## Case 2AC Heg

The world is getting better now because heg is peaceful

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Is Unipolarity Peaceful? As evidence, Monteiro provides metrics of the number of years during which great powers have been at war. For the unipolar era since the end of the Cold War, the United States has been at war 13 of those 22 years or 59% (see his Table 2 below). Now, I’ve been following some of the discussion by and about Steven Pinker and Joshua Goldstein’s work that suggests the world is becoming more peaceful with **interstate wars and intrastate wars becoming more rare**. I was struck by the graphic that Pinker used in a Wall Street Journal piece back in September that drew on the Uppsala Conflict **Data**, which **shows a steep decline in the number of deaths** **per 100,000 people**. How do we square this account by Monteiro of a unipolar world that is not peaceful (with the U.S. at war during this period in Iraq twice, Afghanistan, Kosovo) and Pinker’s account which suggests declining violence in the contemporary period? Where Pinker is focused on systemic outcomes, **Monteiro’s measure merely reflect years during which the great powers are at war**. Under unipolarity, there is only one great power **so the measure is partial and not systemic**. However, Monteiro’s theory aims to be systemic rather than partial. In critiquing Wohlforth’s early work on unipolarity stability, Monteiro notes: Wohlforth’s argument does not exclude all kinds of war. Although power preponderance allows the unipole to manage conflicts globally, this argument is not meant to apply to relations between major and minor powers, or among the latter (17). So presumably, a more adequate test of the peacefulness or not of unipolarity (at least for Monteiro) is not the number of years the great power has been at war but whether the system as a whole is becoming more peaceful under unipolarity compared to previous eras, including wars between major and minor powers or wars between minor powers and whether the wars that do happen are as violent as the ones that came before. Now, as Ross Douthat pointed out, Pinker’s argument isn’t based on a logic of benign hegemony. It could be that even if the present era is more peaceful, unipolarity has nothing to do with it. Moreover, Pinker may be wrong. Maybe the world isn’t all that peaceful. I keep thinking about the places I don’t want to go to anymore because they are violent (Mexico, Honduras, El Salvador, Nigeria, Pakistan, etc.) As Tyler Cowen noted, the measure Pinker uses to suggest violence is a per capita one, which doesn’t get at the absolute level of violence perpetrated in an era of a greater world population. But, if my read of other reports based on Uppsala data is right, **war is becoming more rare and less deadly** (though later data suggests lower level armed conflict may be increasing again since the mid-2000s). The apparent violence of the contemporary era may be something of a presentist bias and reflect our own lived experience and the ubiquity of news media. Even if the U.S. has been at war for the better part of unipolarity, the deadliness is declining, even compared with Vietnam, let alone World War II. Does Unipolarity Drive Conflict? So, I kind of took issue with the Monteiro’s premise that unipolarity is not peaceful. What about his argument that unipolarity drives conflict? Monteiro suggests that the unipole has three available strategies - defensive dominance, offensive dominance and disengagement - though is less likely to use the third. Like Rosato and Schuessler, Monteiro suggests because other states cannot trust the intentions of other states, namely the unipole, that minor states won’t merely bandwagon with the unipole. Some “recalcitrant” minor powers will attempt to see what they can get away with and try to build up their capabilities. As an aside, in Rosato and Schuessler world, unless these are located in strategically important areas (i.e. places where there is oil), then the unipole (the United States) should disengage. In Monteiro’s world, disengagement would inexorably lead to instability and draw in the U.S. again (though I’m not sure this necessarily follows), but neither defensive or offensive dominance offer much possibility for peace either since it is U.S. power in and of itself that makes other states insecure, even though they can’t balance against it.

## Case 2AC Terror

**Jackson and critical terror studies are wrong – no evidence to substantiate their claims and no viable alternative**

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The journal, in other words, is not intended, as one might assume, to evaluate critically those state or non-state actors that might have recourse to terrorism as a strategy. Instead, the journal's ambition is to deconstruct what it views as the ambiguity of the word “terror,” its manipulation by ostensibly liberal democratic state actors, and the complicity of “orthodox” terrorism studies in this authoritarian enterprise. Exposing the deficiencies in any field of study is, of course, a legitimate scholarly exercise, but what the symposium introducing the new volume announces questions both the research agenda and academic integrity of journals like *Studies in Conflict and Terrorism* and those who contribute to them. Do these claims, one might wonder, have any substance? Significantly, the original proposal circulated by the publisher Routledge and one of the editors, Richard Jackson, suggested some uncertainty concerning the preferred title of the journal. *Critical Studies on Terrorism* appeared last on a list where the first choice was *Review of Terror Studies*. Evidently, the concision of a review fails to capture the critical perspective the journal promotes. Criticism, then, is central to the new journal's philosophy and the adjective connotes a distinct ideological and, as shall be seen, far from pluralist and inclusive purpose. So, one might ask, what exactly does a critical approach to terrorism involve? What it Means to be Critical The editors and contributors explore what it means to be “critical” in detail, repetition, and opacity, along with an excessive fondness for italics, in the editorial symposium that introduces the first issue, and in a number of subsequent articles. The editors inform us that the study of terrorism is “a growth industry,” observing with a mixture of envy and disapproval that “literally thousands of new books and articles on terrorism are published every year” (pp. l-2). In adding to this literature the editors premise the need for yet another journal on their resistance to what currently constitutes scholarship in the field of terrorism study and its allegedly uncritical acceptance of the Western democratic state's security perspective. Indeed, to be critical requires a radical reversal of what the journal assumes to be the typical perception of terrorism and the methodology of terrorism research. To focus on the strategies practiced by non-state actors that feature under the conventional denotation “terror” is, for the critical theorist, misplaced. As the symposium explains, “acts of clandestine non-state terrorism are committed by a tiny number of individuals and result in between a few hundred and a few thousand casualties *per year over the entire world*” (original italics) (p. 1). The United States's and its allies' preoccupation with terrorism is, therefore, out of proportion to its effects.1 At the same time, the more pervasive and repressive terror practiced by the state has been “silenced from public and … academic discourse” (p. 1). The complicity of terrorism studies with the increasingly authoritarian demands of Western, liberal state and media practice, together with the moral and political blindness of established terrorism analysts to this relationship forms the journal's overriding assumption and one that its core contributors repeat ad nauseam. Thus, Michael Stohl, in his contribution “Old Myths, New Fantasies and the Enduring Realities of Terrorism” (pp. 5-16), not only discovers ten “myths” informing the understanding of terrorism, but also finds that these myths reflect a “state centric security focus,” where analysts rarely consider “the violence perpetrated by the state” (p. 5). He complains that the press have become too close to government over the matter. Somewhat contradictorily Stohl subsequently asserts that media reporting is “central to terrorism and counter-terrorism as political action,” that media reportage provides the oxygen of terrorism, and that politicians consider journalists to be “the terrorist's best friend” (p. 7). Stohl further compounds this incoherence, claiming that “the media are far more likely to focus on the destructive actions, rather than on … grievances or the social conditions that breed [terrorism]—to present episodic rather than thematic stories” (p. 7). He argues that terror attacks between 1968 and 1980 were scarcely reported in the United States, and that reporters do not delve deeply into the sources of conflict (p. 8). All of this is quite contentious, with no direct evidence produced to support such statements. The “media” is after all a very broad term, and to assume that it is monolithic is to replace criticism with conspiracy theory. Moreover, even if it were true that the media always serves as a government propaganda agency, then by Stohl's own logic, terrorism as a method of political communication is clearly futile as no rational actor would engage in a campaign doomed to be endlessly misreported. Nevertheless, the notion that an inherent pro-state bias vitiates terrorism studies pervades the critical position. Anthony Burke, in “The End of Terrorism Studies” (pp. 37-49), asserts that established analysts like Bruce Hoffman “specifically exclude states as possible perpetrators” of terror. Consequently, the emergence of “critical terrorism studies” “may signal the end of a particular kind of traditionally state-focused and directed 'problem-solving' terrorism studies—at least in terms of its ability to assume that its categories and commitments are immune from challenge and correspond to a stable picture of reality” (p. 42). Elsewhere, Adrian Guelke, in “Great Whites, Paedophiles and Terrorists: The Need for Critical Thinking in a New Era of Terror” (pp. 17-25), considers British government-induced media “scare-mongering” to have legitimated an “authoritarian approach” to the purported new era of terror (pp. 22-23). Meanwhile, Joseba Zulaika and William A. Douglass, in “The Terrorist Subject: Terrorist Studies and the Absent Subjectivity” (pp. 27-36), find the War on Terror constitutes “*the* single,” all embracing paradigm of analysis where the critical voice is “not allowed to ask: what is the reality itself?” (original italics) (pp. 28-29). The construction of this condition, they further reveal, if somewhat abstrusely, reflects an abstract “desire” that demands terror as “an ever-present threat” (p. 31). In order to sustain this fabrication: “Terrorism experts and commentators” function as “realist policemen”; and not very smart ones at that, who while “gazing at the evidence” are “unable to read the paradoxical logic of the desire that fuels it, whereby *lack* turns to*excess*” (original italics) (p. 32). Finally, Ken Booth, in “The Human Faces of Terror: Reflections in a Cracked Looking Glass” (pp. 65-79), reiterates Richard Jackson's contention that state terrorism “is a much more serious problem than non-state terrorism” (p. 76). Yet, one searches in vain in these articles for evidence to support the ubiquitous assertion of state bias: assuming this bias in conventional terrorism analysis as a fact seemingly does not require a corresponding concern with evidence of this fact, merely its continual reiteration by conceptual fiat. A critical perspective dispenses not only with terrorism studies but also with the norms of accepted scholarship. Asserting what needs to be demonstrated commits, of course, the elementary logical fallacy *petitio principii*. But critical theory apparently emancipates (to use its favorite verb) its practitioners from the confines of logic, reason, and the usual standards of academic inquiry. Alleging a constitutive weakness in established scholarship without the necessity of providing proof to support it, therefore, appears to define the critical posture. The unproved “state centricity” of terrorism studies serves as a platform for further unsubstantiated accusations about the state of the discipline. Jackson and his fellow editors, along with later claims by Zulaika and Douglass, and Booth, again assert that “orthodox” analysts rarely bother “to interview or engage with those involved in 'terrorist' activity” (p. 2) or spend any time “on the ground in the areas most affected by conflict” (p. 74). Given that Booth and Jackson spend most of their time on the ground in Aberystwyth, Ceredigion, not a notably terror rich environment if we discount the operations of *Meibion Glyndwr* who would as a matter of principle avoid *pob sais* like Jackson and Booth, this seems a bit like the pot calling the kettle black. It also overlooks the fact that *Studies in Conflict and Terrorism* first advertised the problem of “talking to terrorists” in 2001 and has gone to great lengths to rectify this lacuna, if it is one, regularly publishing articles by analysts with first-hand experience of groups like the Taliban, Al Qaeda and *Jemaah Islamiyah*. A consequence of avoiding primary research, it is further alleged, leads conventional analysts uncritically to apply psychological and problem-solving approaches to their object of study. This propensity, Booth maintains, occasions another unrecognized weakness in traditional terrorism research, namely, an inability to engage with “the particular dynamics of the political world” (p. 70). Analogously, Stohl claims that “the US and English [sic] media” exhibit a tendency to psychologize terrorist acts, which reduces “structural and political problems” into issues of individual pathology (p. 7). Preoccupied with this problem-solving, psychopathologizing methodology, terrorism analysts have lost the capacity to reflect on both their practice and their research ethics. By contrast, the critical approach is not only self-reflective, but also and, for good measure, self-reflexive. In fact, the editors and a number of the journal's contributors use these terms interchangeably, treating a reflection and a reflex as synonyms (p. 2). A cursory encounter with the *Shorter Oxford Dictionary* would reveal that they are not. Despite this linguistically challenged misidentification, “reflexivity” is made to do a lot of work in the critical idiom. Reflexivity, the editors inform us, requires a capacity “to challenge dominant knowledge and understandings, is sensitive to the politics of labelling … is transparent about its own values and political standpoints, adheres to a set of responsible research ethics, and is committed to a broadly defined notion of emancipation” (p. 2). This covers a range of not very obviously related but critically approved virtues. Let us examine what reflexivity involves as Stohl, Guelke, Zulaika and Douglass, Burke, and Booth explore, somewhat repetitively, its implications. Reflexive or Defective? Firstly, to challenge dominant knowledge and understanding and retain sensitivity to labels leads inevitably to a fixation with language, discourse, the ambiguity of the noun, terror, and its political use and abuse. Terrorism, Booth enlightens the reader unremarkably, is “a politically loaded term” (p. 72). Meanwhile, Zulaika and Douglass consider terror “the dominant tropic [sic] space in contemporary political and journalistic discourse” (p. 30). Faced with the “serious challenge” (Booth p. 72) and pejorative connotation that the noun conveys, critical terrorologists turn to deconstruction and bring the full force of postmodern obscurantism to bear on its use. Thus the editors proclaim that terrorism is “one of the most powerful signifiers in contemporary discourse.” There is, moreover, a “yawning gap between the 'terrorism' signifier and the actual acts signified” (p. 1). “[V]irtually all of this activity,” the editors pronounce *ex cathedra*, “refers to the *response* to acts of political violence not the violence itself” (original italics) (p. 1). Here again they offer no evidence for this curious assertion and assume, it would seem, all conventional terrorism studies address issues of homeland security. In keeping with this critical orthodoxy that he has done much to define, Anthony Burke also asserts the “instability (and thoroughly politicized nature) of the unifying master-terms of our field: 'terror' and 'terrorism'” (p. 38). To address this he contends that a critical stance requires us to “keep this radical instability and inherent politicization of the concept of terrorism at the forefront of its analysis.” Indeed, “without a conscious reflexivity about the most basic definition of the object, our discourse will not be critical at all” (p. 38). More particularly, drawing on a jargon-infused amalgam of Michel Foucault's identification of a relationship between power and knowledge, the neo-Marxist Frankfurt School's critique of democratic false consciousness, mixed with the existentialism of the Third Reich's favorite philosopher, Martin Heidegger, Burke “*questions the question*.” This intellectual *potpourri* apparently enables the critical theorist to “question the ontological status of a 'problem' before any attempt to map out, study or resolve it” (p. 38). Interestingly, Burke, Booth, and the symposistahood deny that there might be objective data about violence or that a properly focused strategic study of terrorism would not include any prescriptive goodness or rightness of action. While a strategic theorist or a skeptical social scientist might claim to consider only the complex relational situation that involves as well as the actions, the attitude of human beings to them, the critical theorist's radical questioning of language denies this possibility. The critical approach to language and its deconstruction of an otherwise useful, if imperfect, political vocabulary has been the source of much confusion and inconsequentiality in the practice of the social sciences. It dates from the relativist pall that French radical post structural philosophers like Gilles Deleuze and Felix Guattari, Foucault, and Jacques Derrida, cast over the social and historical sciences in order to demonstrate that social and political knowledge depended on and underpinned power relations that permeated the landscape of the social and reinforced the liberal democratic state. This radical assault on the possibility of either neutral fact or value ultimately functions unfalsifiably, and as a substitute for philosophy, social science, and a real theory of language. The problem with the critical approach is that, as the Australian philosopher John Anderson demonstrated, to achieve a genuine study one must either investigate the facts that are talked about or the fact that they are talked about in a certain way. More precisely, as J.L. Mackie explains, “if we concentrate on the uses of language we fall between these two stools, and we are in danger of taking our discoveries about manners of speaking as answers to questions about what is there.”2 Indeed, in so far as an account of the use of language spills over into ontology it is liable to be a confused mixture of what should be two distinct investigations: the study of the facts about which the language is used, and the study of the linguistic phenomena themselves. It is precisely, however, this confused mixture of fact and discourse that critical thinking seeks to impose on the study of terrorism and infuses the practice of critical theory more generally. From this confused seed no coherent method grows. What is To Be Done? This ontological confusion notwithstanding, Ken Booth sees critical theory not only exposing the dubious links between power and knowledge in established terrorism studies, but also offering an ideological agenda that transforms the face of global politics. “[*C*]*ritical knowledge*,” Booth declares, “*involves understandings of the social world that attempt to stand outside prevailing structures, processes, ideologies and orthodoxies while recognizing that all conceptualizations within the ambit of sociality derive from particular social/historical conditions*” (original italics) (p. 78). Helpfully, Booth, assuming the manner of an Old Testament prophet, provides his critical disciples with “*big-picture* navigation aids” (original italics) (p. 66) to achieve this higher knowledge. Booth promulgates fifteen commandments (as Clemenceau remarked of Woodrow Wilson's nineteen points, in a somewhat different context, “God Almighty only gave us ten”). When not stating the staggeringly obvious, the Ken Commandments are hopelessly contradictory. Critical theorists thus should “avoid exceptionalizing the study of terrorism,”3 “recognize that states can be agents of terrorism,” and “keep the long term in sight.” Unexceptional advice to be sure and long recognized by more traditional students of terrorism. The critical student, if not fully conversant with critical doublethink, however, might find the fact that she or he lives within “Powerful theories” that are “constitutive of political, social, and economic life” (6th Commandment, p. 71), sits uneasily with Booth's concluding injunction to “stand outside” prevailing ideologies (p. 78). In his preferred imperative idiom, Booth further contends that terrorism is best studied in the context of an “academic international relations” whose role “is not only to interpret the world but to change it” (pp. 67-68). Significantly, academic—or more precisely, critical—international relations, holds no place for a realist appreciation of the status quo but approves instead a Marxist ideology of praxis. It is within this transformative praxis that critical theory situates terrorism and terrorists. The political goals of those non-state entities that choose to practice the tactics of terrorism invariably seek a similar transformative praxis and this leads “critical global theorizing” into a curiously confused empathy with the motives of those engaged in such acts, as well as a disturbing relativism. Thus, Booth again decrees that the gap between “those who hate terrorism and those who carry it out, those who seek to delegitimize the acts of terrorists and those who incite them, and those who abjure terror and those who glorify it—is not as great as is implied or asserted by orthodox terrorism experts, the discourse of governments, or the popular press” (p. 66). The gap “between us/them is a slippery slope, not an unbridgeable political and ethical chasm” (p. 66). So, while “terrorist actions are always—without exception—wrong, they nevertheless might be contingently excusable” (p. 66). From this ultimately relativist perspective gang raping a defenseless woman, an act of terror on any critical or uncritical scale of evaluation, is, it would seem, wrong but potentially excusable. On the basis of this worrying relativism a further Ken Commandment requires the abolition of the discourse of evil on the somewhat questionable grounds that evil releases agents from responsibility (pp. 74-75). This not only reveals a profound ignorance of theology, it also underestimates what Eric Voeglin identified as a central feature of the appeal of modern political religions from the Third Reich to Al Qaeda. As Voeglin observed in 1938, the Nazis represented an “attractive force.” To understand that force requires not the abolition of evil [so necessary to the relativist] but comprehending its attractiveness. Significantly, as Barry Cooper argues, “its attractiveness, [like that of al Qaeda] cannot fully be understood apart from its evilness.”4 The line of relativist inquiry that critical theorists like Booth evince toward terrorism leads in fact not to moral clarity but an inspissated moral confusion. This is paradoxical given that the editors make much in the journal's introductory symposium of their “responsible research ethics.” The paradox is resolved when one realizes that critical moralizing demands the “ethics of responsibility to the terrorist other.” For Ken Booth it involves, it appears, empathizing “with the ethic of responsibility” faced by those who, “in extremis” “have some explosives” (p. 76). Anthony Burke contends that a critically self-conscious normativism requires the analyst, not only to “critique” the “strategic languages” of the West, but also to “take in” the “side of the Other” or more particularly “engage” “with the highly developed forms of thinking” that provides groups like Al Qaeda “with legitimizing foundations and a world view of some profundity” (p. 44). This additionally demands a capacity not only to empathize with the “other,” but also to recognize that both Osama bin Laden in his *Messages to the West* and Sayyid Qutb in his Muslim Brotherhood manifesto *Milestones* not only offer “well observed” criticisms of Western decadence, but also “converges with elements of critical theory” (p. 45). This is not surprising given that both Islamist and critical theorists share an analogous contempt for Western democracy, the market, and the international order these structures inhabit and have done much to shape. Histrionically Speaking Critical theory, then, embraces relativism not only toward language but also toward social action. Relativism and the bizarre ethicism it engenders in its attempt to empathize with the terrorist other are, moreover, histrionic. As Leo Strauss classically inquired of this relativist tendency in the social sciences, “is such an understanding dependent upon our own commitment or independent of it?” Strauss explains, if it is independent, I am committed as an actor and I am uncommitted in another compartment of myself in my capacity as a social scientist. “In that latter capacity I am completely empty and therefore completely open to the perception and appreciation of all commitments or value systems.” I go through the process of empathetic understanding in order to reach clarity about my commitment for only a part of me is engaged in my empathetic understanding. This means, however, that “such understanding is not serious or genuine but histrionic.”5 It is also profoundly dependent on Western liberalism. For it is only in an open society that questions the values it promotes that the issue of empathy with the non-Western other could arise. The critical theorist's explicit loathing of the openness that affords her histrionic posturing obscures this constituting fact. On the basis of this histrionic empathy with the “other,” critical theory concludes that democratic states “do not always abjure acts of terror whether to advance their foreign policy objectives … or to buttress order at home” (p. 73). Consequently, Ken Booth asserts: “If terror can be part of the menu of choice for the relatively strong, it is hardly surprising it becomes a weapon of the relatively weak” (p. 73). Zulaika and Douglass similarly assert that terrorism is “always” a weapon of the weak (p. 33). At the core of this critical, ethicist, relativism therefore lies a syllogism that holds all violence is terror: Western states use violence, therefore, Western states are terrorist. Further, the greater terrorist uses the greater violence: Western governments exercise the greater violence. Therefore, it is the liberal democracies rather than Al Qaeda that are the greater terrorists. In its desire to empathize with the transformative ends, if not the means of terrorism generally and Islamist terror in particular, critical theory reveals itself as a form of Marxist unmasking. Thus, for Booth “*terror has multiple forms*” (original italics) and the real terror is economic, the product it would seem of “global capitalism” (p. 75). Only the *engagee* intellectual academic finding in deconstructive criticism the philosophical weapons that reveal the illiberal neo-conservative purpose informing the conventional study of terrorism and the democratic state's prosecution of counterterrorism can identify the real terror lurking behind the “manipulation of the politics of fear” (p. 75). Moreover, the resolution of this condition of escalating violence requires not any strategic solution that creates security as the basis for development whether in London or Kabul. Instead, Booth, Burke, and the editors contend that the only solution to “the world-historical crisis that is facing human society globally” (p. 76) is universal human “emancipation.” This, according to Burke, is “the normative end” that critical theory pursues. Following Jurgen Habermas, the godfather of critical theory, terrorism is really a form of distorted communication. The solution to this problem of failed communication resides not only in the improvement of living conditions, and “the political taming of unbounded capitalism,” but also in “the telos of mutual understanding.” Only through this telos with its “strong normative bias towards non violence” (p. 43) can a universal condition of peace and justice transform the globe. In other words, the only ethical solution to terrorism is conversation: sitting around an un-coerced table presided over by Kofi Annan, along with Ken Booth, Osama bin Laden, President Obama, and some European Union pacifist sandalista, a transcendental communicative reason will emerge to promulgate norms of transformative justice. As Burke enunciates, the panacea of un-coerced communication would establish “a secularism that might create an enduring architecture of basic shared values” (p. 46). In the end, un-coerced norm projection is not concerned with the world as it is, but how it ought to be. This not only compounds the logical errors that permeate critical theory, it advances an ultimately utopian agenda u

nder the guise of *soi-disant* cosmopolitanism where one somewhat vaguely recognizes the “human interconnection and mutual vulnerability to nature, the cosmos and each other” (p. 47) and no doubt bursts into spontaneous chanting of Kumbaya. In analogous visionary terms, Booth defines real security as emancipation in a way that denies any definitional rigor to either term. The struggle against terrorism is, then, a struggle for emancipation from the oppression of political violence everywhere. Consequently, in this Manichean struggle for global emancipation against the real terror of Western democracy, Booth further maintains that universities have a crucial role to play. This also is something of a concern for those who do not share the critical vision, as university international relations departments are not now, it would seem, in business to pursue dispassionate analysis but instead are to serve as cheerleaders for this critically inspired vision. Overall, the journal's fallacious commitment to emancipation undermines any ostensible claim to pluralism and diversity. Over determined by this transformative approach to world politics, it necessarily denies the possibility of a realist or prudential appreciation of politics and the promotion not of universal solutions but pragmatic ones that accept the best that may be achieved in the circumstances. Ultimately, to present the world how it ought to be rather than as it is conceals a deep intolerance notable in the contempt with which many of the contributors to the journal appear to hold Western politicians and the Western media.6 It is the exploitation of this oughtistic style of thinking that leads the critic into a Humpty Dumpty world where words mean exactly what the critical theorist “chooses them to mean—neither more nor less.” However, in order to justify their disciplinary niche they have to insist on the failure of established modes of terrorism study. Having identified a source of government grants and academic perquisites, critical studies in fact does not deal with the notion of terrorism as such, but instead the manner in which the Western liberal democratic state has supposedly manipulated the use of violence by non-state actors in order to “other” minority communities and create a politics of fear. Critical Studies and Strategic Theory—A Missed Opportunity Of course, the doubtful contribution of critical theory by no means implies that all is well with what one might call conventional terrorism studies. The subject area has in the past produced superficial assessments that have done little to contribute to an informed understanding of conflict. This is a point readily conceded by John Horgan and Michael Boyle who put “A Case Against 'Critical Terrorism Studies'” (pp. 51-74). Although they do not seek to challenge the agenda, assumptions, and contradictions inherent in the critical approach, their contribution to the new journal distinguishes itself by actually having a well-organized and well-supported argument. The authors' willingness to acknowledge deficiencies in some terrorism research shows that critical self-reflection is already present in existing terrorism studies. It is ironic, in fact, that the most clearly reflective, original, and *critical* contribution in the first edition should come from established terrorism researchers who critique the critical position. Interestingly, the specter haunting both conventional and critical terrorism studies is that both assume that terrorism is an existential phenomenon, and thus has causes and solutions. Burke makes this explicit: “The inauguration of this journal,” he declares, “indeed suggests broad agreement that there is a phenomenon called terrorism” (p. 39). Yet this is not the only way of looking at terrorism. For a strategic theorist the notion of terrorism does not exist as an independent phenomenon. It is an abstract noun. More precisely, it is merely a tactic—the creation of fear for political ends—that can be employed by any social actor, be it state or non-state, in any context, without any necessary moral value being involved. Ironically, then, strategic theory offers a far more “critical perspective on terrorism” than do the perspectives advanced in this journal. Guelke, for example, propounds a curiously orthodox standpoint when he asserts: “to describe an act as one of terrorism, without the qualification of quotation marks to indicate the author's distance from such a judgement, is to condemn it as absolutely illegitimate” (p. 19). If you are a strategic theorist this is an invalid claim. Terrorism is simply a method to achieve an end. Any moral judgment on the act is entirely separate. To fuse the two is a category mistake. In strategic theory, which Guelke ignores, terrorism does not, ipso facto, denote “absolutely illegitimate violence.” Intriguingly, Stohl, Booth, and Burke also imply that a strategic understanding forms part of their critical viewpoint. Booth, for instance, argues in one of his commandments that terrorism should be seen as a conscious human choice. Few strategic theorists would disagree. Similarly, Burke feels that there does “appear to be a consensus” that terrorism is a “form of instrumental political violence” (p. 38). The problem for the contributors to this volume is that they cannot emancipate themselves from the very orthodox assumption that the word terrorism is pejorative. That may be the popular understanding of the term, but inherently terrorism conveys no necessary connotation of moral condemnation. “Is terrorism a form of warfare, insurgency, struggle, resistance, coercion, atrocity, or great political crime,” Burke asks rhetorically. But once more he misses the point. All violence is instrumental. Grading it according to whether it is insurgency, resistance, or atrocity is irrelevant. Any strategic actor may practice forms of warfare. For this reason Burke's further claim that existing definitions of terrorism have “specifically excluded states as possible perpetrators and privilege them as targets,” is wholly inaccurate (p. 38). Strategic theory has never excluded state-directed terrorism as an object of study, and neither for that matter, as Horgan and Boyle point out, have more conventional studies of terrorism. Yet, Burke offers—as a critical revelation—that “the strategic intent behind the US bombing of North Vietnam and Cambodia, Israel's bombing of Lebanon, or the sanctions against Iraq is also terrorist.” He continues: “My point is not to remind us that states practise terror, but to show how mainstream *strategic doctrines* are terrorist in these terms and undermine any prospect of achieving the normative consensus if such terrorism is to be reduced and eventually eliminated” (original italics) (p. 41). This is not merely confused, it displays remarkable nescience on the part of one engaged in teaching the next generation of graduates from the Australian Defence Force Academy. Strategic theory conventionally recognizes that actions on the part of state or non-state actors that aim to create fear (such as the allied aerial bombing of Germany in World War II or the nuclear deterrent posture of Mutually Assured Destruction) can be terroristic in nature.7 The problem for critical analysts like Burke is that they impute their own moral valuations to the term terror. Strategic theorists do not. Moreover, the statement that this undermines any prospect that terrorism can be eliminated is illogical: you can never eliminate an abstract noun. Consequently, those interested in a truly “critical” approach to the subject should perhaps turn to strategic theory for some relief from the strictures that have traditionally governed the study of terrorism, not to self-proclaimed critical theorists who only replicate the flawed understandings of those whom they criticize. Horgan and Boyle conclude their thoughtful article by claiming that critical terrorism studies has more in common with traditional terrorism research than critical theorists would possibly like to admit. These reviewers agree: they are two sides of the same coin. Conclusion In the looking glass world of critical terror studies the conventional analysis of terrorism is ontologically challenged, lacks self-reflexivity, and is policy oriented. By contrast, critical theory's ethicist, yet relativist, and deconstructive gaze reveals that we are all terrorists now and must empathize with those sub-state actors who have recourse to violence for whatever motive. Despite their intolerable othering by media and governments, terrorists are really no different from us. In fact, there is terror as the weapon of the weak and the far worse economic and coercive terror of the liberal state. Terrorists therefore deserve empathy and they must be discursively engaged. At the core of this understanding sits a radical pacifism and an idealism that requires not the status quo but communication and “human emancipation.” Until this radical post-national utopia arrives both force and the discourse of evil must be abandoned and instead therapy and un-coerced conversation must be practiced. In the popular ABC drama *Boston Legal* Judge Brown perennially referred to the vague, irrelevant, jargon-ridden statements of lawyers as “jibber jabber.” The Aberystwyth-based school of critical internationalist utopianism that increasingly dominates the study of international relations in Britain and Australia has refined a higher order incoherence that may be termed Aber jabber. The pages of the journal of *Critical Studies on Terrorism* are its natural home.

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

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

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

#### Terrorists want to destroy America and will never accept our existence—the neg’s arguments presume to understand terrorist motives better than the terrorists themselves do

**ELSHTAIN 2003**

(Jean Bethke, Prof of Social and Political Ethics at U Chicago, Just War Against Terrorism, p. 94-95)

Those who do not argue outright that the United States is the author of its own destruction often profess mystification at the motives of the attackers, despite the fact that the attackers have told us repeatedly what their motives are. The Nation editorialized, “Why the attacks took place is still unclear.” Suddenly the far left is perplexed as well as isolationist: If we had not poked our nose in where it did not belong, maybe people would leave us alone. However, either we really do not know what drove the attackers—which requires that we ignore their words and those of Osama bin Laden—or we really do know what motivated the attackers—which also requires that we ignore their words and those of Osama bin Laden. Why? Because we cannot take the religious language seriously. Donald Kagan cites an example of the latter when he recalls the words of a fellow Yale professor who opined tha thte “underlying causes” fo the 9/11 attacks were “the desperate, angry, and bereaved” circumstances of the lives of “these suicide pilots,” who were responding to “offensive cultural messages” spread by the United States. There is considerable hubris on display in such assertions of certainly about what drives terrorists, when doing so requires ignoring the terrorists’ own words. This scenario usually plays out like this: First, one professes ignorance of the real motives, although one can do so only if one ignores the words of the attackers, who have scarcely been secretive. Or second, one ignores the real motives because one knows better than the attackers themselves what their motives were. “What is striking about such statements is their arrogance,” writes Kagan. “They suggest that he enlightened commentator can penetrate the souls of the attackers and know their deepest motives…A far better guide might be the actual statements of the perpetrators.” Kagan is not alone in this observation. Tony Judt writes that Osama bin Laden’s stated motives are “to push the ‘infidel’ out of the Arabian peninsula, to punish the ‘Crusaders and the Jews,’ and to wreak revenge on Americans for their domination of Islamic space.” Judt cannot help noticing, however, that bin Laden “is not a spokesman for the downtrodden, much less those who seek just solutions to real dilemmas—he is cuttingly dismissive of the UN: ‘Muslims should not appeal to these atheist, temporal regimes.’” Not surprisingly, Salman Rushdie, the Muslim writer against whom a fatwa ordering his death was issued in 1989, makes the trenchant observation that the savaging of America by sections of the left…has been among the most unpleasant consequences of the terrorists’ attacks on the United States. “The problem with Americans is…”—“What America needs to understand…” There has been a lot of sanctimonious moral relativism around lately, usually prefaced by such phrases as these. A country which has just suffered the most devastating terrorist attack in history, a country in a state of deep mourning and horrible grief, is being told, heartlessly, that it is to blame for its own citizens’ deaths. The New York Times columnist Thomas Friedman expresses amazement at the ease with which some people abroad and at campus teach-ins now tell us what motivated the terrorists…Their deed was their note: we want to destroy America, starting with its military and financial centers. Which part of that sentence don’t people understand? Have you ever seen Osama bin Laden say, “I just want to see a smaller Israel in its pre-1967 borders,” or “I have no problem with America, it just needs to have a lower cultural and military profile in the Muslim world?” These terrorists aren’t out for a new kind of coexistence with us. They are out for our non-existence. None of this seems to have seeped into the “Yes, but…” crowd.

#### Killing terrorists solves terrorism–all of their recruitment arguments are backwards

PETERS 2004

(Ralph, Fmr Military Officer and Author, Parameters, Summer)

And we shall hear that killing terrorists only creates more terrorists. This is sophomoric nonsense. The surest way to swell the ranks of terror is to follow the approach we did in the decade before 9/11 and do nothing of substance. Success breeds success. Everybody loves a winner. The clichés exist because they’re true. Al Qaeda and related terrorist groups metastasized because they were viewed in the Muslim world as standing up to the West successfully and handing the Great Satan America embarrassing defeats with impunity. Some fanatics will flock to the standard of terror, no matter what we do. But it’s far easier for Islamic societies to purge themselves of terrorists if the terrorists are on the losing end of the global struggle than if they’re allowed to become triumphant heroes to every jobless, unstable teenager in the Middle East and beyond. Far worse than fighting such a war of attrition aggressively is to pretend you’re not in one while your enemy keeps on killing you. Even the occupation of Iraq is a war of attrition. We’re doing remarkably well, given the restrictions under which our forces operate. But no grand maneuvers, no gestures of humanity, no offers of conciliation, and no compromises will persuade the terrorists to halt their efforts to disrupt the development of a democratic, rule-of-law Iraq. On the contrary, anything less than relentless pursuit, with both preemptive and retaliatory action, only encourages the terrorists and remaining Baathist gangsters.

Risk of nuclear terrorism is real and high now

Matthew, et al, 10/2/13 [ Bunn, Matthew, Valentin Kuznetsov, Martin B. Malin, Yuri Morozov, Simon Saradzhyan, William H. Tobey, Viktor I. Yesin, and Pavel S. Zolotarev. "Steps to Prevent Nuclear Terrorism." Paper, Belfer Center for Science and International Affairs, Harvard Kennedy School, October 2, 2013, Matthew Bunn. Professor of the Practice of Public Policy at Harvard Kennedy School andCo-Principal Investigator of Project on Managing the Atom at Harvard University’s Belfer Center for Science and International Affairs. • Vice Admiral Valentin Kuznetsov (retired Russian Navy). Senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, Senior Military Representative of the Russian Ministry of Defense to NATO from 2002 to 2008. • Martin Malin. Executive Director of the Project on Managing the Atom at the Belfer Center for Science and International Affairs. • Colonel Yuri Morozov (retired Russian Armed Forces). Professor of the Russian Academy of Military Sciences and senior research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, chief of department at the Center for Military-Strategic Studies at the General Staff of the Russian Armed Forces from 1995 to 2000. • Simon Saradzhyan. Fellow at Harvard University’s Belfer Center for Science and International Affairs, Moscow-based defense and security expert and writer from 1993 to 2008. • William Tobey. Senior fellow at Harvard University’s Belfer Center for Science and International Affairs and director of the U.S.-Russia Initiative to Prevent Nuclear Terrorism, deputy administrator for Defense Nuclear Nonproliferation at the U.S. National Nuclear Security Administration from 2006 to 2009. • Colonel General Viktor Yesin (retired Russian Armed Forces). Leading research fellow at the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences and advisor to commander of the Strategic Missile Forces of Russia, chief of staff of the Strategic Missile Forces from 1994 to 1996. • Major General Pavel Zolotarev (retired Russian Armed Forces). Deputy director of the Institute for U.S. and Canadian Studies of the Russian Academy of Sciences, head of the Information and Analysis Center of the Russian Ministry of Defense from1993 to 1997, section head - deputy chief of staff of the Defense Council of Russia from 1997 to 1998.<http://belfercenter.ksg.harvard.edu/publication/23430/steps_to_prevent_nuclear_terrorism.html>]

I. Introduction In 2011, Harvard’s Belfer Center for Science and International Affairs and the Russian Academy of Sciences’ Institute for U.S. and Canadian Studies published “The U.S. – Russia Joint Threat Assessment on Nuclear Terrorism.” The assessment analyzed the means, motives, and access of would-be nuclear terrorists, and concluded that the threat of nuclear terrorism is urgent and real. The Washington and Seoul Nuclear Security Summits in 2010 and 2012 established and demonstrated a consensus among political leaders from around the world that nuclear terrorism poses a serious threat to the peace, security, and prosperity of our planet. For any country, a terrorist attack with a nuclear device would be an immediate and catastrophic disaster, and the negative effects would reverberate around the world far beyond the location and moment of the detonation. Preventing a nuclear terrorist attack requires international cooperation to secure nuclear materials, especially among those states producing nuclear materials and weapons. As the world’s two greatest nuclear powers, the United States and Russia have the greatest experience and capabilities in securing nuclear materials and plants and, therefore, share a special responsibility to lead international efforts to prevent terrorists from seizing such materials and plants. The depth of convergence between U.S. and Russian vital national interests on the issue of nuclear security is best illustrated by the fact that bilateral cooperation on this issue has continued uninterrupted for more than two decades, even when relations between the two countries occasionally became frosty, as in the aftermath of the August 2008 war in Georgia. Russia and the United States have strong incentives to forge a close and trusting partnership to prevent nuclear terrorism and have made enormous progress in securing fissile material both at home and in partnership with other countries. However, to meet the evolving threat posed by those individuals intent upon using nuclear weapons for terrorist purposes, the United States and Russia need to deepen and broaden their cooperation. The 2011 “U.S. - Russia Joint Threat Assessment” offered both specific conclusions about the nature of the threat and general observations about how it might be addressed. This report builds on that foundation and analyzes the existing framework for action, cites gaps and deficiencies, and makes specific recommendations for improvement. “The U.S. – Russia Joint Threat Assessment on Nuclear Terrorism” (The 2011 report executive summary): • Nuclear terrorism is a real and urgent threat. Urgent actions are required to reduce the risk. The risk is driven by the rise of terrorists who seek to inflict unlimited damage, many of whom have sought justification for their plans in **radical interpretations of Islam;** by the spread of information about the decades-old technology of nuclear weapons; by the increased availability of weapons-usable nuclear materials; and by globalization, which makes it easier to move people, technologies, and materials across the world. • Making a crude nuclear bomb would not be easy, but is potentially within the capabilities of a technically sophisticated terrorist group, as numerous government studies have confirmed. Detonating a stolen nuclear weapon would likely be difficult for terrorists to accomplish, if the weapon was equipped with modern technical safeguards (such as the electronic locks known as Permissive Action Links, or PALs). Terrorists could, however, cut open a stolen nuclear weapon and make use of its nuclear material for a bomb of their own. • The nuclear material for a bomb is small and difficult to detect, making it a major challenge to stop nuclear smuggling or to recover nuclear material after it has been stolen. Hence, a primary focus in reducing the risk must be to keep nuclear material and nuclear weapons from being stolen by continually improving their security, as agreed at the Nuclear Security Summit in Washington in April 2010. • Al-Qaeda has sought nuclear weapons for almost two decades. The group has repeatedly attempted to purchase stolen nuclear material or nuclear weapons, and has repeatedly attempted to recruit nuclear expertise. Al-Qaeda reportedly conducted tests of conventional explosives for its nuclear program in the desert in Afghanistan. The group’s nuclear ambitions continued after its dispersal following the fall of the Taliban regime in Afghanistan. Recent writings from top al-Qaeda leadership are focused on justifying the mass slaughter of civilians, including the use of weapons of mass destruction, and are in all likelihood intended to provide a formal religious justification for nuclear use. While there are significant gaps in coverage of the group’s activities, al-Qaeda appears to have been frustrated thus far in acquiring a nuclear capability; it is unclear whether the the group has acquired weapons-usable nuclear material or the expertise needed to make such material into a bomb. Furthermore, pressure from a broad range of counter-terrorist actions probably has reduced the group’s ability to manage large, complex projects, but has not eliminated the danger. However, there is no sign the group has abandoned its nuclear ambitions. On the contrary, leadership statements as recently as 2008 indicate that the intention to acquire and use nuclear weapons is as strong as ever.

## T-Restriction 2AC

#### 1. W/M – We limit the president’s authority to determine those responsible for 9/11 in the AUMF.

Bradley & Goldsmith 2005

[- Curtis & - Jack, Professors at University of Virginia and Harvard Law Schools Respectively, CONGRESSIONAL AUTHORIZATION AND THE

WAR ON TERRORISM, Harvard Law Review, Volume 118, May 2005]

The AUMF is arguably more restrictive in one respect, and argua-bly broader in another respect, than authorizations in declared wars. It is arguably more restrictive to the extent that it requires the Presi-dent to report to Congress on the status of hostilities. This difference from authorizations in declared wars, however, does not purport to af-fect the military authority that Congress has conferred on the Presi-dent. The AUMF is arguably broader than authorizations in declared wars in its description of the enemy against which force can be used. The AUMF authorizes the President to use force against those “na-tions, organizations, or persons he determines” have the requisite nexus with the September 11 attacks. This provision contrasts with authori-zations in declared wars in two related ways. First, it describes rather than names the enemies that are the objects of the use of force.144 Second, it expressly authorizes the President to determine which “nations, organizations, or persons” satisfy the statutory criteria for enemy status.145 One could argue that the effect of the “he determines” provision is to give the President broad, and possibly unreviewable, discretion to apply the nexus requirement to identify the covered enemy — at least to the extent that his determination does not implicate constitutional rights.146 Even if this argument is correct, this provision probably adds little to the President’s already-broad authority to de-termine the existence of facts related to the exercise of his authority under the AUMF.147

**Legal scholars agree it’s the most restrictive approach**

**Chesney, Goldsmith, Waxman, & Wittes, 2013**

[Robert, Professor in Law at The University of Texas School of Law, Jack, Henry L. Shattuck Professor of Law at Harvard University, Matthew, professor of law at Columbia Law School and an adjunct senior fellow at the Council on Foreign Relations, & Benjamin, Senior fellow in governance studies at the Brookings Institution and codirector of the Harvard Law School–Brookings Project on Law and Security, “A Statutory Framework¶ for¶ Next-Generation¶ Terrorist¶ Threats”, Hoover Institution, Taskforce on National Security & Law, Stanford University, <http://media.hoover.org/sites/default/files/documents/Statutory-Framework-for-Next-Generation-Terrorist-Threats.pdf>, BJM]

Congress could instead authorize the president to use force against specified¶ terrorist groups and/or in specified countries or geographic areas. This would¶ resemble the more traditional approach by which Congress authorizes force¶ against state adversaries or for particular operations within foreign countries.¶ Recent news reports have suggested that some in the administration and the¶ military are deliberating about whether to ask Congress for just such a statute to¶ address Islamist terrorist threats in some North African countries.8 This “retail”¶ approach—in contrast to the “wholesale” approach laid out in the previous¶ section—is the one that, among our three options, most restricts presidential¶ discretion.

#### C/I A statutory restriction is a limit or control enacted by legislation

**Black’s Law No Date** Law Dictionary, Featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed. <http://thelawdictionary.org/statutory-restriction/>

What is STATUTORY RESTRICTION?

**Limits or controls** that have been place on activities by its ruling legislation.

**This is distinct from prohibition**

CAC 12,COURT OF APPEAL OF CALIFORNIA, SECOND APPELLATE DISTRICT, COUNTY OF LOS ANGELES, Plaintiff and Respondent, v. ALTERNATIVE MEDICINAL CANNABIS COLLECTIVE et al., Defendants and Appellants, DIVISION ONE, 207 Cal. App. 4th 601; 143 Cal. Rptr. 3d 716; 2012 Cal. App. LEXIS 772

We disagree with County that in using the phrases “further restrict the location or establishment” and “regulate the location or establishment” in [\*615] section 11362.768, subdivisions (f) and (g), the Legislature intended to authorize local governments to ban all medical marijuana dispensaries that are otherwise “authorized by law to possess, cultivate, or distribute medical marijuana” (§ 11362.768, subd. (e) [stating scope of section's application]); the Legislature did not use the words “ban” or “prohibit.” Yet County cites dictionary definitions of “regulate” (to govern or direct according to rule or law); “regulation” (controlling by rule or restriction; a rule or order that has legal force); “restriction” (a limitation or qualification, including on the use of property); “establishment” (the act of establishing or state or condition of being established); “ban” (to prohibit); and “prohibit” (to forbid by law; to prevent or hinder) to attempt to support its interpretation. County then concludes that “the ordinary meaning [\*\*\*23] of the terms, ‘restriction,’ ‘regulate,’ and ‘regulation’ are consistent with a ban or prohibition against the opening or starting up or continued operation of [a medical marijuana dispensary] storefront business.” We disagree.¶CA(9)(9) The ordinary meanings of “restrict” and “regulate” suggest a degree of control or restriction falling short of “banning,” “prohibiting,” “forbidding,” or “preventing.” Had the Legislature intended to include an outright ban or prohibition among the local regulatory powers authorized in section 11362.768, subdivisions (f) and (g), it would have said so. Attributing the usual and ordinary meanings to the words used in section 11362.768, subdivisions (f) and (g), construing the words in context, attempting to harmonize subdivisions (f) and (g) with section 11362.775 and with the purpose of California's medical marijuana [\*\*727] statutory program, and bearing in mind the intent of the electorate and the Legislature in enacting the CUA and the MMP, we conclude that HN21Go to this Headnote in the case.the phrases “further restrict the location or establishment” and “regulate the location or establishment” in section 11362.768, subdivisions (f) and (g) do not authorize a per se ban at the local level. The Legislature [\*\*\*24] decided in section 11362.775 to insulate medical marijuana collectives and cooperatives from nuisance prosecution “solely on the basis” that they engage in a dispensary function. To interpret the phrases “further restrict the location or establishment” and “regulate the location or establishment” to mean that local governments may impose a blanket nuisance prohibition against dispensaries would frustrate both the Legislature's intent to “[e]nhance the access of patients and caregivers to medical marijuana through collective, cooperative cultivation projects” and “[p]romote uniform and consistent application of the [CUA] among the counties within the state” and the electorate's intent to “ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes” and “encourage the federal and state governments to implement a plan to provide for the safe and affordable distribution of marijuana to all patients in medical need of marijuana.”

## Legal Imperialism K 2AC

#### Shocks to the democratic system are the ONLY propensity for conflict—globalization and liberal norms have created definitive positive trends towards non-violence and peace.

John **Horgan 9** is Director of the Center for Science at Stevens Institute of Technology, former senior writer at Scientific American, B.A. from Columbia and an M.S. from Columbia “The End of the Age of War,” Dec 7 <http://www.newsweek.com/id/225616/page/1>

The economic crisis was supposed to increase violence around the world. The truth is that we are now living in one of the most peaceful periods since war first arose 10 or 12 millennia ago. The relative calm of our era, say scientists who study warfare in history and even prehistory, belies the popular, pessimistic notion that war is so deeply rooted in our nature that we can never abolish it. In fact, war seems to be a largely cultural phenomenon, which culture is now helping us eradicate. Some scholars now even cautiously speculate that the era of traditional war—fought by two uniformed, state-sponsored armies—might be drawing to a close. "War could be on the verge of ceasing to exist as a substantial phenomenon," says John Mueller, a political scientist at Ohio State University. That might sound crazy, but consider: if war is defined as a conflict between two or more nations resulting in at least 1,000 deaths in a year, there have been no wars since the U.S. invasion of Iraq in 2003 and no wars between major industrialized powers since World War II. Civil wars have also declined from their peak in the early 1990s, when fighting tore apart Rwanda, the Balkans, and other regions. Most armed conflicts now consist of low-level guerrilla campaigns, insurgencies, and terrorism—what Mueller calls the "remnants of war." These facts would provide little comfort if war's remnants were nonetheless killing millions of people—but they're not. Recent studies reveal a clear downward trend. In 2008, 25,600 combatants and civilians were killed as a direct result of armed conflicts, according to the University of Uppsala Conflict Data Program in Sweden. Two thirds of these deaths took place in just three trouble spots: Sri Lanka (8,400), Afghanistan (4,600), and Iraq (4,000). Uppsala's figures exclude deaths from "one-sided conflict," in which combatants deliberately kill unarmed civilians, and "indirect" deaths from war-related disease and famine, but even when these casualties are included, annual war-related deaths from 2004 to 2007 are still low by historical standards. Acts of terrorism, like the 9/11 attacks or the 2004 bombing of Spanish trains, account for less than 1 percent of fatalities. In contrast, car accidents kill more than 1 million people a year. The contrast between our century and the previous one is striking. In the second half of the 20th century, war killed as many as 40 million people, both directly and indirectly, or 800,000 people a year, according to Milton Leitenberg of the University of Maryland. He estimates that 190 million people, or 3.8 million a year, died as a result of wars and state--sponsored genocides during the cataclysmic first half of the century. Considered as a percentage of population, the body count of the 20th century is comparable to that of blood-soaked earlier cultures, such as the Aztecs, the Romans, and the Greeks. By far the most warlike societies are those that preceded civilization. War killed as many as 25 percent of all pre-state people, a rate 10 times higher than that of the 20th century, estimates anthropologist Lawrence Keeley of the University of Illinois. Our ancestors were not always so bellicose, however: there is virtually no clear-cut evidence of lethal group aggression by humans prior to 12,000 years ago. Then, "warfare appeared in the evolutionary trajectory of an increasing number of societies around the world," says anthropologist Jonathan Haas of Chicago's Field Museum of Natural History. He attributes the emergence of warfare to several factors: growing population density, environmental stresses that diminished food sources, and the separation of people into culturally distinct groups. "It is only after the cultural foundations have been laid for distinguishing 'us' from 'them,' " he says, "that raiding, killing, and burning appear as a complex response to the external stress of environmental problems." Early civilizations, such as those founded in Mesopotamia and Egypt 6,000 years ago, were extremely warlike. They assembled large armies and began inventing new techniques and technologies for killing, from horse-drawn chariots and catapults to bombs. But nation-states also developed laws and institutions for resolving disputes nonviolently, at least within their borders. These cultural innovations helped reduce the endless, tit-for-tat feuding that plagued pre-state societies. A host of other cultural factors may explain the more recent drop-off in international war and other forms of social violence. One is a surge in democratic rather than totalitarian governance. Over the past two centuries democracies such as the U.S. have rarely if ever fought each other. Democracy is also associated with low levels of violence within nations. Only 20 democratic nations existed at the end of World War II; the number has since more than quadrupled. Yale historian Bruce Russett contends that international institutions such as the United Nations and the European Union also contribute to this "democratic peace" phenomenon by fostering economic interdependence. Advances in civil rights for women may also be making us more peaceful. As women's education and economic opportunities rise, birthrates fall, decreasing demands on governmental and medical services and depletion of natural resources, which can otherwise lead to social unrest. Better public health is another contributing factor. Over the past century, average life spans have almost doubled, which could make us less willing to risk our lives by engaging in war and other forms of violence, proposes Harvard psychologist Steven Pinker. At the same time, he points out, globalization and communications have made us increasingly interdependent on, and empathetic toward, others outside of our immediate "tribes." Of course, the world remains a dangerous place, vulnerable to disruptive, unpredictable events like terrorist attacks. Other looming threats to peace include climate change, which could produce droughts and endanger our food supplies; overpopulation; and the spread of violent religious extremism, as embodied by Al Qaeda. A global financial meltdown or ecological catastrophe could plunge us back into the kind of violent, Hobbesian chaos that plagued many pre--state societies thousands of years ago. "War is not intrinsic to human nature, but neither is peace," warns the political scientist Nils Petter Gleditsch of the International Peace Research Institute in Oslo. So far the trends are positive. If they continue, who knows? World peace—the dream of countless visionaries and -beauty--pageant -contestants—or something like it may finally come to pass.

#### Neo-positivism is good, much of the world is subjective but there ARE some patterns and focusing on those is best for policy.

**Houghton 8**

[David Patrick, \*Associate Professor of International Relations Theory at the University of Central Florida, 2008, Positivism ‘vs’ Postmodernism: Does Epistemology Make a Difference?, International Politics, pg 45]

As long ago as 1981, Yale Ferguson and Richard Mansbach effectively laid the influence of the dogmatic behaviouralism of the 1960s to rest in their book The Elusive Quest, signaling the profound disillusionment of mainstream IR with the idea that a cumulative science of IR would ever be possible (Ferguson and Mansbach, 1988). The popularity of the ‘naïve’ form of positivism, wed to a view of inexorable scientific progress and supposedly practiced by wide-eyed scholars during the 1960s, has long been a thing of the past. Postmodernists hence do the discipline a disservice when they continue to attack the overly optimistic and dogmatic form of positivism as if it still represented a dominant orthodoxy, which must somehow be overthrown. Equally, supporters of the contemporary or ‘neo-’ version of positivism perform a similar disservice when they fail to articulate their epistemological assumptions clearly or at all. Indeed, the first error is greatly encouraged by the second, since by failing to state what they stand for, neo-positivists have allowed postmodernists to fashion a **series of straw men** who burn rapidly at the slightest touch. Articulating a full list of these assumptions lies beyond the scope of this article, but contemporary neo-positivists are, I would suggest, committed to the following five assumptions, none of which are especially radical or hard to defend: (1) That explaining the social and political world ought to be our central objective, (2) That — subjective though our perceptions of the world may be — many features of the political world are at least potentially explainable. What remains is a conviction that there are at least some empirical propositions, which can be demonstrably shown to be ‘true’ or ‘false’, some **underlying regularities that clearly give shape to IR** (such as the proposition that democracies do not fight one another), (3) That careful use of appropriate methodological techniques can establish what patterns exist in the political world, (4) That positive and normative questions, though related, are ultimately separable, although both constitute valid and interesting forms of enquiry. There is also a general conviction (5) that careful use of research design may help researchers avoid logical pitfalls in their work. Doubtless, there are some who would not wish to use the term ‘positivism’ as an umbrella term for these five assumptions, in which case we probably require a new term to cover them. But to the extent that there exists an ‘orthodoxy’ in the field of IR today, this is surely it. Writing in 1989, Thomas Biersteker noted that ‘the vast majority of scholarship in international relations (and the social sciences for that matter) proceeds without conscious reflection on its philosophical bases or premises. In professional meetings, lectures, seminars and the design of curricula, we do not often engage in serious reflection on the philosophical bases or implications of our activity. Too often, consideration of these core issues is reserved for (and largely forgotten after) the introductory weeks of required concepts and methods courses, as we socialize students into the profession’ ([Biersteker, 1989](http://www.palgrave-journals.com/ip/journal/v45/n2/full/8800222a.html%22%20%5Cl%20%22bib2%22%20%5Cl%20%22bib2%22%20%5Ct%20%22_blank)). This observation — while accurate at the time — would surely be deemed incorrect were it to be made today. Even some scholars who profess regret at the philosophically self-regarding nature of contemporary of IR theory, nevertheless feel compelled to devote huge chunks of their work to epistemological issues before getting to more substantive matters (see for instance [Wendt, 1999](http://www.palgrave-journals.com/ip/journal/v45/n2/full/8800222a.html%22%20%5Cl%20%22bib21#bib21%22%20%5Ct%20%22_blank)). The recent emphasis on epistemology has helped to push IR as a discipline further and further away from the concerns of those who actually practice IR. The consequent decline in the policy relevance of what we do, and our retreat into philosophical self-doubt, is ironic given the roots of the field in very practical political concerns (most notably, how to avoid war). What I am suggesting is not that IR scholars should ignore philosophical questions, or that such ‘navel gazing’ is always unproductive, for questions of epistemology surely undergird every vision of IR that ever existed. Rather, I would suggest that the existing debate is sterile and unproductive in the sense that the various schools of thought have much more in common than they suppose; stated more specifically, postpositivists have much more in common than they would like to think with the positivists they seek to condemn. Consequently, to the extent that there is a meaningful dialogue going on with regard to epistemological questions, it has no real impact on what we do as scholars when we look at the world ‘out there’. Rather than focusing on epistemology, it is inevitably going to be more fruitful to subject the substantive claims made by positivists (of all metatheoretical stripes) and postpositivists to the cold light of day. My own view, as the reader may have gathered already, is that the empirical claims of scholars like Der Derian and Campbell will not often stand up to such harsh scrutiny given the **inattention to careful evidence gathering** betrayed by both, but this is a side issue here; the point is that substantive theoretical and empirical claims, rather than metatheoretical or epistemological ones, ought to be what divides the international relations scene today.

**A violent war on terror is the only way to solve—nonviolent solutions empirically fail**

Victor Davis **Hanson 10**, Senior Fellow, Hoover. Former visiting prof, classics, Stanford. PhD in classics, Stanford, The Tragic Truth of War, 19 February 2010, http://www.victorhanson.com/articles/hanson021910.html

Victory has usually been defined throughout the ages as forcing the enemy to accept certain political objectives. “Forcing” usually meant killing, capturing, or wounding men at arms. In today’s polite and politically correct society we seem to have forgotten that nasty but eternal truth in the confusing struggle to defeat radical Islamic terrorism. What stopped the imperial German army from absorbing France in World War I and eventually made the Kaiser abdicate was the destruction of a once magnificent army on the Western front — superb soldiers and expertise that could not easily be replaced. Saddam Hussein left Kuwait in 1991 when he realized that the U.S. military was destroying his very army. Even the North Vietnamese agreed to a peace settlement in 1973, given their past horrific losses on the ground and the promise that American air power could continue indefinitely inflicting its damage on the North. When an enemy finally gives up, it is for a combination of reasons — material losses, economic hardship, loss of territory, erosion of civilian morale, fright, mental exhaustion, internal strife. But we forget that central to a concession of defeat is often the loss of the nation’s soldiers — or even the threat of such deaths. A central theme in most of the memoirs of high-ranking officers of the Third Reich is the attrition of their best warriors. In other words, among all the multifarious reasons why Nazi Germany was defeated, perhaps the key was that hundreds of thousands of its best aviators, U-boaters, panzers, infantrymen, and officers, who swept to victory throughout 1939–41, simply perished in the fighting and were no longer around to stop the allies from doing pretty much what they wanted by 1944–45. After Stalingrad and Kursk, there were not enough good German soldiers to stop the Red Army. Even the introduction of jets could not save Hitler in 1945 — given that British and American airmen had killed thousands of Luftwaffe pilots between 1939 and 1943. After the near destruction of the Grand Army in Russia in 1812, even Napoleon’s genius could not restore his European empire. Serial and massive Communist offensives between November 1950 and April 1951 in Korea cost Red China hundreds of thousands of its crack infantry — and ensured that, for all its aggressive talk, it would never retake Seoul in 1952–53. But aren’t these cherry-picked examples from conventional wars of the past that have no relevance to the present age of limited conflict, terrorism, and insurgency where ideology reigns? Not really. We don’t quite know all the factors that contributed to the amazing success of the American “surge” in Iraq in 2007–08. Surely a number of considerations played a part: Iraqi anger at the brutish nature of al-Qaeda terrorists in their midst; increased oil prices that brought massive new revenues into the country; General Petraeus’s inspired counterinsurgency tactics that helped win over Iraqis to our side by providing them with jobs and security; much-improved American equipment; and the addition of 30,000 more American troops. But what is unspoken is also the sheer cumulative number of al Qaeda and other Islamic terrorists that the U.S. military killed or wounded between 2003 and 2008 in firefights from Fallujah to Basra. There has never been reported an approximate figure of such enemy dead — perhaps wisely, in the post-Vietnam age of repugnance at “body counts” and the need to create a positive media image. Nevertheless, in those combat operations, the marines and army not only proved that to meet them in battle was a near death sentence, but also killed thousands of low-level terrorists and hundreds of top-ranking operatives who otherwise would have continued to harm Iraqi civilians and American soldiers. Is Iraq relatively quiet today because many who made it so violent are no longer around? Contemporary conventional wisdom tries to persuade us that there is no such thing as a finite number of the enemy. Instead, killing them supposedly only incites others to step up from the shadows to take their places. Violence begets violence. It is counterproductive, and creates an endless succession of the enemy. Or so we are told. We may wish that were true. But military history suggests it is not quite accurate. In fact, there was a finite number of SS diehards and kamikaze suicide bombers even in fanatical Nazi Germany and imperial Japan. When they were attrited, not only were their acts of terror curtailed, but it turned out that far fewer than expected wanted to follow the dead to martyrdom. The Israeli war in Gaza is considered by the global community to be a terrible failure — even though the number of rocket attacks against Israeli border towns is way down. That reduction may be due to international pressure, diplomacy, and Israeli goodwill shipments of food and fuel to Gaza — or it may be due to the hundreds of Hamas killers and rocketeers who died, and the thousands who do not wish to follow them, despite their frequently loud rhetoric about a desire for martyrdom. Insurgencies, of course, are complex operations, but in general even they are not immune from eternal rules of war. Winning hearts and minds is essential; providing security for the populace is crucial; improving the economy is critical to securing the peace. But all that said, we cannot avoid the pesky truth that in war — any sort of war — killing enemy soldiers stops the violence. For all the much-celebrated counterinsurgency tactics in Afghanistan, note that we are currently in an offensive in Helmand province to “secure the area.” That means killing the Taliban and their supporters, and convincing others that they will meet a violent fate if they continue their opposition. Perhaps the most politically incorrect and Neanderthal of all thoughts would be that the American military’s long efforts in both Afghanistan and Iraq to kill or capture radical Islamists has contributed to the general safety inside the United States. Modern dogma insists that our presence in those two Muslim countries incited otherwise non-bellicose young Muslims to suddenly prefer violence and leave Saudi Arabia, Yemen, or Egypt to flock to kill the infidel invader. A more tragic view would counter that there was always a large (though largely finite) number of radical jihadists who, even before 9/11, wished to kill Americans. They went to those two theaters, fought, died, and were therefore not able to conduct as many terrorist operations as they otherwise would have, and also provided a clear example to would-be followers not to emulate their various short careers. That may explain why in global polls the popularity both of bin Laden and of the tactic of suicide bombing plummeted in the Middle Eastern street — at precisely the time America was being battered in the elite international press for the Iraq War. Even the most utopian and idealistic do not escape these tragic eternal laws of war. Barack Obama may think he can win over the radical Islamic world — or at least convince the more moderate Muslim community to reject jihadism — by means such as his Cairo speech, closing Guantanamo, trying Khalid Sheikh Mohammed in New York, or having General McChrystal emphatically assure the world that killing Taliban and al-Qaeda terrorists will not secure Afghanistan. Of course, such soft- and smart-power approaches have utility in a war so laden with symbolism in an age of globalized communications. But note that Obama has upped the number of combat troops in Afghanistan, and he vastly increased the frequency of Predator-drone assassination missions on the Pakistani border. Indeed, even as Obama damns Guantanamo and tribunals, he has massively increased the number of targeted assassinations of suspected terrorists — the rationale presumably being either that we are safer with fewer jihadists alive, or that we are warning would-be jihadists that they will end up buried amid the debris of a mud-brick compound, or that it is much easier to kill a suspected terrorist abroad than detain, question, and try a known one in the United States. In any case, the president — immune from criticism from the hard Left, which is angrier about conservative presidents waterboarding known terrorists than liberal ones executing suspected ones — has concluded that one way to win in Afghanistan is to kill as many terrorists and insurgents as possible. And while the global public will praise his kinder, gentler outreach, privately he evidently thinks that we will be safer the more the U.S. marines shoot Taliban terrorists and the more Hellfire missiles blow up al-Qaeda planners. Why otherwise would a Nobel Peace Prize laureate order such continued offensive missions? Victory is most easily obtained by ending the enemy’s ability to resist — and by offering him an alternative future that might appear better than the past. We may not like to think all of that entails killing those who wish to kill us, but it does, always has, and tragically always will — until the nature of man himself changes.

**In-group out group distinctions are human nature, recognizing this is important to deal with it.**

**Dimijian 10** Dr. Gregory G. Dimijianm, Department of Psychiatry, The University of Texas Southwestern Medical School "Warfare, genocide, and ethnic conflict: a Darwinian approach" Proc (Bayl Univ Med Cent) July; 23(3): 292–300. [www.ncbi.nlm.nih.gov/pmc/articles/PMC2900985/](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2900985/)

We have neglected to teach the evolution of human nature to children—very young children—when they are forming their fundamental ideas about human behavior. We now know that the we-they dichotomy is a **feature of human nature** in **all cultures and across history**, and we are beginning to see how it may have evolved through **group selection**. If we teach children that outgroup hostility is a product of evolutionary logic, there is hope that they will see it as a **deep-rooted behavioral predisposition** to be **always aware of.¶** The golden opportunity to teach children about the dangers of we-they comes in their school years when they see examples all around. In schools one sees arbitrary social divisions created by the children themselves, based on clothing styles, ethnic identity, academic standing, skin color, sports team, fraternities, sororities, even the kind of car an older child drives.¶ Is Figure ​Figure1111 simply a page from a child's coloring book? Take another look. The Nazis used their educational system to demean, even to dehumanize, Jews, by incorporating their xenophobia into the everyday life of their children.¶ One page of an antisemitic coloring book widely distributed to children with a portrait of a Jew drawn by the German caricaturist known as Fips. In the upper left hand corner is the Der Stürmer logo featuring a Star of David superimposed over (more ...)¶ “Look around you,” we can tell them. These are the seeds of **dangerous adult conflicts** which **cross every conceivable boundary**. Very graphic examples are in the news every day and in the personal family histories of many. The teaching must be sensitively planned and pursued year after year.¶ This is no easy task if a child goes home and reports that he is being taught to respect and appreciate all other people, even if a clear distinction is made between respecting another person but not respecting their behavior. What if his family harbors a deep bitterness toward another ethnic or political group? Is he supposed to defy his own family's values? Family intervention may become a necessary part of the educational challenge.¶ It may take generations before the reality sinks in that **the dark side of human nature is to be feared and taken seriously**—in everyone, including you and me. Our large brains are unique in nature in being endowed with the ability to understand what's wrong with them and to work to overcome destructive behaviors that have been chiseled into them by natural selection. “Nature, Mr. Allnutt, is what we were put in this world to rise above.”¶ CLOSING THOUGHTS¶ In The Youngest Science, Lewis Thomas argued that civilization would be much improved if men retired for 100 years and allowed women to run everything.¶ I am, in short, swept off my feet by women, and I do not think they have yet been assigned the place in the world's affairs that they are biologically made for. Somewhere in that other X chromosome are coils of nucleic acid containing information for a qualitatively different sort of behavior from the instructions in the average Y chromosome. The difference is there, I think, for the long-term needs of the species, and it has something to do with spotting things of great importance (37).¶ I would like to see Thomas's wish come true. There is a caveat, however. If violent traits are more characteristic of men than of women, and if they are represented in genetic predispositions toward violence, how did those traits evolve? If they evolved by female choice (intersexual selection), then women have played a role. Could women have consciously or unconsciously (or both) favored mating with men who were strong and more aggressive, thus contributing to the spread of such predisposing genes, especially in their sons?¶ Or instead, did male-male competition (intrasexual selection) favor violence in men? Could men who were more inclined to be violent have more reproductive success than other men? Could both inter- and intrasexual selection have worked together to predispose men to violence? In addition, there is still the possibility of group selection, as discussed above, contributing to 1) ingroup cohesion and altruism and 2) outgroup hostility, in both men and women.¶ **Powerful reasons exist**, then, to consider **evolutionary predispositions to warfare, genocide, ethnic conflict**, and any other kind of **we-they segregation**. If these **innate predispositions exist**, we must acknowledge and understand them to **combat their devastating consequences**. We have come full circle to the three-tiered bridge of biology, culture, and development. **We disregard any of these levels at our peril**. Humans bond, love, spend a lifetime giving to others, yet **can also be cruel and commit atrocities** **on a vast scale**. The paradox of a bright side and a dark side coexisting in human nature is deeply **buried in ignorance**, ignorance born of turning our head the other way when there are rich opportunities to understand the evolutionary origins of the paradox.

#### Rejecting securitization destabilizes identity, unleashing genocidal wars which end in extinction.

**Reinhard 4**

[Kenneth, Professor of Jewish Studies @ UCLA, UCLA Center for Jewish Studies, “Towards a Political Theology of the Neighbor,” <http://www.cjs.ucla.edu/Mellon/Towards_Political_Theology.pdf>]

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

## Debt Ceiling 2AC

Won’t pass because of election fears and Obama’s approach prolongs Republican backlash- star this card

Kaplan 10-3-13 [Rebecca, serves as City Councilmember At-Large for Oakland, California, CBS News, “Why is it so difficult to end the government shutdown?” <http://www.cbsnews.com/8301-250_162-57605784/why-is-it-so-difficult-to-end-the-government-shutdown/>]

As the government shutdown enters its third day, Democrats and Republicans seem no closer to bridging their differences than they were when the shutdown began early Tuesday morning. It's difficult to say when the standoff will end. The two shutdowns that occurred in 1995 and 1996 lasted a total of 27 days. And back then, the conditions for getting to a deal were much better.¶ Republicans won the House and Senate in the 1994 midterm elections - the first time the party had a House majority in 40 years. That set up a showdown between House Speaker Newt Gingrich, who had run on a conservative platform, and then-President Bill Clinton. That dispute came in 1995, when Gingrich wanted to balance the budget in a short time frame and Clinton wanted money spent on Democratic priorities. After two separate shutdowns and several weeks, the pressure was too high on Republicans and they cut a deal with Clinton: he would get his priorities, but would have to balance the budget for 10 years.¶ "They were kind of testing each other," said former Rep. Tom Davis, R-Va., who was a freshman in Congress at the time. Afterward, Davis noted, Clinton and Gingrich would go on to work together on a host of issues including welfare reform. The economy boomed, helping to mitigate budget issues.¶ Republicans who were lawmakers or aides in Congress in 1995 cite a variety of reasons that the shutdown ended. For Davis, it was the mounting public pressure on Republicans and their rapidly dropping poll numbers that helped spur a compromise. "There was a revolt, and they simply couldn't hold their members after a while," he said of the Republican leadership. It didn't help that Republicans were afraid of losing the first majority they'd had in decades. Davis recalls going to former Rep. Dick Armey, then the Republican Majority leader from Texas, and saying, "We're getting our butts kicked."¶ But Bob Walker, then a Republican congressman from Pennsylvania, had a different take from the conventional narrative that Republicans had caved. "We stayed focused in 1995 on the fact that what the end result for us was to get a pathway to a balanced budget, and so in the end when we got an agreement to just begin the process of moving toward a balanced budget," he said. "We declared victory on that and we were prepared to then get the government back into action."¶ This time, it's not so easy for Republicans to achieve even a piece of their chief goal - to dismantle the Affordable Care Act. The law is President Obama's signature policy achievement, and its constitutional authority was affirmed by the Supreme Court. Democrats in the Senate and Mr. Obama himself have proven with the shutdown fight that they are determined to keep the law intact.¶ "We didn't get an immediate balanced budget obviously but what we got was a seven-year plan toward a balanced budget that then ended up being accomplished in there years," Walker said of the House Republicans in 1995. But nowadays, he said, "I'm not certain I see where the bottom lines are."¶ As shutdown continues, Obama says Wall Street "should be concerned"¶ Government shutdown: Is Congress acting selfishly?¶ Yet another explanation of why the 1995-1996 shutdown ended had to do with presidential politics. Former Senate Majority Leader Bob Dole, R-Kansas, was eyeing a presidential bid against Clinton in 1996.¶ "He just got sick of it. I think he started seeing that this was directly impacting his ability to run for president," said John Feehery, a political strategist who was the communications director for then-House Majority Whip Tom DeLay during the shutdown. Dole was key to engineering an end to the shutdown, a fact that was apparent to everyone - even Democrats.¶ "It was a huge factor," said American University professor Patrick Griffin, who served as Clinton's assistant for legislative affairs from 1994 to 1996. "We could always sense that there was no love lost between him and [Gingrich] - on the [Contract with America], on the shutdown. It was just not Dole's style...he was wasting time, he was not being able to get his campaign."¶ If anything, presidential politics will lengthen the shutdown. Mr. Obama has no re-election campaign to worry about - like Clinton did at the time - and Republican presidential campaigns cannot be won without pleasing an active base that hates the healthcare law. It would be difficult for any Republican to help broker a compromise that preserved most of Obamacare and then woo Republican primary voters.¶ Not that many Republicans feel as if they can work with Mr. Obama. "Many people in Congress ...believe that the president treats them with contempt and so the atmosphere for negotiating is not very good. That's a big difference," said Walker.¶ House Speaker John Boehner, R-Ohio, and Mr. Obama have tried and failed to negotiate big deals several times. Since the government shut down on Tuesday, they've barely talked aside from a meeting the president held with top congressional leaders Wednesday afternoon. And a recent Politico story that detailed how Boehner and Senate Majority Leader Harry Reid, R-Nev., worked together to preserve congressional subsidies for healthcare coverage will likely have poisoned the well between the leaders of the two chambers.¶ That wasn't the case with Gingrich and Clinton, despite their differences. "Both President Clinton and Speaker Gingrich had a pretty civil and reasonably good personal relationship," said Mack McLarty, Clinton's first chief of staff as president. Both hailed from the south, and had "very inquisitive minds" about the world around them.¶ Perhaps the biggest roadblock to a deal, however, is the increasingly partisan nature of Congress caused by congressional redistricting that puts many members into seats where fewer and fewer constituents are from the opposite party. In 1995, more than 34 percent of Republican representatives in the House were elected in districts that had voted for Clinton as president. Now, only seven percent of House members come from districts that voted for Mr. Obama.¶ There's a larger proportion of hardline conservatives in the House in 2013, and they have so far been more successful at driving the agenda than their more moderate counterparts. "The-rank-and-file members are sick and tired of the rebels running the thing but there's too many of them who vote with the rebels to protect their flank," Feehery said, referring to Republicans who are worried about receiving a primary challenge from the right.¶ With so many factors working against a deal, it's hard to see a way out of the crisis. The only thing that's guaranteed to inject some urgency into the debate is the looming deadline to raise the debt ceiling on Oct. 17. While a government shutdown can have minimal effects on the financial markets, the possibility of the U.S. defaulting is much more likely to cause financial panic that could push lawmakers into a deal.¶ Plus, if the spending and debt ceiling deals morph into one, there may be more issues on the table to discuss such as the sequester and the whole federal budget. That, Walker said, will give Republicans more areas where they can look for victory.

All their link args are non-unique

NPR 9/21, “Have Obama's Troubles Weakened Him For Fall's Fiscal Fights?” http://www.ideastream.org/news/npr/224494760

President Obama has had a tough year. He failed to pass gun legislation. Plans for an immigration overhaul have stalled in the House. He barely escaped what would have been a humiliating rejection by Congress on his plan to strike Syria.¶ Just this week, his own Democrats forced Larry Summers, the president's first choice to head the Federal Reserve, to withdraw.¶ Former Clinton White House aide Bill Galston says all these issues have weakened the unity of the president's coalition.¶ "It's not a breach, but there has been some real tension there," he says, "and that's something that neither the president nor congressional Democrats can afford as the budget battle intensifies."¶ Obama is now facing showdowns with the Republicans over a potential government shutdown and a default

on the nation's debt. On Friday, the House voted to fund government operations through mid-December, while also defunding the president's signature health care law — a position that's bound to fail in the Senate.¶ As these fiscal battles proceed, Republicans have been emboldened by the president's recent troubles, says former GOP leadership aide Ron Bonjean.

Fiat means the plan passes instantaneously and doesn’t cost capital

Shutdown crushes Obama’s agenda

O’Brien 10/1 (Michael O'Brien 10/1, "Winners and losers of the government shutdown", 2013, nbcpolitics.nbcnews.com/\_news/2013/10/01/20763839-winners-and-losers-of-the-government-shutdown?lite)

Obama¶ The fiscal fight is a double-edged sword for Obama.¶ Yes, the president won a short-term victory that revitalizes his pull within the Beltway after beating back Republicans and shifting blame primarily to them for a shutdown. But Obama is no less a symbol of Washington dysfunction than Ted Cruz or John Boehner.¶ It might be simplistic, but any president shares in some of the broader opinion toward D.C. just by the very nature of the job. Put another way: as president, Obama is the most visible political leader in the U.S., if not the world. If Americans are dissatisfied with Washington, Obama will have to shoulder some of that burden.¶ Obama's 2011 battles with Republicans over the debt ceiling saw his approval ratings sink to one of the lowest points of his presidency. There are signs this fight might be taking a similar toll: a CNN/ORC poll released Monday found that 53 percent of Americans disapprove of the way the president is handling his job, versus 44 percent who approve.¶ Moreover, after the time and political capital expended on this nasty political fight — and with midterm elections on the docket for 2014 — Obama's top second-term priorities, like comprehensive immigration reform, are on life support.

Political capital isn’t key and Obama isn’t spending it

Allen, 9/27/13- politics reporter for Politico (Jonathan, “President Obama’s distance diplomacy” <http://www.politico.com/story/2013/09/government-shutdown-barack-obama-house-gop-97483.html?hp=t3_3>)

The White House’s distance diplomacy with Republicans is an approach that tacitly acknowledges three inescapable realities: There’s no one to negotiate with on the GOP side; Obama’s direct involvement in a pact would poison it for many rank and file Republicans; and Democrats don’t trust him not to cut a lousy deal. Indeed, Democrats are urging Obama to stay at arm’s length from Congress so there’s no confusion over his message that he won’t negotiate on an increase in the debt limit, which the nation is expected to breach as early as Oct. 17 without legislative action. “I believe the president has made it very clear, as we have tried to make it clear: There are no negotiations. We’re through,” Senate Majority Leader Harry Reid (D-Nev.) told POLITICO. In past installments of the fiscal-failure soap opera, overheated rhetoric about government shutdowns and a default on the national debt has been matched by sober and direct deal-making behind the scenes — usually in the form of a virtual handshake between Vice President Joe Biden and Senate Minority Leader Mitch McConnell. In the winter 2010 debate over tax cuts, Biden and McConnell agreed to extend all of the Bush-era tax cuts for two years, infuriating the left. In 2011, Boehner and Obama secretly discussed for weeks a possible grand-bargain deal — but when the details were leaked, Democrats were furious and the negotiations fell apart. And in 2012, Biden and McConnell averted the so-called fiscal cliff — but that greatly upset Reid, who believed the White House gave away too much to Republicans whose backs were against the wall. Indeed, many Democrats had buyer’s remorse on aspects of those agreements, particularly a budget sequestration plan that has squeezed domestic and military spending, and the locking in of much of the Bush tax rates. When Chief of Staff Denis McDonough and other senior White House aides quietly discussed budget issues with a group of Senate Republicans earlier this year, top Democrats believed it made little sense to continue negotiations that appeared to be going nowhere and didn’t seem likely to help their party. So they’ve asked Obama himself to steer clear of this round of the debt fight and try to force Republicans to come to him. The Senate, on a party line 54-44 vote on Friday, sent a bill that would keep the government operating but dropped a House provision defunding Obamacare. Now the House is expected to load up the measure with more provisions that aren’t acceptable to Democrats — though it has been hard for House GOP leaders to herd their troops on a budget bill and a separate plan to raise the debt ceiling. “You first need the Republicans to have a position to negotiate – they don’t yet,” Sen. Chuck Schumer (D-N.Y.), who often advises the White House on strategy, said Friday when asked about Obama’s posture. “Until the House Republican Caucus figures out what it wants to do, nobody can deal with them.” Other than a terse phone call to Speaker John Boehner last Friday to reiterate that he won’t negotiate on the debt limit, Obama hasn’t talked to House Republicans — the key constituency in the fight. The White House has let Reid take the lead in the latest fights, even scrapping a potential meeting at the White House with Obama and the three other congressional leaders to allow the process to play out on Capitol Hill. With Republicans fighting with each other over Obamacare, Democrats believe it makes far more sense to keep the focus on the GOP intraparty warfare, rather than risk putting Obama middle of a politically sensitive negotiation. Republicans sourly note that Obama has been quicker to talk with Russian President Vladimir Putin — and now Iranian President Hassan Rouhani — than with House Speaker John Boehner. “Grandstanding from the president, who refuses to even be a part of the process, won’t bring Congress any closer to a resolution,” said Brendan Buck, a spokesman for House Speaker John Boehner. When McDonough went to the Hill this week for closed-door talks, it was to reassure fellow Democrats that the president wouldn’t fold early, as he’s been accused of doing in past budget battles. Obama isn’t expected to meet with congressional leaders until after the Tuesday deadline to stop a government shutdown. Asked if he believed that Obama would eventually have to engage directly in the fiscal fights, Reid said: “Not on the debt ceiling and not on the CR. Maybe on something else – but not these two. We have to fund the government and pay our bills.” Whether Obama can sustain his no-negotiatio

n position on the debt ceiling remains to be seen. Senate Republicans — even those who have balked at calls to use the threat of a government shutdown to defund Obamacare — say the president won’t get a clean debt ceiling increase. “It’s what’s wrong with the government right now,” said Sen. Roy Blunt (R-Mo.), who voted to break a GOP-led filibuster blocking the continuing resolution. “I suppose the Congress might say we don’t want a negotiation on the debt ceiling either.” If Obama can’t get 60 votes in the Senate for a clean debt ceiling increase, he will very likely to have to engage in direct talks with Republicans, even Democrats privately concede. But for now, Democratic leaders say the president is doing what he has to: Making speeches to attack Republicans, and letting his allies on the Hill deal with the nitty-gritty of legislating and horse-trading. Republican Rep. Mike Rogers (R-Mich.), who has worked with the White House on national security issues, says the president’s always had a “laissez-faire” approach to Congress.

Obama’s PC is low and decreasing

Steinhauser, 9/26/13 **–** CNN Political Editor (Paul, “Obama's support slips; controversies, sluggish economy cited” <http://www.cnn.com/2013/09/26/politics/cnn-poll-of-polls-obama/?hpt=po_c2>)

As he battles with congressional Republicans over the budget and the debt ceiling, and as a key component of his health care law kicks in, new polling suggests that President Barack Obama's standing among Americans continues to deteriorate. The president's approval rating stands at 45%, according to a CNN average of four national polls conducted over the past week and a half. And a CNN Poll of Polls compiled and released Thursday also indicates that Obama's disapproval rating at 49%. In the afterglow of his re-election and second inauguration, the percentage of those approving of Obama's job performance hovered in the low 50s as the year began, according to CNN Poll of Poll averages. But his numbers slipped to the upper 40s by spring and now have edged down to the mid 40s. At the same time, his disapproval numbers have edged up from the low 40s to right around the 50% mark. Anxiety and skepticism over the Affordable Care Act, better known as Obamacare, continuing concerns over the sluggish economy, and a drop in the president's approval on foreign policy -- once his ace in the hole -- all appear to be contributing to the slide of Obama's general approval rating. "Not a precipitous drop, but more like a continued erosion in the president's numbers," says CNN Chief Political Correspondent Candy Crowley. "The Boston Marathon bombings, Edward Snowden's 'big brother' revelations, the 'non-coup' in Egypt, the 'now we bomb, now we don't' policy in Syria, an economic recovery that remains disappointing, the uncertainty of how/what will change under the new health care system, shall I go on?" "It all adds up to an awful lot of uncertainty and unfairly or not, uncertainty tends to breed lower poll numbers for the guy in charge," added Crowley, anchor of CNN's "State of the Union." Besides being the main indicator of a president's standing with the public, a presidential approval rating is a good gauge of his clout in dealing with Congress. The drop in his numbers comes as the president pushes back against attempts by congressional Republicans to use deadlines to keep the federal government funded and to extend the nation's debt ceiling to try and defund the health care law. A slew of national polls conducted this month indicate that a majority doesn't support shutting down the government in order to defund Obamacare. But if the fight shifts to the debt ceiling, public opinion appears to turn against the president, who reiterated on Thursday that he will not negotiate with the GOP in Congress over extending the debt ceiling.

Obama executive order solves

Weisenyhal 9/30 (Joe Weisenthal 9/30, Executive Editor for Business Insider, “It Increasingly Looks Like Obama Will Have To Raise The Debt Ceiling All By Himself,” <http://www.businessinsider.com/it-increasingly-looks-like-obama-will-have-to-raise-the-debt-ceiling-all-by-himself-2013-9>)

With no movement on either side and the debt ceiling fast approaching, there's increasing talk that the solution will be for Obama to issue an executive order and require the Treasury to continue paying U.S. debt holders even if the debt ceiling isn't raised.¶ Here's Greg Valliere at Potomac Research:¶ HOW DOES THIS END? What worries many clients we talk with is the absence of a clear end-game. We think three key elements will have to be part of the final outcome: First, a nasty signal from the stock market. Second, a daring move from Barack Obama to raise the debt ceiling by executive order if default appears to be imminent. Third, a capitulation by Boehner, ending the shut-down and debt crisis in an arrangement between a third of the House GOP and virtually all of the Democrats. ¶ Valliere isn't the only one seeing this outcome.¶ Here's David Kotok at Cumberland Advisors:¶ We expect this craziness to last into October and run up against the debt limit fight. In the final gasping throes of squabbling, we expect President Obama to use the President Clinton designed executive order strategy so that the US doesn’t default. There will then ensue a protracted court fight leading to a Supreme Court decision. The impasse may go that far. This is our American way. “Man Plans and God Laughs” says the Yiddish Proverb.¶ Indeed, back in 2011, Bill Clinton said he'd raise the debt ceiling by invoking the 14th Amendment rather than negotiate with the House GOP.¶ This time around, again, Clinton is advising Obama to call the GOP's bluff.

No Default – internal checks & balanced budget

Dorfman, 10/3 [Jeffrey, Forbes, “Don't Believe The Debt Ceiling Hype: The Federal Government Can Survive Without An Increase”, <http://www.forbes.com/sites/jeffreydorfman/2013/10/03/dont-believe-the-debt-ceiling-hype-the-federal-government-can-survive-without-an-increase/>, BJM]

That’s right. As much as the politicians and news media have tried to convince you that the world will end without a debt ceiling increase, it is simply not true. The federal debt ceiling sets a legal limit for how much money the federal government can borrow. In other words, it places an upper limit on the national debt. It is like the credit limit on the government’s gold card. Reaching the debt ceiling does not mean that the government will default on the outstanding government debt. In fact, the U.S. Constitution forbids defaulting on the debt (14th Amendment, Section 4), so the government is not allowed to default even if it wanted to. In reality, if the debt ceiling is not raised in the next two weeks, the government will actually have to prioritize its expenses and keep its monthly, weekly, and daily spending under the revenue the government collects. In simple terms, the government would have to spend an amount less than or equal to what it earns. Just like ordinary Americans have to do in their everyday lives.

Fights now and McCain supports the plan.

Shapiro May 29th 2013

[-Ari, Why Obama Wants To Change The Key Law In The Terrorism Figh [www.npr.org/blogs/itsallpolitics/2013/05/29/187059276/why-obama-wants-to-change-the-key-law-in-the-terrorism-fight](http://www.npr.org/blogs/itsallpolitics/2013/05/29/187059276/why-obama-wants-to-change-the-key-law-in-the-terrorism-fight)]

The AUMF is one of the most unusual laws Congress has passed this century. It's less than a page long. The vote was nearly unanimous. And it went from concept to law in exactly one week. It authorizes the president to go after the groups that planned, authorized, committed or aided the Sept. 11 attacks, or any groups and countries that harbored them. In broad terms, it justified invading Afghanistan. But two presidents have applied it around the world. "It was vast in the powers that it gave," says Karen Greenberg, who runs the Center on National Security at Fordham Law School. "And it was somewhat vast in its definition of the enemy. However, in many ways, that definition has expanded in the interim years." Presidents Bush and Obama have used AUMF authority to kill terrorists in Somalia, Yemen and other places far from the Afghan battlefield. But last week at the National Defense University, Obama said the law needs to change. He explained that after 12 years, the Afghan war is ending, and al-Qaida's core is a shell of its former self. "Unless we discipline our thinking, our definitions, our actions, we may be drawn into more wars we don't need to fight," the president said, "or continue to grant presidents unbound powers more suited for traditional armed conflicts between nation-states." Obama promised to work with Congress to refine, and ultimately repeal, the AUMF's mandate. "And I will not sign laws designed to expand this mandate further," he said. According to a senior White House official, that threat was a specific reaction to lawmakers who have talked about expanding the law. Until now, presidents have interpreted a very vague law to give them very broad powers. Sen. John McCain, R-Ariz., has expressed interest in making the law less vague, and making those broad powers explicit. "Wouldn't it be helpful to the Department of Defense and the American people if we updated the AUMF to make it more explicitly consistent with the realities today, which are dramatically different [than] they were on that fateful day in New York?" he said at a Senate Armed Services Committee hearing earlier this month. But the White House is moving in the opposite direction. As a senior White House official put it: "The AUMF should apply to al-Qaida. As we defeat al-Qaida, we should ultimately repeal the law." As other terrorist groups become threats, the White House believes a president should ask Congress for permission to target those groups on a case-by-case basis. James Jeffrey, who was deputy national security adviser to Bush, worries about rolling back the law. "This law has served us well for over a decade," he says. "Much hangs from it, including the detention capability and the ability to use the U.S. military against clear and present dangers to the United States." That detention piece of the puzzle is key: The Guantanamo prison operates under the AUMF, so repealing this law is also part of the White House's effort to close the prison. Many in Congress want to keep the prison open. That's one reason this issue will not be easily resolved, says Thomas Kean, who co-chaired the 9/11 Commission. "I think it'll be a long debate, and it should be," Kean says. "[These are] very, very contentious issues, but the one thing you have to have, I think, in the United States, particularly for something lasting as long as this, is a framework of laws. We're a nation of laws. You can't just do ad hoc as we have in the past." It's pretty unusual for a president to ask Congress to take away some of his power. But Kate Martin of the Center for National Security Studies says if you look at it a different way, this situation doesn't seem so strange. "It's not unusual for presidents to end wars, right?" she says. "And if what we were talking about was ending military operations, that would not look like a president giving up power. It would look like a president ending wars."

McCain key to success in talks

Curry, 10/3 [Tom, NBC Politics, “McCain in the middle: Can Senate's GOP elders solve shutdown mess?”, <http://nbcpolitics.nbcnews.com/_news/2013/10/02/20790845-mccain-in-the-middle-can-senates-gop-elders-solve-shutdown-mess?lite>, BJM]

Arizona Sen. John McCain and other like-minded Republican senators could end up reprising roles as key deal-makers as the party seeks a final negotiated solution to the government shutdown. No clear path to ending the impasse over spending has emerged, but in one possible deal scenario -- a comprehensive agreement that also solves the problem of raising the debt limit -- McCain will likely play an essential role, just as he has been in past bipartisan agreements like the immigration bill that passed the Senate last June. With a core group of House Republicans sticking together in their chamber, and Senate GOP leader Mitch McConnell taking a low public profile in the fight, that leaves McCain and similar-thinking GOP senators to look for a deal. It’s no secret and no surprise that the Republican Party’s 2008 presidential standard-bearer has been critical of the strategy of conservatives such as Sen. Ted Cruz, R-Texas, and Sen. Mike Lee, R-Utah, of trying to use the spending bill and perhaps the debt limit as vehicles to force President Barack Obama to agree to defund or delay his signature achievement, the Affordable Care Act. McCain has argued over and over again that this is one battle that the Republicans simply cannot win. And most Republican senators seem to agree with him, but there is little evidence that their GOP counterparts in the House can be convinced, at least not yet. The lines have been drawn between Senate Republicans like McCain and House Tea Party members who are joined by a handful of sympathetic GOP senators like Cruz, who staged a 21-plus hour protest speech on the Senate floor against Obamacare last week. The impact of the first government shutdown in 17 years was felt across America as offices were shuttered and workers were sent home after lawmakers failed to come to a deal. Launch slideshow McCain, in turn, took to the floor to chastise Cruz for comparing those who opposed Obamacare delays to Nazi appeasers in the run up to World War II. "I resoundingly reject that allegation. That allegation, in my view, does a great disservice," McCain said on the Senate floor. "I do not agree with that comparison; I think it's wrong." The decisive vote that allowed Senate Majority Leader Harry Reid to move ahead and pass his short-term spending bill last Friday was the vote on cloture, or ending debate. On that vote, 25 of the Senate’s 46 Republicans voted to end debate and thus opened the door that allowed the Senate to pass the spending bill. Among the 25 GOP senators voting to end debate were Minority Leader McConnell of Kentucky and every member of the Senate GOP leadership team. But over the past several days, McConnell has largely not been in the vanguard of the fight over defunding Obamacare and blocking a spending bill. He is faced with the pressure of a conservative primary challenger, Matt Bevin, the tenor of whose campaign is suggested by the tagline of one recent campaign e-mail: “Follower McConnell's Liberalism Catches Up to Him.” (McConnell’s lifetime voting rating from the American Conservative Union: 90 out of a perfect 100.) As McConnell receded from leading the public fight, Republicans like McCain have picked up the slack. “We have to understand that the only way we are going to repeal Obamacare is when we have 67 Republican votes in the United States Senate because that's what's required to override a presidential veto,” McCain told Bloomberg News on Monday. McCain noted that he’d campaigned against Obamacare during the 2012 campaign and that he’d fought to defeat it on the Senate floor in 2009. But he added, “In democracies, unfortunately sometimes the majority rules. That's why we (Republicans) are at a disadvantage in this fight that we're having.” He added that “by threatening to shut down the government we are kind of circumventing the results of elections” – an argument that Obama and administration spokesmen have also made. Sen. John McCain, R-Ariz., expresses concern over a comparison made by Sen. Ted Cruz, R-Texas, on Tuesday between fighting Obamacare and standing up to Nazi Germany. The conservatives’ effort to defund or delay Obamacare risks alienating voters as the GOP heads into the 2014 mid-term elections, McCain has implied. “We're doing things that frankly are not rational in the view of our constituents,” he said Monday. Rather than simply being against Obamacare, he said, “We can present a positive agenda for the American people and win the elections in 2014. And I think if we do it right, we've got a great shot of getting a majority in the Senate.” But at least in the past two days, House Republicans have been following a playbook suggested by McCain: target the “most unpopular provisions such as the tax on medical devices and let's rifle shot amendments so that we force people to vote on

## 1AR Heg

**The rise of the rest is inevitable, but absolute US power makes the transition safe—the alt is transition wars**

**Walton 7** Lecturer in International Relations and Strategic Studies at the University of Reading in Reading, England, 07 [Dale C, “geopolitics and the great powers in the twenty-first century”, http://books.google.com/books?id=AQLTD1R-47AC&printsec=frontcover&source=gbs\_navlinks\_s#v=onepage&q=&f=false

Although international political conditions will differ enormously in the coming decades from those of the middle 1940’s, it would be grossly irresponsible for the United States to shrug off its burdens of great power status and return to the slumber that it once enjoyed. Almost certainly, if the United States had refused to take an active role in European politics in the middle of the twentieth century, a world would have emerged in which American values would not have flourished and even their survival on the North American continent would have been profoundly threatened. America’s refusal to play a substantial role in the great power struggles of this century would have similarly deleterious effects. Importantly, if the United States withdraws to its hemisphere a third world war is far more likely. In a meta region full of young rising powers the presence of a strategically mature superpower can be expected to have a stabilizing effect; the enormous military resources possessed by America compels would be aggressors to consider carefully before launching a strategic adventure. Even more chillingly, as noted above, it is possible that the multipolar system could become sufficiently unbalanced that it would collapse, with a power such as China building a coalition that would allow it ultimately to emerge as the master of eastern Eurasia and the greatest power in the world. nited States is the “court of last resort” protecting against such an eventuality. The latter possibility does not contradict the above argument that us unipolarity is unsustainable - as an extra Eurasian power lacking the ruthlessness to destroy potential great power competitors preventatively, Washington simply cannot sustain unipolarity indefinitely. Nonetheless, while **the** emerging **multipolar** **system** appears robust it **should receive “care and feeding**” – otherwise it is vulnerable to grossly unbalanced events such as the creation of a very aggressive coalition dedicated to achieving Eurasian hegemony and willing if necessary to fight a third world war t o achieve it. Most likely such a coalition would not be able to simply bully its way to hegemony; it probably would have to fight, the results being a war enormously costly in blood, perhaps even one that would **dwarf World War II** in its price. If the aggressive coalition won, in turn, the multipolar system would be destroyed and the United States would face a competitor far more powerful than itself , and in all likelihood a world in which **democracy and personal liberty would be in eclipse**. In any case it is a geopolitical imperative for the United States that no power or coalition attains hegemony in Eastern Eurasia, much less that an explicitly hostile state or coalition succeeds in doing so. If the United States is to guard its national interests in this century, **it is vital that it ensures** the **transition** from unipolarity **to multipolarity occurs in a**s **gentle** a **manner** as possible. In this capacity, it is important to understand that the United States is in long term relative decline, but, at the same time to acknowledge that it has very great military, financial and diplomatic resources at its disposal. If Washington deploys these resources wisely it can maximize its security over the long term and **minimize the probability of a great power war.**

**Heg decline guarantees instability -- international institutions don’t check because they’ll collapse without primacy.**

**Kagan, 1-17-12**

[Robert, Senior Fellow, Foreign Policy, Center on the United States and Europe -- Brookings Institution, “Not Fade Away: Against the Myth of American Decline,” http://www.brookings.edu/opinions/2012/0117\_us\_power\_kagan]

Is the United States in decline, as so many seem to believe these days? Or are Americans in danger of committing pre-emptive superpower suicide out of a misplaced fear of their own declining power? A great deal depends on the answer to these questions. The present world order—characterized by an unprecedented number of democratic nations; a greater global prosperity, even with the current crisis, than the world has ever known; and a long peace among great powers—reflects American principles and preferences, and was built and preserved by American power in all its political, economic, and military dimensions. If American power declines, this world order will decline with it. It will be replaced by some other kind of order, reflecting the desires and the qualities of other world powers. Or perhaps it will simply collapse, as the European world order collapsed in the first half of the twentieth century. The belief, held by many, that even with diminished American power “the underlying foundations of the liberal international order will survive and thrive,” as the political scientist G. John Ikenberry has argued, is a pleasant illusion. American decline, if it is real, will mean a different world for everyone.

**Every credible measure of study shows violence is down because of everything consistent with the aff—heg, democracy, liberal trade—it’s only a question of sustaining current dynamics and preventing shocks to the system**

**Pinker 11** Steven Pinker is Professor of psychology at Harvard University "Violence Vanquished" Sept 24 online.wsj.com/article/SB10001424053111904106704576583203589408180.html

On the day this article appears, you will read about a shocking act of violence. Somewhere in the world there will be a terrorist bombing, a senseless murder, a bloody insurrection. It's impossible to learn about these catastrophes without thinking, "What is the world coming to?" But a better question may be, "How bad was the world in the past?" Believe it or not, the world of the past was **much worse**. **Violence has been in decline** for **thousands of years,** and today we may be living in the most peaceable era in the existence of our species. The decline, to be sure, has not been smooth. It has not brought violence down to zero, and it is not guaranteed to continue. But it is a persistent historical development, visible on scales from millennia to years, from the waging of wars to the spanking of children. This claim, I know, invites skepticism, incredulity, and sometimes anger. We tend to estimate the probability of an event from the ease with which we can recall examples, and scenes of carnage are more likely to be beamed into our homes and burned into our memories than footage of people dying of old age. There will always be enough violent deaths to fill the evening news, so people's impressions of violence will be disconnected from its actual likelihood. Evidence of our bloody history is not hard to find. Consider the genocides in the Old Testament and the crucifixions in the New, the gory mutilations in Shakespeare's tragedies and Grimm's fairy tales, the British monarchs who beheaded their relatives and the American founders who dueled with their rivals. Today the decline in these brutal practices can be quantified. A look at the numbers shows that over the course of our history, humankind has been blessed with six major declines of violence. The first was a process of pacification: the transition from the anarchy of the hunting, gathering and horticultural societies in which our species spent most of its evolutionary history to the first agricultural civilizations, with cities and governments, starting about 5,000 years ago. For centuries, social theorists like Hobbes and Rousseau speculated from their armchairs about what life was like in a "state of nature." Nowadays we can do better. Forensic archeology—a kind of "CSI: Paleolithic"—can estimate rates of violence from the proportion of skeletons in ancient sites with bashed-in skulls, decapitations or arrowheads embedded in bones. And ethnographers can tally the causes of death in tribal peoples that have recently lived outside of state control. These investigations show that, on average, about 15% of people in prestate eras died violently, compared to about 3% of the citizens of the earliest states. Tribal violence commonly subsides when a state or empire **imposes control over a territory**, leading to the various "paxes" (Romana, Islamica, Brittanica and so on) that are familiar to readers of history. It's not that the first kings had a benevolent interest in the welfare of their citizens. Just as a farmer tries to prevent his livestock from killing one another, so a ruler will try to keep his subjects from cycles of raiding and feuding. From his point of view, such squabbling is a dead loss—forgone opportunities to extract taxes, tributes, soldiers and slaves. The second decline of violence was a civilizing process that is best documented in Europe. Historical records show that between the late Middle Ages and the 20th century, European countries saw a 10- to 50-fold decline in their rates of homicide. The numbers are consistent with narrative histories of the brutality of life in the Middle Ages, when highwaymen made travel a risk to life and limb and dinners were commonly enlivened by dagger attacks. So many people had their noses cut off that medieval medical textbooks speculated about techniques for growing them back. Historians attribute this decline to the consolidation of a patchwork of feudal territories into large kingdoms with centralized authority and an infrastructure of commerce. Criminal justice was nationalized, and zero-sum plunder gave way to positive-sum trade. People increasingly controlled their impulses and sought to cooperate with their neighbors. The third transition, sometimes called the Humanitarian Revolution, took off with the Enlightenment. Governments and churches had long maintained order by punishing nonconformists with mutilation, torture and gruesome forms of execution, such as burning, breaking, disembowelment, impalement and sawing in half. The 18th century saw the widespread abolition of judicial torture, including the famous prohibition of "cruel and unusual punishment" in the eighth amendment of the U.S. Constitution. At the same time, many nations began to whittle down their list of capital crimes from the hundreds (including poaching, sodomy, witchcraft and counterfeiting) to just murder and treason. And a growing wave of countries abolished blood sports, dueling, witchhunts, religious persecution, absolute despotism and slavery. The fourth major transition is the respite from major interstate war that we have seen since the end of World War II. Historians sometimes refer to it as the Long Peace. Today we take it for granted that Italy and Austria will not come to blows, nor will Britain and Russia. But centuries ago, the great powers were almost always at war, and until quite recently, Western European countries tended to initiate two or three new wars every year. The cliché that the 20th century was "the most violent in history" ignores the second half of the century (and may not even be true of the first half, if one calculates violent deaths as a proportion of the world's population). Though it's tempting to attribute the Long Peace to nuclear deterrence, non-nuclear developed states have stopped fighting each other as well. Political scientists point instead to the growth of **democracy**, **trade** and international organizations—all of which, the **statistical evidence** shows, **reduce the likelihood of conflict**. They also credit the rising valuation of human life over national grandeur—a hard-won lesson of two world wars. The fifth trend, which I call the New Peace, involves war in the world as a whole, including developing nations. Since 1946, several organizations have tracked the number of armed conflicts and their human toll world-wide. The bad news is that for several decades, the decline of interstate wars was accompanied by a bulge of civil wars, as newly independent countries were led by inept governments, challenged by insurgencies and armed by the cold war superpowers. The less bad news is that civil wars tend to kill far fewer people than wars between states. And the best news is that, since the peak of the cold war in the 1970s and '80s, organized conflicts of all kinds—civil wars, genocides, repression by autocratic governments, terrorist attacks—have declined throughout the world, and their death tolls have declined even more precipitously. The rate of documented direct deaths from political violence (war, terrorism, genocide and warlord militias) in the past decade is an **unprecedented few hundredths of a percentage point**. Even if we multiplied that rate to account for unrecorded deaths and the victims of war-caused disease and famine, it would not exceed 1%. The most immediate cause of this New Peace was the demise of communism, which ended the proxy wars in the developing world stoked by the superpowers and also discredited genocidal ideologies that had justified the sacrifice of vast numbers of eggs to make a utopian omelet. Another contributor was the expansion of international peacekeeping forces, which really do keep the peace—not always, but far more often than when adversaries are left to fight to the bitter end. Finally, the postwar era has seen a cascade of "rights revolutions"—a growing revulsion against aggression on smaller scales. In the developed world, the civil rights movement obliterated lynchings and lethal pogroms, and the women's-rights movement has helped to shrink the incidence of rape and the beating and killing of wives and girlfriends. In recent decades, the movement for children's rights has significantly reduced rates of spanking, bullying, paddling in schools, and physical and sexual abuse. And the campaign for gay rights has forced governments in the developed world to repeal laws criminalizing homosexuality and has had some success in reducing hate crimes against gay people. Why has violence declined so dramatically for so long? Is it because violence has literally been bred out of us, leaving us more peaceful by nature? This seems unlikely. Evolution has a speed limit measured in generations, and many of these declines have unfolded over decades or even years. Toddlers continue to kick, bite and hit; little boys continue to play-fight; people of all ages continue to snipe and bicker, and most of them continue to harbor violent fantasies and to enjoy violent entertainment. It's more likely that human nature has always comprised inclinations toward violence and inclinations that counteract them—such as self-control, empathy, fairness and reason—what Abraham Lincoln called "the better angels of our nature." Violence has declined because historical circumstances have increasingly favored our better angels. The most obvious of these pacifying forces has been **the state**, with its **monopoly on the legitimate use of force**. A disinterested judiciary and police can defuse the temptation of exploitative attack, inhibit the impulse for revenge and circumvent the self-serving biases that make all parties to a dispute believe that they are on the side of the angels. We see evidence of the pacifying effects of government in the way that rates of killing declined following the expansion and consolidation of states in tribal societies and in medieval Europe. And we can watch the movie in reverse when violence erupts in zones of anarchy, such as the Wild West, failed states and neighborhoods controlled by mafias and street gangs, who can't call 911 or file a lawsuit to resolve their disputes but have to administer their own rough justice. **Another pacifying force has been commerce**, a game in which everybody can win. As technological progress allows the exchange of goods and ideas over longer distances and among larger groups of trading partners, other people become more valuable alive than dead. They switch from being targets of demonization and dehumanization to potential partners in reciprocal altruism. For example, though the relationship today between America and China is far from warm, we are unlikely to declare war on them or vice versa. Morality aside, they make too much of our stuff, and we owe them too much money. A third peacemaker has been cosmopolitanism—the expansion of people's parochial little worlds through literacy, mobility, education, science, history, journalism and mass media. These forms of virtual reality can prompt people to take the perspective of people unlike themselves and to expand their circle of sympathy to embrace them. These technologies have also powered an **expansion of rationality and objectivity** in human affairs. People are now less likely to privilege their own interests over those of others. They reflect more on the way they live and consider how they could be better off. Violence is often **reframed as a problem to be solved rather than as a contest to be won.** We devote ever more of our brainpower to guiding our better angels. It is probably no coincidence that the Humanitarian Revolution came on the heels of the Age of Reason and the Enlightenment, that the Long Peace and rights revolutions coincided with the electronic global village.

## 1AR Terror

**TKs work**

Kenneth Anderson 13, Professor of International Law at American University, June 2013, “The Case for Drones,” Commentary, Vol. 135, No. 6

Targeted killing of high-value terrorist targets, by contrast, is the end result of a long, independent intelligence process. What the drone adds to that intelligence might be considerable, through its surveillance capabilities -- but much of the drone's contribution will be tactical, providing intelligence that assists in the planning and execution of the strike itself, in order to pick the moment when there might be the fewest civilian casualties.

Nonetheless, in conjunction with high-quality intelligence, drone warfare offers an **unparalleled means to strike directly at terrorist organizations without needing a conventional or counterinsurgency approach** to reach terrorist groups in their safe havens. It offers an offensive capability, rather than simply defensive measures, such as homeland security alone. Drone warfare offers a raiding **strategy directly against the terrorists and their leadership.**

If one believes, as many of the critics of drone warfare do, that the proper strategies of counterterrorism are essentially defensive -- including those that eschew the paradigm of armed conflict in favor of law enforcement and criminal law -- then the strategic virtue of an offensive capability against the terrorists themselves will seem small. But that has not been American policy since 9/11, not under the Bush administration, not under the Obama administration -- and not by the Congress of the United States, which has authorized hundreds of billions of dollars to fight the war on terror aggressively. The United States has used many offensive methods in the past dozen years: Regime change of states offering safe havens, counter-insurgency war, special operations, military and intelligence assistance to regimes battling our common enemies are examples of the methods that are just of military nature.

Drone warfare today is integrated with a **much larger strategic counterterrorism target** -- one in which, as in Afghanistan in the late 1990s, radical Islamist groups seize governance of whole populations and territories and provide not only safe haven, but also an honored central role to transnational terrorist groups. This is what current conflicts in Yemen and Mali threaten, in counterterrorism terms, and why the United States, along with France and even the UN, has moved to intervene militarily. Drone warfare is just one element of overall strategy, but it **has a clear utility in disrupting terrorist leadership**. It makes the planning and execution of complex plots difficult if only because it is hard to plan for years down the road if you have some reason to think you will be struck down by a drone but have no idea when. The unpredictability and terrifying anticipation of sudden attack, which terrorists have acknowledged in communications, have a **significant impact on planning and organizational effectiveness**.

**Data proves**

Patrick B. Johnston 13, Associate Political Scientist, RAND Corporation, and Anoop Sarbahi, postdoctoral scholar in the Department of Political Science at the University of California, Los Angeles, July 2013, “The Impact of U.S. Drone Strikes on Terrorism in Pakistan and Afghanistan,” <http://patrickjohnston.info/materials/drones.pdf>

Given that killing terrorist leaders or HVIs in terrorist organizations is the purpose of drone strikes, we evaluate whether patterns of militant attacks differ following strikes in which a militant leader was killed. Table 3 provides tests of Hypotheses 3 and 4 against the four metrics of militant violence examined here using the same 2FESL specifications as in table 2. The results are largely consistent with Hypothesis 3—that killing militant leaders is associated with decreased violence. There is little support for Hypothesis 4, that killing HVIs has counterproductive effects on violence. Controlling for the number of drone strikes per agency-week, the first column of table 3 shows that drone strikes that kill a HVI are associated with reductions in the number of militant incidents that occur. This result is statistically significant at the one-percent level. There is, however, weaker evidence that HVI removals reduce militant lethality and IED attacks.45

Overall, the evidence is somewhat consistent with the argument that individuals matter for a terrorist organization’s ability to produce violence at sustained rates. Along with other evidence from macro-level studies of leadership decapitation, the present results suggest that critics who argue against the efficacy of removing key figures may be overemphasizing the extent to which such individuals can be readily replaced.46

**Their evidence is all just like “there are a lot of steps” --- ya obviously, and our authors considered all of them --- the risk is real**

Peter **Beinart 8**, associate professor of journalism and political science at CUNY, The Good Fight; Why Liberals – and only Liberals – Can Win the War on Terror and Make America Great Again, 106-7

For all these reasons, jihadists seem less intent on acquiring a finished nuclear weapon than on acquiring weapons- grade uranium and building the bomb themselves. In the early 1990s, Al Qaeda bought a 3- foot- long cylinder from a Sudanese military officer who said it contained South African highly enriched uranium. It turned out to be a hoax. Jihadists have reportedly made other failed attempts as well. Eventually, however, they could succeed. Moscow may adequately protect its nuclear weapons, but the National Academy of Sciences has warned that “large inventories of SNM [fissile material] are stored at many sites that apparently lack inventory controls.” And the Russians reportedly experience one or two attempted thefts of that material a year—that they know of. ¶ If Al Qaeda obtained 50 kilograms of weapons-g rade uranium, the hardest part would be over. The simplest nuke to build is the kind the United States dropped on Hiroshima, a “gun- type,” in which a mass of highly enriched uranium is fired down a large gun barrel into a second uranium mass. Instructions for how to make one are widely available. Just how widely available became clear to an elderly nuclear physicist named Theodore Taylor in 2002, when he looked up “atomic bomb” in the World Book Encyclopedia in his upstate New York nursing home, and found much of the information you’d need. ¶ Even with directions, building a nuclear bomb would still be a monumental task. According to a New York Times Magazine article by Bill Keller, in 1986 five Los Alamos nuke builders wrote a paper called “Can Terrorists Build Nuclear Weapons?” They concluded that it would require people who understood “the physical, chemical and metallurgical proper-¶ 107¶ ties of the various materials to be used, as well as characteristics affecting their fabrication; neutronic properties; radiation effects, both nuclear and biological; technology concerning high explosives and/or chemical pro- pellants; some hydrodynamics; electrical circuitry.” That sounds daunting. **Yet, at the end of the paper, the scientists answered their question: “Yes, they can.”** ¶Finally, once terrorists built a nuclear weapon, they’d still have to smuggle it into the United States. The best way might be to put it in a shipping container, on one of the many supertankers that bring oil into American ports every day. The containers are huge, more than big enough to fit a gun-t ype nuke, which could be as small as 6 feet in length and 6 inches in diameter. Highly enriched uranium emits much less radiation than plutonium, and inside a supertanker’s thick double-steel hull it would be hard for sensors to detect. What’s more, a single ship can carry several thousand containers, most of which are never searched. On September 11, 2002, ABC News smuggled a 15- pound cylinder of depleted uranium in a cargo container past U.S. customs. On September 11, 2003, they performed the same exercise—and got the uranium past customs again.

## 1AR K

**Reinhard 4**

[Kenneth, Professor of Jewish Studies @ UCLA, UCLA Center for Jewish Studies, “Towards a Political Theology of the Neighbor,” <http://www.cjs.ucla.edu/Mellon/Towards_Political_Theology.pdf>]

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

**Enmity is inevitable --- it’s a question of embracing that to bracket violence**

**Prozorov 6** – Sergei Prozorov, collegium fellow at the Helsinki Collegium for Advanced Studies, University of Helsinki, Professor of International Relations in the Department of International Relations, Faculty of Politics and Social Sciences, Petrozavodsk State University, Russia, 2006, “Liberal Enmity: The Figure of the Foe in the Political Ontology of Liberalism,” Millennium: Journal of International Studies, Vol. 35, No. 1, p. 75-99

While these modalities of enmity are historically contingent, what remains necessary is the act of distinction as such, whatever form it takes. If one must accuse Schmitt of something, it should not be essentialism but rather an idiosyncratic form of transcendentalism, which seeks to negate the absolutisation of immanence in modern political metaphysics by positing as foundational the act of exceptional decision, and which by definition may not be subsumed under the self-immanence of order.19 With respect to the question of enmity, this moment of eruption of transcendence within immanence is offered by what Schmitt terms the ‘most extreme possibility’,20 the ‘real possibility of physical killing’21 that arises in every encounter with the Other, whose singularity cannot be subsumed under the immanence of the Same. It is the very existence of radical alterity that poses an ever-present possibility of killing or being killed, which in turn calls for a decision, in each concrete sense, on whether the Other is the enemy: ‘it is sufficient for his [enemy’s] nature that he is, in a specially intense way, existentially something different and alien, so that in the extreme case conflicts with him are possible’.22 What makes Schmitt’s thought disconcertingly original is this singular move of grounding a political order in the affirmation of the ever-present possibility of violent death rather than its disavowal of the kind practised by the contractarian political philosophy – in this aspect, Schmitt is best grasped as the diametrical opposite of Hobbes.23¶ Thus, the enemy is neither an unproblematic empirical given nor a contingent effect of a belligerent fantasy, done away with through the global progress of cosmopolitanism. Enmity as such is a perennial feature of the human condition, being, in its transcendental function, nothing more than a vigilant receptivity to the existence of the Other.24 However, the concrete form that relations of enmity take is historically variable and dependent on the distinction at work at concrete historical moments. Ironically, yet another misreading of Schmitt, particularly evident in today’s discussion, consists precisely in attributing to him a highly intense and violent construct of enmity.