# 1NC

# 1

#### Interpretation: Armed forces only include Army, Navy, Air Force, Marine Corps, and Coast Guard.

US Department of Defense, “United States Armed Forces,” Dictionary of Military and Associated Terms, 2005.

Used to denote collectively only the regular components of the Army, Navy, Air Force, Marine Corps, and Coast Guard. See also Armed Forces of the United States.

#### Violation: Plan restricts private contractors introduction into hostilities – armed forces doesn’t include private contractors

Boston College Law Review, 2012

(“Restoring Constitutional Balance: Accommodating the Evolution of War”, November, 53 B.C. L. Rev 1767)

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

#### Prefer our interpretation

#### 1. Predictable limits: 5 branches of United States armed forces and subsections of those branches already provides substantial aff ground – expanding beyond ‘armed forces’ would include government civilians, CIA operatives, UAVS, and all other technological innovations explodes limits

Boston College Law Review, 2012

(“Restoring Constitutional Balance: Accommodating the Evolution of War”, November, 53 B.C. L. Rev 1767)

The scope of actors that fall within the War Powers Consultation proposal should be broadened. n344 The proposal currently is limited to "combat operation[s] by U.S. armed forces." n345 The legislation should be more expansive, and closer to the reality of modern war fighting, which is conducted by many actors in addition to the military. n346 This change could be accomplished by omitting the words "armed forces." n347 Therefore, the scope of the legislation should be modified to encompass "any combat operation by the United States." n348 This change to the proposed legislation would encompass military, government civilians, contractors, UAVs, and other technological innovations that act on behalf of the nation. n349

#### 2. Historical precision: ‘Armed forces’ excludes private contractors – textual analysis, legislative history, and broad policy purposes prove. Exclusive interpretation should be preferred

Lorber, 12

(“EXECUTIVE WARMAKING AUTHORITY AND OFFENSIVE CYBER OPERATIONS: CAN EXISTING LEGISLATION SUCCESSFULLY CONSTRAIN PRESIDENTIAL POWER?” Journal of Constitution Law, Vol. 15:3. Eric Lorber∗ J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University Department of Political Science. 3/7/12 [http://ssrn.com/abstract=2017036](http://ssrn.com/abstract%3D2017036)) KH

C. The War Powers Resolution as Applied to Offensive Cyber Operations

As discussed above, critical to the application of the War Powers Resolution—especially in the context of an offensive cyber operation—are the definitions of key terms, particularly “armed forces,” as the relevant provisions of the Act are only triggered if the President “introduc[es armed forces] into hostilities or into situations [of] imminent . . . hostilities,”172 or if such forces are introduced “into the territory, airspace, or waters of a foreign nation, while equipped for combat, except for deployments which relate solely to supply, replacement, repair, or training of such forces.”173 The requirements may also be triggered if the United States deploys armed forces “in numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation.”174 As is evident, the definition of “armed forces” is crucial to deciphering whether the WPR applies in a particular circumstance to provide congressional leverage over executive actions. The definition of “hostilities,” which has garnered the majority of scholarly and political attention,175 particularly in the recent Libyan conflict,176 will be dealt with secondarily here because it only becomes important if “armed forces” exist in the situation. As is evident from a textual analysis,177 an examination of the legislative history,178 and the broad policy purposes behind the creation of the Act,179 “armed forces” refers to U.S. soldiers and members of the armed forces, not weapon systems or capabilities such as offensive cyber weapons. Section 1547 does not specifically define “armed forces,” but it states that “the term ‘introduction of United States Armed Forces’ includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government.”180 While this definition pertains to the broader phrase “introduction of armed forces,” the clear implication is that only members of the armed forces count for the purposes of the definition under the WPR. Though not dispositive, the term “member” connotes a human individual who is part of an organization.181 Thus, it appears that the term “armed forces” means human members of the United States armed forces. However, there exist two potential complications with this reading. First, the language of the statute states that “the term ‘introduction of United States Armed Forces’ includes the assignment of members of such armed forces.”182 By using inclusionary—as opposed to exclusionary— language, one might argue that the term “armed forces” could include more than members. This argument is unconvincing however, given that a core principle of statutory interpretation, expressio unius, suggests that expression of one thing (i.e., members) implies the exclusion of others (such as non- members constituting armed forces).183 Second, the term “member” does not explicitly reference “humans,” and so could arguably refer to individual units and beings that are part of a larger whole (e.g., wolves can be members of a pack). As a result, though a textual analysis suggests that “armed forces” refers to human members of the armed forces, such a conclusion is not determinative. An examination of the legislative history also suggests that Congress clearly conceptualized “armed forces” as human members of the armed forces. For example, disputes over the term “armed forces” revolved around who could be considered members of the armed forces, not what constituted a member. Senator Thomas Eagleton, one of the Resolution’s architects, proposed an amendment during the process providing that the Resolution cover military officers on loan to a civilian agency (such as the Central Intelligence Agency).184 This amendment was dropped after encountering pushback,185 but the debate revolved around whether those military individuals on loan to the civilian agency were still members of the armed forces for the purposes of the WPR, suggesting that Congress considered the term to apply only to soldiers in the armed forces. Further, during the congressional hearings, the question of deployment of “armed forces” centered primarily on past U.S. deployment of troops to combat zones,186 suggesting that Congress conceptualized “armed forces” to mean U.S. combat troops.The broad purpose of the Resolution aimed to prevent the large-scale but unauthorized deployments of U.S. troops into hostilities.187 While examining the broad purpose of a legislative act is increasingly relied upon only after examining the text and legislative history, here it provides further support for those two alternate interpretive sources.188 As one scholar has noted, “[t]he War Powers Resolution, for example, is concerned with sending U.S. troops into harm’s way.”189 The historical context of the War Powers Resolution is also important in determining its broad purpose; as the resolutions submitted during the Vietnam War and in the lead-up to the passage of the WPR suggest, Congress was concerned about its ability to effectively regulate the President’s deployments of large numbers of U.S. troops to Southeast Asia,190 as well as prevent the President from authorizing troop incursions into countries in that region.191 The WPR was a reaction to the President’s continued deployments of these troops into combat zones, and as such suggests that Congress’s broad purpose was to prevent the unconstrained deployment of U.S. personnel, not weapons, into hostilities.

#### T is a voting issue: fairness, education, jurisdiction, and should be evaluated by CI.

# **2**

#### The Executive branch of the United States should establish an intra-executive Commission on Wartime Contracting using a high risk activities standard. The Executive branch of the United States should adhere to the determinations of the Commission on Wartime Contracting.

####  An independent executive commission is comparatively better than congress at deciding PSC outsourcing—solves the flex disad link because it makes decisions rapidly and doesn’t get bogged down in congressional decision making

Laplaca 2013 [Anthony Laplaca, Former Washington DC Attorney General, "Settling the inherently governmental functions debate once and for all: the need for comprehensive legislation of private security contractors in Afghanistan," April 24, 2013, <http://iissonline.net/settling-the-inherently-governmental-functions-debate-once-and-for-all-the-need-for-comprehensive-legislation-of-private-security-contractors-in-afghanistan-2/>, wyo-sc]

Awarding contracts for core capabilities on an individual basis arguably imposes a burdensome intermediate stage in the outsourcing process. Critics may argue that the polarizing debate over the propriety of outsourcing certain controversial functions is even less likely to be resolved in Congress than by agencies within the DoD. Core capabilities are, by definition, a gray area. In other words, why should we expect that congressional deliberation will decisively settle questions over the more contentious contracting functions in a timely manner?¶ However, the core competencies model does not necessarily call for direct congressional intervention into PSC outsourcing. Nuanced questions of outsourcing are too often beyond the grasp of an ever-changing Congress with limited time for deliberating contracts on a case-by-case basis. Congress should therefore delegate the authority to approve or deny outsourcing of core capabilities to a smaller body that is versed in the dynamics of the war in Afghanistan. Entrusting a semi-independent tribunal to award contracts for core capabilities would essentially keep procurement policy in the legislative sphere and would provide for swift assessment of the risk of overlap into the inherently governmental domain based on the facts and circumstances relevant to each contract. Such a commission would be an arbiter charged with aligning DoD outsourcing with the policy disfavoring privatization of IGFs.¶ Although it was dissolved by statute after issuing its Final Report in October 2011, (110) the Commission on Wartime Contracting (CWC) represents an ideal delegation for dealing with core capabilities contracts. The CWC possessed all the attributes of a specialized legislative board capable of making the difficult policy judgments in connection with outsourcing functions that are potentially IGFs. Established by the National Defense Authorization Act for Fiscal Year 2008, (111) the CWC was comprised of eight bipartisan commissioners, all of whom had strong educational backgrounds in Government or in foreign affairs generally. These commissioners were steeped in government experience and were constantly conducting probing reviews of the Government’s policies in Afghanistan. In pursuit of a more enlightened program of wartime contracting, (112) the CWC was authorized to “hold hearings, take testimony, receive evidence, and provide for the attendance and testimony of witnesses as well as the production of documents” upon which it based its policy recommendations to Congress. (113)

# 3

#### Obama has cultivated broad enforcement discretion and that makes executive flexibility inevitable in the status quo.

Will 13

[George F. Will, Pulitzer Prize winning journalist and Washington Post columnist, “Obama’s extreme use of executive discretion,” Washington Post, December 18, 2013, http://www.washingtonpost.com/opinions/george-will-obamas-extreme-use-of-executive-discretion/2013/12/18/656ae4be-680d-11e3-ae56-22de072140a2\_story.html // wyo-ch]

Congressional Republicans’ long-simmering dismay about Barack Obama’s offenses against the separation of powers became acute when events compelled him to agree with them that the Affordable Care Act (ACA) could not be implemented as written. But even before he decreed alterations of key ACA provisions — delaying enforcement of certain requirements for health insurance and enforcement of employers’ coverage obligations — he had effectively altered congressionally mandated policy by altering work requirements of the 1996 welfare reform; and compliance requirements of the No Child Left Behind education law; and some enforcement concerning marijuana possession; and the prosecution of drug crimes entailing mandatory minimum sentences; and the enforcement of immigration laws pertaining to some young people. Republicans tend to regard Obama’s aggressive assertion of enforcement discretion as idiosyncratic — an anti-constitutional impatience arising from his vanity. This interpretation is encouraged by his many assertions that he “can’t wait” for our system of separated powers to ratify his policy preferences. Still, to understand not only the extravagance of Obama’s exercises of executive discretion but also how such discretion necessarily grows as government does, read Zachary S. Price’s “Enforcement Discretion and Executive Duty” forthcoming in the Vanderbilt Law Review. Price, a visiting professor at the University of California’s Hastings College of the Law, demonstrates that the Constitution’s “text, history, and normative underpinnings” do not justify the permissive reading Obama gives to its take care clause, which says the president “shall take care that the laws be faithfully executed.” It is, says Price, part of America’s “deeply rooted constitutional tradition” that “presidents, unlike English kings, lack authority to suspend statutes” or make them inapplicable to certain individuals or groups. Indeed, the take care clause may have been intended to codify the Framers’ repudiation of royal suspending prerogatives. Hence the absence of an anti-suspension provision in the Bill of Rights. Congress’s excessive expansion of the number of federal crimes, however, has required the husbanding of scarce prosecutorial and judicial resources, which has made enforcement discretion central to the operation of today’s federal criminal justice system. But Obama’s uses of executive discretion pertain to the growth of the administrative state. The danger, Price says, is that the inevitable non-enforcement of many federal criminal laws will establish “a new constitutional norm of unbounded executive discretion” beyond the criminal justice system. Price says the enforcement discretion exercised in the context of the resource-constrained criminal justice system provides “no support for presidential authority to decline enforcement with respect to any other given civil regulatory regime, such as the Affordable Care Act.” The difference is between priority-setting and policy-setting, the latter being a congressional prerogative because of Congress’s primacy in lawmaking. Absent “a clear statutory basis, an executive waiver of statutory requirements” is “presumptively impermissible.” It has, however, become “a nearly irresistible temptation” for presidents to infer permission from the courts’ abandonment of judicial review that limits Congress’s power to delegate essentially legislative powers to the executive branch. So, Price asks: “If President Obama may postpone enforcement of the ACA’s insurance requirements and employer mandate, could a subsequent president ignore the Affordable Care Act altogether?”

**War powers must be solely invested in the executive- any departure undermines the strength and unanimity of the executive’s actions**

**Fisher 09**

[Louis Fisher, specialist in Constitutional Law, Law Library, Library of Congress. Ph.D., , 2009, 12 U. Pa. J. Const. L. 569 (2009-2010), The Unitary Executive and Inherent Executive Power, Hein Online, uwyo//amp]

**The Framers had plenty of strong executive models from which to choose**. They could look to John **Locke**, who **emphasized the need for independent executive action**. He understood that **the legislature could not always be in sitting, nor could it provide laws to cover every contingency**: **"It is not necessary-**no, nor so much as convenient **that the legislative should be always in being; but absolutely necessary that the executive power should, because there is not always need of new laws to be made, but always need of execution of the laws** that are made."' Although Locke divided government into legislative andexecutive institutions to provide for checks and balances, **he placed** what he called the **federative power** (foreign policy) **solely with the executive**. His federative power included **"the power of war and peace**, leagues and alliances, and all the transactions with all persons and communities without the commonwealth."2 **The federative pow er was "always almost united" with the executive. Separating the ex ecutive and federative powers,** he warned, **would invite "disorder and ruin."** William Blackstone, in his Commentaries, agreed that **in external af fairs the King was the sole authority.** The British Constitution placed those powers in the hand of the executive "**for the sake of unanimity, strength, and dispatch**."5 In the "exertion of lawful prerogative**, the king** is and o**ught to be absolute;** that is, so far absolute, that there is no legal authority that can either delay or resist him."6 In the exer cise of those prerogatives the King "is irresistible and absolute."' With regard to foreign policy, the King "is the delegate or representative of his people."" I**ndividuals of a state, even in a collective capacity, could not** possibly "**transact the affairs of that state with another community equally numerous as themselves. Unanimity must be wanting to their measures, and strengths to the execution of their counsels."9**

**Constrained executive makes it impossible to respond to the rapid and existential nature of the threat posed by terrorism-strong, flexible executive key to check nuclear, chemical, and biological attacks**

**Royal 2011**

[John Paul, Fellow of the Institute for World Politics, 2011, War Powers and the Age of Terrorism, <http://www.thepresidency.org/storage/Fellows2011/Royal-_Final_Paper.pdf>, uwyo//amp]

The international system itself and national security challenges to the United States in particular, underwent rapid and significant change in the first decade of the twenty-first century. War can no longer be thought about strictly in the terms of the system and tradition created by the Treaty of Westphalia over three and a half centuries ago**. Non-state actors now possess a level of destructiveness formerly enjoyed only by nation states. Global terrorism, coupled with the threat of weapons of mass destruction** developed organically or obtained from rogue regimes, **presents new challenges to U.S. national security and place innovative demands on the Constitution’s system of making war. I**n the past, as summarized in the 9/11 Commission Report, threats emerged due to hostile actions taken by enemy states and their ability to muster large enough forces to wage war: “Threats emerged slowly, often visibly, as weapons were forged, armies conscripted, and units trained and moved into place. **Because large states were more powerful, they also had more to lose. They could be deterred"** (National Commission 2004, 362). This mindset assumed that peace was the default state for American national security. Today however, **we know that threats can emerge quickly. Terrorist organizations** half-way around the world **are able to wield weapons of unparalleled destructive power. These attacks are more difficult to detect and deter due to their unconventional and asymmetrical nature. In light of these new asymmetric threats** and the resultant changes to the international system, **peace can no longer be considered the default state of American national security. Many have argued that the Constitution permits the president to use unilateral action only in response to an imminent direct attac**k on the United States. In the emerging security environment described above, **pre-emptive action taken by the executive branch may be needed more often than when nation-states were the principal threat** to American national interests. Here again, the 9/11 Commission Report is instructive as it considers the possibility of pre-emptive force utilized over large geographic areas due to the diffuse nature of terrorist networks: In this sense, 9/11 has taught us that terrorism against American interests “over there” should be regarded just as we regard terrorism against America “over here.” In this sense, the American homeland is the planet (National Commission 2004, 362). Furthermore, the report explicitly describes the global nature of the threat and the global mission that must take place to address it. Its first strategic policy recommendation against terrorism states that **the: U.S. government must identify and prioritize actual or potential terrorist sanctuaries.** For each, it should have a realistic strategy to keep possible terrorists insecure and on the run, using all elements of national power (National Commission 2004, 367). Thus, **fighting continues against terrorists in Afghanistan, Yemen, Iraq, Pakistan, the Philippines, and beyond,** as we approach the tenth anniversary of the September 11, 2001 attacks. **Proliferation of weapons of mass destruction (WMD), especially nuclear weapons, into the hands of these terrorists is the most dangerous threat to the United States**. We know from the 9/11 Commission Report that A**l Qaeda has attempted to make and obtain nuclear weapons for at least the past fifteen years. Al Qaeda considers the acquisition of weapons of mass destruction to be a religious obligation** **while “more than two dozen other terrorist groups are pursing CBRN [chemical, biological, radiological, and nuclear] materials**” (National Commission 2004, 397). Considering these statements**, rogue regimes** that are openly hostile to the United States and have or seek to develop nuclear weapons capability such as North Korea and Iran, **or extremely unstable nuclear countries such as Pakistan, pose a special threat to American national security interests**. These nations were not necessarily a direct threat to the United States in the past. Now, however, **due to proliferation of nuclear weapons and missile technology, they can inflict damage at considerably higher levels** and magnitudes than in the past. In addition, **these regimes may pursue proliferation of nuclear weapons and missile technology to other nations and to allied terrorist organizations. The United States must pursue condign punishment and appropriate, rapid action against hostile terrorist organizations, rogue nation states, and nuclear weapons proliferation threats in order to protect American interest**s both at home and abroad. Combating these threats are the “top national security priority for the United States…with the full support of Congress, both major political parties, the media, and the American people” (National Commission 2004, 361). **Operations may take the form of pre-emptive and sustained action against those who have expressed hostility or declared war on the United States. Only the executive branch can effectively execute this mission,** authorized by the 2001 AUMF. If the national consensus or the nature of the threat changes, Congress possesses the intrinsic power to rescind and limit these powers.

**Terrorist retaliation causes nuclear war – draws in Russia and China**

Robert **Ayson**, Professor of Strategic Studies and Director of the Centre for Strategic Studies: New Zealand at the Victoria University of Wellington, **2010** (“After a Terrorist Nuclear Attack: Envisaging Catalytic Effects,” Studies in Conflict & Terrorism, Volume 33, Issue 7, July, Available Online to Subscribing Institutions via InformaWorld)

A terrorist nuclear attack, and even the use of nuclear weapons in response by the country attacked in the first place, would not necessarily represent the worst of the nuclear worlds imaginable. Indeed, there are reasons to wonder whether nuclear terrorism should ever be regarded as belonging in the category of truly existential threats. A contrast can be drawn here with the global catastrophe that would come from a massive nuclear exchange between two or more of the sovereign states that possess these weapons in significant numbers. Even the worst terrorism that the twenty-first century might bring would fade into insignificance alongside considerations of what a general nuclear war would have wrought in the Cold War period. And it must be admitted that as long as the **major nuclear weapons states have hundreds and even thousands of nuclear weapons at their disposal**, there is always the possibility of a truly awful nuclear exchange taking place precipitated entirely by state possessors themselves. But **these two nuclear worlds—a non-state actor nuclear attack and a catastrophic interstate nuclear exchange—are not necessarily separable. It is just possible that some sort of terrorist attack**, and especially an act of **nuclear terrorism, could precipitate a chain of events leading to a massive exchange of nuclear weapons between two or more of the states that possess them.** In this context, today’s and tomorrow’s terrorist groups might assume the place allotted during the early Cold War years to new state possessors of small nuclear arsenals who were seen as raising the risks of a catalytic nuclear war between the superpowers started by third parties. These risks were considered in the late 1950s and early 1960s as concerns grew about nuclear proliferation, the so-called n+1 problem. t may require a considerable amount of imagination to depict an especially plausible situation where an act of nuclear terrorism could lead to such a massive inter-state nuclear war. For example, in the event of a terrorist nuclear attack on the United States, it might well be wondered just how Russia and/or China could plausibly be brought into the picture, not least because they seem unlikely to be fingered as the most obvious state sponsors or encouragers of terrorist groups. They would seem far too responsible to be involved in supporting that sort of terrorist behavior that could just as easily threaten them as well. Some possibilities, however remote, do suggest themselves. For example, how might the United States react if it was thought or discovered that the fissile material used in the act of nuclear terrorism had come from Russian stocks,40 and if for some reason Moscow denied any responsibility for nuclear laxity? The correct attribution of that nuclear material to a particular country might not be a case of science fiction given the observation by Michael May et al. that while the debris resulting from a nuclear explosion would be “spread over a wide area in tiny fragments, its radioactivity makes it detectable, identifiable and collectable, and a wealth of information can be obtained from its analysis: the efficiency of the explosion, the materials used and, most important … some indication of where the nuclear material came from.”41 Alternatively, **if the act** of nuclear terrorism **came as a** complete **surprise**, and **American** officials refused to believe that a terrorist group was fully responsible (or responsible at all) **suspicion would shift immediately to state possessors**. Ruling out Western ally countries like the United Kingdom and France, and probably Israel and India as well, authorities in Washington would be left with a very short list **consisting of North Korea,** perhaps **Iran** if its program continues, and possibly **Pakistan**. But at what stage would **Russia and China** be definitely ruled out in this high stakes game of nuclear Cluedo? In particular**, if the act of** **nuclear terrorism occurred against a backdrop of existing tension in Washington’s relations with Russia and/or China, and at a time when threats had already been traded between these major powers, would officials and political leaders not be tempted to assume the worst**? Of course, the chances of **this occurring would only seem to increase if the United States was already involved in some sort of limited armed conflict with Russia and/or China, or if they were confronting each other from a distance in a proxy war,** as unlikely as these developments may seem at the present time. **The reverse might well apply too**: **should a nuclear terrorist attack occur in Russia or China** during a period of heightened tension or even limited conflict with the United States, **could Moscow and Beijing resist the pressures that might rise domestically to consider the United States as a possible perpetrator or encourager of the attack**? **Washington’s** early **response** to a terrorist nuclear attack on its own soil might also **raise the possibility of** an unwanted (and **nuclear** aided) **confrontation with Russia and/or China.** For example, **in the noise and confusion during the immediate aftermath of the terrorist nuclear attack**, the U.S. president might be expected to place the country’s armed forces, including its nuclear arsenal, on a higher stage of alert. In such a tense environment, when careful planning runs up against the friction of reality, **it is just possible that Moscow and/or China might mistakenly read this as a sign of U.S. intentions to use force (and possibly nuclear force) against** them. In that situation, **the temptations to preempt such actions might grow**, although it must be admitted that any preemption would probably still meet with a devastating response.

# 4

#### The logic of the affirmative asks how war should be waged rather than if war should be waged at all—their methods only spark temporary interest in the military-industrial complex—it leads to free reign of the mentality of constant war

Lichterman 3

[Andrew, Program Director of the Western States Legal Foundation, Missiles of Empire: America’s 21st Century Global Legions, WSLF Information Bulletin, Fall 2003, http://www.wslfweb.org/nukes.htm]

Criticizing the Hubcaps while the Juggernaut Rolls On The U.S. military-industrial complex today is so immense as to defy comprehension. Even those few paying attention tend to focus on one small piece at a time. One month it may be proposals for nuclear weapons with certain new capabilities. Then the attention may shift to missile defense– but there too, only a small part of the program attracts public debate, with immense programs like the airborne laser proceeding almost invisibly. Proposals for the intensive militarization of space like the Space Plane come to light for a day or two, attracting a brief flurry of interest; the continuing, broad development of military space technologies, from GPS-aided guidance to radiation hardened microchips to space power generation, draw even less scrutiny. There is so broad a consensus among political elites supporting the constant refinement of conventional armaments that new generations of strike aircraft, Navy ships, and armored vehicles attract little notice outside industry and professional circles, with only spectacular cost overruns or technical failures likely to draw the occasional headline. A few Congresspeople will challenge one or another particularly extreme new weapon (e.g. the “Robust Nuclear Earth Penetrator”), but usually on narrow pragmatic grounds: we can accomplish the same “mission” with less risky or cheaper weapons. But the question of “why,” seldom is asked, only “how,” or “how much does it cost?” Most of the programs that constitute the military machine glide silently onward undisturbed, like the body of a missile submarine invisible below the deceptively small surfaces that rise above the sea. The United States emerged after both World War II and the Cold War as the most powerful state on earth-- the one with the most choices. The first time, all of this was still new. We could perhaps understand our ever deeper engagement with the machinery of death as a series of tragic events, of the inevitable outcome of fallible humans grappling with the titanic forces they had only recently unleashed, in the context of a global confrontation layered in secrecy, ideology, and fear. But this time around, since the end of the Cold War, we must see the United States as truly choosing, with every new weapon and every new war, to lead the world into a renewed spiral towards catastrophe. The past is written, but our understanding of it changes from moment to moment. The United States began the nuclear age as the most powerful nation on earth, and proclaimed the character of the “American Century” with the bombings of Hiroshima and Nagasaki, a cryptic message written in the blood of innocents. Its meaning has come clear over fifty years of technocratic militarism, punctuated by the deaths of millions in neo-colonial warfare and underscored always by the willingness to end the world rather than share power with anyone. The path ahead still can be changed, but we must begin with an understanding of where we are, and how we got here. In the United States, there is a very long way to go before we have a debate about the uses of military force that addresses honestly the weapons we have and seek to develop, much less about the complex social forces which impel the United States to maintain its extraordinary levels of forces and armaments. Most Americans don’t know what their government is doing in their name, or why. Their government, regardless of the party in power, lies about both its means and its ends on a routine basis. And there is nothing the government lies about more than nuclear weapons, proclaiming to the world for the last decade that the United States was disassembling its nuclear facilities and leading the way to disarmament, while rebuilding its nuclear weapons plants and planning for another half century and more of nuclear dominance.74 It is clear by now that fighting violence with yet more violence, claiming to stop the spread of nuclear weapons by threatening the use of nuclear weapons, is a dead end. The very notion of “enforcement,” that some countries have the right to judge and punish others for seeking “weapons of mass destruction,” has become an excuse for war making, a cover and justification for the power and profit agenda of secretive and undemocratic elites. The only solution that will increase the security of ordinary people anywhere is for all of us, in our respective societies, to do everything we can to get the most violent elements in our cultures– whether in or out of uniform– under control. In the United States, this will require far more than changing a few faces in Washington. We will need a genuine peace movement, ready to make connections to movements for ecological balance, and for social and economic justice, and by doing so to address the causes of war. Before we can expect others to join us, it must be clear that we are leaving the path of violence.

#### The aff uses an ethical approach that creates crisis-based politics that means that we will be infinitely entrenched in the system—viewing wars as distinct makes it so we ignore ongoing violence

**Cuomo 96**

(Chris, prof of women’s studies @ UGA, War is Not Just an Event: Reflections on the Significance of Everyday Violence, Hypatia 11:4, Women and Violence, Autumn, pp. 30-45)

**Philosophical attention to war has typically appeared in the form of justifications for** entering into **war, and** over **appropriate activities within war. The spatial metaphors used to refer to war as a separate, bounded sphere indicate assumptions that war is a realm of human activity vastly removed from normal life**, or a sort of happening that is appropriately **conceived apart from everyday events in peaceful times.** Not surprisingly, most **discussions of** the political and ethical dimensions of **war discuss war solely as an event**-an occurrence, or collection of occurrences, **having clear beginnings and endings** that are typically **marked by formal, institutional declarations**. As happenings, wars and military activities can be seen as motivated by identifiable, if complex, intentions, and directly enacted by individual and collective decision-makers and agents of states. But many of the **questions about war** that are of interest to feminists-**including how** large-scale, **state-sponsored violence affects women and** members of **other oppressed groups; how military violence shapes gendered, raced, and nationalistic political realities** and moral imaginations; what such violence consists of and why it persists; **how it is related to other oppressive and violent institutions and** hegemonies-cannot be adequately pursued by focusing on events. These **issues are not** merely **a matter of** good or bad intentions and **identifiable decisions**. In "Gender and 'Postmodern' War," Robin Schott introduces some of the ways in which **war is currently best seen not as an event but as a** presence (Schott 1995). Schott argues that postmodern understandings of persons, states, and politics, as well as the high-tech nature of much contemporary warfare and the preponderance of civil and nationalist wars, render an event- based conception of war inadequate, especially insofar as gender is taken into account. In this essay, I will expand upon her argument by showing that accounts of war that only focus on events are impoverished in a number of ways, and therefore feminist consideration of the political, ethical, and onto- logical dimensions of war and the possibilities for resistance demand a much more complicated approach. I take Schott's characterization of war as presence as a point of departure, though I am not committed to the idea that the constancy of militarism, the fact of its omnipresence in human experience, and the paucity of an event-based account of war are exclusive to contemporary postmodern or postcolonial circumstances.1 **Theory that does not investigate** or even notice **the omnipresence of militarism** cannot represent or **address the** depth and specificity of the **every- day effects of militarism on women, on people living in occupied territories, on members of military institutions, and on the environment.** These effects are relevant to feminists in a number of ways because military practices and institutions help construct gendered and national identity, and because they justify the destruction of natural nonhuman entities and communities during peacetime. **Lack of attention to these aspects of** the business of making or preventing **military violence** in an extremely technologized world **results in** **theory that** cannot **accommodate** the connections among **the constant presence of militarism**, declared wars, and other closely related social phenomena, such as nationalistic glorifications of motherhood, media violence, and current ideological gravitations to military solutions for social problems. Ethical approaches that do not attend to the ways in which warfare and military practices are woven into the very fabric of life in twenty-first century technological states lead to crisis-based politics and analyses. For any feminism that aims to resist oppression and create alternative social and political options, **crisis-based** ethics and **politics are problematic because they distract** attention **from the need for sustained resistance to the enmeshed,** omnipresent systems **of domination and oppression that** so often **function as givens in** most **people's lives. Neglecting the omnipresence of militarism allows the false belief** that **the absence of declared armed conflicts is peace**, the polar opposite of war. It is particularly easy for those whose lives are shaped by the safety of privilege, and who do not regularly encounter the realities of militarism, to maintain this false belief. The belief that militarism is an ethical, political concern only regarding armed conflict, creates forms of resistance to militarism that are merely exercises in crisis control. **Antiwar resistance is** then **mobilized when** **the "real" violence finally occurs**, or when the stability of privilege is directly threatened, and at that point it is difficult not to respond in ways that make resisters drop all other political priorities. Crisis-driven attention to declarations of war migh**t** actually **keep resisters** complacent **about** and complicitous in **the general presence of global militarism. Seeing war as** necessarily **embedded in constant military presence draws attention to the fact that** horrific, **state-sponsored violence is happening nearly all over, all of the time, and** that it **is perpetrated by military institutions** and other militaristic agents of the state. **Moving away from crisis-driven politics** and ontologies concerning war and military violence also enables consideration of relationships among seemingly disparate phenomena, and therefore **can shape more nuanced theoretical** and practical **forms of resistance.** For example, investigating the ways in which war is part of a presence allows consideration of the relationships among the events of war and the following: how militarism is a foundational trope in the social and political imagination; how the pervasive presence and symbolism of soldiers/warriors/patriots shape meanings of gender; the ways in which threats of state-sponsored violence are a sometimes invisible/sometimes bold agent of racism, nationalism, and corporate interests; the fact that vast numbers of communities, cities, and nations are currently in the midst of excruciatingly violent circumstances. It also provides a lens for considering the relationships among the various kinds of violence that get labeled "war." Given current American obsessions with nationalism, guns, and militias, and growing hunger for the death penalty, prisons, and a more powerful police state, one cannot underestimate the need for philosophical and political attention to connections among phenomena like the "war on drugs," the "war on crime," and other state-funded militaristic campaigns. I propose that the constancy of militarism and its effects on social reality be reintroduced as a crucial locus of contemporary feminist attentions, and that feminists emphasize how wars are eruptions and manifestations of omnipresent militarism that is a product and tool of multiply oppressive, corporate, technocratic states.2 Feminists should be particularly interested in making **this shift** because it **better allows consideration of the effects of war and militarism on** **women, subjugated peoples, and environments.** While giving attention to the constancy of militarism in contemporary life we need not neglect the importance of addressing the specific qualities of direct, large-scale, declared military conflicts. **But the dramatic nature of declared, large-scale conflicts should not**  **obfuscate the ways in which military violence pervades most societies** in increasingly technologically sophisticated ways and the significance of military institutions and everyday practices in shaping reality. Philosophical **discussions that focus** only **on the ethics of** declaring and fighting **wars miss** these connections, and also miss the ways in which even declared military conflicts are often experienced as omnipresent horrors. **These approaches** also **leave** **unquestioned tendencies to** suspend or **distort moral judgment in the face of** **what appears to be the** inevitability **of war** and militarism. **Just-war theory is a prominent example** of a philosophical approach **that** **rests on the assumption that wars are isolated from everyday life** and ethics. Such theory, as developed by St. Augustine, Thomas Aquinas, and Hugo Grotius, and as articulated in contemporary dialogues by many philosophers, including Michael Walzer (1977), Thomas Nagel (1974), and Sheldon Cohen (1989), take the primary question concerning the ethics of warfare to be about when to enter into military conflicts against other states. **They** therefore **take** **as a given the notion that war is an isolated, definable event** with clear boundaries. **These** boundaries are significant because they distinguish the circumstances in which standard moral rules and constraints, such as rules against murder and unprovoked violence, no longer apply. Just-war theory assumes that war is a separate sphere of human activity having its own ethical constraints and criteria and in doing so it begs the question of whether or not war is a special kind of event, or part of a pervasive presence in nearly all contemporary life. Because the application of **just-war principles** is a matter of proper decision- making on the part of agents of the state, before wars occur, and before military strikes are made, they **assume that military initiatives are distinct events**. In fact, declarations of war are generally over-determined escalations of preexisting conditions. **Just-war criteria cannot** help **evaluate military** and related **institutions**, including their **peacetime practices** and how these relate to wartime activities, so they cannot address the ways in which armed conflicts between and among states emerge from omnipresent, often violent, state militarism. The remarkable resemblances in some sectors between states of peace and states of war remain completely untouched by theories that are only able to discuss the ethics of starting and ending direct military conflicts between and among states. **Applications of just-war criteria actually help create the** illusion **that the** **"problem of war" is being addressed when the only considerations are** the ethics of declaring wars and of military violence within the boundaries of declarations of war and peace. **Though just-war considerations might theoretically help decision-makers avoid** specific **gross eruptions of military violence**, **the aspects of war which require the underlying presence of militarism and the** direct effects of the **omnipresence of militarism remain** untouched. There may be important **decisions** to be made **about** when and how to fight **war**, but these **must be considered in terms of the** many other **aspects of** contemporary war and **militarism** that are **significant to nonmilitary personnel, including women and nonhumans.**

#### Internalized acceptance of war guarantees endless violence that ensures planetary destruction and structural violence

Lawrence 9

[Grant, “Military Industrial "War" Consciousness Responsible for Economic and Social Collapse,” OEN—OpEdNews, March 27]

As a presidential candidate, [Barack Obama](http://obama.senate.gov/) called [Afghanistan](http://en.wikipedia.org/wiki/War_in_Afghanistan_%282001%E2%80%93present%29) ''the war we must win.'' He was absolutely right. Now it is time to win it... Senators [John McCain](http://www.imdb.com/name/nm0564587/) and Joseph Lieberman [calling](http://www.miamiherald.com/opinion/inbox/story/960269.html) for an expanded war in Afghanistan "How true it is that war can destroy everything of value." Pope Benedict XVI [decrying](http://www.google.com/hostednews/afp/article/ALeqM5iuue8kE-e0lYZVFpt4RlbX4M_IEw) the suffering of Africa Where troops have been quartered, brambles and thorns spring up. In the track of great armies there must follow lean years. Lao Tzu on [War](http://www.sacred-texts.com/tao/salt/salt09.htm) As Americans we are raised on the utility of war to conquer every problem. We have a drug problem so we wage war on it. We have a cancer problem so we wage war on it. We have a crime problem so we wage war on it. Poverty cannot be dealt with but it has to be warred against. Terror is another problem that must be warred against. In the [United States](http://maps.google.com/maps?ll=38.8833333333,-77.0166666667&spn=10.0,10.0&q=38.8833333333,-77.0166666667%20%28United%20States%29&t=h), solutions can only be found in terms of wars. In a society that functions to support a massive military industrial war machine and empire, it is important that the terms promoted support the conditioning of its citizens. We are conditioned to see war as the solution to major social ills and major political disagreements. That way when we see so much of our resources devoted to war then we don't question the utility of it. The term "war" excites mind and body and creates a fear mentality that looks at life in terms of attack. In war, there has to be an attack and a must win attitude to carry us to victory. But is this war mentality working for us? In an age when nearly half of our tax money goes to support the war machine and a good deal of the rest is going to support the elite that control the war machine, we can see that our present war mentality is not working. Our values have been so perverted by our war mentality that we see sex as sinful but killing as entertainment. Our society is dripping violence. The violence is fed by poverty, social injustice, the break down of family and community that also arises from economic injustice, and by the managed media. The cycle of violence that exists in our society exists because it is useful to those that control society. It is easier to sell the war machine when your population is conditioned to violence. Our military industrial consciousness may not be working for nearly all of the life of the planet but it does work for the very few that are the master manipulators of our values and our consciousness. Rupert Murdoch, the media monopoly man that runs the "Fair and Balanced" [Fox Network](http://www.fox.com/), Sky Television, and [News Corp](http://www.newscorp.com/) just to name a few, [had](http://en.wikipedia.org/wiki/Rupert_Murdoch) all of his 175 newspapers editorialize in favor of the [Iraq war](http://en.wikipedia.org/wiki/Iraq_War). Murdoch snickers when [he says](http://www.newscorpse.com/ncWP/?p=341) "we tried" to manipulate public opinion." The Iraq war was a good war to Murdoch [because,](http://www.americanprogress.org/issues/2004/07/b122948.html) "The death toll, certainly of Americans there, by the terms of any previous war are quite minute." But, to the media manipulators, the phony politicos, the military industrial elite, a million dead Iraqis are not to be considered. War is big business and it is supported by a war consciousness that allows it to prosper. That is why more war in Afghanistan, the war on Palestinians, and the other wars around the planet in which the [military industrial complex](http://en.wikipedia.org/wiki/Military-industrial_complex) builds massive wealth and power will continue. The military industrial war mentality is not only killing, maiming, and destroying but it is also contributing to the present social and economic collapse. As mentioned previously, the massive wealth transfer that occurs when the American people give half of their money to support death and destruction is money that could have gone to support a just society. It is no accident that after years of war and preparing for war, our society is crumbling. Science and technological resources along with economic and natural resources have been squandered in the never-ending pursuit of enemies. All of that energy could have been utilized for the good of humanity, ¶ instead of maintaining the power positions of the very few super wealthy. So the suffering that we give is ultimately the suffering we get. Humans want to believe that they can escape the consciousness that they live in. But that consciousness determines what we experience and how we live. As long as we choose to live in "War" in our minds then we will continue to get "War" in our lives. When humanity chooses to wage peace on the world then there will be a flowering of life. But until then we will be forced to live the life our present war consciousness is creating.

#### The alternative is to reject the 1AC’s crisis-driven politics.

#### Moving away from the aff’s crisis-driven politics is key to solvency

Cuomo 96

Professor of Philosophy, 1996 Chris, Hypatia 11.4, proquest //Wyo-BF

Moving away from crisis-driven politics and ontologies concerning war and military violence also enables consideration of relationships among seemingly disparate phenomena, and therefore can shape more nuanced theoretical and practical forms of resistance. For example, investigating the ways in which war is part of a presence allows consideration of the relationships among the events of war and the following: how militarism is a foundational trope in the social and political imagination; how the pervasive presence and symbolism of soldiers/warriors/patriots shape meanings of gender; the ways in which threats of state-sponsored violence are a sometimes invisible/sometimes bold agent of racism, nationalism, and corporate interests; the fact that vast numbers of communities, cities, and nations are currently in the midst of excruciatingly violent circumstances. It also provides a lens for considering the relationships among the various kinds of violence that get labeled “war.” Given current American obsessions with nationalism, guns, and militias, and growing hunger for the death penalty, prisons, and a more powerful police state, one cannot underestimate the need for philosophical and political attention to connections among phenomena like the “war on drugs,” the “war on crime,” and other state-funded militaristic campaigns.

#### Our act of resistance is key to destroying the military occupation of our mind and creating true democracy

Hayden 11

(Tom, an American social and political activist and politician, known for his involvement in the animal rights and the anti-war and civil war movements of the 1960s, sacramento news and Review, 9/08/11)

The news that this is not a physical war but mainly one of perceptions will not be received well among American military families or Afghan children, which is why a responsible citizen must rebel first and foremost against the official story. That simple act of resistance necessarily leads to study as part of critical practice, which is as essential to the recovery of a democratic self and democratic society. Read, for example, this early martial line of Rudyard Kipling, the English poet of the white man’s burden: “When you’re wounded and left on Afghanistan’s plains / And the women come out to cut up what remains / Jest roll to your rifle and blow out your brains / An’ go to your [God] like a soldier.” Years later, after Kipling’s beloved son was killed in World War I and his remains never recovered, the poet wrote: “If any question why we died / Tell them, because our fathers lied.” In important part of the story of the peace movement, and the hope for peace itself, is the process by which hawks come to see their own mistakes. A brilliant history/autobiography in this regard is Daniel Ellsberg’s Secrets, about his evolution from defense hawk to historic whistle-blower during the Vietnam War. Ellsberg writes movingly about how he was influenced on his journey by contact with young men on their way to prison for draft resistance. The military occupation of our minds will continue until many more Americans become familiar with the strategies and doctrines in play during the Long War. Not enough Americans in the peace movement are literate about counterinsurgency, counterterrorism and the debates about “the clash of civilizations”—i.e., the West vs. the Muslim world.

# Case

### Distinction

#### 50 civilians die for every one suspected terrorist the US launches a drone attack on

Taylor, 2012

Robert Taylor, Journalist at Policymic November 2012

[<http://www.policymic.com/articles/16949/predator-drone-strikes-50-civilians-are-killed-for-every-1-terrorist-and-the-cia-only-wants-to-up-drone-warfare>]

#### Despite claims from the administration that drone strikes have killed very few civilians, multiple independent reports confirm that Obama is severely downplaying the wreckage that these drone strikes inflict. It is ultimately impossible to get exact numbers, but a new study from Columbia Law School’s Human Rights Institute finds that the number of Pakistani civilians killed in drone strikes are “significantly and consistently underestimated” by tracking organizations which are trying to take the place of government estimates on casualties. There are estimates as high as 98% of drone strike casualties being civilians (50 for every one "suspected terrorist"). The Bureau of Investigative Journalism issued a report detailing how the CIA is deliberately targeting those who show up after the sight of an attack, rescuers, and mourners at funerals as a part of a "double-tap" strategy eerily reminiscient of methods used by terrorist groups like Hamas. These numbers and reports alone should cast much doubt on the effectiveness at protecting the U.S. and combating terrorism that the Obama admnistration uses as justification for drone strikes. If a drone kills an actual terrorist but leaves multiple, sometimes dozens, of innocent civilians vaporized as well, this creates a brand new set of enemies and blowback. According to Jeremy Scahill’s reporting at The Nation, U.S. drone strikes in Yemen are the primary source for Al-Qaeda’s presence in the Arabian Peninsula. Obama’s “signature strikes” — where targets are hit for displaying “suspicious behavior” and which Petraeus also wants to expand — are backfiring and can only boomerang back to us.

#### Those civilian causalities cause people to take up arms

Masood 13

(Hassan, Monmouth College, “Death from the Heavens: The Politics of the United States’ Drone Campaign in Pakistan’s Tribal Areas,” 2013) /wyo-mm

In terms of their current usage, drone strikes that cause civilian deaths as a result of targeting ‘suspected’ terrorists are the most counterproductive to the U.S.’s strategic goals in the region. The next most destructive aspect of this policy is the Obama administration’s previously stated initial directive to not even acknowledge the existence of the program, enraging Pakistanis to a further degree and lending more legitimacy to militancy. The third aspect of this program and how it has been administrated is the ‘accidental guerilla’ phenomenon. This phenomenon is directly related to the tribal custom of Pashtunwali, which translates to “revenge for the death of a close relative or fellow tribesman.” When the Obama administration carries out drone strikes that kill civilians and later maintains that those civilians were in fact militants, this disingenuous method actually produces more militants. How does this happen? By motivating regular civilians living in that area to take up arms against the United States in revenge for those killed. An emphasis must then be placed on publicly acknowledging the drone strikes in order to keep Pakistani public opinion from boiling over. Keeping negative Pakistani public opinion relatively low will also mitigate the complex relationship between the U.S. and Pakistani governments, and help to smooth over the United States’ military’s withdrawal from neighboring Afghanistan. The program should finally re-focus the strikes themselves on High-Value Targets (HVTs) so that the attacks can be justified. Striking surgically and minimizing collateral damage will also lend some legitimacy to these strikes in the eyes of the Pakistani people.

### Structural

#### PMCs aren’t that bad, its inherent in the Military complex, no solvency

Isenberg 09

[David Isenberg, Researcher and leader of the ¶ Norwegian Initiative on Small Arms Transfers (NISAT) at the ¶ International Peace Research Institute, “Private Military Contractors and U.S. Grand Strategy”, http://object.cato.org/sites/cato.org/files/articles/isenberg-private%2520military-contractors-2009.pdf, \\wyo-bb]

Even if all contractors were mercenaries, however, that would hardly justify much of the ¶ criticism directed at them. Today, people tend to label anyone who carries a gun and isn't a ¶ member of a regular military establishment a mercenary. By implication, these guns for ¶ hire are supposedly uncontrollable rogues who commit unspeakable atrocities and wreak ¶ havoc. ¶ But even the worst mercenaries from the Middle Ages to the era of decolonization in the ¶ mid-twentieth century could not rival the human suffering and physical destruction perpetrated by regular military forces. Mercenaries did not invent concentration camps, firebomb cities from the air, or use nuclear, chemical or biological weapons. In fact, the ¶ bloodiest episodes in the 20th century — the bloodiest century in recorded human history ¶ — came courtesy of regular military forces. It is unimaginable that mercenaries could ¶ commit the kind of carnage that contemporary regular military forces routinely plan and ¶ train to unleash. ¶ In fact, in light of the widespread use of mercenaries in armed conflict throughout human history, their now bad reputation is of very recent vintage. It was only well after the ¶ rise of the nation state that mercenaries began to be seen as a bad thing. Indeed, from the ¶ fifteenth to seventeenth centuries – the critical period for European state formation – armies deployed through much of Europe consisted largely of mercenaries by lords and military entrepreneurs. ¶ The legitimate concerns about the legal and ethical role and status of private military ¶ contractors flow from the fact that international law has not kept pace with the changing ¶ nature of war and PMCs.11 ¶ The use of PMCs has increased significantly over the past two decades. They were used ¶ in Desert Storm in 1991, then in the Balkans in the mid-1990s, and now in Iraq and Afghanistan. PMCs have been involved in numerous civil wars, in such places as Angola, ¶ Sierra Leone, the Balkans, and Papua New Guinea.12 All told, from 1990 to 2000 they ¶ were involved in around 80 conflicts (compared to 15 during the period 1950-89). 13

#### Preventing extinction is the highest ethical priority – we should take action to prevent the Other from dying FIRST, only THEN can we consider questions of value to life

Paul Wapner, associate professor and director of the Global Environmental Policy Program at American University, Winter 2003, Dissent, online: http://www.dissentmagazine.org/menutest/archives/2003/wi03/wapner.htm

All attempts to listen to nature are social constructions-except one. Even the most radical postmodernist must acknowledge the distinction between physical existence and non-existence. As I have said, postmodernists accept that there is a physical substratum to the phenomenal world even if they argue about the different meanings we ascribe to it. This acknowledgment of physical existence is crucial. We can't ascribe meaning to that which doesn't appear. What doesn't exist can manifest no character. Put differently, yes, the postmodernist should rightly worry about interpreting nature's expressions. And all of us should be wary of those who claim to speak on nature's behalf (including environmentalists who do that). But we need not doubt the simple idea that a prerequisite of expression is existence. This in turn suggests that preserving the nonhuman world-in all its diverse embodiments-must be seen by eco-critics as a fundamental good. Eco-critics must be supporters, in some fashion, of environmental preservation. Postmodernists reject the idea of a universal good. They rightly acknowledge the difficulty of identifying a common value given the multiple contexts of our value-producing activity. In fact, if there is one thing they vehemently scorn, it is the idea that there can be a value that stands above the individual contexts of human experience. Such a value would present itself as a metanarrative and, as Jean-François Lyotard has explained, postmodernism is characterized fundamentally by its "incredulity toward meta-narratives." Nonetheless, I can't see how postmodern critics can do otherwise than accept the value of preserving the nonhuman world. The nonhuman is the extreme "other"; it stands in contradistinction to humans as a species. In understanding the constructed quality of human experience and the dangers of reification, postmodernism inherently advances an ethic of respecting the "other." At the very least, respect must involve ensuring that the "other" actually continues to exist.

 In our day and age, this requires us to take responsibility for protecting the actuality of the nonhuman. Instead, however, we are running roughshod over the earth's diversity of plants, animals, and ecosystems. Postmodern critics should find this particularly disturbing. If they don't, they deny their own intellectual insights and compromise their fundamental moral commitment.

#### A risk of nuclear war precludes any deontological framework – uncertainty mandates that every policy decision must be able to guarantee the continued existence of the human race, and to ignore this possibility is in itself immoral and unjustified.

Schell, 2000

Schell, policy analyst and proliferation expert, 2000 (Jonathan, “The Fate of the Earth”, p. 94-5) \*This card has been gender-modified.

To say that human extinction is a certainty would, of course, be a misrepresentation—just as it would be a misrepresentation to say that extinction can be ruled out. To begin with, we know that a holocaust may not occur at all. If one does occur, the adversaries may not use all their weapons. If they do use all their weapons, the global effects, in the ozone and elsewhere, may be moderate. And if the effects are not moderate but extreme, the ecosphere may prove resilient enough to withstand them without breaking down catastrophically. These are all substantial reasons for supposing that mankind will not be extinguished in a nuclear holocaust, or even that extinction in a holocaust is unlikely, and they tend to calm our fear and reduce our sense of urgency. Yet at the same time we are compelled to admit that there may be a holocaust, that the adversaries may use all their weapons, that the global effects, including effects of which we are as yet unaware, may be severe, that the ecosphere may suffer catastrophic breakdown, and that our species may be extinguished. We are left with uncertainty, and are forced to make our decisions in a state of uncertainty. If we wish to act to save our species, we have to muster our resolve in spite of our awareness that the life of the species may not now in fact be jeopardized. On the other hand, if we wish to ignore the peril, we have to admit that we do so in the knowledge that the species may be in danger of imminent self-destruction. When the existence of nuclear weapons was made known, thoughtful people everywhere in the world realized that if the great powers entered into a nuclear-arms race the human species would sooner or later face the possibility of extinction. They also realized that in the absence of international agreements preventing it an arms race would probably occur. They knew that the path of nuclear armament was a dead end for mankind. The discovery of the energy in mass—of “the basic power of the universe”—and of a means by which man could release that energy altered the relationship between [humans] and the source of [their] life, the earth. In the shadow of this power, the earth became small and the life of the human species doubtful. In that sense, the question of human extinction has been on the political agenda of the world ever since the first nuclear weapon was detonated, and there was no need for the world to build up its present tremendous arsenals before starting to worry about it. At just what point the species crossed, or will have crossed, the boundary between merely having the technical knowledge to destroy itself and actually having the arsenals at hand, ready to be used at any second, is not precisely knowable. But it is clear that at present, with some twenty thousand megatons of nuclear explosive power in existence, and with more being added every day, we have entered into the zone of uncertainty, which is to say the zone of risk of extinction. But the mere risk of extinction has a significance that is categorically different from, and immeasurably greater than, that of any other risk, and as we make our decisions we have to take that significance into account**.** Up to now, every risk has been contained within the frame of life; extinction would shatter the frame. It represents not the defeat of some purpose but an abyss in which all human purposes would be drowned for all time. We have no right to place the possibility of this limitless, eternal defeat on the same footing as risks that we run in the ordinary conduct of our affairs in our particular transient moment of human history**.** To employ a mathematical analogy, we can say that although the risk of extinction may be fractional, the stake is, humanly speaking, infinite, and a fraction of infinity is still infinity**.** In other words, once we learn that a holocaust might lead to extinction we have no right to gamble, because if we lose, the game will be over, and neither we nor anyone else will ever get another chance. Therefore, although, scientifically speaking, there is all the difference in the world between the mere possibility that a holocaust will bring about extinction and the certainty of it, morally they are the same, and we have no choice but to address the issue of nuclear weapons as though we knew for a certainty that their use would put an end to our species. In weighing the fate of the earth and, with it, our own fate, we stand before a mystery, and in tampering with the earth we tamper with a mystery. We are in deep ignorance. Our ignorance should dispose us to wonder, our wonder should make us humble, our humility should inspire us to reverence and caution, and our reverence and caution should lead us to act without delay to withdraw the threat we now pose to the earth and to ourselves.

# 2NC

#### BLAG’s defense of DOMA violated SOP

Hall 2013

[Matthew Hall is an Associate Professor of Law, the University of Georgia School of Law, January 2013, How Congress Could Defend DOMA in Court (and Why the BLAG Cannot), http://www.stanfordlawreview.org/congress-defend-doma, uwyo//amp]

The BLAG’s effort to defend DOMA raises thorny separation of powers questions about the power of Congress, or a component of Congress, to choose to defend federal laws in the face of executive non-defense. There may come a time when the Court must address those larger questions, but now is not that time because the BLAG is not authorized to speak for the United States or for Congress. Even assuming that the separation of powers permits legislative defense of statutes, the BLAG cannot defend DOMA, because of two controlling principles: First, the BLAG lacks statutory authorization to represent the interests of the United States itself, as required by 28 U.S.C. section 516. Second, even if the House itself could defend DOMA, it has not authorized the BLAG to do so. The Supreme Court permits congressional litigants to assert the institutional interests of Congress only upon a full chamber vote, and Congress has taken no action to authorize the BLAG to defend DOMA on its behalf. Thus, the BLAG has no authority under federal statutes, House rules, or House resolutions to participate in the Windsor case on behalf of either the United States or the House.

#### Their ev is biased and based on unreliable data

Boyle 13

(Michael, International Affairs, “The costs and consequences of drone warfare,” 2013, <http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89_1/89_1Boyle.pdf>) /wyo-mm

First, the claim that drones are effective at killing terrorist operatives without causing civilian casualties is based on data of questionable reliability and validity. The US government has classified almost all the details of the drones programmes and has never provided definitive tallies of the number of strikes or the casualties from these strikes.18 No one—among either advocates or critics—really knows the number of deaths caused by drones in these distant, sometimes ungoverned, lands. In the absence of official government statistics, a number of independent organizations have produced data on drone strikes based largely on newspaper reports and intelligence sources. There is substantial variation in the total deaths claimed for drone strikes across these databases. According to widely cited data collected by the New America Foundation, 334 drone strikes were conducted in Pakistan between June 2004 and October 2012.19 President Obama is responsible for a vast increase in the number of drone strikes, with 288 strikes (86 per cent of the total) conducted in Pakistan alone between January 2009 and October 2012. No precise casualty figures are available for each strike, only estimates based on often conflicting news reports. The casualty range is between 1,886 and 3,191 deaths for the period 2004–2012, which suggests an average of 5.6 to 9.5 people killed per strike. The Bureau of Investigative Journalism (TBIJ) has compiled its own data on strikes in Pakistan and found that 346 drone strikes were conducted between June 2004 and October 2012. They have arrived at a death toll of 2,570–3,337 deaths, which indicated an average of 7.4 to 9.6 people killed per strike.20 TBIJ also reported that between 1,232 and 1,366 Pakistanis have been injured in drone strikes during this eight-year period. In Yemen, TBIJ reports 40–50 confirmed US drone strikes from 2002 to September 2012, with a total death toll of between 357 and 1,026.21 In Somalia, there have been between three and nine drone strikes, with a total death toll between 58 and 170.

#### Drones maintain strong casualty numbers- their ev isn’t based on reliable data because most bodies are removed from attack area too quickly for their bodies to be processed as casualties-

Boyle 13

(Michael, International Affairs, “The costs and consequences of drone warfare,” 2013, <http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89_1/89_1Boyle.pdf>) /wyo-mm

The wide variation in the estimates of ‘militants’ and ‘civilians’ killed across these two datasets raises some questions about the validity and reliability of the underlying news reports. First, it is nearly impossible to verify the number of civilians killed in a drone strike. Most of these drone strikes are concentrated in ungoverned spaces of Pakistan, Yemen and Somalia where the central government has only limited ability to monitor attacks or investigate their effects. As a result, most of the casualty estimates are educated guesses, varying significantly in both numbers and types of victims.27 Moreover, casualties from drone strikes are removed from the area of the attack and buried by sunset in accordance with Muslim law, which makes verification of the numbers killed and the identity of the victims nearly impossible.28 Second, government and intelligence officials in both the United States and the targeted states often assert without evidence that all those killed were either ‘militants’ or ‘civilians’.29 These assertions are often presented as fact in the newspaper articles that underlie most of the available datasets. Third, the casualty numbers are subject to a considerable amount of spin on all sides.30 For example, Islamist groups inflate the number of people killed in US strikes and aggressively push their higher casualty totals to local and international media outlets. Similarly, the US often underestimates the number of casualties from drone strikes, even when the available evidence suggests that some civilian deaths have occurred. For example, Brennan declared that there were absolutely no civilian casualties from drone strikes between June 2010 and June 2011.31 Against clear evidence to the contrary, another senior Obama administration official claimed that casualties were in the ‘single digits’ and suggested that those reporting hundreds of civilians dead were foolishly using enemy propaganda.32 While there are reasons to suspect that drone strikes are becoming more accurate and causing fewer civilian casualties than they did between 2004 and 2008, there is no reason to believe that the civilian death toll hovers in the single digits, and the estimates from the best-sourced database (TBIJ) suggest that the tallies of civilian deaths are much higher.33

T was in here, but I didn’t read any cards.

# 1NR

### 1NR O/V

#### The plan perpetuates a distinction between war and PMC wars only serves to justify more wars. Our Lichterman 3 demonstrates that protesting one portion of the military complex is symptomatic of a way to fix, but never abolish or ask why there is more war happening.

#### X Isenburg PMC V Military.

#### Next, this internalization only serves to support and continue the military complex which is the root cause of war. This also turns the aff because it is a literal root cause claim to all their impacts of WAR.

#### AND Militarism should be the key framework used to crack the matrix of oppression—root cause of all their structural impacts

Kirk 5

[Gwyn Kirk, Ph.D in political science from the London School of Economics, Symposium: Women and War: A Critical Discourse: Panel One - Tools Of War, Berkeley Journal of Gender, Law & Justice, 2005]

The theoretical point that I like to hang onto in a lot of the work that I do is a distinction made by feminist philosopher Val Plumwood who talks about dualistic thinkingas the object that underpins hierarchal systems such as militarism, colonialism, racism, sexism and environmental destruction. They all rely on the creation of the otherness of enemies and inferiority to justify superiority and domination. These dualisms are mutually reinforcing and should  [\*323]  be viewed as an interlocking set. Militarism has obviously been a tool of colonization and imperialism for centuries and is currently a key element in new colonialism and the contemporary streamlining of the corporate economy as a global system. In turn, militarism deploys and exploits intersecting inequalities based on gender, race or ethnicity, class and nation. These systems of inequality and oppression don't completely overlap, but constitute a kind of matrix of oppression and of resistance. Contradictions and inconsistencies offer us opportunities for opposition and resistance. And I will make some passing remarks about women's organizing around these issues as well as note some contradictions inherent in the current legal and political frameworks.

#### K explains the aff- War inverts the traditional moral order.

Ehrenreich, 97

(Barbara, “Blood Rites: Origins and History of the Passions of War”, American [feminist](http://en.wikipedia.org/wiki/Feminist), [democratic socialist](http://en.wikipedia.org/wiki/Democratic_socialism), and [political activist](http://en.wikipedia.org/wiki/Activism) who describes herself as "a myth buster by trade," [[2]](http://en.wikipedia.org/wiki/Barbara_Ehrenreich#cite_note-booknotes-1) and has been called "a veteran muckraker" by the New Yorker.[[3]](http://en.wikipedia.org/wiki/Barbara_Ehrenreich#cite_note-2) During the 1980s and early 1990s she was a prominent figure in the [Democratic Socialists of America](http://en.wikipedia.org/wiki/Democratic_Socialists_of_America). She is a widely-read and award-winning [columnist](http://en.wikipedia.org/wiki/Columnist) and [essayist](http://en.wikipedia.org/wiki/Essayist), and author of 21 books. Henry Holt and Company, 1997.)

This is not to suggest that killing is foreign to human nature or, more narrowly, to the male personality. Men (and women) have again and again proved themselves capable of killing impulsively and with gusto. But there is a huge difference between a war and an ordinary fight. War **not only** departs from the normal; it inverts all that is moral and right: In war one should kill, should steal, should burn cities and farms, should perhaps even rape matrons and little girls**.** Whether or not such activities are “natural” or at some level instinctual, most men undertake them only by entering what appears to be an “altered state” - Induced by drugs or lengthy drilling, and denoted by face paint or khakis.

### Framework

#### Role of the ballot should be to weigh the implications of the affirmative starting at their discourse and relationship with the modes of thought that inform their master narrative.

#### Prefer our interpretation because:

#### Ground—they need to be able to defend their representations of war and militaristic thought—means that they need to defend the most predictable part of their affirmative.

#### This also resolves their clash arguments, and their predictability argument.

#### Education—this is the only way to challenge mainstream modes of thought—independent voting issue—you need to reject their framework because it’s informed with a master narrative of militarism and American exceptionalism

Hartnett 13

[Stephen John Hartnett, Department of Communication, University of Colorado Denver, “The Folly of Fighting for Providence, or, the End of Empire and Exceptionalism”, Cultural Studies <=> Critical Methodologies 2013, SAGE, \\wyo-bb]

Fredric Jameson argues in The Political Unconscious that ¶ our master narratives, the cultural fictions we use to create ¶ meaning in the world, are always driven in part by the ¶ unsayable. For Jameson, cultural productions always ¶ include “some mechanism of mystification or repression,” ¶ not because authors or speakers intentionally seek to ¶ obscure the facts but because they cannot access either their ¶ own motives or history’s deep trajectories. I have argued ¶ here—following Twain’s lead—that the political unconscious of America is pegged to deep narratives of exceptionalism, wherein the United States is the sole nation of ¶ greatness, God’s appointed redeemer, Goodness embodied, ¶ and hence a machine of righteous war-making. These ¶ impulses are so old, so deep, so taken for granted, that they ¶ underwrite all political thinking even while lurking unannounced—they hover in the background, organizing our ¶ political discourse, yet rarely leap to the fore. As worried by ¶ this process in the 1850s as I am today, Herman Melville ¶ tried to spoof the political unconscious by calling it “the ¶ metaphysics of Indian Hating.” No less an astute observer ¶ than D. H. Lawrence cackled that the political unconscious ¶ of the nation, our metaphysics of Witch and Indian—and, ¶ later, Communist and Terrorist—Hating, was so warped, so ¶ committed to violence, that the nation was literally mad: It ¶ is “always the same,” Lawrence argued, “the deliberate ¶ consciousness of Americans so fair and smooth spoken, and ¶ the under-consciousness so devilish. Destroy! destroy! ¶ destroy! hums the under-consciousness. Love and produce! ¶ Love and produce! cackles the upper consciousness. . . ¶ [But] the American has got to destroy, it is his destiny.” If ¶ we hope to stop reproducing these same murderous processes, we will need nothing less than a psychoanalytic ¶ reckoning, a moment of self-recognition wherein the political unconscious is dragged into the foreground, named, and ¶ exposed to the light of analysis.28

#### This resolves their research burden and topic education.

#### Aff choice is a farce. You shouldn’t get to pick the debate you want, just your aff.

#### The K is a critical starting point—the question of the criticism precludes the affirmative because before we can ask how we should wage war, we must first decide if we should wage war at all—means you need to look to the framework before you can evaluate anything else

#### There is no such thing as purely objective scholarship tied to the state. Their demand for policy relevance is a product of the failure of political science to distance itself from reinforcing the existing order.

Chaulia 9

[Sreeram, Professor and Dean of Jindal School of International Affairs, Jindal Global University, Ph.D in Political Science, Syracuse, “One Step Forward, Two Steps Backward: The United States Institute of Peace,” International Journal of Peace Studies, Vol 14, No 1, Spring/Summer]

The shrouding of USIP in the stars and stripes with the willing participation of¶ neo-con academics raises a larger quandary about ostensibly disinterested and objective¶ scholarship in Political Science serving to rationalise patriotic chauvinism and repression.¶ Ido Oren writes incisively about how, starting from the 1950s, the US Political Science¶ profession became “enmeshed in the state to an unprecedented degree” and scholars¶ responded to the Cold War demand for “psychological and ideological warfare expertise”¶ (Oren, 2003, 13). Since the end of the Cold War, cooperation between professors and US¶ intelligence agencies is “now very much to the fore. The war on terrorism may result in¶ further retightening of the relationship between American Political Science and the¶ American government” (Oren, 2003, 171).¶ Oren challenges the ‘scientific’ presupposition that the researcher and the object of¶ study are separate and asks “whether Political Science can be an objective, disinterested¶ science while it serves the interests of the American state” (Oren, 2003, 15). USIP’s¶ claim to neutrality and ‘independence’ in knowledge production is one fragment of this¶ larger disease. USIP’s compromised lot of political scientists may also be seen as a¶ reflection of the decline of “social trustee professionalism” in the US, wherein principled¶ stance-taking has exited from the dossier of responsibilities of intellectuals who no longer¶ advocate for long-term societal and ethical interests. Policy intellectuals “appear¶ increasingly to be creatures of the state and of self-contained policy communities closely¶ tied to the state”, while the overall “conservative mood in intellectual life remains strong”¶ (Brint, 1994, 173, 210).¶ Besides USIP, there are many other research institutes and think-tanks in the US¶ that are generally geared toward the status quo rather than to the promotion of social¶ transformation. Some might even take token stances against specific issues like the war¶ on Iraq, but they do not go deep enough to link domestic structural violence to violence at¶ the international level. The very visualisation of ‘policy’ around which these institutes¶ revolve is such that it allows only reforming the existing order instead of fundamentally¶ challenging it. The mission of both liberal and conservative institutes is to make the¶ system work better from their respective value priorities, not to replace it. For instance,¶ feminism, which might envisage a different set of principles for structuring the social¶ order, has no respect in any of these institutes, least of all in USIP. A straightforward¶ political economy explanation for this status-quoism would point at public funding, but¶ notions of ‘respectability’ and acceptability to the ‘mainstream’ also ensure that institutes¶ do not overstep the Rubicon. Understandings of what constitutes a ‘proper’ and¶ ‘professional’ attitude for an institute may be traced to the narrowness of the American¶ political sphere itself.

#### Don’t weigh their impacts—the aff uses an ethical approach that creates crisis-based politics that means that we will be infinitely entrenched in the system

Cuomo 96

Professor of Philosophy, 1996 Chris, Hypatia 11.4, proquest //Wyo-BF

Ethical approaches that do not attend to the ways in which warfare and military practices are woven into the very fabric of life in twenty-first century technological states lead to crisis-based politics and analyses. For any feminism that aims to resist oppression and create alternative social and political options, crisis-based ethics and politics are problematic because they distract attention from the need for sustained resistance to the enmeshed, omnipresent systems of domination and oppression that so often function as givens in most people's lives. Neglecting the omnipresence of militarism allows the false belief that the absence of declared armed conflicts is peace, the polar opposite of war. It is particularly easy for those whose lives are shaped by the safety of privilege, and who do not regularly encounter the realities of militarism, to maintain this false belief. The belief that militarism is an ethical, political concern only regarding armed conflict, creates forms of resistance to militarism that are merely exercises in crisis control. Antiwar resistance is then mobilized when the “real” violence finally occurs, or when the stability of privilege is directly threatened, and at that point it is difficult not to respond in ways that make resisters drop all other political priorities. Crisis-driven attention to declarations of war might actually keep resisters complacent about and complicitous in the general presence of global militarism. Seeing war as necessarily embedded in constant military presence draws attention to the fact that horrific, state-sponsored violence is happening nearly all over, all of the time, and that it is perpetrated by military institutions and other militaristic agents of the state.

### Perm/Links

#### Extend the Lichterman 3 extension work done above about selecting one part instead of rejection.

#### THE AFFIRMATIVE IS NOTHING MORE THAN A ROUTINE FIX UP FOR THE COMPLEX SYSTEMS OF LAWS THAT GOVERN OVER WARFARE WHICH ENABLES AND LEGALIZES WAR

Kennedy 06

[David Kennedy, American academic and legal scholar of international law, “Of War and Law”, Pg 6-8, \\wyo-bb]

The common vernacular for these inter- and intraelite conversations¶ is increasingly provided by law. War today takes¶ place on a terrain that is intensely governed—not by unified¶ global institutions, but by a dense network of rules and shared¶ assumptions among the world’s elites. The domain outside and¶ between nation-states is neither an anarchic political space beyond¶ the reach of law, nor a domain of market freedom immune¶ from regulation. Our international world is the product¶ and preoccupation of an intense and ongoing project of regulation¶ and management. Although it is easy to think of international¶ affairs as a rolling sea of politics over which we have¶ managed to throw but a thin net of legal rules, in truth the situation¶ today is more the reverse. There is law at every turn—¶ and only the most marginal opportunities for engaged political¶ contestation. Seen sociologically, the official—and unofficial—¶ footprint of national rules and national courts exceeds their¶ nominal territorial jurisdiction. Tax systems, national public¶ and private laws, financial institutions and payment systems,¶ the world of private ordering—through contracts and corporate¶ forms, standards bodies—all affect the behavior of public¶ and private actors beyond their nominal jurisdictional reach.¶ And that’s just the beginning of international regulation. Of¶ course, there is public international law, the United Nations,¶ the world’s trading regimes—it’s a long list.¶ The power of experts and the density of law are linked. The¶ world’s professional elites are organized in legal institutions—¶ corporations, foundations, universities. Their authority is rooted¶ in their ability to interpret, manage, and enforce the hundreds¶ of background norms and institutions that structure activity in¶ the market, in the state, in the family. Their routine work establishes¶ and refurbishes this complex transboundary legal and¶ institutional milieu. At the same time, across the globe, experts¶ communicate with one another in common vernaculars, their¶ significance in every national system enhanced at the expense¶ of conventional politicians by the processes we so often refer to¶ as “globalization.” The media through which they communicate¶ have their own interest in adopting and promoting a common¶ vocabulary among the elites who are the media’s subject¶ and its audience.

#### The aff uses an ethical approach that creates crisis-based politics that means that we will be infinitely entrenched in the system—viewing wars as distinct makes it so we ignore ongoing violence

**Cuomo 96**

(Chris, prof of women’s studies @ UGA, War is Not Just an Event: Reflections on the Significance of Everyday Violence, Hypatia 11:4, Women and Violence, Autumn, pp. 30-45)

**Philosophical attention to war has typically appeared in the form of justifications for** entering into **war, and** over **appropriate activities within war. The spatial metaphors used to refer to war as a separate, bounded sphere indicate assumptions that war is a realm of human activity vastly removed from normal life**, or a sort of happening that is appropriately **conceived apart from everyday events in peaceful times.** Not surprisingly, most **discussions of** the political and ethical dimensions of **war discuss war solely as an event**-an occurrence, or collection of occurrences, **having clear beginnings and endings** that are typically **marked by formal, institutional declarations**. As happenings, wars and military activities can be seen as motivated by identifiable, if complex, intentions, and directly enacted by individual and collective decision-makers and agents of states. But many of the **questions about war** that are of interest to feminists-**including how** large-scale, **state-sponsored violence affects women and** members of **other oppressed groups; how military violence shapes gendered, raced, and nationalistic political realities** and moral imaginations; what such violence consists of and why it persists; **how it is related to other oppressive and violent institutions and** hegemonies-cannot be adequately pursued by focusing on events. These **issues are not** merely **a matter of** good or bad intentions and **identifiable decisions**. In "Gender and 'Postmodern' War," Robin Schott introduces some of the ways in which **war is currently best seen not as an event but as a** presence (Schott 1995). Schott argues that postmodern understandings of persons, states, and politics, as well as the high-tech nature of much contemporary warfare and the preponderance of civil and nationalist wars, render an event- based conception of war inadequate, especially insofar as gender is taken into account. In this essay, I will expand upon her argument by showing that accounts of war that only focus on events are impoverished in a number of ways, and therefore feminist consideration of the political, ethical, and onto- logical dimensions of war and the possibilities for resistance demand a much more complicated approach. I take Schott's characterization of war as presence as a point of departure, though I am not committed to the idea that the constancy of militarism, the fact of its omnipresence in human experience, and the paucity of an event-based account of war are exclusive to contemporary postmodern or postcolonial circumstances.1 **Theory that does not investigate** or even notice **the omnipresence of militarism** cannot represent or **address the** depth and specificity of the **every- day effects of militarism on women, on people living in occupied territories, on members of military institutions, and on the environment.** These effects are relevant to feminists in a number of ways because military practices and institutions help construct gendered and national identity, and because they justify the destruction of natural nonhuman entities and communities during peacetime. **Lack of attention to these aspects of** the business of making or preventing **military violence** in an extremely technologized world **results in** **theory that** cannot **accommodate** the connections among **the constant presence of militarism**, declared wars, and other closely related social phenomena, such as nationalistic glorifications of motherhood, media violence, and current ideological gravitations to military solutions for social problems. Ethical approaches that do not attend to the ways in which warfare and military practices are woven into the very fabric of life in twenty-first century technological states lead to crisis-based politics and analyses. For any feminism that aims to resist oppression and create alternative social and political options, **crisis-based** ethics and **politics are problematic because they distract** attention **from the need for sustained resistance to the enmeshed,** omnipresent systems **of domination and oppression that** so often **function as givens in** most **people's lives. Neglecting the omnipresence of militarism allows the false belief** that **the absence of declared armed conflicts is peace**, the polar opposite of war. It is particularly easy for those whose lives are shaped by the safety of privilege, and who do not regularly encounter the realities of militarism, to maintain this false belief. The belief that militarism is an ethical, political concern only regarding armed conflict, creates forms of resistance to militarism that are merely exercises in crisis control. **Antiwar resistance is** then **mobilized when** **the "real" violence finally occurs**, or when the stability of privilege is directly threatened, and at that point it is difficult not to respond in ways that make resisters drop all other political priorities. Crisis-driven attention to declarations of war migh**t** actually **keep resisters** complacent **about** and complicitous in **the general presence of global militarism. Seeing war as** necessarily **embedded in constant military presence draws attention to the fact that** horrific, **state-sponsored violence is happening nearly all over, all of the time, and** that it **is perpetrated by military institutions** and other militaristic agents of the state. **Moving away from crisis-driven politics** and ontologies concerning war and military violence also enables consideration of relationships among seemingly disparate phenomena, and therefore **can shape more nuanced theoretical** and practical **forms of resistance.** For example, investigating the ways in which war is part of a presence allows consideration of the relationships among the events of war and the following: how militarism is a foundational trope in the social and political imagination; how the pervasive presence and symbolism of soldiers/warriors/patriots shape meanings of gender; the ways in which threats of state-sponsored violence are a sometimes invisible/sometimes bold agent of racism, nationalism, and corporate interests; the fact that vast numbers of communities, cities, and nations are currently in the midst of excruciatingly violent circumstances. It also provides a lens for considering the relationships among the various kinds of violence that get labeled "war." Given current American obsessions with nationalism, guns, and militias, and growing hunger for the death penalty, prisons, and a more powerful police state, one cannot underestimate the need for philosophical and political attention to connections among phenomena like the "war on drugs," the "war on crime," and other state-funded militaristic campaigns. I propose that the constancy of militarism and its effects on social reality be reintroduced as a crucial locus of contemporary feminist attentions, and that feminists emphasize how wars are eruptions and manifestations of omnipresent militarism that is a product and tool of multiply oppressive, corporate, technocratic states.2 Feminists should be particularly interested in making **this shift** because it **better allows consideration of the effects of war and militarism on** **women, subjugated peoples, and environments.** While giving attention to the constancy of militarism in contemporary life we need not neglect the importance of addressing the specific qualities of direct, large-scale, declared military conflicts. **But the dramatic nature of declared, large-scale conflicts should not**  **obfuscate the ways in which military violence pervades most societies** in increasingly technologically sophisticated ways and the significance of military institutions and everyday practices in shaping reality. Philosophical **discussions that focus** only **on the ethics of** declaring and fighting **wars miss** these connections, and also miss the ways in which even declared military conflicts are often experienced as omnipresent horrors. **These approaches** also **leave** **unquestioned tendencies to** suspend or **distort moral judgment in the face of** **what appears to be the** inevitability **of war** and militarism. **Just-war theory is a prominent example** of a philosophical approach **that** **rests on the assumption that wars are isolated from everyday life** and ethics. Such theory, as developed by St. Augustine, Thomas Aquinas, and Hugo Grotius, and as articulated in contemporary dialogues by many philosophers, including Michael Walzer (1977), Thomas Nagel (1974), and Sheldon Cohen (1989), take the primary question concerning the ethics of warfare to be about when to enter into military conflicts against other states. **They** therefore **take** **as a given the notion that war is an isolated, definable event** with clear boundaries. **These** boundaries are significant because they distinguish the circumstances in which standard moral rules and constraints, such as rules against murder and unprovoked violence, no longer apply. Just-war theory assumes that war is a separate sphere of human activity having its own ethical constraints and criteria and in doing so it begs the question of whether or not war is a special kind of event, or part of a pervasive presence in nearly all contemporary life. Because the application of **just-war principles** is a matter of proper decision- making on the part of agents of the state, before wars occur, and before military strikes are made, they **assume that military initiatives are distinct events**. In fact, declarations of war are generally over-determined escalations of preexisting conditions. **Just-war criteria cannot** help **evaluate military** and related **institutions**, including their **peacetime practices** and how these relate to wartime activities, so they cannot address the ways in which armed conflicts between and among states emerge from omnipresent, often violent, state militarism. The remarkable resemblances in some sectors between states of peace and states of war remain completely untouched by theories that are only able to discuss the ethics of starting and ending direct military conflicts between and among states. **Applications of just-war criteria actually help create the** illusion **that the** **"problem of war" is being addressed when the only considerations are** the ethics of declaring wars and of military violence within the boundaries of declarations of war and peace. **Though just-war considerations might theoretically help decision-makers avoid** specific **gross eruptions of military violence**, **the aspects of war which require the underlying presence of militarism and the** direct effects of the **omnipresence of militarism remain** untouched. There may be important **decisions** to be made **about** when and how to fight **war**, but these **must be considered in terms of the** many other **aspects of** contemporary war and **militarism** that are **significant to nonmilitary personnel, including women and nonhumans.**

#### Perm do both fails-**The affirmative ambition for negative peace trades off with positive peace—means the perm will always fail**

Pankhurst 3

(Donna-, May 1, Development in Practice, “The 'sex war' and other wars: towards a feminist approach to peace building”, Vol. 13 # 2&3, Infomaworld; Jacob)

Turning to the meanings of the term ‘peace’, Galtung’s (1985) conception of negative peace has come into widespread use, and is probably the most common meaning given to the word, i.e. the end or absence of widespread violent conflict associated with war. A ‘peaceful’ society in this sense may therefore include a society in which social violence (against women, for instance) and/or structural violence (in situations of extreme inequality, for example) are prevalent. Moreover, this limited ‘peace goal’, of an absence of specific forms of violence associated with war, can and often does lead to a strategy in which all other goals become secondary. The absence of analysis of the deeper (social) causes of violence also paves the way for peace agreements that leave major causes of violent conflict completely unresolved. Negative peace may therefore be achieved by accepting a worse state of affairs than that which motivated the outburst of violence in the first place, for the sake of (perhaps short-term) ending organised violence. Galtung’s alternative vision, that of positive peace, requires not only that all types of violence be minimal or non-existent, but also that the major potential causes of future conflict be removed. In other words, major conflicts of interest, as well as their violent manifestation, need to be resolved. Positive peace encompasses an ideal of how society should be, but the details of such a vision often remain implicit, and are rarely discussed. Some ideal characteristics of a society experiencing positive peace would include: an active and egalitarian civil society; inclusive democratic political structures and processes; and open and accountable government. Working towards these objectives opens up the field of peace building far more widely, to include the promotion and encouragement of new forms of citizenship and political participation to develop active democracies. It also opens up the fundamental question of how an economy is to be managed, with what kind of state intervention, and in whose interests. But more often than not discussion of these important issues tends to be closed off, for the sake of ‘ending the violence’, leaving major causes of violence and war unresolved—including not only economic inequalities, but also major social divisions and the social celebration of violent masculinities.

#### **Nice try—the plan and the alt are literally fully exclusive—they advocate for a negative peace whereas the alternative argues for a positive peace—these trade off and mean that the perm is illegitimate and their impacts are inevitable**

Pankhurst 3

(Donna-, May 1, Development in Practice, “The 'sex war' and other wars: towards a feminist approach to peace building”, Vol. 13 # 2&3, Infomaworld; Jacob)

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### Alt

#### The alternative is to reject the 1AC in order to rethink our relationship with war. This is key because by allowing the affirmative to pass this causes us to continue thinking in a militaristic manner. The aff is uniquely key because there aren’t restrictions on war coming now—we can’t push through some now that will continue to distract us from the question at hand.

#### The alternative is the only way to solve back for the impacts of the 1AC because in the world of the 1AC the impacts are inevitable due to our cognitive structures being informed by a logic of militarism.

#### Peace movements are key

Hayden, 07

 (Tom, “Ending the War in Iraq”. an American social and political activist and politician, known for his involvement in the animal rights and the anti-war and civil war movements of the 1960s.Akashic Books, 2007.

In my experience**, peace movements have come and gone, rarely finding institutional roots when wars finally end.** Certainly there are the dedicated Quakers and handful of scientists firmly opposed to nuclear war, but mass participation in non-proliferation efforts drops significantly during peacetime. Peace advocates will have to address more than the virtues of nonviolence, which they do admirably; in addition, they must take on the sources of structural violence rooted in American institutions. Quoting Eisenhower once again, from his farewell address to the nation in January 1961: “**The** total **influence [of military-industrial complex]**- economic, political, even spiritual- **is felt in every city, every statehouse, every office of the federal government… Our toil, resources, and livelihood are all involved; so is the very structure of our society.”** **Coalitions broader than peaceniks, professors, and angry vets will be needed for this challenge,** and a broader vision too**. The idea held by** some on **the left,** at least historically- **that** **most Americans are privileged beneficiaries of imperialism- must be rejected.** It is true that Americans, with three percent of the world’s population, consume one-third of the world’s resources, and that must change. But not all Americans have access to, or consume, those resources equally. For over thirty years, while the super-rich got richer and the rich aspired to become super-rich, middle- and working-class incomes have remained the same in this country, but only because more family members worked longer hours to make that same income. **If racial gaps and gender gaps are closing, it will still be a century before equality is achieved** at the present rate. Thirty years after the war on poverty was sacrificed to the was in Vietnam, **America’s poor are getting poorer once again.** And because of the corporate hunger for cheap labor, and the hunger for of the poor for jobs, the ensuing immigration crisis is forcing the Third World to rapidly integrate into the First World**. If this is all that our empire and its permanent war on terrorism can offer, Americans need to look for a better life beyond empire.** If the Europeans have adjusted to life after their empires, have affordable education and health care, enjoy longer vacations, and live longer than we do, how bad can life beyond empire be? Recent UNICEF-sponsored comparative studies show that the United States and Great Britain are the “worst places to be a child” out of more that twenty developed countries. The U.S. was seventeenth in percentage of children living in poverty, twelfth in education level, and at the bottom in health and safety because of high rates of infant mortality and accidental deaths. The U.Ss and the U.K. were among the lowest third in five of six categories: material well-being, health, education, relationships, behaviors and risks, and young people’s sense of happiness. **We, the American people, are not losing this war, but we are losing as a result of this war.** The **real losers are** George W. Bush, Dick Cheney, Donald Rumsfeld, Condoleezza Rice, and the **neoconservatives, who fabricated evidence , exploited public fear, advocated torture and secret renditions, and failed in their efforts to install democracy at gunpoint.** They are not trying to attach a patriotic aura to their own mistakes. Since a cycle of blame always follows wars, **it is important to take the bloody flag away from the president and his neoconservative friends and understand that their personal losses will be America’s collective gain.** **A neoconservative defeat would mean a triumph for democracy, accountability, civil liberties, and the role of civil society. It would redeem,** to an appreciable extent, **the moral reputation and standing of the American people in the world.** It would be a setback the architects of such misguides policies. **It could** even **bring to power,** through a future election, **a progressive coalition like those of the late 1930’s and the mid- 1960’s.** Based on the lessons of Iraq**, a new governing coalition could practice diplomacy-based foreign policy,** as in some European countries. Following the lead of Brazil, it might impose a tax on global arms sales and redirect the funds to the UN’s programs for ending hunger, illiteracy, and water pollution. It could become the leading defender of the Universal Declaration of Human Rights, the legacy of Eleanor Roosevelt. Following appeals from the global south**, it could revise trade agreements to protect jobs and the environment,** not simply investors and lenders. Acknowledging world opinion**, it could join the battle to reduce global warming and finance an energy transition. Toward peace, it could end the undefined war on terror and instead combine serious deterrence with a commitment to engage Muslims politically, starting with the establishment of a two-state solution in Palestine.** The **U.S could positively challenge much of the world,** too, **on issues as diverse as women’s equality, gay rights, freedom of information, banning sweatshops, and revolutionizing** the conservation of **energy.** At home and abroad, **a** progressive governing **coalition might reject the neolibereal view of jobs** as a “privilege” **and return to New Deal-style promises of full employment and heath care.** The **“free market” model** for domestic and foreign **policy** **could be replaced by a progressive pragmatism** with goals like those expressed in Robert Kennedy’s 1967 speech on the quality of American life, in which he eloquently stated: “The gross national product measures neither our wit nor our courage, neither our wisdom nor our leaning, neither our compassion nor our devotion to country. It measures everything, in short, except that which makes life worthwhile; and it can tell us everything about America-except whether we are proud to be Americans.” There is nothing but a lack of vision that prevents us from publishing a quality-of-life index alongside our country’s other annual performance indicators, with a requirement that elected officials make measurable progress, say, away from leading the world in arms sales. This may seem the stuff of dreams, but the **November 2006 elections showed a powerful mandate, with voters, candidates, and polling groups expressing strong support for exiting Iraq, fair trade, energy independence, political reform, and breaking from the absolutism of the social conservatives.** Both parties lagged behind the voter trends**. To prevent war** in Iran (or elsewhere, like Venezuela), and to proceed with these progressive transitions, **there must be** **a vast idealistic awakening of the kind that happened, briefly and** brightly, in **the late 1960’s**, before it flickered out amidst assassinations too unbearable and reforms too limited. The reforms of the ‘60s have nonetheless led to new underlying norms, openings in institutions, and opportunities for globalizing democracy that can inform, energize, and propel social movements to greater possibilities. Perhaps because I have spent the years since 1960 primarily in social movements, as well as nearly two decades in electoral politics, my opinion is that **movements are always the point** **of departure for real change but need to incorporate outside/inside strategies** as they grow. It is true that the Machiavellians adjust as well, designing forms of token “participation” that lead nowhere and crafting an electoral system that makes a mockery of participatory democracy. But the Machiavellians are few, and the multitudes are diverse**. Americans can protest and rebel through many more channels than ever before.** The right to know and participate- the core demand of the ‘60s- has been largely accepted in this society. It is no accident that the neoconservatives believe that wars like Iraq must be conducted “off camera, so to speak.” **The greatest threats to the neoconservatives, the Pentagon, the multinational corporations, and the White House come** not from the caves in faraway countries, by **from the gathering force of the American people.**

#### Alt spills over—voting for the alt means that real-world change is possible

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[Bob and Gordon. “Why Nonviolence? Introduction to Nonviolence Theory and Strategy.” New Society Publishers. //Wyo-BF]

Actions and campaigns undertaken or directed by explicitly nonviolent leadership. During World War II and shortly thereafter, militant pacifists succeeded in ending racial segregation in prisons where they themselves were held, and took part in the first “Freedom Rides” to desegregate interstate transportation. The most dramatic nonviolent actions of the 1950s were several voyages into nuclear testing areas by small vessels with pacifist crews. In a time when nuclear war seemed a fate humanity was powerless to overcome, these actions gave expression to the widespread yearning to act against the madness of testing and the arms race. Although in each case the boats were prevented from reaching their destinations, the powerful symbolism of the voyages succeeded in boosting the morale of the anti-nuclear movement, thus giving a real impetus to the public sentiment which resulted in the 1963 test-ban treaty. Nonviolent activists also provided inspiration through examples of courage and by taking on personal responsibility for institutional injustice. Historians of the New Left have noted that it consciously adopted issues, tactics, and moral postures from the nonviolent tactics of personal witness and mass civil disobedience. But it was the movement of Black people for civil rights and an end to racial oppression which imprinted the idea of nonviolence on the American consciousness. The bus boycott in Montgomery, Alabama, which began in December 1955, when Rosa Parks refused to surrender her seat to a white passenger, grew to include an alternative transportation system and ended with the desegregation of the entire bus system. An eloquent young minister, Dr. Martin Luther King, Jr., attained national prominence as a spokesperson in the struggle, demonstrating that nonviolence could win significant victories not only in India but also in the U.S., despite racial violence and intimidation. In 1960, a new wave of activity began when the first “sit-in” was undertaken by four Black college students in Greensboro, North Carolina (one of whom had just been reading a comic book about the Montgomery campaign issued by the pacifist Fellowship of Reconciliation), who decided to fight the refusal of service at a local lunch counter. The action spread rapidly and spurred a wave of related actions in other places of public accommodation. Under the pressure of actions by many small groups of activists whose demands were widely perceived as just, new court decisions began to legitimize the changes for which people were struggling. As campaigns continued in many places, loosely coordinated by such groups as the Southern Christian Leadership Conference (SCLC) and the Student Nonviolent Coordinating Committee (SNCC), resources would be shifted at times of crisis to certain cities that became focal points, such as Birmingham in 1963 and Selma, Alabama, in 1965. King’s important role as a spokesperson and moral symbol of the struggle has frequently led to an underemphasis of the grassroots, decentralized nature of the movement, whose heart was the decision by thousands of people to risk their security and often their lives on behalf of the cause and to grow toward a greater fulfillment of their own potential in pursuit of justice and human community.

#### Our act of resistance is key to destroying the military occupation of our mind and creating true democracy

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(Tom, an American social and political activist and politician, known for his involvement in the animal rights and the anti-war and civil war movements of the 1960s, sacramento news and Review, 9/08/11)

The news that this is not a physical war but mainly one of perceptions will not be received well among American military families or Afghan children, which is why a responsible citizen must rebel first and foremost against the official story. That simple act of resistance necessarily leads to study as part of critical practice, which is as essential to the recovery of a democratic self and democratic society. Read, for example, this early martial line of Rudyard Kipling, the English poet of the white man’s burden: “When you’re wounded and left on Afghanistan’s plains / And the women come out to cut up what remains / Jest roll to your rifle and blow out your brains / An’ go to your [God] like a soldier.” Years later, after Kipling’s beloved son was killed in World War I and his remains never recovered, the poet wrote: “If any question why we died / Tell them, because our fathers lied.” In important part of the story of the peace movement, and the hope for peace itself, is the process by which hawks come to see their own mistakes. A brilliant history/autobiography in this regard is Daniel Ellsberg’s Secrets, about his evolution from defense hawk to historic whistle-blower during the Vietnam War. Ellsberg writes movingly about how he was influenced on his journey by contact with young men on their way to prison for draft resistance. The military occupation of our minds will continue until many more Americans become familiar with the strategies and doctrines in play during the Long War. Not enough Americans in the peace movement are literate about counterinsurgency, counterterrorism and the debates about “the clash of civilizations”—i.e., the West vs. the Muslim world.