### PTX DA

#### Obama is winning the fight against a new Iran sanctions bill but PC is key to sustain democratic momentum against its passage

Lockshin 1-21 (Matt, senior campaign manager and online organizer at CREDO Action, “A Big Day for Diplomacy With Iran,” 2014, <http://www.huffingtonpost.com/matt-lockshin/a-big-day-for-diplomacy-w_b_4632941.html>, CMR)

**Monday could go down in history as the day we took our first step toward a comprehensive nuclear deal with Iran that prevents the country from** ever **acquiring a nuclear weapon**. But the peaceful resolution of international concerns about Iran's nuclear program is hardly assured. **Those of us who support diplomacy have an important role to play in preventing** members of the **House and the Senate** -- Democrats and Republicans -- who are **unwilling to give President Obama the** time and political space **necessary to cut a reasonable deal** with Iran. Where We Are Now On Monday, Iran began to implement an interim deal it has made with the United States and our international partners. Iran's nuclear program is now frozen and subject to the most intrusive inspections in history. And for the next six months, while Iran's nuclear program is halted, negotiators will try to reach a comprehensive diplomatic agreement between Iran, the United States and various world powers to prevent Iran from ever acquiring a nuclear weapon. President **Obama has been a strong voice for peace** despite opposition from many within his own party. **Now** more than ever**, he needs** our strong and vocal support. These negotiations represent the best chance in a decade to resolve this issue peacefully. But they will be tough, both substantively and politically. President Obama himself has only given the talks a 50/50 chance of success. The stakes of these talks are high. **The alternative to a negotiated deal will be** either a continually growing Iranian nuclear program or another American war in the Middle East. So **we shouldn't take** **counterproductive actions that make** the **negotiations** even **harder** than they need to be. Yet **that is** precisely what hawks in both chambers of Congress are trying to do. The Biggest Danger to Diplomacy - New Sanctions. Among the leading political dangers to diplomatic talks is the belligerent and reckless move to impose new sanctions on Iran while negotiations are ongoing, in violation of our commitment to our international partners and Iranian diplomats as part of an interim nuclear deal. In December, news broke that 14 Senate Democrats led by New Jersey's Robert Menendez and New York's Chuck Schumer had joined Republicans (led by Senator Mark Kirk of Illinois) in pushing a new sanctions bill (S. 1881) that would blow up diplomacy with Iran and set us on a path to war. Initially, the new sanctions bill seemed to have momentum. But last week the momentum shifted in our favor, due in no small part to those who flooded the Senate with calls demanding that Senate Democrats not help the Republicans start another war. And as of this morning, there are more Senate Democrats on the record opposing new sanctions at this time than there are Democratic co-sponsors of the new sanctions bill. The National Iranian American Council, an organization that does great work supporting diplomacy with Iran, has a nice breakdown of where various senators stand on new sanctions. You can see their whip count, here. The Second Biggest Danger to Diplomacy - Tying President Obama's Hands Iran is currently under an extremely onerous sanctions regime. Sanctions have already crippled the Iranian economy and led to widespread economic pain, like rampant unemployment and shortages of medicine and other humanitarian supplies. While the purpose of sanctions has never been to punish ordinary Iranians, they are the ones who overwhelmingly feel the pain caused by sanctions. It's widely understood that if a deal is struck, the basic contours would be our agreeing to ease sanctions with a goal of ending them in exchange for a verifiable agreement with Iran that prevents it from ever building a nuclear weapon. But some members of Congress want to move the goalposts and are trying to pass legislation that lays out the contours of what an acceptable final deal than ends sanctions would look like -- and the standards they want to establish are so unrealistic that nothing that's actually on the table would ever satisfy them. This kind of legislation is not only dangerous if it passes. Iranian diplomats are less likely to go out on a limb and agree to potentially politically unpopular provisions if they don't believe Congress will back up President Obama by supporting the deal he cuts. The bottom line is that Congress needs to give President Obama the space he needs to cut a reasonable deal. Legislation that seeks to tie his hands not only makes it less likely that diplomacy will succeed (which in turn makes war much more likely), it also makes it more likely that the failure of diplomacy would be blamed (perhaps justifiably) on the United States. What Can We Do Now? The short version is that we need to do all that we can to provide time and space for the administration to negotiate a verifiable deal that protects our interests and advances our security in a peaceful manner. Congress will try to prevent that, and it's our job to ensure that it doesn't. In terms of strategy, we need to keep the pressure on Democrats in both chambers of Congress not to help the Republicans start another war. Senate Democrats are our top targets. Although momentum has slowed on the new Iran sanctions bill, we remain in a dangerous position. If anything goes even a little awry in the ongoing negotiations, then move for new sanctions can quickly regain momentum. Getting more Democratic senators on the record opposing new sanctions now is a priority, as is holding accountable those who are pushing for new sanctions. In the House, we need to make sure Democrats don't give bipartisan support to any bill, even a non-binding resolution, supporting new sanctions or setting down markers about what an acceptable final deal will look like. And Democrats in both chambers need to be reminded that should President Obama cut a reasonable deal with Iran, we will need them to back him up by passing legislation that reduces sanctions in exchange for a verifiable agreement that stops Iran from ever acquiring a nuclear bomb.

#### **Plan destroys Obama**

Loomis 7 Dr. Andrew J. Loomis is a Visiting Fellow at the Center for a New American Security, and Department of Government at Georgetown University, “Leveraging legitimacy in the crafting of U.S. foreign policy”, March 2, 2007, pg 36-37, http://citation.allacademic.com//meta/p\_mla\_apa\_research\_citation/1/7/9/4/8/pages179487/p179487-36.php

Declining political authority encourages defection. American political analyst Norman Ornstein writes of the domestic context, In a system where a President has limited formal power, perception matters. The reputation for success—the belief by other political actors that even when he looks down, a president will find a way to pull out a victory—is the most valuable resource a chief executive can have. Conversely, the widespread belief that the Oval Office occupant is on the defensive, on the wane or without the ability to win under adversity can lead to disaster, as individual lawmakers calculate who will be on the winning side and negotiate accordingly. In simple terms, winners win and losers lose more often than not. Failure begets failure. In short, a president experiencing declining amounts of political capital has diminished capacity to advance his goals. As a result, political allies perceive a decreasing benefit in publicly tying themselves to the president, and an increasing benefit in allying with rising centers of authority. A president’s incapacity and his record of success are interlocked and reinforce each other. Incapacity leads to political failure, which reinforces perceptions of incapacity. This feedback loop accelerates decay both in leadership capacity and defection by key allies. The central point of this review of the presidential literature is that the sources of presidential influence—and thus their prospects for enjoying success in pursuing preferred foreign policies—go beyond the structural factors imbued by the Constitution. Presidential authority is affected by ideational resources in the form of public perceptions of legitimacy. The public offers and rescinds its support in accordance with normative trends and historical patterns, non-material sources of power that affects the character of U.S. policy, foreign and domestic.

#### Sanction bill guarantees US backing of Israeli strikes on Iran – encourages Israel to act

Perr 12/24/13 – B.A. in Political Science from Rutgers University; technology marketing consultant based in Portland, Oregon. Jon has long been active in Democratic politics and public policy as an organizer and advisor in California and Massachusetts. His past roles include field staffer for Gary Hart for President (1984), organizer of Silicon Valley tech executives backing President Clinton's call for national education standards (1997), recruiter of tech executives for Al Gore's and John Kerry's presidential campaigns, and co-coordinator of MassTech for Robert Reich (2002). (Jon, “Senate sanctions bill could let Israel take U.S. to war against Iran” Daily Kos, [http://www.dailykos.com/story/2013/12/24/1265184/-Senate-sanctions-bill-could-let-Israel-take-U-S-to-war-against-Iran#](http://www.dailykos.com/story/2013/12/24/1265184/-Senate-sanctions-bill-could-let-Israel-take-U-S-to-war-against-Iran)

As 2013 draws to close, the negotiations over the Iranian nuclear program have entered a delicate stage. But in 2014, the tensions will escalate dramatically as a bipartisan group of Senators brings a new Iran sanctions bill to the floor for a vote. As many others have warned, that promise of new measures against Tehran will almost certainly blow up the interim deal reached by the Obama administration and its UN/EU partners in Geneva. But Congress' highly unusual intervention into the President's domain of foreign policy doesn't just make the prospect of an American conflict with Iran more likely. As it turns out, the Nuclear Weapon Free Iran Act essentially empowers Israel to decide whether the United States will go to war against Tehran. On their own, the tough new sanctions imposed automatically if a final deal isn't completed in six months pose a daunting enough challenge for President Obama and Secretary of State Kerry. But it is the legislation's commitment to support an Israeli preventive strike against Iranian nuclear facilities that almost ensures the U.S. and Iran will come to blows. As Section 2b, part 5 of the draft mandates: If the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapon program, the United States Government should stand with Israel and provide, in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence. Now, the legislation being pushed by Senators Mark Kirk (R-IL), Chuck Schumer (D-NY) and Robert Menendez (D-NJ) does not automatically give the President an authorization to use force should Israel attack the Iranians. (The draft language above explicitly states that the U.S. government must act "in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force.") But there should be little doubt that an AUMF would be forthcoming from Congressmen on both sides of the aisle. As Lindsey Graham, who with Menendez co-sponsored a similar, non-binding "stand with Israel" resolution in March told a Christians United for Israel (CUFI) conference in July: "If nothing changes in Iran, come September, October, I will present a resolution that will authorize the use of military force to prevent Iran from developing a nuclear bomb." Graham would have plenty of company from the hardest of hard liners in his party. In August 2012, Romney national security adviser and pardoned Iran-Contra architect Elliott Abrams called for a war authorization in the pages of the Weekly Standard. And just two weeks ago, Norman Podhoretz used his Wall Street Journal op-ed to urge the Obama administration to "strike Iran now" to avoid "the nuclear war sure to come." But at the end of the day, the lack of an explicit AUMF in the Nuclear Weapon Free Iran Act doesn't mean its supporters aren't giving Prime Minister Benjamin Netanyahu de facto carte blanche to hit Iranian nuclear facilities. The ensuing Iranian retaliation against to Israeli and American interests would almost certainly trigger the commitment of U.S. forces anyway. Even if the Israelis alone launched a strike against Iran's atomic sites, Tehran will almost certainly hit back against U.S. targets in the Straits of Hormuz, in the region, possibly in Europe and even potentially in the American homeland. Israel would face certain retaliation from Hezbollah rockets launched from Lebanon and Hamas missiles raining down from Gaza. That's why former Bush Defense Secretary Bob Gates and CIA head Michael Hayden raising the alarms about the "disastrous" impact of the supposedly surgical strikes against the Ayatollah's nuclear infrastructure. As the New York Times reported in March 2012, "A classified war simulation held this month to assess the repercussions of an Israeli attack on Iran forecasts that the strike would lead to a wider regional war, which could draw in the United States and leave hundreds of Americans dead, according to American officials." And that September, a bipartisan group of U.S. foreign policy leaders including Brent Scowcroft, retired Admiral William Fallon, former Republican Senator (now Obama Pentagon chief) Chuck Hagel, retired General Anthony Zinni and former Ambassador Thomas Pickering concluded that American attacks with the objective of "ensuring that Iran never acquires a nuclear bomb" would "need to conduct a significantly expanded air and sea war over a prolonged period of time, likely several years." (Accomplishing regime change, the authors noted, would mean an occupation of Iran requiring a "commitment of resources and personnel greater than what the U.S. has expended over the past 10 years in the Iraq and Afghanistan wars combined.") The anticipated blowback? Serious costs to U.S. interests would also be felt over the longer term, we believe, with problematic consequences for global and regional stability, including economic stability. A dynamic of escalation, action, and counteraction could produce serious unintended consequences that would significantly increase all of these costs and lead, potentially, to all-out regional war.

**Global war**

**Trabanco 9** – Independent researcher of geopoltical and military affairs (1/13/09, José Miguel Alonso Trabanco, “The Middle Eastern Powder Keg Can Explode at anytime,” \*\*http://www.globalresearch.ca/index.php?context=va&aid=11762\*\*)

In case of an Israeli and/or American attack against Iran, Ahmadinejad's government will certainly respond. A possible countermeasure would be to fire Persian ballistic missiles against Israel and maybe even against American military bases in the regions. **Teheran will** unquestionably **resort to** its **proxies like Hamas or Hezbollah** (or even some of its Shiite allies it has in Lebanon or Saudi Arabia) **to carry out attacks** against Israel, America and their allies, effectively **setting in flames** a large portion of **the Middle East**. The ultimate weapon at Iranian disposal is to block the Strait of Hormuz. If such chokepoint is indeed asphyxiated, that would dramatically increase the price of oil, this a very threatening retaliation because it will bring intense financial and economic havoc upon the West, which is already facing significant trouble in those respects. In short, the necessary conditions for a major war in the Middle East are given. Such **conflict could** rapidlyspiral out of control and thus a relatively **minor clash could** quickly **and** dangerously **escalate by engulfing the whole region and** perhaps even **beyond**. There are many key players: the Israelis, the Palestinians, the Arabs, the Persians and their respective allies and some great powers could become involved in one way or another (**America, Russia**, Europe, **China**). Therefore, any miscalculation by any of the main protagonists can trigger something no one can stop. Taking into consideration that the stakes are too high, perhaps it is not wise to be playing with fire right in the middle of a powder keg.

### ESR CP

**Velto and I advocate that the President of the United States should restrict the authority of the President to carry out targeted killings without the applications of due process.**

**Their 1AC is the solvency advocate – says that the executive is the problem**

# 1NC Adv 2

#### Aggressive CT to disrupt senior AQ leadership is the key internal link to nuclear terror attacks – need to stop the planning process.

Montgomery 09 – (2009, Evan Braden, Research Fellow, has published on a range of issues, including alliance politics, nuclear terrorism, military doctrine, and political revolutions, Center for Strategic and Budgetary Assessments, MA in Foreign Affairs, PhD Candidate at UVA, “Nuclear Terrorism: Assessing the Threat, Developing a Response,” http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA506768)

The second major implication addresses the demand side of the threat. Speciﬁcally, a critical component of a broader strategy to prevent a nuclear terrorist attack will involve measures **directed at weakening al Qaeda’s leaders and eliminating** — or at the very least restricting — **their sanctuary in the FATA**. Because obtaining or building a nuclear device and delivering it to a target would be a difﬁcult and expensive operation,89 it is highly likely that any credible plot will originate with al Qaeda’s central leadership, whether its operatives attempt to carry out such an attack on their own or instead ﬁnance, organize, and coordinate the efforts of one or more afﬁliates. By themselves, al Qaeda’s various franchises and especially local extremists would likely ﬁnd an attack of this scale beyond their abilities. In fact, the group’s franchises might not even be tasked to help with such a large and important operation, beyond providing limited logistical support. According to Bruce Hoffman, “high value, ‘spectacular’ attacks are entrusted only to al Qaeda’s professional cadre: the most dedicated, committed, and absolutely reliable elements of the movement.”90 Therefore, **to the extent that its sanctuary in the FATA has allowed al Qaeda’s leadership to regain its strength and plan future operations,** the probability that the group might be able to conduct a catastrophic attack at some point in the future has correspondingly increased.

#### Nuclear terror causes accidental US-Russia nuclear war.

Barrett et al. 2013 – (6/28, Anthony, PhD, Engineering and Public Policy from Carnegie Mellon University, Director of Research, Global Catastrophic Risk Institute, Fellow in the RAND Stanton Nuclear Security Fellows Program, Seth Baum, PhD, Geography, Pennsylvania State University, Executive Director, GCRI, Research Scientist at the Blue Marble Space Institute of Science, former Visiting Scholar position at the Center for Research on Environmental Decisions at Columbia University, and Kelly Hostetler, Research Assistant, GCRI, “Analyzing and Reducing the Risks of Inadvertent Nuclear War Between the United States and Russia,” Science and Global Security 21(2): 106-133, pre-print, available online)

War involving significant fractions of the U.S. and Russian nuclear arsenals, which are by far the largest of any nations, **could have globally catastrophic effects** such as severely reducing food production for years,1 potentially leading to collapse of modern civilization worldwide and even the **extinction of humanity**.2 Nuclear war between the United States and Russia could occur by various routes, including accidental or unauthorized launch; deliberate first attack by one nation; and inadvertent attack. In an accidental or unauthorized launch or detonation, system safeguards or procedures to maintain control over nuclear weapons fail in such a way that a nuclear weapon or missile launches or explodes without direction from leaders. In a deliberate first attack, the attacking nation decides to attack based on accurate information about the state of affairs. In an inadvertent attack, the attacking nation mistakenly concludes that it is under attack and launches nuclear weapons in what it believes is a counterattack.3 (Brinkmanship strategies incorporate elements of all of the above, in that they involve intentional manipulation of risks from otherwise accidental or inadvertent launches.4 )

Over the years, nuclear strategy was aimed primarily at minimizing risks of intentional attack through development of deterrence capabilities, though numerous measures were also taken to reduce probabilities of accidents, unauthorized attack, and inadvertent war. For purposes of deterrence, both U.S. and Soviet/Russian forces have maintained significant capabilities to have some forces survive a first attack by the other side and to launch a subsequent counterattack. However, concerns about the extreme disruptions that a first attack would cause in the other side’s forces and command-and-control capabilities led to both sides’ development of capabilities to detect a first attack and launch a counter-attack before suffering damage from the first attack.5

Many people believe that with the end of the Cold War and with improved relations between the United States and Russia, the risk of East-West nuclear war was significantly reduced.6 However, it has also been argued that **inadvertent nuclear war between the United States and Russia has continue**d **to present a substantial risk**.7 While the United States and Russia are not actively threatening each other with war, they have remained ready to launch nuclear missiles in response to indications of attack.8

False indicators of nuclear attack could be caused in several ways. First, a wide range of events have already been mistakenly interpreted as indicators of attack, including weather phenomena, a faulty computer chip, wild animal activity, and control-room training tapes loaded at the wrong time.9 Second, terrorist groups or other actors might cause attacks on either the United States or Russia that resemble some kind of nuclear attack by the other nation by actions such as exploding a stolen or improvised nuclear bomb,10 especially if such an event occurs during a crisis between the United States and Russia.11 A variety of nuclear terrorism scenarios are possible.12 Al Qaeda has sought to obtain or construct nuclear weapons and to use them against the United States.13 Other methods could involve attempts to circumvent nuclear weapon launch control safeguards or exploit holes in their security.14

It has long been argued that the probability of inadvertent nuclear war is significantly higher during U.S.-Russian crisis conditions,15 with the Cuban Missile Crisis being a prime historical example. **It is possible that U.S.-Russian relations will significantly deteriorate in the future, increasing nuclear tensions**. There are a variety of ways for a third party to raise tensions between the United States and Russia, making one or both nations more likely to misinterpret events as attacks.16

#### Changing drones just causes the military to maintain power by using worse alternatives—the elimination of drones just causes a shift to the Pakistani military which fuels violence as well

Anderson 2013 - senior fellow in Governance Studies at Brookings and a professor of law at American University (May 24, Kenneth, “The Case for Drones” <http://www.realclearpolitics.com/articles/2013/05/24/the_case_for_drones_118548.html>)

Yet irrespective of what numbers one accepts as the best estimate of harms of drone warfare, or the legal proportionality of the drone strikes, the moral question is simply, What’s the alternative? One way to answer this is to start from the proposition that if you believe the use of force in these circumstances is lawful and ethical, then all things being equal as an ethical matter, the method of force used should be the one that spares the most civilians while achieving its lawful aims. If that is the comparison of moral alternatives, there is simply no serious way to dispute that drone warfare is the best method available. It is more discriminating and more precise than other available means of air warfare, including manned aircraft—as France and Britain, lacking their own drones and forced to rely on far less precise manned jet strikes, found over Libya and Mali—and Tomahawk cruise missiles. A second observation is to look across the history of precision weapons in the past several decades. I started my career as a human-rights campaigner, kicking off the campaign to ban landmines for leading organizations. Around 1990, I had many conversations with military planners, asking them to develop more accurate and discriminating weapons—ones with smaller kinetic force and greater ability to put the force where sought. Although every civilian death is a tragedy, and drone warfare is very far from being the perfect tool the Obama administration sometimes suggests, for someone who has watched weapons development over a quarter century, the drone represents a steady advance in precision that has cut zeroes off collateral-damage figures. Those who see only the snapshot of civilian harm today are angered by civilian deaths. But barring an outbreak of world peace, it is foolish and immoral not to encourage the development and use of more sparing and exact weapons. One has only to look at the campaigns of the Pakistani army to see the alternatives in action. The Pakistani military for many years has been in a running war with its own Taliban and has regularly attacked villages in the tribal areas with heavy and imprecise airstrikes. A few years ago, it thought it had reached an accommodation with an advancing Taliban, but when the enemy decided it wanted not just the Swat Valley but Islamabad, the Pakistani government decided it had no choice but to drive it back. And it did, with a punishing campaign of airstrikes and rolling artillery barrages that leveled whole villages, left hundreds of thousands without homes, and killed hundreds. But critics do not typically evaluate drones against the standards of the artillery barrage of manned airstrikes, because their assumption, explicit or implicit, is that there is no call to use force at all. And of course, if the assumption is that you don’t need or should not use force, then any civilian death by drones is excessive. That cannot be blamed on drone warfare, its ethics or effectiveness, but on a much bigger question of whether one ought to use force in counterterrorism at all.

#### Casualties are way down and drones are far more precise than alternatives---our ev uses the best data

Michael Cohen 13, Fellow at the Century Foundation, 5/23/13, “Give President Obama a chance: there is a role for drones,” The Guardian, http://www.theguardian.com/commentisfree/2013/may/23/obama-drone-speech-use-justified

Drone critics have a much different take. They are passionate in their conviction that US drones are indiscriminately killing and terrorizing civilians. The Guardian's own Glenn Greenwald argued recently that no "minimally rational person" can defend "Obama's drone kills on the ground that they are killing The Terrorists or that civilian deaths are rare". Conor Friedersdorf, an editor at the Atlantic and a vocal drone critic, wrote last year that liberals should not vote for President Obama's re-election because of the drone campaign, which he claimed "kills hundreds of innocents, including children," "terrorizes innocent Pakistanis on an almost daily basis" and "makes their lives into a nightmare worthy of dystopian novels". ¶ I disagree. Increasingly it appears that arguments like Friedersdorf makes are no longer sustainable (and there's real question if they ever were). Not only have drone strikes decreased, but so too have the number of civilians killed – and dramatically so. ¶ This conclusion comes not from Obama administration apologists but rather, Chris Woods, whose research has served as the empirical basis for the harshest attacks on the Obama Administration's drone policy. ¶ Woods heads the covert war program for the Bureau of Investigative Journalism (TBIJ), which maintains one of three major databases tabulating civilian casualties from US drone strikes. The others are the Long War Journal and the New America Foundation (full disclosure: I used to be a fellow there). While LWJ and NAJ estimate that drone strikes in Pakistan have killed somewhere between 140 and 300 civilians, TBIJ utilizes a far broader classification for civilians killed, resulting in estimates of somewhere between 411-884 civilians killed by drones in Pakistan. The wide range of numbers here speaks to the extraordinary challenge in tabulating civilian death rates. ¶ There is little local reporting done on the ground in northwest Pakistan, which is the epicenter of the US drone program. As a result data collection is reliant on Pakistani news reporting, which is also dependent on Pakistani intelligence, which has a vested interest in playing up the negative consequences of US drones. ¶ When I spoke with Woods last month, he said that a fairly clear pattern has emerged over the past year – far fewer civilians are dying from drones. "For those who are opposed to drone strikes," says Woods there is historical merit to the charge of significant civilian deaths, "but from a contemporary standpoint the numbers just aren't there." ¶ While Woods makes clear that one has to be "cautious" on any estimates of casualties, it's not just a numeric decline that is being seen, but rather it's a "proportionate decline". In other words, the percentage of civilians dying in drone strikes is also falling, which suggests to Woods that US drone operators are showing far greater care in trying to limit collateral damage. ¶ Woods estimates are supported by the aforementioned databases. In Pakistan, New America Foundation claims there have been no civilian deaths this year and only five last year; Long War Journal reported four deaths in 2012 and 11 so far in 2013; and TBIJ reports a range of 7-42 in 2012 and 0-4 in 2013. In addition, the drop in casualty figures is occurring not just in Pakistan but also in Yemen. ¶ These numbers are broadly consistent with what has been an under-reported decline in drone use overall. According to TBIJ, the number of drone strikes went from 128 in 2010 to 48 in 2012 and only 12 have occurred this year. These statistics are broadly consistent with LWJ and NAF's reporting. In Yemen, while drone attacks picked up in 2012, they have slowed dramatically this year. And in Somalia there has been no strike reported for more than a year. ¶ Ironically, these numbers are in line with the public statements of CIA director Brennan, and even more so with Senator Dianne Feinstein of California, chairman of the Select Intelligence Committee, who claimed in February that the numbers she has received from the Obama administration suggest that the typical number of victims per year from drone attacks is in "the single digits".¶ Part of the reason for these low counts is that the Obama administration has sought to minimize the number of civilian casualties through what can best be described as "creative bookkeeping". The administration counts all military-age males as possible combatants unless they have information (posthumously provided) that proves them innocent. Few have taken the White House's side on this issue (and for good reason) though some outside researchers concur with the administration's estimates.¶ Christine Fair, a professor at Georgetown University has long maintained that civilian deaths from drones in Pakistan are dramatically overstated. She argues that considering the alternatives of sending in the Pakistani military or using manned aircraft to flush out jihadists, drone strikes are a far more humane method of war-fighting.

#### Tech advances and tighter rules of engagement are substantially reducing civilian casualties---alternatives to drones are worse

Rosa Brooks 13, Professor of Law, Georgetown University Law Center and Bernard L. Schwartz Senior Fellow, New America Foundation, 4/23/13, “The Constitutional and Counterterrorism Implications of Targeted Killing,” <http://www.judiciary.senate.gov/pdf/04-23-13BrooksTestimony.pdf>

\*We do not endorse gendered language

First, critics often assert that US drone strikes are morally wrong because the kill innocent civilians. This is undoubtedly both true and tragic -- but it is not really an argument against drone strikes as such. War kills innocent civilians, period. But the best available evidence suggests that US drone strikes kill civilians at no higher a rate, and almost certainly at a lower rate, than most other common means of warfare. ¶ Much of the time, the use of drones actually permits far greater precision in targeting than most traditional manned aircraft. Today's unmanned aerial vehicles (UAVs) can carry very small bombs that do less widespread damage, and UAVs have no human pilot whose fatigue might limit flight time. Their low profile and relative fuel efficiency combines with this to permit them to spend more time on target than any manned aircraft. Equipped with imaging technologies that enable operators even thousands of miles away to see details as fine as individual faces, modern drone technologies allow their operators to distinguish between civilians and combatants far more effectively than most other weapons systems.¶ That does not mean civilians never get killed in drone strikes. Inevitably, they do, although the covert nature of most US strikes and the contested environment in which they occur makes it impossible to get precise data on civilian deaths. This lack of transparency inevitably fuels rumors and misinformation. However, several credible organizations have sought to track and analyze deaths due to US drone strikes. The British Bureau of Investigative Journalism analyzed examined reports by "government, military and intelligence officials, and by credible media, academic and other sources," for instance, and came up with a range, suggesting that the 344 known drone strikes in Pakistan between 2004 and 2012 killed between 2,562 and 3,325 people, of whom between 474 and 881 were likely civilians.1 (The numbers for Yemen and Somalia are more difficult to obtain.) The New America Foundation, with which I am affiliated, came up with slightly lower numbers, estimating that US drone strikes killed somewhere between 1,873 and 3,171 people overall in Pakistan, of whom between 282 and 459 were civilians. 2¶ Whether drones strikes cause "a lot" or "relatively few" civilian casualties depends what we regard as the right point of comparison. Should we compare the civilian deaths caused by drone strikes to the civilian deaths caused by large-scale armed conflicts? One study by the International Committee for the Red Cross found that on average, 10 civilians died for every combatant killed during the armed conflicts of the 20th century.3 For the Iraq War, estimates vary widely; different studies place the ratio of civilian deaths to combatant deaths anywhere between 10 to 1 and 2 to 1.4¶ The most meaningful point of comparison for drones is probably manned aircraft. It's extraordinarily difficult to get solid numbers here, but one analysis published in the Small Wars Journal suggested that in 2007 the ratio of civilian to combatant deaths due to coalition air attacks in Afghanistan may have been as high as 15 to 1.5 More recent UN figures suggest a far lower rate, with as few as one civilian killed for every ten airstrikes in Afghanistan.6 But drone strikes have also gotten far less lethal for civilians in the last few years: the New America Foundation concludes that only three to nine civilians were killed during 72 U.S. drone strikes in Pakistan in 2011, and the 2012 numbers were also low.7 In part, this is due to technological advances over the last decade, but it's also due to far more stringent rules for when drones can release weapons.¶ Few details are known about the precise targeting procedures followed by either US armed forces or the Central Intelligence Agency with regard to drone strikes. The Obama Administration is reportedly finalizing a targeted killing “playbook,”8 outlining in great detail the procedures and substantive criteria to be applied. I believe an unclassified version of this should be should be made public, as it may help to diminish concerns reckless or negligent targeting decisions. Even in the absence of specific details, however, I believe we can have confidence in the commitment of both military and intelligence personnel to avoiding civilian casualties to the greatest extent possible. The Obama Administration has stated that it regards both the military and the CIA as bound by the law of war when force is used for the purpose of targeted killing. 9 (I will discuss the applicable law of war principles in section IV of this statement). What is more, the military is bound by the Uniform Code of Military Justice. ¶ Concern about civilian casualties is appropriate, and our targeting decisions, however thoughtfully made, are only as good as our intelligence—and only as wise as our overall strategy. Nevertheless, there is no evidence supporting the view that drone strikes cause disproportionate civilian casualties relative to other commonly used means or methods of warfare. On the contrary, the evidence suggests that if the number of civilian casualties is our metric, drone strikes do a better job of discriminating between civilians and combatants than close air support or other tactics that receive less attention.

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

Boyle, 08 – Michael J. Boyle, School of International Relations, University of St. Andrews, and John Horgan, International Center for the Study of Terrorism, Department of Psychology, Pennsylvania State University, April 2008, “A Case Against Critical Terrorism Studies,” Critical Studies On Terrorism, Vol. 1, No. 1, p. 51-64

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

#### A new study incorporating long-term metrics proves counter-terrorism is successful

**Price, 12** - major in the U.S. Army and former Assistant Professor of Social Sciences at the U.S. Military Academy (Bryan, “Targeting Top Terrorists” International Security, Spring, <http://shakes31471.typepad.com/files/how-leadership-decapitation-contributes-to-counterterrorism.pdf>)

I argue that leadership decapitation significantly increases the mortality rate of terrorist groups, even after controlling for other factors. Using an original database—the largest and most comprehensive of its kind—I analyzed the effects of leadership decapitation on the mortality rate of 207 terrorist groups from 1970 to 2008. The analysis differs from previous quantitative studies because it evaluates the effects of decapitation on the duration of terrorist groups as opposed to the number, frequency, or lethality of attacks after a group experiences leadership decapitation.15 In doing so, it challenges the conventional wisdom regarding terrorist group duration and addresses some of the most pressing questions about the effectiveness of decapitation. For example, does it matter whether a terrorist group leader is killed versus captured? Does the size, ideology, or age of the group increase its susceptibility to organizational death? In addition to answering these questions, this study illustrates the importance of evaluating the long-term effects of counterterrorism policies in conjunction with the short-term metrics more commonly used today.

**Util is good – maximizing all lives is the only way to affirm equality**

**Cummiskey 90** – Professor of Philosophy, Bates (David, Kantian Consequentialism, Ethics 100.3, p 601-2, p 606, jstor, AG)

We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract "social entity." It is not a question of some persons having to bear the cost for some elusive "overall social good." Instead, the question is whether some persons must bear the inescapable cost for the sake of other persons. Nozick, for example, argues that "to use a person in this way does not sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has."30 Why, however, is this not equally true of all those that we do not save through our failure to act? By emphasizing solely the one who must bear the cost if we act, one fails to sufficiently respect and take account of the many other separate persons, each with only one life, who will bear the cost of our inaction. In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? We have a duty to promote the conditions necessary for the existence of rational beings, but both choosing to act and choosing not to act will cost the life of a rational being. Since the basis of Kant's principle is "rational nature exists as an end-in-itself' (GMM, p. 429), the reasonable solution to such a dilemma involves promoting, insofar as one can, the conditions necessary for rational beings. If I sacrifice some for the sake of other rational beings, I do not use them arbitrarily and I do not deny the unconditional value of rational beings. **Persons** may **have "dignity**, an unconditional and incomparable value" that transcends any market value (GMM, p. 436), **but**, as rational beings, persons **also** have **a fundamental equality which dictates that some must** sometimes **give way for the sake of others.** The formula of the end-in-itself thus does not support the view that we may never force another to bear some cost in order to benefit others. If one focuses on the equal value of all rational beings, then equal consideration dictates that one sacrifice some to save many. [continues] According to Kant, the objective end of moral action is the existence of rational beings. Respect for rational beings requires that, in deciding what to do, one give appropriate practical consideration to the unconditional value of rational beings and to the conditional value of happiness. Since agent-centered constraints require a non-value-based rationale, the most natural interpretation of the demand that one give equal respect to all rational beings lead to a consequentialist normative theory. We have seen that there is no sound Kantian reason for abandoning this natural consequentialist interpretation. In particular, a consequentialist interpretation does not require sacrifices which a Kantian ought to consider unreasonable, and it does not involve doing evil so that good may come of it. It simply requires an uncompromising commitment to the equal value and equal claims of all rational beings and a recognition that, in the moral consideration of conduct, one's own subjective concerns do not have overriding importance.

Moral absolutism is complicity with violence – it allows people to die for the sake of clean hands

Isaac, **0**2

(Jeffrey C., James H. Rudy professor of Political Science and director of the Center for the Study of Democracy and Public Life at Indiana University, Bloomington, “Ends, Means and politics,” *Dissent*, Spring)

As writers such as Niccolo Machiavelli, Max Weber, Reinhold Niebuhr, and Hannah Arendt have taught, an unyielding concern with moral goodness undercuts political responsibility. The concern may be morally laudable, reflecting a kind of personal integrity, but it suffers from three fatal flaws: (1) It fails to see that the purity of one’s intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make common cause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the clean conscience of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics— as opposed to religion—pacifism is always a potentially immoral stand. In categorically repudiating violence, it refuses in principle to oppose certain violent injustices with any effect; and (3) it fails to see that politics is as much about unintended consequences as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with “good” may engender impotence, it is often the pursuit of “good” that generates evil. This is the lesson of communism in the twentieth century: it is not enough that one’s goals be sincere or idealistic; it is equally important, always, to ask about the effects of pursuing these goals and to judge these effects in pragmatic and historically contextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

**No risk of “endless warfare”**

**Gray 07, Director of the Centre for Strategic Studies and Professor of International Relations and Strategic Studies at the University of Reading, graduate of the Universities of Manchester and Oxford, Founder and Senior Associate to the National Institute for Public Policy, formerly with the International Institute for Strategic Studies and the Hudson Institute** (Colin, July, “The Implications of Preemptive and Preventive War Doctrines: A Reconsideration”, <http://www.ciaonet.org/wps/ssi10561/ssi10561.pdf>)

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

**Their impacts are overdetermined non-sense – democracy and economic liberalization**

**O’Kane 97  (“Modernity, the Holocaust, and politics”, Economy and Society, February, ebsco)**

Chosen policies cannot be relegated to the position of immediate condition (Nazis in power) in the explanation of the Holocaust.  Modern bureaucracy is not ‘intrinsically capable of genocidal action’ (Bauman 1989: 106).  Centralized state coercion has no natural move to terror.  In the explanation of modern genocides it is chosen policies which play the greatest part, whether in effecting bureaucratic secrecy, organizing forced labour, implementing a system of terror, harnessing science and technology or introducing extermination policies, as means and as ends. As Nazi Germany and Stalin’s USSR have shown, furthermore, those chosen policies of genocidal government turned away from and not towards modernity.  The choosing of policies,however, is not independent of circumstances.  An analysis of the history of each case plays an important part in explaining where and how genocidal governments come to power and analysis of political institutions and structures also helps towards an understanding of the factors which act as obstacles to modern genocide.  But it is not just political factors which stand in the way of another Holocaust in modern society.  Modern societies have not only pluralist democratic political systems but also economic pluralism where workers are free to change jobs and bargain wages and where independent firms, each with their own independent bureaucracies, exist in competition with state-controlled enterprises.  In modern societies this economic pluralism both promotes and is served by the open scientific method.  By ignoring competition and the capacity for people to move between organizations whether economic, political, scientific or social, Bauman overlooks crucial but also very ‘ordinary and common’ attributes of truly modern societies.  It is these very ordinary and common attributes of modernity which stand in the way of modern genocides.

#### No impact to disposability

**Dickinson 04**, associate professor of history – UC Davis,

(Edward, Central European History, 37.1)

In short, the continuities between early twentieth-century biopolitical discourse and the practices of the welfare state in our own time are unmistakable. Both are instances of the “disciplinary society” and of biopolitical, regulatory, social-engineering modernity, and they share that genealogy with more authoritarian states, including the National Socialist state, but also fascist Italy, for example. And it is certainly fruitful to view them from this very broad perspective. **But that analysis can easily become superficial and misleading**, because it obfuscates the **profoundly different** strategic and local dynamics of power in the two kinds of regimes. Clearly the democratic welfare state is not only formally but also substantively **quite different from totalitarianism.** Above all, again, it has nowhere developed the fateful, radicalizing dynamic that characterized National Socialism (or for that matter Stalinism), the psychotic logic that leads from economistic population management to mass murder. Again, there is always the potential for such a discursive regime to generate coercive policies. In those cases in which the regime of rights does not successfully produce “health,” such a system can —and historically does— create compulsory programs to enforce it. But again, there are political and policy potentials and constraints in such a structuring of biopolitics that are very different from those of National Socialist Germany. Democratic biopolitical regimes require, enable, and incite a degree of self-direction and participation that is **functionally incompatible** with authoritarian or totalitarian structures. And this pursuit of biopolitical ends through a regime of democratic citizenship does appear, historically, to have imposed increasingly **narrow limits on coercive policies**, and to have generated a “logic” or imperative of increasing liberalization. Despite limitations imposed by political context and the slow pace of discursive change, I think this is the unmistakable message of the really very impressive waves of legislative and welfare reforms in the 1920s or the 1970s in Germany.90 Of course it is not yet clear whether this is an irreversible dynamic of such systems. Nevertheless, such regimes are characterized by sufficient degrees of autonomy (and of the potential for its expansion) for sufé cient numbers of people that I think it becomes useful to conceive of them as productive of a strategic coné guration of power relations that might fruitfully be analyzed as a condition of “liberty,” just as much as they are productive of constraint, oppression, or manipulation. At the very least, **totalitarianism cannot be the sole orientation point** for our understanding of biopolitics, the only end point of the logic of social engineering. **This notion is not at all at odds with the core of Foucauldian** (and Peukertian) **theory.** Democratic welfare states are regimes of power/knowledge no less than early twentieth-century totalitarian states; these systems are not “opposites,” in the sense that they are two alternative ways of organizing the same thing. But they are two very different ways of organizing it. The concept “power” should not be read as a universal stiè ing night of oppression, manipulation, and entrapment, in which all political and social orders are grey, are essentially or effectively “the same.” Power is a set of social relations, in which individuals and groups have varying degrees of autonomy and effective subjectivity. And discourse is, as Foucault argued, “tactically polyvalent.” Discursive elements (like the various elements of biopolitics) can be combined in different ways to form parts of quite different strategies (like totalitarianism or the democratic welfare state); they cannot be assigned to one place in a structure, but rather circulate. The varying possible constellations of power in modern societies create “multiple modernities,” modern societies with quite **radically differing potentials.**91

Prefer util – consequences matter

Isaac 02 (Jeffrey C., James H. Rudy professor of Political Science and director of the Center for the Study of Democracy and Public Life at Indiana University, Bloomington, “Ends, Means and politics,” *Dissent*, Spring)

As writers such as Niccolo Machiavelli,Max Weber, Reinhold Niebuhr, and HannahArendt have taught, an unyielding concern with moral goodness undercuts political responsibility.The concern may be morally laudable, reflectinga kind of personal integrity, but it suffersfrom three fatal flaws: (1) It fails to see that the purity of one’s intention does not ensure the achievement of what one intends. Abjuring violence or refusing to make commoncause with morally compromised parties may seem like the right thing; but if such tactics entail impotence, then it is hard to view them as serving any moral good beyond the clean conscience of their supporters; (2) it fails to see that in a world of real violence and injustice, moral purity is not simply a form of powerlessness; it is often a form of complicity in injustice. This is why, from the standpoint of politics—as opposed to religion—pacifism is alwaysa potentially immoral stand. In categorically repudiatingviolence, it refuses in principle tooppose certain violent injustices with any effect;and (3) it fails to see that politics is as much about unintended consequences as it is about intentions; it is the effects of action, rather than the motives of action, that is most significant. Just as the alignment with “good”may engender impotence, it is often the pursuit of “good” that generates evil. This is thelesson of communism in the twentieth century:it is not enough that one’s goals be sincere oridealistic; it is equally important, always, to askabout the effects of pursuing these goals andto judge these effects in pragmatic and historicallycontextualized ways. Moral absolutism inhibits this judgment. It alienates those who are not true believers. It promotes arrogance. And it undermines political effectiveness.

#### K’s of util are wrong

Shaw 99 (William H, Professor of Philosophy @ San Jose State, Contemporary Ethics, p.185-186)

One of the most widespread criticisms of utilitarianism is that it cannot take rights seriously enough. Generally speaking, rights take precedence over considerations of immediate utility. They limit or restrict direct appeals to welfare maximization. For example, to have a right to free speech means that one is free to speak one's mind even if doing so will fail to maximize happiness because others will dislike hearing what one has to say. The right not to be compelled to incriminate oneself entails that it would be wrong to force a criminal defendant to testify against himself even if the results of doing so would be good. If rights are moral claims that trump straightforward appeals to utility," then utilitarianism, the critics argue, cannot meaningfully respect rights because their theory subordinates them to the promotion of welfare. However, the criticism that utilitarianism cannot do right by rights ignores the extent to which utilitarianism can, as discussed in Chapter 5, accommodate the moral rules, principles, and norms other than welfare maximization that appear to constitute the warp and woof of our moral lives. To be sure, utilitarians look at rights in a different light than do . moral theorists who see them as self-evident or as having an independent deontic status grounded on non-utilitarian considerations. For utilitarians, it is not rights, but the promotion of welfare, that lies at the heart of morality. Bentham was consistently hostile to the idea of natural rights, in large measure because he believed that invoking natural rights was only a way of dressing up appeals to intuition in fancy rhetoric. In a similar vein, many utilitarians today believe that in both popular and philosophical discourse people are too quick to declare themselves possessors of all sorts of putative rights and that all too frequently these competing claims of rights only obscure the important, underlying moral issues.

# 1NC Adv 1

**The Plan results in worse use**

Nzelibe 2007 Modified for gendered language (Jide, Assistant Professor of Law, Northwestern University Law School, ARE CONGRESSIONALLY AUTHORIZED WARS PERVERSE?, Stanford Law Review59.4 (Feb 2007): 907-953, ProQuest)

Put differently, the President has managed to tap into a deep reservoir of political insurance provided by the 2002 congressional resolution authorizing the Iraq war even though his efforts to obtain this authorization were minimal. By all accounts, the congressional debates leading up to the resolution were fairly low-key and perfunctory.141 The House International Relations Committee quickly voted the Resolution out of committee by a vote of thirtyone to eleven.142 Eventually, the House passed the Resolution by a sizable margin of 293 to 133. The Senate also quickly approved the Resolution with Senate Majority Leader Thomas Daschle (D-N.D.) making a special plea for bipartisanship.143 Senator Byrd (D-W. Va.) did try to plead with his colleagues to have a more serious and extensive debate on the Resolution but he was all but completely ignored.144 On October 10, the Senate voted by a margin of seventy-seven to twenty-three in support of the Resolution.14 At no stage during the few weeks that Congress debated the Resolution was there any doubt that congressional authorization would be both forthcoming and swift.¶ At bottom, if the greatest political constraints on the President during wartime come from a divided government or an active political opposition, the Iraq occupation shows that those constraints can be considerably weakened when a President first seeks congressional authorization for the use of force. President Bush's decision to seek congressional authorization most likely weakened the resolve of the Democratic Party to force the President's hand once the Iraq occupation became unpopular. But one could only imagine how different the political climate would be if the President had decided to embark on the Iraq occupation unilaterally. In some respect, he would have saved himself the trivial political capital he invested convincing Congress to approve his request for the use of force; on the other hand, he and the Republican Party would have likely inherited a colossal political burden. In a unilaterally initiated conflict, the Democratic opposition would have the option of waiting to see how the war turns out in the court of public opinion before deciding whether or not to support the war. If the war ends in failure or stalemate, the opposition would then have wide latitude in condemning every aspect of the decision to use force without the prospect of facing any political recriminations for seeming inconsistent or formally divided about the wisdom of going to war.¶ Ultimately, President Bush's ability to bifurcate political blame for the Iraqi occupation aptly illustrates the moral hazard risk inherent in first seeking congressional authorization for the use of force. If a President knows ex ante that he can get political insurance cheaply and get to share the political risks of a high-stakes military conflict with the political opposition, then it is very plausible to think that he is [they are] more likely to initiate more high-stakes conflicts with congressional authorization than he [they] would if he [they] were acting unilaterally.¶ What about the role of moral hazard in other modern conflicts? In many respects, the framework established in this Article also illuminates the political insurance role congressional authorization has played for other contemporary Presidents. One could argue, for instance, that congressional authorization for the 1982-1984 military deployment in Lebanon helped President Reagan avoid some of the political fallout once the deployment became increasingly unpopular in early 1984.146 Indeed, during the last couple of months before Congress forced a withdrawal of United States troops in February 1984 the President had lost much of the considerable foreign policy reputation he had cultivated in the wake of the successful Grenada invasion of October 1983.147 Nonetheless, Reagan sought to use the congressional authorization he received in the summer of 1983 to blunt growing congressional criticism of the deployment.148 When Deputy Secretary of State Lawrence Eagleburger was questioned by a hostile Congress on the progress of the war in early 1984, he kindly reminded the members of Congress that that they bore a share of the blame for the outcome of the deployment by passing the resolution authorizing the use efforce the previous summer.149

#### 1. Turn Space Weapons-

#### The civic engagement they create cripples hegemony and space weaponization

Boggs – Their Author, Social Sciences Professor at National University, 4 (Carl, “Bush, Kerry and the Politics of Empire,” Logos Journal, Volume 3, Number 4, Fall, http://www.logosjournal.com/boggs\_election.htm)

In terms of both history and logic, therefore, we have little reason to believe that Kerry’s larger view of revived Pax Americana will differ markedly from Bush’s, whatever the possible variations in style and tactics. No doubt a Kerry Presidency would dispense with the ideological rigidity, imperial arrogance, and self-defeating exceptionalism typical of the neocons. On the other hand a Bush victory would surely further embolden the neocons, ever anxious to press forward on other fronts such as Iran, but the costly and bloody Iraq catastrophe promises to negate such initiatives, at least for the near future. Whatever the outcome in November, at the start of the twenty-first century any U.S. leader will be obligated to work within the imperatives of Empire: global military presence, an expanded Pentagon system, anti-terrorist initiatives, security state, the militarization of space, ongoing resource wars. Such imperatives, undoubtedly stronger today than ever, will inevitably enter into the decision-making of Democrats and Republicans alike. Kerry’s inability to carve out an alternative to the Bush disaster must be understood in this historical and geopolitical context. Such a momentous eclipse of political discourse, fateful not only to American society but to the rest of the world, is ultimately located within a more crucial, underlying problem—the decay of American politics in the midst of widening Empire.

#### Space weaponization solves all war forever and cements our hegemony

Dolman, Professor of Comparative Military Studies @ Air Force School of Advanced Air and Space Studies 3 (Everett, , “Space Power and US Hegemony: Maintaining a Liberal World Order in the 21s Centuryt”, <http://www.gwu.edu/%7Espi/spaceforum/Dolmanpaper%5B1%5D.pdf>)

By using its current and near-term capacities, the United States should endeavor at once to seize military control of low-earth orbit. From that high ground vantage, near the top of the Earth's gravity well, space-based laser or kinetic energy weapons could prevent any other state from deploying assets there, and could most effectively engage and destroy terrestrial enemy ASAT facilities. Other states should still be able to enter space relatively freely for the purpose of engaging in commerce, in keeping with the capitalist principles of the new regime. Just as in the sea dominance eras of the Athenians and British before them, the military space forces of the United States would have to create and maintain a safe operating environment (from pirates and other interlopers, perhaps from debris) to enhance trade and exploration. Only those spacecraft that provide advance notice of their mission and flight plan would be permitted in space, however. The military control of low-Earth orbit would be for all practical purposes a police blockade of all current spaceports, monitoring and controlling all traffic both in and out. The United States would concurrently have to announce the policy that it will tolerate no launch of a missile (cruise or ballistic), no cross-border incursion of aircraft, no hostile and illegal position of unwanted naval forces within the twelve-mile limit of national territory. Any transgressions anywhere in the world would be stopped, immediately by force from space. States will complain that their sovereignty has been infringed, but the United States will be on the highest moral ground. Under no condition can a state initiate cross-border violence, and therefore no state can credibly claim that it is defending itself. Thus the complaints of the state whose forces have been dispatched by space weapons will ring hollow. Yes, perhaps the United States had no international right to shoot down the nuclear or chemically tipped missile launched at a traditional adversary, but the launching state will have a hard time justifying its prior right to start such a war. Over time, and this is the key factor to make such a policy work for international stability and peace (which are at least intervening factors in the rise of global prosperity), the United States must rigidly enforce this policy without discrimination. It must not make any terrestrial military incursions of its own. It must act decisively and openly, and completely without bias. There will be cries of dismay that the United States is acting as an empire, but since the only limitations made on another state's rights are on those to make war, eventually the loudest outbursts will ebb. People will get used to having American weapons flying overhead. They won't like it, to be sure, but it will seem a waste of time to protest something that has brought so much good to the world. States will begin to cut back on traditional military forces, as they are less useful in a world where they cannot be used offensively, and unnecessary so long as the United States can guarantee state borders. And so it would. Complete domination of space would give the United States such an advantage on the terrestrial battlefield that no state could openly challenge it. Traditional war would be effectively over. An idealist vision would be secured by realist means. Strategic dominance of space would further force the United States to maintain the industrial and technical capacity to keep it at the forefront of hegemony for the foreseeable future. Nontraditional war, especially terrorism, would not be over, but it could very well be mitigated. The current dominant use of space for military matters is in the areas of observation and monitoring. These are the tools of effective police organizations, and have already been adapted in counter-terrorism plans. The details would be worked out in time, but the strategy clearly has benefits for the United States and the world.

#### 2. Turn ICC

#### The civic engagement they create collapses hegemony and forces us to ratify the ICC

Boggs – Their Author, Political Science Professor at USC, 2 (Carl, “Militarism and Terrorism: The Deadly Cycle,” Democracy & Nature, Volume 8, Number 2)

In any historical context where it has been introduced, terrorism encourages a milieu of anti-politics favouring authoritarianism and repression over prospects for democratisation; it is inimical to social change both within civil society and the realm of politics. Probably never has this generalisation been more valid than in the present circumstances of global terrorism. The overworked ‘strategy of tension’ has imparted new legitimacy and heightened coercive powers to a US security state long dependent on a heavy dose of patriotic mobilisation, intelligence gathering, surveillance, police controls and of course militarism. After 11 September no one should be surprised to find a nominally liberal-democratic political system moving faster along the road to corporatism, undemocratic practices and narrowing discourses. Viewed as acts of political violence carried out by individuals or small groups disconnected from social movements, local communities and public decisionmaking, terrorism emerges as a form of detached vanguardism with its code of secrecy, its special networks of militants, its cult of violence and its own insular esoteric language—features that a globalised presence does nothing to alter. By now it is generally recognised that the work of al Qaeda and kindred groups is rooted in a culture of extreme despair, hatred and impotence rather than dedication to positive social transformation; indeed the vocabulary of change, much less democratic participation, is entirely absent from terrorist discourse. Devoid of ‘worldly’ institutional or ideological involvement, terrorists are implicitly (sometimes explicitly) affirming that what the mass of people think or want is totally irrelevant, not worthy of discussion. To some degree this comes from the deep alienation of terrorists from anything resembling ‘normal’ politics, but it also results from the absence of moral or political constraints on human behaviour that inheres in such methodology. Thus, if terrorist methodology is designed to generate crisis and an opening for insurgency throughout society, its actual consequences run counter to the aim—a diminution of public life endemic to social withdrawal and progressive depoliticisation. Again, the whole panoply of developments in US society since 11 September has sadly revealed this truth. Terrorism is predictably accompanied by panic, fear and despair among general populations—a mood hardly conducive to participatory, dynamic, open discourses and processes. People typically find themselves isolated and atomised, thus more vulnerable to corporate exploitation and state repression. Dissent and protest become easily marginalised, overwhelmed or crowded out by virulent expressions of patriotism, demonisation of enemies and scapegoating of others, where the complexities, subtleties and nuances of politics quickly vanish. In the US, policy differences between Republicans and Democrats, between Bush supporters and the loyal opposition, already especially indecipherable in the ‘bipartisan’ arena of foreign policy, now disappear beyond recognition. Congressional action is hurriedly brought to conclusion without the myriad distractions and impediments of debate: both the Patriot Act and war powers delivered to the president, for example, won quick passage; opposition was neutralised. The Bush obsession with a primarily military course of action, starting with the bombing of Afghanistan in October, has crystallised patriotic impulses that subvert consideration of possible alternatives; any questioning and probing by dissidents is linked to agendas seen as contradictory to the national interest. In many ways the American flag, so symbolic of the post-11 September atmosphere, has been exhibited in such a way as to express deep hostility toward foreign nations, cultures and religions widely understood to be violent and destructive. Patriotic sentiment itself, however, underwrites the most egregious acts of violence perpetrated in one country after another. Popular unity generated by jingoism or ethnocentrism is no doubt a shallow unity, but it does reinforce the hegemonic traditions, values and rituals—in other words, it constitutes the most effective form of ideological and cultural legitimation undergirding empire and militarism. If the attacks gave rise to a convergence of elite opinion reflected in a solidified bipartisanship and popular consensus around Bush’s initiatives (for a unilateral military approach, etc.), all of this signals a comparable retreat from the complex demands of global politics entering the 21st century. Insights into the harsh long-term consequences of empire have no resonance within the political culture. US intervention has been nothing short of catastrophic for such regions as Central America, Indochina, the Persian Gulf and Palestine, but discussion of this within the public sphere has been rare. On the contrary, military operations abroad are celebrated in the mode of a Superbowl-style spectacle, all the more so where US casualties are minimal or nonexistent. The mass media and popular culture are filled with cartoon-like images of Muslims and Arabs, of demonised others thought to be standing in the way of US-engineered historical progress. When General Norman Schwartzkopf was asked recently about severe Iraqi casualties resulting from US bombings and economic sanctions, he blandly replied: ‘We need not get into the body-count business’. Former Secretary of State Madeleine Albright’s cavalier attitude toward a possible half-million Iraqi civilian deaths is well known. By the late 20th century, the US stood as a bellicose, militaristic superpower, unchallenged by any rival power, with goals of world domination that, unfortunately, are widely endorsed by a provincial, ignorant, out-of-touch public. The long-term outcome of this diminished public sphere can only be perpetuation of the militarism–terrorism cycle. An increasingly depoliticised American society, above all visible in the corporatised mass media, exhibits every sign of closure, one-dimensionality and authoritarianism: loss of a civic culture, ethnocentrism, intolerance, hostility to foreign influences and a lashing out at those who depart from prevailing opinions. Examples in the aftermath of 11 September abound. Representative Barbara Lee (D–Calif.) was the lone dissenting vote when Congress gave Bush carte blanche military power to fight terrorism, calling for open debate on what she rightly framed as a life-and-death issue, stating: ‘As we act let us not become the evil that we deplore.’ For her reasonable and courageous stand Lee was denounced as a traitor, communist and terrorist sympathiser by outraged citizens around the country, some even issuing death threats. In October 2001 the Berkeley (Calif.) City Council passed an essentially innocuous resolution asking to halt the bombing of Afghanistan ‘as soon as possible’, affirming the Council’s desire to minimise casualties on both sides. The Council further called for a national campaign to reduce US oil dependency on foreign sources. The nationwide response was immediate and fierce, with hundreds of boycotts directed at businesses in Berkeley, threats made against Council members and a Web site established calling for a national campaign to ‘Boycott the City of Cowards’. TV networks like Fox, CNN and MS-NBC dwelled on the treasonous and cowardly Berkeley initiatives for weeks. Talk-radio hosts feasted on this supposedly un- American display of callousness toward the US military and the victims of 11 September. For weeks after the resolution Council members were confronted and even threatened in public. The universities, theoretically a bastion of critical opinion and dissent, were likewise engulfed in a wave of frenetic patriotism and social conformism. Faculty participating in teach-ins found that even the mildest criticisms of US foreign policy were met with fierce hostility and a quick willingness to denounce ideas that might deviate from established definitions of the national interest. Dissident faculty received harsh rebukes, hostile e-mails, hate calls and threats of disciplinary action including firings. A conservative organisation, the American Council of Trustees and Alumni founded by Lynne Cheney, managed to build a strong presence on campuses around the nation—one of its goals being the stifling of alternative views regarding US foreign policy and the threat of global terrorism. Dozens of faculty and students were attacked for the sin of being ‘insufficiently patriotic’, with teach-ins monitored for appropriate boundaries of debate. Many academics were upbraided for not sufficiently preaching the virtues of American history and culture, or for allowing discourses of ‘multiculturalism ’ to get out of hand. Ideals of academic freedom, intellectual diversity and citizen engagement became more fragile than at any time since the early days of the cold war. Not surprisingly, teach-ins lacked the intellectual depth and critical spirit which infused similar forums during the Vietnam War and later. The tyranny of majority opinion became a fearsome reality in the transformed political culture after 11 September. Attorney General John Ashcroft insisted that anyone who criticised Bush’s policies at a time of crisis is guilty of ‘aiding terrorists’. The government spent nearly US$4 million for Superbowl TV advertisements linking the war against terrorism with the already-failed war on drugs, on the assumption that these two practices—committing terrorist acts and ingesting ‘drugs’—constitutes the present-day linkage to ‘violence’. As Bush intoned: ‘If you quit drugs, you join the fight against terror in America.’ This milieu, predictably, also infected the book-publishing industry. Michael Moore’s book, Stupid White Men, was ready to be distributed by HarperCollins at the very moment of the terrorist attacks. It contains a searing critique of the conservative white male culture that defines the entire corporate, governmental and military establishment. The book was suddenly deemed too ‘controversial’ and ‘provocative’ by the editors and publisher, who finally agreed to release the book, but only after several months of intense struggle by Moore, his supporters and lawyers. Yet another case in point was the sad experience of Janis Beder Heaphy, publisher of the Sacramento Bee, whose commencement speech for Sacramento State College at Arco Arena in June 2002 was rudely and repeatedly interrupted, then finally terminated when graduating students and their relatives raucously booed her off stage. Heaphy’s egregious offense? She worried that the war on terrorism might wind up compromising American civil liberties as the nation became preoccupied with issues of security—a concern she framed in hypothetical terms and, of course, one that turned out to be entirely legitimate. A few days later Heaphy wrote an essay in the Bee lamenting the pathetic state of academic freedom and intellectual tolerance in American institutions of higher learning. Such examples can be easily multiplied many times over in the claustrophobi c ideological atmosphere prevailing after 11 September. As Bush continued to intensify the war on terrorism, preparing to manoeuvre well beyond the Afghan theatre, one discourse became particularly taboo right across the political spectrum: nothing the US has done in the sphere of world politics, yesterday or today, can be said to have any connection whatsoever to the terrorist assaults. Such thinking is regarded as an apology for a ruthless brand of terrorism. Global terrorism, according to the official wisdom, has to be understood in an absolute historical vacuum, the outgrowth of nothing but the evil deeds of deranged actors. Evidence of a shrinking political arena has been easy to locate since September 2001, although the terrorist aftermath in fact rode the crest of trends long at work in American society. Yet much like the (non)reaction to blowback, such trends have been largely ignored by politicians and observers across the political spectrum; indeed many hold out hope the crisis might pave the way toward some kind of societal-wide reinvigoration. Some looked to the examples of police, firefighters and rescue workers struggling heroically to restore peace and order in New York and Washington after the attacks. Others looked to a new spirit of patriotic solidarity, made possible by a war on terrorism that champions an open, democratic, peace-loving society against a network of deranged theocratic fascists galvanised into action by envy of great American achievements. One argument is that Bush’s campaign requires a generalised, renewed sense of trust in the public sector that was long absent, helping to revive feelings of civic engagement and common purpose needed to overcoming the post-modern malaise. As Joel Rogers and Katrina Vanden Heuvel wrote in an op-ed essay, ‘September 11th has made the idea of a public sector and the society it serves attractive again’, adding: ‘If anything, the war on terrorism creates an opening for progressives, not closure—indeed it presents the opportunity of a lifetime.’ Such opportunity arises because ‘it is a truism of modern politics that war generally mobilises and helps the democratic left’, allowing for consideration of wider goals.11 The authors have nothing to say regarding the specificity of their claims (i.e. the types of openings created) nor the mechanisms whereby they are supposed to come into being, nor about the massive growth of the war economy and security state that terrorism has reinforced, and nowhere do they refer to the increasing one-dimensionality of a jingoistic, conformist, violence-saturated mass media. In a similar vein, Alan Wolfe writes about a new citizen solidarity flourishing after 11 September, inspired by defense of political freedoms, democracy and religious tolerance that the terrorists had placed under attack. The US, in Wolfe’s view, represents a social order that is opposed to hatred, discrimination and violence, a ‘culture of nonjudgmentalism ’.12 Wolfe too sees revival of trust in government along with a broadening public sphere and, more incredibly, a reinvigorated push toward social equality. Thus: ‘… it is difficult to imagine government operating blatantly in the interests of only one class of people when people from all walks of life were killed in the attacks’. Bush has emerged as a president ‘who acts on behalf of all the people just as the current political leadership “acts and speaks from the heart” ’.13 Moral conditions in the nation have improved dramatically, marked above all by rebirth of ‘civic engagement’ and with it, a greater interest in world affairs. Wolfe believes the US is widely despised, not because its global presence might have brought harm to other peoples but simply for reason of its undeniable benevolence, owing to the fact that ‘some fanatics hate us so much for doing so many things well’.14 Such simple-minded, provincial, self-serving dogma has been a staple of post-11 September reactions among conservatives and liberals alike; even progressives have joined the denial. Writing in The New Republic, Martin Peretz echoes the insularity of elite opinion when he argues ‘the frisson of death, of killing others and dying oneself in the process, is so alien to our culture. In the West, large numbers of people no longer experience an emotional thrill or a shiver of excitement at the shredding of blood—even the blood of our enemies.’15 Such commentary shares a familiar common thread—steadfast refusal to confront the real consequences of US foreign and domestic policies. Reading these Manicheistic discourses combined and their abysmal failure to reflect upon the terrible realities of US empire and militarism, one is left to wonder about the astonishing gulf between prevailing beliefs and the world surrounding those beliefs. The mindless celebration of American wealth and power goes well beyond the familiar contours of patriotism. Practically everything seems either ignored or forgotten—drastic expansion of the war economy and authoritarian state; the long legacy of US military intervention and covert actions abroad, with their horrific toll in human lives; the culture of violence permeating American society, with its bloated prison-industrial complex; post-11 September initiatives such as the Patriot Act, airlines bailout, military unilateralism, renewal of Plan Columbia, a re-dedication to the Star Wars programme, etc. None of these initiatives seems consonant with evidence of renewed civic participation, open public dialogue, community solidarity and generalised trust is political institutions. Nor is there scant recognition of even the possibility of blowback in the endless selfcongratulatory promulgations about terrorism. Like the corporate media, reputedly critical intellectuals offer little more than a simple, comforting, xenophobic view of the world, with terrorism reduced to a stereotyped image of evil religious fanatics violently lashing out at a passive, innocent, sleeping giant of a democratic power. A war without end? If the US war against terrorism unfolds against a larger backdrop of the dialectic linking militarism and terrorism, this poses an even deeper question: what precisely is terrorism and who are its main perpetrators on the world scene? A definition that encompasses simply the use of violence for political ends is much too broad, for its application then becomes nearly universal. Focusing on the actions of individuals and small groups narrows the definition but in the process ignores the role of states that carry out or sponsor the very same atrocities as those individuals and small groups, the main difference being that the violence has the imprimatur of governmental legitimacy and is carried out by established military organisations. Missiles sent into the heart of cities from great distances are in fact generally more destructive than the work of suicide bombers. If we turn to violent actions (leaving aside the issue of motives) directed against civilian targets, we arrive at a more specific and meaningful approximation of what terrorism is today, although such a definition is summarily rejected by leaders of the powerful states and for obvious reasons. As modern warfare increasingly blurs the distinction between military and civilian targets, this last definition may still lack clarity but it is probably the best we have. Horrific as the terrorist attacks of 11 September were, therefore, they do not logically or morally stand apart from most of what has passed for conventional or guerilla warfare during and after the Second World War. Military action, whether carried out by states or other actors, has led to massive loss of civilian life—much of it the result of deliberate, planned, callous strategies. Aerial bombardment in particular has been devastating, but artillery, infantry, armour and governmentsponsored death squads have taken an unspeakable toll. The US/British incendiary bombing of German and Japanese cities at the end of the Second World War—not to mention the nuclear devastation of Hiroshima and Nagasaki—easily fits the rubric of aerial terrorism. The loss of civilian life in Korea reached perhaps a half-million, though nothing close to the barbaric toll (at least two million) during the US war in Indochina, the victims of carpet bombing, napalm, anti-personnel bombs, death squads and chemical warfare. Tens of thousands of civilians were killed in Central American during the 1970s and 1980s alone, either through direct US military intervention or US support for local state terrorism and death squads. The Persian Gulf War produced 200,000 Iraqi military casualties in 1991 while the aftermath (marked by continuous bombings and draconian economic sanctions) has reached somewhere between 500,000 and one million civilian deaths. The NATO/US air war against Yugoslavia deliberately targeted the civilian infrastructure of Serbia, which was destroyed with relative ease after 79 consecutive days of bombing, costing several thousand deaths mostly in and around Belgrade. As Sven Lindquist demonstates in The History of Bombing,16 aerial terrorism directed at civilian populations has indeed become an integral, calculated element of contemporary warfare. Given such abundant examples, there can be little doubt that the US must be regarded as the most systematic practitioner of terrorism which continues to this day, although its policy makers and other agents of war crimes have managed to escape culpability even as they continue to wantonly violate international conventions and laws such as those codified in Nuremberg, Geneva, the UN Charter. American violations have been overt and brutally direct as in the cases of Vietnam, Iraq and Yugoslavia, or indirect as a manifestation of backing for surrogate terrorist states such as Turkey, Colombia, Indonesia and Israel. As the military situation in Afghanistan clearly shows, the cycle of militarism and terrorism inevitably brings enormous civilian casualties to both sides—casualties usually justified by highsounding rhetorical claims and intentions, or by defense of the ‘national interest’. Bombing campaigns launched today by the US and its European allies help make the world a horrifying place to live even for people situated outside militarily contested zones that, in any case, are becoming less strictly delineated as the war on terrorism progresses. As the cycle repeats itself we can be assured that blowback will emerge as a permanent feature of American life. In 1998, more than 60 nations met in Rome to create an International Criminal Court—a professional, impartial body charged with bringing political leaders and others to justice for assorted war crimes, genocide and crimes against humanity. The US refused to sign the treaty, insisting upon guarantees that no American officials or military personnel could ever be brought before the Tribunal, which of course was rejected by the assembled nations. The world was left without any independent tribunal, no truly universal body for enforcing long-establishe d standards of international law and morality. The main point here is that the US, virtually alone among countries, refuses to adhere to any higher authority or ethical limitations upon its superpower status—a refusal bolstered by the 11 September aftermath and the war on terrorism. To do so would impede its drive toward global economic, political and military domination. The US had indeed been charged with war crimes—for its actions in Vietnam, Nicaragua and Yugoslavia—but nothing has come of these indictments. A case has been made identifying former Secretary of State, Henry Kissinger, as one of the major war criminals of the 20th century, but no indictment has been forthcoming. If the US remains fully outside any commonly agreed-upon political, legal or moral jurisdiction, then empire can be ruthlessly defended and strengthened by whatever means are deemed necessary, conceivably including the use of nuclear and chemical/biological warfare as well as continued terror bombings and economic sanctions directed against civilian populations .

#### The ICC destroys U.S. hegemony – Causes global instability

Krasner, Professor of International Relations at Stanford, 2K (Stephen D., Chicago Journal of International Law, Fall, 1 Chi. J. Int'l L. 231)

There are, however, many international agreements in which outcomes in one country are not contingent on the behavior of other signatories. Such arrangements can be termed conventions rather than contracts. These are accords in which efforts at global governance are most striking. Here the United States ought to closely scrutinize any such pact. Human rights treaties are the classic example of conventions. Human rights in the United States will not be contingent on what, say, Iraq and Cambodia do even if all three countries have signed the same pact. It might be attractive for the United States to enter into such arrangements to legitimate particular norms and values, but only if they do not involve any kind of legalized enforcement mechanism. There is no reason to think that a supranational agency with investigative or judicial authority would protect the rights of Americans better than existing domestic institutions; in fact there are many reasons to think that any international agency would do worse. What has become the standard American practice of attaching reservations to human rights conventions to which it accedes is exactly the right policy. Endorsing an ICC, even one with the best intentions and excellent jurists, would adversely affect the interests of the United States, and one might add almost certainly the rest of the world as well. It would be especially problematic to constrain American military operations ex ante because of the existence of such a court, or to subject decisions to review ex post. Peace and stability in the contemporary international system depend more on American military power than on any other single factor. In both Europe and Asia the United States is an effective external balancer. While American policy has been wise, the domestic support for extensive foreign commitments is shallow. External review of American action by an agency like the ICC could only complicate the problems facing any American president. Reactions to the Kosovo bombing campaign suggest that human rights groups will criticize any military operation, regardless of how carefully it is conceived or how cautiously it is executed. The baseline seems to be that wars can be conducted without killing anyone or at least without killing any non-combatants, a bizarre aspiration if only because some political leaders would surely use civilians to protect military activities knowing that an attack by any American led coalition could be scrutinized by an international [\*236] court. Hence, in the area of conventions the United States ought to continue to reject efforts at global governance that would establish any supranational authority structures or constrain its ability to act unilaterally.

#### The conflicts go nuclear

Gray, Professor of International Politics and Strategic Studies at the University of Reading, and founded of the National Institute for Public Policy, 4 (Colin, The Sheriff: America’s Defense of the New World Order)

The United States could pick up its military ball and go home. It could choose to rely for world order on the hidden hand of universal commercial self-interest somewhat guided by such regional and local balances and imbalances of power as may be extant or might emerge. In effect, frequently this would translate as a green light for regional bullies to mark out their territories (and sea space and air space). Thus far, the contemporary United States is showing no persuasive evidence of an inclination to bring itself home as a political military influence. The issue is not whether America’s skills in statescraft are fully adequate for the sheriff role (whose would be?). Rather, it is whether there is to be a sheriff at all. If the United States declines the honor, or takes early retirement, there is no deputy sheriff, waiting, trained and ready for promotion. Furthermore, there is no world-ordering mechanism worthy of the name which could substitute for the authority and strength of the American Superpower. At present there is no central axis of a balance of power to keep order, while the regional balances in the Middle East and South and East Asia are as likely to provoke as to cool conflict – and conflict with weapons of mass destruction (WMD) at that.

#### And, the ICC destroys interventions that solve genocide – They cause more death and suffering

Major Smidt, Professor of International & Operational Law at the U.S. Army Judge Advocate General’s School, 1 (Michael L., “The International Criminal Court: An Effective Means of Deterrence,” Military Law Review, March, 167 Mil. L. Rev. 156)

In reality, both the law enforcement and the military responses add to the concept of system-wide deterrence. However, each modality plays a distinct role, and neither should be permitted to negatively impact the other. This article argues that the present theory, which assumes that the answers for world peace derive primarily from judicial sources, is being overemphasized to the detriment of the potential ability, and occasional requirement, to use military force. First, over-reliance on justice ignores the obvious fact that potential victims are best served if they are not allowed to become victims in the first place. Courts may be effective in handling situations after the fact, but until they possess the deterrent capabilities needed to control rogue regimes, they should not be permitted to displace or weaken the military option. Second, if a court lacks the ability to actually enforce its pronouncements, rogue regimes will simply ignore the court and will not be deterred. The military remains the most credible and effective form of deterrence in the international arsenal of weapons to prevent war and massive human rights abuses. Within the international military community, the U.S. armed forces are better prepared than any other entity to deter aggressive regimes and their leaders. Therefore, any move by the international community to sacrifice on the alter of justice the deterrent capability of the armed forces of the United States and its allies cannot be accepted. However well-intentioned advocates for the International Criminal Court (ICC) may be, the proposed court represents a significant threat to the national security of the United States and its allies as currently formulated. [\*158] There is certainly room, and arguably a need, for a permanent international criminal court. However, the provisions of the ICC <=6> n5 simply place too many significant risks on nations and their armed forces that are equally determined to rid the world of oppression. Political prosecutions before the ICC are so probable that the forces of good may be deterred from taking on the forces of evil. Since the forces of evil will recognize the deterrent influence of such politically based prosecutions on potential responders, the leaders of these regimes may make entirely rational decisions to commit acts of aggression, knowing they can act without fear of military intervention from foreign forces. War is not as clean as we would like it to be, and it defies precise legal scrutiny. It involves the use of force and a level of destruction that would be considered both illegal and immoral during times of peace. War consists largely of acts that would be criminal if performed in time of peace--killing, wounding, kidnapping, and destroying or carrying off other people's property. Such conduct is not regarded as criminal if it takes place in the course of war, because the state of war lays a blanket of immunity over the warriors. <=7> n6 However distasteful the use of military force may be, the alternative, allowing rogue regimes to act with impunity, is far more disastrous. The injury to victims of such regimes may far exceed the damage inflicted by military forces defending against oppression. Holding warriors on the battlefield to peacetime-like criminal law standards is simply unrealistic. This is particularly so if the court has the potential of rendering politically-based judgments. This is not to suggest that rules should not exist on the battlefield. Humanity is certainly better off because of the laws of war. <=8> n7 Millions, perhaps billions, have been spared because of their effectiveness. <=9> n8 Moreover, [\*159] these battlefield rules of restraint diminish the "corrosive effect of mortal combat on the participants" themselves. <=10> n9 Units adhering to the laws of war have fewer problems with good order and discipline, and when soldiers from these units return home from combat, they are more likely to do so with their societal values still intact. <=11> n10 Humanity has a right to demand that soldiers do all they can to limit the destructive forces of combat. Soldiers must be trained to recognize the difference between proper and improper applications of force. However, it is both unrealistic and dangerous to scrutinize and judge in a court of law their every action on the battlefield. For the common soldier, at least, war has the feel, the spiritual texture, of a great ghostly fog, thick and permanent. There is no clarity. Everything swirls. The old rules are no longer binding, the old truths no longer true. Right spills over into wrong. Order blends into chaos, love into hate, ugliness into beauty, law into anarchy, civility into savagery. The vapor sucks you in. You can't tell where you are, or why you're there, and the only certainty is overwhelming ambiguity . . . . You lose your sense of the definite, hence your sense of truth itself . . . . <=12> n11 Holding the common soldier criminally culpable for even the smallest violation of the laws of war may distract the international community from the real threat to society and world peace: aggressive and oppressive regimes.

#### **3. Turn Trade-**

#### And, The civic engagement their author talks about would destroy globalization, the WTO, and Free trade

Boggs – Their Author, Social Sciences Professor at National University, 1 (Carl, “Economic Globalization and Political Atrophy,” Democracy & Nature, Volume 7, Number 2)

The process of economic globalization can be viewed as the systematic expansion of corporate capitalism across national borders in perpetual search of markets, raw materials, low-cost labor, and technological advantage—all made possible by the growing mobility of capital and facilitated by increasingly fluid conditions of trade, communications, and information-sharing. An outgrowth of preceding centuries of economic development spreading from Europe outward, this process has dramatically extended its speed and scope over the past few decades, further solidifying the world capitalist system along with its leading national and institutional centers of power. At its present pace this form of corporate expansion is sweeping away everything before it, allowing for unprecedented expansion of market relations into even the most isolated regions of the globe, as Marx and Engels long ago anticipated in the Communist Manifesto. These epic trends within the economy, however, have no parallel in the sphere of politics, where what we observe is something altogether different: diminution of national and local governing structures, erosion of longstanding ideologies, and failure of any international system of governance to gain ascendancy. The appearance of worldwide diversity and fragmentation has now become overshadowed by a logic of homogenization brought about by transnational corporate rule with its unifying thrust toward commodification of the planet. We are in the midst of a profoundly depoliticizing shift of forces where the global domain triumphs over the local, the commodity supersedes local culture, standardization prevails over diversity— and, above all, economics takes precedence over politics. The seemingly harmonious functioning of a progressively interdependent world economy—surely a vital component of the much-celebrated new world order—barely conceals its own sharpening contradictions which, at present, only serve to further illuminate the ever-deepening impasse of political thought and action. At the beginning of the 21st century at least 80 per cent of the world’s population lives in poor countries that control barely 20 per cent of the total resources and wealth. The assets of the three richest people in the world easily amount to more than the Gross Domestic Product of the 50 least developed countries, while some 350 global billionaires have amassed an income roughly equivalent to that of two and a half billion people. The richest one-fifth consume nearly 90 per cent of all global resources at a time when one-quarter of the planet is illiterate, one-third lacks clean water, and two-thirds have no adequate sewage. The neoliberal market hegemony championed by transnational corporations and ruling elites of the most powerful nations is meant to ideologically and culturally ameliorate these severe dysfunctions and harsh inequities—all of them worsening by the day—as well as any significant challenges to corporate legitimacy itself. In its pursuit of such all-encompassing hegemony, corporate-driven globalization seeks nothing short of what might be regarded as a neoliberal ‘end of history’ presided over by the World Bank, International Monetary Fund, and World Trade Organization working in tandem with the transnationals. Thus economic globalization represents above all an historic mechanism, however piecemeal and uneven, for solving a series of potential crises generated by intensifying worldwide dysfunctions and conflicts. Under corporate auspices, therefore, globalism is designed to thoroughly reshape the world, in the process redefining class and power relations, the forms of production and work, the relationship between humans and the environment, ideological trajectories and indeed the very nature of politics. If the idea of unbridled corporate control leads to a possible state of Hobbesian disorder and chaos, then a smooth functioning of the global order, replete with new legitimating beliefs and values, would seem to represent the structural antidote. As the 20th century drew to an end, globalization in its present guise came under sustained and militant challenge from hundreds of grassroots organizations and movements around the world—a challenge first explosively visible in Seattle during late 1999 and extended through a series of anti-globalization campaigns directed against the WTO, IMF and allied institutions over the year and a half that followed. Without doubt the dysfunctions of capitalist globalism are inexorably finding their way into the daily lives of millions of people, many of whom are clearly prepared for anti-system activity of some type, as part of labor organizations, community groups, social movements and a scattering of student activists comprising a large but fragile bloc of forces. As popular sentiment against corporate- driven globalization spreads, however, the precise character of its political definition (ideology, organization, goals, strategy, etc.) remains very much in question, which in turn means that the effectiveness of mass action will be in question. All of this leaves two crucial queries: can we hope to arrive at a system of international governing structures and processes adequate to protect both human societies and nature from ravages of the market, and can we develop the political capabilities to wage viable, long-term opposition to global corporate domination—in other words, can we anticipate some form of globalization from below? The triumph of corporate colonization One of the main constituent elements of intensified globalization is the systematic assertion of economics over politics, as corporate hegemony extends its domain into the furthest reaches of the planet. This process is facilitated by the growth of informational technology, mass media, and consumerism that has its origins in the huge transnational business empires and takes many forms: massive concentration of economic power; eclipse of the nation-state and with it a shrinking of the (global and national) public sphere; erosion of once-vital ideological traditions, most crucially oppositional traditions; ascendancy of economic over political discourses; a world increasingly shaped by the threat if not reality of Hobbesian disorder. Economic globalization carries forward an assault on market regulations, planning in the service of public goods, sustainable development and local democratic aspirations. The global capitalist system gives rise to an increasingly rationalized division of labor whereby production, finance and commerce are in many ways decentralized while their management is further centralized, located as it is in the headquarters of the most powerful transnational corporations and their host nations in North America, Europe and Japan. This level of concentrated institutional economic power throughout the world is unprecedented, as are its consequences. What permits this simultaneous integration and decentralization of the world economy is the rapid advance of informational technology.1 While proponents of this system envision a new era of prosperity and democracy fueled by higher levels of material growth across the globe, the reality has turned into something quite different: massive social dislocations, growing extremes of rich and poor, harsh consequences of the sort mentioned above, and increasing disconnection between centers of economic decision-making and political mechanisms that historically nourished local participation and democratic citizenship. Larger regions of human existence wind up subordinated to the supposed ‘laws’ and dictates of the international market, with the concerns of labor, health, human rights, and the environment pushed largely beyond the reach of public discourse and intervention—one drastic outcome of the evisceration of public life in an age of neoliberal hegemony. The more accentuated the power, the more difficult will be the task of creating and sustaining popular challenges to market pre-eminence over society and nature. Viewed in global terms, the role of ‘public’ institution s like the WTO and IMF is essentially to safeguard reproduction of capitalist markets by rationalizing the framework for investment, production and trade, with other agendas correspondingly devalued. With diminished political 1. Sophia N. Antonopoulou, ‘The Process of Globalization and Class Transformation in the West’, Democracy and Nature , Vol. 6, No. 1 (March 2000), pp. 42–43. Carl Boggs 306 resources available to local structures and constituencies, the negative effects of unrestrained corporate expansion will be more and more difficult to confront. Since the overriding goal of elites today is to maximize corporate freedom from external restraints, the arena in which controls and regulations are implemented— namely political governance—is ultimately narrowed and degraded to the point where it cannot function as a leverage for confronting or turning back corporate power. This logic works at both national and international levels: particular states lose power relative to the transnational corporations and world trade or financial institutions, while to date no distinctive global political structures with binding authority over economic decisions have been set in place or are likely to be set in place. Except for a few of the G-7 countries, the gargantuan world economy is moving beyond the effective reach of local and national states. As Bauman points out, this signifies a progressive separation of ‘power’ (global, economic) from ‘politics’ (local, territorial). While capital, technology, and information readily flow across the international terrain, largely immune to geographical considerations, politics is inevitably local, particular and geographical; economic flows are extraterritorial, defying the previous limits of spatiality associated with political structures.2 The result is that large capital and its agencies are emancipated from any far-reaching confinements, local or otherwise. This development anticipates not only the erosion of nation-state governance as such but the eclipse of statism as an ideological outlook among elites—surely one of the legacies of a failed Soviet model that surfaced with the end of the Cold War.3 As democratic forms everywhere become hollowed out, the ‘politics’ that remains has been transformed into an instrumentalized statecraft serving a combination of military and infrastructure functions within the global economy. Within this milieu national governance has adapted rather poorly to global corporate expansion, losing much of its mobilizing, legitimating, and decision-making capabilities in the face of tremendous economic pressures. States are readily overwhelmed by a mosaic of strong private interests that exhibit little if any dedication to general social needs or demands. Even the US, now unquestionably a world hegemon without parallel, has become vulnerable to these incessant pressures— in some ways perhaps even more vulnerable given its spatial centrality in maintenance of the world corporate economy. If this process continues apace, we could be moving toward what Guehenno calls the ‘twilight of the nation-state’.4 Advancing economic globalization creates a novel ensemble of relations in which spaces for public life are progressively emptied of their deliberative, participatory, regulatory content; democracy—along with the vitality of local cultures and hopes for environmental stability—becomes one of the notable casualties of freewheeling transnational capital. The connection between state governance, geographical locale, citizenship and decision-making—precarious under the best of circumstances—is being severed, perhaps irreversibly. Public discourse in most countries, increasingly depoliticized, rarely adheres to a concept of politics that is constructive or visionary, nor does it customarily refer to ‘citizens’, ‘the people’, or popular assemblies except in the context of rhetorical statements. This mirrors the collapse of modern political ideologies since the 1970s, especially those rooted in the Enlightenment: liberalism, socialism, Communism, nationalism. Tied to the nation-state and to the failures or contradictions of 20th-century governing regimes, such ideologies have lost their legitimating power not to mention their capacity to inspire mass mobilization. They offer few insightful analyses of present-day social reality or compelling visions of the future. Globalization subverts classical liberalism with its emphasis on individualism, democratic participation and human progress through industrial development; nationalism with its fixation on the nation-state; socialism with its inability to carry out basic redistributive programs or address environmental concerns; and Communism with its attraction to the command model and its failure (like the others) to resist incursions of the world market. These ideologies, obliterated by an expanding neoliberal consensus serving the interests of global corporate elites, cannot fully come to grips with vast changes in the system of production and consumption, class and power relations, labor and popular culture. Nor can they offer much in the way of political inspiration—witness their nearly total absence from discourses surrounding the anti-WTO campaigns of the past few years or, for that matter, the language of most contemporary social movements. Even where Socialist or Labor parties have come to power, as in several European countries since the early 1980s, they were relatively powerless to alter priorities and agendas imposed by the global economy. The result was a specter of ostensibly anti-capitalist governments carrying out essentially neoliberal policies benefiting the corporations and banks. From this standpoint it appears that virtually any genuine political discourse has been crowded out by the incessant workings of the capitalist economy, a state of affairs that seems to neatly fit the worldview of corporate directors, managers, technocrats, bankers— and, of course, the inevitable circle of academics, journalists and politicians too. At this juncture the culture of anti-politics (both global and local) becomes more and more all-consuming. The process of depoliticization hardly means that the world is bereft of social polarization and conflict, or even resistance on a large scale; quite the contrary. The point is that such conflict and resistance generally unfolds within a nebulous political context, dispersed, strategically unfocused and largely outside of if not against the great ideological traditions. More than that: while the summit of present-day globalizing operations is built upon the relatively harmonious logic of capitalist rationalization, the global system as a whole—and of course many nations that comprise it—is beset with increasing fragmentation, chaos and instability. The signs are everywhere: ecological crisis, massive social dislocations , civic violence, threats of terrorism and nuclear war, spread of devastating new diseases, proliferation of arms including weapons of mass destruction. These phenomena are accompanied by the spread of what Enzensberger refers to as ‘civil wars’ throughout many regions of the world—conflicts revolving around mainly ethnic, religious, and territorial rivalries (as in Russia, the Balkans, the Middle East, parts of Africa) that, more often than not, are motivated by no discernible class or ideological objectives.5 Such conflicts, internalizing the global culture of anti-politics, often wind up as essentially military ventures with no with no larger historical meaning. Beneath this trend can be found several conditions associated with the dark side of globalization: weakening urban infrastructures, glaring social inequalities, vanishing constraints on historic rivalries, decline of natural resources, sharpening economic competition, and population pressures. In such a conflicted world, confounding all the surface appearances of a ‘new world order’, crisis and instability are rarely translated into coherent political expressions. This ironically turns out to be a problem for ruling elites just as much as for local groups and movements, in part because it presents new opportunities for the groups and movements, which thrive on mass discontent and conflict. The eclipse of established ideologies, while debilitating for the short term, could over time broaden space for radical alternatives—but only once a retrieval of democratic politics finds its way onto the popular agenda. Lacking such retrieval, ‘politics’ will more likely be reasserted in an authoritarian, rightwing direction, just as it was in a crisis-ridden Europe between the world wars. The severe political consequences of corporate colonization, abetted but not actually caused by globalization, are perhaps most visible in the US where the erosion of public discourse across what passes for the left-right spectrum has been evident since the 1970s. Understood in its classic sense as the foundation of governance, participation and citizenship—and, for the left, social change rooted in a positive vision of the future—politics in the US has degenerated into a pale replica of its articulation found in traditional liberalism and socialism. To an extent even greater than on the world scene, depoliticization here takes place in an environment shaped by informational technology, media culture, consumerism, privatized lifestyles and a postmodern culture steeped in various modes of local retreat.6 This signifies nothing short of an historic collapse of the political enterprise associated with decline of both the public sphere and civic culture.7 The form ‘politics’ assumes in the US is more akin to a series of electoral charades mixed with interest-group stratagems and bureaucratic decision-making, all masquerading as democratic governance. As a result, social life winds up disconnected from politics, genuine debates over pressing issues never take place and citizen empowerment is honored only in textbook clichés and campaign rhetoric. Differences between Republicans and Democrats, ‘conservatives’ and ‘liberals’, right and left vanish in the climate of media spectacle, the influence of wealth and money, low voter turnout, and corporate-sponsored debates. Efforts to subvert this hegemonic apparatus (via third parties, local movements, the recent Nader campaign, etc.) inevitably run up against this deepening logic of anti-politics. The steady eclipse of collective subjectivity and deterioration of political language initially shaped by a wide range of domestic conditions are simply exacerbated by globalizing tendencies that show no signs of abatement. A new world order will have difficulty sustaining itself within a matrix of market relations, instrumental rationality, consumerism and rampant individualism that infuses the whole panorama of corporate colonization. The inevitable Hobbesian universe of disorder is guaranteed to nourish conditions leading to polarization, upheaval, violence, perhaps even catastrophe, probably sooner rather than later. These features are indeed built into a capitalist trajectory geared to the endless search for markets, profits, a quick return on investment, growth and new areas of the planet to exploit. The social Darwinian ethos which seems to accompany globalization is reflected in the world of politics as much as in economics and social life, with material processes taking on a life of their own, undermining the ecosystem as they destroy forests and soil, pollute the earth, produce global warming, deplete natural resources and leave behind a large belt of blighted communities and cities. Within the world economy as constituted today there is precious little room for urgent social and environmental priorities—in fact for little beyond the utilitarian dictates of a market system that is never as ‘free’ as its apologists would have it. Planetary devastation is endemic to both capitalist globalism and political atrophy: in the absence of effective worldwide mechanisms for public intervention, lacking genuine regulatory controls, the system veers toward escalating environmental crisis and breakdown. Meanwhile, the power of local states, labor, community groups and social movements to resist (much less reverse) this pattern has been extensively compromised. New rules of governance for the global economy are of course badly needed, but the very agencies required for their implementation are in the present atmosphere weakened beyond recognition. This predicament was amply demonstrated at the Earth Summit in Rio in 1992, when representatives from all countries in the world proved unable to set in motion real mechanisms or policies adequate to confront even the gravest environmental problems.

#### 4. Turn IPR-

#### And, Their author says tearing down IPR protections is a critical part of their civic engagement

Boggs – Their Author, Social Sciences Professor at National University, 8-21-9 (Carl, “A Way Forward?,” http://www.zmag.org/znet/viewArticle/22389)

I'm delighted and flattered to be part of the exchanges about efficacious ways to move forward so that we can emerge somehow from the insanity. I wish I could be more optimistic about fundamental change. I have a nice lengthy essay to share with people but decided to junk it because of some second thoughts about it. Seems like I've been involved in quite a smorgasbord of left activities since the sixties: new-left activism, SDS, anarchism, Trotskyism, NAM-style democratic socialism, the socialist-feminist breakoff from NAM (Solidarity), the Greens, and a host of specific movements (anti-war, environmental, etc.). A lot of community work too. In the midst of all this I've done plenty of writing, a good deal of it within the neo-Marxist, critical Marxist, or post-Marxist discourses. At this juncture, after more than 40 years struggling within and around the American left, I feel that answers about political strategy are more difficult to find. In my thinking it's difficult to locate anything resembling certitude - one of the reasons I decided to junk the original essay I wrote. Having made this point, I still believe any serious movement for social transformation in this society ought to address most if not all of the following: 1. An anti-imperialist politics. This means coming to grips with the barbarism of U.S. foreign and military policy, the permanent war economy, and the national security state - all factors in destroying the world and subverting democracy here. For me this perspective ought to be central. 2. An ecological model of development - and politics. This means a comprehensive rethinking of corporate-based growth with its predatory view of nature, its sickening use of resources, its fetishism of growth, its fast-food economy including MacDonaldization of the workforce, its horrific reliance on animal-based agriculture (responsible for more than 35 percent of global warming and the most egregious use of natural resources, including water). A strong dose of animal-rights consciousness would not hurt either. 3. A mode of change organically tied to diverse social movements: feminist, ecological, anti-war, gay/lesbian, animal rights, etc. There should be an ecumenical openness to the large variety of grassroots struggles. 4. Embrace of a process of democratization that enters into all spheres of public life, beyond government, beyond the economy. 5. Social priorities involving a large-scale shift of resources from the military, intelligence, and prison/law enforcement complexes, toward the obvious range of public needs, goods, services, and programs. This used to be called a "conversion" process. 6. An agenda revolving around the dismantling of corporate power, a violent, destructive, predatory, corrupt form of domination that currently seems to colonize just about every realm of government, the economy, and society. Further: other dimensions of change will depend upon how far we can go in an anti-corporate direction. The failure of even the most modest efforts to "reform" health care indicate, once again, just how difficult this task will be. 7. Fundamental change requires a center of gravity outside the party duopoly: both Republican and Democratic parties are so basically corrupt and worthless as tools of change that we should be finished with discussions about how best to push the Democrats "leftward", once and for all. These "debates", in my opinion, are a total waste of time. 8. From the above it might be concluded that my view of the best political "strategy" would be something along the lines of what emerged with the European Greens in the 1980s, only more radicalized. So here, I guess, I've fallen into the tendency of identifying a perspective about how best to move forward. I don't feel especially certain or optimistic about this - much less dogmatic. (Those days are gone!) Since Leninism won't work in the U.S., and social democracy has its own severe limits, this might be a useful point of departure. My feeling is that, given the woeful state of American society today and the great threat to the planet posed by the ruling elite, many of us would be at least provisionally content with something like Swedish social democracy at its best. From here, that sounds utopian. But what seems axiomatic from what I've outlined above is something more akin to a revolutionary departure from our militarized state capitalism that seems headed toward fascism. Do I feel optimistic about this possibility? Of course not. But as a personal matter I plan to continue working hard to change the world as if there is every reason in the world to be hopeful and optimistic.

**Weak IPR enforcement undermines our ability to cure diseases like Aids, flu, and malaria**

**Kilama, PhD & President of the Global Bioscience Development Institute, 7-28-5 (John, “Drug patents are part of the cure,” Business Daily (South Africa))**

ACCESS to medicines is a serious problem in developing countries. Yet a global campaign that places all the blame on intellectual property rights reflects growing confusion and ignorance about this complex issue. The World Intellectual Property Organisation is meeting this week for a final discussion of a so-called "development agenda", which has been largely predicated on the dubious proposition that intellectual property is to blame for many of the ills in the world. Implementing such an agenda would likely be counterproductive. Far from improving access to medicine, "reforming" the rules would likely undermine the very foundations of economic growth, while doing nothing to promote long-term access to drugs. Among the better models for innovation suggested by opponents of the current system are open-access publishing, open-source software development and increased government funding for research and development. But while patents may not be sufficient to stimulate some forms of basic research, weakening intellectual property rights will reduce the level of investment in applied research and development, not increase it. The idea that intellectual property rights restrict access to technologies such as pharmaceuticals is predicated on a misunderstanding of the role it plays in promoting development and prosperity overall. If people in the poorest nations do not have access to medicines, it has nothing to do with the presumed dark side of intellectual property trying to keep them poor. It is because they have failed to climb aboard the train of economic development. The key to economic development is the presence of the institutions of a free society: property rights, the rule of law, free markets and limited government. Explosive rates of innovation have taken place in countries, such as South Korea, Mexico, Jordan and Singapore, which have understood that growth and prosperity can only occur once the institutional framework is in place. Strong intellectual property rights, administered and enforced in an impartial manner, have been an important part of this framework. As a result, these countries have experienced the growth of "knowledge-based" industries - to the benefit of all. If intellectual property rights are responsible for restricted access to medicines in poor countries, then drugs should be plentiful in countries where the patents are expired or were never present. On the contrary, many of the most critical drugs that Africa still lacks have been off-patent for 30 or 40 years. These include most antidiarrhoea drugs, antibiotics, derivatives of penicillin and cephalosporin, many antihypertensive drugs and almost all antipyretic drugs. The human genome project hardly serves as a basis for completely altering the current model of intellectual property rights. While it has provided information with potential use, the benefits of its initial research must not be overstated. Removing property rights and making companies conduct open-source research and development could to lead to disaster. Without the chance of recovering investments, why would research-based pharmaceutical companies invest large sums in drug development? Open-source models might work in some businesses that are not so capital-intensive, but it is a pipe-dream to rely on the philanthropy of chemists, physicians, researchers and financiers to contribute voluntarily to such schemes. Without massive capital there will be no new research. Without new research, such evolving diseases as AIDS, tuberculosis, influenza and malaria will become unstoppable. Instead of attacking intellectual property, friends of the poor should direct their efforts to promoting property rights (including intellectual property), the rule of law and the freedom to trade unfettered by arbitrary government interference in less-developed countries. These institutions do not just improve people's ability to buy drugs - they also affect nutrition, education, distribution, infrastructure, the wages of health staff and opportunities to set up businesses such as wholesalers and pharmacies. Without the institutions of the free society, there can be no growth and no sustained improvement in the health of people who currently die from curable diseases. Intellectual property is not part of the problem, it is part of the solution.

#### Diseases causes extinction – their impact D doesn’t apply

Quammen 12 David, award-winning science writer, long-time columnist for Outside magazine for fifteen years, with work in National Geographic, Harper's, Rolling Stone, the New York Times Book Review and other periodicals, 9/29, “Could the next big animal-to-human disease wipe us out?,” The Guardian, pg. 29, Lexis

Infectious disease is all around us. It's one of the basic processes that ecologists study, along with predation and competition. Predators are big beasts that eat their prey from outside. Pathogens (disease-causing agents, such as viruses) are small beasts that eat their prey from within. Although infectious disease can seem grisly and dreadful, under ordinary conditions, it's every bit as natural as what lions do to wildebeests and zebras. But conditions aren't always ordinary. Just as predators have their accustomed prey, so do pathogens. And just as a lion might occasionally depart from its normal behaviour - to kill a cow instead of a wildebeest, or a human instead of a zebra - so a pathogen can shift to a new target. Aberrations occur. When a pathogen leaps from an animal into a person, and succeeds in establishing itself as an infectious presence, sometimes causing illness or death, the result is a zoonosis. It's a mildly technical term, zoonosis, unfamiliar to most people, but it helps clarify the biological complexities behind the ominous headlines about swine flu, bird flu, Sars, emerging diseases in general, and the threat of a global pandemic. It's a word of the future, destined for heavy use in the 21st century. Ebola and Marburg are zoonoses. So is bubonic plague. So was the so-called Spanish influenza of 1918-1919, which had its source in a wild aquatic bird and emerged to kill as many as 50 million people. All of the human influenzas are zoonoses. As are monkeypox, bovine tuberculosis, Lyme disease, West Nile fever, rabies and a strange new affliction called Nipah encephalitis, which has killed pigs and pig farmers in Malaysia. Each of these zoonoses reflects the action of a pathogen that can "spillover", crossing into people from other animals. Aids is a disease of zoonotic origin caused by a virus that, having reached humans through a few accidental events in western and central Africa, now passes human-to-human. This form of interspecies leap is not rare; about 60% of all human infectious diseases currently known either cross routinely or have recently crossed between other animals and us. Some of those - notably rabies - are familiar, widespread and still horrendously lethal, killing humans by the thousands despite centuries of efforts at coping with their effects. Others are new and inexplicably sporadic, claiming a few victims or a few hundred, and then disappearing for years. Zoonotic pathogens can hide. The least conspicuous strategy is to lurk within what's called a reservoir host: a living organism that carries the pathogen while suffering little or no illness. When a disease seems to disappear between outbreaks, it's often still lingering nearby, within some reservoir host. A rodent? A bird? A butterfly? A bat? To reside undetected is probably easiest wherever biological diversity is high and the ecosystem is relatively undisturbed. The converse is also true: ecological disturbance causes diseases to emerge. Shake a tree and things fall out. Michelle Barnes is an energetic, late 40s-ish woman, an avid rock climber and cyclist. Her auburn hair, she told me cheerily, came from a bottle. It approximates the original colour, but the original is gone. In 2008, her hair started falling out; the rest went grey "pretty much overnight". This was among the lesser effects of a mystery illness that had nearly killed her during January that year, just after she'd returned from Uganda. Her story paralleled the one Jaap Taal had told me about Astrid, with several key differences - the main one being that Michelle Barnes was still alive. Michelle and her husband, Rick Taylor, had wanted to see mountain gorillas, too. Their guide had taken them through Maramagambo Forest and into Python Cave. They, too, had to clamber across those slippery boulders. As a rock climber, Barnes said, she tends to be very conscious of where she places her hands. No, she didn't touch any guano. No, she was not bumped by a bat. By late afternoon they were back, watching the sunset. It was Christmas evening 2007. They arrived home on New Year's Day. On 4 January, Barnes woke up feeling as if someone had driven a needle into her skull. She was achy all over, feverish. "And then, as the day went on, I started developing a rash across my stomach." The rash spread. "Over the next 48 hours, I just went down really fast." By the time Barnes turned up at a hospital in suburban Denver, she was dehydrated; her white blood count was imperceptible; her kidneys and liver had begun shutting down. An infectious disease specialist, Dr Norman K Fujita, arranged for her to be tested for a range of infections that might be contracted in Africa. All came back negative, including the test for Marburg. Gradually her body regained strength and her organs began to recover. After 12 days, she left hospital, still weak and anaemic, still undiagnosed. In March she saw Fujita on a follow-up visit and he had her serum tested again for Marburg. Again, negative. Three more months passed, and Barnes, now grey-haired, lacking her old energy, suffering abdominal pain, unable to focus, got an email from a journalist she and Taylor had met on the Uganda trip, who had just seen a news article. In the Netherlands, a woman had died of Marburg after a Ugandan holiday during which she had visited a cave full of bats. Barnes spent the next 24 hours Googling every article on the case she could find. Early the following Monday morning, she was back at Dr Fujita's door. He agreed to test her a third time for Marburg. This time a lab technician crosschecked the third sample, and then the first sample. The new results went to Fujita, who called Barnes: "You're now an honorary infectious disease doctor. You've self-diagnosed, and the Marburg test came back positive." The Marburg virus had reappeared in Uganda in 2007. It was a small outbreak, affecting four miners, one of whom died, working at a site called Kitaka Cave. But Joosten's death, and Barnes's diagnosis, implied a change in the potential scope of the situation. That local Ugandans were dying of Marburg was a severe concern - sufficient to bring a response team of scientists in haste. But if tourists, too, were involved, tripping in and out of some python-infested Marburg repository, unprotected, and then boarding their return flights to other continents, the place was not just a peril for Ugandan miners and their families. It was also an international threat. The first team of scientists had collected about 800 bats from Kitaka Cave for dissecting and sampling, and marked and released more than 1,000, using beaded collars coded with a number. That team, including scientist Brian Amman, had found live Marburg virus in five bats. Entering Python Cave after Joosten's death, another team of scientists, again including Amman, came across one of the beaded collars they had placed on captured bats three months earlier and 30 miles away. "It confirmed my suspicions that these bats are moving," Amman said - and moving not only through the forest but from one roosting site to another. Travel of individual bats between far-flung roosts implied circumstances whereby Marburg virus might ultimately be transmitted all across Africa, from one bat encampment to another. It voided the comforting assumption that this virus is strictly localised. And it highlighted the complementary question: why don't outbreaks of Marburg virus disease happen more often? Marburg is only one instance to which that question applies. Why not more Ebola? Why not more Sars? In the case of Sars, the scenario could have been very much worse. Apart from the 2003 outbreak and the aftershock cases in early 2004, it hasn't recurred. . . so far. Eight thousand cases are relatively few for such an explosive infection; 774 people died, not 7 million. Several factors contributed to limiting the scope and impact of the outbreak, of which humanity's good luck was only one. Another was the speed and excellence of the laboratory diagnostics - finding the virus and identifying it. Still another was the brisk efficiency with which cases were isolated, contacts were traced and quarantine measures were instituted, first in southern China, then in Hong Kong, Singapore, Hanoi and Toronto. If the virus had arrived in a different sort of big city - more loosely governed, full of poor people, lacking first-rate medical institutions - it might have burned through a much larger segment of humanity. One further factor, possibly the most crucial, was inherent in the way Sars affects the human body: symptoms tend to appear in a person before, rather than after, that person becomes highly infectious. That allowed many Sars cases to be recognised, hospitalised and placed in isolation before they hit their peak of infectivity. With influenza and many other diseases, the order is reversed. That probably helped account for the scale of worldwide misery and death during the 1918-1919 influenza. And that infamous global pandemic occurred in the era before globalisation. Everything nowadays moves around the planet faster, including viruses. When the Next Big One comes, it will likely conform to the same perverse pattern as the 1918 influenza: high infectivity preceding notable symptoms. That will help it move through cities and airports like an angel of death. The Next Big One is a subject that disease scientists around the world often address. The most recent big one is Aids, of which the eventual total bigness cannot even be predicted - about 30 million deaths, 34 million living people infected, and with no end in sight. Fortunately, not every virus goes airborne from one host to another. If HIV-1 could, you and I might already be dead. If the rabies virus could, it would be the most horrific pathogen on the planet. The influenzas are well adapted for airborne transmission, which is why a new strain can circle the world within days. The Sars virus travels this route, too, or anyway by the respiratory droplets of sneezes and coughs - hanging in the air of a hotel corridor, moving through the cabin of an aeroplane - and that capacity, combined with its case fatality rate of almost 10%, is what made it so scary in 2003 to the people who understood it best. Human-to-human transmission is the crux. That capacity is what separates a bizarre, awful, localised, intermittent and mysterious disease (such as Ebola) from a global pandemic. Have you noticed the persistent, low-level buzz about avian influenza, the strain known as H5N1, among disease experts over the past 15 years? That's because avian flu worries them deeply, though it hasn't caused many human fatalities. Swine flu comes and goes periodically in the human population (as it came and went during 2009), sometimes causing a bad pandemic and sometimes (as in 2009) not so bad as expected; but avian flu resides in a different category of menacing possibility. It worries the flu scientists because they know that H5N1 influenza is extremely virulent in people, with a high lethality. As yet, there have been a relatively low number of cases, and it is poorly transmissible, so far, from human to human. It'll kill you if you catch it, very likely, but you're unlikely to catch it except by butchering an infected chicken. But if H5N1 mutates or reassembles itself in just the right way, if it adapts for human-to-human transmission, it could become the biggest and fastest killer disease since 1918. It got to Egypt in 2006 and has been especially problematic for that country. As of August 2011, there were 151 confirmed cases, of which 52 were fatal. That represents more than a quarter of all the world's known human cases of bird flu since H5N1 emerged in 1997. But here's a critical fact: those unfortunate Egyptian patients all seem to have acquired the virus directly from birds. This indicates that the virus hasn't yet found an efficient way to pass from one person to another. Two aspects of the situation are dangerous, according to biologist Robert Webster. The first is that Egypt, given its recent political upheavals, may be unable to staunch an outbreak of transmissible avian flu, if one occurs. His second concern is shared by influenza researchers and public health officials around the globe: with all that mutating, with all that contact between people and their infected birds, the virus could hit upon a genetic configuration making it highly transmissible among people. "As long as H5N1 is out there in the world," Webster told me, "there is the possibility of disaster. . . There is the theoretical possibility that it can acquire the ability to transmit human-to-human." He paused. "And then God help us." We're unique in the history of mammals. No other primate has ever weighed upon the planet to anything like the degree we do. In ecological terms, we are almost paradoxical: large-bodied and long-lived but grotesquely abundant. We are an outbreak. And here's the thing about outbreaks: they **end**. In some cases they end after many years, in others they end rather soon. In some cases they end gradually, in others they end with a crash. In certain cases, they end and recur and end again. Populations of tent caterpillars, for example, seem to rise steeply and fall sharply on a cycle of anywhere from five to 11 years. The crash endings are dramatic, and for a long while they seemed mysterious. What could account for such sudden and recurrent collapses? One possible factor is infectious disease, and viruses in particular.

#### 5. Turn China Carbon Tariffs

#### The civic engagement they create to will lead us to try to solve environmental problems leads to the imposition of carbon tariffs on imports from China to increase local production and reduce cheap imports

#### Shekar 08, feminist activist & journalist from India, (Preeti Mangala, “Who gains from the green economy? Making sure the "green wave" doesn't leave out communities of color,” ColorLines Magazine, March, Volume 11, Number 2)

In these efforts lay a hopeful vision—that the crises-ridden worlds of economics and environmentalism would converge to address the other huge crisis—racism in the United States. It is what some of its advocates call a potential paradigm shift that, necessitated by the earth’s climate crisis, can point the way out of “gray capitalism” and into a green, more equitable economy. The engine of this model is driven by the young and proactive leadership of people of color who intend to build a different solution for communities of color. Van Jones, president of the newly formed Green for All campaign, talks about how earlier waves of economic flourishes didn’t much impact Black communities. “When the dotcom boom went bust, you didn’t see no Black man lose his shirt,” he points out, only half joking. “Black people were the least invested in it.” Climate change is the 21st century’s wake-up call to not just rethink but radically redo our economies. Ninety percent of scientists agree that we are headed toward a climate crisis, and that, indeed, it has already started. With the urgent need to reduce carbon emissions, the clean energy economy is poised to grow enormously. This sector includes anything that meets our energy needs without contributing to carbon emissions or that reduces carbon emissions; it encompasses building retrofitting, horticulture infrastructure (tree pruning and urban gardening), food security, biofuels and other renewable energy sources, and more. It’s becoming clear that investing in clean energy has the potential to create good jobs, many of them located in urban areas as state and city governments are increasingly adopting public policies designed to improve urban environmental quality in areas such as solar energy, waste reduction, materials reuse, public transit infrastructures, green building, energy and water efficiency, and alternative fuels. According to recent research by Raquel Pinderhughes, a professor of Urban Studies at San Francisco State University, green jobs have an enormous potential to reverse the decades-long trend of unemployment rates that are higher for people of color than whites. In Berkeley, California, for example, unemployment of people of color is between 1.5 and 3.5 times that of white people, and the per capita income of people of color is once again between 40 to 70 percent of that of white people. Pinderhughes defines green-collar jobs as manual labor jobs in businesses whose goods and services directly improve environmental quality. These jobs are typically located in large and small for-profit businesses, nonprofit organizations, social enterprises, and public and private institutions. Most importantly, these jobs offer training, an entry level that usually requires only a high school diploma, and decent wages and benefits, as well as a potential career path in a growing industry. Yet, though green economics present a great opportunity to lift millions of unemployed, underemployed or displaced workers—many of them people of color—out of poverty, the challenge lies in defining an equitable and workable development model that would actually secure good jobs for marginalized communities. “Green economics needs to be eventually policy-driven. If not, the greening of towns and cities will definitely set in motion the wheels of gentrification,” Pinderhughes adds. “Without a set of policies that explicitly ensures checks and measures to prevent gentrification, green economics cannot be a panacea for the ills of the current economy that actively displaces and marginalizes people of color, while requiring their cheap labor and participation as exploited consumers.” Sustainable South Bronx is among the leading local organizations designing innovative green economic development projects. These precedents should form the core of state and federal green development and jobs programs. In 2001, Majora Carter, who grew up in the area, one of the most polluted in the country, founded the organization with a focus on building a Greenway along the banks of the South Bronx riverfront. The Greenway will create bike and walk paths along two prominent waterfronts, but the plan also calls for policies that calm local traffic, especially that of the dozens of diesel fuel trucks that use the South Bronx as a thoroughfare. They started with a $1.25 million federal transportation grant to transform a decrepit portion of the riverbank into Hunts Points Riverside Park. Within seven years, they’ve raised nearly $30 million from public and private sources for related projects. In 2003, Sustainable South Bronx started Project BEST (Bronx Environmental Stewardship Training) to train local residents, largely young adults, in green collar jobs. The program has become one of the nation’s most successful, boasting a 90 percent job placement rate. Project BEST includes 10 weeks of training in a wide range of green activities, including riverbank and wetlands restoration, urban horticulture, green roof installation and maintenance and hazardous waste clean up. Graduates leave the program with six official certifications as well as what Sustainable South Bronx calls a “powerful environmental justice perspective.” “We wanted to make sure that people had both the personal and financial stake in the betterment of the environment,” said Carter. “They already knew the public health impacts, being a repository for the dirty economy. What they didn’t know was that they could also be direct beneficiaries.” The program helps people find work afterward, and tracks graduates for at least three years to measure their progress. Thus, Sustainable South Bronx builds a constituency for the green economy by creating chances for people to live in it. These communities have to be prepared not just to become practitioners in the new economy, but also as political actors who propose and fight for legislative solutions. The organization has worked with other groups in New York to influence the City’s economic and environmental plans, using legislation to move development ideas that would save the public money as well as providing jobs and improving the environment. Their idea that building green roofs, for example, would prevent the city from having to maintain large water purification systems is slowly finding its way into the Bloomberg Administration’s PlaNYC. A recent City Council decision also beefs up the public participation requirements for particular elements of Plan NYC. Green development should give the people who have been most abandoned by the gray economy a sense of their own power as well as cleaning up the environment. Carter argues that, in addition to good programs on the ground, there also need to be agreements between communities, government and businesses to ensure that all these new trainees can get real jobs. “It means that people are brought in early on in the planning of some of these businesses and the way that our communities will relate to them. It’s not just assuming that people in poor communities aren’t interested in seeing an economy that works for them and with them.” Carter supports political action that results in bond measure, tax incentives and rebate to support that kind of investment, calling these sources a kind of “insurance” for the green future: “It’s a new green deal we’re talking about.” What remains to be seen is how green economics will transition out of current prevalent models of ownership and control. A greener version of capitalism could possibly address some of the repercussions of a consumption economy and the enormous waste it generates. But critics and activists also worry that a “replacement mindset” is largely driving the optimism and energy of greening our industries and jobs. Hybrid cars replace conventional cars, and organic ingredients are promised in a wide variety of products from hand creams to protein bars. Many mainstream environmental festivals like the popular Green Festival held in San Francisco, Washington, D.C. and Chicago, have yet to embrace a democratic diversity. Peddling wonderful green products and services that will reduce your ecological footprint, are accessible, alas, only to elite classes that are predominantly white. “An authentic green economics system is one that would mark the end of capitalism,” notes B. Jess Clarke, editor of Race, Poverty and the Environment. And one that would ensure labor rights and organizing, collective ownership and equality are all at the heart of it, he adds. “The real green movement has not started yet.” A movement toward economic justice requires the mobilizing and organizing of the poorest people for greater economic and political power. A good green economic model would surely be one where poor people’s labor has considerable economic leverage. “Wal-Mart putting solar panels on its store roofs is not a solution,” says Clarke. “We need real solutions and strong measures—**carbon taxes on imports from China** would considerably reduce the incentive of cheap imports and make a push to produce locally.” “Green economics can create a momentum—a political moment akin to the civil rights movement. But unless workers are organized, any success is likely to be marginal. So the key problem is in organizing a political base,” adds Clarke. Green economics, then, is not just a green version of current economic models but a fundamental transformation, outlines Brian Milani, a Canadian academic and environmental expert who has written extensively on green economics. He writes in his book Designing the Green Economy: “Green economics is the economics of the real world—the world of work, human needs, the earth’s materials, and how they mesh together most harmoniously. It is primarily about ‘use value,’ not ‘exchange value’ or money. It is about quality, not quantity, for the sake of it. It is about regeneration—of individuals, communities, and ecosystems—not about accumulation, of either money or material.” The $125 million promised through the Green Jobs Act is admittedly a drop in the bucket as far as the amount of financing and infrastructure needed to implement green jobs, activists say. Among the Democratic presidential candidates, all of whom have proposals for clean energy investment, talk has run into the billions of dollars for green economic stimulus. So who will pay to get the green economy going and train a green workforce? Throughout history we have freely released carbon and other greenhouse gasses into the atmosphere and not had to pay a penny for the privilege. Industrial polluters and utilities may face fines for toxic emissions or releasing hazardous waste, but there has been no cost for emitting carbon as a part of day-to-day business. However, we have come to find that the atmosphere is a limited resource, and it’s getting used up fast. By limiting the total amount of carbon that can be released, and making industries pay for their pollution, global warming policies finally recognize that the atmosphere has value and must be protected. The policy with the most momentum in the U.S. and around the world is to “cap and trade” the amount of carbon that can be emitted every year. With this policy, the government sets a hard target for CO2 emissions, and then companies have to trade credits to get back the right to emit that carbon, no longer for free. One often overlooked fact, though, is that under a “cap and trade” policy, a tremendous amount of money could change hands—the Congressional Budget Office estimates that the new value created by such a policy ranges from $50–$300 billion each year. So far, public debate has focused on setting targets and caps, but the question of who will benefit from those credits has largely been ignored. In fact, many proposals have simply given these valuable new property rights away to polluters for them to sell to each other, because they were the ones who were polluting to begin with. Under an important variant of the “cap and trade” policy called “cap and auction,” the government not only limits the total carbon emissions, but it also captures the value of those carbon credits for public purposes by requiring that all polluters must bid for and buy back the right to emit. A 100-percent auction of permits would give the public ready access to the ongoing funds we will need to reinvest in social equity and bring down poor people’s energy bills, or to support new research, or to launch new projects that not only establish training for green jobs, but create those jobs themselves, rebuilding the infrastructure of our communities for a clean energy economy. However, there can be a lot of slippage between the green economy and green jobs that actually go to workers of color, especially in today’s anti-affirmative action context. In one pilot program, nearly two dozen young people of color were trained to install solar panels, but only one got a job. Ultimately, employers can’t be told who to hire, though there are some ideas about providing incentives, like requiring companies to show they hire locally and diversely before public institutions will invest their assets there. “Green for All,” the campaign launched in September 2007 by the Ella Baker Center and other partners like Sustainable South Bronx and the Apollo Alliance, is currently among the leading advocates pushing for policy that would ensure a racially just framework for green economics to grow and flourish, without which, green economics can end up being just a greening consumption. With a goal to bring green-collar jobs to urban areas, this campaign positions itself as an effort to provide a viable policy framework for emerging grassroots, green economic models. The campaign’s long-term goal is to secure $1 billion by 2012 to create “green pathways out of poverty” for 250,000 people by greatly expanding federal government and private sector commitments to green-collar jobs. “A big chunk of the African-American community is economically stranded,” Van Jones said in The New York Times last fall as the campaign began. “The blue-collar, stepping-stone, manufacturing jobs are leaving. And they’re not being replaced by anything. So you have this whole generation of young Blacks who are basically in economic free fall.” The challenge of making the green economy racially equitable means addressing the question of how to build an infrastructure that includes not just training programs but also the development of actual good jobs and the hiring policies that make them accessible. How can we guarantee that all these new green jobs will go to local residents? As one activist admitted, “There’s just no good answer to this so far.” Many of the answers will have to come in the doing, and the details, as green industry continues to take shape. There are plenty of ideas about how to create equitable policies, as outlined in the report “Community Jobs in the Green Economy” by the Apollo Alliance and Urban Habitat. They include requiring employers who receive public subsidies to set aside a number of jobs for local residents and partner with workforce intermediaries to hire them. Some cities are already requiring developers to reserve 50 percent of their construction jobs for local businesses and residents. Cities can also attach wage standards to their deals with private companies that are pegged to a living wage. In Milwaukee, after two freeway ramps were destroyed downtown, a coalition of community activists and unions won a community benefits agreement from the city to require that the new development include mass transit, green building and living wages for those jobs. As we have learned in many progressive struggles, communities need to be mobilized and actively involved in generating inclusive policies and pushing policymakers to ensure that green economic development will be just and equitable. Bracken Hendricks, a senior fellow at the Center for American Progress and co-author of Apollo’s Fire: Igniting America’s Clean Energy Economy, says the green economy movement is still in its early stages of building public support. “There is not yet an organized constituency representing the human face of what it means to face climate change. There is an urgent need for a human face, an equity constituency, to enter into the national debate on climate change.”

#### That causes trade wars, causes overwhelming protectionism, and collapses global free trade.

#### Richardson 08, Energy & Security Specialist at the Institute of Southeast Asian Studies, 2-27-8 (“Michael, “FEARS OF FIGHT IN GREEN EU AIM,” Canberra Times)

The European Union aims to become the world's leader in the fight against global warming and climate change. But in doing so, it may trigger a ''green'' trade war of retaliation and litigation from China, India and other leading carbon polluters in lower-cost Asian economies that refuse to follow the new environmental and energy-use standards set by Europe and perhaps soon by the United States as well. If this were to happen, it would complicate the Rudd Government's plan to make Australia an honest broker between developed and developing countries in the contentious international negotiations on climate change. It would also **undermine the multilateral trading system** policed by the World Trade Organisation and add momentum to protectionist pressures that already pose a significant challenge to the open international trade regime that has helped bringprosperity to the Asia-Pacific region. The stage was set last month for a fraught round of negotiations over the next few years on pricing energy and changing production processes in major industries around the world when the EU's executive arm, European Commission, presented its detailed proposals for cutting greenhouse gas emissions in Europe. These established individual country targets for the 27 member states to reduce Europe-wide emissions by 20 per cent by 2020 from 1990 levels and ensure that by then 20 per cent of energy comes from renewable sources, such as wind, solar and biofuels, up from 8.5 per cent now. If ratified by the European Parliament and the Council of Ministers, a key enforcement mechanism will be the EU's beefed-up emissions trading scheme. It will be expanded to cover almost half the European economy. Rather than cut emissions themselves, governments or companies will have the option to invest in reductions outside the EU, receiving credits for about a quarter of the total cut. However, from 2013, energy- intensive industries such as steel- making, cement, paper, glass, chemicals and aluminium producers will have to pay for permits to produce carbon dioxide, the main greenhouse gas warming the planet. To ensure that these industries do not shift production to Asia or other regions with less stringent regulations to protect theenvironment, the European Commission wants to oblige importers to pay the same greenhouse gas emission charges for non-European goods as domestic producers, in effect imposing hefty ''green'' tariffs on ''dirty'' imports. ''We want industry to remain in Europe,'' commissionpresident Jose Manuel Barroso said. ''We don't want to export our jobs to other parts of theworld.'' The US appears to be moving toward a similar system to pricing, capping and trading carbon emissions. However, China, India and other big emerging Asian economies are extremely reluctant to put this kind of mandatory restriction on their industries, fearing it will drive up costs and give competing economies an edge in foreign markets. They are likely to retaliate against environmental protection measures imposed by the West or challenge them in the WTO. This would strain the WTO's dispute settling mechanisms and ''create divisions along North-South lines,'' India's ambassador to the WTO, Ujal Singh Bhatia, warns.

#### That breaks down our ability to have contact with different people in different places – Flips all of the case and destroys international cooperation needed to solve things like nuclear war.

#### Seita 97, Law Professor at Albany Law School, J.D. from Stanford, M.B.A. from Stanford, (Alex, “Globalization and the Convergence of Values,” Cornell International Law Journal, 30 Cornell Int'l L.J. 429)

In an indirect way, the cultural impact of economic globalization stimulates political globalization. Economic globalization has long introduced aspects of foreign cultures - especially American culture - either directly by the sale of merchandise such as movies and musical recordings, or indirectly through exposure to foreigners. n77 More than in the past, the opening of new markets through economic globalization has brought a flood of people and companies into foreign lands. Personal contact, always **so important in understanding other human beings**, has made foreigners less inscrutable. More business personnel are assigned to overseas offices, more consumers travel abroad as tourists, and more students study in foreign countries. n78 Local residents are more likely than ever before to work for, do business with, or personally know foreigners. In some cases, this transnational encounter may lead to a personal [\*454] affinity with or an **in-depth understanding** of foreign cultures. n79 [\*455] Further, economic globalization has generated an interest in learning foreign languages, primarily English. Perhaps irreversibly, English has become the international language of business and science, with a broader usage than any other language. n80 At the same time, the ability to speak a foreign language other than English gives one a competitive advantage in doing business in nonEnglish-speaking countries. n81 Doing business with foreigners, in their country or in one's own, requires that one communicate with them, cooperate with them, and be exposed to their political and business values. n82 The political values of democracy and human rights, as well as aspects of foreign cultures, are often inseparable (though secondary) components of economic globalization. Thus, countries that seek to benefit from economic globalization must frequently tolerate political globalization and exposure to foreign cultures. As people know more about foreign cultures, some familiarity with foreign political values is bound to arise. II. Technology's Vital Role in Converging Values The advanced communication technology that links much of the world together continues to be crucial to the convergence of economic and political values. This technology is utilized primarily by business entities to facilitate economic globalization. n83 Modern technology has also tended to promote democracy and human rights by making it easier and cheaper for [\*456] people to communicate without censorship across national boundaries. Communication technology not only exposes a national population to foreign ideas, but also concurrently exposes domestic conditions to a global audience. This has occurred because economic globalization involves communication technologies with multiple uses. The same technology that transmits a business proposal may also communicate politically embarrassing or other non-business information. These multiple uses of advanced technology cannot easily be separated from each other, making it difficult to restrict the technology to purely business purposes. A country that wishes to participate in international business cannot isolate itself from all uses of communication technologies unrelated to business dealings. n84 The internet n85 is a recent communication medium with tremendous potential for linking people across national boundaries, furthering mutual interests of the international community, and a myriad of other uses. n86 The internet will become, or may already be, an important or even critical technological medium for business, as well as for scientific research and consumer enjoyment. n87 The internet is the essential part of the "informa- [\*457] tion superhighway," a source of information that promises to change fundamentally human lives. n88 E-mail and computer file transmission on the internet can potentially provide a more powerful (e.g., faster, cheaper, more convenient) business tool than such conventional devices as the postal service, telephones, and faxes. Internet users can transmit and download data, articles, images, movies, speeches, sound recordings, and other information. n89 By providing a forum for the transfer of such information, the internet will help protect the freedoms of expression and choice for followers of any ideological persuasion. n90 Unfortunately, however, it may shield criminal, obscene, [\*458] racist, and terrorist activities as well. n91 A government might attempt to control the content of information transfers. It could screen large numbers of telephone calls, faxes, or computer data; it could restrict access to or intercept messages on the internet. Total censorship, however, would bring a halt to international business. n92 Firms might object if government surveillance is too pervasive. For example, companies might not want government officials to be privy to proprietary information. n93 A certain amount of freedom of communication is therefore assured if a country wishes to be part of a global economy: international firms will leave a nation if censorship prohibitively increases the cost of doing business. This will remain true even if governments attempt to censor communications using the most advanced and cost-effective surveillance technology available. n94 [\*459] Communication technologies not essential to international business transactions also serve to bolster humanitarian political values. International news reporting utilizes communication technologies to broadcast major domestic events of all types on a worldwide screen. There are numerous journalists, broadcasters, and commentators whose professional livelihood depends upon bringing newsworthy stories to a foreign, if not international, audience. While most publicized stories may not involve political events, many do. The competitive members of the news media are unlikely to let stories of outrageous acts completely escape the attention of the international public. Furthermore, these news articles may be read by anyone in the world who has access to the internet. n95 At the same time, news stories alone would not generate international repercussions against repressive governments if purely theoretical political values were involved. There must be influential constituencies that place high priority on the existence of democracy and human rights, that seek to spread those values, and that are galvanized into action upon news of deplorable political conditions. Neither value would flourish unless there were constituencies, either domestic or abroad, that strongly supported it. The presence of democratic governments and strong protections for human rights in the industrialized countries means that these values are expressed to some degree in their business transactions with other countries. n96 Sizable populations in the industrialized countries also attempt to support democracy and human rights abroad through private means. n97 Moreover, as the living standards of developing countries improve, the citizenry of these countries seem to expect more democratization (first) and [\*460] human rights (later). n98 III. The Importance of Globalization Because globalization promotes common values across nations and can make foreign problems, conditions, issues, and debates as vivid and captivating as national, state, and local ones, it contributes to a sense of **world community**. n99 It develops a **feeling of empathy** for the conditions of people abroad, enlarging the group of human beings that an individual will identify with. Globalization thus helps to bring alive persons in foreign lands, making them **fellow human beings** who simply live in different parts of the world rather than abstract statistics of deaths, poverty, and suffering. The convergence of basic political and economic values is thus **fundamentally important** because it helps to establish a **common bond a**mong people in different countries, facilitating **understanding and encouraging cooperation**. All other things being equal, the commonality among countries - whether in the form of basic values, culture, or language - enhances their attractiveness to each other. n100 In addition, convergence increases [\*461] the possibility that a transformation of attitude will take place for those who participate in transnational activities. People will begin to regard foreigners in distant lands with the same concern that they have for their fellow citizens. n101 They will endeavor to help these foreigners obtain basic political rights even though the status of political rights in other countries will have no tangible beneficial impact at home. n102 Convergence does not mean that there is a single model of a market economy, a single type of democracy, or a single platform of human rights. They exist in different forms, and nations may have different combinations of these forms. n103 [\*462] A. The Perspective of One Human Race The convergence of fundamental values through globalization has profound consequences because it increases the chance that a new perspective will develop, one which views membership in the human race as the most significant societal relationship, except for nationality. n104 A person owes his or her strongest collective loyalties to the various societies with which he or she most intensely identifies. Today, this societal identification can be based on numerous factors, including nationality, race, religion, and ethnic group. n105 While it is unlikely that nationality will be surpassed as the most significant societal relationship, globalization and the convergence of values may eventually convince people in different countries that the second most important social group is the human race, and not a person's racial, religious, or ethnic group. n106 One of the first steps in the formation of a society is the recognition by prospective members that they have common interests and bonds. An essential commonality is that they share some fundamental values. A second is that they identify themselves as members belonging to the same community on the basis of a number of common ties, including shared fundamental values. A third commonality is the universality of rights - the active application of the "golden rule" - by which members expect that all must be entitled to the same rights as well as charged with the same responsibilities to ensure that these rights are protected. Globalization promotes these three types of commonalities. Globalization establishes common ground by facilitating the almost universal acceptance of market economies, the widespread emergence of democratic governments, and the extensive approval of human rights. The most visible example is economic. With the end of the Cold War, the free market economy has clearly triumphed over the command economy in the battle of the [\*463] economic paradigms. Because some variant of a market economy has taken root in virtually all countries, there has been a convergence of sorts in economic systems. n107 Further, because it often requires exposure to and pervasive interaction with foreigners - many of whom share the same fundamental values - globalization can enlarge the group that one normally identifies with. Globalization makes many of its participants empathize with the conditions and problems of people who in earlier years would have been ignored as unknown residents of remote locations. This empathy often leads to sympathy and support when these people suffer unfairly. Finally, the combination of shared values and identification produce the third commonality, universality of rights. n108 Citizens of one country will often expect, and work actively to achieve, the same basic values in other countries. They will treat nationals of other nations as they would wish to be treated. The effects of shared values, identification, and universality of rights in globalization could have a pivotal long-term effect - the possibility that a majority of human beings will begin to believe that they are truly part of a single global society - the human race. This is not to say that people disbelieve the idea that the human race encompasses all human beings. Of course, they realize that there is only one human species. Rather, the human race does not usually rank high on the hierarchy of societies for most people. Smaller societies, especially those based on nationality, race, religion, or ethnicity, command more loyalty. n109 The idea of the human race, the broadest and all-inclusive category of the human species, is abstract and has little, if any, impact on the lives of human beings. To believe in the singular importance of the human race requires an attitudinal shift in which a person views the human race seriously. [\*464] This may occur because the convergence of values does not only mean that the people of different countries will share the same basic values. It may also lead to the greater promotion of these values for the people of other countries. Historically and certainly today, America and the other industrial democracies have attempted to foster democracy and human rights in other countries. n110 While some part of this effort has been attributable to "self interest," it has also been due to the empathy that the industrialized democracies have had for other countries. n111 The magnitude of these efforts in the future, as in the past, will depend not solely upon the available financial and human resources of the industrialized democracies. It will also depend upon their national will - a factor undoubtedly influenced by the intensity with which the people of the industrialized democracies identify with people in foreign lands. The perspective that the human race matters more than its component divisions would accelerate cooperative efforts among nations to attack global problems that adversely affect human rights and the quality of human life. n112 Obviously, there is no shortage of such problems. Great suffering still occurs in so many parts of the world, not just from internal armed conflicts, n113 but also from conditions of poverty. n114 There are severe health problems in much of the world which can be mitigated with relatively little cost. n115 There are the lives lost to the AIDS epidemic, and [\*465] the deaths and disabilities caused by land mines. n116 Russia, a nuclear superpower that could end life on this planet, has severe social, economic, and political problems. n117 Making the human race important would not just promote liberal democratic values but would also reduce human suffering and perhaps eliminate completely the risk of nuclear war. B. General Convergence of Values Assuming that the formation of a single human society is a possible outcome, two broad questions should be answered: what kind of human society is being created, and is this society desirable. The answer to the latter question will depend on an evaluator's subjective judgment of the society that is being formed. Undoubtedly, the great majority of human beings would abhor a world society that was being created by the conquests of a totalitarian government. Presumably, most Americans (and many citizens of other countries) would reject even a benevolent, democratic global society in which a world government dominated by other countries dictated laws that governed the lives of all human beings. If either outcome were present, many would call for a halt to globalization. Thus the direction that globalization follows is critical for assessing its appeal. What globalization has brought is a general convergence of fundamental economic and political systems among many nations. These systems are not identical. There are still innumerable differences among countries with market economies, democratic governments, and respectful of human rights. n118 The practices of one country may be intolerable to another coun- [\*466] try. n119 Furthermore, it is unlikely and probably undesirable that economic and political systems will ever exactly converge. Nor is it foreseeable that the nations of the world will coalesce into one. Even among the industrialized democracies, there are enough dissimilarities in market economies, democratic governments, and attitudes towards human rights that make some believe that the differences between these nations outweigh the similarities. For example, Japan is frequently characterized as having a producer-oriented market economy, as compared with the consumer-oriented market economy of the United States. n120 In general, the members of the European Union more extensively regulate their economies than the United States, engaging at times in social engineering that seems contrary to market principles as interpreted by Americans. n121 In the area of criminal justice, the United States is virtually alone in permitting the death penalty and imprisons a much higher percentage [\*467] of its population than other industrialized democracies. n122 Nonetheless, the basic economic and political systems of different countries clearly share more similarities than ever before. When asked to characterize their existing economic and political systems, more people in more countries than ever before will respond that they have a "market" economy, that their government is "democratic," and that they protect "human rights." Importantly, the convergence of values seems to be accompanying the convergence of systems. Certainly, most people in the industrialized democracies would view their existing economic and political systems as expressing the foundational values of their societies - the values that define their society. n123 The convergence of values along liberal demo- [\*468] cratic lines means that nations are better situated to negotiate wealth-maximizing trade agreements and to resolve political disputes peacefully. But in countries in transition from authoritarian to liberal democracy, many people may not yet fully accept their newly established economic and political systems as reflecting fundamental values of what is correct, proper, or right. Whether these transitional countries continue to establish or possess liberal democracies will depend upon how well the systems of liberal democracy work, an outcome that the industrialized democracies should strive vigorously to achieve. Workable systems can evolve into entrenched values. Obviously, the implantation of the values of liberal democracy in Russia is of paramount concern. n124 Nurturing a democratic Russia is in the vital national interest of the United States (and the rest of the world) for very practical reasons - only Russia and the United States possess sufficient nuclear weapons to end human civilization. n125 Whether by unilateral or multilateral extensions of financial assistance or political inclusion, the industrialized democracies should do their utmost to make Russia a strong liberal democracy. Economic aid should be generous, and Russia should be incorporated into the activities of the industrialized democracies as much as possible. n126 Not all basic values are converging and nor, perhaps, should they. Religious values are not converging in the sense that the same general religion, such as Christianity, is taking root in a preponderance of countries. n127 Nevertheless, the convergence of economic and political values means that there is a greater basis for cooperation. For that reason, the [\*469] "West" n128 - that is, the United States and the other industrialized democracies - should support the process of value convergence. Sharing the same values creates similar expectations and a common ground for understanding. The more prevalent reliance upon market forces to direct production and consumption means that nations are more likely to trade with and invest in each other. The relative sameness of political values, for example, the prevelant use of negotiation rather than military force in settling disputes, means that nations can have greater trust in and less to fear from each other.The similarity of basic values also means that the different peoples of humanity are one step closer to viewing themselves primarily as part of one human society - the human race - though represented by different governments.