**Security 2ac**

#### They can’t articulate a link in cx --- we prevent US preemptive war by requiring congressional dec that aligns with jus ad bellum and prevent the bad part of heg that they’re ev is bad --- we break down technoctatic decision making by requiring o to consult with the publics direct representatives befor going to war

***1. Our framework is plan focus – we get to weigh the 1AC – it’s key to clash and fairness and productive debate***

***Prioritize policy relevance over theoretical investigation—key to hold the government accountable***

Ewan E. **Mellor** – European University Institute, Political and Social Sciences, Graduate Student, Paper Prepared for BISA Conference 20**13**, “Why policy relevance is a moral necessity: Just war theory, impact, and UAVs”, online

**This section of the paper considers** more generally **the need for** just war **theorists to engage with policy debate about the use of force**, as well as to engage with the more fundamental moral and philosophical principles of the just war tradition. **It draws on John Kelsay’s conception of just war thinking as being a social practice**,35 **as well as on** Michael **Walzer’s understanding of the role of the social critic in society**.36 It argues that **the just war tradition is a form of “practical discourse” which is concerned with questions of “how we should act.**”37¶ Kelsay argues that:¶ [T]he criteria of jus ad bellum and jus in bello provide a framework for structured participation in a public conversation about the use of military force . . . citizens who choose to speak in just war terms express commitments . . . [i]n the process of giving and asking for reasons for going to war, those who argue in just war terms seek to influence policy by persuading others that their analysis provides a way to express and fulfil the desire that military actions be both wise and just.38¶ He also argues that “**good just war thinking involves continuous and complete deliberation**, in the sense that one attends to all the standard criteria at war’s inception, at its end, and throughout the course of the conflict.”39 **This is important as it highlights the need for** just war **scholars to engage with the ongoing operations in war and the specific policies that are involved**. The question of whether a particular war is just or unjust, and the question of whether a particular weapon (like drones) can be used in accordance with the jus in bello criteria, only cover a part of the overall justice of the war. **Without an engagement with the reality of war, in terms of the policies used in waging it, it is impossible to engage with the “moral reality of war,”**40 **in terms of being able to discuss it and judge it in moral terms**.¶ Kelsay’s description of just war thinking as a social practice is similar to Walzer’s more general description of social criticism. **The** just war **theorist, as a social critic, must be involved with his or her own society and its practices**. In the same way that the social critic’s distance from his or her society is measured in inches and not miles,41 **the** just war **theorist must be close to and must understand the language through which war is constituted, interpreted and reinterpreted**.42 **It is only by understanding the values and language that their own society purports to live by that the social critic can hold up a mirror to that society to**¶ **demonstrate its hypocrisy and to show the gap that exists between its practice and its values**.43 **The tradition** itself provides a set of values and principles and, as argued by Cian O’Driscoll, **constitutes a “language of engagement” to spur participation in public and political debate.**44 This language is part of “our common heritage, the product of many centuries of arguing about war.”45 These principles and this language provide the terms through which people understand and come to interpret war, not in a deterministic way but by providing the categories necessary for moral understanding and moral argument about the legitimate and illegitimate uses of force.46 **By spurring and providing the basis for political engagement the just war tradition ensures that the acts that occur within war are considered according to just war criteria and allows policy-makers to be held to account on this basis**.¶ **Engaging with the reality of war requires recognising that war is**, as Clausewitz stated, **a continuation of policy**. **War**, according to Clausewitz, **is subordinate to politics and to political choices and these political choices can, and must, be judged and critiqued**.47 **Engagement and political debate are morally necessary as the alternative is disengagement and moral quietude, which is a sacrifice of the obligations of citizenship**.48 **This engagement must bring** just war **theorists into contact with the policy makers and will require work that is accessible and relevant to policy makers**, **however this does not mean a sacrifice of critical distance or an abdication of truth in the face of power**. By engaging in detail with the policies being pursued and their concordance or otherwise with the principles of the just war tradition **the policy-makers will be forced to account for their decisions and justify them in just war language**. In contrast to the view, suggested by Kenneth Anderson, that “the public cannot be made part of the debate” and that “[w]e are necessarily committed into the hands of our political leadership”,49 **it is incumbent upon** just war **theorists to ensure that the public are informed and are capable of holding their political leaders to account**. To accept the idea that the political leadership are stewards and that accountability will not benefit the public, on whose behalf action is undertaken, but will only benefit al Qaeda,50 is a grotesque act of intellectual irresponsibility. As Walzer has argued, **it is precisely because it is “our country” that we are “especially obligated to criticise its policies**.”51

***Policy analysis should trump discourse – most effective way to challenge power***

**Taft-Kaufman 95** (Jill, Speech prof @ CMU, Southern Comm. Journal, Spring, v. 60, Iss. 3, “Other Ways”)

**The postmodern passwords of "polyvocality," "Otherness," and "difference," unsupported by substantial analysis of the concrete contexts of subjects, creates a solipsistic quagmire**. The political sympathies of the new cultural critics, with their ostensible concern for the lack of power experienced by marginalized people, aligns them with the political left. Yet, **despite their adversarial posture and talk of opposition, their discourses on intertextuality and inter-referentiality isolate them from and ignore the conditions that have produced leftist politics--conflict, racism, poverty, and injustice**. In short, as Clarke (1991) asserts, postmodern emphasis on new subjects conceals the old subjects, those who have limited access to good jobs, food, housing, health care, and transportation, as well as to the media that depict them. Merod (1987) decries **this** situation as one which **leaves no vision, will, or commitment to activism**. He notes that academic lip service to the oppositional is underscored by the absence of focused collective or politically active intellectual communities. Provoked by the academic manifestations of this problem Di Leonardo (1990) echoes Merod and laments: Has there ever been a historical era characterized by as little radical analysis or activism and as much radical-chic writing as ours? **Maundering on about Otherness:** phallocentrism or Eurocentric tropes **has become a lazy academic substitute for actual engagement with the detailed histories and contemporary realities** of Western racial minorities, white women, or any Third World population. (p. 530) Clarke's assessment of the **postmodern elevation of language to the "sine qua non"** of critical discussion **is an even stronger indictment against the trend.** Clarke examines Lyotard's (1984) The Postmodern Condition in which Lyotard maintains that virtually all social relations are linguistic, and, therefore, it is through the coercion that threatens speech that we enter the "realm of terror" and society falls apart. To this assertion, Clarke replies**:**  I can think of few more striking indicators of the political and intellectual impoverishment of a view of society that can only recognize the discursive. **If the worst terror we can envisage is the threat not to be allowed to speak, we are appallingly ignorant of terror in its elaborate contemporary forms. It may be the intellectual's conception of terror** (what else do we do but speak?), **but its projection onto the rest of the world would be calamitous....(**pp. 2-27) **The** realm of the **discursive is derived from the requisites for human life,** which are in the physical world**, rather than in a world of ideas or symbols**.(4) Nutrition, shelter, and protection are basic human needs that require collective activity for their fulfillment. **Postmodern emphasis on the discursive without an accompanying analysis of how the discursive emerges from material circumstances hides the complex task of envisioning and working towards concrete social goals** (Merod, 1987). Although the material conditions that create the situation of marginality escape the purview of the postmodernist, the situation and its consequences are not overlooked by scholars from marginalized groups. Robinson (1990) for example, argues that "**the justice that working people deserve is economic, not just textual"** (p. 571). Lopez (1992) states that "**the starting point for organizing the program content of education or political action must be the** present existential, **concrete situation"** (p. 299). West (1988) asserts that borrowing French post-structuralist discourses about "Otherness" blinds us to realities of American difference going on in front of us (p. 170). Unlike postmodern "textual radicals" who Rabinow (1986) acknowledges are "fuzzy about power and the realities of socioeconomic constraints" (p. 255), most writers from marginalized groups are clear about how discourse interweaves with the concrete circumstances that create lived experience. **People whose lives form the material for postmodern counter-hegemonic discourse do not share the optimism over the new recognition of their discursive subjectivities, because such an acknowledgment does not address sufficiently their collective historical and current struggles against racism, sexism, homophobia, and economic injustice.** They do not appreciate being told they are living in a world in which there are no more real subjects. **Ideas have consequences. Emphasizing the discursive self when a person is hungry and homeless represents both a cultural and humane failure. The need to look beyond texts to the perception and attainment of concrete social goals keeps writers from marginalized groups ever-mindful of the specifics of how power works through political agendas,** institutions, agencies, and the budgets that fuel them.

#### Methodological changes don’t shape reality

Roth 2000 (Brad R., Assistant Professor of Legal Studies and Political Science and Adjunct Professor of Law, Wayne State University, “Governmental Illegitimacy And Neocolonialism: Response To Review By James Thuo Gathii”, Michigan Law Review, May, 98 Mich. L. Rev. 2056, Lexis)

"Critical" scholars frequently seem to imagine that, in struggling against the methodological norms of their disciplines, they are struggling against the very structure of the power relations that exploit and repress the poor and weak - the metaphor being, in their minds, somehow transubstantiated into reality. The result is, all too often, an  [\*2057]  illusory radicalism, rhetorically colorful but programmatically vacuous. The danger is that a fantasized radicalism will lead scholars to abandon the defense of the very devices that give the poor and weak a modicum of leverage, when defense of those devices is perhaps the only thing of practical value that scholars are in a position to contribute. [3](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97#n3) My main problem with Gathii's critique, then, is not (as he might imagine) that it is political, but that it is politically dysfunctional. More specifically, for all of Gathii's anticolonial posturing, my book is, I insist, far more effectively anticolonial than is his critique of it. I. The Law and Politics of Governmental Illegitimacy Professor Gathii is fully justified in subjecting Governmental Illegitimacy in International Law to an essentially political critique, for the book, like all legal scholarship, has political implications - in this case, designedly so. [4](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97#n4) This is not to say, as "critical" scholars sometimes seem to imply, that law or legal scholarship is reducible to ordinary politics. Law is a purposive project, and thus not exclusively an empirical phenomenon; "law as it is" cannot be wholly separated from "law as it ought to be." [5](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n5" \t "_self) The purposes that drive the project, however, must be demonstrably immanent in social reality, not merely superimposed according to the predilections of the jurist; the jurist's task, at once creative and bounded, is to render a persuasive account of how those immanent purposes bind powerful actors to worthy projects  [\*2058]  (such as the self-determination of Third-World peoples) that they would not otherwise be inclined to undertake. [6](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n6" \t "_self) That legal scholarship impress those who are not natural political allies is the test, not only of its scholarly merit, but also of its political merit; that friends may be disappointed is of far lesser significance. This task is not to everyone's taste, and some in the academy have devoted their considerable talents to discrediting the project of legal reasoning, as conventionally understood. [7](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n7" \t "_self) But their efforts, though often of great intellectual sophistication, are profoundly misguided. In their zeal to "unmask" law's legitimation of exercises of power, they fail to appreciate that law can legitimate such exercises only insofar as it simultaneously constrains them. Power holders seeking the imprimatur of legality can benefit only to the extent that they accept its limits, for violation of the limits necessarily reverses the process of legitimation. [8](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n8" \t "_self) To deny such a relationship between legitimation and constraint is to assert that putative legal limits are a remarkably effective ruse - that legal rhetoric, rather improbably, fools most of the people all of the time. (Presumably, the power holders are not thought to be fooling themselves, since if the constraints, though objectively illusory, seem real enough to them, the rule of law would be a reality in political terms even if a chimera in philosophical terms.) On the other  [\*2059]  hand, if law does constrain as well as legitimate the exercise of power, to neglect that point is to miss an important political opportunity. [9](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n9" \t "_self) Thus, Governmental Illegitimacy in International Law, in developing legal grounds for limiting the intervention of foreign powers in the internal affairs of weak states, is highly conventional in its method, except in one important respect. Because there has only recently come into being an international law of the internal character of domestic political systems, there is no tradition in international law scholarship of interpreting the relevant practices and pronouncements of states in light of the diversity of political principles and power arrangements that have been efficacious in the international community. The task of legal interpretation in this area implicates the fields of political theory and comparative politics; without an understanding of the political ideals and structures that have had a voice and a vote in the international system, one tends to read the source material in light of highly parochial assumptions about political life. Thus, Chapters Two, Three, and Four, as interdisciplinary aids to legal interpretation, distinguish the book from more standard international law scholarship. For this limited interpretive purpose, however, one need understand only empowered approaches to political legitimacy - that is to say, approaches that have been influential among state actors (Western, Socialist, and Nonaligned) whose deeds and words are the source material of international law in the relevant periods. That other, disempowered approaches may more authentically represent cultural norms in much of the world (e.g., in postcolonial states ruled by unrepresentative, Western-influenced leaders) would be interesting to know, but unhelpful to this particular project. The book does not purport to be a thoroughgoing examination of the question of political legitimacy in general; that would be a project so immense as to be imponderable. Rather, the book seeks to be a thoroughgoing examination of the international norm emerging to govern the exceptional case: the de facto government so manifestly unrepresentative as to be arguably without standing to resist, in the name of the sovereignty belonging to the underlying political community, external impositions. The question, then, is what indication of representativeness is minimally required to deem a ruling apparatus the state's "government" for purposes of international law. The orthodox approach to this question has been the "effective control doctrine," the linchpin of  [\*2060]  which is popular acquiescence in governance (pp. 137-42). A sharp break from orthodoxy is implicit in liberal-internationalist assertions of a "democratic entitlement," the linchpin of which is a liberal-democratic institutional structure. [10](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n10" \t "_self) The former approach is clearly giving way to a significant extent, and there are those who argue, on the basis of a fair amount of evidence, that the latter approach is emerging as the basis of a new norm that would open the door to "prodemocratic" intervention, perhaps including even the use of force, especially where a "freely and fairly elected" government has been overthrown. [11](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n11" \t "_self) Governmental Illegitimacy in International Law elaborately argues two politically relevant propositions: (1) that the case for the democratic entitlement as the emerging norm in international law is weaker than is generally supposed; and (2) that liberal-democratic legitimism (i.e., the use of the democratic entitlement as the basis for disregarding a government's legal prerogatives) is dangerous both to self-determination and to peace. The book presents the second proposition as relevant to the first, inasmuch as one may appropriately amplify those aspects of the source material that stem from enlightened considerations. The book thereby intends to strike a blow for anticolonialism. It denies the existence of, and opposes the establishment of, a broad-ranging legal license for external intervention in the affairs of weak states. It associates such a license with great-power initiatives of the past that have been misguided at best, oppressive and exploitative at worst. Confronting a dismal subject matter that admits only of bleak choices, the book maintains a presumption in favor of what I, none too facetiously, often refer to as "the right to be ruled by one's own thugs," though it concedes a limited range of blatant thuggery that overcomes this presumption. [12](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n12" \t "_self) The book does not, as Gathii charges, "celebrate[] Haiti as the exemplary contemporary case of successful prodemocracy intervention," [13](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n13" \t "_self) but merely accepts that in a certain class of cases, of which Haiti is archetypical, one can no longer, and should not want to, deny the existence of an exception to the nonintervention norm. What  [\*2061]  Governmental Illegitimacy in International Law seeks to promote is a balanced norm, one that finds ample support in state practice and opinio juris and that serves, to the extent possible, the long-term interests of the inhabitants of weak states. II. Confessions of a "Neoconservative Realist" Gathii's characterization of my work as an exemplar of "neo-conservative realism" presents several difficulties. There are certain aspects of the book that can fairly be characterized as "conservative" and as "realist," at least in counterposition to liberal internationalism, if special definitions of those terms are designated with sufficient care. The book is conservative in the limited sense that it seeks to rationalize and to bolster the conception of international legal order, premised on the twin principles of self-determination of peoples and non-intervention in internal affairs, that was dominant throughout the 1960s, 1970s, and 1980s, but that now faces significant challenges. [14](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n14" \t "_self) The book is realist to the extent that it takes states (qua political communities entitled to self-government) seriously as units of the international system, and that it treats skeptically efforts to superimpose idealist blueprints on complex and unruly realities. [15](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n15" \t "_self) Gathii's own efforts to define the terms, however, lead only to confusion. The prefix "neo-" is especially troubling, because although Gathii at times seems to intend it in a more generic sense, the term "neoconservative" cannot be disassociated from a specific movement among right-wing American intellectuals that stands for propositions diametrically opposed to the book's central arguments. It is jarring to see the word used to characterize, for example, a discussion of U.S. intervention in Central America so overtly adverse to that emblematic neoconservative project of the 1980s (pp. 290-303, 347-61). Indeed, Gathii's accurate assertion that "the neoconservative tradition... is embedded in American exports such as neoliberalism and democracy promotion programs" [16](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n16" \t "_self) goes far in explaining the book's chilly reception  [\*2062]  of the latter; but how, then, can the book conceivably be identified with neoconservatism? This glitch could be dismissed as a detail if it were not reflective of Gathii's broader misperception of the political spectrum. Gathii complains of "binary thinking" as a " "pathological' feature of Western knowledge systems," [17](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n17" \t "_self) but ironically, it is his organization of the material, not mine, that suffers from this pathology. Thus, Gathii does not discern that my approach to the question of governmental illegitimacy charts a middle way between the effective control doctrine and the democratic entitlement, one that seeks to appreciate the vast diversity of legitimacy rationales without embracing an abject relativism. To the extent that the book seeks to categorize the elements of that diversity, it does so expressly for the sake of convenience alone, and in a tone of self-deprecation. [18](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n18" \t "_self) For all of his complaints about my neglect of non-Western approaches to legitimacy, Gathii nowhere explains how the book excludes that which it does not expressly discuss. Nonetheless, this either-or motif is the relentless theme of his essay. According to Gathii's dichotomous reasoning, "Western" approaches to international relations amount to a dyad of liberal internationalist and neoconservative realist tendencies. Thus, the idea of "liberalism overextending itself" - which well captures my adverse characterization of the effort to exalt liberal-democratic institutional norms as legal criteria for governmental legitimacy - is, for Gathii, necessarily of a piece with Right-of-Center critiques of the New Deal welfare state. [19](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n19" \t "_self) Yet the considerations that underlie my critique of liberal internationalism cannot, on any careful reading, be imagined to emanate from the Right. Gathii's reasoning turns on an assertion that my "examination of only the legitimacy or illegitimacy of state authority invariably endorses the inequalities inherent in the private order which overlays the authority of any government providing its public imprimatur in private ordering." [20](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n20" \t "_self) But given that my project concerned a very narrow (albeit  [\*2063]  grandly complex) question - namely, when does a ruling apparatus in effective control lack standing to assert rights, incur obligations, and authorize acts on behalf of the state in the international system? - Gathii's assertion seems merely to reflect a methodological prejudice against treating anything as a discrete issue. [21](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n21" \t "_self) For Gathii, either one expressly discusses economic and social inequality in every context, or one is unconcerned with it. Ironically, part of the book's criticism of the democratic entitlement thesis is precisely that the latter emphasizes institutional criteria at the expense of contextual factors such as economic and social conditions (pp. 104-06, 120, 424-26) - an aspect that would, I had supposed, be hard to miss if one were reading the book for its political implications. The book's defense of sovereign prerogative overtly reflects an interest in maintaining political space for the very resistance to private-sector predation that Gathii seeks to champion. [22](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n22" \t "_self) Moreover, Gathii's complaint that I "ignore" international economic domination [23](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n23" \t "_self) could not be more misplaced, since I not only discuss the various pronouncements of intergovernmental organizations against coercive economic measures, but seek to establish for those pronouncements a legal significance that, though modest, goes beyond what most Western international lawyers tend to admit. [24](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n24" \t "_self) To make use of legal discourse, however, is to accept that its political worth - its credibility with influential actors who do not share one's interests and values - can be maintained only by resisting the temptation to assert as law one's entire political and moral wish list. I do not contend that the lending conditions imposed by international financial institutions are violations of international law, as Gathii  [\*2064]  would like, [25](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n25" \t "_self) because the absence of any broadly accepted basis would render the contention useless and self-discrediting. Furthermore, I do not denounce the absence of a doctrinal basis for this contention as a failing of international law, because that body of law has never pretended to exhaust the question of international distributive justice. Like many "critical" theorists, Gathii, in so busily demonstrating the truism that law is political, fails to appreciate the distinctiveness of law's role in politics, and therefore curses its necessary limitations. The supreme example of Gathii's binary thinking, however, and by far the most disturbing, is the neat division between "Eurocentric" and "Third-World" approaches. The irony of Gathii's condemnation of my "Eurocentrism" (apart from the difficulty of reconciling it with my copious quotations from Kwame Nkrumah, Julius Nyerere, Raul Castro, and the like) is that the reconstructed image of the contemporary sovereign state system that I present reflects the influences, direct and indirect, of the Nonaligned Bloc, quite as much as it does those of Westphalia or even of the drafters of the United Nations Charter. As the book details, the era of decolonization and its aftermath profoundly affected legal norms, as both Western and Socialist blocs purchased Third-World political support by, inter alia, affirming the inviolability of weak states (pp. 6, 113-18, 160-71). In repudiating conventional legal analysis as Eurocentric, Gathii dismisses both the significance of Third-World participation in shaping contemporary norms and the extent of the Third World's stake in the continued vitality of those norms - an attitude not, so far as I can tell, broadly shared among Third-World leaders, scholars, or peoples. International law's basic categories do, of course, stem from European sources, [26](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n26" \t "_self) but then so, too, in large measure, do the ideologies of the postcolonial state governments. Gathii may see this as itself a corruption of authentic African, Asian, and Latin-American traditions, [27](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n27" \t "_self) but the struggle over authenticity is internal to those  [\*2065]  societies and cultures. If Gathii is intent on regarding Third-World authenticity as excluding Western political thought - Rousseau and Marx as much as Locke and Mill, and by extension all African, Asian, and Latin-American thinkers who have drawn inspiration from them - his notion of "Third-World approaches" cannot help but be a highly tendentious rendering. Gathii is correct to assert that my analysis treats colonialism as a legal aberration rather than as "ingrained in international law as we know it today." [28](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n28" \t "_self) But he fails altogether to explain why it would be useful, in terms of his purported political goals, to do otherwise. Characterizing contemporary international law as essentially continuous with patterns of past Western domination (thereby belittling the hard-won achievements of anticolonialist struggles) scarcely promises a more effective defense to the phenomena - economic disempowerment, cultural imperialism, and proposals to subject "failed states" to trusteeship [29](http://www.lexis.com/research/retrieve?_m=09f90476a1942b49ffc9e173cb3f97f3&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVzz-zSkAA&_md5=2a8ae3c0defbbd51a2908363cb088a97" \l "n29" \t "_self) - against which he inveighs. Gathii undoubtedly believes that Governmental Illegitimacy in International Law, in failing to attack the structure of international law itself, subtly reinforces these phenomena. But the first two exist despite, not because of, the conception of international law that the book embodies, and the last is most effectively opposed by invoking that conception. Conclusion Professor Gathii's substantive concerns about neocolonialism and neoliberalism are the very concerns that underlie Governmental Illegitimacy in International Law. It is thus ironic - though, in light of recent scholarly trends, not very surprising - that he should regard my book as part of the problem rather than as part of the solution. It would be different if the methodological radicalism of Gathii and others of his persuasion entailed a programmatic alternative. But it does not. Instead, it disdains to engage in the only consequential struggle in which its adherents are, by training and position, equipped to participate. It therefore reflects neither the interests nor, it is a sure bet, the views of those on whose behalf it purports to operate. Faced with the alternative that it presents to more traditional modes of scholarship, I much prefer to take the advice of an old mentor: "the more radical the message, the more conservative the suit."

***Exclusive method focus causes scholarly inaction***

**Jackson**, associate professor of IR – School of International Service @ American University, **‘11**

(Patrick Thadeus, The Conduct of Inquiry in International Relations, p. 57-59)

Perhaps the greatest irony of this instrumental, decontextualized importation of “falsification” and its critics into IR is the way that an entire line of thought that privileged disconfirmation and refutation—no matter how complicated that disconfirmation and refutation was in practice—has been transformed into a license to **worry endlessly about foundational assumptions.** At the very beginning of the effort to bring terms such as “paradigm” to bear on the study of politics, Albert O. **Hirschman** (1970b, 338) **noted this very danger**, suggesting that without “a little more ‘reverence for life’ and a little less straightjacketing of the future,” the **focus on** producing internally **consistent** packages of **assumptions instead of** actually examining **complex empirical situations would result in scholarly paralysis.** Here as elsewhere, Hirschman appears to have been quite prescient, inasmuch as the major effect of paradigm and research programme language in IR seems to have been a series of debates and discussions about whether the fundamentals of a given school of thought were sufficiently “scientific” in their construction. Thus **we have debates about how to evaluate scientific progress**, and attempts to propose one or another set of research design principles **as uniquely scientific**, and inventive, “reconstructions” of IR schools, such as Patrick James’ “elaborated structural realism,” supposedly for the purpose of placing them on a **firmer scientific footing** by making sure that they have all of the required elements of a basically Lakatosian19 model of science (James 2002, 67, 98–103).

The bet with all of this scholarly activity seems to be that if we can just get the fundamentals right, then scientific progress will inevitably ensue . . . even though this is the precise opposite of what Popper and Kuhn and Lakatos argued! In fact, all of this obsessive interest in foundations and starting-points is, in form if not in content, a lot closer to logical positivism than it is to the concerns of the falsificationist philosophers, despite the prominence of language about “hypothesis testing” and the concern to formulate testable hypotheses among IR scholars engaged in these endeavors. That, above all, is why I have labeled this methodology of scholarship neopositivist. While it takes much of its self justification as a science from criticisms of logical positivism, in overall sensibility it still operates in a visibly positivist way, attempting to construct knowledge from the ground up by getting its foundations in logical order before concentrating on how claims encounter the world in terms of their theoretical implications. This is by no means to say that neopositivism is not interested in hypothesis testing; on the contrary, neopositivists are extremely concerned with testing hypotheses, but **only after the fundamentals have been** soundly **established.** Certainty, not conjectural provisionality, seems to be the goal—a goal that, ironically, Popper and Kuhn and Lakatos would all reject.

***Act to save the most lives – imperfect knowledge doesn’t justify inaction***

**Cowen ‘04** (Tyler, Professor of Economics – George Mason University, “The Epistemic Problem Does Not Refute Consequentialism”, 11-2, <http://www.gmu.edu/jbc/Tyler/Epistemic2.pdf>, p. 14-15)

**The epistemic critique relies heavily on a complete lack of information about initial circumstances.** This is not a plausible general assumption, although it may sometimes be true. The critique may give the impression of relying more heavily on a more plausible assumption, namely a high variance for the probability distribution of our estimates concerning the future. **But simply increasing the level of variance or uncertainty does not add much force to the epistemic argument**. To see this more clearly, consider another case of a high upfront benefit. **Assume that the United States has been hit with a bioterror attack** and one million children have contracted smallpox. We also have two new experimental remedies, both of which offer some chance of curing smallpox and restoring the children to perfect health. **If we know for sure which remedy works, obviously we should apply that remedy. But imagine now that we are uncertain as to which remedy works**. The uncertainty is so extreme that each remedy may cure somewhere between three hundred thousand and six hundred thousand children. **Nonetheless we have a slight idea that one remedy is better than the other.** That is, one remedy is slightly more likely to cure more children, with no other apparent offsetting negative effects or considerations. **Despite the greater uncertainty, we still have the intuition that we should try to save as many children as possible**. We should apply the remedy that is more likely to cure more children. **We do not say: “We are now so uncertain about what will happen. We should pursue some goal other than trying to cure as many children as possible.”** Nor would we cite greater uncertainty about longer-run events as an argument against curing the children. We have a definite good in the present (more cured children), balanced against a radical remixing of the future on both sides of the equation. The definite upfront good still stands firm. Alternatively, let us assume that our broader future suddenly became less predictable (perhaps genetic engineering is invented, which creates new and difficult-to-forecast possibilities). That still would not diminish the force of our reason for saving more children. The variance of forecast becomes larger on both sides of the equation – whether we save the children or not – and the value of the upfront lives remains. A higher variance of forecast might increase the required size of the upfront benefit (to overcome the Principle of Roughness), but it would not refute the relevance of consequences more generally. **We could increase the uncertainty more, but consequentialism still will not appear counterintuitive**. The remedies, rather than curing somewhere in the range of three to six hundred thousand children, might cure in the broader range of zero to all one million of the children. By all classical statistical standards, this new cure scenario involves more uncertainty than the previous case, such as by having a higher variance of possible outcomes. Yet this higher uncertainty lends little support for the view that curing the children becomes less important. **We still have an *imperative* to apply the remedy that appears best, and is expected the cure the greater number of children.**  **This example** may appear excessively simple, but it **points our attention to the non-generality of the epistemic critique. The critique appears strongest only when we have absolutely no idea about the future; this is a special rather than a general case. Simply boosting the degree of background generic uncertainty should not stop us from pursuing large upfront benefits of obvious importance.**

***Focusing on epistemology selfishly ignores real world problems***

**Jarvis, 2K** – Prof Philosophy @ U South Carolina (Darryl, Studies in International Relations, “International Relations and the Challenge of Postmodernism”, pg. 2)

While Hoffmann might well be correct**, these days one can neither begin nor conclude empirical research without first discussing epistemological orientations and ontological assumptions.** Like a vortex**, metatheory has engulfed us all and the question of "theory" which was once used as a guide to research is now the object of research.** Indeed, for a discipline whose purview is ostensibly outward looldng and international in scope, and **at a time of ever encroaching globalization and transnationalism, *I*nternational *R*elations has become increasingly** provincial and **inward looking.** Rather than grapple with the numerous issues that confront peoples around the world, since the early 1980s the discipline has tended more and more toward obsessive self-examination.3 These days **the politics of famine, environmental degradation, underdevelopment, or ethnic cleansing, let alone the cartographic machinations in Eastern Europe and the reconfiguration of the geo-global political-economy, seem scarcely to concern theorists of international politics who define the urgent task of our time to be one of metaphysical reflection and epistemological investigation.** Arguably, **theory is no longer concerned with the study of international relations so much as the "manner in which international relations as a discipline, and international relations as a subject matter, have been constructed."**4 To be concerned with the latter is to be "on the cutting edge," where novelty has itself become "an appropriate form of scholarship."5

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

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

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

***2. Perm – do the plan minus our securitizing reps --- vote aff using another justification***

***3. Perm do both --- pure critique essentializes security and cedes the political***

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In fact, **a profound distrust towards security is present in the work of** Michael **Dillon**, **who understands security as** a ‘generative principle of formation’ (1996: 127), a register of meaning that entails **a politics of calculability, closure, exclusion and violence**. Dillon (1996: 130) identifies within Western thought a ‘metaphysical politics of security’ that makes ‘politics a matter of command; membership of a political community a matter of obedience; love synonymous with a policing order; order a function of discipline; and identity a narcissistic paranoia’. Similar concerns are present in the work of Didier Bigo, for whom security is a liberal political register that strives to make the world calculable, ‘makes a fantasy of homogeneity and seeks the end of any resistances or struggles’ (2008: 109). Mark **Neocleous** (2011: 186) **takes these concerns in a more radical direction by linking security to fascism.**

**In the works of these authors, one can identify a tendency to see security as inherently connected to exclusion, totalization and even violence**. The idea of a ‘logic’ of security is now widely present in the critical security studies literature. Claudia Aradau (2008: 72), for example, writes of an ‘exclusionary logic of security’ underpinning and legitimizing ‘forms of domination’. Rens van Munster (2007: 239) assumes a ‘logic of security’, predicated upon a ‘political organization on the exclusionary basis of fear’. Laura Shepherd (2008: 70) also identifies a liberal and highly problematic ‘organizational logic’ in security.

**Although there would probably be disagreement over the degree to which this logic is inescapable, it is symptomatic of an overwhelmingly pessimistic outlook that a great number of critical scholars are now making the case for moving away from security**. The normative preference for desecuritization has been picked up in attempts to contest, resist and ‘unmake’ security (Aradau, 2004; Huysmans, 2006; Bigo, 2007). **For these contributions, security cannot be reconstructed and political transformation can only be brought about when security and its logic are removed from the equation** (Aradau, 2008; Van Munster, 2009; Peoples, 2011).

**This tendency in the literature is problematic for the critique of security in at least three ways. First, it constitutes a blind spot in the effort of politicization**. **The assumption of an exclusionary, totalizing or violent logic of security can be seen as an essentialization and a moment of closure**. **To be faithful to itself, the politicization of security would need to recognize** that there is nothing natural or necessary about security – and **that security as a paradigm of thought or a register of meaning is also a construction that depends upon its reproduction and performance through practice.** **The exclusionary and violent meanings that have been attached to security are themselves the result of social and historical processes, and can thus be changed.**

**Second, the institution of this apolitical realm runs counter to the purposes of critique by foreclosing an engagement with the different ways in which security may be constructed**. As Matt McDonald (2012) has argued, **because security means different things for different people, one must always understand it in context**. **Assuming from the start that security implies the narrowing of choice and the empowerment of an elite forecloses the acknowledgment of security claims that may seek to achieve exactly the opposite: alternative possibilities in an already narrow debate and the contestation of elite power**.5 In connection to this, **the claims to insecurity put forward by individuals and groups run the risk of being neglected if the desire to be more secure is identified with a compulsion towards totalization, and if aspirations to a life with a degree of predictability are identified with violence**.

**Finally, this tendency blunts critical security studies as a resource for practical politics**. **By overlooking the possibility of reconsidering security from within – opting instead for its replacement with other ideals – the critical field weakens its capacity to confront head-on the exceptionalist connotations that security has acquired in policymaking circles**. **Critical scholars run the risk of playing into this agenda when they tie security to exclusionary and violent practices, thereby failing to question security actors as they take those views for granted and act as if they were inevitable**. Overall, **security is just too important – both as a concept and as a political instrument – to be simply abandoned by critical scholars**. As McDonald (2012: 163) has put it,

**If security is politically powerful**, is the foundation of political legitimacy for a range of actors, and involves the articulation of our core values and the means of their protection, **we cannot afford to allow dominant discourses of security to be confused with the essence of security itself.**

In sum, the trajectory that critical security studies has taken in recent years has significant limitations. **The politicization of security** has made extraordinary progress in problematizing predominant security ideas and practices; however, it **has paradoxically resulted in a depoliticization of the meaning of security itself**. **By foreclosing the possibility of alternative notions of security, this imbalanced politicization weakens the analytical capacity of critical security studies, undermines its ability to function as a political resource and runs the risk of being politically counterproductive**. Seeking to address these limitations, the next section revisits emancipatory understandings of security.

#### Perm do both—total rejection of hegemony increases imperialism. The plan’s reformation of leadership solves the impact

Christian REUS-SMIT IR @ Australian Nat’l ‘4*American Power and World Order* p. 121-123

My preference here is to advocate a forward-leaning, prudential strategy of institutionally governed change. By `forward-leaning', I mean that the progressive realization of cosmopolitan values should be the measure of success­ful politics in international society. As long as gross viola­tions of basic human rights mar global social life, we, as individuals, and the states that purport to represent us, have obligations to direct what political influence we have to the improvement of the human condition, both at home and abroad. I recommend, however, that our approach be prudent rather than imprudent. Historically, the violence of inter-state warfare and the oppression of imperial rule have been deeply corrosive of basic human rights across the globe. The institutions of international society, along with their constitutive norms, such as **sover­eignty,** non-intervention, self-determination and limits on the use of force, have helped to reduce these corrosive forces dramatically. The incidence of inter-state wars has declined markedly, even though the number of states has multiplied, and imperialism and colonialism have moved from being core institutions of international society to practices beyond the pale. Prudence dictates, therefore, that we lean forward without losing our footing on valu­able institutions and norms. This means, in effect, giving priority to **institutionally governed change**, working with the rules and procedures of international society rather than against them. What does this mean in practice? In general, I take it to mean two things. First, it means recognizing the principal rules of international society, and accepting the obligations they impose on actors, including oneself. These rules fall into two broad categories: procedural and substantive. The most specific procedural rules are embodied in insti­tutions such as the United Nations Security Council, which is empowered to 'determine the existence of any threat to peace, breach of the peace or act of aggression' and the measures that will be taken 'to maintain or restore international peace and security'.28 More general, yet equally crucial, procedural rules include the cardinal principle that states are only bound by rules to which they have consented. Even customary international law, which binds states without their express consent, is based in part on the assumption of their tacit consent. The substantive rules of international society are legion, but perhaps the most important are the rules governing the use of force, both when force is permitted (jus ad bellum) and how it may be used (jus in bello). Second, working with the rules and procedures of international society also means recognizing that the principal modality of in­novation and change must be communicative. That is, establishing new rules and mechanisms for achieving cosmopolitan ends and international public goods, or modifying existing ones, should be done through persua­sion and negotiation, not ultimatum and coercion. A pre­mium must be placed, therefore, on articulating the case for change, on recognizing the concerns and interests of others as legitimate, on building upon existing rules, and on seeing genuine communication as a process of give and take, not demand and take. Giving priority to institutionally governed change may seem an overly conservative strategy, but it need not be. As explained above, the established procedural and substantive rules of international society have de­livered international public goods that actually further cosmopolitan ends, albeit in a partial and inadequate fash­ion. **Eroding these rules would only lead to increases in inter-state violence and imperialism**, and this would almost certainly produce a radical deterioration in the protection of basic human rights across the globe. Saying that we ought to preserve these rules is prudent, not con­servative. More than this, though, we have learnt that the institutions of international society have transformative potential, even if this is only now being creatively exploited.

#### Imperial K wrong – US power not that bad and Alt is hopeless.

Ashworth ‘10

Stephen Ashworth is a long-standing Fellow of the British Interplanetary Society. He works in academic publishing in the Voltaire Foundation, part of Oxford University – Towards the Sociology of the Universe, part 1 – “A Review of Dickens and Ormrod, Cosmic Society – 18 December 2010 – http://www.astronist.demon.co.uk/space-age/essays/Sociology1.html

Any validity their criticisms of present-day society may possess is completely lost as a result of this structural weakness. So, granted: “The United States government is by far the dominant military force in outer space. And its aim in militarizing outer space is to achieve what the US Joint Chiefs of Staff call ‘full-spectrum domination’, one in which the US government actively enforces a monopoly over outer space as well as air, land and sea.” (p.94) Fine. A clear enough statement of fact. So why the disapproving tone, why the constant insinuation that this is some terrible tyranny consolidating its power over the world? How else would you enforce world security? And supposing that it does represent an intolerable tyranny: what are you proposing to do about it? What alternative might be possible, what is the roadmap towards realising that alternative (space people love roadmaps) – and how might it be policed? Would it promote social peace and prosperity if the military domination of one country were replaced by the military domination of an international bureaucracy such as the United Nations, or by a balance between a number of competing superpowers, as in the 1960s? Would its achievement starting from our present position be remotely practical? Is a peaceful world with no military domination at all conceivable? These questions are not addressed. Instead, we get brief mentions of “resistance”, one form of which is “localised social movements now being made international in scope” such as the Global Network Against Weapons and Nuclear Power in Space (p.72, 100). The Joint Chiefs of Staff must be quaking in their boots.

#### Our epistemology is true and we control impact uniqueness – heg reducing global violence --- that’s 1AC Mack --- this trend includes interstate war, civil war, and state violence

***4. The aff breaks down securitization and the military industrial complex***

**Fisher ’05**, LOUIS FISHER, Specialist with the Law Library, The Library of Congress. Ph.D., New School for Social Research, 1967; B.S., College of William and Mary, 1956, Indiana Law Journal¶ Fall, 2005¶ 81 Ind. L.J. 1199, Lost Constitutional Moorings: Recovering the War Power, LEXIS, jj

**The initiation of U.S. military operations in Iraq flowed from a long list of miscalculations, false claims, and misjudgments, both legal and political. Errors of that magnitude were not necessary or inevitable. Military conflict could have been delayed**, perhaps **permanently, had the responsible political leaders performed their constitutional duties with greater care, reflection, integrity, and commitment to constitutional principles**. Adding to the failures of elected officials were decades of irresponsible and misinformed statements by federal judges, academics, law reviews, and the media.¶ **Although the Iraq War that began in 2003 was orchestrated by the Republican Party and the Bush administration, their miscalculations built upon a half century of violations of constitutional principles over the war power**. **Democratic Presidents led the country to war against North Korea** (President Harry Truman), North **Vietnam** (President Lyndon Johnson), **and Serbia** (President Bill Clinton). **Republican neoconservatives beat the drums for war against Iraq, but Democratic academics did the same for Korea**. **The dominant theme in American foreign policy since World War II has been a bellicose spirit that champions the use of military force, boasts the virtues of "American exceptionalism," stands ready to fight "evil" anywhere** (**whether Soviet Communism or Islamic fundamentalism), and regularly attacks opponents of war as unpatriotic and unmanly**. **That these forces led to torture by U.S. soldiers at Abu Ghraib or CIA "black sites" should come as no surprise. They are the natural results of concentrated power, political arrogance, and ideological fervor.**

***5. Contingent logic best explains the world. Neg rejoinder burden soars. Also frames judge choice.***

Richard **Price**, founder and chair of the Johns Hopkins Department of Anthropology, and CHRISTIAN REUS-SMIT, Monash University – European Journal of International Relations 19**98**, http://www.arts.ualberta.ca/~courses/PoliticalScience/661B1/documents/PriceReusSmithCriticalInternatlTheoryConstructivism.pdf)

**One of the central departures of critical international theory** from positivism **is the view that we cannot escape the interpretive moment**. As George (1994: 24) argues, ‘**the world is always an interpreted “thing”, and it is always interpreted in conditions of disagreement and conflict, to one degree or another’**. For this reason, ‘**there can be no common body of observational or tested data that we can turn to for a neutral, objective knowledge of the world**. **There can be no ultimate knowledge**, for example**, that actually corresponds to reality** per se.’ **This proposition has been endorsed wholeheartedly by constructivists, who are at pains to deny the possibility of making ‘Big-T’ Truth claims about the world and studiously avoid attributing such status to their findings. This having been said, after undertaking sustained empirical analyses of aspects of world politics constructivists do make ‘small-t’ truth claims about the subjects they have investigated**. That is, **they claim to have arrived at logical and empirically plausible interpretations of actions, events or processes, and they appeal to the weight of evidence to sustain such claims**. **While admitting that their claims are always contingent and partial interpretations of a complex world, Price** (1995, 1997) **claims that his genealogy provides the best account to date to make sense of anomalies surrounding the use of chemical weapons, and Reus-Smit** (1997) **claims that a culturalist perspective offers the best explanation** of institutional differences between historical societies of states. **Do such claims contradict the interpretive ethos of critical international theory? For two reasons, we argue that they do not. First, the interpretive ethos of critical international theory is driven, in large measure, by a normative rejection of totalizing discourses, of general theoretical frameworks that privilege certain perspectives over others. One searches constructivist scholarship in vain, though, for such discourses. With the possible exception of Wendt’s problematic flirtation with general systemic theory and professed commitment to ‘science’, constructivist research is at its best when and because it is question driven, with self-consciously contingent claims made specifically in relation to particular phenomena, at a particular time, based on particular evidence, and always open to alternative interpretations. Second, the rejection of totalizing discourses based on ‘big-T’ Truth claims does not foreclose the possibility, or even the inevitability, of making ‘small-t’ truth claims. In fact, we would argue that as soon as one observes and interacts in the world such claims are unavoidable, either as a person engaged in everyday life or as a scholar**. As Nietzsche pointed out long ago, we cannot help putting forth truth claims about the world. The individual who does not cannot act, and the genuinely unhypocritical relativist who cannot struggles for something to say and write. In short, **if constructivists are not advancing totalizing discourses, and if making ‘small-t’ truth claims is inevitable if one is to talk about how the world works, then it is no more likely that constructivism per se violates the interpretive ethos of critical international theory than does critical theory itself.**

***Perm – do the plan and all non-competitive parts of the alternative. Solves best – combining the alt with dominant ideology solves best.***

**Giroux, Prof of Comm @ McMaster, 2004** p. 142-143 (Henry, *The Terror of Neoliberalism*)

There is a lot of talk among academics in the United States and elsewhere about the death of politics and the inability of human beings to imagine a more equitable and just world in order to make it better. I would hope that of all groups, educators would be the most vocal and militant in challenging this assumption by reclaiming the university’s subversive role-specifically, by combining critiques of dominant discourses and the institutional formations that support and reproduce them with the goal of limiting human suffering while at the same time attempting to create the concrete economic, political, social, and pedagogical conditions necessary for an inclusive and substantive democracy. Critical scholarship is crucial to such a task, but it is not enough. Individual and social agency becomes meaningful as part of the willingness to imagine otherwise in order to act otherwise. Scholarship has a civic and public function, and it is precisely the connection between knowledge and the larger society that makes visible its ethical and political function. Knowledge can and should be used for amplifying human freedom and promoting social justice, and not simply for creating profits or future careers. Intellectuals need to take a position, and, as Said argues, they have an obligation to “remind audiences of the moral questions that may be hidden in the clamour of public debates - -. and deflate the claims of neoliberal triumphalism.”56 Combining theoretical rigour with social relevance may be risky politically and pedagogically, but the promise of a substantive democracy far outweighs the security and benefits that accompany a retreat into academic irrelevance and the safe haven of a no-risk professionalism that requires, as Paul Sabin observes, “an isolation from society and vows of political chastity.”

***\*\*\*Alt fails – Individual rejection fails – political reform is key.***

**Giroux, Prof of Comm @ McMaster, 2004** p. 153 (Henry, The Terror of Neoliberalism)

Refusing to separate learning from social change, he constantly insisted that we fail theory when we do not firmly grasp what we mean by the political, and that theorizing a politics of and for the twenty-first century is one of the most challenging issues facing the academy. He urged us to enter into a dialogue with ourselves, our colleagues, and our students about politics and the knowledge we seek to produce together, and ***to connect such knowledge to broader public spheres*** and issues. He argued that the role of engaged intellectuals is not to consolidate authority but to understand, interpret, and question it.’8 According to Said, social criticism has to be coupled with a vibrant self-criticism, the rejection “of the seductive persuasions of certainty,”9 and the willingness to take up critical positions without becoming dogmatic or intractable. What is particularly important about Said’s work is his recognition that intellectuals have a special responsibility to promote a state of wakefulness by moving beyond the language of pointless denunciations. Accordingly, he refused to view the oppressed as doomed actors or power as simply a crushing form of oppression. For Said, individuals and collectivities had to be regarded as potential agents and not simply as victims or ineffectual dreamers. It is this legacy of critique and possibility, of resistance and agency, that infuses his work with concrete hope and offers a wealth of resources to people in and outside the academy who struggle on multiple fronts against the rising forces of authoritarianism both home and abroad.

***Neolib’s inevitable and movements are getting smothered out of existence—no alternative economic system***

**Jones 11**—Owen, Masters at Oxford, named one of the Daily Telegraph's 'Top 100 Most Influential People on the Left' for 2011, author of "Chavs: The Demonization of the Working Class", The Independent, UK, "Owen Jones: Protest without politics will change nothing", 2011, www.independent.co.uk/opinion/commentators/owen-jones-protest-without-politics-will-change-nothing-2373612.html

My first experience of police kettling was aged 16. It was May Day 2001, and the anti-globalisation movement was at its peak. The turn-of-the-century anti-capitalist movement feels largely forgotten today, but it was a big deal at the time. To a left-wing teenager growing up in an age of unchallenged neo-liberal triumphalism, just to have "anti-capitalism" flash up in the headlines was thrilling. Thousands of apparently unstoppable protesters chased the world's rulers from IMF to World Bank summits – from Seattle to Prague to Genoa – and the authorities were rattled.

**Today, as protesters in nearly a thousand cities across the world follow the example set by** the **Occupy** Wall Street protests, **it's worth pondering what happened to the anti-globalisation movement**. Its **activists did not lack passion or determination. But they did** lack a coherent alternative to the neo-liberal project**.** **With no clear political direction,** the movement was easily swept away **by** the **jingoism and turmoil that followed 9/11,** just two months after Genoa.

Don't get me wrong: the Occupy movement is a glimmer of sanity amid today's economic madness. By descending on the West's financial epicentres, it reminds us of how a crisis caused by the banks (a sentence that needs to be repeated until it becomes a cliché) has been cynically transformed into a crisis of public spending. The founding statement of Occupy London puts it succinctly: "We refuse to pay for the banks' crisis." The Occupiers direct their fire at the top 1 per cent, and rightly so – as US billionaire Warren Buffett confessed: "There's class warfare, all right, but it's my class, the rich class, that's making war, and we're winning."

The Occupy movement has provoked fury from senior US Republicans such as Presidential contender Herman Cain who – predictably – labelled it "anti-American". They're right to be worried: those camping outside banks threaten to refocus attention on the real villains, and to act as a catalyst for wider dissent. **But a** coherent alternative to the tottering global economic order remains, **it seems,** as distant as ever.

Neo-liberalism crashes around, half-dead, with no-one to administer the killer blow.

There's always a presumption that a crisis of capitalism is good news for the left. Yet in the Great Depression, fascism consumed much of Europe. The economic crisis of the 1970s did lead to a resurgence of radicalism on both left and right. But, spearheaded by Thatcherism and Reaganism, the New Right definitively crushed its opposition in the 1980s.**This time round, there doesn't even seem to be an alternative for the right to defeat**. That's not the fault of the protesters. In truth, **the left has never recovered from being virtually** smothered out of existence. **It was the victim of a perfect storm: the rise of the New Right; neo-liberal globalisation; and the** repeated **defeats suffered by the trade union movement.**

But, above all, it was the aftermath of the collapse of Communism that did for the left**. As US neo-conservative** Midge **Decter triumphantly put it: "It's time to say: We've won. Goodbye**." From the British Labour Party to the African National Congress, left-wing movements across the world hurtled to the right in an almost synchronised fashion. **It was as though the left wing of the global political spectrum had been sliced off. That's why**, although we live in an age of revolt, there remains no left to give it direction and purpose.

***6. No impact – threat construction isn’t sufficient to cause wars and proximate causes outweigh***

**Kaufman, 9** - Prof Poli-sci and IR – U Delaware (Stuart J, “Narratives and Symbols in Violent Mobilization: The Palestinian-Israeli Case,” Security Studies 18:3, 400 – 434)

Even when hostile narratives, group fears, and opportunity are strongly present, war occurs only if these factors are harnessed. Ethnic narratives and fears must combine to create signiﬁcant ethnic hostility among mass publics. Politicians must also seize the opportunity to manipulate that hostility, evoking hostile narratives and symbols to gain or hold power by riding a wave of chauvinist mobilization. Such mobilization is often spurred by prominent events (for example, episodes of violence) that increase feelings of hostility and make chauvinist appeals seem timely. If the other group also mobilizes and if each side’s felt security needs threaten the security of the other side, the result is a security dilemma spiral of rising fear, hostility, and mutual threat that results in violence. A virtue of this symbolist theory is that symbolist logic explains why ethnic peace is more common than ethnonationalist war. Even if hostile narratives, fears, and opportunity exist, severe violence usually can still be avoided if ethnic elites skillfully deﬁne group needs in moderate ways and collaborate across group lines to prevent violence: this is consociationalism.17 War is likely only if hostile narratives, fears, and opportunity spur hostile attitudes, chauvinist mobilization, and a security dilemma.

***They have it backwards – large-scale violence leads to structural violence***

**Goldstein, ’01** (Joshua S., Professor of International Relations at American University, War and Gender: How Gender Shapes the War System and Vice Versa, pp.411-412)

I began this book hoping to contribute in some way to a deeper understanding of war – an understanding that would improve the chances of someday achieving real peace, by deleting war from our human repertoire. In following the thread of gender running through war, I found the deeper understanding I had hoped for – a multidisciplinary and multilevel engagement with the subject. Yet I became somewhat more pessimistic about how quickly or easily war may end. The war system emerges, from the evidence in this book, as relatively ubiquitous and robust. Efforts to change this system must overcome several dilemmas mentioned in this book. First, peace activists face a dilemma in thinking about causes of war and working for peace. Many peace scholars and activists support the approach, “if you want peace, work for justice.” Then, if one believes that sexism contributes to war, one can work for gender justice specifically (perhaps among others) in order to pursue peace. This approach brings strategic allies to the peace movement (women, labor, minorities), but rests on the assumption that injustices cause war. The evidence in this book suggests that causality runs at least as strongly the other way. War is not a product of capitalism, imperialism, gender, innate aggression, or any other single cause, although all of these influence wars’ outbreaks and outcomes. Rather, war has in part fueled and sustained these and other injustices. So, “if you want peace, work for peace.” Indeed, if you want justice (gender and others), work for peace. Causality does not run just upward through the levels of analysis, from types of individuals, societies, and governments up to war. It runs downward too. Enloe suggests that changes in attitudes towards war and the military may be the most important way to “reverse women’s oppression.” The dilemma is that peace work focused on justice brings to the peace movement energy, allies, and moral grounding, yet, in light of this book’s evidence, the emphasis on injustice as the main cause of war seems to be empirically inadequate.

***7. Alternative fails and cedes the political – critical theory has no mechanism to translate theory into practice***

**Jones 99** (Richard Wyn, Lecturer in the Department of International Politics – University of Wales, Security, Strategy, and Critical Theory, CIAO, http://www.ciaonet.org/book/wynjones/wynjones06.html)

Because emancipatory political practice is central to the claims of critical theory, one might expect that proponents of a critical approach to the study of international relations would be reflexive about the relationship between theory and practice. Yet their thinking on this issue thus far does not seem to have progressed much beyond **grandiose statements of intent**. There have been no systematic considerations of how critical international theory can help generate, support, or sustain emancipatory politics beyond the seminar room or conference hotel. Robert Cox, for example, has described the task of critical theorists as providing “a guide to strategic action for bringing about an alternative order” (R. Cox 1981: 130). Although he has also gone on to identify possible agents for change and has outlined the nature and structure of some feasible alternative orders, he has not explicitly indicated whom he regards as the addressee of critical theory (i.e., who is being guided) and thus how the theory can hope to become a part of the political process (see R. Cox 1981, 1983, 1996). Similarly, Andrew Linklater has argued that “a critical theory of international relations must regard the practical project of extending community beyond the nation–state as its most important problem” (Linklater 1990b: 171). However, he has little to say about the role of theory in the realization of this “practical project.” Indeed, his main point is to suggest that the role of critical theory “is not to offer instructions on how to act but to reveal the existence of unrealised possibilities” (Linklater 1990b: 172). But the question still remains, reveal to whom? Is the audience enlightened politicians? Particular social classes? Particular social movements? Or particular (and presumably particularized) communities? In light of Linklater’s primary concern with emancipation, one might expect more guidance as to whom he believes might do the emancipating and how critical theory can impinge upon the emancipatory process. There is, likewise, little enlightenment to be gleaned from Mark Hoffman’s otherwise important contribution. He argues that critical international theory seeks not simply to reproduce society via description, but to understand society and change it. It is both descriptive and constructive in its theoretical intent: it is both an intellectual and a social act. It is not merely an expression of the concrete realities of the historical situation, but also a force for change within those conditions. (M. Hoffman 1987: 233) Despite this very ambitious declaration, once again, Hoffman gives no suggestion as to how this “force for change” should be operationalized and what concrete role critical theorizing might play in changing society. Thus, although the critical international theorists’ critique of the role that more conventional approaches to the study of world politics play in reproducing the contemporary world order may be persuasive, their account of the relationship between their own work and emancipatory political practice is unconvincing. Given the centrality of practice to the claims of critical theory, this is a very significant weakness. Without some plausible account of the **mechanisms** by which they hope to aid in the achievement of their emancipatory goals, proponents of critical international theory are hardly in a position to justify the assertion that “it represents the next stage in the development of International Relations theory” (M. Hoffman 1987: 244). Indeed, without a more convincing conceptualization of the theory–practice nexus, one can argue that critical international theory, by its own terms, has no way of redeeming some of its central epistemological and methodological claims and thus that it is a **fatally flawed** enterprise.

***8. Our epistemology is true and we control impact uniqueness – heg reducing global violence --- that’s 1AC Mack --- this trend includes interstate war, civil war, and state violence --- studies prove***

**Barnett** 9-19-**11** (Thomas PM, chief analyst at Wikistrat and a contributing editor for Esquire magazine, World Politics Review, “The New Rules: Credit the U.S., Not the U.N., for More Peaceful World” <http://www.worldpoliticsreview.com/articles/10047/the-new-rules-credit-the-u-s-not-the-u-n-for-more-peaceful-world>, jj)

Thanks to the Sept. 11 terrorist attacks and the wars they spawned, **many people around the world think they're living through the most dangerous, violent and strategically uncertain period in human history. Well, that simply isn't true**, as **the most recent Human Security Report** from Canada's Simon Fraser University makes clear. Entitled, "The Causes of Peace and the Shrinking Costs of War," the 2009-2010 edition of the annual report **marshals a ton of solid data that proves our world is less violent than ever** and that it has "become far less insecure over the past 20 years." The major failing of this otherwise brilliant report is its refusal to give America any credit for this historic shift, which the authors credit to NATO and the United Nations as the "international community" of note. But before addressing that lapse, let me focus on the unabashedly good news. First, **classic interstate warfare continues to decline. If in the 1950s we suffered an average of 6 to 7 interstate or international wars per year, now we're down to less than one -- despite the number of states in the world having roughly doubled** across those six decades. Though the report notes the complete absence of great-power war since 1945, it repeatedly refuses to adequately credit nuclear weapons on that score**. War, the "eternal scourge," apparently went the way of the dinosaur once America achieved** nuclear **superpower status and exerted itself globally**, but the report pretends it was all the U.N.'s doing -- kind of like crediting the referee with winning the game. Second, **since the Cold War ended, civil wars have started dropping in frequency as well, with the worst ones -- 1,000 or more dead in a year -- declining by more than two-thirds. So not only are there fewer wars, they are less lethal. The average international war of the 1950s killed 20,000 people a year. Today, that number stands at less than 3,000. Not bad for a world allegedly suffering "uncontrollable" WMD proliferation and "perpetual war."** Third, the biggest theater of warfare and killing since World War II has been Asia. Initially, there was China's civil war and Mao's murderous rule, then the Korean bloodletting followed by Vietnam, where 300,000 died in 1972 alone. But in 2008, the region suffered less than 1,000 "battle deaths." The report's tentative academic judgment here confirms what any historian of modern globalization knows as fact: "East Asia's post-Vietnam history appears to support claims that rising incomes lead to fewer wars." It should come as no surprise that, as East Asia spent the past several decades successfully joining the global economy, warfare disappeared. But how do all these great powers rise simultaneously without turning on each other militarily? **Might there have been some extra-regional military Leviathan that provided the "glue" for this unprecedented regional dynamic?** Or was this the work of the United Nations? Fourth, while the frequency of subnational violence -- whether involving the state or strictly between subnational communities -- has increased by a quarter since 2003, the large bulk of these conflicts are low-intensity, meaning fewer than 1,000 battle deaths in a year. **So-called high-intensity conflicts -- more than 3 deaths a day -- have dropped globally in frequency by almost four-fifths since the end of the Cold War. This means that in a world of almost 7 billion people, less than 30,000 people are dying from warfare every year. That puts the global scourge of "perpetual war" on par with male deaths due to lung cancer in India. But my personal favorite decline concerns deaths from "one-sided violence," otherwise known as government militaries and/or nonstate armies slaughtering civilians, which were at their lowest in 2008 -- the latest year of record -- since researchers began keeping records in 1989**. Where has the vast majority of such killing occurred since Cold War's end? Africa. Which continent has experienced the greatest recent explosion of globalization connectivity and middle class emergence? That again would be Africa. Judging by Asia's experience over the past 35 years, that's good news. **Finally, what about the notion that wars are growing longer? Absolutely untrue**, according to the report, which notes, "**In each decade since the 1970s, the percentage of conflicts that lasted 10 years or more has declined.**" Again, the dominant global trend since the 1970s has been the stunning expansion of globalization, beginning with Deng Xiaoping's reforms in China. It turns out that this isn't a case of "perpetual war for perpetual peace" after all, as many critics of my unabashedly pro-globalization vision have long alleged. Instead, **globalization and America's muscular support for its expansion just so happens to coincide with the greatest reduction in global violence ever seen**. As for the Human Security Report's prognosis on what lies ahead? "While the future remains impossible to predict and will surely deliver some unpleasant surprises as it has in the past, **there are no obvious countervailing system-level forces that appear powerful enough to reverse the positive effects of the trends we have identified." Does that sound like a "post-American world" to you?** Now on to my major gripe: The report credits the U.N. and the "international community" with the bulk of these developments. We are told repeatedly throughout the text that the key system-level development that unleashed all this peace was the end of the Cold War, which did bring an end to the superpower proxy wars in the Third World. But let's be clear about one thing: While the Soviet Union's military left the playing field, America's did not. Compared to the 1980s, America's crisis-response activity quadrupled in the 1990s, as measured in crisis-response days put in by the U.S. Marines, Navy, Air Force and Army in the post-Cold War period. In other words, **America's military became profoundly more involved in managing the world's security after the Soviet threat disappeared**. Yet, the Human Security Report repeatedly alleges that the end of the Cold War unleashed the power of the United Nations! As the report notes, the U.N.'s peacekeeping efforts did increase by 700 percent from its tiny Cold War baseline, but that did not make the difference the authors repeatedly claim. To underscore the point, **just imagine a post-Cold War world where the U.S.** -- and along with it NATO **-- had disappeared from global security management just like post-Soviet Russia did. What kind of security role would the U.N. have been in a position to play in such an environment?** **The Human Security Report series put out by Simon Fraser University in Canada is the single best stream of analysis on global security trends out there. Its only shortcoming is the painfully transparent analytical acrobatics that it goes through to deny the United States military its due credit in helping to create a global system that has rolled back war across the world.**

***9. Realism is inevitable***

**Mearsheimer 1** (John, professor at the University of Chicago, The Tragedy of Great Power Politics)

The optimists' claim that security competition and war among the great powers has been burned out of the system is wrong. In fact, all of the major states around the globe still care deeply about the balance of power and are destined to compete for power among themselves for the foreseeable future. Consequently, realism will offer the most powerful explanations of international politics over the next century, and this will be true even if the debates among academic and policy elites are dominated by non-realist theories. In short, the real world remains a realist world. States still fear each other and seek to gain power at each other's expense, because international anarchy—the driving force behind great-power behavior—did not change with the end of the Cold War, and there are few signs that such change is likely any time soon. States remain the principal actors in world politics and there is still no night watchman standing above them. For sure, the collapse of the Soviet Union caused a major shift in the global distribution of power. But it did not give rise to a change in the anarchic structure of the system, and without that kind of profound change, there is no reason to expect the great powers to behave much differently in the new century than they did in previous centuries. Indeed, considerable evidence from the 1990s indicates that power politics has not disappeared from Europe and Northeast Asia, the regions in which there are two or more great powers, as well as possible great powers such as Germany and Japan. There is no question, however, that the competition for power over the past decade has been low-key. Still, there is potential for intense security competition among the great powers that might lead to a major war.

#### Reject their McMan and Miller evidence --- we’re not a role playing exercise – we don’t think we’re the government, we just think we should act

***10. Act to save the most lives – imperfect knowledge doesn’t justify inaction***

**Cowen ‘04** (Tyler, Professor of Economics – George Mason University, “The Epistemic Problem Does Not Refute Consequentialism”, 11-2, <http://www.gmu.edu/jbc/Tyler/Epistemic2.pdf>, p. 14-15)

**The epistemic critique relies heavily on a complete lack of information about initial circumstances.** This is not a plausible general assumption, although it may sometimes be true. The critique may give the impression of relying more heavily on a more plausible assumption, namely a high variance for the probability distribution of our estimates concerning the future. **But simply increasing the level of variance or uncertainty does not add much force to the epistemic argument**. To see this more clearly, consider another case of a high upfront benefit. **Assume that the United States has been hit with a bioterror attack** and one million children have contracted smallpox. We also have two new experimental remedies, both of which offer some chance of curing smallpox and restoring the children to perfect health. **If we know for sure which remedy works, obviously we should apply that remedy. But imagine now that we are uncertain as to which remedy works**. The uncertainty is so extreme that each remedy may cure somewhere between three hundred thousand and six hundred thousand children. **Nonetheless we have a slight idea that one remedy is better than the other.** That is, one remedy is slightly more likely to cure more children, with no other apparent offsetting negative effects or considerations. **Despite the greater uncertainty, we still have the intuition that we should try to save as many children as possible**. We should apply the remedy that is more likely to cure more children. **We do not say: “We are now so uncertain about what will happen. We should pursue some goal other than trying to cure as many children as possible.”** Nor would we cite greater uncertainty about longer-run events as an argument against curing the children. We have a definite good in the present (more cured children), balanced against a radical remixing of the future on both sides of the equation. The definite upfront good still stands firm. Alternatively, let us assume that our broader future suddenly became less predictable (perhaps genetic engineering is invented, which creates new and difficult-to-forecast possibilities). That still would not diminish the force of our reason for saving more children. The variance of forecast becomes larger on both sides of the equation – whether we save the children or not – and the value of the upfront lives remains. A higher variance of forecast might increase the required size of the upfront benefit (to overcome the Principle of Roughness), but it would not refute the relevance of consequences more generally. **We could increase the uncertainty more, but consequentialism still will not appear counterintuitive**. The remedies, rather than curing somewhere in the range of three to six hundred thousand children, might cure in the broader range of zero to all one million of the children. By all classical statistical standards, this new cure scenario involves more uncertainty than the previous case, such as by having a higher variance of possible outcomes. Yet this higher uncertainty lends little support for the view that curing the children becomes less important. **We still have an imperative to apply the remedy that appears best, and is expected the cure the greater number of children.**  **This example** may appear excessively simple, but it **points our attention to the non-generality of the epistemic critique. The critique appears strongest only when we have absolutely no idea about the future; this is a special rather than a general case. Simply boosting the degree of background generic uncertainty should not stop us from pursuing large upfront benefits of obvious importance.**

### 2AC – I-Law

#### Plan’s key to international law

Martin ’11, Craig Martin, Visiting Assistant Professor, University of Baltimore School of Law, Winter, 2011¶ Brooklyn Law Review¶ 76 Brooklyn L. Rev. 611, ARTICLE: Taking War Seriously: A Model for Constitutional Constraints on the Use of Force in Compliance with In-ternational Law, Lexis, jj

The requirement to consider the legality of the proposed action under international law, as mandated by the first element of the Model, would of course inject precisely the kind of exogenous criteria and divergent perspectives that could operate to reduce the effects of the domestic causes of war. And conversely, the requirement for legislative approval, bringing to bear the foregoing parliamentary functions on the considerations of legality, would vastly increase the traction of that aspect of the process. Evidence has recently emerged, for instance, on the extent to which disputes within the British cabinet over the legality of the contemplated invasion of Iraq [\*685] severely complicated the prime minister's decision making, even in the absence of any constitutional or statutory to consider such issues. Had there been such a legal obligation, and in addition a requirement to take the debate of that issue to parliament, it is quite conceivable that the decision would have gone the other way. n272¶ Finally, the requirement to obtain legislative approval will also serve to enhance international law objectives and engage the Image III causes of war. Thus far in our discussion of this element of the Model we have been looking pri-marily at the domestic perspective--the extent to which legislative involvement assists the state in avoiding the ruinous costs of military misadventure. But Kant in particular contemplated the benefits that such a government structure would provide to the international system as a whole. n273 The spread of a constitutional system that included representative government and a separation of powers between the executive and the legislature would lead to an ever-widening circle of peace among these like-minded states. It is ironic that he has been proved prescient, with the actual spread of constitutional democracy and the realization of the democratic peace, while at the same time the feature of his model involving the separation of powers with respect to the decision to go war has been very imperfectly realized among the world's community of liberal democracies. n274 It has been argued that this is changing, and indeed as already discussed, there is some significant evidence that a trend is developing, with legislatures in many liberal democracies around the world increasingly addressing the [\*686] issue and mobilizing for change. n275 The proposed Model merely builds on the theory and seeks to encourage this actual trend.

***Extinction***

**Krieger** 20**02** (David, Current President of the Nuclear Age Peace Foundation and former Professor at the University of Hawaii and San Francisco State University)

<http://www.wagingpeace.org/articles/2002/07/10_krieger_law-force.htm>

**An important marker of civilization has always been the ascendancy of law over the unbridled use of force. At the outset of the 21st century, we are faced with a pervasive dilemma. Reliance on force given the power of our destructive technologies could destroy civilization as we know it.** The trials at Nuremberg and Tokyo following World War II were an attempt to elevate the force of law over the law of force. The newly created International Criminal Court, which will bring the Principles of Nuremberg into the 21st century, is supported by all major US allies. Unfortunately US leaders are opposing the Court and seem to fear being held to the same level of accountability as they would demand for other leaders. Of course, law does not prevent all crime. It simply sets normative standards and provides that those who violate these standards will be punished. In the case of the most heinous crimes, the remedies of law are inadequate. But even inadequate remedies of law are superior to the unbridled use of force that compounds the injury by inflicting death and suffering against other innocent people. Perpetrators of crime must be brought before the bar of justice, but there must also be safeguards that protect the innocent from being made victims of generalized retribution. When an individual commits a crime, there should be clear liability. When a state commits a crime, however, who is to be held to account? According to the Principles of Nuremberg that were applied to the Axis leaders after World War II, it should be the responsible parties, whether or not they were acting in the service of the state. At Nuremberg, it was determined that sovereignty has its limits, and that leaders of states who committed serious crimes under international law would be held to account before the law. These crimes included crimes against peace, crimes against humanity and war crimes. **Without the international norms that are established by law, the danger exists of reverting to international anarchy, in which each country seeks its own justice by its own means. Only established legal norms, upheld by the international community and supported by the most powerful nations, can prevent such chaos and the ultimate resort to war to settle disputes. International legal norms are essential in a world in which violence can have even more fearful results than were first experienced at Hiroshima and Nagasaki.** International law is needed if we are to abolish war before war abolishes us. We cannot have it both ways. If we choose law, the nations of the world must join together in a common effort to support and enforce the law. Albert Einstein, the great 20th century scientist and humanitarian, wrote, “Anybody who really wants to abolish war must resolutely declare himself in favor of his own country’s resigning a portion of its sovereignty in favor of international institutions: he must be ready to make his own country amenable, in case of a dispute, to the award of an international court. He must in the most uncompromising fashion support disarmament all around….” In recent years, the United States has pulled away from international law by disavowing treaties, particularly in the area of disarmament, and by withdrawing its support from the International Criminal Court. **Without US leadership in support of international law, force rather than law will gain strength as the international norm. Relying on force may be tempting to the most powerful country on the planet, but it portends disaster, not least for the United States itself.**