at least those involving conventional invasion, were preceded by what I refer to as a "**double deterrence absence**." That is, the potential aggressor believed that they had the military force in place to prevail promptly and that nations that might have the military or diplomatic power to prevent this were not dined to intervene. This analysis has also shown that many of the perceptions we have about the origins of particular wars are flatly wrong. Anyone who seriously believes that World War I was begun by competing alliances drawing tighter should examine the al historical record of British unwillingness to enter a clear military alliance with the French or to so inform the Kaiser! Indeed, this pre-World War I **absence of effective alliance and resultant war** contrasts sharply with the later **robust NATO alliance and absence of World War III.**14¶ **Considerable** other **evidence seems to support this historical analysis as to the importance of deterrence**. Of particular note, Yale Professor Donald Kagan, a preeminent United States historian who has long taught a seminar on war, published in 1995 a superb book On the Origins of War and the Preservation of Peace.15 In this book he conducts a detailed examination of the Peloponnesian War, World War I, Hannibal's War, and World War II, among other case studies. A careful reading of these studies suggests that each war could have been prevented by achievable deterrence and that each occurred in the absence of such deterrence.16 **Game theory** seems to offer yet further support for the proposition that appropriate **deterrence can prevent war**. For example, Robert Axelrod's famous 1980s experiment in an iterated prisoner's dilemma, which is a reasonably close proxy for many conflict settings in international relations, repeatedly showed the effectiveness of a simple tit for tat strategy.17 Such a strategy is at core simply a basic deterrent strategy of influencing behavior through incentives. Similarly, much of the game-theoretic work on crisis bargaining (and danger of asymmetric information) in relation to war and the democratic peace assumes the importance of deterrence through communication of incentives.18 The well-known correlation between war and territorial contiguity seems also to underscore the importance of deterrence and is likely principally a proxy for levels of perceived profit and military achievability of aggression in many such settings.¶ It should further be noted that the democratic peace is not the only significant correlation with respect to war and peace, although it seems to be the most robust. Professors Russett and Oneal, in recently exploring the other elements of the Kantian proposal for "Perpetual Peace," have also shown a strong and statistically significant correlation between economically important bilateral trade between two nations and a reduction in the risk of war between them. Contrary to the arguments of "dependency theorists," such economically important trade seems to reduce the risk of war regardless of the size relationship or asymmetry in the trade balance between the two states. In addition, there is a statistically significant association between economic openness generally and reduction in the risk of war, although this association is not as strong as the effect of an economically important bilateral trade relationship.° Russett and Oneal also show a modest independent correlation between reduction in the risk of war and higher levels of common membership in international organizations.20 And they show that a large imbalance of power between two states significantly lessens the risk of major war between them.21 All of these empirical findings about war also seem to directly reflect incentives; that is, a higher level of trade would, if foregone in war, impose higher costs in the aggregate than without such trade,22 though we know that not all wars terminate trade. Moreover, with respect to trade, a, classic study, Economic Interdependence and War, suggests that the historic record shows that it is not simply aggregate levels of bilateral trade that matters, but expectations as to the level of trade into the future.23 This directly implicates expectations of the war decision maker as does incentive theory, and it importantly adds to the general finding about trade and war that even with existing high levels of bilateral trade, changing expectations from trade sanctions or other factors affecting the flow of trade can directly affect incentives and influence for or against war. A large imbalance of power in a relationship rather obviously impacts deterrence and incentives. Similarly, one might incur higher costs with high levels of common membership in international organizations through foregoing some of the heightened benefits of such participation or otherwise being presented with different options through the actions or effects of such organizations.¶ These external deterrence elements may also be yet another reason why democracies have a lower risk of war with one another. For their freer markets, trade, commerce, and international engagement may place them in a position where their generally higher level of interaction means that aggression will incur substantial opportunity costs. Thus, the "mechanism" of the democratic peace may be an aggregate of factors affecting incentives, both external as well as internal factors. Because of the underlying truth in the relationship between higher levels of trade and lower levels of war, it is not surprising that theorists throughout human history, including Baron de Montesquieu in 1748, Thomas Paine in 1792, John Stuart Mill in 1848, and, most recently, the founders of the European Union, have argued that increasing commerce and interactions among nations would end war. Though by themselves these arguments have been overoptimistic, it may well be that some level of "globalization" may make the costs of war and the gains of peace so high as to powerfully predispose to peace. Indeed, a 1989 book by John Mueller, Retreat From Doomsday,24 postulates the obsolescence of major war between developed nations (at least those nations within the "first and second worlds") as they become increasingly conscious of the rising costs of war and the rising gains of peace.¶ In assessing levels of democracy, there are indexes readily available, for example, the Polity III25 and Freedom House 26 indexes. I am unaware of any comparable index with respect to levels of deterrence that might be used to test the importance of deterrence in war avoidance?' Absent such an accepted index, discussion about the importance of deterrence is subject to the skeptical observation that one simply defines effective deterrence by whether a war did or did not occur. In order to begin to deal with this objection and encourage a more objective methodology for assessing deterrence, I encouraged a project to seek to develop a rough but objective measure of deterrence with a scale from minus ten to plus ten based on a large variety of contextual features that would be given relative weighting in a complex deterrence equation before applying the scaling to different war and nonwar settings.28 On the disincentive side of the scale, the methodology used a weighted calculation of local deterrence, including the chance to prevent a short- and intermediate-term military victory, and economic and political disincentives; extended deterrence with these same elements; and contextual communication and credibility multipliers. On the incentive side of the scale, the methodology also used a weighted calculation of perceived military, economic, and political benefits. The scales were then combined into an overall deterrence score, including, an estimate for any effect of prospect theory where applicable.2 This innovative first effort uniformly showed high deterrence scores in settings where war did not, in fact, occur. Deterring a Soviet first strike in the Cuban Missile Crisis produced a score of +8.5 and preventing a Soviet attack against NATO produced a score of +6. War settings, however, produced scores ranging from -2.29 (Saddam Hussein's decision to invade Kuwait in the Gulf War), -2.18 (North Korea's decision to invade South Korea in the Korean War), -1.85 (Hitler's decision to invade Poland in World War II), -1.54 (North Vietnam's decision to invade South Vietnam following the Paris Accords), -0.65 (Milosevic's decision to defy NATO in Kosovo), +0.5 (the Japanese decision to attack Pearl Harbor), +1.25 (the Austrian decision, egged on by Germany, to attack Serbia, which was the real beginning of World War I), to +1.75 (the German decision to invade Belgium and France in World War I). As a further effort at scaling and as a point of comparison, I undertook to simply provide an impressionistic rating based on my study of each pre-crisis setting. That produced high positive scores of +9 for both deterring a Soviet first strike during the Cuban Missile Crisis and NATO's deterrence of a Warsaw Pact attack and even lower scores than the more objective effort in settings where wars had occurred. Thus, I scored North Vietnam's decision to invade South Vietnam following the Paris Accords and the German decision to invade Poland at the beginning of World War II as -6; the North Korean/Stalin decision to invade South Korea in the Korean War as -5; the Iraqi decision to invade the State of Kuwait as -4; Milosevic's decision to defy NATO in Kosovo and the German decision to invade Belgium and France in World War I as -2; and the Austrian decision to attack Serbia and the Japanese decision to attack Pearl Harbor as -1. Certainly even knowledgeable experts would be likely to differ in their impressionistic scores on such pre-crisis settings, and the effort at a more objective methodology for scoring deterrence leaves much to be desired. Nevertheless, both exercises did seem to suggest that deterrence matters and that high levels of deterrence can prevent future war.¶ Following up on this initial effort to produce a more objective measure of deterrence, two years later I encouraged another project to undertake the same effort, building on what had been learned in the first iteration. The result was a second project that developed a modified scoring system, also incorporating local deterrence, extended deterrence, and communication of intent and credibility multipliers on one side of a scale, and weighing these factors against a potential aggressor's overall subjective incentives for action on the other side of the scale.3° The result, with a potential range of -5.5 to +10, produced no score higher than +2.5 for eighteen major wars studied between 1939 and the 1990 Gulf War.31 Twelve of the eighteen wars produced a score of zero or below, with the 1950-53 Korean War at -3.94, the 1965-75 Vietnam War at -0.25, the 1980-88 Iran-Iraq War at -1.53, and the 1990-91 Gulf War at -3.83. The study concluded that in more than fifty years of conflict there was "no situation in which a regime elite/decision making body subjectively faced substantial disincentives to aggressive military action and yet attacked."32¶ Yet another piece of the puzzle, which may clarify the extent of deterrence necessary in certain settings, may also assist in building a broader hypothesis about war. In fact, it has been incorporated into the just-discussed efforts at scoring deterrence. ¶ That is, newer studies of human behavior from cognitive psychology are increasingly showing that certain perceptions of decision makers can influence the level of risk they may be willing to undertake, or otherwise affect their decisions.33 It now seems likely that a number of such insights about human behavior in decision making may be useful in considering and fashioning deterrence strategies. Perhaps of greatest relevance is the insight of "prospect theory," which posits that individuals evaluate outcomes with respect to deviations from a reference point and that they may be more risk averse in settings posing potential gain than in settings posing potential loss.34 The evidence of this "cognitive bias," whether in gambling, trading, or, as is increasingly being argued, foreign policy decisions generally, is significant. Because of the newness of efforts to apply a laboratory based "prospect theory" to the complex foreign policy process generally, and ¶ particularly ambiguities and uncertainties in framing such complex events, our consideration of it in the war/peace process should certainly be cautious. It does, however, seem to elucidate some of the case studies.¶ In the war/peace setting, "prospect theory" suggests that deterrence may not need to be as strong to prevent aggressive action leading to perceived gain. For example, there is credible evidence that even an informal warning to Kaiser Wilhelm II from British Foreign Secretary Sir Edward Grey, if it had come early in the crisis before events had moved too far, might have averted World War I. And even a modicum of deterrence in Kuwait, as was provided by a small British contingent when Kuwait was earlier threatened by an irredentist Iraqi government in 1961, might have been sufficient to deter Saddam Hussein from his 1990 attack on Kuwait. Similarly, even a clear United States pledge for the defense of South Korea before the attack might have prevented the Korean War. Conversely, following the July 28 Austrian mobilization and declaration of war against Serbia in World War I, the issue for Austria may have begun to be perceived as loss avoidance, thus requiring much higher levels of deterrence to avoid the resulting war. Similarly, the Rambouillet Agreement may have been perceived by Milosevic as risking loss of Kosovo and his continued rule of Serbia and, as a result, may have required higher levels of NA-TO deterrence to have prevented Milosevic's actions in defiance. Certainly NATO's previous hesitant responses in 1995 against Milosevic in the Bosnia phase of the Yugoslav crisis and in 1998-99 in early attempts to deal with Kosovo did not create a high level of deterrence.35 One can only surmise whether the killing in Kosovo could have been avoided had NATO taken a different tack, both structuring the issue less as loss avoidance for Milosevic and considerably enhancing deterrence. Suppose, for example, NATO had emphasized that it had no interest in intervening in Serbia's civil conflict with the KLA but that it would emphatically take action to punish massive "ethnic cleansing" and other humanitarian outrages, as had been practiced in Bosnia. And on the deterrence side, it made clear in advance the severity of any NATO bombardment, the potential for introduction of ground troops if necessary, that in any assault it would pursue a "Leadership Strategy" focused on targets of importance to Milosevic and his principal henchmen (including their hold on power), and that it would immediately, unlike as earlier in Bosnia, seek to generate war crime indictments of all top Serbian leaders implicated in any atrocities. The point here is not to second-guess NATO's actions in Kosovo but to suggest that taking into account potential "cognitive bias," such as "prospect theory," may be useful in fashioning effective deterrence. "Prospect theory" may also have relevance in predicting that it may be easier to deter (that is, lower levels are necessary) an aggression than to undo that aggression. Thus, much higher levels of deterrence were probably required to compel Saddam Hussein to leave Kuwait than to prevent him initially from invading that state. In fact, not even the presence of a powerful Desert Storm military force and a Security Council Resolution directing him to leave caused Hussein to voluntarily withdraw. As this real-world example illustrates, there is considerable experimental evidence in "prospect theory" of an almost instant renormalization of reference point after a gain; that is, relatively quickly after Saddam Hussein took Kuwait, a withdrawal was framed as a loss setting, which he would take high risk to avoid. Indeed, we tend to think of such settings as settings of compellance, requiring higher levels of incentive to achieve compulsion producing an action, rather than deterrence needed for prevention.¶ One should also be careful not to overstate the effect of "prospect theory" or to fail to assess a threat in its complete context. We should remember that a belated pledge of Great Britain to defend Poland before the Nazi attack did not deter Hitler, who believed under the circumstances that the British pledge would not be honored. It is also possible that the greater relative wealth of democracies, which have less to gain in all out war, is yet another internal factor contributing to the "democratic peace."36 In turn, this also supports the extraordinary tenacity and general record of success of democracies fighting in defensive settings as they may also have more to lose.¶ In assessing adequacy of deterrence to prevent war, we might also want to consider whether extreme ideology, strongly at odds with reality, may be a factor requiring higher levels of deterrence for effectiveness. One example may be the extreme ideology of Pol Pot leading him to falsely believe that his Khmer Rouge forces could defeat Vietnam.37 He apparently acted on that belief in a series of border incursions against Vietnam that ultimately produced a losing war for him. Similarly, Osama bin Laden's 9/11 attack against America, hopelessly at odds with the reality of his defeating the Western World and producing for him a strategic disaster, seems to have been prompted by his extreme ideology rooted in a distorted concept of Islam at war with the enlightenment. The continuing suicide bombings against Israel, encouraged by radical rejectionists and leading to less and less for the Palestinians, may be another example. If extreme ideology is a factor to be considered in assessing levels of deterrence, it does not mean that deterrence is doomed to fail in such settings but only that it must be at higher levels (and properly targeted on the relevant decision elites behind the specific attacks) to be effective, as is also true in perceived loss or compellance settings.38 Even if major war in the modern world is predominantly a result of aggression by nondemocratic regimes, it does not mean that all nondemocracies pose a risk of war all, or even some, of the time. Salazar's Portugal did not commit aggression. Nor today do Singapore or Bahrain or countless other nondemocracies pose a threat. That is, today nondemocracy comes close to a necessary condition in generating the high risk behavior leading to major interstate war. But it is, by itself, not a sufficient condition for war. The many reasons for this, of course, include a plethora of internal factors, such as differences in leadership perspectives and values, size of military, and relative degree of the rule of law, as well as levels of external deterrence.39 But where an aggressive nondemocratic regime is present and poses a credible military threat, then it is **the totality of external factors**, **that is,** **deterrence, that become crucial.**

### 1AC – Plan

#### The United States Federal Government should restrict the President’s war powers authority to use the nuclear mission from the Global Strike Command against the Islamic Republic of Iran.

### 1AC – Solvency

#### CONTENTION 2: SOLVENCY

#### Stronger statutory checks on Presidential war powers increase America’s deterrence capabilities by providing credibility behind threats

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A second argument, this one advanced by some congressionalists, is that stronger legislative checks on presidential uses of force would improve deterrent and coercive strategies by making them more selective and credible. The most credible U.S. threats, this argument holds, are those that carry formal approval by Congress, which reflects strong public support and willingness to bear the costs of war; requiring express legislative backing to make good on threats might therefore be thought to enhance the potency of threats by encouraging the President to seek congressional authorization before acting.181 A frequently cited instance is President Eisenhower’s request (soon granted) for standing congressional authorization to use force in the Taiwan Straits crises of the mid- and late-1950s – an authorization he claimed at the time was important to bolstering the credibility of U.S. threats to protect Formosa from Chinese aggression.182 (Eisenhower did not go so far as to suggest that congressional authorization ought to be legally required, however.) “It was [Eisenhower’s] seasoned judgment … that a commitment the United States would have much greater impact on allies and enemies alike because it would represent the collective judgment of the President and Congress,” concludes Louis Fisher. “Single-handed actions taken by a President, without the support of Congress and the people, can threaten national prestige and undermine the presidency. Eisenhower’s position was sound then. It is sound now.”183 A critical assumption here is that legal requirements of congressional participation in decisions to use force filters out unpopular uses of force, the threats of which are unlikely to be credible and which, if unsuccessful, undermine the credibility of future U.S. threats.¶ A third view is that legal clarity is important to U.S. coercive and deterrent strategies; that ambiguity as to the President’s powers to use force undermines the credibility of threats. Michael Reisman observed, for example, in 1989: “Lack of clarity in the allocation of competence and the uncertain congressional role will sow uncertainty among those who depend on U.S. effectiveness for security and the maintenance of world order. Some reduction in U.S. credibility and diplomatic effectiveness may result.”184 Such stress on legal clarity is common among lawyers, who usually regard it as important to planning, whereas strategists tend to see possible value in “constructive ambiguity”, or deliberate fudging of drawn lines as a negotiating tactic or for domestic political purposes.185 A critical assumption here is that clarity of constitutional or statutory design with respect to decisions about force exerts significant effects on foreign perceptions of U.S. resolve to make good on threats, if not by affecting the substance of U.S. policy commitments with regard to force then by pointing foreign actors to the appropriate institution or process for reading them.

#### Removing the nuclear mission from global strike solves

Hans M. Kristensen 8, Federation of American Scientists, “STRATCOM Cancels Controversial Preemption Strike Plan”, July 25, 2008, http://www.rightsidenews.com/200807251534/global-terrorism/stratcom-cancels-controversial-preemption-strike-plan.html

CONPLAN 8022 was the first attempt to operationalize the "Global Strike" mission assigned to U.S. Strategic Command in January 2003. The mission was triggered by new White House guidance following the terrorist attacks in September 2001 and fear of proliferation of weapons of mass destruction.¶ Lack of leadership and definition has since placed Global Strike in limbo, with little progress and prompt effects instead being incorporated into other existing strike plans. "Global Strike" is now described as a much broader mission synonymous with the "New Triad" first articulated by the Bush administration's 2001 Nuclear Posture Review.¶ CONPLAN 8022's Short Life¶ Like its mission, CONPLAN 8022's life was prompt and brief. STRATCOM completed the first version of the plan in November 2003, based on White House and Pentagon guidance issued in response to 9/11. The requirement was to develop a plan that could be used to strike high-value and mobile weapons of mass destruction (WMD) targets quickly with conventional or nuclear weapons before they could be used against the United States and its allies.¶ The Global Strike mission was formally assigned to STRATCOM in January 2003 and, in June 2004, Defense Secretary Donald Rumsfeld and CJCS General Richard Myers issued the "Alert Order" that ordered STRATCOM to put CONPLAN 8022 into effect. In July 2004, STRATCOM commander General E. Cartwright reported to Congress that Defense Secretary Donald Rumsfeld had "just signed the Interim Global Strike Alert Order, which provides the President a prompt, global strike capability" (see Global Strike Chronology for more details).¶ Global Strike Confusion¶ After cancellation of CONPLAN 8022 there has been significant confusion about what Global Strike actually is. After initially being "sold" as an urgent, unique and separate mission for limited, short-duration, quick-strike options against high-value and mobile targets not covered by other existing plans, Global Strike is now described as many things, ranging from Special Operations Forces raids (boots on the ground) to the traditional nuclear posture of long-range strategic nuclear weapons. Even slow bomber deployments are called Global Strike these days (see Figure 1 and 2; for an example of a recent Global Reach mission described as Global Strike, go here).¶ Some call it Global Strike, others call it Prompt Global Strike, while others again call it Conventional Prompt Global Strike, depending on who is talking and what weapon program is being promoted. General Cartwright sometimes tried to clarify the structure by saying Prompt Global Strike was a conventional subset of Global Strike, which was a subset of the strategic war plan. But his efforts seem to have had little impact on the debate.¶ A recent GAO report found that the different Services and agencies have very different understandings of what Global Strike means. The varied interpretation of Global Strike, GAO concluded, "affects their ability to clearly distinguish the scope, range, and potential use of capabilities needed to implement global strike and under what conditions global strike would be used in U.S. military operations." In response to the GAO findings, STRATCOM agreed to "develop a common, universally accepted concept and definition for ‘Global Strike'."¶ Congress has been generally reluctant to fund new exotic weapons for the Global Strike mission. Future Years Defense Program (FYDP) planning has identified, according to GAO, 94 program elements that would provide funding for 135 programs, projects, and activities having possible application for Global Strike. But for now, more than five years after STRATCOM was assigned the Global Strike mission, the Department of Defense concedes that "global strike, as a validated and executable concept, has not matured to the point that it is an extant executable capability...."¶ Unfortunately, the GAO report only discusses the conventional aspects of Global Strike, even though it was the nuclear option that originally triggered Congressional interest in the mission. After I disclosed in 2005 that preemptive global strike options were being incorporated into a revision of the Doctrine for Joint Nuclear Operations (JP 3-12), more than a dozen members of Congress - including Ellen Tauscher and Jack Reed - objected in a letter to the president to what they considered to be a dangerous change of U.S. nuclear policy. Yet the nuclear option today remains the only executable prompt component of Global Strike.¶ "Global Strike" or just global strike¶ Despite the cancellation of CONPLAN 8022 and confusion over the Global Strike mission, however, planning for quick-reaction, short-duration strikes against high-value and fleeting (mobile) targets has continued at STRATCOM, officials confirm.¶ Instead of a separate CONPLAN, the Global Strike mission is being incorporated into the existing strategic war plan known as OPLAN 8044, offered to regional combatant commanders, and can probably also be found in the new Combat Weapons of Mass Destruction plan known as CONPLAN 8099. The combat employment portion of OPLAN 8044 previously called the SIOP (Single Integrated Operational Plan), was renamed in 2003 to reflect that the "single" top-heavy SIOP has been taken apart and converted into "a family of plans." Compared with the SIOP, OPLAN 8044 includes "more flexible options" for potential use in a "wider range of contingencies," according to military documents.¶ The "family of plans" is the result of a reorganization that has been underway since the early 1990s, when STRATCOM began to create "adaptive planning" missions tailored against rogue states armed with WMD. Back then, the first STRATCOM commander General George Lee Butler described how the SIOP was "evolving to a collection of far more differentiated retaliatory choices, tailored to a threat environment of greater nuance and complexity."¶ The Bush administration adopted "tailored" as a central planning objective in its 2001 Nuclear Posture Review that ordering the development of a "New Triad" with more strike capabilities and options. Curiously, the offensive leg of the "New Triad" with its nuclear, conventional and non-kinetic strike capabilities has now become synonymous with Global Strike. Before CONPLAN 8022 was withdrawn, the Pentagon's Strategic Deterrence Joint Operating Concept, for which STRATCOM was the lead agent, portrayed Global Strike as separate from nuclear strike capabilities (although it wasn't). In the updated version from December 2006, however, Global Strike is portrayed as synonymous with the offensive leg in the New Triad (see figure 1).¶ To implement, maintain and execute the Global Strike mission, STRATCOM established the Joint Functional Component Command for Space and Global Strike (later changed to Joint Functional Component Command for Global Strike and Integration, JFCC GSI). The Concept of Operations document for the new command shows that its responsibilities reach far beyond Global Strike to all strategic strike planning for OPLAN 8044. Through JFCC GSI, STRATCOM is transforming its formerly secluded strategic nuclear strike enterprise into an integrated planning and strike service for national-level and regional combatant commanders. For JFCC SGI, that means integrating STRATCOM's global strike capabilities into theater operations. A separate CONPLAN 8022 and OPLAN 8044, by contrast, would have constituted separation of planning.¶ STRATCOM's current fact sheet on JFCC GSI - all that has survived from several pages previously posted on the command's web site - shows a component command that has responsibility for the full range of strike capabilities in a planning architecture with Global Strike intertwined with traditional deterrence.¶ Some Implications¶ The Global Strike mission was launched with much fervor on the heels of a new preemption strategy following the 2001 terrorist attacks. But it is hard to take seriously the claim that Global Strike - meaning unique prompt strike capabilities other than those already in the inventory - is essential for national security when, more than five years after the mission was established, the Pentagon still hasn't developed an executable capability or even a succinct definition for what Global Strike means.¶ In hindsight it seems that rather than developing a unique preemptive plan, planners have instead incorporated the concept into the remnants of the strategic war plan. This "integration" has become the guiding principle for military planning despite its slow start, and has reinvigorated the strategic planning community by creating requirements for an increased number of strike options and contingencies.¶ Mixed in with this morass of increasingly diffuse global strike capabilities are nuclear weapons, which ought to be clearly and unequivocally identified as a last resort that is separate from the dynamic Global Strike mission. The GAO report notes that "nuclear systems would be part of the portfolio" but doesn't examine this part of Global Strike. Hopefully Congress' Strategic Posture Review Commission and the next administration's Nuclear Posture Review will.

#### A pragmatic approach to politics is optimal---argumentation should start from empirical method using a reasoned process to avoid nihilism

Robert Rowland 95, Professor of Communication at the University of Kansas, “In Defense of Rational Argument: A Pragmatic Justification of Argumentation Theory and Response to the Postmodern Critique” Philosophy & Rhetoric Vol. 28, No. 4Oct 1, 1995, EBSCO

A pragmatic theory of argument¶ The first step in developing a justifiable theory of rational argument that can account for the epistemological and axiological attacks is to recognize the performative contradiction at the heart of the postmodern critique. Postmodernists rely on rational argument in order to attack rational argument and they consistently claim that their positions are in some way superior to those of their modernist opponents. Writing of post-structuralism, Amanda Anderson notes "the incommensurability between its epistemological stance and its political aims, between its descriptions and its prescriptions, between the pessimism of its intellect and, if not the optimism, at least the intrusiveness of its moral and political will" (1992, 64).¶ The performative contradiction at the heart of postmodernism is nowhere more evident than in the epistemological critique of modernism. The two most important points made by postmodernists in relation to epistemology are that humans can understand the world only through their symbols and that there is no means of using "reality" to test a symbolic description. Advocates of traditional approaches to rationality have not been able to satisfactorily answer these positions, precisely because they seem to be "true" in some sense. This "truth," however, suggests that a theory of rational argument may be salvageable. If postmodernists can defend their views as in some sense "truer" than those of their modernist opponents, then there must be some standard for judging "truth" that can withstand the postmodern indictment. That standard is pragmatic efficacy in fulfilling a purpose in relation to a given problem.¶ Both modernists and postmodernists generally assume that truth and fact are equivalent terms. Thus, a "true" statement is one that is factually correct in all circumstances. By this standard, of course, there are no totally "true" statements. However, if no statement can be proved factually true, then a focus on facts is an inappropriate standard for judging truth.¶ I suggest that knowledge and truth should be understood not as factual statements that are certain, but as symbolic statements that function as useful problem-solving tools. When we say that a view is true, we really mean that a given symbolic description consistently solves a particular problem. Thus, the statement "the sun will come up tomorrow" can be considered "true," despite ambiguities that a postmodernist might point to in regard to the meaning of sun or tomorrow, because it usefully and consistently solves a particular epistemic problem.¶ The standard for "truth" is pragmatic utility in fulfilling a purpose in relation to a particular problem. A true statement is one that "works" to solve the problem. Both the nature of the problem and the arguer's purpose in relation to that problem infiuence whether a given statement is viewed as true knowledge. This explains why biological researchers and physicians often seem to have different definitions of truth in regard to medical practice. The researcher is concerned with fully understanding the way that the body works. His or her purpose dictates application of rigorous standards for evaluating evidence and causation. By contrast, the physician is concerned with treating patients and therefore may apply a much lower standard for evaluating new treatments. The pragmatic theory of argument I am defending draws heavily on the work of William James, who believed that "the only test of probable truth is what works" (1982, 225). Alan Brinton explains that for jEunes "the ultimate question of truth is a question about the concepts and their fruitfulness in serving the purposes for which they were created and imposed. Ideas are true insofar as they serve these purposes, and false insofar as they fail to do so" (1982, 163). Some contemporary pragmatists take a similar view. For example, Nicholas Rescher writes in relation to methodology that "the proper test for the correctness or appropriateness of anything methodological in nature is plainly and obviously posed by the paradigmatically pragmatic questions: Does it work? Does it attain its intended purposes?" (1977, 3). Similarly, Celeste Condit Railsback argues that "truth is . . . relative to the language and purposes of the persons who are using it" (1983, 358-59). At this point, someone like Derrida might argue that while the pragmatic approach accounts for the symbolic nature of truth, it does not deal with the inability of humans to get at reality directly. Although the postmodern critique denies that humans can directly experience "the facts," it does not deny that a real-world exists.¶ Thus, a pragmatist endorses a given scientific theory because the symbolic description present in that theory does a better job than its competitors of fulfilling a set of purposes in a given context. Because it fulfills those purposes, we call the theory "true." We cannot attain knowledge about "the facts," but we can test the relative adequacy of competing problem-solving statements against those facts. Michael Redhead, a professor of history and philosophy of science at Cambridge University, notes that "we can always conjecture, but there is some control. The world kicks back" (in Peterson 1992,175; emphasis added). Knowledge is not about "facts." It is about finding symbolic descriptions of the world that work, that is, avoiding nature's kicks in fulfilling a given purpose.¶ The foregoing suggests that a principled pragmatic theory of argument sidesteps the postmodern critique. Argumentation theory ¶ should be understood as a set of pragmatic rules of thumb about the kinds of symbolic statements that effectively solve ¶ problems. These statements exist at varying levels of generality. A consistency principle , for example, is really a rule of thumb stating something like "All other things being equal, consistent symbolic descriptions are more likely to prove useful for solving a particular problem in relation to a given purpose than are inconsistent descriptions." Other principles are linked to narrower purposes in more specific contexts. Thus, the standards for evaluating arguments in a subfield of physics will be tied to the particular purposes and problems found in that subfield. The key point is that all aspects of a theory of argument can be justified pragmatically, based on their value for producing useful solutions to problems.¶ A pragmatic theory of argument can be understood as operating at three levels, all of which are tied to functionality. At the first or definitional level, argument is best understood as a kind of discourse or interaction in which reasons and evidence are presented in support of a claim. Argument as a symbolic form is valued based on its ability to deal with problems; the business of argument is problem solving. At a second or theoretical level, what Toulmin would call fieldinvariant, general principles of rational argument are justified pragmatically based on their capacity to solve problems. Thus, tests of evidence, general rules for describing argument, standards relating to burden of proof or presumption, and fallacies, all can be justified pragmatically based on the general problem-solving purpose served by all argument. For example, the requirement that claims must be supported with evidence can be justified as a general rule of thumb for distinguishing between strong and weak (that is, useful and useless) arguments. Certainly, there are cases in which unsupported assertions are "true" in some sense. However, the principle that any claim on belief should be supported with evidence of some type is a functional one for distinguishing between claims that are likely to be useful and those that are less likely to be useful.¶ At a third level, that of specific fields or subfields, principles of argumentation are linked to pragmatic success in solving problems in the particular area (see Rowland 1982). Thus, for instance, the rules of evidence found in the law are linked directly to the purposes served by legal argument. This explains why the burden of proof in a criminal trial is very different from that found in the civil law. The purpose of protecting the innocent from potential conviction requires that a higher standard of proof be applied in this area than elsewhere.¶ The pragmatic perspective I have described is quite different from that of interpretive pragmatists such as Richard Rorty (1979, 1982, 1985, 1987) and Stanley Fish (1980, 1989a, 1989b). Rorty, while denying the existence of legitimate formal or content-based standards for "proof" (1982,277), endorses a processual epistemology based on "the idea of [substituting] 'unforced agreement' for that of 'objectivity' " (41-42). Janet Home summarizes Rorty's views, noting that "the difference between 'certified knowledge' and 'mere belief is based upon intersubjective agreement rather than correspondence" (1989, 249). By contrast. Fish grounds reason in the practices of particular "interpretive communities" (1989b, 98). In this view, "Particular facts are firm or in question insofar as the perspective . . . within which they emerge is firmly in place, settled" (Fish 1989a, 308).¶ Unfortunately, a theory of argumentation cannot be salvaged merely by grounding reason in conversational practice or community assent. If there are no agreed upon standards, then how does one "rationally" test a claim intersubjectively or in process? Fish and Rorty beg the question when they ground reason in community and conversational process. Unlike Rorty and Fish, who reject the ideas of "truth" and "knowledge," I argue that those concepts must be redefined in relation to problem solving.¶ The pragmatic theory of argument that I have advanced provides a principled means of choosing among competing alternatives, regardless of the context. One always should ask whether or not a particular symbolic description of the world fulfills its purposes. In so doing, methodological principles for testing knowledge claims, such as tests of evidence, fallacies, and more precise field standards, can be justified, and then they can be applied within the conversation or by the community. The approach, therefore, provides standards to be applied in Rorty's process or by Fish's community and avoids the tautology that otherwise confronts those approaches. The perspective neatly avoids the problems associated with modernism, but also provides a principled approach to argument that does not lead to relativism.¶ In defense of rational argument¶ When argument is viewed as a pragmatic problem-solving tool, the power of the postmodern critique largely dissipates. At the most basic level, a pragmatic theory of argument is based on premises such as the following:¶ 'Statements supported by evidence and reasoning are more likely to be useful for satisfactorily solving a problem than ones that lack that support.¶ 'Consistent arguments are more likely to be generalizable than inconsistent ones.¶ 'Experts are more likely to have useful viewpoints about technical questions tied to a particular field than nonexperts. These statements are not "true" in the factual sense, but they are universally recognized as useful, a point that is emphasized in the work of even the most committed postmodernist. Even someone like Derrida demands that his opponents support their claims with evidence and consistent reasoning. In so doing, Derrida clearly recognizes the functional utility of general standards for testing argument form and process.¶ Arguing should be understood as a pragmatic process for locating solutions to problems. The ultimate justification of argument as a discipline is that it produces useful solutions. Of course, not all arguments lead to successful solutions because the world is a complex place and the people who utilize the form/process are flawed. However, the general functional utility of argument as a method of ¶ invention or discovery and the method of justification is undisputed. The pragmatic approach to argument also provides a means of answering the axiological objections to traditional reason. Initially, the view that argument is often a means of enslaving or disempowering people is based on a misunderstanding of how argument as a form of discourse functions. In fact, the danger of symbolic oppression is less applicable to argument as a type of symbol use than to other forms. Argument tells us how to solve problems. It can be a force for enslavement only to the degree that a successful problem-solution is enslaving. This is a rare event in any society grounded in democratic ethics.¶ Additionally, argument as a form and process is inherently person-respecting because in argument it is not status or force that matters, but only the reasoning (see Brockriede 1972). In a pure argumentative encounter, it does not matter whether you are President of the United States or a college junior; all that is relevant is what you have to say. Of course, this ideal is rarely realized, but the principle that humans should test their claims against standards of argumentation theory that are tied to pragmatic problem solving (and not base conclusions on power) is one that recognizes the fundamental humanity in all people.¶ Furthermore, argument is one of the most important means of protecting society from symbolic oppression. Argument as an internal process within an individual and external process within society provides a method of testing the claims of potential oppressors. Therefore, training in argument should be understood as a means of providing pragmatic tools for breaking out of terministic or disciplinary prisons.¶ Against this view, it could be argued that pragmatism, because of its "practical" bent, inevitably degenerates into "hegemonic instrumental reason" in which technocratic experts control society. In Eclipse of Reason, Max Horkheimer takes the position that "in its instrumental aspect, stressed by pragmatism," reason "has become completely harnessed to the social process. Its operational value, its role in the domination of men and nations has been made the sole criterion" (1947, 21). Later, he notes that "pragmatism is the counterpart of modern industrialism for which the factory is the prototype of human existence" (50).¶ The claims that pragmatism reduces reason to a mere instrument of production or leads to undemocratic technocratic control of society are, however, misguided. Initially, it is worth noting that Horkeimer's aim is not to indict rationality per se, but to focus on the inadequacy of a purely instrumental form of rationality, which he labels "subjective reason." Near the conclusion of Eclipse of Reason, Horkheimer defends "objective reason": "This concept of truth—the adequation of name and thing—inherent in every genuine philosophy, enables thought to withstand if not to overcome the demoralizing and mutilating effects of formalized reason" (1947, 180). The goal of this essay, to develop a theory of rational argument that can withstand the postmodern indictment, is quite consistent with Horkheimer's view that humans need "objective reason" in order to "unshackle . . . independent thought" and oppose "cynical nihilism" (127, 174). While there can be no purely "objective reason," field-invariant and field-dependent principles of argumentation can be justified pragmatically to serve the aims that Horkheimer assigns to that form.¶ Moreover, a pragmatic theory of argument should not be confused with a decision-making approach based on mere practicality or self-interest. Principles of argument are justified pragmatically, that is, because they work consistently to solve problems. But after justification, the invariant and relevant field-dependent principles may be used to test the worth of any argument and are not tied to a simple utilitarian benefit/loss calculus. The misconception that a pragmatic theory of truth is tied to a simplistic instrumentalism is a common one. John Dewey notes, for instance, that William James's reference to the "cash value" of reasoning was misinterpreted by some "to mean that the consequences themselves of our rational conceptions must be narrowly limited by their pecuniary value" (1982, 33). In fact, pragmatism "concerns not the nature of consequences but the nature of knowing" (Dewey 1960,331). Or as James himself put it, "The possession of true thoughts means everywhere the possession of invaluable instruments of action" (1948, 161). Pragmatism "is a method only," which "does not stand for any special result" (James 1982, 213), but that method can be used to justify principles of argument that in turn can be used to check the excesses of instrumental reason. Moreover, a pragmatic approach to argument is self-correcting. According to James, pragmatism "means the open air and possibilities of nature, as against dogma, artificiality and the pretense of finality in truth" (213). Dewey makes the same point when he claims that pragmatic theory involves "the use of intelligence to liberate and liberalize action" (1917,63). Nor does pragmatism necessarily lead to expert domination. A pragmatic argumentation theory endorses deference to the opinion of experts only on questions for which the expert possesses special knowledge relevant to a particular problem. And even on such issues, the views of the expert would be subject to rigorous testing. It would be quite unpragmatic to defer to expert opinion, absent good reasons and strong evidence.¶ The previous analysis in no way denies the risks associated with technical reason. It is, however precisely because of such risks that a principled pragmatic theory of argument is needed. Given that we live in an advanced technological society, it is inevitable that technical reason will play a role. Postmodernism points to the dangers of technical reason, but provides no means of avoiding those risks. A pragmatic theory of argument, by contrast, justifies principles of rationality that can be used to protect society from the nihilistic excesses of a purely instrumental reason.

#### This approach to politics is necessary for effective progress in situations of uncertainty---avoids instrumentalism through inter-subjective understanding

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First, a pragmatic approach does not begin with objects or ‘things’ (ontology), or with reason and method (epistemology), but with ‘acting’ (prattein), thereby preventing some false starts. Since, as historical beings placed in a specific situations, we do not have the luxury of deferring decisions until we have found the ‘truth’ we have to act and must do so always under time pressures and in the face of incomplete information. Precisely because the social world is characterized by strategic interactions, what a situation ‘is’, is hardly ever clear ex ante, since it is being ‘produced’ by the actors and their interactions, and the multiple possibilities are rife with incentives for (dis)information. This puts a premium on quick diagnostic and cognitive shortcuts informing actors about the relevant features of the situation, and on leaving an alternative open (‘plan B’) in case of unexpected difficulties. Instead of relying on certainty and universal validity gained through abstraction and controlled experiments, we know that completeness and attentiveness to detail, rather than to generality, matter. To that extent, likening practical choices to simple ‘discoveries’ of an already independently existing ‘reality’ disclosing itself to an ‘observer’–or relying on optimal strategies – is somewhat heroic. These points have been made vividly by ‘realists’ such as Clausewitz in his controversy with von Buelow, in which he criticized the latter’s obsession with a strategic ‘science’ (Paret et al. 1986). While Clausewitz has become anicon for realists, a few of them (usually dubbed ‘old’ realists) have taken seriously his warnings against the misplaced belief in the reliability and usefulness of a ‘scientific’ study of strategy. Instead, most of them, especially ‘neorealists’ of various stripes, have embraced the ‘theory’-building based on the epistemological project as the via regia to the creation of knowledge. A pragmatist orientation would most certainly not endorse such a position. Second, since acting in the social world often involves acting ‘for’ someone, special responsibilities arise that aggravate both the incompleteness of knowledge as well as its generality problem. Since we owe special care to those entrusted to us, for example, as teachers, doctors or lawyers, we cannot just rely on what is generally true, but have to pay special attention to the particular case. Aside from avoiding the foreclosure of options, we cannot refuse to act on the basis of incomplete information or insufficient knowledge, and the necessary diagnostic will involve typification and comparison, reasoning by analogy rather than generalization or deduction. Leaving out the particularities of a case, be it a legal or medical one, in a mistaken effort to become ‘scientific’ would be a fatal flaw. Moreover, there still remains the crucial element of ‘timing’ – of knowing when to act. Students of crises have always pointed out the importance of this factor but, in attempts at building a general ‘theory’ of international politics analogously to the natural sciences, such elements are neglected on the basis of the ‘continuity of nature’ and the ‘large number’ assumptions. Besides, ‘timing’ seems to be quite recalcitrant to analytical treatment. Third, the cure for anxiety induced by Cartesian radical doubt does not consist in the discovery of a ‘foundation’ guaranteeing absolute certainty. This is a phantasmagorical undertaking engendered by a fantastic starting point, since nobody begins with universal doubt! (Peirce 1868). Rather, the remedy for this anxiety consists in the recognition of the unproductive nature of universal doubt on the one hand, and of the fetishization of ‘rigour’ on the other. Letting go of unrealizable plans and notions that lead us to delusional projects, and acquiring instead the ability to ‘go on’ despite uncertainties and the unknown, is probably the most valuable lesson to learn. Beginning somewhere, and reflecting critically on the limitations of the starting point and the perspective it opened, is likely to lead to a more fruitful research agenda than starting with some preconceived notions of the nature of things, or of ‘science’, and then testing the presumably different (but usually quite similar) theories (such as liberalism and realism). After all, ‘progress’ in the sciences occurred only after practitioners had finally given up on the idea that in order to say something about the phenomena of the world (ta onta), one had to grasp first ‘being’ itself (to ontos on). Fourth, by giving up on the idea that warranted knowledge is generated either through logical demonstration or through the representation of the world ‘out there’, a pragmatic starting point not only takes seriously the always preliminary character of knowledge, it also promises that we will learn to follow a course of action that represents a good bet.7 Thus, it accounts for changes in knowledge in a more coherent fashion. If the world were ‘out there’, ready-made, only to be discovered, scientific knowledge would have to be a simple accumulation of more and more true facts, leading us virtually automatically closer and closer to ‘the TRUTH’. Yet, if we have learned anything from the studies of various disciplines, it is the fact that progress consists in being able to formulate new questions that could not even be asked previously. Hence, whatever we think of Kuhn’s argument about ‘paradigms’, we have to recognize that in times of revolutionary change the bounds of sense are being redrawn, and thus the newly generated knowledge is not simply a larger sector of the encircled area (Kratochwil 2000). Fifth, pragmatism recognizes that science is social practice, which is determined by rules and in which scientists not only are constitutive for the definitions of problems (rather than simply lifting the veil from nature), but they also debate seemingly ‘undecidable’ questions and weigh the evidence, instead of relying on the bivalence principle of logic as an automatic truth-finder (Ziman 1991; Kratochwil 2007a). To that extent, the critical element of the epistemological project is retained, but the ‘court’, which Kant believed to be reason itself, now consists of the practitioners themselves. Instead of applying free-standing epistemological standards, each science provides its own court, judging the appropriateness of its methods and practices. Staying with the metaphor of a court, we also have to correct an implausible Kantian interpretation of law – that it has to yield determinate and unique decisions. We know from jurisprudence and case law that cases can be decided quite differently without justifying the inference that this proves the arbitrariness of law. Determinacy need not coincide with uniqueness, either in logic (multiple equilibria), science (equifinality) or law – Ronald Dworkin (1978) notwithstanding! Sixth, despite the fact that it is no longer a function of bivalent truth conditions, or anchored neither in the things themselves (as in classical ontology) nor in reason itself, ‘truth’ has not been abolished or supplanted by an ‘anything goes’ attitude. Rather, it has become a procedural notion of rule-following according to community practices, since nobody can simply make the rules as she or he goes along. These rules do not ‘determine’ outcomes, as the classical logic of deductions or truth conditions suggest, but they do constrain and enable us in our activities. Furthermore, since rule-following does not simply result in producing multiple copies of a fixed template, rules provide orientation in new situations, allowing us to ‘go on’, making for both consistency and change. Validity no longer assumes historical universality, and change is no more conceived of as temporal reversibility, as in differential equations, where time can be added and multiplied, compared with infinity, and run towards the past or the future. Thus ‘History’ is able to enter the picture, and it matters because, differently from the old ontology, change can now be conceived of as a ‘path-dependent’ development, as a (cognitive) evolution or even as radical historicity, instead of contingency or decay impairing true knowledge. Consequently, time-bound rather than universal generalizations figure prominently in social analysis, and as Diesing, a philosopher of science, reminds us, this is no embarrassment. Being critical of the logical positivists’ search for ‘laws’ does not mean that only single cases exist and that no general statements are possible. It does mean, however, that in research: there are other goals as well and that generality is a matter of degree. Generalizations about US voting behaviour can be valid though they apply only between 1948–72 and only to Americans. Truth does not have to be timeless. Logical empiricists have a derogatory name for such changing truths (relativism); but such truths are real, while the absolute, fully axiomatized truth is imaginary. (Diesing 1991:91) Seventh, the above points show their importance when applied not only to the practices of knowledge generation but also to the larger problem of the reproduction of the social world. Luhmann (1983) suggested how rule-following solves the problem of the ‘double contingency’ of choices that allows interacting parties to relate their actions meaningfully to each other. ‘Learning’ from past experience on the basis of a ‘tit for tat’ strategy represents one possibility for solving what, since Parsons, has been called the ‘Hobbesian problem of order’. This solution, however, is highly unstable, and thus it cannot account for institutionalized behaviour. The alternative to learning is to forgo ‘learning’. Actors must abstract from their own experiences by trusting in a ‘system of expectations’ which is held to be counterfactually valid. ‘Institutionalization’ occurs in this way, especially when dispute-settling instances emerge that are based on shared expectations about the system of expectations. Thus, people must form expectations about what types of arguments and reasons are upheld by ‘courts’ in case of a conflict (Luhmann 1983). Eighth, a pragmatic approach, although sensitive to the social conditions of cognition, is not simply another version of the old ‘sociology of knowledge’, let alone of utilitarianism by accepting ‘what works’ or what seems reasonable to most people. It differs from the old sociology of knowledge that hinged on the cui bono question of knowledge (Mannheim 1936), since no argument about a link between social stratification and knowledge is implied, not to mention the further-reaching Marxist claims of false consciousness. A pragmatist approach, however, is compatible with such approaches as Bourdieu’s (1977) or more constructivist accounts of knowledge production, such as Fuller’s (1991) social epistemology, because it highlights the interdependence of semantics and social structures. Ninth, as the brief discussion of ‘science studies’ above has shown, it is problematic to limit the problem of knowledge production to ‘demonstrations’ (even if loosely understood in terms of the arguments within the scientific community), thus neglecting the factors that are conducive to (or inhibitive of) innovation in the definition of problems. To start with, antecedent to any demonstration, there has to be the step of ‘invention’, as the classical tradition already suggested. In addition, although it might well be true that ‘invention’ does not follow the same ‘logic’ as ‘testing’ or demonstrating, this does not mean that these considerations are irrelevant or can be left outside the reflection on how knowledge is generated. To attribute originality solely to a residual category of a rather naively conceived individual ‘psychology of discovery’, as logical positivism does, will simply not do. After all, ‘ideas’ are not representations and properties of the individual mind, but do their work because they are shared; innovation is crucially influenced by the formal and informal channels of communication within a (scientific) community. While the logical form of refutability in principle is, for logical positivists, a necessary element of their ‘theoretical’ enterprise, it does not address issues of creativity and innovation, which are a crucial part of the search for knowledge. Corroborating what we already suspected is interesting only if such inquiries also lead to novel discoveries, since nobody is served by ‘true’ but trivial results. Quite clearly, the traditional epistemological focus is much too narrow to account for and direct innovative research, while pragmatic approaches have notoriously emphasized the creativity of action (Rochberg-Halton 1986). Tenth, the above discussion should have demonstrated that a pragmatic approach to knowledge generation is not some form of ‘instrumentalism’ á la Friedman (1968), perhaps at basement prices, or that it endorses old wives’ tales if they generated ‘useful predictions’, even though for rather unexplainable reasons. Thus, buying several lottery tickets on the advice of an acquaintance to rid oneself of debts and subsequently hitting the jackpot neither qualifies as a pragmatically generated solution to a problem nor does it make the acquaintance a financial advisor. Although ‘usefulness’ is a pragmatic standard, not every employment of it satisfies the exacting criteria of knowledge production. As suggested throughout this chapter, a coherent pragmatic approach emphasizes the intersubjective and critical nature of knowledge generation based on rules, and it cannot be reduced to the de facto existing (or fabricated) consensus of a concrete group of scientists or to the utility of results, the presuppositions of which are obscure because they remained unexamined. Conclusions No long summary of argument is necessary here. Simply, a pragmatic turn shows itself to be consistent with the trajectory of a number of debates in the epistemology of social sciences; it also ties in with and feeds into the linguistic, constructivist and ‘historical’ turns that preceded it; and finally, it is promising for the ten reasons listed above. While these insights might be useful correctives, they do not by themselves generate viable research projects. This gain might have been the false promise of the epistemological project and its claim that simply following the path of a ‘method’ will inevitably lead to secure knowledge. Disabusing us of this idea might be useful in itself because it would redirect our efforts at formulating and conceptualizing problems that are antecedent to any ‘operationalization’ of our crucial terms (Sartori 1970), or of any ‘tests’ concerning which ‘theory’ allegedly explains best a phenomenon under investigation.

#### Simulated national security law debates preserve agency and enhance decision-making---avoids cooption

Laura K. Donohue 13, Associate Professor of Law, Georgetown Law, 4/11, “National Security Law Pedagogy and the Role of Simulations”, http://jnslp.com/wp-content/uploads/2013/04/National-Security-Law-Pedagogy-and-the-Role-of-Simulations.pdf

The concept of simulations as an aspect of higher education, or in the law school environment, is not new.164 Moot court, after all, is a form of simulation and one of the oldest teaching devices in the law. What is new, however, is the idea of designing a civilian national security course that takes advantage of the doctrinal and experiential components of law school education and integrates the experience through a multi-day simulation. In 2009, I taught the first module based on this design at Stanford Law, which I developed the following year into a full course at Georgetown Law. It has since gone through multiple iterations. The initial concept followed on the federal full-scale Top Official (“TopOff”) exercises, used to train government officials to respond to domestic crises.165 It adapted a Tabletop Exercise, designed with the help of exercise officials at DHS and FEMA, to the law school environment. The Tabletop used one storyline to push on specific legal questions, as students, assigned roles in the discussion, sat around a table and for six hours engaged with the material. The problem with the Tabletop Exercise was that it was too static, and the rigidity of the format left little room, or time, for student agency. Unlike the government’s TopOff exercises, which gave officials the opportunity to fully engage with the many different concerns that arise in the course of a national security crisis as well as the chance to deal with externalities, the Tabletop focused on specific legal issues, even as it controlled for external chaos. The opportunity to provide a more full experience for the students came with the creation of first a one-day, and then a multi-day simulation. The course design and simulation continues to evolve. It offers a model for achieving the pedagogical goals outlined above, in the process developing a rigorous training ground for the next generation of national security lawyers.166 A. Course Design The central idea in structuring the NSL Sim 2.0 course was to bridge the gap between theory and practice by conveying doctrinal material and creating an alternative reality in which students would be forced to act upon legal concerns.167 The exercise itself is a form of problem-based learning, wherein students are given both agency and responsibility for the results. Towards this end, the structure must be at once bounded (directed and focused on certain areas of the law and legal education) and flexible (responsive to student input and decisionmaking). Perhaps the most significant weakness in the use of any constructed universe is the problem of authenticity. Efforts to replicate reality will inevitably fall short. There is simply too much uncertainty, randomness, and complexity in the real world. One way to address this shortcoming, however, is through design and agency. The scenarios with which students grapple and the structural design of the simulation must reflect the national security realm, even as students themselves must make choices that carry consequences. Indeed, to some extent, student decisions themselves must drive the evolution of events within the simulation.168 Additionally, while authenticity matters, it is worth noting that at some level the fact that the incident does not take place in a real-world setting can be a great advantage. That is, the simulation creates an environment where students can make mistakes and learn from these mistakes – without what might otherwise be devastating consequences. It also allows instructors to develop multiple points of feedback to enrich student learning in a way that would be much more difficult to do in a regular practice setting. NSL Sim 2.0 takes as its starting point the national security pedagogical goals discussed above. It works backwards to then engineer a classroom, cyber, and physical/simulation experience to delve into each of these areas. As a substantive matter, the course focuses on the constitutional, statutory, and regulatory authorities in national security law, placing particular focus on the interstices between black letter law and areas where the field is either unsettled or in flux. A key aspect of the course design is that it retains both the doctrinal and experiential components of legal education. Divorcing simulations from the doctrinal environment risks falling short on the first and third national security pedagogical goals: (1) analytical skills and substantive knowledge, and (3) critical thought. A certain amount of both can be learned in the course of a simulation; however, the national security crisis environment is not well-suited to the more thoughtful and careful analytical discussion. What I am thus proposing is a course design in which doctrine is paired with the type of experiential learning more common in a clinical realm. The former precedes the latter, giving students the opportunity to develop depth and breadth prior to the exercise. In order to capture problems related to adaptation and evolution, addressing goal [1(d)], the simulation itself takes place over a multi-day period. Because of the intensity involved in national security matters (and conflicting demands on student time), the model makes use of a multi-user virtual environment. The use of such technology is critical to creating more powerful, immersive simulations.169 It also allows for continual interaction between the players. Multi-user virtual environments have the further advantage of helping to transform the traditional teaching culture, predominantly concerned with manipulating textual and symbolic knowledge, into a culture where students learn and can then be assessed on the basis of their participation in changing practices.170 I thus worked with the Information Technology group at Georgetown Law to build the cyber portal used for NSL Sim 2.0. The twin goals of adaptation and evolution require that students be given a significant amount of agency and responsibility for decisions taken in the course of the simulation. To further this aim, I constituted a Control Team, with six professors, four attorneys from practice, a media expert, six to eight former simulation students, and a number of technology experts. Four of the professors specialize in different areas of national security law and assume roles in the course of the exercise, with the aim of pushing students towards a deeper doctrinal understanding of shifting national security law authorities. One professor plays the role of President of the United States. The sixth professor focuses on questions of professional responsibility. The attorneys from practice help to build the simulation and then, along with all the professors, assume active roles during the simulation itself. Returning students assist in the execution of the play, further developing their understanding of national security law. Throughout the simulation, the Control Team is constantly reacting to student choices. When unexpected decisions are made, professors may choose to pursue the evolution of the story to accomplish the pedagogical aims, or they may choose to cut off play in that area (there are various devices for doing so, such as denying requests, sending materials to labs to be analyzed, drawing the players back into the main storylines, and leaking information to the media). A total immersion simulation involves a number of scenarios, as well as systemic noise, to give students experience in dealing with the second pedagogical goal: factual chaos and information overload. The driving aim here is to teach students how to manage information more effectively. Five to six storylines are thus developed, each with its own arc and evolution. To this are added multiple alterations of the situation, relating to background noise. Thus, unlike hypotheticals, doctrinal problems, single-experience exercises, or even Tabletop exercises, the goal is not to eliminate external conditions, but to embrace them as part of the challenge facing national security lawyers. The simulation itself is problem-based, giving players agency in driving the evolution of the experience – thus addressing goal [2(c)]. This requires a realtime response from the professor(s) overseeing the simulation, pairing bounded storylines with flexibility to emphasize different areas of the law and the students’ practical skills. Indeed, each storyline is based on a problem facing the government, to which players must then respond, generating in turn a set of new issues that must be addressed. The written and oral components of the simulation conform to the fourth pedagogical goal – the types of situations in which national security lawyers will find themselves. Particular emphasis is placed on nontraditional modes of communication, such as legal documents in advance of the crisis itself, meetings in the midst of breaking national security concerns, multiple informal interactions, media exchanges, telephone calls, Congressional testimony, and formal briefings to senior level officials in the course of the simulation as well as during the last class session. These oral components are paired with the preparation of formal legal instruments, such as applications to the Foreign Intelligence Surveillance Court, legal memos, applications for search warrants under Title III, and administrative subpoenas for NSLs. In addition, students are required to prepare a paper outlining their legal authorities prior to the simulation – and to deliver a 90 second oral briefing after the session. To replicate the high-stakes political environment at issue in goals (1) and (5), students are divided into political and legal roles and assigned to different (and competing) institutions: the White House, DoD, DHS, HHS, DOJ, DOS, Congress, state offices, nongovernmental organizations, and the media. This requires students to acknowledge and work within the broader Washington context, even as they are cognizant of the policy implications of their decisions. They must get used to working with policymakers and to representing one of many different considerations that decisionmakers take into account in the national security domain. Scenarios are selected with high consequence events in mind, to ensure that students recognize both the domestic and international dimensions of national security law. Further alterations to the simulation provide for the broader political context – for instance, whether it is an election year, which parties control different branches, and state and local issues in related but distinct areas. The media is given a particularly prominent role. One member of the Control Team runs an AP wire service, while two student players represent print and broadcast media, respectively. The Virtual News Network (“VNN”), which performs in the second capacity, runs continuously during the exercise, in the course of which players may at times be required to appear before the camera. This media component helps to emphasize the broader political context within which national security law is practiced. Both anticipated and unanticipated decisions give rise to ethical questions and matters related to the fifth goal: professional responsibility. The way in which such issues arise stems from simulation design as well as spontaneous interjections from both the Control Team and the participants in the simulation itself. As aforementioned, professors on the Control Team, and practicing attorneys who have previously gone through a simulation, focus on raising decision points that encourage students to consider ethical and professional considerations. Throughout the simulation good judgment and leadership play a key role, determining the players’ effectiveness, with the exercise itself hitting the aim of the integration of the various pedagogical goals. Finally, there are multiple layers of feedback that players receive prior to, during, and following the simulation to help them to gauge their effectiveness. The Socratic method in the course of doctrinal studies provides immediate assessment of the students’ grasp of the law. Written assignments focused on the contours of individual players’ authorities give professors an opportunity to assess students’ level of understanding prior to the simulation. And the simulation itself provides real-time feedback from both peers and professors. The Control Team provides data points for player reflection – for instance, the Control Team member playing President may make decisions based on player input, giving students an immediate impression of their level of persuasiveness, while another Control Team member may reject a FISC application as insufficient. The simulation goes beyond this, however, focusing on teaching students how to develop (6) opportunities for learning in the future. Student meetings with mentors in the field, which take place before the simulation, allow students to work out the institutional and political relationships and the manner in which law operates in practice, even as they learn how to develop mentoring relationships. (Prior to these meetings we have a class discussion about mentoring, professionalism, and feedback). Students, assigned to simulation teams about one quarter of the way through the course, receive peer feedback in the lead-up to the simulation and during the exercise itself. Following the simulation the Control Team and observers provide comments. Judges, who are senior members of the bar in the field of national security law, observe player interactions and provide additional debriefing. The simulation, moreover, is recorded through both the cyber portal and through VNN, allowing students to go back to assess their performance. Individual meetings with the professors teaching the course similarly follow the event. Finally, students end the course with a paper reflecting on their performance and the issues that arose in the course of the simulation, develop frameworks for analyzing uncertainty, tension with colleagues, mistakes, and successes in the future. B. Substantive Areas: Interstices and Threats As a substantive matter, NSL Sim 2.0 is designed to take account of areas of the law central to national security. It focuses on specific authorities that may be brought to bear in the course of a crisis. The decision of which areas to explore is made well in advance of the course. It is particularly helpful here to think about national security authorities on a continuum, as a way to impress upon students that there are shifting standards depending upon the type of threat faced. One course, for instance, might center on the interstices between crime, drugs, terrorism and war. Another might address the intersection of pandemic disease and biological weapons. A third could examine cybercrime and cyberterrorism. This is the most important determination, because the substance of the doctrinal portion of the course and the simulation follows from this decision. For a course focused on the interstices between pandemic disease and biological weapons, for instance, preliminary inquiry would lay out which authorities apply, where the courts have weighed in on the question, and what matters are unsettled. Relevant areas might include public health law, biological weapons provisions, federal quarantine and isolation authorities, habeas corpus and due process, military enforcement and posse comitatus, eminent domain and appropriation of land/property, takings, contact tracing, thermal imaging and surveillance, electronic tagging, vaccination, and intelligence-gathering. The critical areas can then be divided according to the dominant constitutional authority, statutory authorities, regulations, key cases, general rules, and constitutional questions. This, then, becomes a guide for the doctrinal part of the course, as well as the grounds on which the specific scenarios developed for the simulation are based. The authorities, simultaneously, are included in an electronic resource library and embedded in the cyber portal (the Digital Archives) to act as a closed universe of the legal authorities needed by the students in the course of the simulation. Professional responsibility in the national security realm and the institutional relationships of those tasked with responding to biological weapons and pandemic disease also come within the doctrinal part of the course. The simulation itself is based on five to six storylines reflecting the interstices between different areas of the law. The storylines are used to present a coherent, non-linear scenario that can adapt to student responses. Each scenario is mapped out in a three to seven page document, which is then checked with scientists, government officials, and area experts for consistency with how the scenario would likely unfold in real life. For the biological weapons and pandemic disease emphasis, for example, one narrative might relate to the presentation of a patient suspected of carrying yersinia pestis at a hospital in the United States. The document would map out a daily progression of the disease consistent with epidemiological patterns and the central actors in the story: perhaps a U.S. citizen, potential connections to an international terrorist organization, intelligence on the individual’s actions overseas, etc. The scenario would be designed specifically to stress the intersection of public health and counterterrorism/biological weapons threats, and the associated (shifting) authorities, thus requiring the disease initially to look like an innocent presentation (for example, by someone who has traveled from overseas), but then for the storyline to move into the second realm (awareness that this was in fact a concerted attack). A second storyline might relate to a different disease outbreak in another part of the country, with the aim of introducing the Stafford Act/Insurrection Act line and raising federalism concerns. The role of the military here and Title 10/Title 32 questions would similarly arise – with the storyline designed to raise these questions. A third storyline might simply be well developed noise in the system: reports of suspicious activity potentially linked to radioactive material, with the actors linked to nuclear material. A fourth storyline would focus perhaps on container security concerns overseas, progressing through newspaper reports, about containers showing up in local police precincts. State politics would constitute the fifth storyline, raising question of the political pressures on the state officials in the exercise. Here, ethnic concerns, student issues, economic conditions, and community policing concerns might become the focus. The sixth storyline could be further noise in the system – loosely based on current events at the time. In addition to the storylines, a certain amount of noise is injected into the system through press releases, weather updates, private communications, and the like. The five to six storylines, prepared by the Control Team in consultation with experts, become the basis for the preparation of scenario “injects:” i.e., newspaper articles, VNN broadcasts, reports from NGOs, private communications between officials, classified information, government leaks, etc., which, when put together, constitute a linear progression. These are all written and/or filmed prior to the exercise. The progression is then mapped in an hourly chart for the unfolding events over a multi-day period. All six scenarios are placed on the same chart, in six columns, giving the Control Team a birds-eye view of the progression. C. How It Works As for the nuts and bolts of the simulation itself, it traditionally begins outside of class, in the evening, on the grounds that national security crises often occur at inconvenient times and may well involve limited sleep and competing demands.171 Typically, a phone call from a Control Team member posing in a role integral to one of the main storylines, initiates play. Students at this point have been assigned dedicated simulation email addresses and provided access to the cyber portal. The portal itself gives each team the opportunity to converse in a “classified” domain with other team members, as well as access to a public AP wire and broadcast channel, carrying the latest news and on which press releases or (for the media roles) news stories can be posted. The complete universe of legal authorities required for the simulation is located on the cyber portal in the Digital Archives, as are forms required for some of the legal instruments (saving students the time of developing these from scratch in the course of play). Additional “classified” material – both general and SCI – has been provided to the relevant student teams. The Control Team has access to the complete site. For the next two (or three) days, outside of student initiatives (which, at their prompting, may include face-to-face meetings between the players), the entire simulation takes place through the cyber portal. The Control Team, immediately active, begins responding to player decisions as they become public (and occasionally, through monitoring the “classified” communications, before they are released). This time period provides a ramp-up to the third (or fourth) day of play, allowing for the adjustment of any substantive, student, or technology concerns, while setting the stage for the breaking crisis. The third (or fourth) day of play takes place entirely at Georgetown Law. A special room is constructed for meetings between the President and principals, in the form of either the National Security Council or the Homeland Security Council, with breakout rooms assigned to each of the agencies involved in the NSC process. Congress is provided with its own physical space, in which meetings, committee hearings and legislative drafting can take place. State government officials are allotted their own area, separate from the federal domain, with the Media placed between the three major interests. The Control Team is sequestered in a different area, to which students are not admitted. At each of the major areas, the cyber portal is publicly displayed on large flat panel screens, allowing for the streaming of video updates from the media, AP wire injects, articles from the students assigned to represent leading newspapers, and press releases. Students use their own laptop computers for team decisions and communication. As the storylines unfold, the Control Team takes on a variety of roles, such as that of the President, Vice President, President’s chief of staff, governor of a state, public health officials, and foreign dignitaries. Some of the roles are adopted on the fly, depending upon player responses and queries as the storylines progress. Judges, given full access to each player domain, determine how effectively the students accomplish the national security goals. The judges are themselves well-experienced in the practice of national security law, as well as in legal education. They thus can offer a unique perspective on the scenarios confronted by the students, the manner in which the simulation unfolded, and how the students performed in their various capacities. At the end of the day, the exercise terminates and an immediate hotwash is held, in which players are first debriefed on what occurred during the simulation. Because of the players’ divergent experiences and the different roles assigned to them, the students at this point are often unaware of the complete picture. The judges and formal observers then offer reflections on the simulation and determine which teams performed most effectively. Over the next few classes, more details about the simulation emerge, as students discuss it in more depth and consider limitations created by their knowledge or institutional position, questions that arose in regard to their grasp of the law, the types of decision-making processes that occurred, and the effectiveness of their – and other students’ – performances. Reflection papers, paired with oral briefings, focus on the substantive issues raised by the simulation and introduce the opportunity for students to reflect on how to create opportunities for learning in the future. The course then formally ends.172 Learning, however, continues beyond the temporal confines of the semester. Students who perform well and who would like to continue to participate in the simulations are invited back as members of the control team, giving them a chance to deepen their understanding of national security law. Following graduation, a few students who go in to the field are then invited to continue their affiliation as National Security Law fellows, becoming increasingly involved in the evolution of the exercise itself. This system of vertical integration helps to build a mentoring environment for the students while they are enrolled in law school and to create opportunities for learning and mentorship post-graduation. It helps to keep the exercise current and reflective of emerging national security concerns. And it builds a strong community of individuals with common interests. CONCLUSION The legal academy has, of late, been swept up in concern about the economic conditions that affect the placement of law school graduates. The image being conveyed, however, does not resonate in every legal field. It is particularly inapposite to the burgeoning opportunities presented to students in national security. That the conversation about legal education is taking place now should come as little surprise. Quite apart from economic concern is the traditional introspection that follows American military engagement. It makes sense: law overlaps substantially with political power, being at once both the expression of government authority and the effort to limit the same. The one-size fits all approach currently dominating the conversation in legal education, however, appears ill-suited to address the concerns raised in the current conversation. Instead of looking at law across the board, greater insight can be gleaned by looking at the specific demands of the different fields themselves. This does not mean that the goals identified will be exclusive to, for instance, national security law, but it does suggest there will be greater nuance in the discussion of the adequacy of the current pedagogical approach. With this approach in mind, I have here suggested six pedagogical goals for national security. For following graduation, students must be able to perform in each of the areas identified – (1) understanding the law as applied, (2) dealing with factual chaos and uncertainty, (3) obtaining critical distance, (4) developing nontraditional written and oral communication skills, (5) exhibiting leadership, integrity, and good judgment in a high-stakes, highly-charged environment, and (6) creating continued opportunities for self-learning. They also must learn how to integrate these different skills into one experience, to ensure that they will be most effective when they enter the field. The problem with the current structures in legal education is that they fall short, in important ways, from helping students to meet these goals. Doctrinal courses may incorporate a range of experiential learning components, such as hypotheticals, doctrinal problems, single exercises, extended or continuing exercises, and tabletop exercises. These are important classroom devices. The amount of time required for each varies, as does the object of the exercise itself. But where they fall short is in providing a more holistic approach to national security law which will allow for the maximum conveyance of required skills. Total immersion simulations, which have not yet been addressed in the secondary literature for civilian education in national security law, may provide an important way forward. Such simulations also cure shortcomings in other areas of experiential education, such as clinics and moot court. It is in an effort to address these concerns that I developed the simulation model above. NSL Sim 2.0 certainly is not the only solution, but it does provide a starting point for moving forward. The approach draws on the strengths of doctrinal courses and embeds a total immersion simulation within a course. It makes use of technology and physical space to engage students in a multi-day exercise, in which they are given agency and responsibility for their decision making, resulting in a steep learning curve. While further adaptation of this model is undoubtedly necessary, it suggests one potential direction for the years to come.

#### Prefer specificity—simulation about war powers is uniquely empowering

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2. Factual Chaos and Uncertainty¶ One of the most important skills for students going into national security law is the ability to deal with factual chaos. The presentation of factual chaos significantly differs from the traditional model of legal education, in which students are provided a set of facts which they must analyze. Lawyers working in national security law must figure out what information they need, integrate enormous amounts of data from numerous sources, determine which information is reliable and relevant, and proceed with analysis and recommendations. Their recommendations, moreover, must be based on contingent conditions: facts may be classified and unavailable to the legal analyst, or facts may change as new information emerges. This is as true for government lawyers as it is for those outside of governmental structures. They must be aware of what is known, what is unsure, what is unknown, and the possibility of changing circumstances, and they must advise their clients, from the beginning, how the legal analysis might shift if the factual basis alters. a. Chaos. Concern about information overload in the national security environment is not new: in the 1970s scholars discussed and debated how to handle the sequential phases of intelligence gathering and analysis in a manner that yielded an optimal result.132 But the digital revolution has exponentially transformed the quantitative terms of reference, the technical means of collection and analysis, and the volume of information available. The number of sources of information – not least in the online world – is staggering. Added to this is the rapid expansion in national security law itself: myriad new Executive Orders, Presidential Directives, institutions, programs, statutes, regulations, lawsuits, and judicial decisions mean that national security law itself is rapidly changing. Lawyers inside and outside of government must keep abreast of constantly evolving authorities. The international arena too is in flux, as global entities, such as the United Nations, the European Court of Human Rights, the G-7/G-8, and other countries, introduce new instruments whose reach includes U.S. interests. Rapid geopolitical changes relating to critical national security concerns, such as worldwide financial flows, the Middle East, the Arab Spring, South American drug cartels, North Korea, the former Soviet Union, China, and other issues require lawyers to keep up on what is happening globally as a way of understanding domestic concerns. Further expanding the information overload is the changing nature of what constitutes national security itself.133 In sum, the sheer amount of information the national security lawyer needs to assimilate is significant. The basic skills required in the 1970s thus may be similar – such as the ability (a) to know where to look for relevant and reliable information; (b) to obtain the necessary information in the most efficient manner possible; (c) to quickly discern reliable from unreliable information; (d) to know what data is critical; and (e) to ascertain what is as yet unknown or contingent on other conditions. But the volume of information, the diversity of information sources, and the heavy reliance on technology requires lawyers to develop new skills. They must be able to obtain the right information and to ignore chaos to focus on the critical issues. These features point in opposite directions – i.e., a broadening of knowledge and a narrowing of focus. A law school system built on the gradual and incremental advance of law, bolstered or defeated by judicial decisions and solidified through the adhesive nature of stare decisis appears particularly inapposite for this rapidly-changing environment. An important question that will thus confront students upon leaving the legal academy is how to keep abreast of rapidly changing national security and geopolitical concerns in an information-rich world in a manner that allows for capture of relevant information, while retaining the ability to focus on the immediate task at hand. Staying ahead of the curve requires developing a sense of timing – when to respond to important legal and factual shifts – and identifying the best means of doing so. Again, this applies to government and non-government employees. How should students prioritize certain information and then act upon it? This, too, is an aspect of information overload. b. Uncertainty. National security law proves an information-rich, factuallydriven environment. The ability to deal with such chaos may be hampered by gaps in the information available and the difficulty of engaging in complex fact-finding – a skill often under-taught in law school. Investigation of relevant information may need to reach far afield in order to generate careful legal analysis. Uncertainty here plays a key role. In determining, for instance, the contours of quarantine authority, lawyers may need to understand how the pandemic in question works, where there have been outbreaks, how it will spread, what treatments are available, which social distancing measures may prove most effective, what steps are being taken locally, at a state-level, and internationally, and the like. Lawyers in non-profit organizations, legal academics, in-house attorneys, and others, in turn, working in the field, must learn how to find out the relevant information before commenting on new programs and initiatives, agreeing to contractual terms, or advising clients on the best course of action. For both government and non-government lawyers, the secrecy inherent in the field is of great consequence. The key here is learning to ask intelligent questions to generate the best legal analysis possible. It may be the case that national security lawyers are not aware of the facts they are missing – facts that would be central to legal analysis. This phenomenon front-loads the type of advice and discussions in which national security lawyers must engage. It means that analysis must be given in a transparent manner, contingent on a set of facts currently known, with indication given up front as to how that analysis might change, should the factual basis shift. This is particularly true of government attorneys, who may be advising policymakers who may or may not have a background in the law and who may have access to more information than the attorney. Signaling the key facts on which the legal decision rests with the caveat that the legal analysis of the situation might change if the facts change, provides for more robust consideration of critically important issues. c. Creative Problem Solving. Part of dealing with factual uncertainty in a rapidly changing environment is learning how to construct new ways to address emerging issues. Admittedly, much has been made in the academy about the importance of problem-based learning as a method in developing students’ critical thinking skills.134 Problem-solving, however, is not merely a method of teaching. It is itself a goal for the type of activities in which lawyers will be engaged. The means-ends distinction is an important one to make here. Problemsolving in a classroom environment may be merely a conduit for learning a specific area of the law or a limited set of skills. But problem-solving as an end suggests the accumulation of a broader set of tools, such as familiarity with multidisciplinary approaches, creativity and originality, sequencing, collaboration, identification of contributors’ expertise, and how to leverage each skill set. This goal presents itself in the context of fact-finding, but it draws equally on strong understanding of legal authorities and practices, the Washington context, and policy considerations. Similarly, like the factors highlighted in the first pedagogical goal, adding to the tensions inherent in factual analysis is the abbreviated timeline in which national security attorneys must operate. Time may not be a commodity in surplus. This means that national security legal education must not only develop students’ complex fact-finding skills and their ability to provide contingent analysis, but it must teach them how to swiftly and efficiently engage in these activities. 3. Critical Distance As was recognized more than a century ago, analytical skills by themselves are insufficient training for individuals moving into the legal profession.135 Critical thinking provides the necessary distance from the law that is required in order to move the legal system forward. Critical thought, influenced by the Ancient Greek tradition, finds itself bound up in the Socratic method of dialogue that continues to define the legal academy. But it goes beyond such constructs as well. Scholars and educators disagree, of course, on what exactly critical thinking entails.136 For purposes of our present discussion, I understand it as the metaconversation in the law. Whereas legal analysis and substantive knowledge focus on the law as it is and how to work within the existing structures, critical thought provides distance and allows students to engage in purposeful discussion of theoretical constructs that deepen our understanding of both the actual and potential constructs of law. It is inherently reflective. For the purpose of practicing national security law, critical thought is paramount. This is true partly because of the unique conditions that tend to accompany the introduction of national security provisions: these are often introduced in the midst of an emergency. Their creation of new powers frequently has significant implications for distribution of authority at a federal level, a diminished role for state and local government in the federalism realm, and a direct impact on individual rights.137 Constitutional implications demand careful scrutiny. Yet at the time of an attack, enormous pressure is on officials and legislators to act and to be seen to act to respond.138 With the impact on rights, in particular, foremost in legislators’ minds, the first recourse often is to make any new powers temporary. However, they rarely turn out to be so, instead becoming embedded in the legislative framework and providing a baseline on which further measures are built.139 In order to withdraw them, legislators must demonstrate either that the provisions are not effective or that no violence will ensue upon their withdrawal (either way, a demanding proof). Alternatively, legislators would have to acknowledge that some level of violence may be tolerated – a step no politician is willing to take. Any new powers, introduced in the heat of the moment, may become a permanent part of the statutory and regulatory regime. They may not operate the way in which they were intended. They may impact certain groups in a disparate manner. They may have unintended and detrimental consequences. Therefore, it is necessary for national security lawyers to be able to view such provisions, and related policy decisions, from a distance and to be able to think through them outside of the contemporary context. There are many other reasons such critical analysis matters that reflect in other areas of the law. The ability to recognize problems, articulate underlying assumptions and values, understand how language is being used, assess whether argument is logical, test conclusions, and determine and analyze pertinent information depends on critical thinking skills. Indeed, one could draw argue that it is the goal of higher education to build the capacity to engage in critical thought. Deeply humanistic theories underlie this approach. The ability to develop discerning judgment – the very meaning of the Greek term, 􏰀􏰁􏰂􏰃􏰄􏰅􏰆 – provides the basis for advancing the human condition through reason and intellectual engagement. Critical thought as used in practicing national security law may seem somewhat antithetical to the general legal enterprise in certain particulars. For government lawyers and consultants, there may be times in which not providing legal advice, when asked for it, may be as important as providing it. That is, it may be important not to put certain options on the table, with legal justifications behind them. Questions whether to advise or not to advise are bound up in considerations of policy, professional responsibility, and ethics. They may also relate to questions as to who one’s client is in the world of national security law.140 It may be unclear whether and at what point one’s client is a supervisor, the legal (or political) head of an agency, a cross-agency organization, the White House, the Constitution, or the American public. Depending upon this determination, the national security lawyer may or may not want to provide legal advice to one of the potential clients. Alternatively, such a lawyer may want to call attention to certain analyses to other clients. Determining when and how to act in these circumstances requires critical distance. 4. Nontraditional Written and Oral Communication Skills Law schools have long focused on written and oral communication skills that are central to the practice of law. Brief writing, scholarly analysis, criminal complaints, contractual agreements, trial advocacy, and appellate arguments constitute standard fare. What is perhaps unique about the way communication skills are used in the national security world is the importance of non-traditional modes of legal communication such as concise (and precise) oral briefings, email exchanges, private and passing conversations, agenda setting, meeting changed circumstances, and communications built on swiftly evolving and uncertain information. For many of these types of communications speed may be of the essence – and unlike the significant amounts of time that accompany preparation of lengthy legal documents (and the painstaking preparation for oral argument that marks moot court preparations.) Much of the activity that goes on within the Executive Branch occurs within a hierarchical system, wherein those closest to the issues have exceedingly short amounts of time to deliver the key points to those with the authority to exercise government power. Unexpected events, shifting conditions on the ground, and deadlines require immediate input, without the opportunity for lengthy consideration of the different facets of the issue presented. This is a different type of activity from the preparation of an appellate brief, for instance, involving a fuller exposition of the issues involved. It is closer to a blend of Supreme Court oral argument and witness crossexamination – although national security lawyers often may not have the luxury of the months, indeed, years, that cases take to evolve to address the myriad legal questions involved. Facts on which the legal analysis rests, moreover, as discussed above, may not be known. This has substantive implications for written and oral communications. Tension between the level of legal analysis possible and the national security process itself may lead to a different norm than in other areas of the law. Chief Judge Baker explains, If lawyers insist on knowing all the facts all the time, before they are willing to render advice, or, if they insist on preparing a written legal opinion in response to every question, then national security process would become dysfunctional. The delay alone would cause the policymaker to avoid, and perhaps evade, legal review.141 Simultaneously, lawyers cannot function without some opportunity to look carefully at the questions presented and to consult authoritative sources. “The art of lawyering in such context,” Baker explains, “lies in spotting the issue, accurately identifying the timeline for decision, and applying a meaningful degree of formal or informal review in response.”142 The lawyer providing advice must resist the pressure of the moment and yet still be responsive to the demand for swift action. The resulting written and oral communications thus may be shaped in different ways. Unwilling to bind clients’ hands, particularly in light of rapidly-changing facts and conditions, the potential for nuance to be lost is considerable. The political and historical overlay of national security law here matters. In some circumstances, even where written advice is not formally required, it may be in the national security lawyer’s best interests to commit informal advice to paper in the form of an email, notation, or short memo. The process may serve to provide an external check on the pressures that have been internalized, by allowing the lawyer to separate from the material and read it. It may give the lawyer the opportunity to have someone subject it to scrutiny. Baker suggests that “on issues of importance, even where the law is clear, as well as situations where novel positions are taken, lawyers should record their informal advice in a formal manner so that they may be held accountable for what they say, and what they don’t say.”143 Written and oral communication may occur at highly irregular moments – yet it is at these moments (in the elevator, during an email exchange, at a meeting, in the course of a telephone call), that critical legal and constitutional decisions are made. This model departs from the formalized nature of legal writing and research. Yet it is important that students are prepared for these types of written and oral communication as an ends in and of themselves. 5. Leadership, Integrity and Good Judgment National security law often takes place in a high stakes environment. There is tremendous pressure on attorneys operating in the field – not least because of the coercive nature of the authorities in question. The classified environment also plays a key role: many of the decisions made will never be known publicly, nor will they be examined outside of a small group of individuals – much less in a court of law. In this context, leadership, integrity, and good judgment stand paramount. The types of powers at issue in national security law are among the most coercive authorities available to the government. Decisions may result in the death of one or many human beings, the abridgment of rights, and the bypassing of protections otherwise incorporated into the law. The amount of pressure under which this situation places attorneys is of a higher magnitude than many other areas of the law. Added to this pressure is the highly political nature of national security law and the necessity of understanding the broader Washington context, within which individual decision-making, power relations, and institutional authorities compete. Policy concerns similarly dominate the landscape. It is not enough for national security attorneys to claim that they simply deal in legal advice. Their analyses carry consequences for those exercising power, for those who are the targets of such power, and for the public at large. The function of leadership in this context may be more about process than substantive authority. It may be a willingness to act on critical thought and to accept the impact of legal analysis. It is closely bound to integrity and professional responsibility and the ability to retain good judgment in extraordinary circumstances. Equally critical in the national security realm is the classified nature of so much of what is done in national security law. All data, for instance, relating to the design, manufacture, or utilization of atomic weapons, the production of special nuclear material, or the use of nuclear material in the production of energy is classified from birth.144 NSI, the bread and butter of the practice of national security law, is similarly classified. U.S. law defines NSI as “information which pertains to the national defense and foreign relations (National Security) of the United States and is classified in accordance with an Executive Order.” Nine primary Executive Orders and two subsidiary orders have been issued in this realm.145 The sheer amount of information incorporated within the classification scheme is here relevant. While original classification authorities have steadily decreased since 1980, and the number of original classification decisions is beginning to fall, the numbers are still high: in fiscal year 2010, for instance, there were nearly 2,300 original classification authorities and almost 225,000 original classification decisions.146 The classification realm, moreover, in which national security lawyers are most active, is expanding. Derivative classification decisions – classification resulting from the incorporation, paraphrasing, restating, or generation of classified information in some new form – is increasing. In FY 2010, there were more than seventy-six million such decisions made.147 This number is triple what it was in FY 2008. Legal decisions and advice tend to be based on information already classified relating to programs, initiatives, facts, intelligence, and previously classified legal opinions. The key issue here is that with so much of the essential information, decisionmaking, and executive branch jurisprudence necessarily secret, lawyers are limited in their opportunity for outside appraisal and review. Even within the executive branch, stove-piping occurs. The use of secure compartmentalized information (SCI) further compounds this problem as only a limited number of individuals – much less lawyers – may be read into a program. This diminishes the opportunity to identify and correct errors or to engage in debate and discussion over the law. Once a legal opinion is drafted, the opportunity to expose it to other lawyers may be restricted. The effect may be felt for decades, as successive Administrations reference prior legal decisions within certain agencies. The Office of Legal Counsel, for instance, has an entire body of jurisprudence that has never been made public, which continues to inform the legal analysis provided to the President. Only a handful of people at OLC may be aware of the previous decisions. They are prevented by classification authorities from revealing these decisions. This results in a sort of generational secret jurisprudence. Questions related to professional responsibility thus place the national security lawyer in a difficult position: not only may opportunities to check factual data or to consult with other attorneys be limited, but the impact of legal advice rendered may be felt for years to come. The problem extends beyond the executive branch. There are limited opportunities, for instance, for external judicial review. Two elements are at work here: first, very few cases involving national security concerns make it into court. Much of what is happening is simply not known. Even when it is known, it may be impossible to demonstrate standing – a persistent problem with regard to challenging, for instance, surveillance programs. Second, courts have historically proved particularly reluctant to intervene in national security matters. Judicially-created devices such as political question doctrine and state secrets underscore the reluctance of the judiciary to second-guess the executive in this realm. The exercise of these doctrines is increasing in the post-9/11 environment. Consider state secrets. While much was made of some five to seven state secrets cases that came to court during the Bush administration, in more than 100 cases the executive branch formally invoked state secrets, which the courts accepted.148 Many times judges did not even bother to look at the evidence in question before blocking it and/or dismissing the suit. In numerous additional cases, the courts treated the claims as though state secrets had been asserted – even where the doctrine had not been formally invoked.149 In light of these pressures – the profound consequences of many national security decisions, the existence of stovepiping even within the executive branch, and limited opportunity for external review – the practice of national security law requires a particularly rigorous and committed adherence to ethical standards and professional responsibility. This is a unique world in which there are enormous pressures, with potentially few external consequences for not acting in accordance with high standards. It thus becomes particularly important, from a pedagogical perspective, to think through the types of situations that national security attorneys may face, and to address the types of questions related to professional responsibility that will confront them in the course of their careers. Good judgment and leadership similarly stand paramount. These skills, like many of those discussed, may also be relevant to other areas of the law; however, the way in which they become manifest in national security law may be different in important ways. Good judgment, for instance, may mean any number of things, depending upon the attorney’s position within the political hierarchy. Policymaking positions will be considerably different from the provision of legal advice to policymakers. Leadership, too, may mean something different in this field intimately tied to political circumstance. It may mean breaking ranks with the political hierarchy, visibly adopting unpopular public or private positions, or resigning when faced by unethical situations. It may mean creating new bureaucratic structures to more effectively respond to threats. It may mean holding off clients until the attorneys within one’s group have the opportunity to look at issues while still being sensitive to the political needs of the institution. Recourse in such situations may be political, either through public statements and use of the media, or by going to different branches of government for a solution. 6. Creating Opportunities for Learning In addition to the above skills, national security lawyers must be able to engage in continuous self-learning in order to improve their performance. They must be able to identify new and emerging legal and political authorities and processes, systems for handling factual chaos and uncertainty, mechanisms to ensure critical distance, evaluating written and oral performance, and analyzing leadership skills. Law schools do not traditionally focus on how to teach students to continue their learning beyond the walls of academia. Yet it is vital for their future success to give students the ability to create conditions of learning.

#### Obama will comply---no circumvention

David J Barron 8, Professor of Law at Harvard Law School and Martin S. Lederman, Visiting Professor of Law at the Georgetown University Law Center, “The Commander in Chief at the Lowest Ebb -- A Constitutional History”, Harvard Law Review, February, 121 Harv. L. Rev. 941, Lexis

In addition to offering important guidance concerning the congressional role, our historical review also illuminates the practices of the President in creating the constitutional law of war powers at the "lowest ebb." Given the apparent advantages to the Executive of possessing preclusive powers in this area, it is tempting to think that Commanders in Chief would always have claimed a unilateral and unregulable authority to determine the conduct of military operations. And yet, as we show, for most of our history, the presidential practice was otherwise. Several of our most esteemed Presidents - Washington, Lincoln, and both Roosevelts, among others - never invoked the sort of preclusive claims of authority that some modern Presidents appear to embrace without pause. In fact, no Chief Executive did so in any clear way until the onset of the Korean War, even when they confronted problematic restrictions, some of which could not be fully interpreted away and some of which even purported to regulate troop deployments and the actions of troops already deployed.¶ Even since claims of preclusive power emerged in full, the practice within the executive branch has waxed and waned. No consensus among modern Presidents has crystallized. Indeed, rather than denying the authority of Congress to act in this area, some modern Presidents, like their predecessors, have acknowledged the constitutionality of legislative regulation. They have therefore concentrated their efforts on making effective use of other presidential authorities and institutional [\*949] advantages to shape military matters to their preferred design. n11 In sum, there has been much less executive assertion of an inviolate power over the conduct of military campaigns than one might think. And, perhaps most importantly, until recently there has been almost no actual defiance of statutory limitations predicated on such a constitutional theory.¶ This repeated, though not unbroken, deferential executive branch stance is not, we think, best understood as evidence of the timidity of prior Commanders in Chief. Nor do we think it is the accidental result of political conditions that just happened to make it expedient for all of these Executives to refrain from lodging such a constitutional objection. This consistent pattern of executive behavior is more accurately viewed as reflecting deeply rooted norms and understandings of how the Constitution structures conflict between the branches over war. In particular, this well-developed executive branch practice appears to be premised on the assumption that the constitutional plan requires the nation's chief commander to guard his supervisory powers over the military chain of command jealously, to be willing to act in times of exigency if Congress is not available for consultation, and to use the very powerful weapon of the veto to forestall unacceptable limits proposed in the midst of military conflict - but that otherwise, the Constitution compels the Commander in Chief to comply with legislative restrictions.¶ In this way, the founding legal charter itself exhorts the President to justify controversial military judgments to a sympathetic but sometimes skeptical or demanding legislature and nation, not only for the sake of liberty, but also for effective and prudent conduct of military operations. Justice Jackson's famous instruction that "with all its defects, delays and inconveniences, men have discovered no technique for long preserving free government except that the Executive be under the law, and that the law be made by parliamentary deliberations" n12 continues to have a strong pull on the constitutional imagination. n13 What emerges from our analysis is how much pull it seemed to [\*950] have on the executive branch itself for most of our history of war powers development.

#### Preventing death is the first priority

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

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

#### Must calculate consequences

**Gvosdev 5** – Rhodes scholar, PhD from St. Antony’s College, executive editor of The National Interest (Nikolas, The Value(s) of Realism, SAIS Review 25.1, pmuse)

As the name implies, realists focus on promoting policies that are achievable and sustainable. In turn, the morality of a foreign policy action is judged by its results, not by the intentions of its framers. A foreign policymaker must weigh the consequences of any course of action and assess the resources at hand to carry out the proposed task. As Lippmann warned, Without the controlling principle that the nation must maintain its objectives and its power in equilibrium, its purposes within its means and its means equal to its purposes, its commitments related to its resources and its resources adequate to its commitments, it is impossible to think at all about foreign affairs.8 Commenting on this maxim, Owen Harries, founding editor of The National Interest, noted, "This is a truth of which Americans—more apt to focus on ends rather than means when it comes to dealing with the rest of the world—need always to be reminded."9 In fact, Morgenthau noted that "there can be no political morality without prudence."10 This virtue of prudence—which Morgenthau identified as the cornerstone of realism—should not be confused with expediency. Rather, it takes as its starting point that it is more moral to fulfill one's commitments than to make "empty" promises, and to seek solutions that minimize harm and produce sustainable results. Morgenthau concluded: [End Page 18] Political realism does not require, nor does it condone, indifference to political ideals and moral principles, but it requires indeed a sharp distinction between the desirable and the possible, between what is desirable everywhere and at all times and what is possible under the concrete circumstances of time and place.11 This is why, prior to the outbreak of fighting in the former Yugoslavia, U.S. and European realists urged that Bosnia be decentralized and partitioned into ethnically based cantons as a way to head off a destructive civil war. Realists felt this would be the best course of action, especially after the country's first free and fair elections had brought nationalist candidates to power at the expense of those calling for inter-ethnic cooperation. They had concluded—correctly, as it turned out—that the United States and Western Europe would be unwilling to invest the blood and treasure that would be required to craft a unitary Bosnian state and give it the wherewithal to function. Indeed, at a diplomatic conference in Lisbon in March 1992, the various factions in Bosnia had, reluctantly, endorsed the broad outlines of such a settlement. For the purveyors of moralpolitik, this was unacceptable. After all, for this plan to work, populations on the "wrong side" of the line would have to be transferred and resettled. Such a plan struck directly at the heart of the concept of multi-ethnicity—that different ethnic and religious groups could find a common political identity and work in common institutions. When the United States signaled it would not accept such a settlement, the fragile consensus collapsed. The United States, of course, cannot be held responsible for the war; this lies squarely on the shoulders of Bosnia's political leaders. Yet Washington fell victim to what Jonathan Clarke called "faux Wilsonianism," the belief that "high-flown words matter more than rational calculation" in formulating effective policy, which led U.S. policymakers to dispense with the equation of "balancing commitments and resources."12 Indeed, as he notes, the Clinton administration had criticized peace plans calling for decentralized partition in Bosnia "with lofty rhetoric without proposing a practical alternative." The subsequent war led to the deaths of tens of thousands and left more than a million people homeless. After three years of war, the Dayton Accords—hailed as a triumph of American diplomacy—created a complicated arrangement by which the federal union of two ethnic units, the Muslim-Croat Federation, was itself federated to a Bosnian Serb republic. Today, Bosnia requires thousands of foreign troops to patrol its internal borders and billions of dollars in foreign aid to keep its government and economy functioning. Was the aim of U.S. policymakers, academics and journalists—creating a multi-ethnic democracy in Bosnia—not worth pursuing? No, not at all, and this is not what the argument suggests. But aspirations were not matched with capabilities. As a result of holding out for the "most moral" outcome and encouraging the Muslim-led government in Sarajevo to pursue maximalist aims rather than finding a workable compromise

that could have avoided bloodshed and produced more stable conditions, the peoples of Bosnia suffered greatly. In the end, the final settlement was very close [End Page 19] to the one that realists had initially proposed—and the one that had also been roundly condemned on moral grounds.

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## Case

#### Iranian behavior hasn’t changed under Rouhani---only bolstering US credibility of threat stops a massive regional war

Noah Beck 9/26, FrontPage Magazine, "The Mullahs' Charm Offensive", 2013, frontpagemag.com/2013/noah-beck/the-mullahs-charm-offensive/

With starry-eyed optimism, Western leaders and members of the media have recently fawned all over the new Iranian president, Hasan Rouhani, as if he had taken any meaningful steps to reverse Iran’s illicit nuclear program, abysmal human rights abuses, or support for Hezbollah terrorism and Basher Assad’s murderous regime in Syria. Rouhani can thank his predecessor, Mahmoud Ahmadinejad, for being so repugnant that virtually anyone succeeding him would be welcomed with relief. But the West’s premature exuberance over Rouhani undermines efforts to curb Iran’s nuclear ambitions and dangerously signals to rogue states that a few weeks of charm can quickly compensate for decades of terrorism, genocidal incitement, and human rights abuses.¶ ¶ On the core issues, Iran’s behavior is the same, but with a more PR-savvy face. Rouhani has continued Iran’s support for the Syrian regime and Iran’s anti-Israel rhetoric and policies. About a month into Rouhani’s term, the International Atomic Energy Agency (IAEA) declared that Iran’s nuclear program includes “strong indicators of possible nuclear weapon development.” The program includes developing plutonium-based capabilities for building nukes, installing advanced uranium enrichment equipment that enables Iran quickly to weaponize its nuclear materials without detection by IAEA inspections, enriching uranium in defiance of UN Security Council and IAEA resolutions, and developing nuclear warheads and the missiles to deliver them.¶ ¶ These facts completely discredit Rouhani’s repeated claims that Iran’s nuclear program exists only for “peaceful” purposes. His boasts about playing for time (in a 2004 speech) when he served as Iran’s chief nuclear negotiator further undermine his credibility on this issue (in his words: “While we were talking with the Europeans in Tehran, we were installing equipment in parts of the [nuclear conversion] facility in Isfahan”). Moreover, Iran has consistently deceived the international community about its nuclear activities, like when the Islamic Republic concealed its nuclear facility in Qom (which was uncovered by Western intelligence agencies).¶ ¶ But these facts don’t seem to matter because when Rouhani repeatedly drops the word “peace” in his speeches, Western media and diplomats swoon. “At the cost of thoughtful reporting” (as media watchdog CAMERA aptly summarized), Western media have also fallen for the “Twitter charms” reportedly sent by members of the Iranian regime.¶ ¶ And this same naive crowd celebrates the release of 80 Iranian political prisoners — timed for maximum PR effect — while forgetting that Iran has executed more than 170 political prisoners since Rouhani’s election and continues to imprison close to 800 (including U.S. citizen and former Marine Amir Hekmati, despite requests to release him from top U.S. officials, including Secretary of State John Kerry). Indeed, a web site documenting Iran’s human rights abuses confirms that — under Rouhani’s rule — it’s very much business as usual in Iran, with public hangings, religious persecution, abuse of women, arbitrary arrests, and suppression of dissent. But why spoil the party with such details when Rouhani speechifies about “peace” and “friendship?”¶ ¶ Desperate for a sign of progress, delusional optimists point out that Rouhani hasn’t actively denied the Holocaust. That this could be considered a sign of Iranian “progress” shows just how pathetically low the bar has dropped (thanks, again, to Ahmadinejad’s fine work). But even by this measure, Rouhani just looks more sophisticated (opting to say that “he’s not a historian” instead of unequivocally denying the Holocaust). One Iran expert explained Rouhani’s shameful response as a result of local politics, but if Rouhani’s not even free to acknowledge a historical fact, how can he possibly change Iran’s nuclear policy? Rouhani may have subsequently realized that his media strategy required improving upon his initial answer, but the clarification he attempted in his recent interview with Christiane Amanpour left him plenty of room for Holocaust denial and revisionism. Equally troubling, starting around 4:00 of this video (which part was suspiciously excluded from CNN’s written interview summary), Rouhani goes on to suggest that the Jewish claim to the land of Israel is based only on the Holocaust, and — in equally twisted moral and historical logic — suggests an equivalence between the Holocaust and the Israeli “occupation” of Palestinians.¶ ¶ Only the credible threat of force has ever worked in stopping Iran’s nuclear ambitions, and after Obama’s feckless and spineless approach to a far weaker adversary (Syria), the Iranians have all the more reason to doubt any U.S. military threat — particularly if Obama can be stalled by a diplomatic process that seems to offer progress now that the Iranian wolf has been redressed as a sheep.¶ ¶ While Obama likes to boast that his economic sanctions have brought Iran to the table, the only measure of success is whether Iran is closer to a nuclear weapons capability, and on that score Obama is a complete failure: Iran has been inching closer to nukes every day that Obama has been in office.¶ ¶ Moreover, the dynamics of Obama’s diplomatic efforts reveal who’s actually winning: Obama asked Rouhani for a meeting at the UN, only to be rejected. So the U.S. looks like the eager party here, making it that much easier for Iran to manipulate any eventual talks in its favor. Indeed, the more the West appears desperate to welcome Rouhani’s new tune, the less Iran has to make any meaningful concessions. In this way, Ahmadinejad’s revolting persona and style made it that much easier for his successor to succeed at playing the “good cop” in any negotiations. And it is actually Iran’s hardline supreme leader, Ayatollah Ali Khamenei, who has the final say on Iranian policy, so the Rouhani theatrics are ultimately meaningless anyway. While the country’s dictator recently said that Iran can show “heroic flexibility,” he’s not actually beholden to anyone, so he can easily change his mind after buying another 6-12 months of nuclear enrichment time by “negotiating” with the West through Rouhani.¶ ¶ To resolve a crisis that could otherwise end up as a massive regional war in the near future, Iran must: 1) stop all nuclear enrichment, 2) dismantle the illicit underground nuclear facility near Qom and the second-generation centrifuges in Natanz, 3) remove all enriched material from Iranian territory, and 4) stop the construction of the heavy water reactor in Arak. If the international community hopes to stop Iran’s nuclear program before it’s too late, any deal with Iran must ensure that the above four steps are verifiably taken. Any lesser deal would allow Iran to continue developing nuclear weapons capabilities behind a smokescreen of promises, as the North Koreans have done. Will the West be charmed all the way to Armageddon?

### Predictions Work – AT: Bernstein

#### Bernstein is wrong---deterrence does solve war

Chernoff 5 Fred IR prof, Colgate. PhD from Yale The Power of International Theory, Ed. Barry Buzan and Richard Little, 157-9

In the social sciences the explanations of state behaviour in rational-choice theory, which posits the existence of a rationally behaving state, or in economics, which posits the existence of ‘the rational economic person’, are clearly idealisations. However, these are parallel to – and not completely disconnected from – the postulation of laws governing frictionless machines or ideal gases in the physical sciences. With regard to underlying and immediate causes, Bernstein et al. advance a number of points in the course of offering the critique of ‘predictiveness’ of IR theory and the scenario-based alternative that Bernstein et al. present. The main point to be made with respect to the use made by Bernstein et al. of the ‘uncertain relationships between underlying and immediate causes’ is that, in their view, such a connection ‘makes point prediction extraordinarily difficult’ (2000: 47). As will become clear, this chapter argues that IR theorists offer non-point predictions and that such predictions are often of genuine policy value. A statement like ‘a rapid withdrawal of US military forces from Iraq after the defeat of Saddam Hussein is likely to lead to increased violence and long-term instability’, would not qualify as a point prediction. Yet it is the sort of prediction that policymakers typically rely on and it has value for policy-makers. Bernstein et al. thus commit a straw-person fallacy, as do other critics of ‘predictiveness’ discussed above. They raise the bar of ‘prediction’ much too high. The sort of prediction that policy-makers need is often much less than ‘point prediction’. **One may grant** Bernstein et al. **all** of **their points** **seeking to undermine** point **prediction and still conclude that they have not provided good reason to reject** many sorts of statements that satisfy the requirements of **prediction**, as laid out in the definition on p. 8. With regard to learning, IR differs from predictive natural sciences in that, according to Bernstein et al., ‘[m]olecules do not learn from experience. People do, or think they do. … We know that expectations and behavior are influenced by experience, one’s own and others’ (2000: 47). They argue that US policies visàvis the USSR were a response to the failure of appeasement in the 1930s, and those policies were a response to British leaders’ belief that more aggressive policies failed to keep peace in 1914. They cite concepts like ‘chain reactions’ and ‘contagion effects’ to describe these phenomena and hazard analysis for their measurement. But they charge that these do not succeed in explaining ‘how and why these patterns emerge and persist’ (Bernstein et al. 2000: 47). They note also that theories that attempt to predict the future predict incorrectly in part because groups (often states) react in such a way as to prevent their predictions from obtaining. ‘Human prophecies … are often self-negating’ (Bernstein et al. 2000: 52). Another approach that has considerable explanatory success is cybernetic theory, which lays out mechanisms and may even be viewed as predictive. Cybernetic theory was developed by Wiener (1949) and applied to IR especially by Deutsch et. al (1957), and specifically to foreign-policy decision-making by Steinbruner (1974), Chernoff (1995) and others. It not only accords with the data but offers a causal mechanism to account for the patterns. Bernstein et al. argue that actors can change ‘the rules of the game’ and consequently ‘general theories of process in international relations will have restricted validity’ (Bernstein et al. 2000: 52). Generalisations will apply only to ‘discrete portions’ of history. They add that ‘scholars need to specify carefully the temporal and geographic domains to which their theories are applicable. We suspect those domains are often narrower and more constrained than is generally accepted’ (Bernstein et al. 2000: 52). This is, however, just what one of the most systematic and generalising of all IR scholars, i.e., Waltz, demands. He maintains that a body of propositions does not even qualify as a theory unless it so specifies. Once these restrictions on domain are specified, theoretical generalisations might have value. For example, Waltz says that whether we are interested in natural sciences or social sciences, ‘[n]o matter what the subject, we have to bound the domain of our concern, to organize it, to simplify the materials we deal with, to concentrate on the central tendencies, and to single out the strongest propelling forces’ (1979: 68). He later adds, ‘[t]o be a success … a theory has to show how international politics can be conceived of as a domain distinct from economic, social, and other international domains that one may conceive of ’ (1979: 79). So it is not accurate to suggest that IR theorists, at least careful ones, do not bound or constrain the scope of their studies and generalisations. While bounded theories may offer predictions, the fallible nature of all empirical knowledge and the probabilistic nature of IR laws does restrict what can be predicted. The longer the chain of reasoning and the greater the number of probabilistic propositions that are conjoined, the less one may rely on the predicted event. **But this is an argument for limitations on certain types of predictions, not an argument against the predictiveness of** IR or **social science theory**. Bernstein et al. note also that there is the problem of the ‘single case’. They correctly observe that policy-makers often worry about a single instance of an event type (e.g., possible war with our neighbours on our western frontier in the next year) rather than with general propositions (e.g., the problem of war in general, or great-power war, etc.). First, with regard to the relevance of theory to policy, it is important to note that policy-makers do sometimes care about longrun patterns or generalisations in some of their decision-situations. Long-run generalisations are very frequently important for policy-makers. For example, in the 1990s, numerous new states emerged in Europe and central Asia due to the collapse of the Soviet Union and the end of its domination of central eastern Europe. Policy-makers had to understand as correctly as possible the truth of generalisations in DP theory in order to decide how much in the way of financial and diplomatic resources should be committed to help promote democratic polities in the region. Policy-makers in 1994 were not primarily worried about a specific war, say, between Hungary and Slovakia, but rather the long-run chances of conflict arising in a Europe with many nondemocratic states as compared to a Europe with very few such states. Policy-makers could consider two alternative scenarios of the future. One is a Europe with some democratic states and many non-democratic ones, possibly including a non-democratic Russia. The other one envisions a Europe with virtually all democratic states. The generalisations about the effects of democracy on behaviour would allow policy-makers to draw general conclusions about peace and international stability from each scenario.

**2AC --- Deterrence**

**Deterrence as source of onto-security’s key to acting against aggressive foreign policy**

Amir **Lupovici 8**, Post-Doctoral Fellow Munk Centre for International Studies University of Toronto, Why the Cold War Practices of Deterrence are Still Prevalent: Physical Security, Ontological Security and Strategic Discourse <http://www.cpsa-acsp.ca/papers-2008/Lupovici.pdf>

Since deterrence can become part of the actors’ identity, it is also involved in the actors’ will to achieve ontological security, securing the actors’ identity and routines. As McSweeney explains, ontological security is “the acquisition of confidence in the routines of daily life—the essential predictability of interaction through which we feel confident in knowing what is going on and that we have the practical skill to go on in this context.” These routines become part of the social structure that enables and constrains the actors’ possibilities (McSweeney, 1999: 50-1, 154-5; Wendt, 1999: 131, 229-30). Thus, through the emergence of the deterrence norm and the construction of deterrence identities, the actors create an intersubjective context and intersubjective understandings that in turn affect their interests and routines. In this context, deterrence strategy and deterrence practices are better understood by the actors, and therefore the continuous avoidance of violence is more easily achieved. Furthermore, within such a context of deterrence relations, rationality is (re)defined, clarifying the appropriate practices for a rational actor, and this, in turn, reproduces this context and the actors’ identities.¶ Therefore, the internalization of deterrence ideas helps to explain how actors may create more cooperative practices and break away from the spiral of hostility that is forced and maintained by the identities that are attached to the security dilemma, and which lead to mutual perception of the other as an aggressive enemy. As Wendt for example suggests, in situations where states are restrained from using violence—such as MAD (mutual assured destruction)—states not only avoid violence, but “ironically, may be willing to trust each other enough to take on collective identity”. In such cases if actors believe that others have no desire to engulf them, then it will be easier to trust them and to identify with their own needs (Wendt, 1999: 358-9). In this respect, the norm of deterrence, the trust that is being built between the opponents, and the (mutual) constitution of their role identities may all lead to the creation of long term influences that preserve the practices of deterrence as well as the avoidance of violence. Since a basic level of trust is needed to attain ontological security,21 the existence of it may further strengthen the practices of deterrence and the actors’ identities of deterrer and deterred actors.¶ In this respect, I argue that for the reasons mentioned earlier, the practices of deterrence should be understood as providing both physical and ontological security, thus refuting that there is necessarily tension between them. Exactly for this reason I argue that Rasmussen’s (2002: 331-2) assertion—according to which MAD was about enhancing ontological over physical security—is only partly correct. Certainly, MAD should be understood as providing ontological security; but it also allowed for physical security, since, compared to previous strategies and doctrines, it was all about decreasing the physical threat of nuclear weapons. Furthermore, the ability to increase one dimension of security helped to enhance the other, since it strengthened the actors’ identities and created more stable expectations of avoiding violence.

## K

### FW – Technical Language Good

#### We need to use the language of nuclear experts to challenge them --- solves co-option

J. Michael Hogan 94, Professor of Communication Arts and Sciences at Pennsylvania State University, The Nuclear Freeze Campaign: Rhetoric and Foreign Policy in the Telepolitical Age, pg. 6-7

Most former freeze activists retain at least some faith in the democratic process. According to Solo, the freeze campaign at least *began* a long process of “educating” the public, and for a time it successfully **transformed “the issues and the** language used by politicians**” to facilitate discussion of nuclear issues**, breaking from “the dominant discourse of arms control and the cold war.” But just as this “war of ideas” was beginning to bear fruit, according to Solo, “the movement narrowed its agenda, which in turn constrained its educational program and confined its politics.” Concerned with answering its right-wing critics and remaining “respectable” among “political and arms control elites,” freeze advocates began defending the initiative on “technical grounds**,”** thereby straying from their “original goal of breaking out of arms control ‘negotiations as usual’ and challenging the new militarism.” For Solo, the lesson is clear: that in order “to develop a mass base” with “potential to develop political power without being co-opted,” peace activists must “promote political literacy **with a dynamic education strategy** that recognizes the peculiarities of our culture and language and does not overlook the continuing impact of television on our political life as a nation.”

#### Informed and engaged public impacts policy --- solves extinction

Drell 93 Sidney D, senior fellow at the Hoover Institution at Stanford University and a professor of theoretical physics (emeritus) at Stanford’s SLAC National Accelerator Laboratory, In the Shadow of the Bomb: Physics and Arms Control, pg. 191

It has often been said that war is too important to be left to the generals and that peace is too vital to be left to the politicians. So, too, are matters of nuclear weapons and policy too important to be left to the nuclear-strategy “experts.” In reality, **there are no experts on nuclear war**. We have never had a nuclear war, and any scientist knows that you must have data before you can become an expert. We do not know how a nuclear war would start, be waged, or finally stopped. No one, including nuclear-strategy “experts,” knows what would be left after such a “war.”¶ What this means is that the public must **inform and involve itself actively in the formulation of policy** on these issues. This requires public outreach, public education, and **active dialogue with our public officials**. The record we will explore in this article shows that an **informed and active public constituency can have a significant effect in shaping sound policy** in highly technical areas that **determine our very survival.**

### AT: Prior Questions – Cochrane

#### Prior questions will never be fully settled---must take action even under conditions of uncertainty

Molly Cochran 99, Assistant Professor of International Affairs at Georgia Institute for Technology, “Normative Theory in International Relations”, 1999, pg. 272

To conclude this chapter, while modernist and postmodernist debates continue, while we are still unsure as to what we can legitimately identify as a feminist ethical/political concern, while we still are unclear about the relationship between discourse and experience, it is particularly important for feminists that we proceed with analysis of both the material (institutional and structural) as well as the discursive. This holds not only for feminists, but for all theorists oriented towards the goal of extending further moral inclusion in the present social sciences climate of epistemological uncertainty. Important ethical/political concerns hang in the balance. We cannot afford to wait for the meta-theoretical questions to be conclusively answered. Those answers may be unavailable. Nor can we wait for a credible vision of an alternative institutional order to appear before an emancipatory agenda can be kicked into gear. Nor do we have before us a chicken and egg question of which comes first: sorting out the metatheoretical issues or working out which practices contribute to a credible institutional vision. The two questions can and should be pursued together, and can be via moral imagination. Imagination can help us think beyond discursive and material conditions which limit us, by pushing the boundaries of those limitations in thought and examining what yields. In this respect, I believe international ethics as pragmatic critique can be a useful ally to feminist and normative theorists generally.

### AT: Chow

#### Zero risk of their Chow impact---instrumental knowledge production doesn’t cause violence and discursive criticism could never solve it anyway

Ken Hirschkop 7, Professor of English and Rhetoric at the University of Waterloo, July 25, 2007, “On Being Difficult,” Electronic Book Review, online: http://www.electronicbookreview.com/thread/criticalecologies/transitive

This defect - not being art - is one that theory should prolong and celebrate, not remedy. For the most egregious error Chow makes is to imagine that obstructing instrumentalism is somehow a desirable and effective route for left-wing politics. The case against instrumentalism is made in depth in the opening chapter, which argues with reference to Hiroshima and Nagasaki that "[t]he dropping of the atomic bombs effected what Michel Foucault would call a major shift in epistemes, a fundamental change in the organization, production and circulation of knowledge" (33). It initiates the "age of the world target" in which war becomes virtualized and knowledge militarized, particularly under the aegis of so-called "area studies".

It's hard not to see this as a Pacific version of the notorious argument that the Gulag and/or the Holocaust reveal the exhaustion of modernity. And the first thing one has to say is that this interpretation of war as no longer "the physical, mechanical struggles between combative oppositional groups" (33), as now transformed into a matter technology and vision, puts Chow in some uncomfortable intellectual company: like that of Donald Rumsfeld, whose recent humiliation is a timely reminder that wars continue to depend on the deployment of young men and women in fairly traditional forms of battle. Pace Chow, war can indeed be fought, and fought successfully, "without the skills of playing video games" (35) and this is proved, with grim results, every day.

But it's the title of this new epoch - the title of the book as well - that truly gives the game away. Heidegger's "Age of the World Picture" claimed that the distinguishing phenomena of what we like to call modernity - science, machine technology, secularization, the autonomy of art and culture - depended, in the last instance, on a particular metaphysics, that of the "world conceived of and grasped as a picture", as something prepared, if you like, for the manipulations of the subject. Against this vision of "sweeping global instrumentalism" Heidegger set not Mallarmé, but Hölderlin, and not just Hölderlin, but also "reflection", i.e., Heidegger's own philosophy.

It's a philosophical reprise of what Francis Mulhern has dubbed "metaculture", the discourse in which culture is invoked as a principle of social organization superior to the degraded machinations of "politics", degraded machinations which, at the time he was composing this essay, had led Heidegger to lower his expectations of what National Socialism might achieve. In the fog of metaphysics, every actually existing nation - America, the Soviet Union, Germany - looks just as grey, as does every conceivable form of politics. For the antithesis of the "world picture" is not a more just democratic politics, but no politics at all, and it is hard to see how this stance can serve as the starting point for a political critique.

If Chow decides to pursue this unpromising path anyhow, it is probably because turning exploitation, military conquest and prejudice into so many epiphenomena of a metaphysical "instrumentalism" grants philosophy and poetry a force and a role in revolutionising the world that would otherwise seem extravagant. Or it would do, if "instrumentalism" was, as Chow claims a "demotion of language", if language was somehow more at home exulting in its own plenitude than merely referring to things.

Poor old language. Apparently ignored for centuries, it only receives its due when poststructuralists force us to acknowledge it. In their hands, "language flexes its muscles and breaks the chains of its hitherto subordination to thought" and, as a consequence, "those who pursue poststructuralist theory in the critical writings find themselves permanently at war with those who expect, and insist on, the transparency - that is, the invisibility - of language as a tool of communication" (48).

We have been down this road before and will no doubt go down it again. In fact, it's fair to say this particular journey has become more or less the daily commute of critical theory, though few have thought it ought to be described in such openly military terms. There is good reason, however, to think Chow's chosen route will lead not to the promised land of resistance and emancipation, but to more Sisyphean frustration. In fact, there are several good reasons.

### AT: Orientalism

#### Critiques of orientalism are academically inept and obscure the blatantly obvious benefits of spreading liberalism---traditionally western values may not be perfect but they’re the best check against violence---this is also a defense of our scholarship

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Said’s brand of **propaganda** is **particularly insidious**. Although he presents himself as a heroic defender of liberal learning and systematic scholarship, he conjures **egregious misrepresentations** and promulgates **toxic misunderstandings**, thereby undermining the separation between scholarly vocation and partisan pleading in defense of which he purports to write.¶ **Nor is such an outcome incidental to Orientalism’s larger project**. Said aims to persuade that for hundreds of years Western scholars of the East, like U.S. and Israeli political leaders today, have been blinded to the realities of Arab life and the wider Muslim world by the very principles that lie at the heart of the West. Furthermore, he wants readers to believe that these principles compel the West to vanquish and oppress Arabs and Muslims. To succeed, Said must **anesthetize his readers’ critical faculties** and **incite their resentment of Western power and preeminence**.¶ Certainly, Said’s conclusions can be convenient. Learning Arabic, Turkish, and Persian, and studying the Koran and Islamic jurisprudence, Muslim poetry and philosophy, and the social and political structures and history of the peoples of the Middle East are exacting and arduous labors. It’s much easier to forgo all that hard work and instead, following Said who follows Foucault, proclaim that such learning and study **inevitably falsify their subject matter** and ineluctably **contribute to the domination of cultures** that the Western mind can never hope to understand. Better **not to engage in systematic study** of Arabs and Muslims, and better still to take one’s stand against those who do. In this way, **Said and his disciples** stand the scholarly vocation on its head, **transforming** the self-imposition and **social enforcement of ignorance into intellectual and moral virtues**.¶ Our urgent need today for impartial and objective analysis of the Arab and Muslim world makes a thoroughgoing critique of Said’s work a top intellectual priority.¶ In ibn warraq, Said and his celebrated Orientalism have found a worthy critic. To be sure, Ibn Warraq is not the first to squarely confront Said. Bernard Lewis exposed massive flaws in Said’s understanding of the Islamic world in a lengthy and sharp 1982 exchange in the New York Review of Books. In a substantial 1999 essay in the New Criterion, Australian writer Keith Windschuttle demonstrated that Said’s depiction of the whole of Oriental studies as a form of imperialism is devoid of serious historical support, both in its depiction of the West and of the East. And in 2001, in Ivory Towers on Sand: The Failure of Middle Eastern Studies in America, Washington Institute for Near East Studies fellow Martin Kramer chronicled the baleful impact of Said’s writings on Middle East scholars. But Ibn Warraq’s is the first book-length, post-9/11 critique of Said’s views and of the **fashionable “postcolonial studies” paradigm that Orientalism spawned**. And, with a rare combination of polemical zest and prodigious learning, it is the first to address and refute Said’s arguments “against the background of a more general presentation of salient aspects of Western civilization.”¶ A pen name taken by the author of Defending the West to protect himself from retribution from Muslims enraged by his writings, Ibn Warraq means “son of a stationer, book-seller, paper-seller.” The name, adopted over the centuries as an alias by dissenting Muslims, evokes the ninth-century figure Muhammad al Warraq, who doubted that Muhammad was a prophet and insisted that the claims of Islam must submit to the authority of reason. It is certainly an apt choice for our generation’s Ibn Warraq, who burst upon the scene in 1995 with his outspoken Why I Am Not A Muslim, then edited five volumes aimed at putting Islam in historical and philosophical context, and, with his most recent book, seeks to set the record straight about two centuries’ worth of Western scholarship of the Arab people and of Islamic civilization.¶ Ibn Warraq has recently let himself be videotaped in public, and some information about him is available through writings and interviews (helpfully gathered at http://en.wikipedia.org/wiki/Ibn\_Warraq). Of Muslim origin, he was born in India in 1946. In 1947, after the partition, the family left for Pakistan. According to a short profile in 2007 in World Magazine, he was sent to boarding school in England by his father “to circumvent a grandmother pushing him into local madrassahs.” He later studied philosophy and Arabic at the University of Edinburgh and for five years in the 1970s taught school in London. In the 1980s, he moved to Paris, opened an Indian restaurant, and also worked for a travel agency. It took the 1989 fatwah issued by Islamic Republic of Iran ruler Ayatollah Ruhollah Khomeini calling for the death of Satanic Verses author Salman Rushdie to impel Ibn Warraq to concentrate his formidable talents as scholar and author on writing for the public about the question of Islam.¶ In Defending the West, Ibn Warraq demonstrates that Said is **guilty of the major intellectual errors** he ostentatiously decries in the twenty-fifth anniversary edition preface: obscuring the diversity and complexity of lived experience by **falsely ascribing essential features to peoples and civilizations**; and rendering categorical moral and political judgments **without the adequate historical knowledge**

on which responsible judgment depends.¶ Said’s transgressions against sound thinking begin with the **forcing of the discipline of Orientalism onto a procrustean bed**. According to the standard definition, Orientalism refers to Western scholarly study of the East, including not only or even primarily the Middle East but also Asia and even parts of Eastern Europe. But for no good theoretical or historical reason, Said severely reduces the term’s range of meaning:¶ Said seems to use the term “Orientalist” for one who, on the whole, studies the Middle East, that is, the Muslim populations of the Middle East. The person who studies the Jews, or the Zoroastrians, is not in Edward Said’s view an “Orientalist.” For Said, the non-Muslims, and even non-Arabs, hardly exist, are occasionally mentioned, are never discussed or acknowledged as Orientals with a history and presence: there are no Copts, no Maronites, not Mandaeans, no Samaritans, no Assyrians, no Greek Orthodox Christians, no Chaldeans, no Berbers, and of course no Jews in the “Orient” for which Said means — must mean — the Middle East and North Africa, peopled with Arabs and Muslims on the one hand and “all the others” on the other hand. All of these others can never be part of “the Other” about whose fate, at the hands of Western Orientalists and imperialists, Said is so concerned.¶ This egregious organizing distortion is, as Ibn Warraq shows, the first of many that follow.¶ The first of Defending the West’s three parts, “Edward Said and the Saidists,” is based on an essay Ibn Warraq published a decade ago. Despite some regrets about the tone, he incorporates it more or less intact on the ground that through the attention it has received it has achieved a life of its own. And indeed, Ibn Warraq does not mince words here. Declaring that the “totally pernicious influence of Edward Said’s Orientalism” has made “**self-examination** for Arabs and Muslims, and especially **criticism** **of Islam in the West**, very difficult,” he locates the crux of the problem in the book’s **blame-the-West-first spirit** and its anything-goes rhetorical tactics. Orientalism, he observes,¶ **taught an entire generation of Arabs the art of self-pity** — “**were it not for the wicked imperialists**, racists and Zionist, we would be great once more” — **encouraged the Islamic fundamentalist generation** of the 1980s, **bludgeoned into silence any criticism of Islam**, and even **stopped dead the research of eminent Islamologists** who felt their findings might offend Muslim sensibilities and who dared not risk being labeled “Orientalist.” The aggressive tone of Orientalism is what I have called “**intellectual terrorism**,” since it seeks to convince **not by arguments** or **historical analysis**, but by **spraying charges of racism, imperialism, and Eurocentrism** from a moral high ground; anyone who disagrees with Said has insult heaped upon him. The moral high ground is an essential element in Said’s tactics. Since he believes his position is morally unimpeachable, Said obviously thinks he is justified in using any means possible to defend it, including the **distortion of the views of eminent scholars,** interpreting intellectual and political history in a highly tendentious way — **in short, twisting the truth**. But in any case, he does not believe in the “truth.”¶ One can understand why today, in the context of the war against jihadist terrorism, Ibn Warraq has regrets, for example, about calling Said’s tactics “intellectual terrorism.” But his description of those tactics and their impact on Middle East scholarship is spot on.¶ Ibn Warraq studied philosophy and Arabic, taught school, opened an Indian restaurant, and worked for a travel agency before turning his formidable talents to writing about Islam.¶ Ibn Warraq’s criticisms of Said come fast and furious. He shows that Said routinely produces pretentious, meaningless, and contradictory speech. Most notably, in the fashion of the more glib postmodernism, Said stresses that “the Orient” does not exist but is rather the **paranoid construction of Western scholars**. This, however, does not prevent him from blatantly contradicting himself by positing that two centuries of study by scholars in Europe and the U.S. have produced “a growing systematic knowledge in Europe about the Orient” and “a fair amount of exact positive knowledge about the Orient.” Nor does it stop Said from decrying Orientalists because — contrary to his insistence that a real Orient does not exist and contrary to his acknowledgment that the Orientalists have gained substantial knowledge of it — they have “‘no interest in, much less capacity for, showing what the true Orient and Islam really are.’”¶ Furthermore, Said commits “historical howlers” and engages in acts of “intellectual dishonesty.” For example, he asserts that “at the end of the seventeenth century, Britain and France dominated the eastern Mediterranean, when in fact the Levant was still controlled for the next hundred years by the Ottomans.” That’s no small blunder for a book about European imperialism in the Middle East.¶ Meanwhile, Said’s repeated mischaracterizations of the writings of Orientalists such as R.W. Southern, Friedrich Schlegel, and Sir William Jones, to mention only a few of the distinguished scholars whom Said defames — sometimes ascribing to them the opposite of what they say, sometimes criticizing them for claims that are in fact true and documentable — cannot be chalked up to ignorance or carelessness. After all, while Said was not trained as a historian, he was, as he himself emphasizes, schooled in the great humanist tradition, which puts a premium on the careful interpretation of texts. Moreover, this training makes his accusation against Jane Austen of sympathy for the slave trade on the basis of a preposterous reading of a single passage from Mansfield Park all the more scandalous. And it makes his gross interpretation of Dante, whom he charges with anti-Muslim bias for putting three eminent Muslims in the outer circle of Hell along with virtuous heathens like Plato and Aristotle all the more inexcusable. As Ibn Warraq points out, “these illustrious Muslims were included precisely because of Dante’s reverence for all that was best in the non-Christian world, and their exclusion from salvation, inevitable under Christian doctrine, saddened him and put a great strain on his mind — gran duol mi prese al cor quando lo ‘ntesi — great grief seized me at heart when I heard this.”¶ Said puts all this sloppiness and sophistry and specious argumentation in the service of the claim for which Orientalism is famous: Arabs and Muslims are the victims of a West that is driven to ravage the East, and not by tendencies to acquisition and conquest shared by all peoples but by the uniquely brutalizing principles of Western civilization. In a discussion of nineteenth-century European imperialism and its culmination in World War I, Ibn Warraq shows that elementary historical considerations swiftly dispose of Said’s signature thesis:¶ Where the French presence lasted fewer than four years before they were ignominiously expelled by the British and Turks, the Ottomans had been the masters of Egypt since 1517, a total of 280 years. Even if we count the later British and French protectorates, Egypt was under Western control for sixty-seven years, Syria for twenty-one years, and Iraq for only fifteen — and, of course, Saudi Arabia was never under Western control. Contrast this with southern Spain, which was under the Muslim yoke for 781 years, Greece for 381 years, and the splendid new Christian capital that eclipsed Rome — Byzantium — which is still in Muslim hands. But no Spanish or Greek politics of victimhood apparently exists.¶ Yet these facts are not likely to dissuade Said’s disciples, whose grievances against the West do not ultimately depend upon historical claims but rather are rooted in an underlying belief in the West’s distinctive intellectual blindness and moral depravity.¶ That’s why, in a display of staggering erudition, Ibn Warraq devotes the bulk of his somewhat quirky and quite compelling book to a **defense of Western ideas**, particularly as they have been expressed in Orientalist scholarship — philological, historical, archeological, literary, and philosophical — and in Western depictions of the Orient in painting, sculpture, music, and literature.¶ In Part II, he identifies **rationalism, universalism, and self-criticism** as “the **tutelary guiding lights of, or the three golden threads running through, Western civilization**.” He chronicles with gusto how from classical antiquity right up through the Orientalists of the nineteenth and twentieth centuries, these golden threads received expression in a curiosity about foreign lands and peoples, a **respect for the variety of ways of being human**, a desire to organize and systematize knowledge, and an **inclination to put one’s beliefs to the test of empirical evidence** and reasoned argument. To be sure, the West has often failed to live up to its principles. Nevertheless, as Ibn Warraq observes in a variety of contexts, whereas Islamic civilization, particularly over the last two hundred years, has tended to close itself off to the outside world, the historical record reveals that **Western civilization is second to none in its passion for learning about and learning from other civilizations.**

### \*AT: Global War

#### Global war does not result from a Western desire for control---it results from lack of clearly defined strategic imperatives---the aff is necessary to reclaim the political

David Chandler **9**, Professor of International Relations at the Department of Politics and International Relations, University of Westminster, War Without End(s): Grounding the Discourse of `Global War', Security Dialogue 2009; 40; 243

Western governments appear to portray some of the distinctive characteristics that Schmitt attributed to ‘motorized partisans’, in that the shift from narrowly strategic concepts of security to more abstract concerns reflects the fact that Western states have tended to fight free-floating and non-strategic wars of aggression without real enemies at the same time as professing to have the highest values and the absolute enmity that accompanies these. The government policy documents and critical frameworks of ‘global war’ have been so accepted that it is assumed that it is the strategic interests of Western actors that lie behind the often irrational policy responses, with ‘global war’ thereby being understood as merely the extension of instrumental struggles for control. This perspective seems unable to contemplate the possibility that it is the lack of a strategic desire for control that drives and defines ‘global’ war today. ¶ Very few studies of the ‘war on terror’ start from a study of the Western actors themselves rather than from their declarations of intent with regard to the international sphere itself. This methodological framing inevitably makes assumptions about strategic interactions and grounded interests of domestic or international regulation and control, which are then revealed to explain the proliferation of enemies and the abstract and metaphysical discourse of the ‘war on terror’ (Chandler, 2009a). For its radical critics, the abstract, global discourse merely reveals the global intent of the hegemonizing designs of biopower or neoliberal empire, as critiques of liberal projections of power are ‘scaled up’ from the international to the global.¶ Radical critics working within a broadly Foucauldian problematic have no problem grounding global war in the needs of neoliberal or biopolitical governance or US hegemonic designs. These critics have produced numerous frameworks, which seek to assert that global war is somehow inevitable, based on their view of the needs of late capitalism, late modernity, neoliberalism or biopolitical frameworks of rule or domination. From the declarations of global war and practices of military intervention, rationality, instrumentality and strategic interests are read in a variety of ways (Chandler, 2007). Global war is taken very much on its own terms, with the declarations of Western governments explaining and giving power to radical abstract theories of the global power and regulatory might of the new global order of domination, hegemony or empire¶ The alternative reading of ‘global war’ rendered here seeks to clarify that the declarations of global war are a sign of the lack of political stakes and strategic structuring of the international sphere rather than frameworks for asserting global domination. We increasingly see Western diplomatic and military interventions presented as justified on the basis of value-based declarations, rather than in traditional terms of interest-based outcomes. This was as apparent in the wars of humanitarian intervention in Bosnia, Somalia and Kosovo – where there was no clarity of objectives and therefore little possibility of strategic planning in terms of the military intervention or the post-conflict political outcomes – as it is in the ‘war on terror’ campaigns, still ongoing, in Afghanistan and Iraq. ¶ There would appear to be a direct relationship between the lack of strategic clarity shaping and structuring interventions and the lack of political stakes involved in their outcome. In fact, the globalization of security discourses seems to reflect the lack of political stakes rather than the urgency of the security threat or of the intervention. Since the end of the Cold War, the central problematic could well be grasped as one of withdrawal and the emptying of contestation from the international sphere rather than as intervention and the contestation for control. The disengagement of the USA and Russia from sub-Saharan Africa and the Balkans forms the backdrop to the policy debates about sharing responsibility for stability and the management of failed or failing states (see, for example, Deng et al., 1996). It is the lack of political stakes in the international sphere that has meant that the latter has become more open to ad hoc and arbitrary interventions as states and international institutions use the lack of strategic imperatives to construct their own meaning through intervention. As Zaki Laïdi (1998: 95) explains:¶ war is not waged necessarily to achieve predefined objectives, and it is in waging war that the motivation needed to continue it is found. In these cases – of which there are very many – war is no longer a continuation of politics by other means, as in Clausewitz’s classic model – but sometimes the initial expression of forms of activity or organization in search of meaning. . . . War becomes not the ultimate means to achieve an objective, but the most ‘efficient’ way of finding one. ¶ The lack of political stakes in the international sphere would appear to be the precondition for the globalization of security discourses and the ad hoc and often arbitrary decisions to go to ‘war’. In this sense, global wars reflect the fact that the international sphere has been reduced to little more than a vanity mirror for globalized actors who are freed from strategic necessities and whose concerns are no longer structured in the form of political struggles against ‘real enemies’. The mainstream critical approaches to global wars, with their heavy reliance on recycling the work of Foucault, Schmitt and Agamben, appear to invert this reality, portraying the use of military firepower and the implosion of international law as a product of the high stakes involved in global struggle, rather than the lack of clear contestation involving the strategic accommodation of diverse powers and interests.

### AT: Endless War

#### No risk of endless warfare

Gray 7—Director of the Centre for Strategic Studies and Professor of International Relations and Strategic Studies at the University of Reading, graduate of the Universities of Manchester and Oxford, Founder and Senior Associate to the National Institute for Public Policy, formerly with the International Institute for Strategic Studies and the Hudson Institute (Colin, July, “The Implications of Preemptive and Preventive War Doctrines: A Reconsideration”, <http://www.ciaonet.org/wps/ssi10561/ssi10561.pdf>)

7. A policy that favors preventive warfare expresses a futile quest for absolute security. It could do so. Most controversial policies contain within them the possibility of misuse. In the hands of a paranoid or boundlessly ambitious political leader, prevention could be a policy for endless warfare. However, the American political system, with its checks and balances, was designed explicitly for the purpose of constraining the executive from excessive folly. Both the Vietnam and the contemporary Iraqi experiences reveal clearly that although the conduct of war is an executive prerogative, in practice that authority is disciplined by public attitudes. Clausewitz made this point superbly with his designation of the passion, the sentiments, of the people as a vital component of his trinitarian theory of war. 51 It is true to claim that power can be, and indeed is often, abused, both personally and nationally. It is possible that a state could acquire a taste for the apparent swift decisiveness of preventive warfare and overuse the option. One might argue that the easy success achieved against Taliban Afghanistan in 2001, provided fuel for the urge to seek a similarly rapid success against Saddam Hussein’s Iraq. In other words, the delights of military success can be habit forming. On balance, claim seven is not persuasive, though it certainly contains a germ of truth. A country with unmatched wealth and power, unused to physical insecurity at home—notwithstanding 42 years of nuclear danger, and a high level of gun crime—is vulnerable to demands for policies that supposedly can restore security. But we ought not to endorse the argument that the United States should eschew the preventive war option because it could lead to a futile, endless search for absolute security. One might as well argue that the United States should adopt a defense policy and develop capabilities shaped strictly for homeland security approached in a narrowly geographical sense. Since a president might misuse a military instrument that had a global reach, why not deny the White House even the possibility of such misuse? In other words, constrain policy ends by limiting policy’s military means. This argument has circulated for many decades and, it must be admitted, it does have a certain elementary logic. It is the opinion of this enquiry, however, that the claim that a policy which includes the preventive option might lead to a search for total security is **not at all convincing**. Of course, folly in high places is always possible, which is one of the many reasons why popular democracy is the superior form of government. It would be absurd to permit the fear of a futile and dangerous quest for absolute security to preclude prevention as a policy option. Despite its absurdity, this rhetorical charge against prevention is a stock favorite among prevention’s critics. It should be recognized and dismissed for what it is, a debating point with little pragmatic merit. And strategy, though not always policy, **must be nothing if not pragmatic**.

### Reps Don’t Cause War

#### Reps don’t cause war

Reiter 95 DAN REITER is a Professor of Political Science at Emory University and has been an Olin post-doctoral fellow in security studies at Harvard “Exploring the Powder Keg Myth” International Security v20 No2 Autumn 1995 pp 5-34 JSTOR

A criticism of assessing the frequency of preemptive wars by looking only at wars themselves is that this misses the non-events, that is, instances in which preemption would be predicted but did not occur. However, excluding non-events should bias the results in favor of finding that preemptive war is an important path to war, as the inclusion of non-events could only make it seem that the event was less frequent. Therefore, if preemptive wars seem infrequent within the set of wars alone, then this would have to be considered strong evidence in favor of the third, **most skeptical view of preemptive war**, because even when the sample is rigged to make preemptive wars seem frequent (by including only wars), they are still rare events. Below, a few cases in which preemption did not occur are discussed to illustrate factors that constrain preemption.¶ The rarity of preemptive wars offers preliminary support for the third, most skeptical view, that the preemption scenario does not tell us much about how war breaks out. Closer examination of the three cases of preemption, set forth below, casts doubt on the validity of the two preemption hypotheses discussed earlier: that hostile images of the enemy increase the chances of preemption, and that belief in the dominance of the offense increases the chances of preemption. In each case there are motives for war aside from fear of an imminent attack, indicating that such fears may not be sufficient to cause war. In addition, in these cases of war the two conditions hypothesized to stimulate preemption—hostile images of the adversary and belief in the military advantages of striking first—are present to a very high degree. This implies that these are insubstantial causal forces, as they are associated with theoutbreak of war only when they are present to a very high degree. This reduces even further the significance of these forces as causes of war. To illustrate this point, consider an analogy: say there is a hypothesis that saccharin causes cancer. Discovering that rats who were fed a lot of saccharin and also received high levels of X-ray exposure, which we know causes cancer, had a higher risk for cancer does not, however, set off alarm bells about the risks of saccharin. Though there might be a relationship between saccharin consumption and cancer, this is not demonstrated by the results of such a test.

### Legal Reforms Key

#### Legal reforms restrain the cycle of violence and prevent error replication

Colm O’Cinneide 8, Senior Lecturer in Law at University College London, “Strapped to the Mast: The Siren Song of Dreadful Necessity, the United Kingdom Human Rights Act and the Terrorist Threat,” Ch 15 in Fresh Perspectives on the ‘War on Terror,’ ed. Miriam Gani and Penelope Mathew, <http://epress.anu.edu.au/war_terror/mobile_devices/ch15s07.html>

This ‘symbiotic’ relationship between counter-terrorism measures and political violence, and the apparently inevitable negative impact of the use of emergency powers upon ‘target’ communities, would indicate that it makes sense to be very cautious in the use of such powers. However, the impact on individuals and ‘target’ communities can be too easily disregarded when set against the apparent demands of the greater good. Justice Jackson’s famous quote in Terminiello v Chicago [111] that the United States Bill of Rights should not be turned into a ‘suicide pact’ has considerable resonance in times of crisis, and often is used as a catch-all response to the ‘bleatings’ of civil libertarians.[112] The structural factors discussed above that appear to drive the response of successive UK governments to terrorist acts seem to invariably result in a depressing repetition of mistakes.¶ However, certain legal processes appear to have some capacity to slow down the excesses of the counter-terrorism cycle. What is becoming apparent in the UK context since 9/11 is that there are factors at play this time round that were not in play in the early years of the Northern Irish crisis. A series of parliamentary, judicial and transnational mechanisms are now in place that appear to have some moderate ‘dampening’ effect on the application of emergency powers.¶ This phrase ‘dampening’ is borrowed from Campbell and Connolly, who have recently suggested that law can play a ‘dampening’ role on the progression of the counter-terrorism cycle before it reaches its end. Legal processes can provide an avenue of political opportunity and mobilisation in their own right, whereby the ‘relatively autonomous’ framework of a legal system can be used to moderate the impact of the cycle of repression and backlash. They also suggest that this ‘dampening’ effect can ‘re-frame’ conflicts in a manner that shifts perceptions about the need for the use of violence or extreme state repression.[113] State responses that have been subject to this dampening effect may have more legitimacy and generate less repression: the need for mobilisation in response may therefore also be diluted.

### AT: Same Logic

#### CPGS increases deliberation time --- solves lashout logic

NRC 8, National Research Council, principal operating agency of both the National Academy of Sciences and the National

Academy of Engineering, U.S. Conventional Prompt Global Strike: Issues for 2008 and Beyond, Committee on Conventional Prompt Global Strike Capability, Naval Studies Board, 2008, http://www.nap.edu/catalog/12061.

There is a somewhat separate concern that the fleeting nature of the target will produce pressure for rapid decisions and result in ill-considered action that might be avoided if more time had been taken to reach a decision. However, the pressure for very rapid decision on CPGS operations would be **driven by the nature of the target,** not the speed with which the attack, once ordered, can be carried out. Potential CPGS targets are of sufficient importance that if CPGS were unavailable, those targets might well be struck, albeit less effectively, **with other conventional systems.** In that case the time for decision would be **even more limited** than with CPGS, and the effectiveness would, almost by definition, be less. Indeed, there are cases in which the greater speed of execution would allow **more time for deliberation** and reduce the perceived need for early delegation of authority to local or even tactical commanders. ¶ The committee’s judgment is not that these arguments concerning misuse or error are entirely irrelevant or absolutely wrong. The fact that a CPGS system could by its inherent nature be used rapidly, simply makes it all the more important that the decision to use it be made carefully including, where possible, deciding in advance for (or against) its use in the event that an opportunity arises. The committee believes that the increased possibility of successful uses of CPGS in cases where that is the right decision justify having the capability and **outweigh the theoretical possibility of inappropriate uses.** Moreover, while it is obviously important to do all that can reasonably be done to avoid mistakes, the fact that CTM attacks would necessarily involve **limited numbers and limited effects** (**compared with options involving existing conventional forces** that might require defense suppression, a larger attacking force, and risk to personnel, not to mention comparison with nuclear attacks) would **reduce** but not eliminate **the potential ramifications of mistakes.**

#### Conventional PGS deters conflict even without use

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Use of Heavy Conventional Submarine-Launched Ballistic Missiles (HC-SLBMs) against States that Support Terrorists¶ The use of nuclear weapons is politically very expensive. Nuclear weapons have only been used in very special circumstances—at the end of World War II. While President Truman’s decision to use the atomic bomb against Japan is still a subject of great controversy, this decision was in many ways a logical extension of existing practices.4 It was not that different from the attacks on the populations of London, Hamburg, Dresden, and Tokyo. The atomic bomb did no more than what was already being done with conventional weapons by both sides in the war. In fact, more people were killed in the firebomb raids on Tokyo than by both atomic bombs used against Japan. However, by the 1950s, as the destructive force of nuclear weapons far exceeded that of the atomic bombs dropped on Hiroshima and Nagasaki, an international taboo against the use of such weapons emerged. In the current period, the political cost of using nuclear weapons is extremely high, and it may be impossible to use them in any circumstance short of national survival. Consider the following thought experiment: would we use nuclear weapons on a nation to avenge the loss of 3,000 people if we had solid proof that that nation was a party to the attack? We believe not, and we further believe that what is needed is a weapons system that has the capacity to inflict great damage without crossing the nuclear threshold and one that does not require the support of third parties.5¶ Ballistic missiles also have substantial **political and psychological value**. They could strike out of nowhere without warning, and there are **no effective counter weapons** available. Although the United States is making progress in antiballistic missile (ABM) technology, tests to date make clear that this is a technologically challenging and financially costly undertaking, one that, as best as one can tell, no one else is attempting. ¶ The weapon system we propose may never have to be used. **Its deterrent capability may be sufficient to thwart all but the most recalcitrant potential attackers**. Before the start of the Gulf War, Secretary of State James A. Baker, III, warned Iraq’s Foreign Minister Tariq Aziz that the use of weapons of mass destruction by the Iraqis “would result in the destruction of Iraq as a modern state.” This threat was a credible one.6 ¶ Having heavy conventional submarine-launched ballistic missiles (HC-SLBMs) would give the United States the power to destroy any man-made structure **within 15 minutes** of the decision to do so without using nuclear weapons and **without needing the cooperation of any third party.**

### Alt Fails (AT Burke) – Sorenson

#### The alt fails---the system’s too sticky to simply wish away

Sorensen 98 – British International Studies Association (Georg, IR Theory after the cold war, 87-88)

What, then, are the more general problems with the extreme versions of the postpositivist position? The first problem is that they tend to overlook, or downplay, the actual insights produced by non-post-positivists, such as, for example, neorealism. It is entirely true that anarchy is no given, ahistorical, natural condition to which the only possible reaction is adaptation. But the fact that anarchy is a historically specific, socially constructed product of human practice **does not make it less real**. In a world of sovereign states, anarchy is in fact **out there in the real world in some form**. In other words, it is not the acceptance of the real existence of social phenomena which produces objectivist reification. Reification is produced by the transformation of historically specific social phenomena into given, ahistorical, natural conditions.21 Despite their shortcomings, neorealism and other positivist theories have produced valuable insights about anarchy, including the factors in play in balance-of-power dynamics and in patterns of cooperation and conflict. Such insights are downplayed and even sometimes dismissed in adopting the notion of 'regimes of truth'. It is, of course, possible to appreciate the shortcomings of neorealism while also recognizing that it has merits. One way of doing so is set forth by Robert Cox. He considers neorealism to be a 'problem-solving theory' which 'takes the world as it finds it, with the prevailing social and power relationships . . . as the given framework for action . . . The strength of the problem-solving approach lies in its ability to fix limits or parameters to a problem area and to reduce the statement of a particular problem to a limited number of variables which are amenable to relatively close and precise examination'.22 At the same time, this 'assumption of fixity' is 'also an ideological bias . . . Problem-solving theories (serve) . . . particular national, sectional or class interests, which are comfortable within the given order'.23 In sum, objectivist theory such as neorealism contains a bias, **but that does not mean that it is without merit** in analysing particular aspects of international relations from a particular point of view. The second problem with post-positivism is the danger of extreme relativism which it contains. If there are no neutral grounds for deciding about truth claims so that each theory will define what counts as the facts, then the door is, at least in principle, **open to anything goes.** Steve Smith has confronted this problem in an exchange with Øyvind Østerud. Smith notes that he has never 'met a postmodernist who would accept that "the earth is flat if you say so". Nor has any postmodernist I have read argued or implied that "any narrative is as good as any other"'.24 But the problem remains that if we cannot find a minimum of common standards for deciding about truth claims a post-modernist position appears unable to come up with a metatheoretically substantiated critique of the claim that the earth is flat. In the absence of at least some common standards it appears difficult to reject that any narrative is as good as any other.25 The final problem with extreme post-positivism I wish to address here concerns change. We noted the post-modern critique of neorealism's difficulties with embracing change; their emphasis is on 'continuity and repetition'. But extreme post-positivists have their own problem with change, which follows from their metatheoretical position. In short, how can post-positivist ideas and projects of change be distinguished from pure utopianism and wishful thinking? Post-positivist radical subjectivism leaves no common ground for choosing between different change projects. A brief comparison with a classical Marxist idea of change will demonstrate the point I am trying to make. In Marxism, social change ( e.g. revolution) is, of course, possible. But that possibility is tied in with the historically specific social structures (material and non-material) of the world. Revolution is possible under certain social conditions but not under any conditions. Humans can change the world, but they are **enabled and constrained** by the social structures in which they live. There is a dialectic between social structure and human behaviour.26 The understanding of 'change' in the Marxist tradition is thus closely related to an appreciation of the historically specific social conditions under which people live; any change project is not possible at any time. Robert Cox makes a similar point in writing about critical theory: 'Critical theory allows for a normative choice in favor of a social and political order different from the prevailing order, but it limits the range of choice to alternative orders which are feasible transformations of the existing world . . . Critical theory thus contains an element of utopianism in the sense that it can represent a coherent picture of an alternative order, but its utopianism is constrained by its comprehension of historical processes. It must reject improbable alternatives just as it rejects the permanency of the existing order'.27 That constraint appears to be absent in post-positivist thinking about change, because radical post-positivism is **epistemologically and ontologically cut off from evaluating the relative merit** of different change projects. Anything goes, or so it seems. That view is hard to distinguish from utopianism and wishful thinking. If neorealism denies change in its overemphasis on continuity and repetition, then radical post-positivism is metatheoretically compelled to embrace any conceivable change project.28

**Deconstruction Fails – No Policy**

**Deconstructive philosophy offers no tenable or sustainable political agenda --- makes it irrelevant to policymakers**

**Rojek and Turner 2k** Chris Rojek, professor of sociology and culture at Brunel University, West London, and Bryan Turner, Professor of Sociology and Head of the Faculty of Social and Political Sciences at Cambridge University, 2000 The Sociological Review, “Decorative sociology: towards a critique of the cultural turn” p. 638-9

We propose that Decorative Sociology privileges politicization and aestheticization over, what we would term, 'engaged detachment', in the analysis of human interaction. We offer the concept of 'engaged detachment' as an alternative to the role model of the organic intellectual, espoused in the cultural studies tradition. We return to take this point up in more detail in the next section of the paper. At this stage in the discussion, it is valuable to recap our central comments on Decorative Sociology, which consists of the elements of cultural studies and postmodernism that we have analyzed above. Expressed in summary form, these criticisms are: 1. There is an orientation to the analysis of human interaction, which is driven by theory and theoretical responsiveness to change, rather than a stable research agenda. Social history in practice becomes the history of theoretical changes. For example, there is a tendency to confuse the history of postmodernism as a theory with the history of postmodernity as a social and economic condition. With the decline of literary studies, reading theory replaced reading literature. There is a concomitant tendency towards theoreticism. 2. There is an absence of any commitment to historical or comparative analysis follows from the privileging of theory and the textual understanding of interaction. Texts have no history, because they exist in a timeless, placeless space of intertextuality. The intellectual narcissism of Orientalism is evident in the priority assigned to European (especially French) theory. Deconstructive methodology rejects classical sociology and adopts a literary analysis of texts which are assumed to have materiality. This theoretical strategy also precludes the possibility of cumulative theory. This emphasis on contemporaneous analysis places the burden of perpetual reinvention on social analysis since every time a new major revolution is claimed ('digital technology', 'globalization', 'post-Fordism', 'post-nation-state', 'hybridity', 'network society', 'web-world') the conceptual battery powering existing research traditions must be disconnected and replaced with a new energy source. **There is an endless and infinite transformation of theory paradigms**. With textual interpretation and understanding of analysis and interaction, the prominence of philosophy, and especially anti-humanist philosophy, in decorative sociology is no accident. By 'reading' social life as a text, decorative sociology equips itself with a payload of **endless terminological disputes** and esoteric debates about the disappearance of reality. The privileging of the cultural over the social and economic means that social and economic issues are interpreted as questions of cultural layering and analysis **focuses on deconstructing categories**. 3. The aestheticized (there are no universals) orientation is fused with a politicized (there is no final vocabulary) genre. There is both a rejection of cross-cultural and historical relevance and a sense of moral superiority about the correctness of the political views articulated. Cultural studies assumes the relevance and authority of its own interpretations while rejecting the possibility of any grand narrative. 4. Although profoundly politicized, Decorative Sociology has **no tenable or sustained political agenda**. To develop a detailed policy would be to take a position and **therefore challenge the commitment to relativism**. Instead of engaging with state politics, ornamentalism concentrates on the level of micro-politics, **thereby exacerbating the problem of its own relevance to politics or policy**

. In some ways it is a secular modern version of the antinomian tradition in religion and classical political economy. Antinomianism literally means 'against the law'. Although it is something of a generalization, we hold that, on the whole, the Anglo- American academic traditions of left-wing criticism have been uncomfortable with participation in any form of politically institutionalized power. Dissidence has been privileged over genuine collectivism. The approval that the left-wing intelligentsia generally gave to the policies of Clinton and Blair in opposition, has turned to fickle disenchantment with the realities of power once these politicians gained office. A weakness of the Anglo-American academic left is that it has been **happier criticizing policy than constructing and implementing alternatives**.

### AT: Alt – Wright

#### The alt’s all-or-nothing choice fails --- small reforms like the plan are key to institutional change and getting others to sign on to the alt

Erik Olin Wright 7, Vilas Distinguished Professor of Sociology at the University of Wisconsin, “Guidelines for Envisioning Real Utopias”, Soundings, April, www.ssc.wisc.edu/~wright/Published%20writing/Guidelines-soundings.pdf

5. Waystations¶ The final guideline for discussions of envisioning real utopias concerns the importance of waystations. The central problem of envisioning real utopias concerns the **viability of institutional alternatives** that embody emancipatory values, but the practical achievability of such institutional designs often **depends upon the existence of smaller steps**, intermediate institutional innovations **that move us in the right direction but only partially embody these values.** Institutional proposals which have an **all-or-nothing quality** to them are both **less likely to be adopted in the first place, and may pose more difficult transition-cost problems** if implemented. The catastrophic experience of Russia in the “shock therapy” approach to market reform is historical testimony to this problem.¶ Waystations are a difficult theoretical and practical problem because there are many instances in which partial reforms may have very different consequences than full- bodied changes. Consider the example of unconditional basic income. Suppose that a very limited, below-subsistence basic income was instituted: not enough to survive on, but a grant of income unconditionally given to everyone. One possibility is that this kind of basic income would act mainly as a subsidy to employers who pay very low wages, since now they could attract more workers even if they offered below poverty level¶ earnings. There may be good reasons to institute such wage subsidies, but they would not generate the positive effects of a UBI, and therefore might not function as a stepping stone.¶ What we ideally want, therefore, are **intermediate reforms** that have two main properties: first, they concretely **demonstrate the virtues of the fuller program of transformation, so they contribute to the ideological battle of convincing people that the alternative is credible and desirable;** and second, they **enhance the capacity for action of people**, increasing their ability to push further in the future. Waystations that increase popular participation and **bring people together in problem-solving deliberations** for collective purposes are particularly salient in this regard. This is what in the 1970s was called “nonreformist reforms”: reforms that are **possible within existing institutions** and that **pragmatically solve real problems** while at the same time **empowering people in ways which** **enlarge their scope of action in the future.**

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## Case

### AT: Iran Negotiations

#### Iran negotiations will fail---sanctions outweigh and Rouhani doesn’t matter

Fareed Zakaria 9/25, Washington Post/CNN Writer, "Can Rouhani or Obama deliver on any deal?", 2013, articles.washingtonpost.com/2013-09-25/opinions/42392666\_1\_nuclear-issue-revolutionary-guard-corps-iranophobia

I came away willing to believe that Rouhani is a pragmatist. (“Moderate” is a misleading term for the head of a quasi-theocratic regime.) He wants to end his country’s isolation. But it remains unclear whether he has the authority to act on behalf of his government. Consider what happened Tuesday, when the Iranians turned down a White House offer of a brief meeting with President Obama. Rouhani explained that he had no problem “in principle” with the handshake but said that this was a “sensitive issue” and that it would have been the first such meeting in 35 years, so steps have to be taken with proper preparation. One has to wonder: If Rouhani does not have the freedom to shake Obama’s hand, does he have the freedom to negotiate a nuclear deal?¶ The Tehran government has another side, made up of the Revolutionary Guard Corps, the special force whose political influence has grown over the past decade. These people are hawkish on all foreign-policy issues. They also profit from the sanctions because their businesses have become the only path for trade and smuggling. Perhaps the most encouraging news from Iran in the past two weeks was that its supreme leader, Ali Khamenei, publicly addressed the Guard and said its role was in national defense, not “policy.”¶ U.S. doubts about Rouhani’s power can be addressed only over time and through Iranian actions. But Iranians probably also have doubts — about Obama’s power. After all, the new Iranian president appears willing to cooperate on the nuclear issue in return for a relaxing of the sanctions crippling his country. But can Obama provide any such relief?¶ Iran has dozens of layers of sanctions arrayed against it. Some are based on U.N. Security Council resolutions, others are decisions by the European Union, others are acts of Congress and still others are executive orders by the U.S. president. Obama can unilaterally lift only the last, which are the least burdensome. The most onerous by far are the sanctions passed through acts of Congress, and those will be the most difficult to lift.¶ In theory, it’s possible to devise a rational process that requires concrete actions from Iran, verifiable checks by inspectors and then a reciprocal easing of sanctions by the United States. But that would require Congress to behave in a rational manner — which is a fantasy today. The most likely scenario is that any agreement with Iran — almost regardless of its content — would instantly be denounced by Republicans as selling out. Marco Rubio (R-Fla.) has already gathered 10 other senators who insist that, unless Iran dismantles most of its civilian nuclear program and becomes a liberal democracy, none of the sanctions can be eased.

### Predictions Work

#### Predictions are good enough---they can be based on specific knowledge and empirical data

Chernoff 9 Fred, Prof. IR and Dir. IR – Colgate U., European Journal of International Relations, “Conventionalism as an Adequate Basis for Policy-Relevant IR Theory”, 15:1, Sage

For these and other reasons, many social theorists and social scientists have come to the conclusion that prediction is impossible. Well-known IR reflexivists like Rick Ashley, Robert Cox, Rob Walker and Alex Wendt have attacked naturalism by emphasizing the interpretive nature of social theory. Ashley is explicit in his critique of prediction, as is Cox, who says quite simply, ‘It is impossible to predict the future’ (Ashley, 1986: 283; Cox, 1987: 139, cf. also 1987: 393). More recently, Heikki Patomäki has argued that ‘qualitative changes and emergence are possible, but predictions are not’ defective and that the latter two presuppose an unjustifiably narrow notion of ‘prediction’.14 A determined prediction sceptic may continue to hold that there is too great a degree of complexity of social relationships (which comprise ‘open systems’) to allow any prediction whatsoever. Two very simple examples may circumscribe and help to refute a radical variety of scepticism. First, we all make reliable social predictions and do so with great frequency. We can predict with high probability that a spouse, child or parent will react to certain well-known stimuli that we might supply, based on extensive past experience. More to the point of IR prediction – scepticism, we can imagine a young child in the UK who (perhaps at the cinema) (1) picks up a bit of 19th-century British imperial lore thus gaining a sense of the power of the crown, without knowing anything of current balances of power, (2) hears some stories about the US–UK invasion of Iraq in the context of the aim of advancing democracy, and (3) hears a bit about communist China and democratic Taiwan. Although the specific term ‘preventative strike’ might not enter into her lexicon, it is possible to imagine the child, whose knowledge is thus limited, thinking that if democratic Taiwan were threatened by China, the UK would (possibly or probably) launch a strike on China to protect it, much as the UK had done to help democracy in Iraq. In contrast to the child, readers of this journal and scholars who study the world more thoroughly have factual information (e.g. about the relative military and economic capabilities of the UK and China) and hold some cause-and-effect principles (such as that states do not usually initiate actions that leaders understand will have an extremely high probability of undercutting their power with almost no chances of success). Anyone who has adequate knowledge of world politics would predict that the UK will not launch a preventive attack against China. In the real world, China knows that for the next decade and well beyond the UK will not intervene militarily in its affairs. While Chinese leaders have to plan for many likely — and even a few somewhat unlikely — future possibilities, they do not have to plan for various implausible contingencies: they do not have to structure forces geared to defend against specifically UK forces and do not have to conduct diplomacy with the UK in a way that would be required if such an attack were a real possibility. Any rational decision-maker in China may use some cause-and-effect (probabilistic) principles along with knowledge of specific facts relating to the Sino-British relationship to predict (P2) that the UK will not land its forces on Chinese territory — even in the event of a war over Taiwan (that is, the probability is very close to zero). The statement P2 qualifies as a prediction based on DEF above and counts as knowledge for Chinese political and military decision-makers. A Chinese diplomat or military planner who would deny that theory-based prediction would have no basis to rule out extremely implausible predictions like P2 and would thus have to prepare for such unlikely contingencies as UK action against China. A reflexivist theorist sceptical of ‘prediction’ in IR might argue that the China example distorts the notion by using a trivial prediction and treating it as a meaningful one. But the critic’s temptation to dismiss its value stems precisely from the fact that it is so obviously

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true. The value to China of knowing that the UK is not a military threat is significant. The fact that, under current conditions, any plausible cause-and-effect understanding of IR that one might adopt would yield P2, that the ‘UK will not attack China’, does not diminish the value to China of knowing the UK does not pose a military threat. A critic might also argue that DEF and the China example allow non-scientific claims to count as predictions. But we note that while physics and chemistry offer precise ‘point predictions’, other natural sciences, such as seismology, genetics or meteorology, produce predictions that are often much less specific; that is, they describe the predicted ‘events’ in broader time frame and typically in probabilistic terms. We often find predictions about the probability, for example, of a seismic event in the form ‘some time in the next three years’ rather than ‘two years from next Monday at 11:17 am’. DEF includes approximate and probabilistic propositions as predictions and is thus able to catagorize as a prediction the former sort of statement, which is of a type that is often of great value to policy-makers. With the help of these ‘non-point predictions’ coming from the natural and the social sciences, leaders are able to choose the courses of action (e.g. more stringent earthquake-safety building codes, or procuring an additional carrier battle group) that are most likely to accomplish the leaders’ desired ends. So while ‘point predictions’ are not what political leaders require in most decision-making situations, critics of IR predictiveness often attack the predictive capacity of IR theory for its inability to deliver them. The critics thus **commit the straw man fallacy** by requiring a sort of prediction in IR (1) that few, if any, theorists claim to be able to offer, (2) that are not required by policy-makers for theory-based predictions to be valuable, and (3) that are not possible even in some natural sciences.15 The range of theorists included in ‘reflexivists’ here is very wide and it is possible to dissent from some of the general descriptions. From the point of view of the central argument of this article, there are two important features that should be rendered accurately. One is that reflexivists reject explanation–prediction symmetry, which allows them to pursue causal (or constitutive) explanation without any commitment to prediction. The second is that almost all share clear opposition to predictive social science.16 The reflexivist commitment to both of these conclusions should be evident from the foregoing discussion.

### AT: Soreanu

#### Soreanu WRONG Threats real – threat inflation would get our authors fired

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The underlying notion of “the security bureaucracies . . . looking for new enemies” is a threadbare concept that has somehow taken hold across the political spectrum, from the radical left (viz. Michael Klare [1981], who refers to a “threat bank”), to the liberal center (viz. Robert H. Johnson [1997], who dismisses most alleged “threats” as “improbable dangers”), to libertarians (viz. Ted Galen Carpenter [1992], Vice President for Foreign and Defense Policy of the Cato Institute, who wrote a book entitled A Search for Enemies). What is missing from most analysts’ claims of “threat inflation,” however, is a convincing theory of why, say, the American government significantly(not merely in excusable rhetoric) might magnify and even invent threats (and, more seriously, act on such inflated threat estimates). In a few places, Eland (2004, 185) suggests that such behavior might stem from military or national security bureaucrats’ attempts to enhance their personal status and organizational budgets, or even from the influence and dominance of “the military-industrial complex”; viz.: “Maintaining the empire and retaliating for the blowback from that empire keeps what President Eisenhower called the military-industrial complex fat and happy.” Or, in the same section:¶ In the nation’s capital, vested interests, such as the law enforcement bureaucracies . . . routinely take advantage of “crises”to satisfy parochial desires. Similarly, many corporations use crises to get pet projects— a.k.a. pork—funded by the government. And national security crises, because of people’s fears, are especially ripe opportunities to grab largesse. (Ibid., 182)¶ Thus, “bureaucratic-politics” theory, which once made several reputa- tions (such as those of Richard Neustadt, Morton Halperin, and Graham Allison) in defense-intellectual circles, and spawned an entire sub-industry within the field of international relations,5 is put into the service of dismissing putative security threats as imaginary. So, too, can a surprisingly cognate theory, “public choice,”6 which can be considered the right-wing analog of the “bureaucratic-politics” model, and is a preferred interpretation of governmental decision- making among libertarian observers. As Eland (2004, 203) summarizes:¶ Public-choice theory argues [that] the government itself can develop sepa- rate interests from its citizens. The government reflects the interests of powerful pressure groups and the interests of the bureaucracies and the bureaucrats in them. Although this problem occurs in both foreign and domestic policy, it may be more severe in foreign policy because citizens pay less attention to policies that affect them less directly.¶ There is, in this statement of public-choice theory, a certain ambiguity, and a certain degree of contradiction: Bureaucrats are supposedly, at the same time, subservient to societal interest groups and autonomous from society in general.¶ This journal has pioneered the argument that state autonomy is a likely consequence of the public’s ignorance of most areas of state activity (e.g., Somin 1998; DeCanio 2000a, 2000b, 2006, 2007; Ravenal 2000a). But state autonomy does not necessarily mean that bureaucrats substitute their own interests for those of what could be called the “national society” that they ostensibly serve. I have argued (Ravenal 2000a) that, precisely because of the public-ignorance and elite-expertise factors, and especially because the opportunities—at least for bureaucrats (a few notable post-government lobbyist cases nonwithstanding)—for lucrative self-dealing are stringently fewer in the defense and diplomatic areas of government than they are in some of the contract-dispensing and more under-the-radar-screen agencies of government, the “public-choice” imputation of self-dealing, rather than working toward the national interest (which, however may not be synonymous with the interests, perceived or expressed, of citizens!) is less likely to hold. In short, state autonomy is likely to mean, in the derivation of foreign policy, that “state elites” are using rational judgment, in insulation from self-promoting interest groups—about what strategies, forces, and weapons are required for national defense.¶ Ironically, “public choice”—not even a species of economics, but rather a kind of political interpretation—is not even about “public” choice, since, like the bureaucratic-politics model, it repudiates the very notion that bureaucrats make truly “public” choices; rather, they are held, axiomatically, to exhibit “rent-seeking” behavior, wherein they abuse their public positions in order to amass private gains, or at least to build personal empires within their ostensibly official niches. Such sub- rational models actually explain very little of what they purport to observe. Of course, there is some truth in them, regarding the “behavior” of some people, at some times, in some circumstances, under some conditions of incentive and motivation. But the factors that they posit operate mostly as constraints on the otherwise rational optimization of objectives that, if for no other reason than the playing out of official roles, transcends merely personal or parochial imperatives.¶ My treatment of “role” differs from that of the bureaucratic-politics theorists, whose model of the derivation of foreign policy depends heavily, and acknowledgedly, on a narrow and specific identification of the role- playing of organizationally situated individuals in a partly conflictual “pulling and hauling” process that “results in” some policy outcome. Even here, bureaucratic-politics theorists Graham Allison and Philip Zelikow (1999, 311) allow that “some players are not able to articulate [sic] the governmental politics game because their conception of their job does not legitimate such activity.” This is a crucial admission, and one that points— empirically—to the need for a broader and generic treatment of role.¶ Roles (all theorists state) give rise to “expectations” of performance. My point is that virtually every governmental role, and especially national-security roles, and particularly the roles of the uniformed mili- tary, embody expectations of devotion to the “national interest”; rational- ity in the derivation of policy at every functional level; and objectivity in the treatment of parameters, especially external parameters such as “threats” and the power and capabilities of other nations.¶ Sub-rational models (such as “public choice”) fail to take into account even a partial dedication to the “national” interest (or even the possibility that the national interest may be honestly misconceived in more paro- chial terms). In contrast, an official’s role connects the individual to the (state-level) process, and moderates the (perhaps otherwise) self-seeking impulses of the individual. Role-derived behavior tends to be formalized and codified; relatively transparent and at least peer-reviewed, so as to be consistent with expectations; surviving the particular individual and trans- mitted to successors and ancillaries; measured against a standard and thus corrigible; defined in terms of the performed function and therefore derived from the state function; and uncorrrupt, because personal cheating and even egregious aggrandizement are conspicuously discouraged.¶ My own direct observation suggests that defense decision-makers attempt to “frame” the structure of the problems that they try to solve on the basis of the most accurate intelligence. They make it their business to know where the threats come from. Thus, threats are not “socially constructed”

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(even though, of course, some values are).¶ A major reason for the rationality, and the objectivity, of the process is that much security planning is done, not in vaguely undefined circum- stances that offer scope for idiosyncratic, subjective behavior, but rather in structured and reviewed organizational frameworks. Non-rationalities (which are bad for understanding and prediction) tend to get filtered out. People are fired for presenting skewed analysis and for making bad predictions. This is because something important is riding on the causal analysis and the contingent prediction. For these reasons, “public choice” does not have the “feel” of reality to many critics who have participated in the structure of defense decision-making. In that structure, obvious, and even not-so-obvious,“rent-seeking” would not only be shameful; it would present a severe risk of career termination. And, as mentioned, the defense bureaucracy is hardly a productive place for truly talented rent-seekers to operatecompared to opportunities for personal profit in the commercial world. A bureaucrat’s very self-placement in these reaches of government testi- fies either to a sincere commitment to the national interest or to a lack of sufficient imagination to exploit opportunities for personal profit.

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### Reinhard

#### Impact is lashout and worse violence --- alt can’t solve because they don’t have a replacement for the Cartesian subject

**Reinhard 4** – Kenneth Reinhard, Professor of Jewish Studies at UCLA, 2004, “Towards a Political Theology- Of the Neighbor,” online: http://www.cjs.ucla.edu/Mellon/Towards\_Political\_Theology.pdf

If the concept of the political is defined, as Carl Schmitt does, in terms of the Enemy/Friend opposition, the world we find ourselves in today is one from which the political may have already disappeared, or at least has mutated into some strange new shape. **A world not anchored by the “us” and “them” binarisms** that flourished as recently as the Cold War is one **subject to radical instability**, both subjectively and politically, as Jacques Derrida points out in The Politics of Friendship: ¶ The effects of this destructuration would be countless: the ‘subject’ in question **would be looking for new reconstitutive enmities**; it would multiply ‘little **wars’ between nation-states**; it would sustain at any price so-called ethnic or **genocidal struggles**; it would seek to pose itself, to find repose, **through opposing still identifiable adversaries – China, Islam?** Enemies without which … it would lose its political being … without an enemy, and therefore without friends, where does one then find oneself, qua a self? (PF 77) ¶ If one accepts Schmitt’s account of the political, the disappearance of the enemy results in something like **global psychosis**: since the mirroring relationship between Us and Them provides a form of stability, albeit one based on projective identifications and repudiations, the loss of the enemy threatens to destroy what Lacan calls the “imaginary tripod” that props up the psychotic with a sort of pseudo-subjectivity, until something causes it to collapse, resulting in **full-blown delusions, hallucinations, and paranoia.** ¶Hence, for Schmitt, **a world without enemies is much more dangerous than one where one is surrounded by enemies**; as Derrida writes, **the disappearance of the enemy** opens the door for “an **unheard-of violence**, the evil of a malice knowing neither measure nor ground, an unleashing incommensurable in its **unprecedented** – therefore **monstrous** –forms; a **violence** in the face of which what is called hostility, war, conflict, enmity, cruelty, even hatred, would regain reassuring and ultimately appeasing contours, because they would be identifiable” (PF 83).

### Chandler

#### Only our theory can take into account contextual factors---their reductive understanding of war literally makes it a useless metaphor

David **Chandler 9**, Professor of International Relations at the Department of Politics and International Relations, University of Westminster, War Without End(s): Grounding the Discourse of `Global War', Security Dialogue 2009; 40; 243

In focusing on biopower as a means of critiquing universalist policy discourses of global security, critical theorists of global war from diverse fields such as security studies (Jabri, 2007), development (Duffield, 2007) or critical legal theory (Douzinas, 2007) are in danger of reducing their critique of war to abstract statements instrumentalizing war as a technique of global power. These are abstract critiques because the political stakes are never in question: instrumentality and the desire for regulation and control are assumed from the outset. In effect, the critical aspect is merely in the reproduction of the framework of Foucault – that liberal discourses can be deconstructed as an exercise of regulatory power. Without deconstructing the dominant framings of global security threats, critical theorists are in danger of reproducing Foucault’s framework of biopower as an ahistorical abstraction. Foucault (2007: 1) himself stated that his analysis of biopower was ‘not in any way a general theory of what power is. It is not a part or even the start of such a theory’, merely the study of the effects of liberal governance practices, which posit as their goal the interests of society – the population – rather than government.

In his recent attempt at a ground-clearing critique of Foucauldian international relations theorizing, Jan Selby (2007) poses the question of the problem of the translation of Foucault from a domestic to an international context. He argues that recasting the international sphere in terms of global liberal regimes of regulation is an accidental product of this move. This fails to appreciate the fact that many critical theorists appear to be drawn to Foucault precisely because drawing on his work enables them to critique the international order in these terms. Ironically, this ‘Foucauldian’ critique of ‘global wars’ has little to do with Foucault’s understanding or concerns, which revolved around extending Marx’s critique of the ‘freedoms’ of liberal modernity. In effect, the post-Foucauldians have a different goal: they desire to understand and to critique war and military intervention as a product of the regulatory coercive nature of liberalism. This project owes much to the work of Agamben and his focus on the regulation of ‘bare life’, where the concentration camp, the totalitarian state and (by extension) Guantánamo Bay are held to constitute a moral and political indictment of liberalism (Agamben, 1998: 4).

In these critical frameworks, global war is understood as the exercise of global aspirations for control, no longer mediated by the interstate competition that was central to traditional ‘realist’ framings of international relations. This less-mediated framework understands the interests and instrumental techniques of power in global terms. As power becomes understood in globalized terms, it becomes increasingly abstracted from any analysis of contemporary social relations

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: viewed in terms of neoliberal governance, liberal power or biopolitical domination. In this context, global war becomes little more than a metaphor for the operation of power. This war is a global one because, without clearly demarcated political subjects, the unmediated operation of regulatory power is held to construct a world that becomes, literally, one large concentration camp (Agamben, 1998: 171) where instrumental techniques of power can be exercised regardless of frameworks of rights or international law (Agamben, 2005: 87). For Julian Reid (2006: 124), the ‘global war on terror’ can be understood as an inevitable response to any forms of life that exist outside – and are therefore threatening to – liberal modernity, revealing liberal modernity itself to be ultimately a ‘terrorising project’ arraigned against the vitality of life itself. For Jabri, and other Foucauldian critics, the liberal peace can only mean ‘unending war’ to pacify, discipline and reconstruct the liberal subject:

### AT: Ontology

#### Ontology not first

Owen 2 [David Owen, Reader of Political Theory at the Univ. of Southampton, Millennium Vol 31 No 3 2002 p. 655-7]

Commenting on the ‘philosophical turn’ in IR, Wæver remarks that ‘[a] frenzy for words like “epistemology” and “ontology” often signals this philosophical turn’, although he goes on to comment that these terms are often used loosely.4 However, loosely deployed or not, it is clear that debates concerning ontology and epistemology play a central role in the contemporary IR theory wars. In one respect, this is unsurprising since it is a characteristic feature of the social sciences that periods of disciplinary disorientation involve recourse to reflection on the philosophical commitments of different theoretical approaches, and there is no doubt that such reflection can play a valuable role in making explicit the commitments that characterise (and help individuate) diverse theoretical positions. Yet, such a philosophical turn is not without its dangers and I will briefly mention three before turning to consider a confusion that has, I will suggest, helped to promote the IR theory wars by motivating this philosophical turn. The first danger with the philosophical turn is that it has an inbuilt tendency to prioritise issues of ontology and epistemology over explanatory and/or interpretive power as if the latter two were merely a simple function of the former. But while the explanatory and/or interpretive power of a theoretical account is not wholly independent of its ontological and/or epistemological commitments (otherwise criticism of these features would not be a criticism that had any value), it is by no means clear that it is, in contrast, wholly dependent on these philosophical commitments. Thus, for example, one need not be sympathetic to rational choice theory to recognise that it can provide powerful accounts of certain kinds of problems, such as the tragedy of the commons in which dilemmas of collective action are foregrounded. It may, of course, be the case that the advocates of rational choice theory cannot give a good account of why this type of theory is powerful in accounting for this class of problems (i.e., how it is that the relevant actors come to exhibit features in these circumstances that approximate the assumptions of rational choice theory) and, if this is the case, it is a philosophical weakness—but this does not undermine the point that, for a certain class of problems, rational choice theory may provide the best account available to us. In other words, while the critical judgement of theoretical accounts in terms of their ontological and/or epistemological sophistication is one kind of critical judgement, it is not the only or even necessarily the most important kind. The second danger run by the philosophical turn is that because prioritisation of ontology and epistemology promotes theory-construction from philosophical first principles, it cultivates a theory-driven rather than problem-driven approach to IR. Paraphrasing Ian Shapiro, the point can be put like this: since it is the case that there is always a plurality of possible true descriptions of a given action, event or phenomenon, the challenge is to decide which is the most apt in terms of getting a perspicuous grip on the action, event or phenomenon in question given the purposes of the inquiry; yet, from this standpoint, ‘theory-driven work is part of a reductionist program’ in that it ‘dictates always opting for the description that calls for the explanation that flows from the preferred model or theory’.5 The justification offered for this strategy rests on the mistaken belief that it is necessary for social science because general explanations are required to characterise the classes of phenomena studied in similar terms. However, as Shapiro points out, this is to misunderstand the enterprise of science since ‘whether there are general explanations for classes of phenomena is a question for social-scientific inquiry, not to be prejudged before conducting that inquiry’.6 Moreover, this strategy easily slips into the promotion of the pursuit of generality over that of empirical validity. The third danger is that the preceding two combine to encourage the formation of a particular image of disciplinary debate in IR—what might be called (only slightly tongue in cheek) ‘the Highlander view’—namely, an image of warring theoretical approaches with each, despite occasional temporary tactical alliances, dedicated to the strategic achievement of sovereignty over the disciplinary field. It encourages this view because the turn to, and prioritisation of, ontology and epistemology stimulates the idea that there can only be one theoretical approach which gets things right, namely, the theoretical approach that gets its ontology and epistemology right. This image feeds back into IR exacerbating the first and second dangers, and so a potentially vicious circle arises.