# 1nc

### 1

#### “Armed Forces” means the Army, Navy, Air Force, Marine Corps, and Coast Guard

US Code No Date – US Code, Cornell University Law School, Legal Information Institute, "10 USC 101 - Definitions" [www.law.cornell.edu/uscode/text/10/101](http://www.law.cornell.edu/uscode/text/10/101)

(4) The term “armed forces” means the Army, Navy, Air Force, Marine Corps, and Coast Guard.

#### That doesn't include contractors

BLC 12, Boston College Law Review, Restoring Constitutional Balance: Accommodating the Evolution of War”, November, 53 B.C. L. Rev 1767

Furthermore, the War Powers Resolution is limited to U.S. Armed Forces, and does not apply to the CIA or other civilians at war. n322 This gap was acknowledged at the time the Resolution was drafted. n323 The CIA and civilian contractors have since become a larger part of American war fighting. n324 In fact, during the 2011 conflict in Libya, there were reports of CIA personnel on the ground. n325 Yet, since they were not military personnel, the Resolution did not apply. n326

#### Vote neg ---

#### Including PMCs adds an entirely new component to the resolution based on restricting civilian policy---detracts focus away from core "War Powers" questions of the topic and makes adequate preround research impossible

### 2

#### Restrictions are prohibitions on action

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

#### Vote neg---

#### Ground---only prohibitions on particular authorities guarantee links to every core argument like flexibility and deference

#### Precision---only our interpretation defines “restrictions on authority”---that’s key to adequate preparation and policy analysis

### 3

#### Security renders lawfare a tool of violent biopolitical governance---the result is endless violence

John Morrissey 11, Lecturer in Political and Cultural Geography, National University of Ireland, Galway; has held visiting research fellowships at University College Cork, City University of New York, Virginia Tech and the University of Cambridge. Liberal Lawfare and Biopolitics: US Juridical Warfare in the War on Terror, Geopolitics, Volume 16, Issue 2, 2011

Security, not liberty: the ‘permanent emergency’ of the security society

The US military’s evident disdain for international law, indifference to the pain of ‘Others’ and endless justifying of its actions via the language of ‘emergency’ have prompted various authors to reflect on Giorgio Agamben’s work, in particular, on bare life and the state of exception in accounting for the functioning of US sovereign power in the contemporary world.111 Claudio Minca, for example, has used Agamben to attempt to lay bare US military power in the spaces of exception of the global war on terror; for Minca, “it is precisely the absence of a theory of space able to inscribe the spatialisation of exception that allows, today, such an enormous, unthinkable range of action to sovereign decision”.112 This critique speaks especially to the excessive sovereign violence of our times, all perpetrated in the name of a global war on terror.113 Minca’s argument is that geography as a discipline has failed to geo-graph and theorise the spatialization of the ‘pure’ sovereign violence of legitimated geopolitical action overseas. He uses the notion of the camp to outline the spatial manifestation and endgame of a new global biopolitical ‘nomos’ that has unprecedented power to except bare life.114

In the ‘biopolitical nomos’ of camps and prisons in the Middle East and elsewhere, managing detainees is an important element of the US military project. As CENTCOM Commander General John Abizaid made clear to the Senate Armed Services Committee in 2006, “an essential part of our combat operations in both Iraq and Afghanistan entails the need to detain enemy combatants and terrorists”.115 However, it is a mistake to characterize as ‘exceptional’ the US military’s broader biopolitical project in the war on terror. Both Minca’s and Agamben’s emphasis on the notion of ‘exception’ is most convincing when elucidating how the US military has dealt with the ‘threat’ of enemy combatants, rather than how it has planned for, legally securitized and enacted, its ‘own’ aggression against them. It does not account for the proactive juridical warfare of the US military in its forward deployment throughout the globe, which rigorously secures classified SOFAs with host nations and protects its armed personnel from transfer to the International Criminal Court. Far from designating a ‘space of exception’, the US does this to establish normative parameters in its exercise of legally sanctioned military violence and to maximize its ‘operational capacities of securitization’.

A bigger question, of course, is what the US military practices of lawfare and juridical securitization say about our contemporary moment. Are they essentially ‘exceptional’ in character, prompted by the so-called exceptional character of global terrorism today? Are they therefore enacted in ‘spaces of exceptions’ or are they, in fact, simply contemporary examples of Foucault’s ‘spaces of security’ that are neither exceptional nor indeed a departure from, or perversion of, liberal democracy? As Mark Neocleous so aptly puts it, has the “liberal project of ‘liberty’” not always been, in fact, a “project of security”?116 This ‘project of security’ has long invoked a powerful political dispositif of ‘executive powers’, typically registered as ‘emergency powers’, but, as Neocleous makes clear, of the permanent kind.117 For Neocleous, the pursuit of ‘security’ – and more specifically ‘capitalist security’ – marked the very emergence of liberal democracies, and continues to frame our contemporary world. In the West at least, that world may be endlessly registered as a liberal democracy defined by the ‘rule of law’, but, as Neocleous reminds us, the assumption that the law, decoupled from politics, acts as the ultimate safeguard of democracy is simply false – a key point affirmed by considering the US military’s extensive waging of liberal lawfare. As David Kennedy observes, the military lawyer who “carries the briefcase of rules and restrictions” has long been replaced by the lawyer who “participate[s] in discussions of strategy and tactics”.118

The US military’s liberal lawfare reveals how the rule of law is simply another securitization tactic in liberalism’s ‘pursuit of security’; a pursuit that paradoxically eliminates fundamental rights and freedoms in the ‘name of security’.119 This is a ‘liberalism’ defined by what Michael Dillon and Julian Reid see as a commitment to waging ‘biopolitical war’ for the securitization of life – ‘killing to make live’.120 And for Mark Neocleous, (neo)liberalism’s fetishization of ‘security’ – as both a discourse and a technique of government – has resulted in a world defined by anti-democratic technologies of power.121 In the case of the US military’s forward deployment on the frontiers of the war on terror – and its juridical tactics to secure biopolitical power thereat – this has been made possible by constant reference to a neoliberal ‘project of security’ registered in a language of ‘endless emergency’ to ‘secure’ the geopolitical and geoeconomic goals of US foreign policy.122 The US military’s continuous and indeed growing military footprint in the Middle East and elsewhere can be read as a ‘permanent emergency’,123 the new ‘normal’ in which geopolitical military interventionism and its concomitant biopolitical technologies of power are necessitated by the perennial political economic ‘need’ to securitize volatility and threat.

Conclusion: enabling biopolitical power in the age of securitization

“Law and force flow into one another. We make war in the shadow of law, and law in the shadow of force” – David Kennedy, Of War and Law 124

Can a focus on lawfare and biopolitics help us to critique our contemporary moment’s proliferation of practices of securitization – practices that appear to be primarily concerned with coding, quantifying, governing and anticipating life itself? In the context of US military’s war on terror, I have argued above that it can. If, as David Kennedy points out, the “emergence of a global economic and commercial order has amplified the role of background legal regulations as the strategic terrain for transnational activities of all sorts”, this also includes, of course, ‘warfare’; and for some time, the US military has recognized the “opportunities for creative strategy” made possible by proactively waging lawfare beyond the battlefield.125 As Walter Benjamin observed nearly a century ago, at the very heart of military violence is a “lawmaking character”.126 And it is this ‘lawmaking character’ that is integral to the biopolitical technologies of power that secure US geopolitics in our contemporary moment. US lawfare focuses “the attention of the world on this or that excess” whilst simultaneously arming “the most heinous human suffering in legal privilege”, redefining horrific violence as “collateral damage, self-defense, proportionality, or necessity”.127 It involves a mobilization of the law that is precisely channelled towards “evasion”, securing 23 classified Status of Forces Agreements and “offering at once the experience of safe ethical distance and careful pragmatic assessment, while parcelling out responsibility, attributing it, denying it – even sometimes embracing it – as a tactic of statecraft and war”.128

Since the inception of the war on terror, the US military has waged incessant lawfare to legally securitize, regulate and empower its ‘operational capacities’ in its multiples ‘spaces of security’ across the globe – whether that be at a US base in the Kyrgyz Republic or in combat in Iraq. I have sought to highlight here these tactics by demonstrating how the execution of US geopolitics relies upon a proactive legal-biopolitical securitization of US troops at the frontiers of the American ‘leasehold empire’. For the US military, legal-biopolitical apparatuses of security enable its geopolitical and geoeconomic projects of security on the ground; they plan for and legally condition the ‘milieux’ of military commanders; and in so doing they render operational the pivotal spaces of overseas intervention of contemporary US national security conceived in terms of ‘global governmentality’.129 In the US global war on terror, it is lawfare that facilitates what Foucault calls the “biopolitics of security” – when life itself becomes the “object of security”.130 For the US military, this involves the eliminating of threats to ‘life’, the creating of operational capabilities to ‘make live’ and the anticipating and management of life’s uncertain ‘future’.

Some of the most key contributions across the social sciences and humanities in recent years have divulged how discourses of ‘security’, ‘precarity’ and ‘risk’ function centrally in the governing dispositifs of our contemporary world.131 In a society of (in)security, such discourses have a profound power to invoke danger as “requiring extraordinary action”.132 In the ongoing war on terror, registers of emergency play pivotal roles in the justification of military securitization strategies, where ‘risk’, it seems, has become permanently binded to ‘securitization’. As Claudia Aradau and Rens Van Munster point out, the “perspective of risk management” seductively effects practices of military securitization to be seen as necessary, legitimate and indeed therapeutic.133 US tactics of liberal lawfare in the long war – the conditioning of the battlefield, the sanctioning of the privilege of violence, the regulating of the conduct of troops, the interpreting, negating and utilizing 24 of international law, and the securing of SOFAs – are vital security dispositifs of a broader ‘risk- securitization’ strategy involving the deployment of liberal technologies of biopower to “manage dangerous irruptions in the future”.134 It may well be fought beyond the battlefield in “a war of the pentagon rather than a war of the spear”,135 but it is lawfare that ultimately enables the ‘toxic combination’ of US geopolitics and biopolitics defining the current age of securitization.

#### Security politics are driven by a fundamental fear of alterity that create the enabling conditions for executive overreach and violence --- it’s try or die

Vivienne Jabri 6, Director of the Centre for International Relations and Senior Lecturer at the Department of War Studies, King’s College London, War, Security and the Liberal State, Security Dialogue, 37;47

LATE MODERN TRANSFORMATIONS are often conceived in terms of the sociopolitical and economic manifestations of change emergent from a globalized arena. What is less apparent is how late modernity as a distinct era has impacted upon our conceptions of the social sphere, our lived experience, and our reflections upon the discourses and institutions that form the taken-for-granted backdrop of the known and the knowable. The paradigmatic certainties of modernity – the state, citizenship, democratic space, humanity’s infinite capacity for progress, the defeat of dogma and the culmination of modernity’s apotheosis in the free-wheeling market place – have in the late modern era come face to face with uncertainty, unpre- dictability and the gradual erosion of the modern belief that we could indeed simply move on, assisted by science and technology, towards a condition where instrumental rationality would become the linchpin of government and human interaction irrespective of difference. Progress came to be associated with peace, and both were constitutively linked to the universal, the global, the human, and therefore the cosmopolitan. What shatters such illusions is the recollection of the 20th century as the ‘age of extremes’ (Hobsbawm, 1995), and the 21st as the age of the ever-present condition of war. While we might prefer a forgetting of things past, a therapeutic anamnesis that manages to reconfigure history, it is perhaps the continuities with the past that act as antidote to such righteous comforts.

How, then, do we begin to conceptualize war in conditions where distinctions disappear, where war is conceived, or indeed articulated in political discourse, in terms of peace and security, so that the political is somehow banished in the name of governmentalizing practices whose purview knows no bounds, whose remit is precisely the banishment of limits, of boundaries and distinctions. Boundaries, however, do not disappear. Rather, they become manifest in every instance of violence, every instance of control, every instance of practices targeted against a constructed other, the enemy within and without, the all-pervasive presence, the defences against which come to form the legitimizing tool of war.

Any scholarly take on the present juncture of history, any analysis of the dynamics of the present, must somehow render the narrative in measured tones, taking all factors into account, lest the narrator is accused of exaggeration at best and particular political affiliations at worst. When the late modern condition of the West, of the European arena, is one of camps, one of the detention of groups of people irrespective of their individual needs as migrants, one of the incarceration without due process of suspects, one of overwhelming police powers to stop, search and detain, one of indefinite detention in locations beyond law, one of invasion and occupation, then language itself is challenged in its efforts to contain the description of what is. The critical scholarly take on the present is then precisely to reveal the conditions of possibility in relation to how we got here, to unravel the enabling dynamics that led to the disappearance of distinctions between war and criminality, war and peace, war and security. When such distinctions disappear, impunity is the result, accountability shifts beyond sight, and violence comes to form the linchpin of control. We can reveal the operations of violence, but far more critical is the revelation of power and how power operates in the present. As the article argues, such an exploration raises fundamental questions relating to the relationship of power and violence, and their mutual interconnection in the complex interstices of disrupted time and space locations. Power and violence are hence separable analytical categories, separable practices; they are at the same time connected in ways that work on populations and on bodies – with violence often targeted against the latter so that the former are reigned in, governed. Where Michel Foucault sought, in his later writings, to distinguish between power and violence, to reveal the subtle workings of power, now, in the present, this article will venture, perhaps the distinction is no longer viable when we witness the indistinctions I highlight above

The article provides an analysis of the place of war in late modern politics. In particular, it concentrates on the implications of war for our conceptions of the liberty–security problematique in the context of the modern liberal state. The first section of the article argues the case for the figure of war as analyser of the present. The second section of the article reveals the con- ditions of possibility for a distinctly late modern mode of war and its imbri- cations in politics. The final section of the article concentrates on the political implications of the primacy of war in late modernity, and in particular on possibilities of dissent and articulations of political agency. The aim through- out is to provide the theoretical and conceptual tools that might begin to meet the challenges of the present and to open an agenda of research that concentrates on the politics of the present, the capacities or otherwise of contestation and accountability, and the institutional locations wherein such political agency might emerge.

The Figure of War and the Spectre of Security

The so-called war against terrorism is constructed as a global war, transcend- ing space and seemingly defiant of international conventions. It is dis- tinguished from previous global wars, including the first and the second world wars, in that the latter two have, in historiography, always been analysed as interstate confrontations, albeit ones that at certain times and in particular locations peripherally involved non-state militias. Such distinc- tions from the old, of course, will be subject to future historical narratives on the present confrontation and its various parameters. What is of interest in the present discussion is the distinctly global aspect of this war, for it is the globality1 of the war against terrorism that renders it particularly relevant and pertinent to investigations that are primarily interested in the relation- ship between war and politics, war and the political processes defining the modern state. The initial premise of the present article is that war, rather than being confined to its own time and space, permeates the normality of the political process, has, in other words, a defining influence on elements con- sidered to be constitutive of liberal democratic politics, including executive answerability, legislative scrutiny, a public sphere of discourse and inter- action, equal citizenship under the law and, to follow liberal thinkers such as Habermas, political legitimacy based on free and equal communicative practices underpinning social solidarity (Habermas, 1997). War disrupts these elements and is a time of crisis and emergency. A war that has a permanence to it clearly normalizes the exceptional, inscribing emergency into the daily routines of social and political life. While the elements of war – conflict, social fragmentation, exclusion – may run silently through the assemblages of control in liberal society (Deleuze, 1986), nevertheless the persistent iteration of war into politics brings these practices to the fore, and with them a call for a rethinking of war’s relationship to politics.

The distinctly global spatiality of this war suggests particular challenges that have direct impact on the liberal state, its obligations towards its citizenry, and the extent to which it is implicated in undermining its own political institutions. It would, however, be a mistake to assume that the practices involved in this global war are in any way anathema to the liberal state. The analysis provided here would argue that while it is crucial to acknowledge the transformative impact of the war against terrorism, it is equally as important to appreciate the continuities in social and political life that are the enabling conditions of this global war, forming its conditions of possibility. These enabling conditions are not just present or apparent at global level, but incorporate local practices that are deep-rooted and institu- tionalized. The mutually reinforcing relationship between global and local conditions renders this particular war distinctly all-pervasive, and poten- tially, in terms of implications, far more threatening to the spaces available for political contestation and dissent.

Contemporary global politics is dominated by what might be called a ‘matrix of war’2 constituted by a series of transnational practices that vari- ously target states, communities and individuals. These practices involve states as agents, bureaucracies of states and supranational organizations, quasi-official and private organizations recruited in the service of a global machine that is highly militarized and hence led by the United States, but that nevertheless incorporates within its workings various alliances that are always in flux. The crucial element in understanding the matrix of war is the notion of ‘practice’, for this captures the idea that any practice is not just situated in a system of enablements and constraints, but is itself constitutive of structural continuities, both discursive and institutional. As Paul Veyne (1997: 157) writes in relation to Foucault’s use of the term, ‘practice is not an agency (like the Freudian id) or a prime mover (like the relation of produc- tion), and moreover for Foucault, there is no agency nor any prime mover’. It is in this recursive sense that practices (of violence, exclusion, intimidation, control and so on) become structurated in the routines of institutions as well as lived experience (Jabri, 1996). To label the contemporary global war as a ‘war against terrorism’ confers upon these practices a certain legitimacy, suggesting that they are geared towards the elimination of a direct threat. While the threat of violence perpetrated by clandestine networks against civilians is all too real and requires state responses, many of these responses appear to assume a wide remit of operations – so wide that anyone interested in the liberties associated with the democratic state, or indeed the rights of individuals and communities, is called upon to unravel the implications of such practices.

When security becomes the overwhelming imperative of the democratic state, its legitimization is achieved both through a discourse of ‘balance’ between security and liberty and in terms of the ‘protection’ of liberty.3 The implications of the juxtaposition of security and liberty may be investigated either in terms of a discourse of ‘securitization’ (the power of speech acts to construct a threat juxtaposed with the power of professionals precisely to so construct)4 or, as argued in this article, in terms of a discourse of war. The grammars involved are closely related, and yet that of the latter is, para- doxically, the critical grammar, the grammar that highlights the workings of power and their imbrications with violence. What is missing from the securitization literature is an analytic of war, and it is this analytic that I want to foreground in this article.

The practices that I highlight above seem at first hand to constitute differ- ent response mechanisms in the face of what is deemed to be an emergency situation in the aftermath of the events of 11 September 2001. The invasion and occupation of Iraq, the incarceration without due process of prisoners in camps from Afghanistan to Guantánamo and other places as yet un- identified, the use of torture against detainees, extra-judicial assassination, the detention and deportation – again without due process – of foreign nationals deemed a threat, increasing restrictions on refugees, their confine- ment in camps and detention centres, the construction of the movement of peoples in security terms, and restrictions on civil liberties through domestic legislation in the UK, the USA and other European states are all represented in political discourse as necessary security measures geared towards the protection of society. All are at the same time institutional measures targeted against a particular other as enemy and source of danger.

It could be argued that the above practices remain unrelated and must hence be subject to different modes of analysis. To begin with, these practices involve different agents and are framed around different issues. Afghanistan and Iraq may be described as situations of war, and the incarceration of refugees as encompassing practices of security. However, what links these elements is not so much that they constitute a constructed taxonomy of dif- ferentiated practices. Rather, what links them is the element of antagonism directed against distinct and particular others. Such a perspective suggests that the politics of security, including the production of fear and a whole array of exclusionary measures, comes to service practices that constitute war and locates the discourse of war at the heart of politics, not just domes- tically, but, more crucially in the present context, globally. The implications for the late modern state and the distinctly liberal state are monumental, for a perpetual war on a global scale has implications for political structures and political agency, for our conceptions of citizenship and the role of the state in meeting the claims of its citizens,5 and for the workings of a public sphere that is increasingly global and hence increasingly multicultural.

The matrix of war is centrally constituted around the element of antago- nism, having an association with existential threat: the idea that the continued presence of the other constitutes a danger not just to the well-being of society but to its continued existence in the form familiar to its members, hence the relative ease with which European politicians speak of migrants of particular origins as forming a threat to the ‘idea of Europe’ and its Christian origins.6 Herein lies a discourse of cultural and racial exclusion based on a certain fear of the other. While the war against specific clandestine organiza- tions7 involves operations on both sides that may be conceptualized as a classical war of attrition, what I am referring to as the matrix of war is far more complex, for here we have a set of diffuse practices, violence, disci- plinarity and control that at one and same time target the other typified in cultural and racial terms and instantiate a wider remit of operations that impact upon society as a whole.

The practices of warfare taking place in the immediate aftermath of 11 September 2001 combine with societal processes, reflected in media representations and in the wider public sphere, where increasingly the source of threat, indeed the source of terror, is perceived as the cultural other, and specifically the other associated variously with Islam, the Middle East and South Asia. There is, then, a particularity to what Agamben (1995, 2004) calls the ‘state of exception’, a state not so much generalized and generalizable, but one that is experienced differently by different sectors of the global population. It is precisely this differential experience of the exception that draws attention to practices as diverse as the formulation of interrogation techniques by military intelligence in the Pentagon, to the recent provisions of counter-terrorism measures in the UK,8 to the legitimizing discourses surrounding the invasion of Iraq. All are practices that draw upon a discourse of legitimization based on prevention and pre-emption. Enemies constructed in the discourses of war are hence always potential, always abstract even when identified, and, in being so, always drawn widely and, in consequence, communally. There is, hence, a ‘profile’ to the state of exception and its experience. Practices that profile particular communities, including the citizens of European states, create particular challenges to the self-understanding of the liberal democratic state and its capacity, in the 21st century, to deal with difference.

While a number of measures undertaken in the name of security, such as proposals for the introduction of identity cards in the UK or increasing surveillance of financial transactions in the USA, might encompass the population as a whole, the politics of exception is marked by racial and cul- tural signification. Those targeted by exceptional measures are members of particular racial and cultural communities. The assumed threat that under- pins the measures highlighted above is one that is now openly associated variously with Islam as an ideology, Islam as a mode of religious identi- fication, Islam as a distinct mode of lifestyle and practice, and Islam as a particular brand associated with particular organizations that espouse some form of a return to an Islamic Caliphate. When practices are informed by a discourse of antagonism, no distinctions are made between these various forms of individual and communal identification. When communal profiling takes place, the distinction between, for example, the choice of a particular lifestyle and the choice of a particular organization disappears, and diversity within the profiled community is sacrificed in the name of some ‘pre- cautionary’ practice that targets all in the name of security.9 The practices and language of antagonism, when racially and culturally inscribed, place the onus of guilt onto the entire community so identified, so that its indi- vidual members can no longer simply be citizens of a secular, multicultural state, but are constituted in discourse as particular citizens, subjected to particular and hence exceptional practices. When the Minister of State for the UK Home Office states that members of the Muslim community should expect to be stopped by the police, she is simply expressing the condition of the present, which is that the Muslim community is particularly vulnerable to state scrutiny and invasive measures that do not apply to the rest of the citizenry.10 We know, too, that a distinctly racial profiling is taking place, so that those who are physically profiled are subjected to exceptional measures.

Even as the so-called war against terrorism recognizes no boundaries as limits to its practices – indeed, many of its practices occur at transnational, often indefinable, spaces – what is crucial to understand, however, is that this does not mean that boundaries are no longer constructed or that they do not impinge on the sphere of the political. The paradox of the current context is that while the war against terrorism in all its manifestations assumes a boundless arena, borders and boundaries are at the heart of its operations. The point to stress is that these boundaries and the exclusionist practices that sustain them are not coterminous with those of the state; rather, they could be said to be located and perpetually constructed upon the corporeality of those constructed as enemies, as threats to security. It is indeed the corporeal removal of such subjects that lies at the heart of what are constructed as counter-terrorist measures, typified in practices of direct war, in the use of torture, in extra-judicial incarceration and in judicially sanctioned detention. We might, then, ask if such measures constitute violence or relations of power, where, following Foucault, we assume that the former acts upon bodies with a view to injury, while the latter acts upon the actions of subjects and assumes, as Deleuze (1986: 70–93) suggests, a relation of forces and hence a subject who can act. What I want to argue here is that violence is imbricated in relations of power, is a mode of control, a technology of governmentality. When the population of Iraq is targeted through aerial bombardment, the consequence goes beyond injury and seeks the pacifica- tion of the Middle East as a political region.

When legislative and bureaucratic measures are put in place in the name of security, those targeted are categories of population. At the same time, the war against terrorism and the security discourses utilized in its legitimiza- tion are conducted and constructed in terms that imply the defence or protection of populations. One option is to limit policing, military and intel- ligence efforts through the targeting of particular organizations. However, it is the limitless construction of the war against terrorism, its targeting of particular racial and cultural communities, that is the source of the challenge presented to the liberal democratic state. In conditions constructed in terms of emergency, war permeates discourses on politics, so that these come to be subject to the restraints and imperatives of war and practices constituted in terms of the demands of security against an existential threat. The implications for liberal democratic politics and our conceptions of the modern state and its institutions are far-reaching,11 for the liberal democratic polity that considers itself in a state of perpetual war is also a state that is in a permanent state of mobilization, where every aspect of public life is geared towards combat against potential enemies, internal and external.

One of the most significant lessons we learn from Michel Foucault’s writ- ings is that war, or ‘the distant roar of battle’ (Foucault, 1977: 308), is never quite so distant from liberal governmentality. Conceived in Foucaultian terms, war and counter-terrorist measures come to be seen not as discontinuity from liberal government, but as emergent from the enabling conditions that liberal government and the modern state has historically set in place. On reading Foucault’s renditions on the emergence of the disciplinary society, what we see is the continuation of war in society and not, as in Hobbes and elsewhere in the history of thought, the idea that wars happen at the outskirts of society and its civil order. The disciplinary society is not simply an accumulation of institutional and bureaucratic procedures that permeate the everyday and the routine; rather, it has running through its interstices the constitutive elements of war as continuity, including confrontation, struggle and the corporeal removal of those deemed enemies of society. In Society Must Be Defended (Foucault, 2003) and the first volume of the History of Sexuality (Foucault, 1998), we see reference to the discursive and institutional continuities that structurate war in society. Reference to the ‘distant roar of battle’ suggests confrontation and struggle; it suggests the ever-present construction of threat accrued to the particular other; it suggests the immediacy of threat and the construction of fear of the enemy; and ultimately it calls for the corporeal removal of the enemy as source of threat. The analytic of war also encompasses the techniques of the military and their presence in the social sphere – in particular, the control and regulation of bodies, timed pre- cision and instrumentality that turn a war machine into an active and live killing machine. In the matrix of war, there is hence the level of discourse and the level of institutional practices; both are mutually implicating and mutually enabling. There is also the level of bodies and the level of population. In Foucault’s (1998: 152) terms: ‘the biological and the historical are not con- secutive to one another . . . but are bound together in an increasingly com- plex fashion in accordance with the development of the modern technologies of power that take life as their objective’.

What the above suggests is the idea of war as a continuity in social and political life. The matrix of war suggests both discursive and institutional practices, technologies that target bodies and populations, enacted in a complex array of locations. The critical moment of this form of analysis is to point out that war is not simply an isolated occurrence taking place as some form of interruption to an existing peaceful order. Rather, this peaceful order is imbricated with the elements of war, present as continuities in social and political life, elements that are deeply rooted and enabling of the actuality of war in its traditional battlefield sense. This implies a continuity of sorts between the disciplinary, the carceral and the violent manifestations of government.

#### Sovereignty is a western-construct that ignores alternate forms of political organization---SQ legal regimes not only inevitably fail to contain the aff’s impacts, but also result in a violent extermination of alterity

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During the phase of decolonization, borders became a crucial issue for postcolonial states. In most cases, the inherited borders were in large measure determined by geopolitical, economic, and administrative policies of colonial powers that had occupied these territories. Colonial claims were often carved up with little regard to the coherence of historic, cultural, and ethnic zones. As a result, historical and cultural units were split, and different cultures, religions, languages, identities, and affiliations were enclosed in demarcated territorial units. The connection between a people and their territory, assumed and prescribed by Eurocentric theories of the "nation-state," found no room in these configurations. These inherited colonial demarcations, reinforced by postcolonial states, often provoke challenge and resistance from below by assertions of identity and difference. Power-blocs of postcolonial formations, in an effort to legitimize their new-found hegemony, impose a firm control over the inherited borders to draw "sharper lines between citizens, invested with certain rights and duties, and 'aliens' or 'foreigners.'" n135 The [\*26] result is territorial disputes with adjacent polities and/or suppression of difference within, two intractable issues that quickly become the primary preoccupations of the postcolonial states. The career of the Durand Line is an evocative story of these intractable conflicts and the inability of existing legal regimes to resolve them.

 III. IMPERIAL GREAT GAMES AND DRAWING OF LINES

 What the map cuts up, the story cuts across. n136

 A. Great Game I: The Genesis of the "Buffer to a Buffer"

 The Durand Line emerged as an instrumentality in the so-called Great Game, n137 the contest between British colonial expansion in India and eastward colonial expansion of Czarist Russia, one that turned the intermediate region into "a cockpit of international rivalry." n138 During the nineteenth century, issues of frontiers, boundaries, and borders within the Persian Plateau as a geographical unit were contentious. n139 Imperial efforts to fix boundaries of control that conflicted with the practices and experience of native populations for whom frontiers were essentially mobile and porous, compounded these contentions. This mobility and porosity stemmed from the region's location at the junction of historic trade routes between China, India, Central Asia, Persia, and the Arab [\*27] world. n140 The Great Game was a contest, both overt and shadowy, over territory where different imperial orders came into volatile proximity. The conflicts turned on questions of territory, zones of influence, and spatial buffers.

 The British were unequivocal about their empire's need to have "scientific frontiers" that had to be demarcated under "European pressure and by the intervention of European agents." n141 Lord Curzon, the arch-imperialist and Viceroy of India, proposed a specific recipe for colonial India--a "threefold Frontier." n142 British imperial strategists were mindful of the simultaneous expansion of British and Russian empires in the heartland of Asia. A "frontier of separation" rather than a "frontier of contact" was to be the solution which led to the creation of protectorates, neutral zones, and buffers in between. n143 This policy of a "three-fold frontier" was choreographed and implemented in the northwest of colonial India. The first frontier, at the edge of directly controlled territory, enabled the colonial regime to exercise full authority and impose its legal and political order. The second frontier, just beyond the first, was a zone of indirect rule where colonial domination proceeded through existing institutions of social control. The third frontier was a string of buffer states which, while maintaining formal political autonomy and trappings of statehood, aligned foreign relations with the interests of the British.

 [\*28] Fig. 2: Contemplated Northwest Frontier of Colonial India n144

 The story of the Durand Line shows that colonial map-making simultaneously exhibits "both delusions of grandeur and delusions of engulfment." n145 Historically, the river Indus was seen as the western boundary of India. n146 The region west of the Indus and south of the Oxus river, was home to the dominant ethnic group of the region, the Pashtun, who have a recorded history going well before 500 B.C. n147 Located at the southern [\*29] edge of Central Asia and flanking the Chinese, Persian, and Indian empires, the Pashtun saw different phases of unity and fragmentation, along with Hindu, Buddhist, and Muslim cultural influences. Regional geopolitical maneuverings shaped the formation of the modern state of Afghanistan out of shards of rival tribal fiefdoms, ethnic loyalties, and shifting alliances and allegiances. n148 In 1747, as the Mughal and Persian empires were imploding, Ahmad Khan Durrani, a Pashtun military commander, took control of the region and created an Afghan tribal confederacy dominated by the Pashtuns, as a distinct political entity in the region--giving birth to what came to be called Afghanistan. n149 Given the circumstances of its emergence, Lord Curzon was to call the state "purely accidental." n150 The Durrani dynasty came to an end only in 1974, when Afghanistan became a republic.

 Just as Afghanistan was emerging as a unified political entity, the British East India Company established political control over the fertile delta [\*30] of Bengal in 1757, and began the process of colonizing India. n151 Over the next century, British colonial rule in India expanded westward. At the time, Russia's sense of its eastern border was "vague and protean, shaped by the constellation of power on its frontiers at any given moment." n152 Imperial Russia started to expand southwards and eastwards through the Caucasus, just when British colonial rule was expanding westward and northward in India. n153 Unavoidably, Central Asia, the zone of confluence of two expanding imperial empires, became the terrain of the Great Game. As the frontlines of two empires approached each other, the Great Game intensified. n154 To check Russia's growing presence in Central Asia in the early nineteenth century, the British aimed to turn Afghanistan into a "buffer state" governed by a compliant ruler. The "three fold frontier," that Curzon was later to articulate, n155 came into play.

 An internal struggle for the throne of Kabul in the 1830's gave the British their first opening to play kingmakers in Afghanistan. In June 1838, the British signed a secret agreement with Ranjit Singh, the Sikh ruler of Punjab, and Shah Shujah, a claimant to the Kabul throne. n156 In return for their help in putting him in power, Shujah renounced Afghan claims to Kashmir and substantial areas between the Indus river and the Khyber Pass in favor of Ranjit Singh and agreed to become an ally of the British in their struggle with Russia. This agreement triggered what mainstream history styles the First Afghan War, when a 21,000-strong British "Army of the Indus" invaded Afghanistan in 1839 and installed Shujah as the Amir. n157 The license to colonize and dominate granted by contemporaneous international law to the "Great Powers" of the day [\*31] proved useful. However, the initial British success proved short-lived--resistance against the occupation force and their puppet leader broke out, and in 1842 the deposed Amir, Dost Mohammad Kahn, was returned to power, and the British invasion force was decimated. n158

 During the subsequent twenty years, the British started to bring the region west of the Indus river under colonial rule. Occupation of the Punjab in 1849, until then an independent state, brought under British control traditionally Afghan areas up to the eastern end of the legendary Khyber Pass that Punjab had annexed before the First Afghan War. n159 In 1857, India erupted in an anti-colonial revolt ignited by a mutiny of the Bengal Army. The revolt proved to be a watershed moment in the history of colonial rule, and led to a reordering of the Punjab as the "sword arm of the Raj." n160 British forces finally suppressed the revolt, and the governance of colonial India passed from the East India Company to the Crown, but "British fears of rebellion, conspiracies, holy wars, and possible foreign provocation" heightened. n161 Through innovative colonial legal regimes, a "military-fiscal state" was turned into a "military state," the Bengal Army was disbanded, and a reconstituted Punjab began to serve as "the military bulwark of the Raj." n162 The British deployed a racist recruiting doctrine known as the "martial race theory," to raise a new "Indian Army," with over half of it recruited from the Punjab, to serve as the "Empire's 'fire brigade.'" n163 This army was to be "the iron fist in the velvet glove of [\*32] Victorian expansionism . . . the major coercive force behind the internationalization of industrial capitalism." n164

 As the pace of Russian eastward expansion picked up after the Crimean War (1854-56), the British "became obsessed with the Great Game," and the Punjab as "the garrison province of the Raj . . . [was] reoriented . . . to meet[] the challenge of an external danger." n165 The rapid transformation of the Punjab into a "garrison state" involved novel colonial legal orders of land tenure, revenue extraction, military recruitment, resettlement of indigenous communities, rural social control, and political governance. n166 Colonial social engineering included refashioning of religious affiliations, identities, and practices. n167 To orchestrate this enterprise, a suitable administrative system was fashioned for the Punjab that "in both form and spirit . . . had a strong military flavor." n168 A century later, this reconstruction of the Punjab became the grounds for "Punjabisation of the state" n169 of Pakistan, its praetorian tenor, and the source of its "post-independence propensity towards a military-dominated state." n170

 [\*33] British occupation and reordering of the Punjab in the middle of the nineteenth century produced the northwest border problem in the territories to the west of the river Indus that remains a source of conflict to this day. The northwest edge of this region, a great belt of mountains stretching over 1200 miles from Pamir to Persia, was home of scores of Pashtun tribes that had a long history of effective armed resistance against encroachers and of retaining their autonomy from the political orders around them. n171 Fierce resistance by these tribes started as soon as colonial rule came to their vicinity. n172 It was then that the British policy of creating a frontier zone between Afghanistan and colonial directly-administered areas came into force. n173 This so-called "close border" policy, also known as "masterly inactivity," provided that no further westward expansion of direct colonial rule was possible or warranted, and therefore British sovereignty should not be extended to areas and tribes that could not be subdued and governed effectively. n174 First implemented in Baluchistan and later further north, n175 the close border policy created a peculiar frontier zone--a narrow stretch of territory inhabited by Pashtun tribes maintaining their modes of self-governance, dotted with colonial military outposts, absent direct colonial administration, but discouraged from maintaining their traditional political relations with Afghanistan. Foothills at the edge of directly-administered "settled" areas were fortified to keep out the tribes, who, in exchange for monetary subsidies, were to keep access to military outposts open, and, in contravention to their tribal code, were to deny sanctuary to fugitives from the settled areas. n176 The system did not work well. The Pashtun tribes of the frontier zone remained restive, resulting in twenty-three British military operations between 1857 and 1881 to subdue them. n177

 A new British policy, initiated by the Disraeli government to build a new strategic line of defense against Russian pressure in Central Asia, led in 1876 to the abandonment of the "close border" policy in favor of the so-called "forward policy." n178 The new policy called for aggressive [\*34] expansion into and control over the frontier regions. Strong points in the tribal belt were to be captured, fortified, garrisoned, and connected with protected roads. This "forward policy," in its extreme, envisaged pushing the boundary as far west as the Hindu Kush mountain range in the middle of Afghanistan, with the Kabul-Ghazni-Kandahar arc forming the first line of defense for colonial India. n179 As the new policy unfolded, British meddling in Afghan and Persian affairs increased. n180 Decisions of a British Commission demarcating the disputed border between Afghanistan and Persia and permanent stationing of British garrisons nearby, heightened Afghan concerns about hostile encirclement. n181 The Afghans made overtures towards the Russians to counter-balance the growing British influence. n182 The result was the Second Afghan War, when, in November 1878, the British launched a three-pronged attack on Afghan territory. n183 The Amir abdicated in favor of his son. n184 The son then ceded control over the Khyber Pass and agreed to become a vassal of the British, who were to control the external relations of his country. n185 After some pacification campaigns around the country, the British troops withdrew from Afghanistan in 1880. n186 One result of the Second Afghan War was the institution of a joint Russo-British commission to determine the border between Russia and Afghanistan, with the latter to serve as a buffer between the two imperial empires. n187

 [\*35] Confronted with increasing demands for more concessions by the colonial government of India, in 1892, the Afghan Amir sought to visit Britain to negotiate directly with the British government. n188 The algebra of differentiated sovereignties came into play--British authorities refused his request, forcing him to negotiate with British colonial authorities in India. n189 The Amir yielded to British pressure to delineate Afghanistan's eastern boundary. n190 The British proceeded to "dictate a boundary settlement," n191 signed by the Amir and Henry Mortimer Durand, foreign secretary of British India, on 12 November 1893. n192 This agreement adjusted the "the eastern and southern frontier of His Highness's [the Amir's] dominions, from Wakhan to the Persian border." n193 The result was the Durand Line, which pushed colonial India's border with Afghanistan from the eastern foot of the frontier hills to their crest. n194 Curzon's dream of "scientific frontiers" demarcated under "European pressure and by the intervention of European agents," appeared to be coming true. n195

 The Durand Line proved more difficult to delineate on the ground than to draw on paper. n196 Initially surveyed in 1894-5, most of the demarcation was completed by 1896, though the section around the Khyber Pass was only demarcated after the Third Afghan War in 1921. n197 While some [\*36] inaccessible sections remained unmarked, the line created a strategic frontier that "did not correspond to any ethnic or historical boundary." n198 Slicing through tribes, villages, and clans, it "cut the Pukhtoon people in two." n199 The Pashtun tribes resisted attempts at demarcation, including, in some cases, burning down camps of the Boundary Commission. The British response was to station substantial permanent garrisons. n200 The Pashtuns remained restive, with religious leaders often playing leading roles in the insurgencies. n201

 In tune with the colonial project of reordering colonized bodies and spaces, in 1901, British authorities severed the "settled areas" of the northwest region under British control from the Punjab to form an evocatively named North-West Frontier Province ("NWFP"), though with a status not on par with other provinces. n202 Control over the tribal belt between the "settled areas" of NWFP and the Durand Line remained with the central government. The belt, now designated Federally Administered Tribal Area ("FATA"), was to serve as a "buffer to a buffer." n203 The legal order of colonial India did not extend to this zone and the tribes on the grounds that "[r]igour is inseparable from the government of such a people. We cannot rein wild horses with silken braids." n204 Tribes were to conduct their internal affairs under their customary norms. However, to supervise matters that touched the security interests of the British, a unique set of rules and procedures, draconian even by colonial standards, were enforced under the Frontier Crimes Regulation. n205 This created yet another "anomalous legal zones" n206 like others that came into existence in many European colonies. In the case of FATA, Pashtun tribes, "though not [] fully-fledged British subject[s] in the legal sense of the [\*37] term, lived within the territorial boundaries of India." n207 To facilitate such territorial arrangements within British colonies, the Parliament had established a process for outlying districts intended "to remove those districts from beyond the pale of the law." n208 Tribes on both sides of the Durand Line continued to disregard it, and incessant tribal resistance prompted successive punitive expeditions. Even the semblance of order broke down with the Third Afghan War of 1919, when Afghanistan declared war, an effort joined by FATA tribes and Pashtun troops who deserted the colonial forces. n209 This short war resulted in Afghanistan regaining control over its foreign affairs. n210 However, the FATA tribes remained restive, and colonial efforts to quell incessant revolts included the first use of aerial bombardment in the history of India, laying waste to the country where local tribes had supported the invasion. n211 The tribes maintained their traditional connections with Afghanistan while negotiating the new FATA dispensation.

 When the Indian struggle for decolonization gained momentum in the early 20th century, Pashtuns of "settled areas" quickly gravitated towards the movement. n212 The struggle forced the British to take initial steps towards allowing natives to participate in political governance in 1920 under the Montagu-Chelmsford "reforms," which envisaged an "advance towards self-government in stages." n213 The NWFP and FATA, however, were left out of the scheme on the grounds that, as the chief colonial administrator of the region put it, the Pashtuns "w[ere] not ready for ... 'responsible government." n214 In response, Pashtuns gave their anticolonial movement an organized form aimed at braiding "factors of history, geography, culture, and language to transform the relatively back-ward, [\*38] divided, and disorganized Pukhtuns into a national community." n215 This movement, which came to be known as Surkhposh (Red-shirts), expressly adopted non-violence as a foundational principle of social and political action and became politically allied with the Indian National Congress, the spearhead of India's independence movement. n216

 When India's anti-colonial struggle escalated into a civil-disobedience movement in the early 1930s, it had "only a marginal effect on the Punjab" thanks to the entrenched administrative, political, and social order in that "garrison province." n217 NWFP, on the other hand, proved receptive to the call, and in 1930 colonial authorities declared martial law in order to quell the civil-disobedience movement and to prevent armed tribes of FATA from making common cause with residents of the settled areas. n218 In 1935, the British enacted the Government of India Act in response to the ascending independence movement in India. n219 This Act provided for increased political participation through an enlarged franchise to elect provincial legislative assemblies with broadened powers. n220 When the first-ever elections took place in NWFP in 1937, the Indian National Congress, the secular nationalist party, won handily and formed the provincial government. n221 Because the 1935 Act was applicable only to provinces, FATA, the "buffer to a buffer," remained outside the ambit of constitutional reforms and the right to vote and representation. n222 The result was a spike in armed resistance in FATA, triggering more campaigns of "'pacification' by British and Indian troops." n223

 [\*39] In 1947, "the tectonic plates of South Asian politics shifted abruptly." n224 The British partitioned colonial India into two independent states--India and Pakistan--surgically dividing "Hindi majority" areas from "Muslim majority" ones, substantiating once again the wonderful artificiality of states, n225 and triggering "one of the great human convulsions of history." n226 That Pashtuns, while overwhelmingly Muslim, had consistently voted for the secular Indian National Congress and helped it form the provincial government in NWFP, struck the colonial Viceroy's office, which presided over the religion-based partition, as "a bastard situation." n227 To bring NWFP in line with the designed partition, the colonial authorities bypassed the generally prescribed process of allowing elected representatives of provinces in their respective legislative assemblies to determine the future of the province. A referendum to choose between India and Pakistan was offered instead. n228 Most Pashtuns, including both the "Red Shirts" and the governing political party of the province, boycotted the referendum in protest against NWFP having been made an exception to the prescribed process, and because the substitute process of referendum did not offer a third option, namely, separate independent statehood. n229 This demand for a separate state for the Pashtuns, styled Pashtunistan, emerged as the partition of India became [\*40] inevitable. n230 In the end, NWFP was awarded to Pakistan following a controversial referendum. n231 For FATA tribes, yet another mode to determine their fate was devised. In special tribal jirgas (tribal assemblies) orchestrated by the colonial administrators, hand-picked leaders of the FATA tribes were asked to signify their allegiance to Pakistan and received the assurance that monetary allowances and autonomous status of the tribes would continue undisturbed. n232

 Decolonization and the partition of India drew into sharp relief the contested status of the Durand Line, which now became a disputed matter between Afghanistan and Pakistan. n233 As soon as India was partitioned, Afghanistan renewed claims to the area between the Durand Line and the Indus. n234 In 1947, Afghanistan joined the demand for Pashtunistan, opposed Pakistan's admission to the United Nations, and later conditioned its recognition upon granting the right of self determination to the people of NWFP and FATA, who were caught in between. n235 "In 1949, an Afghan loya jirga [(grand tribal assembly) formally] declared the Durand Line invalid." n236 Thus, Pakistan started its postcolonial career as successor to a territorial dispute and with an ambivalent relationship with a section of the population located within its designated territorial bounds.

 B. Great Game II. The Cold War and the Frontline State

 The partition of India and inclusion of NWFP and FATA in Pakistan was, in no small measure, connected with the next phase of the Great Game--the Cold War. The British colonial authorities saw the partition of colonial India as offering the possibility to remain in the northwest [\*41] region "for an indefinite period ... [with] British control of the vulnerable North-Western . . . frontiers." n237 The northwest region was envisaged as "the most suitable area from which to conduct the defense" of oil supplies of the Middle East, and "the keystone of the strategic arc of the wide and vulnerable waters of the Indian Ocean." n238 As the importance of oil from the Persian Gulf increased, Western powers called for a "close accord between the States which surround this Muslim lake, an accord underwritten by the Great powers whose interests are engaged." n239 The Western world "went east in search of oil--and found Islam." n240 Pakistan, the only state in the modem world created in the name of Islam, was to now be turned into a frontline state of the Cold War, with the Durand Line to serve as the frontline.

 After cultivating close military ties with Britain and the U.S., Pakistan formally entered a Mutual Defense Agreement with the US and joined the Central Treaty Organization ("CENTO") in 1954 and the Southeast Asia Treaty Organization ("SEATO") a year later. n241 It is important to note that British military officers retained control of Pakistan's military, now seen as "the kingpin of U.S. interests," n242 for many years after decolonization. n243 Pakistan provided the U.S. with military bases in the NWFP. n244 All this helped Pakistan secure recognition by Britain n245 and [\*42] the U.S. n246 of the Durand Line as a legitimate international border. As Pakistan consolidated its role in the anti-Communist military alliances of the Cold War, Afghanistan drew closer to the Soviet Union, hardened its position about the Durand Line, and again raised the issues of self-determination for the Pashtuns in Pakistan and the formation of Pashtunistan. n247 In December, 1955, the Soviet Union declared support for the Afghan position regarding the Durand Line and Pashtunistan. n248

 Pakistan's assumption of the role as a frontline state in the Cold War had a profound impact on the political order within the country. This included ascendency of the military as a political force, derailment of constitutional governance, and centralization of political power in defiance of the federal architecture of the state. This turn to praetorianism had a direct impact on the NWFP and FATA. In 1954, the same year that Pakistan formalized its partisan role in the Cold War, a "gang of four" n249 representing the military-bureaucracy combine overturned the constitutional order in Pakistan, a step validated by a docile judiciary under the doctrine of state necessity. n250 The new order then moved to erase the separate existence of NWFP in 1955, when the bureaucratic-military combine ruling Pakistan amalgamated all four provinces of the western wing of the country into the so-called "One Unit." n251 FATA, however, retained its status as a distinct federally administered zone. Afghanistan reacted sharply to the dissolution of NWFP and accelerated its demand for Pashtunistan, leading to a break in diplomatic relations. n252 Trade blockades and border skirmishes followed. Relations remained seriously strained [\*43] until 1963, when the King of Afghanistan removed his prime minister, Sardar Daud, a Pastun and an ardent advocate of Pashtunistan. n253 In the meantime, strengthened and emboldened by its Cold War alliances, Pakistan's military formally usurped political power by declaring martial law in 1958, a move validated by the courts through a misapplication of Kelsen's theory of revolutionary legality. n254 In 1969, a mass-protest movement forced the removal of Pakistan's military dictator. The new government dissolved the "One Unit" and restored NWFP as a separate province. n255 FATA, however, retained its distinct dispensation.

 A serious downturn in relations between Afghanistan and Pakistan came in 1973, when Afghanistan declared itself a republic, and Sardar Daud, now its new president, revived the issue of Pashtunistan. n256 Pakistan immediately responded by giving sanctuary to Afghan dissidents and began training and arming disaffected Afghans to destabilize the new Afghan regime. n257 From 1973-77, Pakistan trained an estimated 5,000 Afghan militants and channeled material support to groups inside Afghanistan. n258 This was the beginning of Pakistan's prolonged engagement in training and arming Afghan militants professing the establishment of an "Islamic order." n259 This also ushered in an era when the FATA, the "buffer to a buffer," became the staging ground for Pakistani military's involvement in Afghan militants' operation across the Durand Line with its intelligence agency Inter Services Intelligence ("ISI") taking the lead. n260 It is important to note that this engagement was choreographed by Pakistan's Prime Minister Z. A. Bhutto, a self-professed master of [\*44] geopolitics, who held that "geography continues to remain the most important single factor in the formation of a country's foreign policy . . . . Territorial disputes . . . are the most important of all disputes." n261 This was by no means the first instance of the use of FATA by Pakistan in its military strategies. As early as 1948, Pakistan had used sections of the FATA tribes in its campaigns in Kashmir. n262

 The Soviet invasion of Afghanistan in 1979 dramatically accelerated the decline of Afghan-Pakistan relations. During the 1979-84 Afghan "jihad," FATA served as a "launching pad for the mujahidin" and as a "base for their covert operation[s]." n263 The U.S. and Saudi Arabia poured in $ 7.2 billion in covert aid for the jihad, channeled through the ISI, and given primarily to the most radical religious groupings, thus bypassing the moderate Afghan nationalists. n264 The Afghan jihad furnished a justification for the tacit support by Western powers for the consolidation of military dictatorship in Pakistan under General Zia ul-Haq, a development that initiated and entrenched the process of "Islamization" of Pakistan. n265 After the Geneva Accord of 1984 to end the Afghan conflict, and subsequent withdrawal of Soviet forces, Afghanistan plunged into a civil war, with Pakistan and other regional powers supporting different factions. n266 The relative disengagement of the U.S. during this period is now seen by the American policy makers as a "strategic mistake." n267

 FATA continued to be used by the ISI and Afghan Islamist groups for their engagements in the Afghan civil war. By now, Pakistan's military had developed the so-called doctrine of "strategic depth" with regards to Afghanistan, because it regarded India to the east as the primary military [\*45] threat to Pakistan's interests. n268 In order to counter India, Pakistan, given its significantly smaller territorial size, sought a compliant Afghanistan on its western border. It was against this backdrop that Pakistan in effect created the Taliban in the early 1990s, a development that dramatically affected the Afghan civil war and, later on, the whole region. n269 Pakistan's military saw continued support for the Taliban as a strategic imperative. n270 Pakistan's desire to open trade routes to former Soviet Central Asian republics contributed to its patronage of the Taliban in Afghanistan. n271 Having helped the Taliban capture power in Afghanistan in 1996, Pakistan was among the handful of states that quickly recognized the new regime, and for some time even paid the salaries of the Taliban administration in Kabul. n272 Pakistan's search for "strategic depth," however, remained elusive. While Afghanistan is a multi-ethnic country, the Taliban were exclusively Pashtuns, who make up over 50% of the country's population. n273 Consequently, Pakistan's patronage notwithstanding, the radical Islamic regime of the Taliban refused to accept the Durand Line as a legitimate international border or to drop Afghan claims over FATA and areas of NWFP east of the Line. n274

 [\*46] Taliban's brutal political and social order n275 did not derail global geopolitics of energy supplies, when all neighboring states and many others, including the U.S., started "romancing the Taliban" during a "battle for pipelines" in the late 1990s. n276 By the late twentieth century, global capital and its attendant state machinations had moved well beyond territorial colonialism to neo-imperial modes of exploitation and accumulation. n277 The spatial dimension to the cycle of accumulation, however, remained indispensable. n278 This is particularly true of the geopolitical imperatives of the global energy markets. n279 The break-up of the Soviet Union triggered an intense competition between global oil companies and their sponsoring states, including the U.S. and Pakistan, to extract and transport oil and gas from Central Asia via Afghanistan. n280 In immediate contention were two plans for alternative gas pipelines from Turkmenistan to run through Afghanistan: one would go to Pakistan, and the other would go to Iran and Turkey with a possible link to Europe. Alternatives to transport oil from Kazakhstan via the Caspian Sea further complicated the picture. n281

 The events of September 11, 2001, dramatically transformed the geopolitical profile of the region. The very next day the U.S. demanded that Pakistan stop terrorist operatives in its border areas or "be prepared to be bombed back to the Stone Age." n282 Pakistan made its decision "swiftly . . . [\*47] [and] agreed to all . . . demands," n283 also making available airbases and transit facilities for supplies for U.S. forces in Afghanistan. n284 However, Pakistan's military continued its special relations with the Taliban across the Durand Line in Afghanistan. When the U.S. launched its attack on Afghanistan, the Taliban "escaped in droves into Pakistan, where they melted into their fellow tribesmen in the FATA." n285 After the now infamous "battle of Tora Bora," n286 Pakistani authorities "looked the other way as foreign fighters crossed over to the Pakistani side and many in the ISI arranged safe passage[s]." n287 In collaboration with ISI, the borderlands became a "safe haven for the Taliban and other insurgent and terrorist elements." n288 FATA, long a sanctuary for fugitives from state law, n289 now became a sanctuary and staging ground for Afghan militants resisting the U.S.-led war effort in Afghanistan. n290

 As Pakistan's active support of U.S. war efforts increased, Afghan militants made common cause with religious militants among the Pashtun tribes of FATA. n291 Pakistan's military, designed for conventional warfare on its eastern border with India, was "ill-prepared to tackle this new kind of . . . conflict that slipped across its western border." n292 As a result, Pakistan vacillated between military operations against the militants and peace deals with them. n293 In the meantime, militants started to extend their area of influence beyond FATA, the "buffer to a buffer," into [\*48] NWFP and beyond. n294 In the midst of all this, Pakistan stood firm that the Durand Line be recognized and respected as an international border, while its military considered Afghanistan "within Pakistan's security perimeter." n295 On the other hand, Afghanistan continued to reject the Durand Line because "it has raised a wall between the two brothers." n296

 This story of the Durand Line is a more than century-long saga of predatory colonialism, postcolonial insecurities, and incessant conflict. This is a tale of colonial cartography bequeathed to a postcolonial formation, bringing in its wake bitter fruits of oppression, violence, and war. This leads to the broader questions of the challenges colonial borders present to postcolonial states and the role of international law.

 IV. COLONIAL BORDERS AND POSTCOLONIAL INSECURITIES

 Every established order tends to produce . . . the naturalization of its own arbitrariness. n297

 A. Inherited Borders and Postcolonial State-nations

 Forged on the anvil of modern European history and enshrined in modern international law, modern statehood and sovereignty are deemed the preserve of differentiated "nations" existing within exclusive and defined territories. While "the struggle to produce citizens out of recalcitrant people accounts for much of what passes for history in modern times," n298 the prototype of the "nation-state" combines a singular national [\*49] identity with state sovereignty, understood as the territorial organization of unshared political authority. "The territoriality of the nation-state" seeks to "impose supreme epistemic control in creating the citizen-subject out of the individual." n299 "Inventing boundaries" n300 and "imagining communities" n301 work together "to naturalize the fiction of citizenship." n302 Modem international law underscores this schema. It extends recognition only to the national form, with acceptance attached to the ability to hold territory in tune with "Western patterns of political organization." n303 As a result, the "nation-state" is the dominant model of organized sovereignty today. This spatially bounded construct, one that frames both the geography of actualizing self-determination and the order of the resulting political unit, put in circulation a "territorialist epistemology." n304 Postcolonial formations had to subscribe to this Eurocentric grammar of state-formation to secure eligibility in the inter-state legal order. n305 This statist frame precludes imaginative flowerings of self-determination in tune with the interests and aspirations of diverse communities both within and beyond received colonial boundaries.

 Across the global South, colonial demarcations of zones of control and influence left in their wake political units lacking correspondence between [\*50] their territorial frame and the cohesion of culture and political identity. n306 The colonial demarcations, with little regard for the history, culture, or geography of the region, often split cultural units or placed divergent cultural identities within a common boundary. n307 As a consequence, the crisis of the postcolonial state stems from its artificial boundaries and the specter of the colonial still haunt the postcolonial nation. n308 The "retrospective illusion" n309 of nationalism remains "suspended forever in the space between the ex-colony and not-yet-nation." n310 Decolonization movements and postcolonial states adopted and retained the construct [\*51] of a territorially bound "nation-state" even as they attempted to imagine the "nation" at variance from its European iterations. n311 Imprisoned in inherited colonial territorial cartographies, postcolonial formations inverted this grammar to produce state-nations. While conventional understanding assumes a preexisting nation that subsequently forms a state, post-colonial formations start with a territorial state that aims to constitute a homogenized nation.

 Building state-nations generates conflicts about minorities, ethnicities, ethno-nationalism, separatism, and sub-state nationalism. "[T]he nation dreads dissent" n312 and "the nation-state's limits implicate its geographic peripheries as central to its self-fashioning." n313 In the process, a co-constitutive role of "nation and ethnicity" develops as a "productive and dialectical dyad." n314 It is by the construction of ethnicity as a "problem" that the "nation" becomes the resolution and the state incarnates itself as the authoritative problem solver. In this way often "the very micropolitics of producing the nation are responsible for its unmaking or unraveling." n315 Incessant rhetoric of endangerment and discursive production of threats to the nation render "nation-building" a coercive enterprise and facilitate the overdevelopment of the coercive apparatuses of the state. n316 While inherited boundaries represent the postcolonial state-nation's "geo-body," n317 cultural and ethnic heterogeneity within induces "geopiety." n318 It is no surprise, then, that most postcolonial states have as their raison d'etre the production, maintenance, and reproduction of the discourses and apparatuses of national security. n319 The career of Pakistan as [\*52] a postcolonial state circumscribed within an inherited territorial frame substantiates this political grammar.

 Fig 3. Major Ethno-Linguistic Groups of Pakistan in relation to international boundaries of the region n320

 Pakistan, hailed as "the triumph of ideology over geography," n321 is literally caught and exists between lines drawn by colonial powers--the Durand Line (1893) in the northwest, the Goldsmid Line (1872) to the west, the Radcliffe Line (1947) in the east, and the MacMahon Line (1904) to the north. n322 For good measure, in the northeast, a Line of Control, [\*53] "a sequence of ellipses" "[d]rawn and redrawn by battles and treaties . . . identifiable by traces of blood, bullets, watchtowers, and ghost settlements left from recurring wars," n323 provisionally divides Kashmir into areas held by India and Pakistan. n324 The "state-building" and "nation-building" saga that unfolded between these lines since 1947 has produced what is variously characterized as the "viceregal system," n325 the "overdeveloped state," n326 the "hyper-extended state," n327 and the "praetorian" state. n328 In efforts to constitute a state-nation, coercion always outweighed persuasion in claims of domination, in tune with a political grammar set in place by colonial rule. n329 The project of "conjuring Pakistan," n330 that would envelop ethnic, linguistic, and cultural differences within inherited borders, necessitated deployment of "security as hegemony." n331 Festering territorial disputes with neighboring states furnished the primary justification for the military to consume a disproportionate [\*54] share of resources and to play a leading ideological and political role. n332 Denial of representation, suppression of federalism, and destruction of alterity are the hallmarks of the state since its inception. As successor to the colonial "garrison state" in the Punjab, a Punjab-centered military-bureaucracy oligarchy retains a dominant position in the ruling bloc. n333 Denial of equal citizenship to the people of the provinces of Balochistan, East Bengal, NWFP, and Sind--even when they constituted the majority of the population--remains a defining feature of the state. Dissent and resistance were squelched by unbridled state violence, including repeated military actions--the most infamous being the one in 1971 that prompted the eastern wing of Pakistan to break off and establish a separate state of Bangladesh. n334 Phases of coups d'etat, martial laws, abrogation of constitutions, and declarations of emergency rule constitute the "constitutional" history of the country. A docile judiciary serially deployed doctrines of "state necessity," "revolutionary legality," "constitutional deviation," and de facto power to furnish legitimacy to repressive orders. n335

 In building a postcolonial state-nation, the FATA, the colonial "buffer to a buffer," retained its special status--approximating spaces of exception as invoked by Giorgio Agamben. n336 Today, FATA is "a Massachusetts-sized [\*55] wedge between Afghanistan and NWFP of Pakistan," with a population of about 4 million, "virtually all of whom are Pashtuns." n337 Since 1901, this zone has been governed by a unique colonial-era administrative and judicial order--an indirect rule that combines modern technologies of power with instrumental use of customary norms and traditional power structures. n338 The colonial design aimed to govern through selected tribal notables who would be loyal to the British in exchange for fixed monetary allowances. No taxes would be levied on the tribes, who would be left alone to manage their internal affairs through the customary Pakhtunwali code in their tribal jirgas, which has been characterized as "probably the closest thing to Athenian democracy that has existed since the original." n339 However, any matter that implicated the security [\*56] interests of colonial authorities was to be handled by a parallel system--a hybrid construct that retains the name jirga, but empties it of any semblance to "Athenian democracy" to make room for a process and a set of sanctions designed for harsh control and violent discipline to facilitate external domination. n340 This system took the shape of the Frontier Crimes Regulation ("FCR"), originally formulated in 1858, and amended in 1872 and 1901, turning FATA into a constitutional and legal anomaly. n341 Decolonization did not bring any change. Since 1947, FATA is formally a part of Pakistan. n342 However FCR remains entrenched, and sets the FATA tribes apart from and unequal to other citizens of the country. n343

 To enable this state and space of exception, Pakistan's constitution reposes all executive and legislative authority for FATA in the President of Pakistan, who is given the authority to exercise his powers regarding FATA "as he may deem necessary." n344 Parliamentary enactments do not apply to FATA, unless the President so directs. n345 FATA is placed outside the jurisdiction of the Supreme Court and High Courts that otherwise have extensive powers to guarantee fundamental rights. n346 The Supreme [\*57] Court has recognized these "special provisions" for the area "so that their inhabitants are governed by laws and customs with which they are familiar and which suit their genius." n347

 The FATA itself stands divided into 7 administrative units styled "agencies." An evocatively titled "Political Agent" ("PA"), appointed in each agency by the federal government and backed by a para-military militia, is the locus of Pakistan's authority. Besides exercising extensive executive, judicial, and revenue powers, the PA is also each agency's development administrator. n348 He is assisted by maliks, paid intermediaries from among tribal elders, who are appointed and removed at his discretion. n349 Maintenance of order and suppression of crime are deemed the PA's primary responsibilities. n350 The PA is authorized to dispose of any civil or criminal matter at his discretion. n351 The PA may decide the matter himself, or refer it to a tribal jirga, consisting of tribal maliks chosen by the PA. The PA initiates cases, appoints the jirga, presides over trials, and the final decision is subject to his discretion. n352 The jirga is supposed to decide the matter under FCR, supplemented by customary tribal norms. n353 The PA retains the discretion to sentence the accused as determined by the jirga, refer the matter back to the jirga, or appoint a new jirga. n354 The determinations of the PA are not subject to review by any court of law. n355 The process is that of an inquiry rather than presentation [\*58] of evidence and cross examination. Assistance of counsel is prohibited. n356

 Draconian sanctions under the FCR, executed at the discretion of the PA, include: detention and imprisonment to prevent crime or sedition; requiring "a person to execute a bond for good behavior or for keeping the peace;" expulsion from the agency of "dangerous fanatics" and those involved in blood feuds; removal or prevention of settlements close to the border; demolition of buildings used for "criminal purposes;" collective punishment of fines and blockade; and the "right to cause the death of a person" on suspicion of intent to use arms to evade arrest. n357 The federal agency charged with overseeing FATA considers FCR an "effective 'iron-hand'" whose withdrawal would create an "administrative vacuum." n358

 In 1962, under a design of limited franchise, an electoral college of 35,000 tribal maliks, appointed by the PA, selected representatives to the national parliament. n359 In 1996, direct election of representatives was introduced, though "politics and political parties are curse words in official circles." n360 Because the law prohibits political parties from extending their activities in FATA, only "non-party/independent" representatives can be elected. This makes for a unique political anomaly: FATA residents elect representatives to a legislature whose legislation does not extend to FATA. FATA also suffers from abysmal levels of poverty, illiteracy, and lack of health care. n361 Analysts find FATA "a virtual prison for public-spirited and reform-minded individuals. Dissenting voices are quickly dubbed anti-state and silenced by imprisonment." n362 State functionaries, however, claim that the system in place for over a hundred years "suits the genius of the people and has stood the test of time." n363 It is more appropriate to characterize FATA as a zone where bodies and [\*59] spaces are placed on the other side of universality, a "moral and legal no man's land, where universality finds its spatial limits." n364

 FATA, admittedly an extreme case, is symptomatic of the problem of reconciling territorial straitjackets with the principle of self-determination. n365 For the territorial state, self-determination has always been a concept "loaded with dynamite." n366 In postcolonial formations, its explosive potential increases. The primary problem is not how to determine identities and desires of a people eligible for self-determination; n367 the problem, rather, is how to reconcile realization of this right with existing territorial configurations. The unresolved questions surrounding the Durand Line, FATA, and Pashtun political identity persist because their resolution is sought within a territorial "nation-state." Nesiah terms the imprisonment of postcolonial polities within modern territorial constructs of statehood "failures of the imagination." n368 A major hurdle in breaking free of this imprisonment is international law itself.

 B. International Law and the Territorial Straitjacket

 For many a postcolonial "contrived state" n369 the crisis of identity and security "lies in its 'artificiality."' n370 International law enforces the territorially-bound grammar of the "nation-state" upon postcolonial formations plagued by cartographicc anxiety inscribed into [their] very genetic code," n371 through the doctrine of uti possidetis. Based on a maxim of Roman law, the doctrine of uti possidetis ita possidetis (as you possess, so you possess), treats the acquisition and possession of a state's territory as given, with no territorial adjustments allowable without the consent of the currently occupying parties. n372 Applied to international [\*60] borders, it favors actual possession irrespective of how it was achieved, assumes that valid title belongs to current possessor, and does not seek to differentiate between the de facto and de jure possession. n373 By recognizing legitimate title to de facto territorial holdings, it becomes an instrument to maintain the status quo and impedes imaginative resolutions of territorial conflicts.

 The doctrine of uti possidetis was formulated in connection with colonialism in Latin America in the early nineteenth century when Spanish colonies agreed to apply the principle both in their frontier disputes with each other and in those with Brazil. n374 During the decolonization era of the twentieth century, this norm was extended to the withdrawal of colonial powers from Asia and Africa. n375 The principle mandated that "new States . . . come to independence with the same borders that they had when they were administrative units within the territory or territories of one colonial power." n376 This froze colonial boundaries and presented a challenge to postcolonial formations to imagine and manage a "nation" and "national identity" in the heterogeneity contained within inherited boundaries. n377 In some instances, particularly in Africa, this attempt failed completely and ended in genocide and/or fracturing of the state. n378

 [\*61] The ICJ n379 and international tribunals n380 were quick to put their imprimatur on the doctrine of uti possidetis and its application to postcolonial states. The ICJ has designated it "a general principle, which is logically connected with the phenomenon of [] obtaining [] independence, wherever it occurs." n381 The ICJ went on to state that "[i]ts obvious purpose is to prevent the independence and stability of new States being endangered by fratricidal struggles provoked by the challenging of frontiers following the withdrawal of the administering power." n382 The bottom line is that through "application of the principle of uti possidetis," colonial "administrative boundaries" are "upgraded" and "transformed into international frontiers in the full sense of the term." n383

 The ICJ acknowledged that by giving fixity and legitimacy to colonial boundaries, the principle uti possidetis "at first sight . . . conflicts outright with another one, the right of peoples to self-determination." n384 In [\*62] the face of this dilemma, the ICJ fell back on pragmatism to claim that "maintenance of the territorial status quo" is essential to "preserve what has been achieved by peoples who have struggled for their independence." n385 The Court sought support for this claim with a gesture toward the practice of post-colonial states:

 [t]he essential requirement of stability in order to survive, to develop and gradually to consolidate their independence in all fields, has induced African States judiciously to consent to the respecting of colonial frontiers, and to take account of it in the interpretation of the principle of self-determination. n386

 Here Nesiah rightly sees a "double bind" infecting the Court as it is committed to decolonization but "[t]erritorial integrity emerges here as a statist spatial representation intelligible to international law, and posited as indispensable to the self-determination of the postcolony." n387

 As the saga of the Durand Line shows, colonial frontiers, boundaries, and borders fluctuated over time. This raises the question of the exact territorial bounds of postcolonial states. The ICJ injected an unequivocal temporal cut-off in this historically ambivalent temporal and spatial issue, by holding that:

 [U]ti possidetis--applies to the new State (as a State) not with retroactive effect, but immediately and from that moment onwards. It applies to the State as it is, i.e., to the photograph of the territorial situation then existing. The principle of uti posidetis freezes the territorial title; it stops the clock but does not put back the hands. n388

 As fashioned by the ICJ:

 [\*63] the critical date as a legal concept posits that there is a certain moment at which the rights of the parties crystallize, so that acts after that date cannot alter the legal position. It is a moment which is more decisive than any other for the purpose of the formulation of the rights of the parties in question. n389

 This freeze-framing of boundaries on the date of decolonization by one definitive gesture renders the issue of the history of these boundaries moot. The rationale appears to be that "freezing the carved-up territory in the format it exhibited at the moment of independence" n390 will deter territorial disputes among post-colonial states. Pervasive postcolonial territorial and self-determination conflicts, however, reveal that such a mandated spatial fixity and temporal clarity of boundaries does not keep these conflicts in check. n391 Uti posidetis combined with critical date as a legal concept trumps conflicting post-colonial assertion and exercise of effective authority as grounds for sovereign title under the doctrine of effectivites. n392 Post-colonial effectivities has significance only if colonial practice fails to furnish definitive demarcation and thus trigger application of uti posseditis. n393

 The concern with order has been central to modern international law. n394 Decolonization, coming on the heels of two World Wars, raised the specter [\*64] of disorder. As a result, the norm of self-determination gave way to the caveat of order. n395 Order trumped self-determination, deemed a concept "loaded with dynamite," n396 and the transition from colonialism to postcoloniality proceeded with the basic requirement that external boundaries remain in place. Managers of postcolonial formations were equally quick to subscribe to the doctrine, and international bodies like the United Nations were quick to give their imprimatur. The same 1960 UN resolution that affirmed that "[a]ll peoples have the right of self-determination," also declared that "[a]ny attempt aimed at the partial or total disruption of the national unity and territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations." n397 As a way out of this contradiction, the United Nations contemplates the possibility of non-state modes of actualizing self-determination, by holding that "[t]he establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitutes modes of implementing the right of self-determination." n398 This contradiction points to the Janus-faced nature of the right of self-determination in a system of states with fixed and inviolable territorial bounds. The right has a "justifying, stabilizing, conserving effect and it has a criticizing, subversive, revolutionizing one." n399 International law and the practice of states have been content with the justifying, stabilizing, and conserving effect. n400

 This bias in favor of existing states is augmented by a doctrinal lacuna, with profound political implications, that remains at the heart of the uti possidetis doctrine as reformulated by modem international law and endorsed by the ICJ. In jus civil, rightful title via de facto possession could only be acquired by a prescriptive claim of usucapio established in good [\*65] faith. n401 Furthermore, in Roman law, uti possidetis is deemed an interim measure in contested vindication proceedings to determine title. n402 A critical restrictive qualifier, nec vi, nec clam, nec precario (without force, without secrecy, without permission), limits the scope of the doctrine. Possession would ripen into good title only if possession did not run afoul of the limitations. Modern international law conveniently elides this critical limitation, perhaps because given the colonial modes of acquisition of territory, colonial boundaries run afoul of it. n403 This gloss over the spatial history of colonialism, now bequeathed to post-colonial formations, by treating de facto control as rightful title is a foundational reworking of the original construct. n404

#### Reject the affirmative’s fear-drive politics---critical analysis of the politics of security and resultant militarism gives us a new political vocabulary with which to articulate a truly democratic politics---activating your role as an ethical educator is the only way to avert permanent warfare

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In addition, as the state is hijacked by the financial-military-industrial complex, the “most crucial decisions regarding national policy are not made by representatives, but by the financial and military elites.”53 Such massive inequality and the suffering and political corruption it produces point to the need for critical analysis in which the separation of power and politics can be understood. This means developing terms that clarify how power becomes global even as politics continues to function largely at the national level, with the effect of reducing the state primarily to custodial, policing, and punishing functions—at least for those populations considered disposable.

The state exercises its slavish role in the form of lowering taxes for the rich, deregulating corporations, funding wars for the benefit of the defense industries, and devising other welfare services for the ultra-rich. There is no escaping the global politics of finance capital and the global network of violence it has produced. Resistance must be mobilized globally and politics restored to a level where it can make a difference in fulfilling the promises of a global democracy. But such a challenge can only take place if the political is made more pedagogical and matters of education take center stage in the struggle for desires, subjectivities, and social relations that refuse the normalizing of violence as a source of gratification, entertainment, identity, and honor.

War in its expanded incarnation works in tandem with a state organized around the production of widespread violence. Such a state is necessarily divorced from public values and the formative cultures that make a democracy possible. The result is a weakened civic culture that allows violence and punishment to circulate as part of a culture of commodification, entertainment, distraction, and exclusion. In opposing the emergence of the United States as both a warfare and a punishing state, I am not appealing to a form of left moralism meant simply to mobilize outrage and condemnation. These are not unimportant registers, but they do not constitute an adequate form of resistance.

What is needed are modes of analysis that do the hard work of uncovering the effects of the merging of institutions of capital, wealth, and power, and how this merger has extended the reach of a military-industrial-carceral and academic complex, especially since the 1980s. This complex of ideological and institutional elements designed for the production of violence must be addressed by making visible its vast national and global interests and militarized networks, as indicated by the fact that the United States has over 1,000 military bases abroad.54 Equally important is the need to highlight how this military-industrial-carceral and academic complex uses punishment as a structuring force to shape national policy and everyday life.

Challenging the warfare state also has an important educational component. C. Wright Mills was right in arguing that it is impossible to separate the violence of an authoritarian social order from the cultural apparatuses that nourish it. As Mills put it, the major cultural apparatuses not only “guide experience, they also expropriate the very chance to have an experience rightly called ‘our own.’”55 This narrowing of experience shorn of public values locks people into private interests and the hyper-individualized orbits in which they live. Experience itself is now privatized, instrumentalized, commodified, and increasingly militarized. Social responsibility gives way to organized infantilization and a flight from responsibility.

Crucial here is the need to develop new cultural and political vocabularies that can foster an engaged mode of citizenship capable of naming the corporate and academic interests that support the warfare state and its apparatuses of violence, while simultaneously mobilizing social movements to challenge and dismantle its vast networks of power. One central pedagogical and political task in dismantling the warfare state is, therefore, the challenge of creating the cultural conditions and public spheres that would enable the U.S. public to move from being spectators of war and everyday violence to being informed and engaged citizens.

Unfortunately, major cultural apparatuses like public and higher education, which have been historically responsible for educating the public, are becoming little more than market-driven and militarized knowledge factories. In this particularly insidious role, educational institutions deprive students of the capacities that would enable them not only to assume public responsibilities, but also to actively participate in the process of governing. Without the public spheres for creating a formative culture equipped to challenge the educational, military, market, and religious fundamentalisms that dominate U.S. society, it will be virtually impossible to resist the normalization of war as a matter of domestic and foreign policy.

Any viable notion of resistance to the current authoritarian order must also address the issue of what it means pedagogically to imagine a more democratically oriented notion of knowledge, subjectivity, and agency and what it might mean to bring such notions into the public sphere. This is more than what Bernard Harcourt calls “a new grammar of political disobedience.”56 It is a reconfiguring of the nature and substance of the political so that matters of pedagogy become central to the very definition of what constitutes the political and the practices that make it meaningful. Critical understanding motivates transformative action, and the affective investments it demands can only be brought about by breaking into the hardwired forms of common sense that give war and state-supported violence their legitimacy. War does not have to be a permanent social relation, nor the primary organizing principle of everyday life, society, and foreign policy.

The war of all-against-all and the social Darwinian imperative to respond positively only to one’s own self-interest represent the death of politics, civic responsibility, and ethics, and set the stage for a dysfunctional democracy, if not an emergent authoritarianism. The existing neoliberal social order produces individuals who have no commitment, except to profit, disdain social responsibility, and loosen all ties to any viable notion of the public good. This regime of punishment and privatization is organized around the structuring forces of violence and militarization, which produce a surplus of fear, insecurity, and a weakened culture of civic engagement—one in which there is little room for reasoned debate, critical dialogue, and informed intellectual exchange. Patricia Clough and Craig Willse are right in arguing that we live in a society “in which the production and circulation of death functions as political and economic recovery.”57

The United States understood as a warfare state prompts a new urgency for a collective politics and a social movement capable of negating the current regimes of political and economic power, while imagining a different and more democratic social order. Until the ideological and structural foundations of violence that are pushing U.S. society over the abyss are addressed, the current warfare state will be transformed into a full-blown authoritarian state that will shut down any vestige of democratic values, social relations, and public spheres. At the very least, the U.S. public owes it to its children and future generations, if not the future of democracy itself, to make visible and dismantle this machinery of violence while also reclaiming the spirit of a future that works for life rather than death—the future of the current authoritarianism, however dressed up they appear in the spectacles of consumerism and celebrity culture. It is time for educators, unions, young people, liberals, religious organizations, and other groups to connect the dots, educate themselves, and develop powerful social movements that can restructure the fundamental values and social relations of democracy while establishing the institutions and formative cultures that make it possible. Stanley Aronowitz is right in arguing that:

the system survives on the eclipse of the radical imagination, the absence of a viable political opposition with roots in the general population, and the conformity of its intellectuals who, to a large extent, are subjugated by their secure berths in the academy [and though] we can take some solace in 2011, the year of the protester…it would be premature to predict that decades of retreat, defeat and silence can be reversed overnight without a commitment to what may be termed “a long march” through the institutions, the workplaces and the streets of the capitalist metropoles.58

The current protests among young people, workers, the unemployed, students, and others are making clear that this is not—indeed, cannot be—only a short-term project for reform, but must constitute a political and social movement of sustained growth, accompanied by the reclaiming of public spaces, the progressive use of digital technologies, the development of democratic public spheres, new modes of education, and the safeguarding of places where democratic expression, new identities, and collective hope can be nurtured and mobilized. Without broad political and social movements standing behind and uniting the call on the part of young people for democratic transformations, any attempt at radical change will more than likely be cosmetic.

Any viable challenge to the new authoritarianism and its theater of cruelty and violence must include developing a variety of cultural discourses and sites where new modes of agency can be imagined and enacted, particularly as they work to reconfigure a new collective subject, modes of sociality, and “alternative conceptualizations of the self and its relationship to others.”59 Clearly, if the United States is to make a claim to democracy, it must develop a politics that views violence as a moral monstrosity and war as virulent pathology. How such a claim to politics unfolds remains to be seen. In the meantime, resistance proceeds, especially among the young people who now carry the banner of struggle against an encroaching authoritarianism that is working hard to snuff out all vestiges of democratic life.

#### Hegemony is a paranoid fantasy---the strategy omnipotence sees threats to empire everywhere, which necessitates constant violence---you have an obligation to place the structural violence that hegemony invisibilizes at the core of your decision calculus

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By now it is fair to say that the United States has come to be dominated by two grand and dangerous hallucinations: the promise of benign US globalization and the permanent threat of the “war on terror.” I have come to feel that we cannot understand the extravagance of the violence to which the US government has committed itself after 9/11—two countries invaded, thousands of innocent people imprisoned, killed, and tortured—unless we grasp a defining feature of our moment, that is, a deep and disturbing doubleness with respect to power. Taking shape, as it now does, around fantasies of global omnipotence (Operation Infinite Justice, the War to End All Evil) coinciding with nightmares of impending attack, the United States has entered the domain of paranoia: dream world and catastrophe. For it is only in paranoia that one finds simultaneously and in such condensed form both deliriums of absolute power and forebodings of perpetual threat. Hence the spectral and nightmarish quality of the “war on terror,” a limitless war against a limitless threat, a war vaunted by the US administration to encompass all of space and persisting without end. But the war on terror is not a real war, for “terror” is not an identifiable enemy nor a strategic, real-world target. The war on terror is what William Gibson calls elsewhere “a consensual hallucination,” 4 and the US government can fling its military might against ghostly apparitions and hallucinate a victory over all evil only at the cost of catastrophic self-delusion and the infliction of great calamities elsewhere.

I have come to feel that we urgently need to make visible (the better politically to challenge) those established but concealed circuits of imperial violence that now animate the war on terror. We need, as urgently, to illuminate the continuities that connect those circuits of imperial violence abroad with the vast, internal shadowlands of prisons and supermaxes—the modern “slave-ships on the middle passage to nowhere”—that have come to characterize the United States as a super-carceral state. 5

Can we, the uneasy heirs of empire, now speak only of national things? If a long-established but primarily covert US imperialism has, since 9/11, manifested itself more aggressively as an overt empire, does the terrain and object of intellectual inquiry, as well as the claims of political responsibility, not also extend beyond that useful fiction of the “exceptional nation” to embrace the shadowlands of empire? If so, how can we theorize the phantasmagoric, imperial violence that has come so dreadfully to constitute our kinship with the ordinary, but which also at the same moment renders extraordinary the ordinary bodies of ordinary people, an imperial violence which in collusion with a complicit corporate media would render itself invisible, casting states of emergency into fitful shadow and fleshly bodies into specters? For imperialism is not something that happens elsewhere, an offshore fact to be deplored but as easily ignored. Rather, the force of empire comes to reconfigure, from within, the nature and violence of the nation-state itself, giving rise to perplexing questions: Who under an empire are “we,” the people? And who are the ghosted, ordinary people beyond the nation-state who, in turn, constitute “us”?

We now inhabit a crisis of violence and the visible. How do we insist on seeing the violence that the imperial state attempts to render invisible, while also seeing the ordinary people afflicted by that violence? For to allow the spectral, disfigured people (especially those under torture) obliged to inhabit the haunted no-places and penumbra of empire to be made visible as ordinary people is to forfeit the long-held US claim of moral and cultural exceptionalism, the traditional self-identity of the United States as the uniquely superior, universal standard-bearer of moral authority, a tenacious, national mythology of originary innocence now in tatters. The deeper question, however, is not only how to see but also how to theorize and oppose the violence without becoming beguiled by the seductions of spectacle alone. 6

Perhaps in the labyrinths of torture we must also find a way to speak with ghosts, for specters disturb the authority of vision and the hauntings of popular memory disrupt the great forgettings of official history.

Paranoia

Even the paranoid have enemies.

—Donald Rumsfeld

Why paranoia? Can we fully understand the proliferating circuits of imperial violence—the very eclipsing of which gives to our moment its uncanny, phantasmagoric cast—without understanding the pervasive presence of the paranoia that has come, quite violently, to manifest itself across the political and cultural spectrum as a defining feature of our time? By paranoia, I mean not simply Hofstadter’s famous identification of the US state’s tendency toward conspiracy theories. 7 Rather, I conceive of paranoia as an inherent contradiction with respect to power: a double-sided phantasm that oscillates precariously between deliriums of grandeur and nightmares of perpetual threat, a deep and dangerous doubleness with respect to power that is held in unstable tension, but which, if suddenly destabilized (as after 9/11), can produce pyrotechnic displays of violence. The pertinence of understanding paranoia, I argue, lies in its peculiarly intimate and peculiarly dangerous relation to violence. 8

Let me be clear: I do not see paranoia as a primary, structural cause of US imperialism nor as its structuring identity. Nor do I see the US war on terror as animated by some collective, psychic agency, submerged mind, or Hegelian “cunning of reason,” nor by what Susan Faludi calls a national “terror dream.” 9 Nor am I interested in evoking paranoia as a kind of psychological diagnosis of the imperial nation-state. Nations do not have “psyches” or an “unconscious”; only people do. Rather, a social entity such as an organization, state, or empire can be spoken of as “paranoid” if the dominant powers governing that entity cohere as a collective community around contradictory cultural narratives, self-mythologies, practices, and identities that oscillate between delusions of inherent superiority and omnipotence, and phantasms of threat and engulfment. The term paranoia is analytically useful here, then, not as a description of a collective national psyche, nor as a description of a universal pathology, but rather as an analytically strategic concept, a way of seeing and being attentive to contradictions within power, a way of making visible (the better politically to oppose) the contradictory flashpoints of violence that the state tries to conceal.

Paranoia is in this sense what I call a hinge phenomenon, articulated between the ordinary person and society, between psychodynamics and socio-political history. Paranoia is in that sense dialectical rather than binary, for its violence erupts from the force of its multiple, cascading contradictions: the intimate memories of wounds, defeats, and humiliations condensing with cultural fantasies of aggrandizement and revenge, in such a way as to be productive at times of unspeakable violence. For how else can we understand such debauches of cruelty?

A critical question still remains: does not something terrible have to happen to ordinary people (military police, soldiers, interrogators) to instill in them, as ordinary people, in the most intimate, fleshly ways, a paranoid cast that enables them to act compliantly with, and in obedience to, the paranoid visions of a paranoid state? Perhaps we need to take a long, hard look at the simultaneously humiliating and aggrandizing rituals of militarized institutions, whereby individuals are first broken down, then reintegrated (incorporated) into the larger corps as a unified, obedient fighting body, the methods by which schools, the military, training camps— not to mention the paranoid image-worlds of the corporate media—instill paranoia in ordinary people and fatally conjure up collective but unstable fantasies of omnipotence. 10 In what follows, I want to trace the flashpoints of imperial paranoia into the labyrinths of torture in order to illuminate three crises that animate our moment: the crisis of violence and the visible, the crisis of imperial legitimacy, and what I call “the enemy deficit.” I explore these flashpoints of imperial paranoia as they emerge in the torture at Guantánamo and Abu Ghraib. I argue that Guantánamo is the territorializing of paranoia and that torture itself is paranoia incarnate, in order to make visible, in keeping with Hazel Carby’s brilliant work, those contradictory sites where imperial racism, sexuality, and gender catastrophically collide. 11

The Enemy Deficit: Making the “Barbarians” Visible Because night is here but the barbarians have not come. Some people arrived from the frontiers, And they said that there are no longer any barbarians. And now what shall become of us without any barbarians? Those people were a kind of solution.

—C. P. Cavafy, “Waiting for the Barbarians”

The barbarians have declared war.

—President George W. Bush

C. P. Cavafy wrote “Waiting for the Barbarians” in 1927, but the poem haunts the aftermath of 9/11 with the force of an uncanny and prescient déjà vu. To what dilemma are the “barbarians” a kind of solution? Every modern empire faces an abiding crisis of legitimacy in that it flings its power over territories and peoples who have not consented to that power. Cavafy’s insight is that an imperial state claims legitimacy only by evoking the threat of the barbarians. It is only the threat of the barbarians that constitutes the silhouette of the empire’s borders in the first place. On the other hand, the hallucination of the barbarians disturbs the empire with perpetual nightmares of impending attack. The enemy is the abject of empire: the rejected from which we cannot part. And without the barbarians the legitimacy of empire vanishes like a disappearing phantom. Those people were a kind of solution.

With the collapse of the Soviet Union in December 1991, the grand antagonism of the United States and the USSR evaporated like a quickly fading nightmare. The cold war rhetoric of totalitarianism, Finlandization, present danger, fifth columnist, and infiltration vanished. Where were the enemies now to justify the continuing escalation of the military colossus? “And now what shall become of us without any barbarians?” By rights, the thawing of the cold war should have prompted an immediate downsizing of the military; any plausible external threat had simply ceased to exist. Prior to 9/11, General Peter Schoomaker, head of the US Army, bemoaned the enemy deficit: “It’s no use having an army that did nothing but train,” he said. “There’s got to be a certain appetite for what the hell we exist for.” Dick Cheney likewise complained: “The threats have become so remote. So remote that they are difficult to ascertain.” Colin Powell agreed: “Though we can still plausibly identify specific threats—North Korea, Iran, Iraq, something like that—the real threat is the unknown, the uncertain.” Before becoming president, George W. Bush likewise fretted over the post–cold war dearth of a visible enemy: “We do not know who the enemy is, but we know they are out there.” It is now well established that the invasion of Iraq had been a long-standing goal of the US administration, but there was no clear rationale with which to sell such an invasion. In 1997 a group of neocons at the Project for the New American Century produced a remarkable report in which they stated that to make such an invasion palatable would require “a catastrophic and catalyzing event—like a new Pearl Harbor.” 12

The 9/11 attacks came as a dazzling solution, both to the enemy deficit and the problem of legitimacy, offering the Bush administration what they would claim as a political casus belli and the military unimaginable license to expand its reach. General Peter Schoomaker would publicly admit that the attacks were an immense boon: “There is a huge silver lining in this cloud. . . . War is a tremendous focus. . . . Now we have this focusing opportunity, and we have the fact that (terrorists) have actually attacked our homeland, which gives it some oomph.” In his book Against All Enemies, Richard Clarke recalls thinking during the attack, “Now we can perhaps attack Osama Bin Laden.” After the invasion of Afghanistan, Secretary of State Colin Powell noted, “America will have a continuing interest and presence in Central Asia of a kind we could not have dreamed of before.” Charles Krauthammer, for one, called for a declaration of total war. “We no longer have to search for a name for the post-Cold War era,” he declared. “It will henceforth be known as the age of terrorism.” 13

#### Hegemony is based on an ideological fantasy of US exceptionalism which necessitates permanent war-making---you should look at the benefits of hegemony from the outside-looking-in---their theoretically scary impacts obscure the real consequences of hegemony which have been untold suffering

Richard Jackson 11, Director of the National Centre for Peace and Conflict Studies, the University of Otago. Former. Professor of International Politics at Aberystwyth University, The World’s Most Warring Nation, www.e-ir.info/2011/07/02/the-world’s-most-warring-nation/

The history of US foreign policy is a violent and bloody one, although this is not necessarily the dominant perception of most Americans. From the frontier wars of subjugation against Native Peoples to colonial wars against Mexico, Spain and the Philippines, the Cold War interventions in Korea, Cuba, the Dominican Republic, Vietnam, Nicaragua, Grenada, Lebanon, Panama, Libya and elsewhere, the post-Cold War interventions in Somalia, Iraq, Sudan, Afghanistan, and Kosovo, and the post-9/11 interventions in Afghanistan, Iraq, Pakistan, Somalia, Yemen and Libya today, the US has an unrivaled record of war and foreign military intervention. There are in fact, few periods in its history when the US has not been engaged in war or military attacks on other countries. In addition, the US is the world’s largest manufacturer and exporter of military weapons, and has a military budget several times greater than all its nearest rivals combined. It is in fact, the most warring nation in modern history. It is in this historical context that we have to try and understand its current military involvement in Iraq, Afghanistan, Pakistan, Yemen, the Horn of Africa and Libya.

Although it is sometimes argued by apologists that these military actions are always defensive in nature rather than proactive and expansionist, and are the result of real and serious threats to US security or the wider international system, the virtually impregnable security position of the US, notwithstanding the 9/11 attacks a decade ago, makes this argument unconvincing. The reality is that the size of the US landmass and population, the vast oceans to its eastern and western borders and the friendly countries to its north and south, and the extent of its economic and military power, means that there are no serious obstacles to the adoption of an isolationist foreign policy or even the adoption of a pacifist role in international affairs. In other words, there is nothing inevitable or predetermined about its long record of war and intervention. Explaining the historical record of US foreign intervention requires a careful evaluation of both its strategic interests and its ideological system, as it is the almost unique combination of these factors and the way in which they underpin and interact with each other which helps to explain why the US continues to be the most violent state in the international system today.

Strategically, the US is today the world’s dominant power. In order to maintain this hegemonic position in the international system, which is the primary and preeminent goal of all US foreign policy (or at least, no major foreign policy initiative can seriously contradict this first principle goal), necessitates a number of key measures, such as: maintaining military advantage over rivals, which in turn requires a permanent internal military-industrial complex; a system of allies and a military presence in bases stretched around the globe, especially in strategic regions like the Middle East and the Horn of Africa; influence over or control of strategic resources such as oil; domination or at least influence over the global economic and trading system; significant influence in international institutions; and preventing the rise of serious challengers to its overall hegemony.

At the same time, the US has evolved since the founding of the republic a core set of ideological beliefs which are now deeply embedded culturally and accepted by both the political elite and the wider society. Some of these beliefs are necessitated by, and functional to, the military power of the US: maintaining a costly and permanent military-industrial complex capable of staying ahead of its rivals, for example, requires a supporting set of cultural values which valorize military prowess, patriotism and sacrifice in war. These values are now part of the military-industrial-media complex in which video games and movies, among others, serve as recruitment tools for the military, narrative frames for interpreting foreign threats and as propaganda for generating support for foreign military intervention. Importantly, this military-industrial-media complex has come to generate its own material and political interests, in part because it requires actual wars to reproduce and sustain itself.

Other important ideological values include the strongly-held belief that the US has been called by history (or God) to protect the so-called free world from major threats. Thus, it is believed that the US was first called to defeat the threat posed by the Axis powers, then the communist threat, and today, the global threat of terrorism. This ideological belief rests on the notion that the US is uniquely placed – by virtue of its military and economic power, and its moral values – to ensure the safety of the civilized world; it is the ‘exceptional nation’ which must lead the world. Related to this, the US has come to believe that its core values of liberty and democracy are actually universal values which is it bound to protect at home and spread abroad. As with its military values, these ideological beliefs are ubiquitous in popular and political culture.

It is the combination of the US’s strategic interests and its ideological dispositions in the past two hundred years or more which explains the frequency and geographical distribution of its military interventions. In some cases, interventions have been launched primarily to protect perceived strategic interests, such as the case of the first Gulf War in which Iraq took control of Kuwait oil reserves and appeared to seriously threaten Saudi oil reserves. In other cases, the US’s strategic interests coincided with strong ideological imperatives, such as the Libyan intervention today where the presence of significant oil reserves and the desire to create a pro-US regime in a strategic region has combined with the US ideological value of spreading democracy and overthrowing a long-term dictator and US opponent. The key point however, is that ideological values such as democracy promotion only rarely generate sufficient will by themselves for military intervention, although Somalia and Kosovo may be considered exceptions (although there were strategic interests involved in both cases). In many other cases, such as Rwanda in the 1990s and Syria today, such ideological imperatives are insufficient on their own to generate US-led military intervention. At the same time, no wars can be justified or defended to the American public, except by claiming that they fit US ideological values; US politicians cannot admit that they are ever at war solely to secure strategic advantage.

Of course, during some periods such as the cold war and to a lesser degree the war on terror, US strategic interests simply overrode ideological commitments to human rights or democracy promotion, as it supported a series of brutal dictatorships in places like Latin America, Asia and Africa. In some cases, the US even approved of mass murder, such as the Indonesian government’s suppression of Communists in 1965 which killed 500,000 people, its support for the Pol Pot regime in Cambodia, and its support for Latin American death squad activities in places like Chile and El Salvador. In other special cases, such as Israel and Saudi Arabia, US strategic interests override ideological commitment entirely and little real effort is made to promote values-based policies.

The war on terror, particularly the Iraq and Afghanistan interventions, demonstrates the interplay of these two factors, with both strategic interests – dealing with the threat of terrorism, the securing of Iraq’s oil and Afghanistan’s potential role as an access-point to Central Asian oil reserves, fashioning pro-US regimes, and the construction of military bases in strategic regions to put pressure on countries like Iran – and ideological imperatives – bringing liberty and democracy to countries wracked by human rights abuses – driving the interventions. Paradoxically, of course, the war on terror, like many previous US interventions, has resulted in massive human rights abuses around the world and the denial of liberty to millions, with torture, rendition, and the denial of civil rights commonplace, among others. At the same time, it has also endangered US strategic interests: the attack on Iraq strengthened and emboldened Iran, destabilized Pakistan, and greatly damaged the reputation and standing of the US in the Middle East and large parts of the Muslim world.

In the end, the culturally and politically embedded ideology of the US – its militarized patriotism – blinds its leaders and public to the interests and consequences of its military interventions, and sustains the likelihood of future interventions. Few Americans accept that its country’s wars have killed, injured and displaced literally millions of people in the last few decades, most often for little or no positive result in either strategic or ideological terms – that in fact the real-world consequences of its interventions are virtually always the denial of its own stated values of liberty and democracy. Fewer still question why the US is willing to sacrifice thousands or even millions of lives to secure its strategic interests, or why the US population is so perennially vulnerable to ideological appeals by leaders which mask the deeper strategic reasons for violent intervention. While it is unlikely that its strategic interests will change any time soon or that the military-industrial complex can be significantly reduced in size, there is always the hope that new leaders might arise and peace movements might emerge which are able to challenge, and perhaps even change, the militarized patriotism and deeply-embedded culture of violence which makes the US the most violent state in the world.

## Case

## Adv 1

### 1NC Glennon

#### The plan’s ad-hoc restriction does nothing to alter the political structure that sustains bureaucratic control over security policy---legal band-aids prop up the illusion of constraint

Michael J. Glennon 14, Professor of International Law, Fletcher School of Law and Diplomacy, Tufts University, 2014, “National Security and Double Government,” Harvard National Security Journal, 5 Harv. Nat'l Sec. J. 1

The first set of potential remedies aspires to tone up Madisonian muscles one by one with ad hoc legislative and judicial reforms, by, say, narrowing the scope of the state secrets privilege; permitting the recipients of national security letters at least to make their receipt public; broadening standing requirements; improving congressional oversight of covert operations, including drone killings and cyber operations; or strengthening statutory constraints like FISA n545 and the War Powers Resolution. n546 Law reviews brim with such proposals. But their stopgap approach has been tried [\*97] repeatedly since the Trumanite network's emergence. Its futility is now glaring. Why such efforts would be any more fruitful in the future is hard to understand. The Trumanites are committed to the rule of law and their sincerity is not in doubt, but the rule of law to which they are committed is largely devoid of meaningful constraints. n547 Continued focus on legalist band-aids merely buttresses the illusion that the Madisonian institutions are alive and well--and with that illusion, an entire narrative premised on the assumption that it is merely a matter of identifying a solution and looking to the Madisonian institutions to effect it. That frame deflects attention from the underlying malady. What is needed, if Bagehot's theory is correct, is a fundamental change in the very discourse within which U.S. national security policy is made. For the question is no longer: What should the government do? The questions now are: What should be done about the government? What can be done about the government? What are the responsibilities not of the government but of the people?

A second approach would inject legal limits directly into the Trumanites' operational core by, for example, setting up de facto judges within the network, or at least lawyers able to issue binding legal opinions, before certain initiatives could be undertaken. n548 Another proposed reform would attempt to foster intra-network competition among the Trumanites by creating Madisonian-like checks and balances that operate directly within the Trumanite network. n549 The difficulty with these and similar ideas is that the checks they propose would merely replicate and relocate failed Madisonian institutions without controlling the forces that led to the hollowing-out of the real Madisonian institutions. There is scant reason to believe that pseudo-Madisonian checks would fare any better. Why would the Trumanite network, driven as it is to maintain and strengthen its [\*98] autonomy, subject itself behind the scenes to internal Madisonian constraints any more readily than it publicly has subjected itself to external Madisonian constraints? Why, in Bagehot's terms, would the newly established intra-Trumanite institutions not become, in effect, a new, third institutional layer that further disguises where the real power lies?

Indeed, intra-Trumanite checks have already been tried. When questions arose as to whether Justice Department lawyers inappropriately authorized and oversaw warrantless electronic surveillance in 2006, its Office of Professional Responsibility commenced an investigation--until its investigators were denied the necessary security clearances, blocking the inquiry. n550 The FBI traditionally undertakes an internal investigation when an FBI agent is engaged in a serious shooting; "from 1993 to early 2011, FBI agents fatally shot about seventy 'subjects' and wounded about eighty others--and every one of those [shootings] was justified," its inspectors found. n551 Following the NSA surveillance disclosures, President Obama announced the creation of an independent panel to ensure that civil liberties were being respected and to restore public confidence--a panel, it turned out, that operated as an arm of the Office of the Director of National Intelligence, which oversees the NSA. n552 Inspectors general were set up within federal departments and agencies in 1978 as safeguards against [\*99] waste, fraud, abuse, and illegality, n553 but the positions have remained vacant for years in some of the government's largest cabinet agencies, including the departments of Defense, State, Interior, and Homeland Security. n554 The best that can be said of these inspectors general is that, despite the best of intentions, they had no authority to overrule, let alone penalize, anyone. The worst is that they were trusted Trumanites who snored through everything from illegal surveillance to arms sales to the Nicaraguan contras to Abu Ghraib to the waterboarding of suspected terrorists. To look to Trumanite inspectors general as a reliable check on unaccountable power would represent the ultimate triumph of hope over experience.

### 1NC General No Solve War

#### No impact to decline---\*decline of conflict is unrelated to hegemony

Christopher J. Fettweis 11, Department of Political Science, Tulane University, 9/26/11, Free Riding or Restraint? Examining European Grand Strategy, Comparative Strategy, 30:316–332, EBSCO

It is perhaps worth noting that there is no evidence to support a direct relationship between the relative level of U.S. activism and international stability. In fact, the limited data we do have suggest the opposite may be true. During the 1990s, the United States cut back on its defense spending fairly substantially. By 1998, the United States was spending $100 billion less on defense in real terms than it had in 1990.51 To internationalists, defense hawks and believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities,” argued Kristol and Kagan, “doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace.”52 On the other hand, if the pacific trends were not based upon U.S. hegemony but a strengthening norm against interstate war, one would not have expected an increase in global instability and violence. The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable United States military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums, no security dilemmas drove insecurity or arms races, and no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. Most of all, the United States and its allies were no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped the spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated. Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability. Once again, one could presumably argue that spending is not the only or even the best indication of hegemony, and that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not have been expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered. However, even if it is true that either U.S. commitments or relative spending account for global pacific trends, then at the very least stability can evidently be maintained at drastically lower levels of both. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still recommend cutting back on engagement and spending until that level is determined. Grand strategic decisions are never final; continual adjustments can and must be made as time goes on. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if the current era of stability is as stable as many believe it to be, no increase in conflict would ever occur irrespective of U.S. spending, which would save untold trillions for an increasingly debt-ridden nation. It is also perhaps worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then internationalists would surely argue that their expectations had been fulfilled. If increases in conflict would have been interpreted as proof of the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the likely systemic reaction to a more restrained United States suggests that the current peaceful trends are unrelated to U.S. military spending. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

#### Hegemonic retrenchment’s key to avoid great power war---maintaining unipolarity’s self-defeating which internal link-turns their offense

Nuno P. Monteiro 12, Assistant Professor of Political Science at Yale University, “Unrest Assured: Why Unipolarity is Not Peaceful,” International Security, Winter 2012, Vol. 36, No. 3, p. 9-40

From the perspective of the overall peacefulness of the international system, then, no U.S. grand strategy is, as in the Goldilocks tale, “just right.”116 In fact, each strategic option available to the unipole produces significant conflict. Whereas offensive and defensive dominance will entangle it in wars against recalcitrant minor powers, disengagement will produce regional wars among minor and major powers. Regardless of U.S. strategy, conflict will abound. Indeed, if my argument is correct, the significant level of conflict the world has experienced over the last two decades will continue for as long as U.S. power remains preponderant.¶ From the narrower perspective of the unipole’s ability to avoid being involved in wars, however, disengagement is the best strategy. A unipolar structure provides no incentives for conflict involving a disengaged unipole. Disengagement would extricate the unipole’s forces from wars against recalcitrant minor powers and decrease systemic pressures for nuclear proliferation. There is, however, a downside. Disengagement would lead to heightened conflict beyond the unipole’s region and increase regional pressures for nuclear proliferation. As regards the unipole’s grand strategy, then, the choice is between a strategy of dominance, which leads to involvement in numerous conflicts, and a strategy of disengagement, which allows conflict between others to fester.¶ In a sense, then, strategies of defensive and offensive dominance are self-defeating. They create incentives for recalcitrant minor powers to bolster their capabilities and present the United States with a tough choice: allowing them to succeed or resorting to war in order to thwart them. This will either drag U.S. forces into numerous conflicts or result in an increasing number of major powers. In any case, U.S. ability to convert power into favorable outcomes peacefully will be constrained.117¶ This last point highlights one of the crucial issues where Wohlforth and I differ—the benefits of the unipole’s power preponderance. Whereas Wohlforth believes that the power preponderance of the United States will lead all states in the system to bandwagon with the unipole, I predict that states engaged in security competition with the unipole’s allies and states for whom the status quo otherwise has lesser value will not accommodate the unipole. To the contrary, these minor powers will become recalcitrant despite U.S. power preponderance, displaying the limited pacifying effects of U.S. power.¶ What, then, is the value of unipolarity for the unipole? What can a unipole do that a great power in bipolarity or multipolarity cannot? My argument hints at the possibility that—at least in the security realm—unipolarity does not give the unipole greater influence over international outcomes.118 If unipolarity provides structural incentives for nuclear proliferation, it may, as Robert Jervis has hinted, “have within it the seeds if not of its own destruction, then at least of its modification.”119 For Jervis, “[t]his raises the question of what would remain of a unipolar system in a proliferated world. The American ability to coerce others would decrease but so would its need to defend friendly powers that would now have their own deterrents. The world would still be unipolar by most measures and considerations, but many countries would be able to protect themselves, perhaps even against the superpower. . . . In any event, the polarity of the system may become less important.”120¶ At the same time, nothing in my argument determines the decline of U.S. power. The level of conflict entailed by the strategies of defensive dominance, offensive dominance, and disengagement may be acceptable to the unipole and have only a marginal effect on its ability to maintain its preeminent position. Whether a unipole will be economically or militarily overstretched is an empirical question that depends on the magnitude of the disparity in power between it and major powers and the magnitude of the conflicts in which it gets involved. Neither of these factors can be addressed a priori, and so a theory of unipolarity must acknowledge the possibility of frequent conflict in a nonetheless durable unipolar system.¶ Finally, my argument points to a “paradox of power preponderance.”121 By putting other states in extreme self-help, a systemic imbalance of power requires the unipole to act in ways that minimize the threat it poses. Only by exercising great restraint can it avoid being involved in wars. If the unipole fails to exercise restraint, other states will develop their capabilities, including nuclear weapons—restraining it all the same.122 Paradoxically, then, more relative power does not necessarily lead to greater influence and a better ability to convert capabilities into favorable outcomes peacefully. In effect, unparalleled relative power requires unequaled self-restraint.

### 1NC Alliances/Hard Power

#### Leadership not key to peace

Ben Friedman 10, research fellow in defense and homeland security, Cato. PhD candidate in pol sci, MIT, Military Restraint and Defense Savings, 20 July 2010, http://www.cato.org/testimony/ct-bf-07202010.html

Another argument for high military spending is that U.S. military hegemony underlies global stability. Our forces and alliance commitments dampen conflict between potential rivals like China and Japan, we are told, preventing them from fighting wars that would disrupt trade and cost us more than the military spending that would have prevented war. The theoretical and empirical foundation for this claim is weak. It overestimates both the American military's contribution to international stability and the danger that instability abroad poses to Americans. In Western Europe, U.S. forces now contribute little to peace, at best making the tiny odds of war among states there slightly more so.7 Even in Asia, where there is more tension, the history of international relations suggests that without U.S. military deployments potential rivals, especially those separated by sea like Japan and China, will generally achieve a stable balance of power rather than fight. In other cases, as with our bases in Saudi Arabia between the Iraq wars, U.S. forces probably create more unrestthan they prevent. Our force deployments can also generate instability by prompting states to develop nuclear weapons. Even when wars occur, their economic impact is likely to be limited here.8 By linking markets, globalization provides supply alternatives for the goods we consume, including oil. If political upheaval disrupts supply in one location, suppliers elsewhere will take our orders. Prices may increase, but markets adjust. That makes American consumers less dependent on any particular supply source, undermining the claim that we need to use force to prevent unrest in supplier nations or secure trade routes.9 Part of the confusion about the value of hegemony comes from misunderstanding the Cold War. People tend to assume, falsely, that our activist foreign policy, with troops forward supporting allies, not only caused the Soviet Union's collapse but is obviously a good thing even without such a rival. Forgotten is the sensible notion that alliances are a necessary evil occasionally tolerated to balance a particularly threatening enemy. The main justification for creating our Cold War alliances was the fear that Communist nations could conquer or capture by insurrection the industrial centers in Western Europe and Japan and then harness enough of that wealth to threaten us — either directly or by forcing us to become a garrison state at ruinous cost. We kept troops in South Korea after 1953 for fear that the North would otherwise overrun it. But these alliances outlasted the conditions that caused them. During the Cold War, Japan, Western Europe and South Korea grew wealthy enough to defend themselves. We should let them. These alliances heighten our force requirements and threaten to drag us into wars, while providing no obvious benefit.

### 1NC No Transition Wars

#### No transition wars---best empirics and theory

Paul K. MacDonald 11, Assistant Professor of Political Science at Williams College, and Joseph M. Parent, Assistant Professor of Political Science at the University of Miami, Spring 2011, “Graceful Decline?: The Surprising Success of Great Power Retrenchment,” International Security, Vol. 35, No. 4, p. 7-44

Our findings are directly relevant to what appears to be an impending great power transition between China and the United States. Estimates of economic performance vary, but most observers expect Chinese GDP to surpass U.S. GDP sometime in the next decade or two.91 This prospect has generated considerable concern. Many scholars foresee major conflict during a Sino-U.S. ordinal transition. Echoing Gilpin and Copeland, John Mearsheimer sees the crux of the issue as irreconcilable goals: China wants to be America's superior and the United States wants no peer competitors. In his words, "[N]o amount [End Page 40] of goodwill can ameliorate the intense security competition that sets in when an aspiring hegemon appears in Eurasia."92¶ Contrary to these predictions, our analysis suggests some grounds for optimism. Based on the historical track record of great powers facing acute relative decline, the United States should be able to retrench in the coming decades. In the next few years, the United States is ripe to overhaul its military, shift burdens to its allies, and work to decrease costly international commitments. It is likely to initiate and become embroiled in fewer militarized disputes than the average great power and to settle these disputes more amicably. Some might view this prospect with apprehension, fearing the steady erosion of U.S. credibility. Yet our analysis suggests that retrenchment need not signal weakness. Holding on to exposed and expensive commitments simply for the sake of one's reputation is a greater geopolitical gamble than withdrawing to cheaper, more defensible frontiers.¶ Some observers might dispute our conclusions, arguing that hegemonic transitions are more conflict prone than other moments of acute relative decline. We counter that there are deductive and empirical reasons to doubt this argument. Theoretically, hegemonic powers should actually find it easier to manage acute relative decline. Fallen hegemons still have formidable capability, which threatens grave harm to any state that tries to cross them. Further, they are no longer the top target for balancing coalitions, and recovering hegemons may be influential because they can play a pivotal role in alliance formation. In addition, hegemonic powers, almost by definition, possess more extensive overseas commitments; they should be able to more readily identify and eliminate extraneous burdens without exposing vulnerabilities or exciting domestic populations.¶ We believe the empirical record supports these conclusions. In particular, periods of hegemonic transition do not appear more conflict prone than those of acute decline. The last reversal at the pinnacle of power was the Anglo-American transition, which took place around 1872 and was resolved without armed confrontation. The tenor of that transition may have been influenced by a number of factors: both states were democratic maritime empires, the United States was slowly emerging from the Civil War, and Great Britain could likely coast on a large lead in domestic capital stock. Although China and the United [End Page 41] States differ in regime type, similar factors may work to cushion the impending Sino-American transition. Both are large, relatively secure continental great powers, a fact that mitigates potential geopolitical competition.93 China faces a variety of domestic political challenges, including strains among rival regions, which may complicate its ability to sustain its economic performance or engage in foreign policy adventurism.94¶ Most important, the United States is not in free fall. Extrapolating the data into the future, we anticipate the United States will experience a "moderate" decline, losing from 2 to 4 percent of its share of great power GDP in the five years after being surpassed by China sometime in the next decade or two.95 Given the relatively gradual rate of U.S. decline relative to China, the incentives for either side to run risks by courting conflict are minimal. The United States would still possess upwards of a third of the share of great power GDP, and would have little to gain from provoking a crisis over a peripheral issue. Conversely, China has few incentives to exploit U.S. weakness.96 Given the importance of the U.S. market to the Chinese economy, in addition to the critical role played by the dollar as a global reserve currency, it is unclear how Beijing could hope to consolidate or expand its increasingly advantageous position through direct confrontation.¶ In short, the United States should be able to reduce its foreign policy commitments in East Asia in the coming decades without inviting Chinese expansionism. Indeed, there is evidence that a policy of retrenchment could reap potential benefits. The drawdown and repositioning of U.S. troops in South Korea, for example, rather than fostering instability, has resulted in an improvement in the occasionally strained relationship between Washington and Seoul. 97 U.S. moderation on Taiwan, rather than encouraging hard-liners in Beijing, resulted in an improvement in cross-strait relations and reassured U.S. allies that Washington would not inadvertently drag them into a Sino-U.S. conflict. 98 Moreover, Washington’s support for the development of multilateral security institutions, rather than harming bilateral alliances, could work to enhance U.S. prestige while embedding China within a more transparent regional order. 99 A policy of gradual retrenchment need not undermine the credibility of U.S. alliance commitments or unleash destabilizing regional security dilemmas. Indeed, even if Beijing harbored revisionist intent, it is unclear that China will have the force projection capabilities necessary to take and hold additional territory. 100 By incrementally shifting burdens to regional allies and multilateral institutions, the United States can strengthen the credibility of its core commitments while accommodating the interests of a rising China. Not least among the benefits of retrenchment is that it helps alleviate an unsustainable financial position. Immense forward deployments will only exacerbate U.S. grand strategic problems and risk unnecessary clashes. 101

## Adv 2

### 1NC Liberal Order

#### Leadership not key to global public goods

Christopher Preble 10, director of Foreign Policy Studies at the CATO Institute, August 3, 2010, “U.S. Military Power: Preeminence for What Purpose?,” online: <http://www.cato-at-liberty.org/u-s-military-power-preeminence-for-what-purpose/>

Most in Washington still embraces the notion that America is, and forever will be, the world’s indispensable nation. Some scholars, however, questioned the logic of hegemonic stability theory from the very beginning. A number continue to do so today. They advance arguments diametrically at odds with the primacist consensus. Trade routes need not be policed by a single dominant power; the international economy is complex and resilient. Supply disruptions are likely to be temporary, and the costs of mitigating their effects should be borne by those who stand to lose — or gain — the most. Islamic extremists are scary, but hardly comparable to the threat posed by a globe-straddling Soviet Union armed with thousands of nuclear weapons. It is frankly absurd that we spend more today to fight Osama bin Laden and his tiny band of murderous thugs than we spent to face down Joseph Stalin and Chairman Mao. Many factors have contributed to the dramatic decline in the number of wars between nation-states; it is unrealistic to expect that a new spasm of global conflict would erupt if the United States were to modestly refocus its efforts, draw down its military power, and call on other countries to play a larger role in their own defense, and in the security of their respective regions.¶ But while there are credible alternatives to the United States serving in its current dual role as world policeman / armed social worker, the foreign policy establishment in Washington has no interest in exploring them. The people here have grown accustomed to living at the center of the earth, and indeed, of the universe. The tangible benefits of all this military spending flow disproportionately to this tiny corner of the United States while the schlubs in fly-over country pick up the tab.

### Mcginnis

#### No impact to norm setting --- friendly democracies will selectively ignore bad US norms, and authoritarian nations don’t care either way

John O. McGinnis 7, Professor of Law, Northwestern University School of Law. \*\* Ilya Somin \*\* Assistant Professor of Law, George Mason University School of Law. GLOBAL CONSTITUTIONALISM: GLOBAL INFLUENCE ON U.S. JURISPRUDENCE: Should International Law Be Part of Our Law? 59 Stan. L. Rev. 1175

The second benefit to foreigners of distinctive U.S. legal norms is information. The costs and benefits of our norms will be visible for all to see. n268 Particularly in an era of increased empirical social science testing, over time we will be able to analyze and identify the effects of differences in norms between the United States and other nations. n269 Such diversity benefits foreigners as foreign nations can decide to adopt our good norms and avoid our bad ones.¶ The only noteworthy counterargument is the claim that U.S. norms will have more harmful effects than those of raw international law, yet other nations will still copy them. But both parts of this proposition seem doubtful. First, U.S. law emerges from a democratic process that creates a likelihood that it will cause less harm than rules that emerge from the nondemocratic processes [\*1235] that create international law. Second, other democratic nations can use their own political processes to screen out American norms that might cause harm if copied.¶ Of course, many nations remain authoritarian. n270 But our norms are not likely to have much influence on their choice of norms. Authoritarian states are likely to select norms that serve the interests of those in power, regardless of the norms we adopt. It is true that sometimes they might cite our norms as cover for their decisions. But the crucial word here is "cover." They would have adopted the same rules, anyway. The cover may bamboozle some and thus be counted a cost. But this would seem marginal compared to the harm of allowing raw international law to trump domestic law.

### AT: Iraq Relations

#### Iraq instability doesn’t spill over

Kaye 10—Senior political scientist, RAND. CFR member and former prof at George Wash. PhD in pol sci from UC Berkeley—AND—Frederic Wehrey—Senior analyst at RAND. Former Georgetown prof. D.Phil. candidate in IR, Oxford. Master’s in near Eastern studies, Princeton—AND—Jeffrey Martini—Middle East research project associate at RAND. Master’s in Arab studies at Georgetown (Dalia Dassa, The Iraq Effect, Report Prepared for the Air Force, http://www.rand.org/pubs/monographs/2010/RAND\_MG892.pdf)

To be sure, whether Iraq “succeeds” (i.e., continues on its current trajectory of reduced violence and some degree of political reconciliation) or “fails” (i.e.,returns to widespread sectarian or ethnic violence and instability) will greatly affect the long-term position and prospects of the Iraqi state. But while regional actors are by no means insulated from such developments, regional trend lines are unlikely to shift significantly in response to internal Iraqi outcomes**.** For example, renewed violence in Iraq and massive repression and exclusion of the Sunni minority would no doubt anger Sunni Arab regimes and publics and would undermine Iran’s outreach efforts to the broader region. But Iran’s regional influence does not depend just on its leverage in Iraq, which, even under the best of circumstances, would still face resistance because of Iraqi nationalist sentiment. Even in the event of failure in Iraq, Iran is likely to continue its pursuit of other regional levers of influence that are of greater concern to its Arab neighbors, such as its ties to militant groups fighting Israel, as well as its pursuit of nuclear capabilities. Indeed, such levers would prove valuable to any type of Iranian leadership, but they are certainly valuable to hard-liners, who are attempting to consolidate power after the contested 2009 elections. Or, on the other hand, if the United States successfully withdraws from Iraq, leaving it with some level of stability, its improved regional credibility is not likely to deter regional states from continuing to pursue a hedging strategy with respect to Iran and to diversify extraregional security relationships by developing closer ties to such states as China and Russia.

Although the surge has been credited with restoring a measure of stability to Iraq, tensions had surfaced by mid-2009 regarding the integration of the Majalis al-Sahwa [Awakening Councils], intra Shi‘a power struggles, and the legitimacy of provincial governance. 18 Regional Arab states, particularly in the Gulf, remain fundamentally suspicious of the Maliki government, and promises to open embassies made in mid-2008 have not materialized.

This hesitation suggests deep ambivalence among Iraq’s neighbors about Iraq’s place in the regional order and, in particular, about the prospect of a return to sectarian internecine conflict. Should this happen, however, the trend lines identified in this monograph, particularly in the domestic societal realm, would not significantly change— in many respects, the worst effects of “failure” in Iraq have already been felt in the 2006–2007 time frame, and neighboring states have proven largely resilient. Saudi interlocutors in particular had noted that the kingdom had nearly written of Iraq to Iranian influence and sectarian chaos by late 2006 and were pursuing a policy of containing the state’s implosion up until mid-2008. 19

If internal stability deteriorates, the impetus to intervene would certainly be stronger in the absence of a significant U.S. troop presence, although conventional military intervention is probably remote, with the exception of Turkey. Jordan, Saudi Arabia, Syria, and other Gulf states are likely to pursue a mix of subversion, strategic communication, and the funding of tribal allies and political partners while eschewing conventional military intervention. Much will depend on the trajectory of Iraq’s weakening: he emergence of ungovernable areas outside the central government’s control, viable political opposition movements, smuggling networks, or tribal or sectarian-based militias would be compelling magnets for outside intervention, both through official channels and from actors outside the government’s control.

### AT: Oil Shocks

#### No impact to oil shocks and they won’t happen

Kahn 11 Jeremy Kahn, writer for Newsweek, IHT, and NYT, previous editor of the New Republic, Masters in IR from LSE and B.S. in History from Penn, "Crude reality" 2/13 www.boston.com/bostonglobe/ideas/articles/2011/02/13/crude\_reality/?page=full

Will a Middle Eastern oil disruption crush the economy? New research suggests the answer is no -- and that a major tenet of American foreign policy may be fundamentally wrong.¶ For more than a month, the world has been riveted by scenes of protest in the Middle East, with demonstrators flooding streets from Tunisia to Egypt and beyond. As the unrest has spread, people in the West have also been keeping a wary eye on something closer to home: the gyrating stock market and the rising price of gas. Fear that the upheaval will start to affect major oil producers like Saudi Arabia has led speculators to bid up oil prices — and led some economic analysts to predict that higher energy costs could derail America’s nascent economic recovery.¶ The idea that a sudden spike in oil prices spells economic doom has influenced America’s foreign policy since at least 1973, when Arab states, upset with Western support for Israel during the Yom Kippur War, drastically cut production and halted exports to the United States. The result was a sudden quadrupling in crude prices and a deep global recession. Many Americans still have vivid memories of gas lines stretching for blocks, and of the unemployment, inflation, and general sense of insecurity and panic that followed. Even harder hit were our allies in Europe and Japan, as well as many developing nations.¶ Economists have a term for this disruption: an oil shock. The idea that such oil shocks will inevitably wreak havoc on the US economy has become deeply rooted in the American psyche, and in turn the United States has made ensuring the smooth flow of crude from the Middle East a central tenet of its foreign policy. Oil security is one of the primary reasons America has a long-term military presence in the region. Even aside from the Iraq and Afghan wars, we have equipment and forces positioned in Oman, Saudi Arabia, Kuwait, and Qatar; the US Navy’s Fifth Fleet is permanently stationed in Bahrain.¶ But a growing body of economic research suggests that this conventional view of oil shocks is wrong. The US economy is far less susceptible to interruptions in the oil supply than previously assumed, according to these studies. Scholars examining the recent history of oil disruptions have found the worldwide oil market to be remarkably adaptable and surprisingly quick at compensating for shortfalls. Economists have found that much of the damage once attributed to oil shocks can more persuasively be laid at the feet of bad government policies. The US economy, meanwhile, has become less dependent on Persian Gulf oil and less sensitive to changes in crude prices overall than it was in 1973.

### AT: Middle East War

#### No ME war

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Underlying this anxiety was a scenario in which Iraq's sectarian and ethnic violence spills over into neighboring countries, producing conflicts between the major Arab states and Iran as well as Turkey and the Kurdistan Regional Government. These wars then destabilize the entire region well beyond the current conflict zone, involving heavyweights like Egypt. This is scary stuff indeed, but with the exception of the conflict between Turkey and the Kurds, the scenario is far from an accurate reflection of the way Middle Eastern leaders view the situation in Iraq and calculate their interests there. It is abundantly clear that major outside powers like Saudi Arabia, Iran and Turkey are heavily involved in Iraq. These countries have so much at stake in the future of Iraq that it is natural they would seek to influence political developments in the country. Yet, the Saudis, Iranians, Jordanians, Syrians, and others are very unlikely to go to war either to protect their own sect or ethnic group or to prevent one country from gaining the upper hand in Iraq. The reasons are fairly straightforward. First, Middle Eastern leaders, like politicians everywhere, are primarily interested in one thing: self-preservation. Committing forces to Iraq is an inherently risky proposition, which, if the conflict went badly, could threaten domestic political stability. Moreover, most Arab armies are geared toward regime protection rather than projecting power and thus have little capability for sending troops to Iraq. Second, there is cause for concern about the so-called blowback scenario in which jihadis returning from Iraq destabilize their home countries, plunging the region into conflict. Middle Eastern leaders are preparing for this possibility. Unlike in the 1990s, when Arab fighters in the Afghan jihad against the Soviet Union returned to Algeria, Egypt and Saudi Arabia and became a source of instability, Arab security services are being vigilant about who is coming in and going from their countries. In the last month, the Saudi government has arrested approximately 200 people suspected of ties with militants. Riyadh is also building a 700 kilometer wall along part of its frontier with Iraq in order to keep militants out of the kingdom. Finally, there is no precedent for Arab leaders to commit forces to conflicts in which they are not directly involved. The Iraqis and the Saudis did send small contingents to fight the Israelis in 1948 and 1967, but they were either ineffective or never made it. In the 1970s and 1980s, Arab countries other than Syria, which had a compelling interest in establishing its hegemony over Lebanon, never committed forces either to protect the Lebanese from the Israelis or from other Lebanese. The civil war in Lebanon was regarded as someone else's fight. Indeed, this is the way many leaders view the current situation in Iraq. To Cairo, Amman and Riyadh, the situation in Iraq is worrisome, but in the end it is an Iraqi and American fight. As far as Iranian mullahs are concerned, they have long preferred to press their interests through proxies as opposed to direct engagement. At a time when Tehran has access and influence over powerful Shiite militias, a massive cross-border incursion is both unlikely and unnecessary. So Iraqis will remain locked in a sectarian and ethnic struggle that outside powers may abet, but will remain within the borders of Iraq. The Middle East is a region both prone and accustomed to civil wars. But given its experience with ambiguous conflicts, **the region has** also **developed an intuitive ability to contain its civil strife and prevent local conflicts from enveloping the entire Middle East.**

### AT: China War/SCS

#### SCS tension inevitable but won’t escalate, even if they win a huge internal link

Michal Meidan 12, China Analyst at the Eurasia Group, 8/7/12, “Guest post: Why tensions will persist, but not escalate, in the South China Sea,” <http://blogs.ft.com/beyond-brics/2012/08/07/guest-post-why-tensions-will-persist-but-not-escalate-in-the-south-china-sea/#axzz2Cbw54ORc>

These tensions are likely to persist. And Beijing is not alone in perpetuating them. Vietnam and the Philippines, concerned with the shifting balance of powers in the region, are pushing their maritime claims more aggressively and increasing their efforts to internationalise the question by involving both ASEAN and Washington. Attempts to come up with a common position in ASEAN have failed miserably but as the US re-engages Asia, it is drawn into the troubled waters of the South China Sea.¶ Political dynamics in China – with a once in a decade leadership transition coming up, combined with electoral politics in the US and domestic constraints for both Manila and Hanoi – all augur that the South China Sea will remain turbulent. No government can afford to appear weak in the eyes of domestic hawks or of increasingly nationalistic public opinions. The risk of a miscalculation resulting in prolonged standoffs or skirmishes is therefore higher now than ever before. But there are a number of reasons to believe that even these skirmishes are unlikely to escalate into broader conflict.¶ First, despite the strong current of assertive forces within China, cooler heads are ultimately likely to prevail. While a conciliatory stance toward other claimants is unlikely before the leadership transition, China’s top brass will be equally reluctant to significantly escalate the situation, since this will send southeast Asian governments running to Washington. Hanoi and Manila also recognize that despite their need for assertiveness to appease domestic political constituencies, a direct confrontation with China is overly risky.¶ Second, military pundits in China also realize that the cost of conflict is too high, since it will strengthen Washington’s presence in the region and disrupt trade flows. And even China’s oil company CNOOC, whose portfolio of assets relies heavily on the South China Sea, is diversifying its interests in other deepwater plays elsewhere, as its attempted takeover of Nexen demonstrates.

# Block

## K

### AT Pinker

#### Their methodology is flawed and Eurocentric---war per capita is a terrible metric—the past two centuries have been exceptionally violent and the trend is only increasing---your role should be to look at the enabling conditions for violence and not rest your faith in our luck so far

Bear F. Braumoeller 13, The Ohio State University Department of Political Science, August 27, “Is War Disappearing?” <http://www.braumoeller.info/wp-content/uploads/2013/08/Is-War-Disappearing.pdf>

Introduction A spate of recent research1 strongly suggests, contra popular perception, that war and violence are on the decline and have been for decades or centuries. Steven Pinker (2011) argues that, as a result of an irregularly overlapping set of processes— pacification, civilization, and the “humanitarian revolution”—there has been an across-the-board decline in the propensity of humans to use violence against one another, both individually and collectively. Along the same lines, John Mueller (2004) argues both that ideational changes—a growing distaste for the institution of warfare—and political ones, in the form of more capable political institutions, have resulted in a general decline in warfare. Pinker’s book, in particular, has been heralded in the mainstream press: one fairly typical review concludes that it is “supremely important…. Pinker convincingly demonstrates that there has been a dramatic decline in violence, and he is persuasive about the causes of that decline.” (Singer, 2011) Exploring these arguments is interesting for three reasons. First, and most obviously, we wish to know whether war is, in fact, disappearing. Second, to the conëict studies community, this question is a thrown gauntlet: if we cannot answer this simple question in a compelling manner, how can we hope to explain the causes of war? Finally, answering the question convincingly requires us to understand both the nature of war and how it should be measured. Those issues, I argue, are more complicated than most people realize. In this sketch of a paper, I oﬀer some preliminary thoughts on how to go about answering these questions about the nature of war and its proper measurement. I leave aside for the moment arguments about the changing nature of war, such as Mueller’s contention that most modern wars are policing wars that are prompted by bandits and thugs.2 I also leave aside civil war, which has its own dynamics and merits separate exploration. I focus more narrowly on the argument that the frequency of interstate war, whatever the reason for its employment, has gone down. I highlight a primary, heretofore unaccounted-for driver of changes in warlike behavior, namely, simple geography: as the world has divided itself into smaller, weaker, and more distant political units, fewer and fewer of those units are able (or willing) to reach each other to engage in combat. At the same time, those political units are far more numerous, so the number of opportunities for conëict has increased dramatically. Existing studies of the decline of war have ignored these two trends. I control for them and ênd, on balance, that no net trend toward a decrease in war is evident. If anything, the opposite is true. Chance, Peace, and War The decline-of-war thesis seems implausible on the surface, if for no other reason that the 20th century was **spectacularly bloody by any standard**. The response of its proponents, essentially, is that one or both of the two World Wars in that century was a fluke—a statistical anomaly. Mueller (2004, 2), for example, calls World War II “a spectacular anachronism, fabricated almost single-handedly by history’s supreme atavism, Adolf Hitler.” Pinker (2011, 208-9) also points to Hitler, as well as to Gavrilo Princip, and argues that each was a necessary condition for his respective war. The primary evidence for the decline of war is taken to be, not the “anomalous” World Wars, but the nearly seventy-year “Long Peace” that followed them.3 There are two problems with this argument. The first is that it’s often possible to point to one person who, more than others, lit the fuse that led to war: the Napoleonic Wars are called that for a reason. **That’s not the same thing as arguing that that individual was both necessary and suﬃcient for the onset of war—an extremely ambitious claim that is unlikely to withstand scrutiny**.4 World War II may have been begun by Hitler, but the ground was made fertile for him by the punitive peace of World War I and the crushing terms of German reparations. The Allies took these steps knowing full well that there was a risk of substantial backlash: although no one could have foreseen Hitler, some hypernationalist response leading to a Great Power war was hardly out of the question. The second, and more serious, problem with the argument is that it **attributes the occurrence of war to chance without exploring the role of chance in the occurrence of peace.** In fact, most scholars see both processes as irreducibly probabilistic. One can cite any number of peaceful periods that could just as easily have exploded into war. During the Cuban Missile Crisis, for example, the United States conveyed its intention to use practice depth charges to force Soviet submarines near the quarantine line to surface, but the Soviet Union failed to inform the four Foxtrot-class submarines in the area of that fact. The Soviets, for their part, failed to convey the fact that their submarines were armed with nuclear-tipped torpedoes. On October 27, a trapped Foxtrot submarine very nearly used its nuclear weapon against the American Navy: doing so required consensus among the captain, the second in command, and the political oﬃcer, and only one of the three—Vasili Arkhipov—refused to endorse a nuclear response (Roberts, 2012). If we give the role that chance plays the same credit in peace that we give it in war, we can take a rough stab at assessing which of these two events—the two World Wars, or the “long peace” that followed—was more anomalous. If we look at the record of Great Power wars over the past êve centuries (Levy, 1983; Goldstein, 1988, 146), we ênd an average of about two per century prior to the 20th century. Having two such wars in the 20th century, therefore, **is far from anomalous**; it’s more or less what we’d expect given what we’ve seen in the past. More surprising, perhaps, is the fact that the seventy years of peace that have passed since the end of World War II are hardly anomalous either. More formally, let’s take the probability of a systemic war breaking out in any given year, based on historical precedent, to be 0.02.5 We can calculate the probability of seeing k “successes” (wars) in n “trials” (years) given an underlying probability of success p by examining the probability mass function of a binomial distribution, P r(X = k) = ( n k ) p k (1 p) (nk) Figure 1 uses this function to compare the probability of observing no wars in the 70 years since World War II with the probabilities of observing one, two, three, or more wars in the same time period, if nothing has changed—that is, if the probability of systemic war has not deviated from its historical average of two per century. As we can see, although the most likely outcome is a single war during that time period, an absence of wars is far from improbable. Figure 2 takes a look at how these same probabilities change over the course of 250 years. As the Figure demonstrates, for nearly 50 years, peace is the most likely outcome. A single war then becomes more likely, but not much more; and at no point are one or two wars all that much more a likely outcome than none at all. These Figures answer our question about the improbability of World Wars I and II, relative to the Long Peace. If there has been no change in the underlying propensity for systemic war over time, the probability of seeing two wars in the 20th century–that is, the probability that two of the 100 one-year periods contained in the century will see the onset of general war—is 27.3%. By contrast, the probability of observing seven continuous decades of peace—zero wars in fourteen êve-year trials, with a probability of “success” of 0.02—is 24.3%. **The Long Peace is only slightly less likely to have happened by chance than the two World Wars**. How many years of peace would we have to see before we could conclude that the long-term average no longer applies? We can examine the conêdence intervals of the binomial distribution to answer this question. These intervals delimit the plausible values of p, the probability of Great Power war, given n years of peace. As Figure 3 shows, although the range of plausible values narrows quickly for the êrst half-century or so, it would still take about 150 years of uninterrupted peace for us to reject conclusively the hypothesis that the underlying probability of systemic war remains unchanged.6 Now that I’ve addressed a few points about how much we can, or can’t, infer about the long-term probability of systemic war from the World Wars and the Long Peace, I will turn to a thornier issue—the nature of war and its implications for measurement—before addressing the question of whether or not the use of force more generally is in fact in decline. The (Mis)measure of War **World War II was the bloodiest conflict in modern human history**, and subsequent conflicts have been impressively costly, so on its surface **the claim that human violence is on the decline requires qualification**. Authors who make it typically note that the number of people available to be killed in war has increased considerably, so the appropriate metric is not absolute number of war deaths, but rather, war deaths per capita. Pinker (2011, 51), for example, notes that “[t]he number of deaths per 100,000 people per year is the standard measure of homicide rates, and I will use it as the yardstick of violence throughout the book.” Is this a reasonable metric to use when examining the argument that war is disappearing over time? **Not really**. War deaths per capita accurately reflects the average citizen’s risk from death in war, **but it’s not immediately obvious how that quantity is related to human war-proneness**.7 A decrease in war deaths per capita means that population is outpacing war deaths—nothing more, nothing less. There may be fewer people exposed to risk of death from war; the individual risk may have decreased due to other factors (combat medicine, for example); and so on. Moreover, population growth is exponential, and exponential growth defies human imagination: more than 1 in 20 people who have ever lived, from 50,000 B.C. to the present, are alive at this moment (Curtin, 2007). **We should hardly be surprised that deaths from war cannot keep up**. More generally, we cannot infer any direct relationship between individual-level characteristics and state bellicosity for one simple reason: the logic of individual action in the context of a domestic political hierarchy does not, in any straightforward manner, map to the logic of state action in the context of international anarchy (Waltz, 1959, 1979). As Kant argued in Perpetual Peace, the problem of achieving order can be solved even by a race of intelligent devils; similarly, Jervis (1978) shows that war may occur even between states that desire peace. The behavior of states does not, in any uncomplicated way, reëect the nature of individual humans: to argue that it does is to commit logical as well as ecological fallacies. Therefore, we cannot point to a change in the rate of death from war (or even the number of deaths from war) as evidence that people are becoming more peaceful. How, then, can we understand whether states are becoming more peaceful? In order to understand whether something is changing, we must êrst understand how to measure it; in order to measure it, we must understand what it is. To answer this question, therefore, we need to begin by exploring the fundamental nature of war. What Is War? If our goal is to understand war, we should start with the writings of Carl von Clausewitz (1832/1976). Clausewitz described two diﬀerent understandings of war— absolute war, which he likened to “a duel on a larger scale” (75), and “real war, or the sort of war that we actually observe, which he described as “a continuation of political intercourse, with the addition of other means.” (605) The distinction is puzzling at êrst, especially given Clausewitz’s claim that absolute wars rarely if ever occur. The logic of Clausewitz’s models of war, and their relationship to one another, have been usefully ëeshed out by modern theorists. First, Fearon (1995) asked the question of why a rational state would êght at all, given the inevitable costs of doing so and the availability of a costless negotiated settlement. In Fearon’s model of warfare, the process that leads to war is a process of negotiation. When actors cannot credibly commit to a settlement or one actor has private information (about its capabilities or resolve, say) and an incentive to misrepresent that information, then war occurs; otherwise, rational actors should be able to reach a negotiated settlement. Wagner (2000) pushes this logic further by arguing that negotiation continues during war—that, in fact, war is a form of costly negotiation, Clausewitz’s “continuation of political intercourse, with the addition of other means.” War begins due to a lack of information, and êghting reveals the information needed to arrive at a settlement. In a simple example, a state with an incentive to bluﬀ, or pretend to be stronger than it is, will soon have its weakness revealed on the battleêeld and be forced to accept a settlement that reëects its weakness. Wagner also addresses the question of how Clausewitz’s “real war” is related to “absolute war.” Absolute war comprises a process, not of êghting to reveal information, but of êghting to defeat the opponent’s military and hold its civilian population hostage.8 The outcome of absolute war, war to the bitter end, is the hypothetical about which real war provides information. In order for absolute war to play that role, though, there must be some chance that it will be realized—that is, some possibility that war will change relative capabilities more rapidly, or more eﬀectively, than it provides information about them. This intuition is captured well by Smith and Stam (2004), who describe a bargaining game in which states êght in order to conquer “forts” (analogous to territory or strategic assets). If one side captures all of the assets, the other is left defenseless and must yield. The act of êghting over such assets both tilts the balance this way and that and, in the process, gives the players more information about their relative capabilities. A settlement can occur either as the result of increased information or as a result of military defeat. From this perspective, decision makers terminate wars when their estimates of one another’s capabilities converge.9 Those estimates are inëuenced by the eﬃcacy of their military forces: a side that loses êve, ten, or êfteen battles in a row should begin to suspect that it has made a mistake. Implications What empirical implications can we glean from this account of war that can help us to answer the question of whether war is on the decline? First, information, not attrition, is the goal of conflict. This fact drives a stake into the heart of the wardeaths-per-capita metric, since there is no direct or obvious connection between changes in estimates of relative capabilities and size of total population. Decision makers glean information as a result of the outcome of a series of battles; their relative losses influence those estimates. Although an informative loss might be more costly in modern warfare than it was 200 years ago, that change is likely due to changes in technology, not to changes in the size of the civilian population. Simply put, the outcomes of ten tank battles are probably costlier than the outcomes of ten equally informative cavalry battles; but either should be as informative to the leader of a country of a million as it is to the leader of a country of ten million. Second, conflict initiation, and even the “bargaining” that might lead to initiation, is a gamble. Leaders cannot know whether their opponents will fold or stand firm until they do one or the other. If they stand êrm, leaders cannot know whether their divergent beliefs will be resolved by the outcome of a few skirmishes, a weekslong conëict, or a major war. As Pinker (2011, 192) himself puts it, “When the iron dice begin to roll (as the German chancellor Theobald von Bethmann-Hollweg put it on the eve of World War I), the unlucky outcomes can be far worse than our primitive imaginations foresee.” Indeed, Tuchman (1962, ch. 9) documents the fact that political elites in the capitols of the Great Powers believed nearly unanimously that the conëict begun in 1914 would last no more than a few weeks, or possibly a couple of months at the outside. This fact, too, undercuts the war-deaths-per-capita metric: if the scale of a war is uncontrollable, except by surrender, and therefore unknowable a priori, it cannot reëect the magnitude of the human propensity for violence that led to war. When the first bullets fly, no decision maker can know how many people will die; so their intent cannot be measured by the number of people who actually do die, whether a thousand or a million. The only reasonable metric is the willingness to “roll the dice” in the first place. These two conclusions help us to resolve the dilemma that Pinker (2011, 210) outlines: “[W]arlike” can refer to two diﬀerent things. It can refer to how likely people are to go to war, or it can refer to how many people are killed when they do. Imagine two rural counties with the same size population. One of them has a hundred teenage arsonists who delight in setting forest êres. But the forests are in isolated patches, so each êre dies out before doing much damage. The other county has just two arsonists, but its forests are connected, so that a small blaze is likely to spread, as they say, like wildêre. Which county has the worse forest êre problem? One could argue it either way. As far as the amount of reckless depravity is concerned, the êrst county is worse; as far as the risk of serious damage is concerned, the second is. Given the fact that that states êght in order to gain information, not to produce attrition of one another’s general populations, and given that the intentions of leaders who risk war cannot be inferred from the magnitude of the war that results, we are in a situation in which, to continue Pinker’s analogy, when forests are randomly distributed in each village and the arsonists set êres without knowing how far they will spread, the village with more arsonists is the village with the worse problem. Accordingly, the best way to gauge the warlikeness of nations **would be to measure the frequency with which they run the risk of war**. Initiating a war, or issuing a threat that creates the risk of war, is indicative of the willingness, in the worst case, to spill quite a bit of blood; that willingness is the best indicator of the propensity of the state to engage in violent conflict; and the individual conëict incident, or militarized dispute, is the most reliable objective indicator of that willingness.10 War and Numbers The preceding discussion leads to the conclusion that trends in conflicts of any kind are probably the most reliable indicator of the propensity of states to fight wars. The question then becomes, what can we discern from trends in conëict? At first glance, trends in conëict would seem to support the disappearance-ofwar thesis. In his Figure 5.17, reproduced here as Figure 4, Pinker (2011, 222-231) uses data on the number of conëicts per year from Peter Brecke’s “conëict catalog”11 to demonstrate that war among European powers is on the decline. An earlier Figure (5.13, not presented here) does the same for Great Power wars. Nevertheless, **Pinker oﬀers little justifcation for examining only Great Powers and European states**, save that they “oﬀer a circumscribed but consequential theater in which we can look at historical trends in war.” None of the proponents of the decline-in-warfare thesis suggests that it should be an exclusively European or Great-Power phenomenon. **Indeed, quite the opposite**. Pinker (2011, ch. 4, esp. at 134) explicitly makes reference to his “humanitarian revolution” as a worldwide phenomenon, while Mueller (2004), who largely focuses on war between developed states, explicitly (6; 83) notes that the same trends are evident in less-developed parts of the world. To begin, then, we should examine Brecke’s data in order to see what the the long-term trends in warfare look like in the international system as a whole. To do so, we need look no farther than the working paper that Pinker cites (Brecke, 1999), which does just this. Brecke’s graph of trends in the international system— reproduced here as Figure 5—**suggest that conflict in the last two centuries has been more prevalent than ever before**. More fine-grained data from the industry-standard Correlates of War Militarized Interstate Dispute (MID) dataset **lead us to a similar conclusion**. In Figure 6, I calculate the number of uses of force12 per year and graph them against time. Given the volatility of the series, I also add a lowess line through the center of the data to capture the central tendency of the data. The result is precisely the opposite of what one would expect if war were on the decline: uses of force held more or less steady through the êrst World War but then increased steadily thereafter. The problem with this graph, and the previous ones, is straightforward: no correction is made for the number of interaction opportunities in the international system. Especially during the êrst two thirds of the twentieth century, the number of independent states in the system grew dramatically, and the number of opportunities for conëict rose accordingly: in a world of two states, only one pair of states can go to war; in a world of four states, there are six possible axes of conëict; and so on. To correct for this issue, in Figure 7 I divide the number of uses of force in a given year by the number of pairs of states (or dyads) present in the international system. In this graph, we can see precisely the sort of relationship that we would expect to see if war were dwindling: a steady decline through both centuries, interrupted by brief surges around the time of the two World Wars.13 Although Figure 7 would seem to be an improvement on Figure 6, it is not without its own problems. Counting every pair of states in the international system as a potential conëict dyad is ambitious, to say the least. The overwhelming majority of the states in the international system lack the ability to project power beyond their own region, at best; most, in the absence of outside assistance, are limited to conëict with their neighbors. Moreover, the scope of states’ political interests tends roughly to correspond to the scope of their inëuence. A clash between Bolivia and Botswana is highly unlikely, both because they are distant and weak and because the politics of each is largely irrelevant to the other. In short, as Maoz and Russett (1993) memorably put it, many states in the international system are not “politically relevant” to one another: conflict between them is unlikely for purely geographic reasons, and we should account for that fact when attempting to draw inferences about the onset of war and its causes. Unfortunately, as of this writing there is little consensus in the literature regarding how exactly to measure, or control for, political relevance (Braumoeller and Carson, 2011, 292-293). The simplest rule to apply is contiguity: Only neighboring pairs of states, or states separated by less than 150 miles of water, are treated as potential combatants. If we apply this rule and reexamine the use of force over time (Figure 8), **the downward trend has clearly reversed itself:** though there is a fair bit of noise, **the overall trend is slightly upward and has held steady at a higher rate during the Cold War than in previous periods.** Clearly, assuming that conëict can only occur between neighboring states is overcompensating for political relevance. Even if we add another condition—that any dyad containing a Great Power is politically relevant—we still find that around a quarter of all militarized disputes in the postwar period occurred between “politically irrelevant” states. Other assumptions—including pairs of states that are separated by up to 400 miles, for example—do not solve the problem, though they do reduce the percentage of excluded disputes by a bit (Benson, 2005, 115-116). At this point, we face a serious dilemma. Controlling for the number of pairs of states in the international system tentatively suggests that war is indeed on the decline, but controlling for the number of contiguous states leads to the opposite conclusion. Neither answer is satisfactory, because neither controls for the correct number of states. What we need is a theoretically motivated measure of political relevance that allows for shades of grey—that is, for situations in which distance and weakness renders conëict improbable, not impossible. In the next section, I describe a statistical model of the use of force that allows me to estimate, empirically, the political relevance of any pair of states in the international system. The measure is not perfect, but I argue that it represents the state of the art at present. I also include in the model two sets of variables designed to allow me to capture the main arguments implicated in the decline-of-war literature—the humanitarian revolution, and the trend toward better and more coherent governance—so that I can examine the contribution of each to changes, if any, in the average propensity of states to êght over time. Modeling War and Peace My main goal in constructing a statistical model of war and peace is to generate an estimate of political relevance that I can then use to construct a reasonable metric of the warlikeness of states—conëict incidents per politically relevant dyad. That, in turn, will help us to answer the question of whether international war is disappearing. As a side beneêt, we can use the statistical model to measure the contributions of a variety of factors to the probability of conëict initiation. To preview, the model will have three main components. The êrst will be a model of the warlikeness of states—that is, their general propensity to use force to settle disputes. The theoretical model of war outlined above gives us some general expectations about the sorts of situations in which we should expect to see states resort to violence—namely, those in which there is a fair bit of uncertainty about relative capabilities and, therefore, about the outcome. If the decline-of-war theorists are correct, we should ênd that the propensity to êght based on such calculations is in decline. More than that, however: We should ênd that the propensity to use force to settle disputes is in decline even when controlling for other factors that are known to blunt it. Two of these—regime type and political irrelevance—are the second and third components of the model. Democratic political regimes are known to be peaceful in their dealings with one another; their inëuence should be controlled for because both Pinker and Mueller point to a change in ideas, not institutions, as the source of paciêcation. Political irrelevance—greater distances between weaker states—makes war less possible, not less desirable: its eﬀects are not unlike those of putting bellicose siblings in diﬀerent rooms for a “time out.” Distance decreases the opportunity to êght, whether or not states are willing to do so. If the decline-of-war theorists are correct and humans desire less conëict than they had in previous decades, warlikeness should decrease even when distance is controlled for. Warlikeness The êrst thing that we need is a measure of warlikeness, or the conëict propensity of states. The most obvious culprit, given the theoretical explanation of war that we use above, is uncertainty. The bargaining model of war described above leads us to expect that war will be more likely when states are more uncertain about the balance of power. Regardless of the issue at stake, uncertainty can cause a challenger to the status quo to demand too much, or cause a defender to underestimate the challenger’s willingness to êght. As uncertainty increases, so does the potential for misunderstandings like these to lead to war. Unfortunately, there is no good measure of the uncertainty in states’ calculations about one another’s capabilities. However, as intuition suggests (and Reed (2003) demonstrates), uncertainty is highest when states’ capabilities are relatively evenly matched. When capabilities are mismatched, by contrast, the likely outcome of a conëict is clear enough to forestall it. Therefore, we can use the diﬀerence in capabilities of states as a proxy for the propensity of states to engage in conëict as a result of uncertainty about the likely outcome of that conëict. The advantages of this model of warlikeness are twofold: it follows cleanly from the bargaining model of war described above, and the logic applies to any impetus toward conëict—territorial issues, ideology, hegemony, or what have you. H1a: Uncertainty, as captured by similarity of capabilities, increases the propensity of states to engage in conëict. Using this baseline model of warlikeness, we can ascertain both whether increased uncertainty leads to an increase in the propensity to use force and whether that propensity has become less prevalent over time. What we can’t do is ascertain whether, as decline-of-war theorists argue, the propensity to êght has declined over time despite unchanging levels of uncertainty. To do that, we need to include a second variable: Time. H1b: Over time, the propensity of states to initiate conëict has declined. Including time in the equation ensures that we can capture secular declines in warlikeness over time, for whatever reason. Any variable implicated in the decline-ofwar literature must, of necessity, be highly correlated with the passage of time. Time is, therefore, a useful proxy, even if it fails to capture the precise quantity of interest.14 Governance, Good and Bad These hypotheses are subject to a caveat. Over the last three decades, scholars have arrived at a near-consensus that relations among democratic states are largely if not entirely exempt from the pressures that lead most states to war (Doyle, 1983a,b; Russett, 1993). While these êndings do suggest that the impetus to go to war has been substantially reduced in the case of a subset of states, they cannot speak to the overall proclivity of states to êght: if democracies are substantially more likely to êght nondemocracies than nondemocracies are to êght one another, the systemic implication of low-to-intermediate levels of democratization might be more war, not less. Nevertheless, among democracies the relationship between uncertainty and war should be substantially mitigated. H2a: Joint democracy decreases the impact of the similarity of capabilities on the probability of conëict. Along the same lines, Mueller (2004), who argues that democracy is more likely to be a result of peace than the cause of it (2, 167-169), suggests that “capable government…is ultimately the most promising method for the long-term control, and even potentially for the eradication, of most of the remnants of war.” (3) This is so because of the decrease it produces in organized criminality, which Mueller sees as a primary source of the “policing wars” that dominate organized international uses of force today. H2b: Capable governance decreases the impact of the similarity of capabilities on the probability of conëict. Political Relevance Finally, these generalizations only hold among states that are politically relevant to one another: in the Botswana-Bolivia dyad, for example, relative capabilities and regime type are largely immaterial. We therefore need to specify a ênal condition: H3: Political irrelevance decreases the impact of the similarity of capabilities and of regime type on the probability of conëict. Measurement To test these hypotheses, I utilize a range of variables from the Correlates of War Militarized Interstate Dispute (MID) project,15 aggregated by EUGene (Bennett and Stam, 2000), as well as more up-to-date data from the Polity project. To measure the diﬀerence in capabilities between state i and state j, I begin with the standard Correlates of War capabilities measure, cap, and create the index Capability Diﬀerence = jcapi capjj capi + capj (1) For time, I measure the number of years since 1815. For regime type, I use the standard Polity measures of democracy (i.e., democracy-anocracy) for states i and j, as well as their product. In addition, I create a new variable, Anocracyi or j, that equals one if the democracy score of either state lies between 3 and -3 and zero otherwise. This variable captures the argument that poor governance, rather than governance of a particular sort, creates an impetus to war. To capture the concept of political relevance, I include three variables: the Correlates of War capability score of the strongest state; the log of the inter-capital distance between states i and j; and a dummy variable indicating whether the dyad contains at least one major power, as deêned by the COW project. Analysis Given the fundamentally interactive nature of the hypotheses—political relevance and regime type moderate the impact of uncertainty on the use of force—I utilize Boolean logit (Braumoeller, 2003) to test the hypotheses. In a nutshell, in contrast to standard logit analysis, in which Pr(y = 1) = (X ); (2) Boolean logit posits the existence of three latent dependent variables—y u , or the dyad’s propensity to use force; y r , the pacifying eﬀects of regime type; and y pr, the degree to which political relevance permits states to use force in the êrst place. It then assigns separate vectors of independent variables to each latent dependent variable: Pr(y u = 1) = (X ) (3) Pr(y r = 1) = (Z ) (4) Pr(y pr = 1) = (W ) (5) Finally, it speciêes the interactive manner in which the combination of latent dependent variables contributes to the observed dependent variable, the use of force: Pr(y = 1) = Pr(y u = 1) Pr(y r = 1) Pr(y pr = 1) (6) In this case, because the theory speciêes a conjunctural relationship among the latent variables, the result resembles a standard multiplicative interaction, except that vectors of independent variables rather than individual variables are interacting with one another. The technique has two advantages from the point of view of this study. First, we can use it to create predictions, or estimates, of the unmeasured latent dependent variables. In particular, we can simply compute (W ) in order to produce a continuous metric of political relevance—a function of distance, capabilities, and Great Power status that is bounded at 0 and 1. This variable will provide a much richer and more nuanced measure of political relevance than simple measures of contiguity.Put another way: Most measures of political relevance assume a strict relationship between Great Power status and/or contiguity, on the one hand, and political relevance, on the other. Rather than assuming such a relationship, this technique allows us to estimate it. The second advantage is that we can use the results to capture three distinct quantities that reëect conëict propensity, regime type, and political relevance, and chart those separate quantities over time. To do so, we average the value of the latent dependent variable across all units in the system in each year. Changes in those averages over time are indicative of how much or how little the propensity for conëict and the pacifying eﬀects of regime type and political irrelevance have changed across the system over time. Table 1 contains the results of the Boolean logit analysis.16 As anticipated, simi- larity of capabilities—our indicator of uncertainty—increases the probability of conëict, as does the absence of coherent government on the part of at least one of the states in the dyad, while joint democracy decreases it. As one might anticipate, political relevance increases with the capabilities of the strongest actor and with the presence of a major power in the dyad, and decreases with distance. Most surprising, though, is the coeﬃcient on the time variable, which reëects a modest but signiêcant increase in the propensity to êght over time. These results allow us to break apart the diﬀerent components of conëict initiation to see whether, on average, any of them has declined over time. Figure 9 does exactly this by charting the mean within-sample predicted value for each of the y over time. While there is little change in the pacifying eﬀects of regime type,17 there is a signiêcant increase over time in warlikeness, or the propensity to use force to resolve disputes. This propensity dips a bit during the long and relatively peaceful 19th century, but it increases steadily through the 20th. At the same time, we can see a clear and dramatic decrease in average political relevance across the entire period, as the world is increasingly divided up into states that are smaller, weaker, and farther apart. Discussion The goal of the above analysis was to separate three trends over time: the propensity to initiate conëict in situations of uncertainty, as the bargaining model of war suggests states will do; the pacifying eﬀects of political regime type; and the pseudo-pacifying eﬀects of the trend toward smaller, weaker, and more distant states. Having done so, we are faced with a surprisingly stark result: **not only does the inclination to fight not decrease, it actually increases,** slowly but steadily. What does decrease, quite dramatically, is the ability of potential combatants to reach each other. No model of conflict initiation is perfect, of course, and this one is surely far from it: the macro-level variables make inference particularly challenging. Even so, **the trends are far from what one would expect if the decline-of-war thesis could hold water.** More important, the model gives us an important metric—a measure of political relevance—that we can use to draw conclusions about the raw data. Recall that, in Figure 8, we looked at uses of force per politically relevant dyad, but the measure of political relevance that we used was a very imperfect one. A much improved measure of political relevance can be had by calculating the predicted value of y pr using the above variables W and coeﬃcients . As a quick check of surface validity, I plot political relevance from the perspective of four countries—the United States, the United Kingdom, Egypt, and Chile—in the year 1993 in Figure 10. The plots correspond roughly to intuition: to the United States, most of the world is mostly relevant, with only the most distant parts slightly less so, while the United Kingdom displays a more regional pattern. Egypt’s politically relevant neighborhood is more constrained still, extending through much of the Middle East and including the more powerful states of Europe, while Chile primarily sees neighbors and Great Powers as its politically relevant cohort. There is room to quibble, of course, but the results represent a considerable improvement over the standard way of doing things, which suggests that all states are equally relevant to Great Powers and non-Great Powers are only relevant to their neighbors. With this more nuanced measure of political relevance, we can get a much better sense of trends in the use of force controlling for capabilities and distance. I turn to this task in the next section. War and Political Relevance The final step in this exercise is to measure the frequency of conëict initiation controlling for the political relevance of dyads. Our measure of conëicts per dyad was simply the number of uses of force in a given year, divided by the number of extant dyads in that year. Conëicts per contiguous dyad was equal to the number of uses of force divided by the number of contiguous (directly or within 150 miles by water) dyads. In order to create a measure of systemic warlikeness, I divide the number of uses of force in the system in a given year by the sum of the political-relevance scores for all dyads in the system. This measure assumes, êrst, that the political-relevance measure is reasonably accurate, and second, that we should on average expect half as many conëicts from a dyad with a political relevance score of 0.5 as we would expect from a dyad with a political relevance score of 1. Given that the estimator that was used to derive the measure incorporates exactly this assumption, it would seem not to be too unrealistic. Figure 11 illustrates the result—the ênal overall metric of warlikeness from 1816– 2001. Although the period from the 1960s to the present does exhibit a decline in conflict, the drop is fairly modest, and the result is a rate of conflict not too diﬀerent from the average across the past two centuries. **There is certainly no suggestion of a general downward trend in rates of conflict initiation**; a more reasonable characterization would be a cyclical alternation of more-warlike (1850s, 1910s, 1940-90) and less-warlike periods. Of course, that’s not to say that an upswing will inevitably follow the current lull: indeed, the general trend more closely resembles a random walk than a steady decline. We might be tempted to derive meaning from the postCold War cluster of lower-conëict years, and in time we may conclude that they’re more than a ëuke; but as Pinker himself puts it, “events that occur at random seem to come in clusters, because it would take a nonrandom process to space them out.” (Pinker, 2011, 203) Conclusion In this paper, I set out to explore the claim that there has been an overall decline in the propensity of states to use violence against one another in international relations. I’ve argued that **per-capita deaths from war is a misleading and irrelevant statistic to use in answering this question**, because it has no foundation in a coherent account of how wars actually happen. I argue instead that we should be examining uses of force that have the potential to become wars, because such actions are indicative of a willingness to use considerable violence even if that willingness is not realized. An initial glance at uses of force per year **suggested that the propensity to use force is going up rather than down**. This trend is plausibly an artifact of the division of the world into a larger number of political units with a larger number of conëict opportunities. At the same time, those units are on average smaller, weaker, and more distant. I therefore examine a new metric—uses of force per relevant dyad— that controls for both trends simultaneously. **The results bear little resemblance to a decline in violence over time**. A more reasonable characterization might be a semi-random oscillation, with more and less conëictual periods alternating across irregular periods. A **pattern of that nature oﬀers little basis to conclude that war is on the decline**—**or** indeed, **to conclude much of anything at all about its likely future direction**.

#### The aff’s threat construction’s the most likely scenario for mass violence

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Do they accept that the post-World War II era was a “Long Peace,” and for Pinker’s reason that the great powers fought no wars among themselves? Do they buy-into Pinker’s view that the role of the United States in this era was merely the “containment” of an expansionist Communist enemy, and had no self-interested purpose or ideological base? Do they agree with his shifting of responsibility for Korean and Vietnamese civilian deaths in those distant wars from the United States to the communist sides? What do they think about Pinker’s citing the peace movements of the 1960s and during the run-up to the 2003 U.S. invasion of Iraq as evidence of the growth of our “better angels,” while failing to explain why those “angels” neither prevented nor stopped the wars? Could it be that institutional factors—the global interests of transnational corporations and the military-industrial complex, the refusal of the nuclear weapons-states to give up their advantage, a permanent-war system that is more resource-commanding than ever, and possesses the potential for unprecedented destruction—carry more weight in policy decisions than does the sociobiological expansion in the powers of reason and empathy speculatively asserted by Pinker, but impossible to prove? ¶ <Continues>¶ Pinker calls the belief that the “twentieth century was the bloodiest in history” a “cliché” and an “illusion.” (193) He deals with the fact that World War II was the historical peak in war-related deaths, and World War I a big-time killer as well, by several tricks. One is to relativize deaths by adjusting the numbers killed in earlier conflicts to later and much larger population bases, so that although the absolute death toll from World War II tops all others, he can depict it as far less deadly than several other wars and conflagrations from centuries long ago. But while Pinker makes violence into a relative matter in order to prove his main theme, he often mentions the long historical diminution in violence without making explicit that he is talking about relative, not absolute, levels of violence. But increases in absolute levels of violence might well be independent of the sizes of the population base. Surely the U.S. attacks on Korea, Vietnam, and Iraq were rooted in independent factors, not the number of people then living on the planet. Nor was there any link between the Nazi holocaust and the population of China.¶ Another Pinker-device is to claim that the great wars of the 20th century were “random” events, and in his book’s many figures where he cannot avoid the deadliness of the First and Second World Wars, he waves-off their magnitude as "statistical illusions”—they are “outliers” and even “apparitions”—and he urges us to forget that they both occurred in the past 100 years. They are unrelated to “modernity,” whose “forces” for the “reduction of violence” remain sacrosanct in spite of these and subsequent wars—and the evident failure of the “better angels” to do their work. ¶ Yet another trick is to start the "Long Peace" conveniently at the end of World War II, and to define it as a period in which there have been no wars between the great powers. But the First and especially the Second World War had taught them that with their advancing and life-threatening means of self-destruction, they could not go on playing their favorite game of mutual slaughter any longer. But this didn’t prevent them from carrying out numerous and deadly wars against the Third World, which filled-in the great-power war-gap nicely. Thus the “Long Peace”—a brief 67 years through 2012—has been peaceful only in a Pinkerian sense, and it appears to have very shallow or even no roots in our “better angels.” Furthermore, as we have stressed, it is increasingly threatened by a Western elite-instigated global class war and a permanent-war system fueled by “threats” manufactured by institutional structures that continue to overwhelm these “better angels.”

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Best way to solve the case

Aziz Rana 12, Assistant Professor of Law, Cornell University Law School; A.B., Harvard College; J.D., Yale Law School; PhD., Harvard University, July 2012, “NATIONAL SECURITY: LEAD ARTICLE: Who Decides on Security?,” 44 Conn. L. Rev. 1417

But this mode of popular involvement comes at a key cost. Secret information is generally treated as worthy of a higher status than information already present in the public realm—the shared collective information through which ordinary citizens reach conclusions about emergency and defense. Yet, oftentimes, as with the lead up to the Iraq War in 2003, although the actual content of this secret information is flawed,197 its status as secret masks these problems and allows policymakers to cloak their positions in added authority. This reality highlights the importance of approaching security information with far greater collective skepticism; it also means that security judgments may be more ‘Hobbesian’—marked fundamentally by epistemological uncertainty as opposed to verifiable fact—than policymakers admit.

If the objective sociological claims at the center of the modern security concept are themselves profoundly contested, what does this meahn for reform efforts that seek to recalibrate the relationship between liberty and security? Above all, it indicates that the central problem with the procedural solutions offered by constitutional scholars-emphasizing new statutory frameworks or greater judicial assertiveness-is that they mistake a question of politics for one of law. In other words, such scholars ignore the extent to which governing practices are the product of background political judgments about threat, democratic knowledge, professional expertise, and the necessity for insulated decision-making. **To the extent that Americans are convinced that they face continuous danger from hidden and potentially limitless assailants**-danger too complex for the average citizen to comprehend independently-it is inevitable that institutions (regardless of legal reform initiatives) will operate to centralize power in those hands presumed to enjoy military and security expertise. Thus, any systematic effort to challenge the current framing of the relationship between security and liberty must begin by challenging the underlying assumptions about knowledge and security upon which legal and political arrangements rest. Without a sustained and public debate about the validity of security expertise, its supporting institutions, and the broader legitimacy of secret information, there can be no substantive shift in our constitutional politics. The problem at present, however, is that it remains unclear which popular base exists in society to raise these questions. Unless such a base fully emerges, we can expect our prevailing security arrangements to become ever more entrenched.

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#### Spills over – US norms key to solve miscalc and a breakdown of institutions

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Outsourcing and World Order Given the United States’ global influence and power, privatizing the implementation of American foreign policy has at least three signiﬁcant implications for world politics. First, although the democratic deficits that outsourcing yields deeply trouble Americans concerned with conserving democratic accountability and transparency at home, these deficits also bear on international stability. Deliberation and transparency are hallmarks of liberal democracy, and in the realm of foreign policy these same properties tend to reassure other states, even undemocratic ones, that a democracy’s foreign policy actions can be anticipated, and that any abrupt policy change **will be** signaled well in advance. Because states of all stripes base their own calculations upon such signals, the less transparent policymaking becomes via outsourcing, the more likely it is that miscalculations could produce conflict. Further, when Washington delegates military functions to private companies, the question arises of where ultimate accountability and over- sight authority actually reside. Should U.S. law, international law, or military commanders in the field carry the day?40 International ordercannot be built on such ambiguity. Second, the policy ﬂexibility that Washington gains from outsourcing could, in time, become more of a bane than a boon: the greater the US. ability is to pursue policy objectives via PMCs, the fewer incentives Washington has to consult and bargain with other governments about its policy or to make the compromises needed to forge and maintain international coalitions to pursue it. By strengthening the United States’ unilateralist tendencies, this dynamic could weaken the firewall discussed earlier that has sustained the US. monopoly inthe provision and consumption of PMC semces. Finally, the expansive outsourcing practices observed since 1990 have weakened the sinews of established organs of multilateral governance. By default, the authority Washington delegates to PMCs is also authority not delegated to international institutions. Though it is obvious that overlapping spheres of competence are common in an in- terdependent world, **it surely makes a difference for diplomacy**, strategic policy, and multilateral governance whether multilateral organizations. or under—regulated private corporations are the primary representatives of the world’s most powerful state. The more the United States and other governments delegate state power to private corporations rather than to international institutions, the greater the prospects that outsourcing will sap the strength of what were once considered to be the building blocks of international order. As the world’s preeminent power and the **principal consumer and producer** of private military services, the United States, either inadvertently or delib- erately, shapes the norms that will frame future interstate competition. Out- sourcing the implementation of its policy via PMCs can be a useful solution to a range of immediate problems, but the costs such actions generate are likely to be fully realized only in the long term. An under-regulated market for force, therefore, will likely have significant negative consequences down the line, and these effects will only grow more dramatic if other states follow the US. lead.

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As used to be the case before 1648, all these organizations will interact with each other and bargain with each other. Occasionally, no doubt, they will also make use either of their own forces or, which appears more and more likely, those of contractors in order to direct violence against each other. While such a situation will be nothing new to the inhabitants of much of the Third World – which is characterized by nothing so much as the fact that the state never succeeded in establishing an effective monopoly over violence – in many developed countries the effect on day-to-day security will almost certainly be adverse. People and organizations who used to rest peacefully in the bosom of the state will have to do, indeed already are doing, more to defend themselves, for example, by purchasing all kinds of specialized equipment; fortifying the premises in which they live and operate; mounting their own guards, whether in or out of uni- form; and possibly even setting up their own armed forces under suitable commanders (retired officers and NCOs, no doubt). Compared to what we have witnessed in 1914–45, most of the violence in question will almost certainly be local, sporadic, and on a rather small scale. There can be no question that the future has many conflicts such as Bosnia and Sri Lanka and Rwanda in store; not only will terrorists and guerrillas continue to make their presence felt in many countries, but the possibility of their resorting to chemical, biological, and even nuclear weapons cannot be ruled out.! Contrary to the fears of many and the hopes of a few, however, World War III – meaning a large-scale clash between superpowers each of which dominates the better part of a con- tinent or hemisphere – will almost certainly not take place. But then, if it does take place and nuclear weapons are used in any numbers, then the result will be a return not just to pre-Westphalian days but to the stone age. For people and organizations who are limited to individual states and dependent on them for their defense, livelihood, education, and other services, such a situation represents bad news. For groups as diverse as government employees and the recipients of social security (particularly those who hope to receive benefits in the future), the writing is on the wall. Either they start looking elsewhere for their economic status and, in some cases, even their physical protection; or else there is probably no future for them. As was also the case during previous periods when empires fell apart and feudal structures emerged, often looking elsewhere will mean losing their freedom by becoming the clients of the strong and the rich, whether in the form of individuals or, which is perhaps more likely for the majority, of corporations of various sorts. The reemergence of a politically deprived, disfranchised underclass similar to that which, even in the most ‘‘advanced’’ countries, continued to exist until the French Revolution and beyond appears likely. Some would say that, from California to Italy, it already exists in the form of so-called illegal aliens, guest workers, and so-called economic citizenship" – meaning people who, while subject to taxation and enjoying at least limited access to the justice system and social services provided by the host country, are without any political rights. Conversely, organizations and people whose wealth and status are independent of the state, internationally oriented, and prepared to take advantage of opportunities that are opening up in every field from global communication and trade to providing private education stand to gain; and, as several analysts have argued,# are already gaining at the expense of all the rest. With the state weakening, many of them will undoubtedly find it both easier and more necessary to translate whatever advantages they have into direct political power. Instead of merely lobbying and bribing, as is the case today, they will rule – at least by carrying some of the functions of government, in regard to some people, and to some extent. For each person, whether the coming changes will be good or bad depends on one’s sex, family relationship, economic position, social status, occupation, organizational affiliation, and so on. Above all, it is a question of our willingness to discard old certainties and come to terms with the brave new world awaiting us. In some places change will be accomplished peacefully. The result will be unprecedented prosperity as national borders become less significant, technology advances, economic opportunities open up, and transportation and communications enable different cultures to fructify each other. Regional and local organizations will acquire a new lease on life; as is already happening in Spain (Catalonia), Britain (Scotland and Wales), Belgium (Flanders and the Walloon regions), and Australia (many of whose constituent states now have their own representatives abroad) inter alia. Finally, those who wish to escape at least some of the state’s more meddlesome tendencies will be able to do so by moving elsewhere or simply linking up via the internet. In other places, the retreat of the state will have less fortunate con- sequences. At best, the reemergence of the ‘‘market’’ at the expense of administrative controls and welfare will mean diminished security and, often enough greater turmoil. At worst, the tables may be turned and people may find themselves living under, or governed by, organizations that are less accountable and more authoritarian. Depending on circum- stances, such organizations may or may not be able to keep the peace, both among themselves and with whatever remains of the old states; in which case public authority may collapse, violence break out, the blood of both combatants and noncombatants flow, and at least a temporary reversion to more primitive ways of life ensue. There may even be a few regions and countries which will continue to vegetate much as they have always done, neither keeping up with the accelerating pace of change nor, it is to be hoped, falling into greater confusion than usual.$

### Sovereignty

#### Reject the forced choice of international law’s universality---aligning yourself with those living under contemporary colonialism opens political space for alternatives

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The doctrine of uti possidetis, far from being grounded in any sound legal principle, is thus more a political instrument to legitimize existing state boundaries. The precarious status of the norm was underscored by the Beagle Channel Arbitration's observation that it is "possibly, at least at first, a political tenet rather than a true rule of law." n405 Koskenniemi sees in the recognition of uti possidetis an acknowledgment that the ethical conception of international law cannot override the sociological. n406 Demarcation of boundaries is, essentially, a political act. However, when reified by international law, these boundaries appear to have an identity separate from politics of the international system. The primary rationale for the adoption of the principle has been to avoid territorial conflict among post-colonial states, particularly in the light of international law's primary role--preservation of order. n407 While peace and order remain elusive in the global system, uti possidetis furnishes a cloak of legitimacy [\*66] over colonial disposition of territories of the global South by sidestepping the questions of the origins of these dispositions. By forcing disparate people to circumscribe their political aspirations within predetermined territorial bounds, uti possidetis reverses the vision of self-determination that seeks to protect vulnerable populations by allowing them political and territorial arrangements of their own. n408 Ian Brownlie is unequivocal in stating that "it is uti possidetis which creates the ambit of the pertinent unit of self-determination, and which in that sense has a logical priority over self-determination." n409 The problem is that this logical priority furnishes the grounds for actually giving territory priority over people when confronted with assertions of the right of self-determination.

C. Colonial Boundaries, Unequal Treaties, and International Law

Treaties between imperial powers and a variety of agreements between colonizers and native authorities played a key role in determining the spatial scope of spheres of control and influence. n410 The Durand Line, [\*67] like borders of most postcolonial states, is a legacy of such treaties, particularly the 1893 agreement between the Afghan Amir and the British. n411 As disputes arise about the validity of these borders, questions about the legal status of the treaties that determined these borders surface. Most salient among these is the issue of unequal treaties. However, in tune with its gloss on the doctrine of uti possidetis to protect the status quo, modern international law has similarly resisted confronting the question of unequal treaties for the same purpose.

The Durand Line raises the question of the validity of the 1893 agreement dictated by the British to the reluctant Amir of Afghanistan, a vassal installed over a protectorate in all but name. n412 While examining the validity of such arrangements, one is confronted with the fact that the question of unequal treaties appears to have "evaporated as an issue from the domain of international law," and stands "consigned to the dustbin of 'redundant ideas,'" n413 deemed a mere "political" argument with scant legal valance. n414 How does a question implicated in colonial territorial treaties that imprison the postcolonial world in arbitrary spatial cages become invisible to international law? It took a series of conceptual and institutional maneuvers to make it disappear from sight.

The status of unequal treaties n415 in international law first arose in the nineteenth century in the context of treaties between Western powers and East Asian states n416 and was rehearsed in the early twentieth century by [\*68] Soviet jurists. n417 Drawing on extra-textual contexts that animated the texts of colonial treaties, Asian states and Soviet jurists argued that because imperial powers had used their dominant military position to gain concessions through treaties forced upon weaker states, such treaties were invalid. Because these agreements were the products of coercion, they implicated questions of status of parties, the context in which agreements were secured, and the nature of consent involved. The issue of inequality arises both in terms of unequal bargaining power of the parties and the substantive lack of equilibrium with respect to benefits and burdens allocated by these treaties. Note here that in some instances, the harsh and humiliating terms of unequal treaties were instrumental in the rise of anti-colonial resistance and nationalism in Asia and unprecedented collective military action by Western powers to quell this resistance. n418 Indeed it was the coordinated military action in China by Western powers to put down the anti-Western Boxer Uprising of 1900 that fashioned a new and enduring stratagem of international politics--collective military action by the Western powers in the global South. n419

Faced with questions about the validity of unequal treaties, the initial Western response was that these treaties were necessary given the "backwardness" of Asian societies and legal orders, and that once those "shortcomings" are remedied, the treaties will lose their force by the absence [\*69] of their raison d'etre. n420 By the late nineteenth century, international law's turn to positivism, with its recognition of differentiated sovereignties, stepped in to acknowledge and accommodate a diplomatic practice rooted in culture and history as the primary source of norms. n421 The contemporary Concert of Europe rested upon the Act of the Vienna Congress (1815), the peace treaty at the culmination of the Napoleonic Wars, and related agreements. n422 Preservation of the Concert of Europe and the attendant distribution of power became a primary preoccupation of international law. n423 Since peace treaties are unavoidably unequal in nature, international law now framed the question of sovereign consent as a purely formal one subject to overarching norms of preservation of order in the international system. n424 The classic notion that validity of [\*70] treaties rests upon consent by formally equal and sovereign states gave way to a positivist recognition that "[t]he obligation of treaties, by whatever denomination they may be called, is founded, not merely upon the contract itself, but upon those mutual relations between the two states, which may have induced them to enter into certain engagements." n425 Political realities trumped formal legal categories now deemed quaint. In this frame, unequal treaties of yesterday, however secured, furnished the grounds of the prevailing international order. To question their validity retrospectively raised the specter of unraveling the fragile order of things. With the question of state consent rendered a formal one, today any arguments based on consent to explain validity of treaties become "deceptively simple. . . . [because t]heir theoretical power lies in the suggestion that perhaps nothing really needs to be justified." n426

International lawyers deployed the same line of reasoning to defang the classic doctrine of ribus sic stantibus (things thus standing), whereby a fundamental change of circumstances can justify unilateral termination of treaties. Unequal treaties are particularly vulnerable to this line of attack with the passage of time and changes in the post-Napoleonic European balances of power. n427 When the issue arose within Europe in the late nineteenth century, international law's response was that because sanctity of treaties is essential to the maintenance of order, even in the face of changed circumstances, termination or modification of treaty obligations requires the consent of other parties. n428 As pressure for revision of treaty arrangements mounted, in light of a changed balance of power within Europe in the early twentieth century, international law's turn to institutions to deal with problems of order, now seen as essentially political in nature, provided an opening--signaling "a movement from a moment of law to politics." n429 The doctrine of ribus sic stantibus was now read as embracing two separate issues to be framed and resolved along two separate tracks. The political issue of accommodating changes in the [\*71] interests and powers of states was to be dealt with by the League of Nations under article 19 of its Charter. n430 The legal issue was to be narrowly construed as one of clausula--the relationship between underlying consent and changed circumstances--deemed suitable for judicial determination by the Permanent Court of International Justice ("PCIJ"). n431 As now enshrined in article 62 of the Vienna Convention, the doctrine of rebus sic stantibus stands confined within narrow limits as a legal question--a treaty is terminable only when unforeseen changes in the circumstances underlying the conclusion of the treaty transform radically the extent of the obligations still to be performed. n432 In the end, rebus sic stantibus stands sacrificed at the altar of pacta sunt servanda (agreements must be kept).

International law deals with the issue of coercion, duress, and unequal treaties with institutional and interpretive moves. The Vienna Convention on the Law of Treaties addresses the issue through articles 51 and 52--making coercion and threat or use of force "in violation of the principles of international law in the Charter of the United Nations" grounds for voiding a treaty. n433 With this iteration of a classic rule, "the problem has been legislated away." n434 The repackaging of what coercion, threat, or use of force is impermissible subtly altered the classic treaty law rule on duress that condemned all coercion. The prohibition on duress in the formation of a treaty now stands conditioned by the legal status of the coercion used. The qualifier "in violation of international law" on the [\*72] prohibition against the threat or use of force is to be read in the light of the U.N. Charter that does not outlaw use of force, only unlawful use of force. n435 Consequently, with unequal treaties of the past, the question becomes not the exercise of coercion and duress, but one of the legal status of threat or use of force in the eye of international norms in place at the time the treaties were made. The imperial bent of international law in the colonial age already stood recognized and legitimate by the positivist turn that international law took. n436 The implication is that any alleged use of force in treaties of the past may well have been lawful under contemporaneous norms. For good measure, the ICJ has held that any accusation of coercion to dispute the validity of a treaty must be accompanied by "clear evidence" that goes beyond, e.g., the mere presence of naval forces off the coast of the complaining party. n437 This narrow definition of coercion is particularly troubling in today's global order where effective instruments of economic coercion increasingly complement weapons of physical coercion in relations between states. n438 In the face of these conceptual and institutional moves, any continuing expectation that international law as it stands may interrogate unequal colonial treaties to rescue territorially imprisoned postcolonial formations is futile. To those who may still raise the question of unequal treaties, Brierly has an unequivocal response: "we must not invent a pseudo-legal principle to justify such action. The remedy has to be sought elsewhere, in political, not in juridical action." n439 While the question of colonial unequal treaties stands brushed aside, what about contemporary treaties that reflect existing international relations of domination? Here, it appears that it is sufficient to acknowledge that "bargaining frequently takes place in a world of uneven resources and opportunity costs," n440 and move on.

 [\*73] The history of unequal treaties underscores that "the history of the international system is a history of inequality par excellence." n441 International law's posture towards legacies of colonialism has created a "legalized hegemony: the realization through legal forms of Great Power prerogatives." n442 The fleeting and ephemeral career of the unequal treaties doctrine in international law underscores an apparently foundational canon of the law: the specter of disorder necessitates defense of order, even an unjust order. This is in tune with Kant, author of the celebrated foundational injunction of the Enlightenment--"dare to know"--who declaimed that:

The origin of supreme power, for all practical purposes, is not discoverable by the people who are subject to it. In other words, the subject ought not to indulge in speculations about its origin with a view to acting upon them, as if its right to be obeyed were open to doubt . . . . [W]hether the power came first, and the law only appeared after it, or whether they ought to have followed this order--these are completely futile arguments for a people which is already subject to civil law, and they constitute a menace to the state. n443

International law, like modern law itself, is not so daring after all. It turns out that its primary function is to enable "[s]tates to carry on their day-to-day intercourse along orderly and predictable lines." n444 It is of little concern to it that the lines within which states have to exist in order "to carry out their day-to-day intercourse" are unstable, contested, and fruits of the exercise of imperial domination.

V. CONCLUSION

Modern colonialism was nothing if not an exercise in audacity. The global reach of colonial rule reordered subjects and reconfigured space. Fixed territorial demarcations of colonial possessions played a pivotal role in this process. Issuing from imperatives of colonial rule and compulsions of rivalries between colonial powers, these demarcations often cut across age-old cultural and historical social units. Postcolonial states inherited these demarcations and, with them, a host of endemic political and security afflictions. The unmistakable spatiality of the so-called [\*74] Great Games, both old and new, brings into relief the continuing salience of space and territory in an age when the forces and processes of globalization had supposedly rendered them irrelevant.

Modem international law, which in its incipient stage lent license to colonial rule, today legitimates colonial cartographies, thereby accentuating postcolonial dilemmas and conflicts. This accords with the larger affliction that plagues international law: its refusal to squarely face its complicity in the process of empire building combines with its inability to break free of the shadow of a sordid past. The career of the Durant Line highlights that when addressing many of today's intractable conflicts, the law as it exists is more of a problem than a solution. As humanity struggles to imagine political communities beyond the straitjackets of territorial states, a primary challenge is to clear the conceptual and doctrinal hurdles that remain in the way. This necessitates breaking free of imperial geographies and economies of knowledge that undergird modem legal constructs and international regimes. Albert Einstein cautioned us that "it is theory which decides what can be observed." The first step in that direction is to align our inquiries and sights with the other side of the lines drawn by international law.

### 2NC Perm

#### Links swamp the permutation---it instrumentalizes the alternative which only masks the plan’s violent governmentality---internal contradictions means it inevitably fails

Laura Sjoberg 13, Department of Political Science, University of Florida , Gainesville The paradox of security cosmopolitanism?, Critical Studies on Security, 1:1, 29-34

Particularly, Burke suggests that security cosmopolitanism ‘rejects a procedural faith in strongly post-Westphalian forms of government and democracy’ (p. 17) and reiterates that such an approach includes ‘no automatic faith in any one institutional design’ (p. 24). This seems to move away from one of the prominent critiques of, in Anna Agathangelou and Ling’s (2009) words, the ‘neoliberal imperium,’ as reliant on Western, liberal notions of governance to the detriment of those on whom such a form of government is imposed. Burke clearly problematizes this imposition, framing many of the serious problems in global politics as a result of ‘choices that create destructive dynamics and constraints’ (p. 15) at least in part by Western, liberal governments – characterizing modernity as culpable for insecurity. At the same time, the solution seems to be clearly situated within the discursive framework of the problem. Burke suggests that there should be a primary concern for ‘effectiveness, equality, fairness, and justice – not for states, per se, but for human beings, and the global biosphere’ (p. 24). Unless the only problem with modernity is the post- Westphalian structure of the state (which this approach does not eschew, but claims not to privilege), then this statement of values might entrench the problem. Many of the ideas of equality, fairness, and justice that come to mind with the (somewhat rehearsed) use of those words in progressive politics are inseparable from an ethos of enlightenment modernity.

This may be problematic on a number of levels. First, it may fail to interrupt the series of choices that Burke suggests produce a cycle of insecurity. Second, it may fold back onto itself in the recommendations that security cosmopolitanism produces. This especially concerned me in Burke’s discussion of how to end ‘dangerous processes,’ where he places ‘greater faith in the ethical, normative, and legal suppression of dangerous processes and actions than in formalistic or procedural solutions’ (p. 24). It seems to me that there is a good argument that ‘suppression’ is itself a ‘dangerous process,’ yet Burke’s framework does not really include a mechanism for internal critique.

Another problem that seems to confound security cosmopolitanism is evaluating the relationships between power, governance, and governmentality. There are certainly several ways in which Burke uses a notion of the state that distinguishes security cosmopolitanism from the mainstream neoliberal literature. For example, he characterizes the ‘state as an entity whose national survival depends on its global participation, obligations, and depen- dencies,’ (citing Burke 2013a, 5). This view of the state sees it as not only survival-seeking (in the neo-neo synthesis sense) but also dependent on its positive interactions with other states for survival. Burke’s approach to government/governance initially appears to be global rather than state-based, another potentially transformative move. For example, he sees the job of security cosmopolitanism as to ‘theorize and defend norms for the respon- sible conduct and conceptualization of global security governance’ (p. 21). At the same time, later in the article, Burke suggests entrenching the current structure of the state. His practical approach of looking for the ‘solidarity of the governing with the governed’ seems to simultaneously interrogate the current power structures and reify them. Burke says:

Such a ‘solidarity of the governed’ that engages in a ‘practical interrogation of power’ ought to be a significant feature of security cosmopolitanism. At the same time, however, security cosmopolitanism must be concerned with improving the global governance of security by elites and experts. (p. 21)

This attachment to the improvement of existing structures of governance seems to be at the heart of what I see as the failure of the radical potential in the idea of security cosmopolitanism. When discussing how the power dynamics between the elite and the subordinated might change, Burke suggests that ‘voluntary renunciation of the privileges and powers of both state and corporate sovereignty will no doubt be a necessary feature of such an order’ (p. 25). Relying on the voluntary renunciation of power by the powerful seems both unrealistic and not particularly theoretically innovative.

This seems to be at the center of a paradox inherent in security cosmopolitanism: Faith in the Western liberal state is insidious, but the Western liberal state does not have to be. Modernity causes insecurity, but need not be discarded fully. Some universalizations are dangerous, others are benign. Dangerous processes must be stopped, even if by dangerous processes. Moral entrepreneurship is the key, but ther e is no clear foundation for what counts as moral. The security cosmopolitanism critique is inspired by consequentialism, but lacks deontological foundations despite deontological implications. Burke calls for (and indeed demands) to ‘take responsibility for it’ (p. 23) in terms of ‘both formal and moral accountability’ (p. 24). In so doing, he endorses (Booth’s vision of) ‘moral progress’ (p. 25), despite understanding the insidious deployment of various notions of moral progress by others.

Security cosmopolitanism, then, is a proclamation for radical change that is initially stalled by its internal contradictions and further handicapped by its lack of capacity to enact the very sort of radical change Burke sees it as fundamental to righting the wrongs he sees in the world. The result seems to be the (potential) reification of existing governments/governmentality through what essentially appears to be a non-anthropocentric ‘human security’ which cannot be clearly distinguished from current notions of human security (p. 15). It appears to remain top-down and without clear moral foundation while claiming significant improvement over existing approaches. This appearance/seduction of improvement without real promise for change might be more insidious than the nihilism of which many post-structuralists are accused, as it seductively appears to solve a problem it does not solve.

### 2NC Wohlforth

#### 2) The most recent scientific evidence disproves their theory about evolutionary realism—their underlying assumptions about human nature cause extinction

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The problem runs deeper than the issue of finding new ways to regulate the market or imposing legally binding global green house gas emission reduction targets. **The real crisis lies in the set of assumptions about human nature** that governs the behavior of world leaders--assumptions that were spawned during the Enlightenment more than 200 years ago at the dawn of the modern market economy and the emergence of the nation state era. The Enlightenment thinkers--John Locke, Adam Smith, Marquis de Condorcet et. al.--took umbrage with the Medieval Christian world view that saw human nature as fallen and depraved and that looked to salvation in the next world through God's grace. They preferred to cast their lot with the idea that human beings' essential nature is rational, detached, autonomous, acquisitive and utilitarian and argued that individual salvation lies in unlimited material progress here on Earth. The Enlightenment notions about human nature were reflected in the newly minted nation-state whose raison d'être was to protect private property relations and stimulate market forces as well as act as a surrogate of the collective self-interest of the citizenry in the international arena. Like individuals, nation-states were considered to be autonomous agents embroiled in a relentless battle with other sovereign nations in the pursuit of material gains. It was these very assumptions that provided the philosophical underpinnings for a geopolitical frame of reference that accompanied the first and second industrial revolutions in the 19th and 20th centuries. These beliefs about human nature came to the fore in the aftermath of the global economic meltdown and in the boisterous and acrimonious confrontations in the meeting rooms in Copenhagen, **with potentially disastrous consequences for the future of humanity and the planet.** If human nature is as the Enlightenment philosophers claimed, then we are likely doomed. It is impossible to imagine how we might create a sustainable global economy and restore the biosphere to health if each and every one of us is, at the core of our biology, an autonomous agent and a self-centered and materialistic being. **Recent discoveries in brain science and child development, however, are forcing us to rethink these long-held shibboleths** about human nature. Biologists and cognitive neuroscientists are discovering mirror-neurons--the so-called empathy neurons--that allow human beings and other species to feel and experience another's situation as if it were one's own. We are, it appears, the most social of animals and seek intimate participation and companionship with our fellows. Social scientists, in turn, are beginning to reexamine human history from an empathic lens and, in the process, discovering previously hidden strands of the human narrative which suggests that human evolution is measured not only by the expansion of power over nature, but also by the intensification and extension of empathy to more diverse others across broader temporal and spatial domains. The growing scientific evidence that we are a fundamentally empathic species has profound and far-reaching consequences for society, and may well determine our fate as a species. What is required now is nothing less than a leap to global empathic consciousness and in less than a generation if we are to resurrect the global economy and revitalize the biosphere. The question becomes this: what is the mechanism that allows empathic sensitivity to mature and consciousness to expand through history? The pivotal turning points in human consciousness occur when new energy regimes converge with new communications revolutions, creating new economic eras. The new communications revolutions become the command and control mechanisms for structuring, organizing and managing more complex civilizations that the new energy regimes make possible. For example, in the early modern age, print communication became the means to organize and manage the technologies, organizations, and infrastructure of the coal, steam, and rail revolution. It would have been impossible to administer the first industrial revolution using script and codex. Communication revolutions not only manage new, more complex energy regimes, but also change human consciousness in the process. Forager/hunter societies relied on oral communications and their consciousness was mythologically constructed. The great hydraulic agricultural civilizations were, for the most part, organized around script communication and steeped in theological consciousness. The first industrial revolution of the 19th century was managed by print communication and ushered in ideological consciousness. Electronic communication became the command and control mechanism for arranging the second industrial revolution in the 20th century and spawned psychological consciousness. Each more sophisticated communication revolution brings together more diverse people in increasingly more expansive and varied social networks. Oral communication has only limited temporal and spatial reach while script, print and electronic communications each extend the range and depth of human social interaction. By extending the central nervous system of each individual and the society as a whole, communication revolutions provide an evermore inclusive playing field for empathy to mature and consciousness to expand. For example, during the period of the great hydraulic agricultural civilizations characterized by script and theological consciousness, empathic sensitivity broadened from tribal blood ties to associational ties based on common religious affiliation. Jews came to empathize with Jews, Christians with Christians, Muslims with Muslims, etc. In the first industrial revolution characterized by print and ideological consciousness, empathic sensibility extended to national borders, with Americans empathizing with Americans, Germans with Germans, Japanese with Japanese and so on. In the second industrial revolution, characterized by electronic communication and psychological consciousness, individuals began to identify with like-minded others. Today, we are on the cusp of another historic convergence of energy and communication--a third industrial revolution--that could extend empathic sensibility to the biosphere itself and all of life on Earth. The distributed Internet revolution is coming together with distributed renewable energies, making possible a sustainable, post-carbon economy that is both globally connected and locally managed. In the 21st century, hundreds of millions--and eventually billions--of human beings will transform their buildings into power plants to harvest renewable energies on site, store those energies in the form of hydrogen and share electricity, peer-to-peer, across local, regional, national and continental inter-grids that act much like the Internet. The open source sharing of energy, like open source sharing of information, will give rise to collaborative energy spaces--not unlike the collaborative social spaces that currently exist on the Internet. When every family and business comes to take responsibility for its own small swath of the biosphere by harnessing renewable energy and sharing it with millions of others on smart power grids that stretch across continents, we become intimately interconnected at the most basic level of earthly existence by jointly stewarding the energy that bathes the planet and sustains all of life. The new distributed communication revolution not only organizes distributed renewable energies, but also **changes human consciousness.** The information communication technologies (ICT) revolution is quickly extending the central nervous system of billions of human beings and connecting the human race across time and space, allowing empathy to flourish on a global scale, for the first time in history. Whether in fact we will begin to empathize as a species will depend on how we use the new distributed communication medium. While distributed communications technologies-and, soon, distributed renewable energies - are connecting the human race, what is so shocking is that no one has offered much of a reason as to why we ought to be connected. We talk breathlessly about access and inclusion in a global communications network but speak little of exactly why we want to communicate with one another on such a planetary scale. What's sorely missing is an overarching reason that billions of human beings should be increasingly connected. Toward what end? The only feeble explanations thus far offered are to share information, be entertained, advance commercial exchange and speed the globalization of the economy. All the above, while relevant, nonetheless seem insufficient to justify why nearly seven billion human beings should be connected and mutually embedded in a globalized society. The idea of even billion individual connections, absent any overall unifying purpose, seems a colossal waste of human energy. More important, making global connections without any real transcendent purpose risks a narrowing rather than an expanding of human consciousness. But what if our distributed global communication networks were put to the task of helping us re-participate in deep communion with the common biosphere that sustains all of our lives? The biosphere is the narrow band that extends some forty miles from the ocean floor to outer space where living creatures and the Earth's geochemical processes interact to sustain each other. We are learning that the biosphere functions like an indivisible organism. It is the continuous symbiotic relationships between every living creature and between living creatures and the geochemical processes that ensure the survival of the planetary organism and the individual species that live within its biospheric envelope. If every human life, the species as a whole, and all other life-forms are entwined with one another and with the geochemistry of the planet in a rich and complex choreography that sustains life itself, then we are all dependent on and responsible for the health of the whole organism. Carrying out that responsibility means living out our individual lives in our neighborhoods and communities in ways that promote the general well-being of the larger biosphere within which we dwell. The Third Industrial Revolution offers just such an opportunity. If we can harness our empathic sensibility to establish a new global ethic that recognizes and acts to harmonize the many relationships that make up the life-sustaining forces of the planet, we will have moved beyond the detached, self-interested and utilitarian philosophical assumptions that accompanied national markets and nation state governance and into a new era of biosphere consciousness. We leave the **old world of geopolitics behind** and enter into a new world of biosphere politics, with new forms of governance emerging to accompany our new biosphere awareness. The Third Industrial Revolution and the new era of distributed capitalism allow us to sculpt a new approach to globalization, this time emphasizing continentalization from the bottom up. Because renewable energies are more or less equally distributed around the world, every region is potentially amply endowed with the power it needs to be relatively self-sufficient and sustainable in its lifestyle, while at the same time interconnected via smart grids to other regions across countries and continents. When every community is locally empowered, both figuratively and literally, it can engage directly in regional, transnational, continental, and limited global trade without the severe restrictions that are imposed by the geopolitics that oversee elite fossil fuels and uranium energy distribution. Continentalization is already bringing with it a new form of governance. The nation-state, which grew up alongside the First and Second Industrial Revolutions, and provided the regulatory mechanism for managing an energy regime whose reach was the geosphere, is ill suited for a Third Industrial Revolution whose domain is the biosphere. Distributed renewable energies generated locally and regionally and shared openly--peer to peer--across vast contiguous land masses connected by intelligent utility networks and smart logistics and supply chains favor a seamless network of governing institutions that span entire continents. The European Union is the first continental governing institution of the Third Industrial Revolution era. The EU is already beginning to put in place the infrastructure for a European-wide energy regime, along with the codes, regulations, and standards to effectively operate a seamless transport, communications, and energy grid that will stretch from the Irish Sea to the doorsteps of Russia by midcentury. Asian, African, and Latin American continental political unions are also in the making and will likely be the premier governing institutions on their respective continents by 2050. In this new era of distributed energy, governing institutions will more resemble the workings of the ecosystems they manage. Just as habitats function within ecosystems, and ecosystems within the biosphere in a web of interrelationships, governing institutions will similarly function in a collaborative network of relationships with localities, regions, and nations all embedded within the continent as a whole. This new complex political organism operates like the biosphere it attends, synergistically and reciprocally. This is biosphere politics. The new biosphere politics transcends traditional right/left distinctions so characteristic of the geopolitics of the modern market economy and nation-state era. The new divide is generational and contrasts the traditional top-down model of structuring family life, education, commerce, and governance with a younger generation whose thinking is more relational and distributed, whose nature is more collaborative and cosmopolitan, and whose work and social spaces favor open-source commons. For the Internet generation, "quality of life" becomes as important as individual opportunity in fashioning a new dream for the 21st century. The transition to biosphere consciousness has already begun. All over the world, a younger generation is beginning to realize that one's daily consumption of energy and other resources ultimately affects the lives of every other human being and every other creature that inhabits the Earth. The Empathic Civilization is emerging. A younger generation is fast extending its empathic embrace beyond religious affiliations and national identification to include the whole of humanity and the vast project of life that envelops the Earth. But our rush to universal empathic connectivity is running up against a rapidly accelerating entropic juggernaut in the form of climate change. Can we reach biosphere consciousness and global empathy in time to avert planetary collapse?

## Monopoly

### AT: SCS War

#### No SCS war

VOA 12 – Voice of America News, 9/4/12, “Will South China Sea Disputes Lead to War?,” http://www.voanews.com/content/south-china-sea-war-unlikely/1501780.html

“A minor military clash in the South China Sea is, rather worryingly, a distinct and growing possibility,” according to Ian Storey from the Institute of Southeast Asian Studies in Singapore. ¶ Storey, an expert on Asia Pacific maritime security, goes even further. He envisions the possibility of differences over fishing rights or energy exploration turning into a military clash. ¶ “Caused by miscalculation, misperception or miscommunication, it’s just a question of time before one these skirmishes results in loss of life,” Storey said. ¶ A South China Sea War is Unlikely¶But that doesn’t mean a war. Storey said an escalation into full-blown conflict is unlikely.¶ “It is in no country’s interests to spill blood or treasure over this issue – the costs far outweigh the benefits,” Storey said. ¶ Other experts agree.¶ James Holmes of the U.S. Naval War College says admires how China has been able to get its way in spreading it claims of sovereignty without becoming a bully.¶ “[China] gradually consolidated the nation's maritime claims while staying well under the threshold for triggering outside -most likely American -intervention,” said Holmes.¶ “Is war about to break out over bare rocks? I don't think so.” writes Robert D. Kaplan, Chief Political Strategist for the geopolitical analysis group Stratfor.¶ Kaplan, however, doesn’t give much hope for negotiations. “The issues involved are too complex, and the power imbalance between China and its individual neighbors is too great,” he said. For that reason, Kaplan says China holds all the cards.¶ Kaplan doesn’t look for Chinese military aggression against other claimants. That, he says, would be counterproductive for its goals in the region.¶ “It would completely undermine its carefully crafted ‘peaceful rise’ thesis and push Southeast Asian countries into closer strategic alignment with the US,” said Kaplan.

#### No SCS conflict

Chaibi 13 -- 3rd year visiting student from Princeton University in the Department of Engineering Science (Abraham, 2013, "The outlook for continuing stability in the South China Sea," http://politicsinspires.org/the-outlook-for-continuing-stability-in-the-south-china-sea/)

East Asia’s rapid economic and military development has captured global attention, but pundits are quick to point to the South China Sea, North Korea, and Taiwan as potential obstacles to the region’s continued growth. Analysis of news coverage demonstrates that regional economies and tensions have been growing in tandem. The South China Sea has historically been of particular interest because of the number of conflicting claims on the islands and sea-lanes it encompasses. China, Malaysia, Brunei, the Philippines, Vietnam, and Taiwan, among others, have often engaged in bilateral disagreements with resulting spikes in diplomatic tension and even military confrontation. Of note, these conflicts have never escalated to a full-scale regional war. Direct extrapolation suggests that previous restraint in military interactions implies the nations involved do not consider the potential benefits sufficient to justify an upset to the balance of power. However, contemporary changes in economic and security conditions complicate the issue. While current tensions appear unlikely to lead to a full-scale military conflict, the diversion of national resources needed to maintain the status quo is substantial. Institutional changes to increase transparency; clarify US treaties with ASEAN nations; and increase states’ internal enforcement of international agreements, although initially costly, would allow the neighbouring states to redirect these resources to long-term growth. Historically, China has been involved in a majority of the military conflicts in the South China Sea. A 1947 Chinese map delineates China’s controversial claim to approximately 80% of the sea. China aggressively used its navy to conclude a dispute with Vietnam in the Battle of the Paracel Islands in 1974 and then in 1988 during the Johnson South Reef Skirmish for the Spratly Islands. Conflict was narrowly averted in 1995 when the Philippines chose not to shell fort-like Chinese military structures on Mischief Reef (China maintained they were only intended as shelter for fisherman); however, the Philippines continues to assert that this is an example of “creeping occupation”. This form of venting tensions, while far short of total war, is extremely costly over the long run; the combination of of resources, energy, and lives expended to establish a claim to the islands creates a significant and avoidable opportunity cost. These skirmishes are not merely an imprint of the 20th century but continue today as witnessed by the Chinese establishment of the Sansha garrison-city in 2012 and the Sino-Philippines stand-off in the Scarborough Shoal. What then is the evidence suggesting a continued reluctance to engage in full-scale military confrontation? Although in the past conflict has often arisen between economically interdependent nations (viz. the previous peak of global trade in 1914), the China-ASEAN relationship is one of fundamental interdependence of production, visible in the prevalence of international supply chaining in manufacturing processes, rather than solely trade and labour movement[i]. The burgeoning economic interdependence and growth of neighbouring states contributes a major incentive to prevent a conflagration. $5.3 trillion of trade, of which approximately 20% is US, transits the South China Sea annually and any interruption would not only severely restrict regional trade revenues, but would also very likely guarantee US military intervention[ii]. The Association of South East Asian Nations (ASEAN) is becoming increasingly interconnected and 2015 will mark a key turning point with the opening of internal ASEAN borders for free movement of labor. The ASEAN bloc has also concluded a number of reconciliation agreements with China. Regarding security, both the 2002 Code of Conduct and the 2011 Guidelines to the Code of Conduct are intended to help coordinate diplomacy and maintain peace in South China Sea disputes. Economically China has been ASEAN’s largest trading partner since 2009, and at its opening in 2010 the ASEAN-China free trade area (ACFTA) became the largest in the world by population. These arrangements come at a time when growing estimates of the value of the natural resources contained in the South China Sea are generating pressures associated with ensuring energy security. Economic interdependence between China and ASEAN, however, is not the sole factor at play. In areas with considerable interstate tension sub-state actors have often contributed to the deterioration of international relations, most prominently with the assassination of Archduke Franz Ferdinand tipping Europe into World War I. Recent developments in state-level Chinese political and military discourse reflect a strong interest in cooperation. Chinese President Hu Jintao’s 2011 discussions with Filipino President Corazon Aquino firmly expressed the hope that “the countries concerned may put aside disputes and actively explore forms of common development in the relevant sea areas”[iii]. Additionally in 2011 the Chinese State Council Information Office released a white paper with a similar emphasis on joint development. Yet China is also reported to have developed internal fractures in its South China Sea policy, with a number of different ministries controlling paramilitary units that are not under express government oversight[iv]. For example, the Bureau of Fisheries Administration (BFA) now directs a relatively well-equipped law enforcement fleet that is tasked with patrolling Chinese-owned fishing areas. Such interest groups repeatedly instigate minor disputes with their ASEAN counterparts and the US navy that exacerbate state-level discussions and risk eventually drawing unintended consequences (characteristically, in 2004 two BFA vessels obstructed a US Navy surveillance ship in the Yellow Sea). The region has also seen a rise in high-tech militarization, with rapid development in areas ranging from aircraft carriers and submarines to cyber-espionage; this is likely to further increase due to the 2011 US “pivot to Asia” and military surge. The pivot is considered to be a sign that the US intends to continue playing a leadership role in East Asia, a strategy at odds with China’s vision[v]. An associated complication is the imprecise definition of US commitments to its ally nations in the event of disputes in contested territories, especially vis-à-vis the Philippines and Vietnam, and the possibility that alliances will be used to escalate a small battle into a regional affair. The US is making efforts to address these complications; for the first time since RIMPACS’s creation in 1971, China has been invited to participate in a US-led naval exercise. Positive near-term repercussions of growing US involvement have also been postulated; analysts suggest that one of the root causes behind Chinese interest in cooperation is the fear that aggression in the South China Sea will drive other parties to strengthen their ties with the US[vi]. The relative wealth of economic and diplomatic compromises on all sides presents a compelling argument that under current conditions, disputes in the South China Sea will continue to be restrained to small-scale skirmishes that do not threaten overall stability. This is not to say that the increase in regional tension is insignificant, but rather that the involved parties all have a strong interest in maintaining mutual growth and have demonstrated their willingness to make strategic sacrifices to maintain the status quo. Furthermore as China is the common link in the majority of the disputes, it is probable that it will be at the heart of any conflict — and China has frequently shown restraint in this regard (though not so, for example, in Tibet). In terms of China’s priorities, policy analysts tend to agree that if China were to begin a large-scale military campaign, Taiwan would most likely be the focus of its aggression[vii].

#### No Asia war

Bisley 3/10/14 – Professor of IR

Nick Bisley, Professor of IR @ La Trobe University (Australia) and Executive Director of La Trobe Asia, “It’s not 1914 all over again: Asia is preparing to avoid war,” http://theconversation.com/its-not-1914-all-over-again-asia-is-preparing-to-avoid-war-22875

Asia is cast as a region as complacent about the risks of war as Europe was in its belle époque. Analogies are an understandable way of trying to make sense of unfamiliar circumstances. In this case, however, the historical parallel is deeply misleading. Asia is experiencing a period of uncertainty and strategic risk unseen since the US and China reconciled their differences in the mid-1970s. Tensions among key powers are at very high levels: Japanese prime minister Shinzo Abe recently invoked the 1914 analogy. But there are very good reasons, notwithstanding these issues, why Asia is not about to tumble into a great power war. China is America’s second most important trading partner. Conversely, the US is by far the most important country with which China trades. Trade and investment’s “golden straitjacket” is a basic reason to be optimistic. Why should this be seen as being more effective than the high levels of interdependence between Britain and Germany before World War One? Because Beijing and Washington are not content to rely on markets alone to keep the peace. They are acutely aware of how much they have at stake. Diplomatic infrastructure for peace The two powers have established a wide range of institutional links to manage their relations. These are designed to improve the level and quality of their communication, to lower the risks of misunderstanding spiralling out of control and to manage the trajectory of their relationship. Every year, around 1000 officials from all ministries led by the top political figures in each country meet under the auspices of the Strategic and Economic Dialogue. The dialogue has demonstrably improved US-China relations across the policy spectrum, leading to collaboration in a wide range of areas. These range from disaster relief to humanitarian aid exercises, from joint training of Afghan diplomats to marine conservation efforts, in which Chinese law enforcement officials are hosted on US Coast Guard vessels to enforce maritime legal regimes. Unlike the near total absence of diplomatic engagement by Germany and Britain in the lead-up to 1914, today’s two would-be combatants have a deep level of interaction and practical co-operation. Just as the extensive array of common interests has led Beijing and Washington to do a lot of bilateral work, Asian states have been busy the past 15 years. These nations have created a broad range of multilateral institutions and mechanisms intended to improve trust, generate a sense of common cause and promote regional prosperity. Some organisations, like the Asia-Pacific Economic Cooperation (APEC), have a high profile with its annual leaders’ meeting involving, as it often does, the common embarrassment of heads of government dressing up in national garb. Others like the ASEAN Regional Forum and the ASEAN Defence Ministers’ Meeting Plus Process are less in the public eye. But there are more than 15 separate multilateral bodies that have a focus on regional security concerns. All these organisations are trying to build what might be described as an infrastructure for peace in the region. While these mechanisms are not flawless, and many have rightly been criticised for being long on dialogue and short on action, they have been crucial in managing specific crises and allowing countries to clearly state their commitments and priorities.

## Heg

### Glennon 2NC

#### Affirmative solvency is circular---the plan attempts to remedy Congress/the courts’ lack of ability to enforce restrictions by establishing more restrictions---the security bureaucracy will never be constrained by the plan, for the exact same reason that they’re unconstrained now

Michael J. Glennon 14, Professor of International Law, Fletcher School of Law and Diplomacy, Tufts University, 2014, “National Security and Double Government,” Harvard National Security Journal, 5 Harv. Nat'l Sec. J. 1

The first difficulty with such proposed checks on the Trumanite network is circularity; all rely upon Madisonian institutions to restore power to Madisonian institutions by exercising the very power that Madisonian institutions lack. All assume that the Madisonian institutions, in which all reform proposals must necessarily originate, can somehow magically impose those reforms upon the Trumanite network or that the network will somehow merrily acquiesce. All suppose that the forces that gave rise to the Trumanite network can simply be ignored. All assume, at bottom, that Madison's scheme can be made to work--that an equilibrium of power can be achieved--without regard to the electorate's fitness.

 [\*101] Yet Madison's theory, again, n563 presupposed the existence of a body politic possessed of civic virtue. It is the personal ambition only of officeholders who are chosen by a virtuous electorate that can be expected to translate into institutional ambition. It is legislators so chosen, Madison believed, who could be counted upon to resist encroachments on, say, Congress's power to approve war or treaties because a diminution of Congress's power implied a diminution of their own individual power. Absent a virtuous electorate, personal ambition and institutional ambition no longer are coextensive. Members' principal ambition n564 then becomes political survival, which means accepting, not resisting, Trumanite encroachments on congressional power. The Trumanites' principal ambition, meanwhile, remains the same: to broaden their ever-insufficient "flexibility" to deal with unforeseen threats--that is, to enhance their own power. The net effect is imbalance, not balance.

This imbalance has suffused the development of U.S. counter-terrorism policy. Trumanites express concerns about convergence, about potentially dangerous link-ups among narco-terrorists, cyber-criminals, human traffickers, weapons traders, and hostile governments. n565 Yet their concerns focus largely, if not entirely, on only one side of Madison's ledger--the government's need to protect the people from threats--and little, if at all, on the other side: the need to protect the people from the government. As a result, the discourse, dominated as it is by the Trumanites, emphasizes potential threats and deemphasizes tradeoffs that must be accepted to meet those threats. The Madisonians themselves are not troubled about new linkages forged among the newly-created components of military, intelligence, homeland security, and law enforcement agencies--linkages that together threaten civil liberties and personal freedom in ways never before seen in the United States. The earlier "stovepiping" of those agencies was seen as contributing to the unpreparedness that led to the September 11 attacks, n566 and after the wearying creation of the Department of Homeland [\*102] Security and related reorganizations, the Madisonians have little stomach for re-drawing box charts yet again. And so the cogs of the national security apparatus continue to tighten while the scaffolding of the Madisonian institutions continues to erode.

It is no answer to insist that, whatever the system's faults, the Madisonian accountability mechanisms have at least generated a political consensus. n567 Even if consensus exists among the Madisonians themselves, the existence of a public consensus on national security policy is at best doubtful. n568 Further, if the application of Bagehot's theory to U.S. national security policy is correct, whatever consensus does exist at the political level is synthetic in that it derives not from contestation among the three branches of the federal government but from efforts of the Madisonian institutions to remain in sync with the Trumanite network. That network is the moving force behind any consensus. It has forged the policies that the consensus supports; it has orchestrated Madisonian support. Finally, even if real, the existence of a Madisonian/Trumanite consensus says nothing about the content of the consensus--nothing about whether Madison's second great goal of protecting the people from the government has been vindicated or defeated. Autocracy can be consensus-based. The notion of a benign modern-day consensus on national security policy is, indeed, reminiscent of the observation of Richard Betts and Leslie Gelb who, reviewing agreements that emerged from national security deliberations during the Johnson Administration, concluded that "the system worked." n569 Well, perhaps; the result was Vietnam.

### Fettweis

#### Hegemony’s no longer key to peace---decline just means allies fill in

Elizabeth Cobbs Hoffman 13, professor of American foreign relations at San Diego State University, 3/4/13, “Come Home, America,” http://www.nytimes.com/2013/03/05/opinion/come-home-america.html?nl=todaysheadlines&emc=edit\_th\_20130305&pagewanted=print&\_r=0

EVERYONE talks about getting out of Iraq and Afghanistan. But what about Germany and Japan? ¶ The sequester — $85 billion this year in across-the-board budget cuts, about half of which will come from the Pentagon — gives Americans an opportunity to discuss a question we’ve put off too long: Why we are still fighting World War II? ¶ Since 1947, when President Harry S. Truman set forth a policy to stop further Soviet expansion and “support free peoples” who were “resisting subjugation by armed minorities or by outside pressures,” America has acted as the world’s policeman. ¶ For more than a century, Britain had “held the line” against aggression in Eurasia, but by World War II it was broke. Only two years after the Allies met at Yalta to hammer out the postwar order, London gave Washington five weeks’ notice: It’s your turn now. The Greek government was battling partisans supplied by Communist Yugoslavia. Turkey was under pressure to allow Soviet troops to patrol its waterways. Stalin was strong-arming governments from Finland to Iran. ¶ Some historians say Truman scared the American people into a broad, open-ended commitment to world security. But Americans were already frightened: in 1947, 73 percent told Gallup that they considered World War III likely. ¶ From the Truman Doctrine emerged a strategy comprising multiple alliances: the Rio Pact of 1947 (Latin America), the NATO Treaty of 1949 (Canada and Northern and Western Europe), the Anzus Treaty of 1951 (Australia and New Zealand) and the Seato Treaty of 1954 (Southeast Asia). Seato ended in 1977, but the other treaties remain in force, as do collective-defense agreements with Japan, South Korea and the Philippines. Meanwhile, we invented the practice of foreign aid, beginning with the Marshall Plan. ¶ It was a profound turn even from 1940, when Franklin D. Roosevelt won a third term pledging not to plunge the United States into war. Isolationism has had a rich tradition, from Washington’s 1796 warning against foreign entanglements to the 1919 debate over the Treaty of Versailles, in which Henry Cabot Lodge argued, “The less we undertake to play the part of umpire and thrust ourselves into European conflicts the better for the United States and for the world.” ¶ World War II, and the relative impotence of the United Nations, convinced successive administrations that America had to fill the breach, and we did so, with great success. The world was far more secure in the second half of the 20th century than in the disastrous first half. The percentage of the globe’s population killed in conflicts between states fell in each decade after the Truman Doctrine. America experienced more wars (Korea, Vietnam, the two Iraq wars, Afghanistan) but the world, as a whole, experienced fewer. ¶ We were not so much an empire — the empire decried by the scholar and veteran Andrew J. Bacevich and celebrated by the conservative historian Niall Ferguson — as an umpire, one that stood for equal access by nation-states to political and economic gains; peaceful arbitration of international conflict; and transparency in trade and business. ¶ But conditions have changed radically since the cold war. When the United States established major bases in West Germany and Japan, they were considered dangerous renegades that needed to be watched. Their reconstructed governments also desired protection, particularly from the Soviet Union and China. NATO’s first secretary general, Hastings Ismay, famously said the alliance existed “to keep the Russians out, the Americans in, and the Germans down.” ¶ Today, our largest permanent bases are still in Germany and Japan, which are perfectly capable of defending themselves and should be trusted to help their neighbors. It’s time they foot more of the bill or operate their own bases. China’s authoritarian capitalism hasn’t translated into territorial aggression, while Russia no longer commands central and eastern Europe. That the military brass still talk of maintaining the capacity to fight a two-front war — presumably on land in Europe, and at sea in the Pacific — speaks to the irrational endurance of the Truman Doctrine. ¶ Our wars in the Middle East since 2001 doubled down on that costly, outdated doctrine. The domino theory behind the Vietnam War revived under a new formulation: but for the American umpire, the bad guys (Al Qaeda, Iran, North Korea) will win. ¶ Despite his supporters’ expectations, President Obama has followed a Middle East policy nearly identical to his predecessor’s. He took us out of Iraq, only to deepen our commitment to Afghanistan, from which we are just now pulling out. He rejected the most odious counterterrorism techniques of George W. Bush’s administration, but otherwise did not change basic policies. Mr. Obama’s gestures toward multilateralism were not matched by a commensurate commitment from many of our allies. ¶ Cynics assert that the “military-industrial complex” Dwight D. Eisenhower presciently warned against has primarily existed to enrich and empower a grasping, imperialist nation. But America was prosperous long before it was a superpower; by 1890, decades before the two world wars, it was already the world’s largest and richest economy. We do not need a large military to be rich. Quite the opposite: it drains our resources. ¶ Realists contend that if we quit defending access to the world’s natural resources — read, oil — nobody else would. Really? It’s not likely that the Europeans, who depend on energy imports far more than the nation that owns Texas and Alaska would throw up their hands and bury their heads in the sand. It’s patronizing and naïve to think that America is the only truly “necessary” country. Good leaders develop new leaders. The Libyan crisis showed that our allies can do a lot. ¶ The United States can and should pressure Iran and North Korea over their nuclear programs. It must help to reform and strengthen multilateral institutions like the United Nations, the International Monetary Fund and the World Bank. It must champion the right of small nations, including Israel, to “freedom from fear.” But there are many ways of achieving these goals, and they don’t all involve more borrowing and spending. ¶ Partisan debates that focus on shaving a percentage point off the Pentagon budget here or there won’t take us where we need to go. Both parties are stuck in a paradigm of costly international activism while emerging powers like China, India, Brazil and Turkey are accumulating wealth and raising productivity and living standards, as we did in the 19th century. The long-term consequences are obvious. ¶ America since 1945 has paid a price in blood, treasure and reputation. Umpires may be necessary, but they are rarely popular and by definition can’t win. Perhaps the other players will step up only if we threaten to leave the field. Sharing the burden of security with our allies is more than a fiscal necessity. It’s the sine qua non of a return to global normalcy.

#### Consensus goes neg

Geller 99**---**Geller and Singer, 99 – \*Chair of the Department of Political Science @ Wayne State University (Daniel S and Joel David, Nations at war: a scientific study of international conflict, p. 116-117)

**Note – Hopf = Visiting Professor of Peace Research, The Mershon Center, Ohio State University PhD in pol sci from Columbia.**

**Levy = Board of Governors’ Professor of Political Science at Rutgers University and an Affiliate at the Arnold A. Saltzman Institute of War and Peace Studies at Columbia University. Past president of the International Studies Association and of the Peace Science Society. Has held tenured positions at the UT Austin, and U Minnesota, and visiting positions at Stanford, Harvard, Yale University, Columbia, Tulane, and NYU. Received the American Political Science Association’s Award for the best dissertation in IR as well as the Distinguished Scholar Award from the Foreign Policy Analysis Section of the International Studies Association. PhD**

Hopf (1991) and Levy (1984) examine the frequency, magnitude and severity of wars using polarity (Hopf) and “system size” (Levy) as predictors. Hopf’s database includes warfare in the European subsystems for the restricted temporal period of 1495–1559. The system is classified as multipolar for the years 1495–1520 and as bipolar for the years 1521–1559. Hopf reports that the amount of warfare during those two periods was essentially equivalent. He concludes that polarity has little relationship to patterns of war for the historical period under examination. Levy (1984) explores a possible linear association between the number of great powers (system size) and war for the extended temporal span of 1495 – 1974. His findings coincide with those of Hopf; he reports that the frequency, magnitude and severity of war in the international system is unrelated to the number of major powers in the system.

#### This theory is backwards empirically and theoretically

Lebow and Valentino 9**---**Richard Ned, James O. Freedman Presidential Professor of Government @ Dartmouth and Centennial Professor of International Relations at the London School of Economics and Political Science AND Benjamin, Associate Professor of Government at Dartmouth College “LOST IN TRANSITION: A Critical Analysis of Power Transition Theory” International Relations Vol 23(3): 389–410 http://www.sagepub.co.uk/journalsPermissions.nav

Our measure reveals three patterns that are especially anomalous for power transition theory. First, contrary to most understandings of power transition theory, power transitions between the top and second-ranked powers are extremely rare. From 1640 to 1950 there is only one power transition involving European states. It occurred around 1715 when Russia surpassed the Spanish Empire as the most powerful state in Europe following the Wars of Spanish Succession. It has maintained this lead ever since. Russia’s lead over France grew from 14 percent in 1720 to more than 260 percent that of France’s power in 1865, at which point France was surpassed by the United Kingdom. If we include the United States as an actor in the European theater, we add a second power transition in 1895 when the United States surpassed Russia. It is important to note that neither of these transitions involved war. Second, even transitions among lower-ranking great powers are rare. When they do occur they seldom result in a substantial, lasting shift in the balance of power between states. Apart from the transition between Russia and the Spanish Empire, there are no power transitions between major powers in the century from 1640 to 1740 (Figure 1). From 1740 to 1840 (Figure 2) the only power transition between European great powers occurs when the UK surpassed Prussia in the late 1700s (and then only by a few percentage points). The period between 1845 and 1950 includes several more transitions, although, with the partial exceptions of the rise of Germany and Austria-Hungary starting around 1870, none of these produce a signifi cant advantage in power for the rising state. Only the rise of the United States, which moved from the fi fth-strongest great power in 1840 to the strongest in 1895, produced the kind of power shift that could plausibly provide a state with a qualitatively different ability to infl uence international outcomes. Third, almost all major power transitions appear to be the result of war, not a cause of it. This pattern is most evident in transitions associated with rapidly declining powers. The Spanish Empire was far and away the strongest power in Europe until it all but dissolved following a series of wars in the early 1700s. Likewise, the dissolution of Austria-Hungary and the Ottoman Empire following the First World War wiped two major powers from the map of Europe. These powerful empires collapsed as a result of wars waged primarily with states for which there was no possibility of imminent transition. Rising powers owe much to war, but it is only a partial explanation for their ascent. The rapid rise in the power of Germany and Italy in the latter half of the nineteenth century was primarily a result of wars of unifi cation. The rise of the United States may again be an exception, although only if one excludes the wars against Indian tribes and nations. Implication 5: Rising powers attack dominant powers or vice versa Power transition theory focuses on war between the two most powerful states in the international system. These wars are inherently risky so leaders must be highly motivated to start them. Rising powers must feel excluded from the system and denied its rewards and convinced that military challenges are likely meet with success. Dominant powers must believe that a rising challenger threatens not only their standing in the system but their security and material interests. Leaders must be confident of mobilizing domestic support for a war. They must exploit existing rivalries to ensure that they can face the dominant power with the support, or at least the neutrality, of major third parties. None of these conditions are easy to achieve, and collectively require political skill and fortuitous conditions. Moreover, these conditions must be met during the window when the rising power perceives itself, or is perceived by the dominant power, to be pulling abreast in military capability. Perceptions of the changing balance of power may be a necessary, but far from sufficient condition, for the kind of wars predicted by power transition theories. Strategically, it makes more sense for rising powers to attack smaller powers or former great powers in serious decline – although such wars are not the subject of power transition theory. Elsewhere Lebow finds strong evidence for this pattern.40 For the same reason it usually makes more sense for leading powers to attack targets of opportunity (i.e. lesser and declining powers) as a means of augmenting their power. They may then be in a stronger position to deter or buy off a challenger. The most recent manifestation of this pattern may be the American attack on Iraq, urged on the Bush administration by many neoconservatives as a way of ‘locking in’ American hegemony in the expectation of a possible future challenge from China.41 By far the most sensible policy for leading powers in dealing with rising powers ought to be efforts to moderate their challenge by incorporating them into the system if they are outside it, or, if they are inside, to provide more symbolic and material benefits to reconcile them to the status quo. Historically, this is how European great powers responded to the rise of Sweden, Russia, Prussia, Germany, Japan and Italy. From the 1960s on it was a key component of the Western response to the Soviet Union. We should accordingly expect to find relatively few wars between dominant and rising powers. What wars that occur should result from motives unrelated to power transitions or from miscalculation: a dominant or rising power initiating what it thinks will be an isolated war against a third party that escalates into a wider struggle involving rising and dominant powers on opposing sides. Louis XIV’s Dutch War (1672–9), the Nine Years War (1688–97), the War of Spanish Succession (1701–14) and World War I all arguably fit this pattern. In each instance, a dominant power thought incorrectly that it could extend its power at relatively low cost.

### AT: Prolif = War

#### Heg can’t solve prolif

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Graph omitted

At a minimum, such developments will be a departure from whatever stability existed during the Cold War. After World War II, there was a clear subordination of nations to one or another of the two superpowers’ strong alliance systems — the U.S.-led free world and the Russian-Chinese led Communist Bloc. The net effect was relative peace with only small, nonindustrial wars. This alliance tension and system, however, no longer exist. Instead, we now have one superpower, the United States, that is capable of overthrowing small nations unilaterally with conventional arms alone, associated with a relatively weak alliance system ( nato) that includes two European nuclear powers (France and the uk). nato is increasingly integrating its nuclear targeting policies. The U.S. also has retained its security allies in Asia (Japan, Australia, and South Korea) but has seen the emergence of an increasing number of nuclear or nuclear-weapon-armed or -ready states. So far, the U.S. has tried to cope with independent nuclear powers by making them “strategic partners” (e.g., India and Russia), nato nuclear allies (France and the uk), “non-nato allies” (e.g., Israel and Pakistan), and strategic stakeholders (China); or by fudging if a nation actually has attained full nuclear status (e.g., Iran or North Korea, which, we insist, will either not get nuclear weapons or will give them up). In this world, every nuclear power center (our European nuclear nato allies), the U.S., Russia, China, Israel, India, and Pakistan could have significant diplomatic security relations or ties with one another but none of these ties is viewed by Washington (and, one hopes, by no one else) as being as important as the ties between Washington and each of these nuclear-armed entities (see Figure 3). There are limits, however, to what this approach can accomplish. Such a weak alliance system, with its expanding set of loose affiliations, risks becoming analogous to the international system that failed to contain offensive actions prior to World War I. Unlike 1914, there is no power today that can rival the projection of U.S. conventional forces anywhere on the globe. But in a world with an increasing number of nuclear-armed or nuclear-ready states, this may not matter as much as we think. In such a world, the actions of just one or two states or groups that might threaten to disrupt or overthrow a nuclear weapons state could check U.S. influence or ignite a war Washington could have difficulty containing. No amount of military science or tactics could assure that the U.S. could disarm or neutralize such threatening or unstable nuclear states.22 Nor could diplomats or our intelligence services be relied upon to keep up to date on what each of these governments would be likely to do in such a crisis (see graphic below):

#### No prolif impact

Colin H. Kahl 13, Senior Fellow at the Center for a New American Security and an associate professor in the Security Studies Program at Georgetown University’s Edmund A. Walsh School of Foreign Service, Melissa G. Dalton, Visiting Fellow at the Center for a New American Security, Matthew Irvine, Research Associate at the Center for a New American Security, February, “If Iran Builds the Bomb, Will Saudi Arabia Be Next?” <http://www.cnas.org/files/documents/publications/CNAS_AtomicKingdom_Kahl.pdf>

\*cites Jacques Hymans, USC Associate Professor of IR\*\*\*

I I I . LESSONS FROM HISTOR Y Concerns over “regional proliferation chains,” “falling nuclear dominos” and “nuclear tipping points” are nothing new; indeed, reactive proliferation fears date back to the dawn of the nuclear age.14 Warnings of an inevitable deluge of proliferation were commonplace from the 1950s to the 1970s, resurfaced during the discussion of “rogue states” in the 1990s and became even more ominous after 9/11.15 In 2004, for example, Mitchell Reiss warned that “in ways both fast and slow, we may very soon be approaching a nuclear ‘tipping point,’ where many countries may decide to acquire nuclear arsenals on short notice, thereby triggering a proliferation epidemic.” Given the presumed fragility of the nuclear nonproliferation regime and the ready supply of nuclear expertise, technology and material, Reiss argued, “a single new entrant into the nuclear club could catalyze similar responses by others in the region, with the Middle East and Northeast Asia the most likely candidates.”16 Nevertheless, predictions of inevitable proliferation cascades have historically proven false (see The Proliferation Cascade Myth text box). In the six decades since atomic weapons were first developed, nuclear restraint has proven far more common than nuclear proliferation, and cases of reactive proliferation have been exceedingly rare. Moreover, most countries that have started down the nuclear path have found the road more difficult than imagined, both technologically and bureaucratically, leading the majority of nuclear-weapons aspirants to reverse course. Thus, despite frequent warnings of an unstoppable “nuclear express,”17 William Potter and Gaukhar Mukhatzhanova astutely note that the “train to date has been slow to pick up steam, has made fewer stops than anticipated, and usually has arrived much later than expected.”18 None of this means that additional proliferation in response to Iran’s nuclear ambitions is inconceivable, but the empirical record does suggest that regional chain reactions are not inevitable. Instead, only certain countries are candidates for reactive proliferation. Determining the risk that any given country in the Middle East will proliferate in response to Iranian nuclearization requires an assessment of the incentives and disincentives for acquiring a nuclear deterrent, the technical and bureaucratic constraints and the available strategic alternatives. Incentives and Disincentives to Proliferate Security considerations, status and reputational concerns and the prospect of sanctions combine to shape the incentives and disincentives for states to pursue nuclear weapons. Analysts predicting proliferation cascades tend to emphasize the incentives for reactive proliferation while ignoring or downplaying the disincentives. Yet, as it turns out, instances of nuclear proliferation (including reactive proliferation) have been so rare because going down this road often risks insecurity, reputational damage and economic costs that outweigh the potential benefits.

19 Security and regime survival are especially important motivations driving state decisions to proliferate. All else being equal, if a state’s leadership believes that a nuclear deterrent is required to address an acute security challenge, proliferation is more likely.20 Countries in conflict-prone neighborhoods facing an “enduring rival”– especially countries with inferior conventional military capabilities vis-à-vis their opponents or those that face an adversary that possesses or is seeking nuclear weapons – may be particularly prone to seeking a nuclear deterrent to avert aggression.21 A recent quantitative study by Philipp Bleek, for example, found that security threats, as measured by the frequency and intensity of conventional militarized disputes, were highly correlated with decisions to launch nuclear weapons programs and eventually acquire the bomb.22 The Proliferation Cascade Myth Despite repeated warnings since the dawn of the nuclear age of an inevitable deluge of nuclear proliferation, such fears have thus far proven largely unfounded. Historically, nuclear restraint is the rule, not the exception – and the degree of restraint has actually increased over time. In the first two decades of the nuclear age, five nuclear-weapons states emerged: the United States (1945), the Soviet Union (1949), the United Kingdom (1952), France (1960) and China (1964). However, in the nearly 50 years since China developed nuclear weapons, only four additional countries have entered (and remained in) the nuclear club: Israel (allegedly in 1967), India (“peaceful” nuclear test in 1974, acquisition in late-1980s, test in 1998), Pakistan (acquisition in late-1980s, test in 1998) and North Korea (test in 2006).23 This significant slowdown in the pace of proliferation occurred despite the widespread dissemination of nuclear know-how and the fact that the number of states with the technical and industrial capability to pursue nuclear weapons programs has significantly increased over time.24 Moreover, in the past 20 years, several states have either given up their nuclear weapons (South Africa and the Soviet successor states Belarus, Kazakhstan and Ukraine) or ended their highly developed nuclear weapons programs (e.g., Argentina, Brazil and Libya).25 Indeed, by one estimate, 37 countries have pursued nuclear programs with possible weaponsrelated dimensions since 1945, yet the overwhelming number chose to abandon these activities before they produced a bomb. Over time, the number of nuclear reversals has grown while the number of states initiating programs with possible military dimensions has markedly declined.26 Furthermore – especially since the Nuclear Non-Proliferation Treaty (NPT) went into force in 1970 – reactive proliferation has been exceedingly rare. The NPT has near-universal membership among the community of nations; only India, Israel, Pakistan and North Korea currently stand outside the treaty. Yet the actual and suspected acquisition of nuclear weapons by these outliers has not triggered widespread reactive proliferation in their respective neighborhoods. Pakistan followed India into the nuclear club, and the two have engaged in a vigorous arms race, but Pakistani nuclearization did not spark additional South Asian states to acquire nuclear weapons. Similarly, the North Korean bomb did not lead South Korea, Japan or other regional states to follow suit.27 In the Middle East, no country has successfully built a nuclear weapon in the four decades since Israel allegedly built its first nuclear weapons. Egypt took initial steps toward nuclearization in the 1950s and then expanded these efforts in the late 1960s and 1970s in response to Israel’s presumed capabilities. However, Cairo then ratified the NPT in 1981 and abandoned its program.28 Libya, Iraq and Iran all pursued nuclear weapons capabilities, but only Iran’s program persists and none of these states initiated their efforts primarily as a defensive response to Israel’s presumed arsenal.29 Sometime in the 2000s, Syria also appears to have initiated nuclear activities with possible military dimensions, including construction of a covert nuclear reactor near al-Kibar, likely enabled by North Korean assistance.30 (An Israeli airstrike destroyed the facility in 2007.31) The motivations for Syria’s activities remain murky, but the nearly 40-year lag between Israel’s alleged development of the bomb and Syria’s actions suggests that reactive proliferation was not the most likely cause. Finally, even countries that start on the nuclear path have found it very difficult, and exceedingly time consuming, to reach the end. Of the 10 countries that launched nuclear weapons projects after 1970, only three (Pakistan, North Korea and South Africa) succeeded; one (Iran) remains in progress, and the rest failed or were reversed.32 The successful projects have also generally needed much more time than expected to finish. According to Jacques Hymans, the average time required to complete a nuclear weapons program has increased from seven years prior to 1970 to about 17 years after 1970, even as the hardware, knowledge and industrial base required for proliferation has expanded to more and more countries.33 Yet throughout the nuclear age, many states with potential security incentives to develop nuclear weapons have nevertheless abstained from doing so.34 Moreover, contrary to common expectations, recent statistical research shows that states with an enduring rival that possesses or is pursuing nuclear weapons are not more likely than other states to launch nuclear weapons programs or go all the way to acquiring the bomb, although they do seem more likely to explore nuclear weapons options.35 This suggests that a rival’s acquisition of nuclear weapons does not inevitably drive proliferation decisions. One reason that reactive proliferation is not an automatic response to a rival’s acquisition of nuclear arms is the fact that security calculations can cut in both directions. Nuclear weapons might deter outside threats, but leaders have to weigh these potential gains against the possibility that seeking nuclear weapons would make the country or regime less secure by triggering a regional arms race or a preventive attack by outside powers. Countries also have to consider the possibility that pursuing nuclear weapons will produce strains in strategic relationships with key allies and security patrons. If a state’s leaders conclude that their overall security would decrease by building a bomb, they are not likely to do so.36 Moreover, although security considerations are often central, they are rarely sufficient to motivate states to develop nuclear weapons. Scholars have noted the importance of other factors, most notably the perceived effects of nuclear weapons on a country’s relative status and influence.37 Empirically, the most highly motivated states seem to be those with leaders that simultaneously believe a nuclear deterrent is essential to counter an existential threat and view nuclear weapons as crucial for maintaining or enhancing their international status and influence. Leaders that see their country as naturally at odds with, and naturally equal or superior to, a threatening external foe appear to be especially prone to pursuing nuclear weapons.38 Thus, as Jacques Hymans argues, extreme levels of fear and pride often “combine to produce a very strong tendency to reach for the bomb.”39 Yet here too, leaders contemplating acquiring nuclear weapons have to balance the possible increase to their prestige and influence against the normative and reputational costs associated with violating the Nuclear Non-Proliferation Treaty (NPT). If a country’s leaders fully embrace the principles and norms embodied in the NPT, highly value positive diplomatic relations with Western countries and see membership in the “community of nations” as central to their national interests and identity, they are likely to worry that developing nuclear weapons would damage (rather than bolster) their reputation and influence, and thus they will be less likely to go for the bomb.40 In contrast, countries with regimes or ruling coalitions that embrace an ideology that rejects the Western dominated international order and prioritizes national self-reliance and autonomy from outside interference seem more inclined toward proliferation regardless of whether they are signatories to the NPT.41 Most countries appear to fall in the former category, whereas only a small number of “rogue” states fit the latter. According to one count, before the NPT went into effect, more than 40 percent of states with the economic resources to pursue nuclear programs with potential military applications did so, and very few renounced those programs. Since the inception of the nonproliferation norm in 1970, however, only 15 percent of economically capable states have started such programs, and nearly 70 percent of all states that had engaged in such activities gave them up.42 The prospect of being targeted with economic sanctions by powerful states is also likely to factor into the decisions of would-be proliferators. Although sanctions alone proved insufficient to dissuade Iraq, North Korea and (thus far) Iran from violating their nonproliferation obligations under the NPT, this does not necessarily indicate that sanctions are irrelevant. A potential proliferator’s vulnerability to sanctions must be considered. All else being equal, the more vulnerable a state’s economy is to external pressure, the less likely it is to pursue nuclear weapons. A comparison of states in East Asia and the Middle East that have pursued nuclear weapons with those that have not done so suggests that countries with economies that are highly integrated into the international economic system – especially those dominated by ruling coalitions that seek further integration – have historically been less inclined to pursue nuclear weapons than those with inward-oriented economies and ruling coalitions.43 A state’s vulnerability to sanctions matters, but so too does the leadership’s assessment regarding the probability that outside powers would actually be willing to impose sanctions. Some would-be proliferators can be easily sanctioned because their exclusion from international economic transactions creates few downsides for sanctioning states. In other instances, however, a state may be so vital to outside powers – economically or geopolitically – that it is unlikely to be sanctioned regardless of NPT violations. Technical and Bureaucratic Constraints In addition to motivation to pursue the bomb, a state must have the technical and bureaucratic wherewithal to do so. This capability is partly a function of wealth. Richer and more industrialized states can develop nuclear weapons more easily than poorer and less industrial ones can; although as Pakistan and North Korea demonstrate, cash-strapped states can sometimes succeed in developing nuclear weapons if they are willing to make enormous sacrifices.44 A country’s technical know-how and the sophistication of its civilian nuclear program also help determine the ease and speed with which it can potentially pursue the bomb. The existence of uranium deposits and related mining activity, civilian nuclear power plants, nuclear research reactors and laboratories and a large cadre of scientists and engineers trained in relevant areas of chemistry and nuclear physics may give a country some “latent” capability to eventually produce nuclear weapons. Mastery of the fuel-cycle – the ability to enrich uranium or produce, separate and reprocess plutonium – is particularly important because this is the essential pathway whereby states can indigenously produce the fissile material required to make a nuclear explosive device.45 States must also possess the bureaucratic capacity and managerial culture to successfully complete a nuclear weapons program. Hymans convincingly argues that many recent would-be proliferators have weak state institutions that permit, or even encourage, rulers to take a coercive, authoritarian management approach to their nuclear programs. This approach, in turn, politicizes and ultimately undermines nuclear projects by gutting the autonomy and professionalism of the very scientists, experts and organizations needed to successfully build the bomb.46 Alternative Sources of Nuclear Deterrence Historically, the availability of credible security guarantees by outside nuclear powers has provided a potential alternative means for acquiring a nuclear deterrent without many of the risks and costs associated with developing an indigenous nuclear weapons capability. As Bruno Tertrais argues, nearly all the states that developed nuclear weapons since 1949 either lacked a strong guarantee from a superpower (India, Pakistan and South Africa) or did not consider the superpower’s protection to be credible (China, France, Israel and North Korea). Many other countries known to have pursued nuclear weapons programs also lacked security guarantees (e.g., Argentina, Brazil, Egypt, Indonesia, Iraq, Libya, Switzerland and Yugoslavia) or thought they were unreliable at the time they embarked on their programs (e.g., Taiwan). In contrast, several potential proliferation candidates appear to have abstained from developing the bomb at least partly because of formal or informal extended deterrence guarantees from the United States (e.g., Australia, Germany, Japan, Norway, South Korea and Sweden).47 All told, a recent quantitative assessment by Bleek finds that security assurances have empirically significantly reduced proliferation proclivity among recipient countries.48 Therefore, if a country perceives that a security guarantee by the United States or another nuclear power is both available and credible, it is less likely to pursue nuclear weapons in reaction to a rival developing them. This option is likely to be particularly attractive to states that lack the indigenous capability to develop nuclear weapons, as well as states that are primarily motivated to acquire a nuclear deterrent by security factors (as opposed to status-related motivations) but are wary of the negative consequences of proliferation.

### Monteiro

#### Best data proves unipolar systems are four times more war-prone than multipolar alternatives---reject their impact ev because it lacks a quantitative methodology

Nuno P. Monteiro 12, Assistant Professor of Political Science at Yale University, “Unrest Assured: Why Unipolarity is Not Peaceful,” International Security, Winter 2012, Vol. 36, No. 3, p. 9-40

How well, then, does the argument that unipolar systems are peaceful account for the first two decades of unipolarity since the end of the Cold War? Table 1 presents a list of great powers divided into three periods: 1816 to 1945, multipolarity; 1946 to 1989, bipolarity; and since 1990, unipolarity.46 Table 2 presents summary data about the incidence of war during each of these periods. Unipolarity is the most conflict prone of all the systems, according to at least two important criteria: the percentage of years that great powers spend at war and the incidence of war involving great powers. In multipolarity, 18 percent of great power years were spent at war. In bipolarity, the ratio is 16 percent. In unipolarity, however, a remarkable 59 percent of great power years until now were spent at war. This is by far the highest percentage in all three systems. Furthermore, during periods of multipolarity and bipolarity, the probability that war involving a great power would break out in any given year was, respectively, 4.2 percent and 3.4 percent. Under unipolarity, it is 18.2 percent—or more than four times higher.47 These figures provide no evidence that unipolarity is peaceful.48

### AT: Wohlforth---2NC

#### Wohlforth’s wrong---unipolarity contains several avenues for conflict---prefer our ev which takes theirs into account

Nuno P. Monteiro 12, Assistant Professor of Political Science at Yale University, “Unrest Assured: Why Unipolarity is Not Peaceful,” International Security, Winter 2012, Vol. 36, No. 3, p. 9-40

This article has laid out a theory of unipolarity that accounts for how a unipolar structure of the international system provides significant incentives for conflict. In doing so, my argument corrects an important problem with extant research on unipolarity—the absence of scholarship questioning William Wohlforth’s view that a unipolar world is peaceful. In this respect, Wohlforth’s words ring as true of extant scholarship today as they did in 1999: “When balance-of-power theorists argue that the post–Cold War world is headed toward conflict, they are not claiming that unipolarity causes conflict. Rather, they are claiming that unipolarity leads quickly to bi- or multipolarity. It is not unipolarity’s peace but its durability that is in dispute.”112 Not anymore.

It is not that the core of Wohlforth’s widely shared argument is wrong, however: great power conflict is impossible in a unipolar world. Rather, his claim that unipolarity is peaceful has two important limitations. First, it focuses on great powers. But because unipolarity prevents the aggregation of conflicts involving major and minor powers into conflict between great powers, scholars must look beyond great power interactions when analyzing the structural incentives for war. Second, Wohlforth assumes that the unipole’s only reasonable strategic option is defensive dominance. But given that unipolarity provides the unipole with ample room for defining its foreign policy, offensive dominance and disengagement are equally plausible strategies. This requires a look at how these two additional strategies facilitate conflict.

After correcting for these two limitations, it becomes clear that unipolarity possesses much potential for conflict. Contrary to what Wohlforth argued, unipolarity is not a system in which the unipole is spared from any conflicts and major powers become involved only in peripheral wars. Instead, a unipolar system is one that provides incentives for recurrent wars between the sole great power and recalcitrant minor powers, as well as occasional wars among major and minor powers. That is the central prediction of my theory.

### AT: Transition Wars

#### Recent trends prove

Joshua Goldstein 11, professor emeritus of IR, American U. PhD in pol sci from MIT. Former visiting professor emeritus at Yale, Sept 2011, Think Again: War, http://www.foreignpolicy.com/articles/2011/08/15/think\_again\_war

Nor do shifts in the global balance of power doom us to a future of perpetual war. While some political scientists argue that an increasingly multipolar world is an increasingly volatile one -- that peace is best assured by the predominance of a single hegemonic power, namely the United States -- recent geopolitical history suggests otherwise. Relative U.S. power and worldwide conflict have waned in tandem over the past decade. The exceptions to the trend, Iraq and Afghanistan, have been lopsided wars waged by the hegemon, not challenges by up-and-coming new powers. The best precedent for today's emerging world order may be the 19th-century Concert of Europe, a collaboration of great powers that largely maintained the peace for a century until its breakdown and the bloodbath of World War I.

### 2NC No Lashout

#### Comparative evidence

Paul K. MacDonald 11, Assistant Professor of Political Science at Williams College, and Joseph M. Parent, Assistant Professor of Political Science at the University of Miami, Spring 2011, “Graceful Decline?: The Surprising Success of Great Power Retrenchment,” International Security, Vol. 35, No. 4, p. 7-44

With regard to militarized disputes, declining great powers demonstrate more caution and restraint in the use of force: they were involved in an average of 1.7 fewer militarized disputes in the five years following ordinal change compared with other great powers over similar periods.67 Declining great powers also initiated fewer militarized disputes, and their disputes tended to escalate to lower levels of hostility than the baseline category (see figure 2).68 These findings suggest the need for a fundamental revision to the pessimist's argument regarding the war proneness of declining powers.69 Far from being more likely to lash out aggressively, declining states refrain from initiating and escalating military disputes.

Nor do declining great powers appear more vulnerable to external predation than other great powers. This may be because external predators have great difficulty assessing the vulnerability of potential victims, or because retrenchment allows vulnerable powers to effectively recover from decline and still deter potential challengers.