## 1NC

### 1

#### LINK—THE AFF FETISHIZES THE LAW AND ITS ABILITY TO RESOLVE PRESIDENTIAL POWERS, THEIR CALL RESULTS IN A RETURN TO LAW THAT DESTROYS THE POSSIBILITY FOR RADICAL POLITICS

NEOCLEOUS 2006

(Mark Neocleous, Politics & History @ Brunel University, “the Problem with Normality”, Alternatives, no. 31 //wyo-tjc)

To criticize the use of emergency powers in terms of a suspension of the law, then, is to make the mistake of counterpoising normality and emergency, law and violence. In separating “normal” from “emergency,” with the latter deemed “exceptional,” this approach parrots the conventional wisdom that posits normalcy and emergency as two discrete and separable phenomena. This essentially liberal paradigm assumes that there is such a thing as “normal” order governed by rules, and that the emergency constitutes an “exception” to this normality. “Normal” here equates with the separation of powers, entrenched civil liberties, an ongoing debate about public policy and law, and the rule of law, while “emergencies” are thought to require strong executive rule, little time for discussion, and are premised on the supposedly necessary suspension of the law and thus the discretion to suspend key liberties and rights. But this rests on two deeply ideological assumptions: first, the assumption that emergency rule is aberrational; and, second, an equation of the emergency/nonemergency dichotomy with a distinction between constitutional and nonconstitutional action. Thus liberalism seeks to separate emergency rule from the normal constitutional order, thereby preserving the Constitution in its pristine form while providing the executive with the power to act in an emergency.47 But the historical evidence suggests that emergency powers are far from exceptional; rather, they are an ongoing aspect of normal political rule. Emergency, in this sense, is what emerges from the rule of law when violence needs to be exercised and the limits of the rule of law overcome. The genealogy of “emergency” is instructive here. “Emergency” has its roots in the idea of “emerge.” The Oxford English Dictionary suggests that “emerge” connotes “the rising of a submerged body out of the water” and “the process of coming forth, issuing from concealment, obscurity, or confinement.” Both these meanings of “emerge” were once part of the meaning of “emergency,” but the first is now rare and the second obsolete. Instead, the modern meaning of “emergency” has come to the fore, namely a sudden or unexpected occurrence demanding urgent action and, politically speaking, the term used to describe a condition close to war in which the normal constitution might be suspended. But what this tells us is that in “emergency” lies the idea of something coming out of concealment or issuing from confinement by certain events. This is why “emergency” is a better category than exception: Where “emergency” has this sense of “emergent,” exception instead implies a sense of ex capere, that is, of being taken outside. Far from being outside the rule of law, emergency powers emerge from within it. They are thus as important as the rule of law to the political management of the modern state. There is, however, an even wider argument to be made. The idea that the permanent emergency involves a suspension of the law encourages the idea that resistance must involve a return to legality, a return to the normal mode of governing through the rule of law. But this involves a serious misjudgment in which it is simply assumed that legal procedures, both international and domestic, are designed to protect human rights from state violence. Law itself comes to appear largely unproblematic. What this amounts to is what I have elsewhere called a form of legal fetishism, in which law becomes a universal answer to the problems posed by power. Law is treated as an independent or autonomous reality, explained according to its own dynamics. This produces the illusion that law has a life of its own, abstracting the rule of law from its origins in class domination and oppression and obscuring the ideological mystification of these processes in the liberal trumpeting of the rule of law.48 To demand the return to the “rule of law” is to seriously misread the history of the relation between the rule of law and emergency powers and, consequently, to get sucked into a less-than-radical politics in dealing with state violence. Part of what I am suggesting is that emergency measures, as state violence, are part of the everyday exercise of powers, working alongside and from within rather than against the rule of law, as part of a unified political strategy in the fabrication of social order.

#### [Insert More Specific Links ]

#### SOCIETY HAS BEEN REPEATEDLY CONFOUNDED AT THE FAILURE OF LAW TO CONTAIN VIOLENCE—WE SEE LAW AS A ‘LESSER EVIL’ THAT IS NECESSARY TO HUMANIZE WAR. QUITE TO THE CONTRARY, THE LAWS OF WAR LEGITIMIZE AND PROTECT STATIST FORMS OF VIOLENCE AND CRUSH DISSENT

BERMAN (Prof of Law at Brooklyn Law School) 2004

[Nathaniel, “Privleging Combat?”, Columbia Journal of Transnational Law, p. ln //wyo-tjc]

**Through examining the legal doctrines crucial to defining the combatants' privilege**, in my view the key concept of jus in bello, **this Article seeks to undo the circumlocutions that often block frank discussion of the relationship of law to war. Contrary to conventional wisdom**, I argue that **it is misleading to see law's relationship to war as primarily one of the limitation of organized violence, and even more misleading to see the laws of war as historically progressing toward an ever-greater** **limitation of violence. n6 Instead**, I put forward three central propositions. First, **rather than standing in opposition to war, law has long been directly involved in the construction of war - the construction of war as a separate sphere of human activity in [\*5] which the "normal" rules of social life, codified, for example, in the domestic criminal law regulating violence, do not operate. n7 Rather than opposing violence, the legal construction of war n8 serves to channel violence into certain forms of activity engaged in by certain kinds of people, while excluding other forms** engaged in by other people. n9

#### The Alternative is to write against the state.

#### Exposing the law as violence is necessary to create space for rethinking that makes social relations outside of statist violence possible

Neocleous 2003

[Mark, Teaches politics @ Brunel, Imagining the state, Philadelphia: Open University Press, 6-7/uwyo-ajl]

The last point should indicate to the reader that this is a polemical book about a polemical topic. As such, I should be clear about my intentions. If a hidden agenda seems nasty, then an exposed one looks downright impudent.13 Writers these days increasingly like to stand aside from the affray. This is nowhere more obvious than in books in which affray is a central issue-namely books on issues such as the state, power and capital. On the one hand, this is no doubt due to the fate of the academy in contemporary capitalism-academic research assessment exercises which seem to have knocked the political stuffing out of seemingly political writers (best not write anything too political about this political topic, in case it damages one's promotion prospects). On the other hand, it is also clearly connected to the demise of any coherence the Left once had. Writers on the Left appear to be happier to retreat into ever more exegetical work on text after text, with little sense as to the purpose of reading political writers in the first place. Or, worse, they have bought into the stunningly naive socio-political claim that we have moved into a world in which there is politics without enemies.4 (And if there are no enemies, then there is no ground for any fundamental disagreement and thus no real need to say anything interesting at all.) Too many intellectuals on the Left have thus developed an instrumental inability to think beyond the instructions and parameters provided for them by the state and one of its key ideological apparatuses - the university. So let me say that this book is written from outside the statist political imaginary (or at least as much as one can be outside it), and also against it. To write against the statist imaginary is thus intended as an act of resistance - though admittedly not the bravest act of resistance one might imagine, since the state aims to dominate the thought of even those who oppose it (indeed, one might say especially those who oppose it). Pierre Bourdieu has argued that `to endeavour to think the state is to risk either taking over, or being taken over by, the thought of the state','~ and as I argue in Chapter 2, as part of its administration of civil society the state aims to structure the way we view the world by generating the categories through which citizens come to imagine collective identity and thus their own political subjectivity. One of the implications of this is that the statist political imaginary has assisted the state in setting limits on the theoretical imagination, acting as a block on the possibility of conceiving of a society beyond the state.This is a book that tries to think the state without either taking over or being taken over by the thought of the state. It therefore rests on a different political imaginary, one which I mention here and return to only briefly at the very end of the book, which arises out of the tradition of the oppressed which teaches us that the `state of exception' in which we live is not the exception but the rule. As Walter Benjamin recognized, to write against the state of exception in this way is to aim to bring about a real state of emergency which imagines the end of the state, and thus an end to the possibility of fascism.

### 2

#### Presidential power high now-historical precedent and Obama domestic and international expansion

Fein ‘12

[Bruce Fein, associate deputy attorney general under President Reagan , A History of the Expansion of Presidential Power, <http://www.nytimes.com/2012/04/28/opinion/a-history-of-the-expansion-of-presidential-power.html>, uwyo//amp]

The unilateral actions of President Obama in the domestic arena to circumvent Congress are more than matched by the president’s unilateralism in foreign affairs. Among other things, President Obama has unilaterally commenced war, authorized the assassination of American citizens abroad and denied the writ of habeas corpus to detainees not accused of a crime. Executive branch power at the expense of Congress and the Constitution’s checks and balances has mushroomed since World War II. Examples include President Truman’s undeclared war against North Korea; President Eisenhower’s executive agreements to defend Spain; President Johnson’s Gulf of Tonkin Resolution regarding Vietnam; President Nixon’s secret bombing of Cambodia and assertions of executive privilege; President Clinton’s undeclared war against Bosnia; and President Bush’s countless presidential signing statements, Terrorist Surveillance Program, waterboarding and Iraq war.

#### Congressional restrictions on presidential war power prevent the presidency from responding to crises

Turner 2012

[Professor Turner holds both professional and academic doctorates from the University of Virginia School of Law, where in 1981 he co-founded the Center for National Security Law with Professor John Norton Moore—who taught the nation’s first course on national security law in 1969. Turner served as chairman of the ABA Standing Committee on Law and National Security from 1989–1992., The War Powers Resolution at 40: Still an Unconstitutional, Unnecessary, and Unwise Fraud That Contributed CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW·VOL. 45·2012, Directly to the 9/11 Attacks, [http://law.case.edu/journals/JIL/Documents/45CaseWResJIntlL1&2.pdf](http://law.case.edu/journals/JIL/Documents/45CaseWResJIntlL1%262.pdf), uwyo//amp]

The 1973 War Powers Resolution was a fraud upon the American people, portrayed as a legislative fix to the problem of “imperial presidents” taking America to war in Korea and Vietnam without public approval or the constitutionally required legislative sanction. By its own terms, the War Powers Resolution would not have stopped the Vietnam War. Sadly, this and other legislative intrusions upon the constitutional authority of the president contributed to the loss of millions of lives in places like Cambodia, Afghanistan, Angola, and Central America. The statute played a clear role in encouraging the terrorist attack that killed 241 Marines in 1983, and equally clearly encouraged Osama bin Laden to kill thousands of Americans on September 11, 2001. Similarly unconstitutional usurpations of presidential power prevented our Intelligence Community from preventing those attacks and dissuaded a key ally from sharing sensitive information that might also have prevented them. After forty years, the time has come to bring an end to this congressional lawbreaking.

#### Presidential power is zero-sum- the branches compete

Barilleaux and Kelley 2010 [Ryan J. , Professor of Political Science at Miami, OH; and Christopher S. , Lecturer (Political Science) at Miami, OH, The Unitary Executive and the Modern Presidency, Texas A&M Press, p. P 196-197, 2010// wyo-sc]

In their book *The Broken Branch,* Mann and Ornstein paint a different view. They discuss a wider range of public policy areas than just uses of force. Their argument is that although party is important as a conditioning factor for times when Congress might try to restrain an aggressive or noncompliant executive, there has also been a broader degrading of institutional power that has allowed, in a zero-sum context, the president to expand executive power at the expense of Congress. Mann and Ornstein thus posit that congressional willingness to subordinate its collective power to that of the president has occurred across domestic politics and foreign affairs. They argue that a variety of factors are at fault for this trend, including the loss of institutional identity, the willingness to abdicate responsibility to the president, the demise of "regular order," and most importantly that Congress has lost its one key advantage as a legislative body—the decay of the deliberative process. Thus, they do recognize that party politics has played an important role in the degrading of congressional power, but they see a larger dynamic at work, one that reaches beyond partisanship. While we agree with Howell and Pevehouse that Congress retains important mechanisms for constraining the president, we tend to agree with the Mann and Ornstein view that there has been a significant and sustained decline in Congress's willingness to use these mechanisms to challenge presidential power. This tendency has been more prevalent in foreign affairs but has occurred noticeably across the spectrum of public policy issues. Building from both of those perspectives, and others, we argue that it is helpful to understand the pattern of congressional complicity in the rise of presidential power by viewing Congress's aiding and abetting as the logical outcomes of a collective action problem.31 By constitutional design, the legislative branch is in competition with the president for institutional power, yet Congress is less than ideally suited for such a political conflict. Congress's comparative disadvantage begins with its 535 "interests" that are very rarely aligned, and if so, only momentarily. Because individual reelection overshadows all other goals, members of Congress naturally seek to take as much credit and avoid as much blame from their constituencies as possible.32 The dilemma this creates for members is how to use or delegate its collective powers in order to maximize credit and minimize blame in the making of public policy. Congress can choose to delegate power internally to committees and party leaders or externally to the executive branch. One can conceptualize the strategic situation of members of Congress in terms of a prisoner's dilemma.33 If members cooperate (that is, in Mann and Ornstein's parlance, if members identify with the institution), they could maintain and advance Congress's institutional power. But they would have to bypass some potential individual payoffs that could come from defection, such as "running against Congress" as an electoral strategy. A stronger institution should make all members of Congress better off, but it also makes them responsible for policymaking. If members defect from the institution, they thus seek to maximize constituency interests either by simply allowing power to fall by the wayside or by simply delegating it to the president. As more and more members choose to defect over time, the "public good" of a strong Congress is not provided for or maintained—and Congress's institutional authority erodes and presidential power fills in the gap. Why, in other words, is congressional activism so often "less than meets the eye," as Barbara Hinckley maintained in her book by that title? Or why has the ''culture of deference" that Stephen Weissman identified developed as it has?34 We argue that the collective action problem that exists in Congress leads to the development of these trends away from meaningful congressional stewardship of foreign policy and spending.

#### Strong executive key to solve climate change-lack of congressional action prevents solvency in the squo and executive negotiating power key to check environmental and economic collapse

Wold 2012

[Chris Wold, Professor of Law & Director, International Environmental Law Project

(IELP), 2012, Lewis & Clark Law School, 2012, CASE WESTERN RESERVE JOURNAL OF INTERNATIONAL LAW·VOL. 45·2012, uwyo//amp]

In 2007, then-Senator Barack Obama wrote, “As the world’s largest producer of greenhouse gases, America has the responsibility to lead.”1 As President, he has led. At the domestic level, working primarily through the Environmental Protection Agency, President Obama has increased fuel economy standards,2 imposed new limits ongreenhouse gas emissions from “major emitting facilities,”3 and imposed limits on emissions relating to the development of oil and gas,4 among many other things.5 As he has said, he must use his executive power because “We Can’t Wait” for Congress to act on climate change.6 Nonetheless, he must do more. President Obama has pledged to the international community that the United States will reduce its greenhouse gases by 17% of 2005 levels by 2020 and by 83% by 2050.7The President has also set a goal of ensuring that “[b]y 2035 we will generate 80 percent of our electricity from a diverse set of clean energy sources—including renewable energy sources like wind, solar, biomass, and hydropower; nuclear power; efficient natural gas; and clean coal.”8 None of his actions come close to meeting these goals. Moreover, he must do more to help the international community reach its goal of keeping average global temperatures from increasing 2°C above pre-industrial levels.9 Many scientists argue that the 2°C goal can be met, and the worst impacts of climate change avoided, if we keep carbon dioxide concentrations below 350 parts per million (ppm).10 As of July 2012, atmospheric concentrations of carbon dioxide exceeded 394 ppm.11 The United States is by far the largest historic contributor to these high levels of atmospheric carbon dioxide, having contributed 28.52% of carbon dioxide from energy.12 As such, the United States must do much more to ensure that the world’s largest historic emitter of greenhouse gases fulfills its moral and perhaps legal obligation to reduce greenhouse gases before we reach climate change tipping points beyond which climate change will be irreversible for millennia to come.And indeed, President Obama can do much more. As described below, the president can use his foreign affairs power to take a more positive role on the international stage, whether that stage is the climate change negotiations, the negotiations concerning other international treaties, or within the World Trade Organization. He can also do more with his executive power, not only by increasing existing standards but also by applying them to existing sources of greenhouse gases, not just new sources. Further, President Obama has so far failed to take advantage of strategies to mitigate emissions of short-term climate forcers such as black carbon that could provide significant climate benefits. Lastly, the approaches adopted so far have not pushed regulated entities or others to develop the transformative technologies that will be needed to deliver sufficient climate change benefits to avert the environmental and economic crisis that lies ahead if we fail to take more aggressive action.

**Studies show warming is human caused and will cause extinction**

**Ahmed 2010**

(Nafeez Ahmed, Executive Director of the Institute for Policy Research and Development, professor of International Relations and globalization at Brunel University and the University of Sussex, Spring/Summer 2010, “Globalizing Insecurity: The Convergence of Interdependent Ecological, Energy, and Economic Crises,” Spotlight on Security, Volume 5, Issue 2, online)

Perhaps **the most notorious indicator is anthropogenic global warming**. **The landmark** 2007 Fourth **Assessment** Report of the UN Intergovernmental Panel **on Climate Change** (IPCC) – which **warned that at then-current rates of increase of fossil fuel emissions, the earth’s global average temperature would likely rise by 6°C by the end of the 21st century** **creating a** largely **uninhabitable planet** – was a wake-up call to the international community.[v] **Despite the pretensions of ‘climate sceptics,’ the peer-reviewed scientific literature has continued to produce evidence that the IPCC’s original scenarios were wrong – not because they were too alarmist**, but on the contrary, **because they were far too conservative**. According to a paper in the Proceedings of the National Academy of Sciences, **current CO2 emissions are worse than all six scenarios contemplated by the IPCC. This implies that the IPCC’s worst-case six-degree scenario severely underestimates the most probable climate trajectory** under current rates of emissions.[vi] It is often presumed that a 2°C rise in global average temperatures under an atmospheric concentration of greenhouse gasses at 400 parts per million (ppm) constitutes a safe upper limit – **beyond which further global warming could trigger rapid and abrupt climate changes that, in turn, could tip the whole earth climate system into a process of irreversible, runaway warming.[**vii] Unfortunately, we are already well past this limit, with the level of greenhouse gasses as of mid-2005 constituting 445 ppm.[viii] Worse still, cutting-edge scientific data suggests that the safe upper limit is in fact far lower**. James Hansen**, director of the NASA Goddard Institute for Space Studies, **argues that the absolute upper limit for CO2 emissions is 350 ppm: “If the present overshoot of this target CO2 is not brief, there is a possibility of seeding irreversible catastrophic effects.**”[ix] A wealth of **scientific studies** has **attempted to explor**e the role of **positive-feedback mechanisms between different climate sub-systems**, the operation of which could intensify the warming process. **Emissions beyond 350 ppm over decades are likely to lead to the total loss of Arctic sea-ice** in the summer **triggering magnified absorption** of sun radiation, **accelerating warming**; the melting of Arctic permafrost triggering **massive methane injections** into the atmosphere, accelerating warming; the **loss of half the Amazon rainforest** triggering the momentous release of billions of tonnes of stored carbon, accelerating warming; and **increased microbial activity in the earth’s soi**l leading to further huge releases of stored carbon, accelerating warming; to name just a few. **Each of these feedback sub-systems alone is sufficient by itself to lead to irreversible, catastrophic effects that could tip the whole earth climate system over the edge**.[x] Recent studies now estimate that the **continuation of business-as-usual would lead to global warming of three to four degrees Celsius before 2060 with multiple irreversible, catastrophic impacts; and six, even as high as eight, degrees by the end of the century – a situation endangering the survival of all life on earth.[**xi]

### 3

#### Text: The President of the United States should statutorily restrict the President’s authority to introduce weapons into space with the Treaty on Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force against Outer Space Objects.

#### De Facto and De Jure self-binding create accountability from the courts and risk political alienation for going back on promises

Posner and Vermeule 2010 [Eric A. , Professor of Law at the University of Chicago Law School and Editor of The Journal of Legal Studies; Adrian , Harvard Law Professor, The Executive Unbound: After the Madisonian Republic, Oxford Press, p. 138-139//wyo-sc]

Many of our mechanisms are unproblematic from a legal perspective, as they involve presidential actions that are clearly lawful. But a few raise legal questions; in particular, those that involve self-binding.59 Can a president bind himself to respect particular first-order policies? With qualifications, the answer is "yes, at least to the same extent that a legislature can." Formally, a duly promulgated executive rule or order binds even the executive unless and until it is validly abrogated, thereby establishing a new legal status quo.60 The legal authority to establish a new status quo allows a president to create inertia or political constraints that will affect his own future choices. In a practical sense, presidents, like legislatures, have great de facto power to adopt policies that shape the legal landscape for the future. A president might commit himself to a long-term project of defense procurement or infrastructure or foreign policy, narrowing his own future choices and generating new political coalitions that will act to defend the new rules or policies. More schematically, we may speak of formal and informal means of selfbinding: 1. The president might use formal means to bind himself. This is possible in the sense that an executive order, if otherwise valid, legally binds the president while it is in effect and may be enforced by the courts. It is not possible in the sense that the president can always repeal the executive order if he can bear the political and reputational costs of doing so. 2. The president might use informal means to bind himself. This is not only possible but frequent and important. Issuing an executive rule providing for the appointment of special prosecutors, as Nixon did, is not a formal self-binding.61 However, there may be political costs to repealing the order. This effect does not depend on the courts' willingness to enforce the order, even against Nixon himself. Court enforcement makes the order legally binding while it is in place, but only political and reputational enforcement can protect it from repeal. Just as a dessert addict might announce to his friends that he is going on a no-dessert diet in order to raise the reputational costs of backsliding and thus commit himself, so too the repeal of an executive order may be seen as a breach of faith even if no other institution ever enforces it. In what follows, we will invoke both formal and informal mechanisms. For our purposes, the distinction between the authority to engage in de jure self-binding (legally limited and well-defined) and the power to engage in de facto self-binding (broad and amorphous) is secondary. So long as policies are deliberately chosen with a view to generating credibility, and do so by constraining the president’s own future choices in ways that impose greater costs on ill-motivated presidents than on well-motivated ones, it does not matter whether the constraint is formal or informal.

### Adv 1

#### Space is being weaponized now-diplomacy will fail

Kueter 07

(Jeff Kueter, President of George C. Marshall Institute. “Crossing the Rubicon in Space Again: Iacta alea est”, Jan, http://www.marshall.org/pdf/materials/492.pdf//wyoccd)

There can be no doubt that space is now weaponized. Arguments over whether an earth-launched ASAT is really “a space weapon,” implying that they might not be, given that they are not launched “from” space, ignores the practical reality that an ASAT launched from either the ground or from space brings war to space. Debate over the nuances of the lexicon may continue, but the threat to the United States remains the same. So the question now facing America’s leaders is how does the U.S. best deter, deny, and dissuade the Chinese, and other emerging space powers, from hostile actions in space? There is no doubt that diplomats at the State Department and military planners in the Pentagon and at United States Strategic Command, and many, many others are working through those options right now. America’s political leaders must recognize the new reality and provide the support necessary to begin serious work on ways to protect our critical space assets from both direct and indirect threats. Diplomacy alone can not restore U.S. security. Demarches by America and its close allies that formally scold the Chinese government for its actions will probably have little effect on an authoritarian system that regularly withstands international criticism over a host of issues, from human rights abuses to the environment. Is the United States ready to impose real economic sanctions or other punitive actions on China over a weapons test? Likely not. Without some kind of punitive economic, political, or military measures backing them up, diplomatic protests will have little impact.

#### China is weaponizing space now and will continue to

Rao 12

(Radhakrishna Rao is a senior fellow at IPCS (Institute for Peace and Conflict Studies). “China In Outer Space: A Strategy For Global Supremacy? – Analysis” 1-3-12. http://www.eurasiareview.com/03012012-china-in-outer-space-a-strategy-for-global-supremacy-analysis//wyoccd)

A recently unveiled white paper spells out the future course of the Chinese space program with the objective of closing the gap with Russia and the US, the two space front runners. What propels China to give a quickening impetus to its space programme? What are the priorities of China in its quest of establishing space supremacy through the leadership position in space? The thrust areas pointed out to in the white paper include: (a) construction of an orbiting space station before the end of this decade (b) lunar exploration including a sample return mission to moon and human landing mission to moon (c) boosting launch capability and development of a global navigation satellite network to rival American GPS system (d) pushing forward in the exploration of planets, asteroids and the sun Clearly and apparently, China stands to derive strategic advantages from the space projects unveiled in the white paper. For instance, an autonomous orbiting complex could help China bolster its space war efforts by serving as a strategic outpost in outer space. Similarly, a string of advanced satellites meant for a variety of end-uses that China plans to launch will serve as “ears and eyes” to keep a tab on the adversaries. In the longer run, China looks at space as a vital platform for boosting the combat readiness of its armed forces. According to a study by the Washington based World Security Institute, Chinese reconnaissance satellites can now monitor targets for up to six hours a day. Till twenty months back, PLA could just manage doing three hours of daily coverage from space. ”Starting from almost no live surveillance capability ten years ago, today PLA (People’s Liberation Army) has equaled the US ability to observe targets from space for real time operations,” says researchers at the World Security Institute. Not surprisingly, then the US is worried that it will have difficult times moving its naval forces closer to Taiwan without coming under the prying eyes of Chinese spy satellites. In addition to reinforcing its technological supremacy, deeper forays in space provides China a springboard to expand its soft power in the third world by making available its know-how and expertise on “reasonable commercial terms” to countries wishing to undertake a space journey. Here are the examples: \* China launched Pakistan’s advanced communications satellite Paksat-1R by means of a Long March vehicle in last August \* China also clinched a deal with Bolivia to build and launch a satellite for this Latin American country. The accomplishment by China of its first ever automated docking exercise in November 2011 was a space breakthrough that has brought it closer to Moscow and Washington in terms of establishing a long-term manned presence in outer space. This docking exercise between Shenzhou-8 spacecraft and Tiangong-1 module is a precursor to a 60-tonne orbital complex to be established by 2020. The accomplishment of China’s first manned mission in 2003 followed by the second human flight in 2005 along with the “space walk” performed in 2008 paved the ground for China’s space docking exercise. To support the high intensity growth of its space programme, China is now building its fourth advanced spaceport near the city of Wenchang in Hainan island which happens to be the focus of a massive Chinese naval build up. This well equipped, ultra modern orbital complex expected to be ready by 2013 will support the launch of modules of space stations, deep space probes as well as heavier class satellites. This would be China’s first coastal launch pad that would help China grab an increasing share of the global market for launching satellites on commercial terms. According to Chinese space experts, the strategic location of this new launch pad close to the equator would help increase the payload mass of the launch vehicles taking off from here by a substantial extent. All the three currently operational Chinese launch centres are land-locked. Indeed, there is a growing concern in the US over China’s steady advances in outer space. While the fund crunch and lack of political support continues to cast a shadow over the US space programme, China has no problem mobilizing massive resources required to boost its space programme. In particular, the anti-satellite test carried out by China in early 2007 has rattled the American military establishment which feels that its own preparations for space weaponisation could be overshadowed by a new comer like China. As defence analysts point out, China’s rapidly expanding space programme has the potential to alter the power dynamics in much of Asia and adversely affect US hold on the region. Even as the US has all along been alleging that the Chinese space programme is to a large extent a “military show”, China has been insisting that its space programme is aimed at peaceful uses.

#### Attacks are inevitable in the status quo; recent indicators prove it’s only a matter of time–and all of their generic impact defense doesn’t apply because PLA is insulated from Chinese leadership

Wortzel 08

(Larry was a Colonel, United States Army. “THE CHINESE PEOPLE’S LIBERATION ARMY AND SPACE WARFARE” Page 8-9 http://www.aei.org/docLib/20071017\_SpaceWarfare.pdf//wyoccd)

The PLA is exploring a variety of space weapons through theoretical, basic, and applied research.78 These include:79 • satellite jamming technology • collisions between space bodies • kinetic energy weapons • space-to-ground attack weapons • space planes that can transit and fight “up or down” in the upper atmosphere or space • high-power laser weapons • high-power microwave weapon systems • particle beam weapons • electromagnetic pulse PLA authors credit the United States with having the most advanced capabilities in the areas of kinetic energy weapons, particle beam weapons, and directed energy in general. However, the PLA does well at various forms of jamming and has done a lot of work on the concept of colliding space bodies. The dilemma here for the military theorists and planners in the United States is that this is really space science and rocket science. Although Chinese military theory and basic and applied research into these areas are transparent, the weapons systems that may emerge as formal programs are not. It is not clear to theorists and policymakers whether current science will support many of these space war systems. Therefore, the United States must apply resources toward engaging people with scientific, mathematical, and engineering backgrounds in intelligence research and analysis on China. The PLA is serious about space warfare. Moreover, the destruction of its own weather satellite and the blinding of a U.S. satellite mean it is achieving some success. In general, PLA theorists think internal lines of communication and support are most favorable for successful military operations, whether offensive, defensive, or logistical.80 They see internal lines as superior to external ones.81 Thus, they see their regional position in Asia as superior to that of the United States because the latter has to fight, communicate, and resupply along extended external lines, while China enjoys internal lines of communication within the range of its aircraft, missiles, and submarine fleet. This means that in a conflict, they would probably use their jamming and anti-satellite systems to disrupt American lines of communication, command and control, situational awareness, and efforts at military coordination. One of the most disruptive things the PLA could do would be to neutralize the U.S. ability to use tracking and data relay satellites, which provide global, realtime sensor and communications capabilities for networked operations. The PLA believes that the United States is heavily dependent on its satellite systems— at least, more dependent than the PLA is on its own. But that is changing. As the PLA modernizes its own command, control, communications, computers, intelligence, surveillance, and reconnaissance (C4ISR) systems, it is becoming as dependent on space and information systems as the United States already is. Therefore, its policies of space control and space deterrence for military purposes are no longer forms of asymmetric warfare. Rather, the contest will be over which force can most effectively disrupt the other’s military operations. Space warfare may well become an integral part of traditional conflict.

#### The PLA is uniquely moved to miscalculation because of political tone-deafness, this guarantees pre-emption and conflict

MacDonald 11

(Bruce is a Senior Director of the Nonproliferation and Arms Control Program and the U.S. Institute of Peace. CQ Congressional Testimony, “MILITARY AND CIVIL SPACE PROGRAMS IN CHINA” Page 50-51. 5/11/11//wyoccd)

One characteristic of too many wars in the last century is that they are the result of miscalculation that ignites the tinder of fundamental geopolitical tensions. Averting major power conflict requires skillful management of tensions by senior leaders of the major powers. China has become much more internationally sophisticated, though with important exceptions, in its dealings with the rest of the world than has been true in the past, and this is reflected in its civilian leadership. Unfortunately, the PLA’s senior officer corps trails its civilian counterparts in this respect. They have much less interaction with foreign official and travel abroad much less frequently than their U.S. counterparts. This means that the PLA overall views world events from a less knowledgeable and sophisticated perspective, a danger in this increasingly complex world, and could explain, for example, the political “tone-deafness” of the PLA in the manner they conducted their 2007 ASAT test. This PLA problem becomes more serious when one realizes that the PLA is organizationally separate from the rest of the Chinese government, and reports only to the Central Military Commission, currently chaired by President Hu Jintao. President Hu, and his likely successors, have no significant military background, and the majority of the CMC’s members are top PLA officers, suggesting that civilian oversight of major military decisions and consideration of their larger implications are not as carefully reviewed as in the U.S. government. Normally this would not be too great a concern, but in a crisis this could be dangerous. Add to this the fact that China has no equivalent of our National Security Council, a critically important body for coordinating our security decisionmaking, and one comes away concerned about the relative insularity of the PLA in the Chinese power structure. In a crisis, the PLA probably cannot be counted on to show as sophisticated a sense of judgment as one would hope any country’s military leaders, even an enemy’s, to show. All these problems and many more pose potential threats to internal political stability and Communist Party control, providing ample opportunity for crisis and conflict in the years ahead.

#### Conflict causes a US-China War that has the potential to go nuclear

Forden 08

(Geoffrey has a PhD and is a Research Associate at MIT, “How China Loses the Coming Space War (Pt. 2),” 1/10, http://www.wired.com/dangerroom/2008/01/inside-the-ch-1/,//wyoccd)

The United States has five satellites in geostationary orbit that detect missile launches using the heat released from their exhaust plumes. These satellites are primarily used to alert US nuclear forces to massive nuclear attacks on the homeland. However, in recent years, they have played an increasing role in conventional conflicts, such as both Gulf Wars, by cueing tactical missile defenses like the Patriot missile defense systems that gained fame in their engagements with Saddam’s SCUD missiles. Because of this new use, China might find it useful to attack them with ASATs. Since there are only five of them, China could destroy the entire constellation but at the cost of diverting some of the few available deep-space ASATs from other targets. Of course, China would not have to attack all five but could limit its attack to the three that simultaneously view the Taiwan Straits area. If China did decide to destroy these early warning satellites, it would greatly reduce the area covered by US missile defenses in Taiwan against SCUD and longer range missiles. This is because the area covered by a theater missile defense system is highly dependent on the warning time it has; the greater the warning time, the more effective the missile defense system’s radar is. Thus a Patriot battery, which might ordinarily cover the capital of Taiwan, could be reduced to just defending the military base it was stationed at. Some analysts believe that China would gain a tremendous propaganda coup by having a single missile make it through US defenses and thus might consider this use of its deep-space ASATs highly worthwhile even if it could not increase the probability of destroying military targets. On the other hand, China would run a tremendous risk of the US believing it was under a more general nuclear attack if China did destroy these early warning satellites. Throughout the history of the Cold War, the US has had a policy of only launching a “retaliatory” nuclear strike if an incoming attack is detected by both early warning satellites and radars. Without the space leg of the early warning system, the odds of the US misinterpreting some missile launch that it detected with radar as a nuclear attack would be greatly increased even if the US did not view the satellite destruction as a sufficiently threatening attack all by themselves. Such a misinterpretation is not without precedent. In 1995, Russia’s early warning radars viewed a NASA sounding rocket launch off the coast of Norway and flagged it as a possible Trident missile launch. Many analysts believe that Russia was able to not respond only because it had a constellation of functioning early warning satellites. Any Chinese attacks on US early warning satellites would risk both intentional and mistaken escalation of the conflict into a nuclear war without a clear military goal.

#### Chinese aggression causes regional conflict-being the first to weaponize solves

Tellis 07

(Ashley J. Tellis is a senior associate, Carnegie Endowment for International Peace and U.S. Department of State as senior adviser to the undersecretary of state for political affairs. “Punching the U.S. Military’s “Soft Ribs”: China’s Antisatellite Weapon Test in Strategic Perspective.” Carnegie Endowment Policy Brief 51. http://www.carnegieendowment.org/publications/?fa=view&id=19317//wyoccd)

China’s own strategic and economic depen-dence on space intensifies to the point where the threats posed by any American offensive counterspace programs exceed the benefits accruing to Beijing’s own comparable efforts. Because these conditions will not be real-ized any time soon, Washington should cer-tainly discuss space security with Beijing but should not expect that its negotiating invest-ments will yield any effective space-control agreements in the near-term. Second, the successful Chinese ASAT test ought to serve as a stark reminder that the United States’ dominance of space—which is often taken for granted and which underwrites both its civilian and military advantages— is at risk. This is so because the wide-ranging U.S. dependence on space is more intense than ever and because Chinese space-denial programs Punching the today exceed those pursued by the Soviet Union at the height of the Cold War in their diversity, depth, and prospects of success. These unnerving realities have led some observers to conclude that the solution to re- dressing emerging American space vulnerabil-ities lies in developing offensive counterspace capabilities. Though such elements will be re- quired, what is more important in the near term is to accelerate investments in the miti- gating solutions. The United States must improve its ability to comprehensively identify and assess all orbiting objects as well as to bet- ter anticipate the sources and capacity for counterspace attacks. A program to enhance the survivability of American space platforms though hardening, increased maneuverability, and possibly onboard active defenses is long overdue. And finally, the United States must increase its capacity to recover from space at- tacks by investing in reserve satellites either on-orbit or on the ground; in rapid space- launch capabilities; and in redundant, prefer-ably mobile, control stations capable of seam- lessly managing space operations in case of damage to primary control centers. Third, the growing Chinese capability for space warfare implies that a major conflict in the Taiwan Strait would entail serious deter-rence and crisis instabilities. If such a clash were to compel Beijing to attack U.S. space systems—primarily intelligence, surveillance and reconnaissance, military communications, navigation and guidance, and meteorology as- sets—right at the beginning of a war to in-crease China’s chances of achieving its objec-tives, the very prospect of such a “Space Pearl Harbor” could, in turn, provoke the United States to contemplate preemptive attacks or horizontal escalation on the Chinese main-land, particularly if such a conflict were to oc- cur before Washington had the opportunity to fully invest in survivable space capabilities. Al- ready, U.S. Strategic Command officials have publicly signaled that conventionally-armed Trident submarine-launched ballistic missiles would be appropriate weapons for executing the prompt strikes that might be necessary in such a contingency. These types of attacks on space launch sites, sensor nodes, and com- mand-and-control installations on the Chi- nese mainland could well be perceived as pre- cursors to an all-out war.

#### Space based missile defense would fail – satellites absenteeism and vulnerability would make it ineffective

Gallagher and Steinbruner 08

Nancy Gallagher, the Associate Director for Research at the Center for International and Security Studies at Maryland (CISSM) and a Senior Research Scholar at the University of Maryland’s School of Public Policy and John D. Steinbruner, a Fellow of the American Academy of Arts and Sciences and co-chair of the Committee on International Security Studies of the American Academy. He is a Professor of Public Policy at the University of Maryland and Director of the Center for International and Security Studies at Maryland. “Reconsidering the Rules for Space Security”. American Academy of Arts & Sciences. 2008. www.amacad.org/publications/space\_security.pdf//wyoccd

Some space applications, such as mobile telephone service, space-based missile defense, or high-resolution imagery, are best done by satellites in LEO.192 The rapid speed with which LEO satellites move relative to the Earth means that the lower the orbit, the more satellites are needed to ensure that at least one is in position at any given time. The Iridium mobile phone system got its name because the constellation design required 77 satellites in 665 km polar orbits to provide anytime, anywhere coverage without excessive transmission delays or power requirements.193 An American Physical Society (APS) study group calculated that at least 1,600 space-based interceptors stationed much closer to Earth (300 km) would be required to stop a single liq- uid-fueled intercontinental ballistic missile launched from Iran.194 Although LEO satellites for some applications can be smaller, lighter, and less expensive than GEO satellites, the number needed to avoid absentee problems makes the total cost of a constellation quite substantial. Each Iridium satellite weighed about half a metric ton and was worth $45 million.195 The APS study group calculated that a 1,600-interceptor system would require a total mass in orbit of at least 2,000 metric tones, necessitating at least a five- to ten-fold increase in total current U.S. annual launch capacity just to deploy this particular space system.196 Satellites in LEO are close enough to Earth that they would be vulnerable to a variety of ASAT attacks if legal and normative protections disappeared. Lasers can be used to temporarily dazzle or permanently blind optical sensors on remote imaging satellites. Moreover, any satellite in LEO could be damaged or destroyed using a missile that was much less capable than the rocket used to launch that satellite. A country with short-range missile capabilities could use an indiscriminate ASAT method to drive up the general cost and difficulty of operations in LEO, for example, by releasing a cloud of debris or detonating a nuclear explosion, but attackers would need sophisticated tracking and guidance skills to destroy specific satellites.197 U.S. military satellites are somewhat better able to avoid or withstand these types of attacks than commercial or civilian satellites are, so if deliberate interference with satellites becomes more common, the softer targets are more likely to suffer. The combination of satellite vulnerability and the high absentee ratio in LEO poses particular problems for space-based missile defense, because an adversary could create a hole in the constellation by destroying a few interceptors (or inducing them to fire in self-defense or at a decoy missile), then launching through the hole the next time it passed over a launch site. Satellite absenteeism also exacerbates the cost-effectiveness problem with missile defense, because designing a space-based interceptor system that could stop two missiles launched simultaneously from the same location would require twice as many satellites as a system designed to intercept only a single launch at a time. Satellite vulnerability and absenteeism would also affect an offensive application of the interceptor system—that is, preventing other countries from launching objectionable satellites. But they would pose less acute problems because a missed intercept would result in a satellite in orbit that might be disabled or destroyed by other means before it could fulfill its threatening mission. Still, the physics of space make total space control essentially impossible; the physics also favor offense over defense in highly destabilizing ways.

**Intervening actors check disease impact**

**Zakaria 9—**Editor of Newsweek, BA from Yale, PhD in pol sci, Harvard. He serves on the board of Yale University, The Council on Foreign Relations, The Trilateral Commission, and Shakespeare and Company. Named "one of the 21 most important people of the 21st Century" (Fareed, “The Capitalist Manifesto: Greed Is Good,” 13 June 2009, http://www.newsweek.com/id/201935)

Note—Laurie Garrett=science and health writer, winner of the Pulitzer, Polk, and Peabody Prize

It certainly looks like another example of crying wolf. After bracing ourselves for a global pandemic, we've suffered something more like the usual seasonal influenza. Three weeks ago the World Health Organization declared a health emergency, warning countries to "prepare for a pandemic" and said that the only question was the extent of worldwide damage. Senior officials prophesied that millions could be infected by the disease. But as of last week, the WHO had confirmed only 4,800 cases of swine flu, with 61 people having died of it. Obviously, these low numbers are a pleasant surprise, but it does make one wonder, what did we get wrong? Why did the predictions of a pandemic turn out to be so exaggerated? Some people blame an overheated media, but it would have been difficult to ignore major international health organizations and governments when they were warning of catastrophe. I think there is a broader mistake in the way we look at the world. Once we see a problem, we can describe it in great detail, extrapolating all its possible consequences. But **we** can rarely **anticipate the human response to that crisis**. Takeswine flu. The virushad crucial characteristicsthat led researchers to worry that it could spread far and fast. They described—and the media reported—what would happen if it went unchecked. But it did not go unchecked. In fact, swine flu was met by an extremely vigorous response at its epicenter, Mexico. The Mexican government reacted quickly and massively, quarantining the infected population, testing others, providing medication to those who needed it. The noted expert on this subject, Laurie Garrett, says, "We should all stand up and scream, 'Gracias, Mexico!' because the Mexican people and the Mexican government have sacrificed on a level that I'm not sure as Americans we would be prepared to do in the exact same circumstances. They shut down their schools. They shut down businesses, restaurants, churches, sporting events. They basically paralyzed their own economy. They've suffered billions of dollars in financial losses still being tallied up, and thereby really brought transmission to a halt." Every time one of these viruses is detected, writers and officials bring up the Spanish influenza epidemic of 1918 in which millions of people died. Indeed, during the last pandemic scare, in 2005, President George W. Bush claimed that he had been reading a history of the Spanish flu to help him understand how to respond. But the world we live in today looks nothing like 1918. Public health-care systems are far better and more widespread than anything that existed during the First World War. Even Mexico, a developing country, has a first-rate public-health system—far better than anything Britain or France had in the early 20th century.

#### China outweighs and won’t be influenced by the plan

Harvey, environment reporter – the Guardian, 11/9/’11

(Fiona, <http://www.guardian.co.uk/environment/2011/nov/09/fossil-fuel-infrastructure-climate-change>)

Birol also warned that China – the world's biggest emitter – would have to take on a much greater role in combating climate change. For years, Chinese officials have argued that the country's emissions per capita were much lower than those of developed countries, it was not required to take such stringent action on emissions. But the IEA's analysis found that within about four years, China's per capita emissions were likely to exceed those of the EU. In addition, by 2035 at the latest, China's cumulative emissions since 1900 are likely to exceed those of the EU, which will further weaken Beijing's argument that developed countries should take on more of the burden of emissions reduction as they carry more of the responsibility for past emissions. In a recent interview with the Guardian recently, China's top climate change official, Xie Zhenhua, called on developing countries to take a greater part in the talks, while insisting that developed countries must sign up to a continuation of the Kyoto protocol – something only the European Union is willing to do. His words were greeted cautiously by other participants in the talks. Continuing its gloomy outlook, the IEA report said: "There are few signs that the urgently needed change in direction in global energy trends is under way. Although the recovery in the world economy since 2009 has been uneven, and future economic prospects remain uncertain, global primary energy demand rebounded by a remarkable 5% in 2010, pushing CO2 emissions to a new high. Subsidies that encourage wasteful consumption of fossil fuels jumped to over $400bn (£250.7bn)."Meanwhile, an "unacceptably high" number of people – about 1.3bn – still lack access to electricity. If people are to be lifted out of poverty, this must be solved – but providing people with renewable forms of energy generation is still expensive. Charlie Kronick of Greenpeace said: "The decisions being made by politicians today risk passing a monumental carbon debt to the next generation, one for which they will pay a very heavy price. What's seriously lacking is a global plan and the political leverage to enact it. Governments have a chance to begin to turn this around when they meet in Durban later this month for the next round of global climate talks." One close observer of the climate talks said the $400bn subsidies devoted to fossil fuels, uncovered by the IEA, were "staggering"

, and the way in which these subsidies distort the market presented a massive problem in encouraging the move to renewables. He added that Birol's comments, though urgent and timely, were unlikely to galvanise China and the US – the world's two biggest emittters – into action on the international stage. "The US can't move (owing to Republican opposition) and there's no upside for China domestically in doing so. At least China is moving up the learning curve with its deployment of renewables, but it's doing so in parallel to the hugely damaging coal-fired assets that it is unlikely to ever want (to turn off in order to) to meet climate targets in years to come."

### Adv 2

#### No Impact to North Korean nuclear attack- Threat is only rhetoric, and U.N. sanctions will prevent nuclear build-up

Levs and Mullen 3/7

[Josh and Mullen, CNN “U.S. says U.N. sanctions 'will bite' after North Korea threatens nuclear attack” 3.7.2013. <http://www.cnn.com/2013/03/07/world/asia/un-north-korea-sanctions/index.html>//wyo-hdm]

The U.N. Security Council unanimously passed tougher sanctions against North Korea Thursday targeting the secretive nation's nuclear program hours after Pyongyang threatened a possible "preemptive nuclear attack." "These sanctions will bite, and bite hard," U.S. Ambassador to the United Nations Susan Rice said after the vote. China, North Korea's key ally, could have used its veto power to block the sanctions. Instead, after weeks of negotiating, it signed on to the final draft. "China is a country of principle," China's U.N. Ambassador Li Baodong said. "We are firmly committed to safeguarding peace and stability on the Korean peninsula." U.N. toughens sanctions on North Korea China's role in North Korean sanctions North Korea threatens nuclear strike Leading up to the vote, Pyongyang ratcheted up its bellicose rhetoric. A spokesman for the North Korean foreign ministry suggested the United States "is set to light a fuse for a nuclear war." As a result, North Korea "will exercise the right to a preemptive nuclear attack to destroy the strongholds of the aggressors and to defend the supreme interests of the country," the country said in a statement carried by the state-run Korean Central News Agency. Despite the strong language, analysts say North Korea is years away from having the technology necessary to mount a nuclear warhead on a missile and aim it accurately at a target. And, analysts say, North Korea is unlikely to seek a direct military conflict with the United States, preferring instead to try to gain traction through threats and the buildup of its military deterrent. But the threat came amid increased concern over Pyongyang's dogged efforts to advance its nuclear and missile technology after a recent long-range rocket launch and underground atomic blast. On Tuesday, North Korea said it planned to scrap the armistice that stopped the Korean War in 1953 and warned it could carry out strikes against the United States and South Korea. Analysts: 'Boxed in' North Korea's bluster 'particularly dangerous' The rhetoric came not only in advance of the U.N. vote, but also as military drills take place on either side of the heavily armed border that divides the two Koreas. This week, the United States and South Korean began two months of joint exercises, known as Foal Eagle. North Korea has called the annual training exercises "an open declaration of a war," but South Korea says it notified Pyongyang that the drills "are defensive in nature." Anger from North Korea over sanctions North Korea at it again with threats North Korea's nuclear ambitions North Korea's nuclear threat Thursday "may suggest that Pyongyang feels even more boxed in than usual," said Michael Mazza of the American Enterprise Institute. And while a nuclear attack itself is not an immediate palpable threat, "This surge in provocative rhetoric is particularly dangerous," added Michael Auslin, also with the institute. "South Korea's new president (Park Geun Hye) can't be seen to back down in the face of the North's threats, while (new North Korean leader) Kim Jong Un may feel that his successful missile and nuclear tests give him the ability to keep pressuring Seoul. The two may wind up talking themselves into conflict." South Korea's U.N. Ambassador Kim Sook said Thursday the new resolution "reflects the will of the international community," which "will never tolerate North Korea's repeated violations and North Korea's nuclear and ballistic missile program." "Each violation will be met by stronger responses and measures," he added. Will the new sanctions work? The goal of the new sanctions is to stymie the activities of North Korean banks and cash couriers who might be funneling money to the secretive regime's nuclear and missile programs. It will be tougher for the regime to move large sums of cash stuffed into suitcases, Rice said. The U.N. resolution also outlines measures to step up scrutiny of suspicious sea shipments and air cargo. And it expands restrictions to encompass several institutions and senior officials in the North's weapons industry, as well as a range of materials and technology known to be used in uranium enrichment. It also blocks the sale of luxury goods -- such as yachts and certain high-end jewelry -- to North Korea. "As a result, North Korea's ruling elite, who have been living large while impoverishing their people, will pay a price" for the ongoing nuclear activities, Rice said. Some doubt whether the new measures will make much difference

#### Terrorists aren’t pursuing nukes

**Wolfe 12 –** Alan Wolfe is Professor of Political Science at Boston College. He is also a Senior Fellow with the World Policy Institute at the New School University in New York. A contributing editor of The New Republic, The Wilson Quarterly, Commonwealth Magazine, and In Character, Professor Wolfe writes often for those publications as well as for Commonweal, The New York Times, Harper's, The Atlantic Monthly, The Washington Post, and other magazines and newspapers. March 27, 2012, "Fixated by “Nuclear Terror” or Just Paranoia?" [http://www.hlswatch.com/2012/03/27/fixated-by-“nuclear-terror”-or-just-paranoia-2/](http://www.hlswatch.com/2012/03/27/fixated-by-)

If one were to read the most recent unclassified report to Congress on the acquisition of technology relating to weapons of mass destruction and advanced conventional munitions, it does have a section on CBRN terrorism (note, not WMD terrorism). The intelligence community has a very toned down statement that says “several terrorist groups … probably remain interested in [CBRN] capabilities, but not necessarily in all four of those capabilities. … mostly focusing on low-level chemicals and toxins.” They’re talking about terrorists getting industrial chemicals and making ricin toxin, not nuclear weapons. And yes, Ms. Squassoni, it is primarily al Qaeda that the U.S. government worries about, no one else. The trend of worldwide terrorism continues to remain in the realm of conventional attacks. In 2010, there were more than 11,500 terrorist attacks, affecting about 50,000 victims including almost 13,200 deaths. None of them were caused by CBRN hazards. Of the 11,000 terrorist attacks in 2009, none were caused by CBRN hazards. Of the 11,800 terrorist attacks in 2008, none were caused by CBRN hazards.

## 2NC

### A2 Treaty binds the Pres

#### TREATIES DON’T HOLD THE NATION ACCOUNTABLE. COUNTRIES WITHDRAW BECAUSE OF JUS COGNES NORMS WITHOUT TRULY WITHDRAWING.

Posner et al 11

[Eric A. Posner, Kirkland & Ellis Distinguished Service Professor of Law and Aaron

Director Research Scholar at the University of Chicago, and Adrian Vermeule,

John H. Watson, Jr. Professor of Law at Harvard Law School, The Executive

Unbound: After the Madisonian Republic, Oxford: Oxford University Press, USA, 2011, Book, \\wyo-bb]

The frailty of the treaty regime has led some scholars to argue that human rights norms exist not only in treaties but also in an area of non-derogable customary international law known as jus cogens.¶ Customary international law consists of nontreaty norms that states observe out of a sense of legal¶ obligation. Most international legal scholars believe that states cannot merely withdraw from¶ customary international law and thus are bound to it.7 However, it is clear that customary¶ international law changes as state practice changes, which means that violations must be acceptable¶ as long as they are sufficiently widespread. Be that as it may, jus cogens norms are said to be¶ specifically non-derogable. States may not withdraw from or change them; nor may they agree by¶ treaty that those norms do not apply to their relationship. Jus cogens norms are thought to prohibit¶ aggressive war, genocide, torture, and perhaps to protect certain other personal and political rights.¶ Yet jus cogens is a foggy idea, even by the standards of international law. States have agreed on¶ a number of occasions that jus cogens norms exist, but if they rest on the consent of states, then states¶ can withdraw their consent, in which case jus cogens norms cannot be non-derogable. If jus cogens¶ norms do not rest on consent, where do they come from? How does one determine what they are? The¶ unavoidable conclusion is that they rest on natural law—international morality. But natural law ideas¶ lost their influence in international law in the first place because states could not agree on what¶ natural law required, and so natural law norms could not provide a stable basis on which to conduct¶ international relations. Indeed, while states agree that jus cogens norms exist, they have had a great¶ deal of trouble agreeing on what they are. Torture perhaps. Genocide, but genocide is defined in many¶ different ways. Aggressive war, but states cannot agree on what aggressive war means. Numerous¶ other jus cogens norms have been proposed, but the debates seem irrelevant to state action.¶ For all its defects, jus cogens provides the springboard to a more aggressive type of global¶ liberal legalism, which goes under the name of world constitutionalism.8 This view releases human¶ rights norms from the dungeon of treaty law, and claims that they bind all states regardless of their¶ positions on the treaties or customary international law. Advocates of world constitutionalism have¶ cobbled it together from wisps of doctrine; the idea has no basis in law but is an aspiration.9¶ Nonetheless, it has a following among some European and American academics who see it as the only¶ logical basis of a ”rule of law” at the international level.¶ These academics argue that states must complywith the world constitution, for example, that¶ international trade law must be interpreted so as to comply with human rights law—an argument that¶ states and international institutions so far have resisted. The argument was also considered by the¶ European Court of Justice in the Kadi case.10 In that case, an individual whose assets were frozen by¶ order of the Sanctions Committee of the Security Council brought a lawsuit arguing that the order¶ violated human rights norms. The ECJ held for the petitioner on the ground that EU member states had¶ to give European human rights law priority over international law. It declined to hold, to the¶ disappointment of many, that the Security Council had acted illegally by violating international (as¶ opposed to European) human rights norms.¶ So we are left with two alternative conceptions of international law: a more limited and not¶ particularly liberal version centered around the United Nations; and a more ambitious and¶ authentically liberal version centered around the human rights treaties. Neither system has much¶ coercive force. The Security Council has never shown interest in advancing liberal rights, and even if¶ it were to do so, the United States, operating through the executive branch as always, can simply veto¶ Security Council resolutions that do not serve its interests. And, as we have seen, foreign nations have¶ little interest in compelling other nations to live up to their human rights obligations—and with¶ respect to the United States, no capacity for doing so even if they have an interest.

### Framework

#### First, the roll of the ballot should to endorse different political alliances, we affirm one against and outside of the state.

#### Second, prefer our framework because:

#### Predictable- The resolution asks them to put forth a state action to limit the Presidential war power, we merely negate that state actions.

#### Education- We can’t control the institutions but we can learn about what actions we can take in academia to push forward our own political agendas.

#### Third, We impact turn your framework- Framework is just another tool to exterminate those bodies found outside of the acceptable definition by the state. This logic is replicated by saying we don’t get our K, that’s Agamben 98

#### Fourth, Don’t weight their impacts- LEGAL REASONING OF VIOLENCE DOESN’T PREVENT WAR, BUT MASKS THE KNOWLEDGE THAT ALLOWS THOSE LAWS TO COME TO BE

Krasmann 12

[SUSANNE KRASMANN, Prof. Dr, Institute for Criminological Research, University of Hamburg, “Targeted Killing and Its Law: On a Mutually Constitutive Relationship”, Leiden Journal of International Law / Volume 25 / Issue 03 / September 2012, \\wyo-bb]

Analysing targeted killing that has asserted itself as a tactic in the US fight against terrorism¶ within a Foucauldian perspective challenges common normative approaches¶ in legal theory towards this phenomenon. Identifying the tactic as residing between¶ the alternatives of either being accomplished illegally or being legal misses some¶ important points – first of all, that there is a process at work. While presenting¶ itself as a military tactic employed in the name of defending a threatened population,¶ targeted killing today appears to be a new phenomenon that discarded its¶ historical association with political assassination. As a security dispositif, second, it¶ displaces some of the established co-ordinates of international law that are able to¶ formally stick to established legal principles. The identification of a new dimension¶ of threats thereby marked the turning point for a new reading of international law,¶ as it provided a space for transforming the unknowable threat into new forms of¶ knowledge. Third, legal reasoning that tries, whether in supportive or critical terms,¶ to make sense of the current incoherence in international law contributes to the¶ legal acceptance of targeted killing. This is because legal reasoning, couching the¶ issue in legal terms, constitutes a normative reality of its own. There is, then, finally,¶ no superior normativity the law could be measured against and therefore nothing¶ principally unlegalizable. Instead, the normative authority resides in the law itself. It is, though, neither a quality of law as such nor merely something society attributes¶ to the law. It lies in the very moment of law’s enactment, whereas its significance¶ depends upon the knowledge and claims thus brought into play.

### 2NC Alternative Ext

#### THE ALTERNATIVE IS TO WRITE AGAINST THE STATE AND IMAGINE SOLUTIONS OUTSIDE OF IT. THE ONLY WAY TO TRULY STOP THE IMPACTS OF THE AFFIRMATIVE AND RESOLVE STATE VIOLENCE IS TO ACT AGAINST THE STATE. THAT’S NEOCLEOUS 2003

### A2 Perm

#### GROUP THE PERMUTATIONS-

#### FIRST, THE PERM LINKS BECAUSE:

#### REFORMISM FAILS- BY REFORMING THE STATE IT ONLY NORMALIZES STATE VIOLENCE- NEOCLEOUS

#### ENABLES MANAGEMENT OF LIFE- IT COOPS THE ALTERNATIVE BY PLACING AN IDENTITY FROM THE STATE ENABLING THE STATE TO MANAGE THE RESISTANCE- NEOCLEOUS

#### SECOND, MUTUALLY EXCLUSIVE- THE BALLOT MUST BE SEEN AS AN ADVOCACY FOR A POLITICAL STRATEGY- FOR OR AGAINST THE STATE

Agamben, 2000 (Giorgio, philosopher and bad ass, “Means Without End: Notes on Politics.” University of Minnesota Press, 2000. MB)

What does the scenario that world politics is setting up before us look like under the twilight of the Commentaries? The state of the integrated spectacle (or, spectacular-democratic state) is the final stage in the evolution of the state-form—the ruinous stage toward which monar¬chies and republics, tyrannies and democracies, racist regimes and progressive regimes are all rushing. Al-though it seems to bring national identities back to life, this global movement actually embodies a tendency toward the constitution of a kind of supranational police state, in which the norms of international law are tacitly abrogated one after the other. Not only has no war offi¬cially been declared in many years (confirming Carl Schmitt's prophecy, according to which every war in our time has become a civil war), but even the outright invasion of a sovereign state can now be presented as an act of internal jurisdiction. Under these circumstances, the secret services—which had always been used to act ignoring the boundaries of national sovereignties — become the model itself of real political organization and of real political action. For the first time in the history of our century, the two most important world powers are headed by two direct emanations of the secret services: Bush (former CIA head) and Gorbachev (Andropov's man); and the more they concentrate all the power in their own hands, the more all of this is hailed, in the new course of the spectacle, as a triumph of democracy. All appearances notwithstanding, the spectacular-dem¬ocratic world organization that is thus emerging actually runs the risk of being the worst tyranny that ever materialized in the history of humanity, against which resistance and dissent will be practically more and more difficult—and all the more so in that it is increasingly clear that such an organization will have the task of man¬aging the survival of humanity in an uninhabitable world. One cannot be sure, however, that the spectacle's at¬tempt to maintain control over the process it contributed to putting in motion in the first place will actually suc¬ceed. The state of the spectacle, after all, is still a state that bases itself (as Badiou has shown every state to base itself) not on social bonds, of which it purportedly is the expression, but rather on their dissolution, which it forbids. In the final analysis, the state can recognize any claim for identity—even that of a state identity within itself (and in our time, the history of the relations be¬tween the state and terrorism is an eloquent confirma¬tion of this fact). But what the state cannot tolerate in any way is that singularities form a community without claiming an identity, that human beings co-belong with¬out a representable condition of belonging (being Italian, working-class, Catholic, terrorist, etc.). And yet, the state of the spectacle — inasmuch as it empties and nullifies every real identity' and substitutes the public and public opinion for the people and the general will—is precisely what produces massively from within itself singularities that are no longer characterized either by any social identity or by any real condition of belonging: singularities that are truly whatever singularities. It is clear that the society of the spectacle is also one in which all social identities have dissolved and in which everything that for centuries represented the splendor and misery of the generations succeeding themselves on Earth has by now lost all its significance. The different identities that have marked the tragicomedy of universal history are exposed and gathered with a phantasmagorical vacuity in the global petite bourgeoisie — a petite bourgeoisie that constitutes the form in which the spectacle has realized parodistically the Marxian project of a classless society. For this reason — to risk advancing a prophecy here — the coming politics will no longer be a struggle to conquer or to control the state on the part of either new or old social subjects, but rather a struggle between the state and the nonstate (humanity), that is, an irresolvable disjunction between whatever singularities and the state organization. This has nothing to do with the mere demands of society against the state, which was for a long time the shared concern of the protest movements of our age. Whatever singularities cannot form a societies within a society of the spectacle because they do not possess any identity to vindicate or any social bond whereby to seek recognition. The struggle against the state, therefore, is all the more implacable, because this is a state that nullifies all real contents but that—all empty declarations about the sacredness of life and about human rights aside—would also declare any being radically lacking a representable identity to be simply nonexistent. This is the lesson that could have been learned from Tiananmen, if real attention had been paid to the facts of that event. What was most striking about the demonstrations of the Chinese May in fact, was the relative absence of specific contents in their demands. (The notions of democracy and freedom are too generic to constitute a real goal of struggle, and the only concrete demand, the rehabilitation of Hu Yaobang, was promptly granted.) It is for this reason that the violence of the state's reaction seems all the more inexplicable. It is likely, however, that this disproportion was only apparent and that the Chinese leaders acted, from their point of view, with perfect lucidity. In Tiananmen the state found itself facing something that could not and did not want to be represented, but that presented itself nonetheless as a community and as a common life (and this regardless of whether those who were in that square were actually aware of it). The threat the state is not willing to come to terms with is precisely the fact that the unrepresentable should exist and form a community without either presuppositions or conditions of belonging (just like Cantor's inconsistent multiplicity). The whatever singularity — this singularity that wants to take possession of belonging itself as well as of its own being-into-language, and that thus declines any identity and any condition of belonging—is the new, nonsubjective, and socially inconsistent protagonist of the com¬ing politics. Wherever these singularities peacefully manifest their being-in-common, there will be another Tiananmen and, sooner or later, the tanks will appear again.

### Foreign Policy/ Relations Link

#### Foreign policy doctrine create an epistemology of violence that is coercive; national existence, security and order are used to justify military and geopolitical action, ontologizing violence as being.

Burke in 2007

(Anthony, Senior Lecturer in Politics and International Relations at UNSW, Sydney, “Ontologies of War: Violence, Existence and Reason”, Theory & Event, Volume 10, Issue 2, 2007, pMUSE, cheek)

The epistemology of violence I describe here (strategic science and foreign policy doctrine) claims positivistic clarity about techniques of military and geopolitical action which use force and coercion to achieve a desired end, an end that is supplied by the ontological claim to national existence, security, or order. However in practice, technique quickly passes into ontology. This it does in two ways. First, instrumental violence is married to an ontology of insecure national existence which itself admits no questioning. The nation and its identity are known and essential, prior to any conflict, and the resort to violence becomes an equally essential predicate of its perpetuation. In this way knowledge-as-strategy claims, in a positivistic fashion, to achieve a calculability of effects (power) for an ultimate purpose (securing being) that it must always assume. Second, strategy as a technique not merely becomes an instrument of state power but ontologises itself in a technological image of 'man' as a maker and user of things, including other humans, which have no essence or integrity outside their value as objects. In Heidegger's terms, technology becomes being; epistemology immediately becomes technique, immediately being. This combination could be seen in the aftermath of the 2006 Lebanon war, whose obvious strategic failure for Israelis generated fierce attacks on the army and political leadership and forced the resignation of the IDF chief of staff. Yet in its wake neither ontology was rethought. Consider how a reserve soldier, while on brigade-sized manoeuvres in the Golan Heights in early 2007, was quoted as saying: 'we are ready for the next war'. Uri Avnery quoted Israeli commentators explaining the rationale for such a war as being to 'eradicate the shame and restore to the army the "deterrent power" that was lost on the battlefields of that unfortunate war'. In 'Israeli public discourse', he remarked, 'the next war is seen as a natural phenomenon, like tomorrow's sunrise.' 22 ]

### Link Exceptionalism

#### AMERICAN EXCEPTIONALISM FOLLOWS THE FAMILIAR PATTERN OF THE AFFIRMATIVE ALLOWING FOR THE CONTINUATION OF WAR AND THE UNENDING DESTRUCTION OF THE OTHER. FINALLY FEAR MONGERS SEEK OUT OF THIS DESTRUCTION OF THE ABSOLUTE OTHER BECAUSE IT BRINGS A PSYCHOLOGICAL PLEASURE TO THEM CREATING A CYCLE OF SELF-FULFILLING PROPHECIES

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]

Robert Ivie and Oscar Giner have argued that “America’s ¶ chronic impulse to war” is based in part on the nation’s sense ¶ of exceptionalism, which drives Americans into a perpetual ¶ state of righteous hysteria wherein we see Others as fundamentally wicked rather than as pursuing goals different from ¶ our own. This habituated overreaction turns political ¶ moments into eschatological nightmares. Indeed, because ¶ American exceptionalism argues that the United States is the ¶ touchstone of all goodness, God’s chosen city on a hill, then ¶ those who counter U.S. norms are repeatedly escalated into ¶ world-threatening monsters. For example, in April 1950, ¶ when the National Security Council produced NSC 68, the ¶ seminal whitepaper that defined a generation of Cold War ¶ thinking, the authors portrayed the Soviet Union not simply ¶ as holding differing goals and protocols than the United ¶ States but as “animated by a new fanatic faith” pointed ¶ toward “impos[ing] its absolute authority over the rest of the ¶ world.” The stakes involved, NSC 68 proclaimed, “the fulfillment or destruction not only of this Republic but of civilization itself.” I do not mean to belittle the seriousness of ¶ the threat posed by the Soviets, still, it is revealing to watch ¶ as NSC 68 engages in such a familiar set of rhetorical moves: ¶ (a) escalate a political difference into a world-threatening ¶ battle between reason and some “fanatic” Other, (b) engage ¶ in a process of rhetorical trans-substantiation wherein the ¶ specific interests of the United States are turned into the universal interests of the entire free world, (c) assume that the ¶ immediate political goals of the United States are synonymous with the survival of “civilization itself,” and (d) thus ¶ justify total war at any cost fought by any means. Enacting ¶ these four rhetorical steps creates situations where negotiation seems like nothing less than treason, hence creating a ¶ template for waging war again and again.22¶ Seen from this perspective, Al Qaeda is only the latest in ¶ a long line of monstrous Others that stretches back to the ¶ Salem witch trials. Ivie and Giner note that one of the founding maneuvers in this rhetorical process of hysterical ¶ Othering is “demonizing adversaries by stereotyping their ¶ circumstances.” To take just one example, when the Chinese ¶ feel threatened by U.S. military support for Taiwan, which ¶ was roughly US$6.4 billion in 2010, they are portrayed as ¶ crazy Communists intent on conquering the world—an escalatory characterization they have inherited from the ¶ Russians—but when the United States feels threatened by ¶ Soviet encroachments in Cuba, we are called to act in the ¶ name of Freedom Everywhere, even if it means taking the ¶ world to the brink of nuclear annihilation. China’s legitimate ¶ off-shore concerns are characterized as insane, if not Evil ¶ Incarnate, while America’s concerns are held up as beyond ¶ reproach. We can hardly be surprised when our international ¶ neighbors blanch at this high-handed hubris. Following Ivie, ¶ Giner, and others, I have tried to show here how America’s ¶ exceptionalism, our standing above and beyond all other ¶ nations and causes, leads to precisely this kind of rhetorical ¶ absolutism, wherein Other are always wrong and the United ¶ States is always right. The nation needs to realize that such ¶ rhetorical absolutism is politically unproductive: It leads to ¶ war, it escalates conflict, and it short-circuits compromise. ¶ In short, we could use less arrogance and more humility, less ¶ exceptional unilateralism and more humble multilateralism, ¶ less talk of being God’s chosen children, and more talk of ¶ mutual respect for all God’s creatures.23¶ Moreover, Donovan Conley has argued in these same ¶ pages that the rhetorical patterns I have identified here are ¶ underwritten by a perverse sense of pleasure, what he calls ¶ “ecstatic vengeance.” Conley focuses on the post-9/11 ¶ speeches of President George W. Bush, wherein he discerns ¶ a “mixture of sorrow and jubilation,” an “aura of thrillwithin-victimage.” While I have argued that America’s ¶ sense of exceptionalism drives a process of escalatory rhetorical absolutism, Conley adds a psychoanalytic twist and ¶ argues that we enjoy this process, we seek it out, we find if ¶ fulfilling. Recall the frenzied theater of abuse surrounding ¶ the Salem witch trials, the party-like barbeques that sprang ¶ up at lynchings, Senator McCarthy’s snarling made-forradio accusations against alleged traitors, and the drunken ¶ crowds chanting USA!, USA!, USA! outside the Whitehouse ¶ on the night Osama bin Laden was assassinated—surely ¶ such moments of “ecstatic vengeance” fill participants with ¶ a sense of catharsis, perhaps even spiritual reverie. While ¶ being threatened by the Other is cause for alarm, destroying ¶ the Other is a blast. If Conley is correct, which I fear he is, ¶ then my call for a prudent readjustment of the nation’s rhetorical habits will only scratch the surface of his much deeper concern: that we pursue rhetorical absolutism precisely because it creates the crisis situations from which we ¶ derive so much pleasure.24

### “Laws Should make us feel Safe”

#### Their rhetoric of claiming law limits violence is the same old hat the neocons wear- laws don’t stop violence but only enable them. Torture and detention laws are proof of this-

Pugliese 13

[Joseph Pugliese, Associate Professor of Cultural Studies at Macquarie University, “State Violence and the Execution of Law”, pg-, \\wyo-bb]

Soon after the story of the systemic torture perpetrated at Abu Ghraib broke in¶ the US, former President George W. Bush was interviewed by a journalist on the¶ morality of torture:¶ Q: Mr President . . . this is a moral question: Is torture ever justifi ed?¶ President George W. Bush: Look, I’m going to say it one more time . . . Maybe¶ I can be more clear. The instructions went out to our people to adhere to the¶ law. That ought to comfort you. We’re a nation of law. We have law on the¶ books. You might look at these laws, and that might provide comfort for you. 72¶ In the context of my analysis of the Bybee Memo, there is no question but that the¶ agents of torture in the CIA’s secret prisons clearly ‘adhered to the law.’ In its¶ scathing critique of the Bybee Memo, the Offi ce of Professional Responsibility¶ spells this out in meticulous detail. It is in the context of the OPR’s critique that¶ Bybee’s legal counsel, throughout their response, labor to present the ‘correct¶ interpretation’ of law. In the midst of a fi rewall of redacted text on a page of¶ Bybee’s response stands the singular sentence: ‘That of course is a correct interpretation¶ of the law.’ 73 This correct interpretation upholds, tautologically, the¶ correct interpretation that CIA interrogators made of the Bybee Memo when they¶ deployed ‘enhanced interrogation’ techniques. Isolated and enframed by its own¶ geography of blackness, the ‘correct interpretation of the law’ is shown to transcend¶ the necessity of all other text. Floating above its asignifying abyss, the law¶ reasserts its claim to the status of a transcendental signifi er with the autotelic¶ power to determine precisely what is ‘correct’ and ‘proper.’ This singular sentence¶ exemplifi es how the very operation of ‘founding, inaugurating, justifying law¶ ( droit ), making law’ consists of ‘a coup de force , of a performative and therefore¶ interpretative violence.’ 74 In this case, the interpretative violence of law has¶ already been transmuted into the brutal literality of a coup de force that inaugurated,¶ under the aegis of the Offi ce of Legal Counsel’s Torture Memos, a legalized¶ regime of torture.¶ The recourse to that ‘of course’ – in the line ‘That of course is a correct interpretation¶ of the law’ – stands as the quintessential marker of ‘common sense.’ The¶ moment in a text when ‘of course’ is articulated is, as Stuart Hall has remarked,¶ ‘the most ideological moment because that’s the moment at which you’re least¶ aware that you are using a particular framework, and that if you used another¶ framework the things that you are talking about would have a different meaning.’ 75¶ In the course of Bybee’s Legal Counsel response to the OPR, ‘common sense’¶ readings of law are precisely what are mobilized in opposition to the ‘erroneous¶ interpretations’ of law cited by the OPR: ‘ First , from its opening pages and¶ throughout its Report, OPR relies upon and takes at face value the opinions of¶ various ideological critics, philosophers, academics, and political activists.’ 76 This¶ motley crew is mired in biases, ideologies, political allegiances and skewed interpretations¶ – in contradistinction to Bybee and his counsel: they magically transcend¶ all of this dross in order to enunciate, from above the torture abyss, the¶ ‘correct interpretation’ of law. In this most ideological of moments in the Bybee¶ response to the OPR, law disowns its complicity in the very violence it formalizes¶ and animates.

 It clinically detaches itself from the sordid detritus of tortured¶ bodies left in the wake of its implementation by law’s various agents. And it sets¶ the precedent for the repetition of the legal legitimation of torture. The OPR’s¶ recommendation that both Yoo and Bybee be sanctioned for professional misconduct¶ has not been followed through by the Obama administration. As David¶ Forsythe notes: ‘letting Yoo and Bybee escape sanction meant that panic in high¶ places took precedence over accountability for enabling torture and other abuse¶ of prisoners, keeping the door open for a repeat performance in the future.’ 77¶ The line of text that survives the violence of redaction in the Bybee response to¶ the OPR – ‘That of course is a correct interpretation of the law’ – draws attention¶ to the imperial status of white law. Its transcendent status, as instrumentality of¶ white reason and common sense, is secured by the black non- meaning and¶ non- sense against which it defines itself. ‘We’re a nation of law,’ says the US¶ President – to which the subtext is: ‘Unlike Iraq, for instance, to which we are¶ bringing our rule of law through war and torture.’ I mark this as the Bybee Memo¶ is inextricably tied to the imperial war that was conducted in Iraq. It was because¶ of the unendurable torture that he was forced to suffer that Ibn al-Shaykh al-Libi¶ fabricated evidence that ‘Iraq was on the verge of supplying Al Qaeda with potentially¶ terrifying weapons of mass destruction.’ This was the fabricated evidence¶ that, despite ‘high- level suspicions in some United States intelligence circles that¶ he was a fabricator,’ proved to be the catalyst of the Iraq war. 78¶ Reading these redacted legal texts is, I reiterate, tantamount to the reading of¶ maps. As maps, these redacted legal texts must be seen as articulating topographies¶ of ruin. Lodged between the logos of text are those redacted passages that¶ stage the ruination of sense and signifi cation. Nothing is recoverable in the face¶ of their voids of meaning – not the bodies of the victims tortured to death, nor¶ the names of their executioners. Only by mobilizing the ruse of metaphor have I¶ been able to recover ‘something’ from this ruin: unsayable testimonies of the¶ tortured and the unmarked graves of the disappeared. Beyond the enlightened¶ zone of white law, enabled by its white espacing of textuality, lie black sites of¶ nullifi cation – of reason, language, bodies and justice. In the face of the blank¶ spaces that they both enact and preserve, these redacted legal texts evidence the¶ incommensurability of law to justice.

# 1NR

## Ad 1

### heg

#### Data disproves hegemony impacts

Fettweis, 11

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

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

#### No challengers

Kaplan, senior fellow – Center for a New American Security, and Kaplan, frmr. vice chairman – National Intelligence Council, ‘11

(Robert D and Stephen S, “America Primed,” *The National Interest*, March/April)

But in spite of the seemingly inevitable and rapid diminution of U.S. eminence, to write America’s great-power obituary is beyond premature. The United States remains a highly capable power. Iraq and Afghanistan, as horrendous as they have proved to be—in a broad historical sense—are still relatively minor events that America can easily overcome. The eventual demise of empires like those of Ming China and late-medieval Venice was brought about by far more pivotal blunders. Think of the Indian Mutiny against the British in 1857 and 1858. Iraq in particular—ever so frequently touted as our turning point on the road to destruction—looks to some extent eerily similar. At the time, orientalists and other pragmatists in the British power structure (who wanted to leave traditional India as it was) lost some sway to evangelical and utilitarian reformers (who wanted to modernize and Christianize India—to make it more like England). But the attempt to bring the fruits of Western civilization to the Asian subcontinent was met with a violent revolt against imperial authority. Delhi, Lucknow and other Indian cities were besieged and captured before being retaken by colonial forces. Yet, the debacle did not signal the end of the British Empire at all, which continued on and even expanded for another century. Instead, it signaled the transition from more of an ad hoc imperium fired by a proselytizing lust to impose its values on others to a calmer and more pragmatic empire built on international trade and technology.1 There is no reason to believe that the fate of America need follow a more doomed course. Yes, the mistakes made in Iraq and Afghanistan have been the United States’ own, but, though destructive, they are not fatal. If we withdraw sooner rather than later, the cost to American power can be stemmed. Leaving a stable Afghanistan behind of course requires a helpful Pakistan, but with more pressure Washington might increase Islamabad’s cooperation in relatively short order. In terms of acute threats, Iran is the only state that has exported terrorism and insurgency toward a strategic purpose, yet the country is economically fragile and politically unstable, with behind-the-scenes infighting that would make Washington partisans blanch. Even assuming Iran acquires a few nuclear devices—of uncertain quality with uncertain delivery systems—the long-term outlook for the clerical regime is itself unclear. The administration must only avoid a war with the Islamic Republic. To be sure, America may be in decline in relative terms compared to some other powers, as well as to many countries of the former third world, but in absolute terms, particularly military ones, the United States can easily be the first among equals for decades hence. China, India and Russia are the only major Eurasian states prepared to wield military power of consequence on their peripheries. And each, in turn, faces its own obstacles on the road to some degree of dominance. The Chinese will have a great navy (assuming their economy does not implode) and that will enforce a certain level of bipolarity in the world system. But Beijing will lack the alliance network Washington has, even as China and Russia will always be—because of geography—inherently distrustful of one another. China has much influence, but no credible military allies beyond possibly North Korea, and its authoritarian regime lives in fear of internal disruption if its economic growth rate falters. Furthermore, Chinese naval planners look out from their coastline and see South Korea and a string of islands—Japan, Taiwan and Australia—that are American allies, as are, to a lesser degree, the Philippines, Vietnam and Thailand. To balance a rising China, Washington must only preserve its naval and air assets at their current levels. India, which has its own internal insurgency, is bedeviled by semifailed states on its borders that critically sap energy and attention from its security establishment, and especially from its land forces; in any case, India has become a de facto ally of the United States whose very rise, in and of itself, helps to balance China. Russia will be occupied for years regaining influence in its post-Soviet near abroad, particularly in Ukraine, whose feisty independence constitutes a fundamental challenge to the very idea of the Russian state. China checks Russia in Central Asia, as do Turkey, Iran and the West in the Caucasus. This is to say nothing of Russia’s diminishing population and overwhelming reliance on energy exports. Given the problems of these other states, America remains fortunate indeed. The United States is poised to tread the path of postmutiny Britain. America might not be an empire in the formal sense, but its obligations and constellation of military bases worldwide put it in an imperial-like situation, particularly because its air and naval deployments will continue in a post-Iraq and post-Afghanistan world. No country is in such an enviable position to keep the relative peace in Eurasia as is the United States—especially if it can recover the level of enduring competence in national-security policy last seen during the administration of George H. W. Bush. This is no small point. America has strategic advantages and can enhance its power while extricating itself from war. But this requires leadership—not great and inspiring leadership which comes along rarely even in the healthiest of societies—but plodding competence, occasionally steely nerved and always free of illusion.

#### U.S. hegemonic decline peaceful

Fettweis 10

--assistant professor of political science @ Tulane Christopher, Survival, Volume 52, Issue 2, April

One potential explanation for the growth of global peace can be dismissed fairly quickly: US actions do not seem to have contributed much. The limited evidence suggests that there is little reason to believe in the stabilising power of the US hegemon, and that there is no relation between the relative level of American activism and international stability. During the 1990s, the United States cut back on its defence spending fairly substantially. By 1998, the United States was spending $100 billion less on defence in real terms than it had in 1990, a 25% reduction.[29](http://www.informaworld.com.www2.lib.ku.edu:2048/smpp/section?content=a920295991&fulltext=713240928#EN0029) To internationalists, defence hawks and other believers in hegemonic stability, this irresponsible 'peace dividend' endangered both national and global security. 'No serious analyst of American military capabilities', argued neo-conservatives William Kristol and Robert Kagan in 1996, 'doubts that the defense budget has been cut much too far to meet America's responsibilities to itself and to world peace'.[30](http://www.informaworld.com.www2.lib.ku.edu:2048/smpp/section?content=a920295991&fulltext=713240928#EN0030) And yet the verdict from the 1990s is fairly plain: the world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable US military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums; no security dilemmas drove insecurity or arms races; no regional balancing occurred once the stabilising presence of the US military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in US military capabilities. Most of all, the United States was no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Bill Clinton, and kept declining as the George W. Bush administration ramped the spending back up. Complex statistical analysis is unnecessary to reach the conclusion that world peace and US military expenditure are unrelated.

### disease

**[1] They can’t win an extinction claim- Predictions are exaggerated, and intervening actors have the technology to prevent disease transmissions, recent outbreak of the Swine Flu prove. –That’s Zakaria**

**[2] No mutation to a more virulent strain – more likely to develop into a less dangerous strain**

**Avian Flu Diary 11**, 1/10/11, “Egyptian MOH:`No Mutation’ Of Flu”, <http://afludiary.blogspot.com/2011/01/egyptian-mohno-mutation-of-flu.html>

Invariably, when a new or novel influenza virus makes an appearance on the world stage, the concern is that over time it will mutate to a more formidable viral foe.   Mutating is, after all, what viruses do. And influenza viruses are particularly adept at acquiring changes – either through small incremental changes (called `drift’), or via a reassortment or swapping of genetic material with another virus, called `shift’. And as any virologist will tell you, Shift Happens. Yet, despite the stigma attached to the word`mutation’, viruses can also mutate into a **less dangerous strains**. Over the past few days we are seeing public reassurances from some public health agencies that the swine flu virus has not `mutated’ into a more virulent strain.   Last week, scientists from the UK’s [HPA](http://www.hpa.org.uk/), writing in[Eurosurveillance](http://www.eurosurveillance.org/) (see [Eurosurveillance: Analysis Of Fatal H1N1 Cases In The UK](http://afludiary.blogspot.com/2011/01/eurosurveillance-analysis-of-fatal-h1n1.html)) stated that: so far no unique mutations have been associated with severe or fatal cases of influenza A(H1N1)2009, but further comprehensive analysis is required.   That isn’t to say that mutations haven’t shown up.  They have, and will no doubt continue to do so.     But so far, none of these changes is viewed by these HPA researchers as particularly alarming, linked to fatal cases, or indicative of a fundamental change in the H1N1 virus.

#### [3] Advances in Technology Will Solve Diseases

Dingchao, 2008

[Han Dingchao, writer, “Can We Cure All Diseases In The Future?”, http://www.handingchao.com/can-we-cure-all-diseases-in-the-future/]

Now let’s be back to the title, **can we cure all diseases in the future?** This is a complicated question, it is difficult to make an definite answer for it, but one thing is sure, **as long as we don’t stop researching and we have fair eyes on everything, we will have ability to cure most diseases in the future**. And **now we have ability to expand the great results of stem cell research, we will use them perfectly in the coming years**, this will be a great news in medical industry. So now we have enough faith to **believe we will have enough ability to cure all disease in the future.**

#### [4] No Extinction

Posner 05

[Richard Posner Judge on the United States Court of Appeals for the Seventh Circuit. “Catastrophe: the dozen most significant catastrophic risks and what we can do about them.” http://goliath.ecnext.com/coms2/gi\_0199-4150331/Catastrophe-the-dozen-most-significant.html#abstract]

Yet the **fact that Homo sapiens has managed to survive every disease to assail it in the 200,000 years or so of its existence is a source of genuine comfort**, at least if the focus is on extinction events. **There have been enormously destructive plagues, such as the Black Death, smallpox, and now AIDS, but none has come close to destroying the entire human race**. There is a biological reason. **Natural selection favors germs of limited lethality; they are fitter in an evolutionary sense because their genes are more likely to be spread if the germs do not kill their hosts too quickly. The AIDS virus is an example of a lethal virus**, wholly natural, that by lying dormant yet infectious in its host for years maximizes its spread. **Yet there is no danger that AIDS will destroy the entire human race. The likelihood of a natural pandemic that would cause the extinction of the human race is probably even less today than in the past** (except in prehistoric times, when people lived in small, scattered bands, which would have limited the spread of disease), despite wider human contacts that make it more difficult to localize an infectious disease. **The reason is improvements in medical science.** But the comfort is a small one. Pandemics can still impose enormous losses and resist prevention and cure: the lesson of the AIDS pandemic. And there is always a lust time.

**1. HIV is not capable of wiping out the world’s population – science and history prove**

Caldwell, 03 George, PhD in Biology and Political Science, http://www.foundation.bw/TheEndOfTheWorld.htm

Disease could wipe out mankind.[sic] It is clear that HIV/AIDS will not accomplish this – it is not¶ even having a significant impact on slowing the population explosion in Africa,¶ where prevalence rates reach over thirty percent in some countries. But a real killer plague¶ *could* certainly wipe out mankind. The interesting thing about plagues, however, is that they never seem to kill everyone¶ – historically, the mortality rate is never 100 per cent (from disease alone). Based on historical ¶ evidence, it would appear that, while plagues may certainly reduce human population, they are¶ not likely to wipe it out entirely. This notwithstanding, the gross intermingling of human beings and other species that¶ accompanies globalization nevertheless increases the likelihood of global diseases to high levels.

**2. They don’t have an internal link about solving globally – even if they protect one ¶ critical area there is no evidence that medicine would be distributed globally – ¶ the problem lies within poverty and lack of education and access**

Warming—they concede that china emissions are inevitable on the disad—no impact

## Adv 2

### Korea

Extend levs and mullen—China prevents Korea from attacking—and UN sanctions prevent any risk of korea developing a nuke

#### North Korea won’t succeed- U.S. ground based interceptors up by 50%

Thompson 3/15

[Mark, Pulitzer Prize-winner Mark Thompson has covered national security in Washington since 1979, and for Time since 1994. “Possible North Korean Threat Triggers Beefed-Up U.S. Missile Shield” 3.15.2013. <http://nation.time.com/2013/03/15/possible-north-korean-threat-triggers-beefed-up-u-s-missile-shield/>//wyo-hdm]

The Obama Administration took the offense on missile defense Friday, saying it will fatten up the nation’s thin missile-defense shield by nearly 50% to defend against a possible North Korean attack. The added missiles were part of the Bush Administration’s original plan, but President Obama halted their deployment in April 2009, three months after his inauguration. The announcement came about 72 hours after the [U.S. military](http://topics.time.com/u.s.-military/)’s top strategic commander said “we are confident we could defeat a threat from [North Korea](http://topics.time.com/north-korea/) today.” But the concern isn’t today, but tomorrow. The additional interceptors won’t all be deployed for four years, and North Korea – if the past is any guide – won’t be curbing its missile and nuclear ambitions. Pyongyang recently threatened to attack the U.S. with a nuclear weapon. “We will strengthen homeland missile defense by deploying 14 additional ground-based interceptors, GBIs, at Fort Greely, Alaska,” Defense Secretary Chuck Hagel said. “These additional GBIs will provide a nearly 50% increase in our missile defense capability.” There are currently 26 interceptors based in Alaska, and four at California’s Vandenberg Air Force Base. There is next to no chance that the North Koreans have developed a nuclear weapon small enough to be fitted atop a Pacific-crossing intercontinental ballistic missile. And there is next to no chance it has such a missile. “But it’s not zero,” a Pentagon official says.

#### North Korean threats against the U.S. aren’t real – only used as a political ploy to rally citizens

Fisher 3/12

[Max, the Post's foreign affairs blogger. Before joining the Post, he edited international coverage for TheAtlantic.com, “Why North Korea loves to threaten World War III (but probably won’t follow through)” 3.12.2013. <http://www.washingtonpost.com/blogs/worldviews/wp/2013/03/12/why-north-korea-loves-to-threaten-world-war-iii-but-probably-wont-follow-through/>//wyo-hdm]

Starting World War III or a second Korean War would not serve any of Pyongyang’s interests. Whether or not it deploys its small but legitimately scary nuclear arsenal, North Korea could indeed cause substantial mayhem in the South, whose capital is mere miles from the border. But the North Korean military is [antiquated and inferior](http://www.npr.org/2013/03/09/173839660/how-credible-are-north-koreas-threats); it wouldn’t last long against a U.S.-led counterattack. No matter how badly such a war would go for South Korea or the United States, it would almost certainly end with the regime’s total destruction. Still, provocations and threats do serve Pyongyang’s interests, even if no one takes those threats very seriously. It helps to rally North Koreans, particularly the all-important military, behind the leader who has done so much to impoverish them. It also helps Pyongyang to control the regional politics that should otherwise be so hostile to its interests. Howard French, a former New York Times bureau chief for Northeast Asia whom I had the pleasure of editing at The Atlantic, explained on Kim Jong Il’s death that [Kim had made up for North Korea’s weakness with canny belligerence](http://www.theatlantic.com/international/archive/2011/12/against-all-odds-how-crazy-kim-jong-il-outfoxed-the-world/250209/): The shtick of apparent madness flowed from his country’s fundamental weakness as he, like a master poker player, resolved to bluff and bluff big. Kim adopted a game of brinkmanship with the South, threatening repeatedly to turn Seoul into a “sea of flames.” And while this may have sharply raised the threat of war, for the North, it steadily won concessions: fuel oil deliveries, food aid, nuclear reactor construction, hard cash-earning tourist enclaves and investment zones. At the risk of insulting Kim Jong Eun, it helps to think of North Korea’s provocations as somewhat akin to a child throwing a temper tantrum. He might do lots of shouting, make some over-the-top declarations (“I hate my sister,” “I’m never going back to school again”) and even throw a punch or two. Still, you give the child the attention he craves and maybe even a toy, not because you think the threats are real or because he deserves it, but because you want the tantrum to stop. The big problem here is not that North Korea will intentionally start World War III or a second Korean War, because it probably won’t. So you can rest easy about that.

### Taiwan

#### No nuclear escalation and outside powers will stay out

Roger **Cliff,** Ph.D. in international relations, Princeton, M.A. in history (Chinese studies), University of California, San Diego, Assistant for Strategy Development, Office of the Secretary of Defense, and David A. **Shlapak**, Ph.D., senior international policy analyst, RAND Project Air Force Report, 200**7**

This situation would occur if China attempted to use force to achieve unification, the United States intervened, and China’s efforts were defeated, but Beijing refused to accept Taiwan’s independence.10 Analysis at RAND has found that a conflict between the United States and China over Taiwan would likely be confined to the use of conventional weapons, even though both the United States and China possess nuclear weapons, and that it would not likely escalate into a broader war between the United States and China. That is, the war would be contained in the area around Taiwan; the main combatants would probably be limited to the United States, China, and Japan; and active hostilities would probably end after a relatively short time. Nonetheless, such a war would probably result in a bitter relationship between the United States and China, comparable in some ways to that between the United States and the Soviet Union during the Cold War. China might well accelerate the buildup of its military capabilities with an eye toward waging a second, this time successful, campaign to claim Taiwan. This military competition would likely also be accompanied by a broader deterioration in Sino-U.S. relations, with mutual trade and investment falling dramatically or even ceasing, and each country demanding that its allies not cooperate with its rival. Countries in Asia might find themselves under pressure to choose between good relations with the United States and good relations with China. Nonetheless, even under these circumstances, the relationship between the United States and China after an inconclusive war over Taiwan would have important differences from the one between the United States and the Soviet Union during the Cold War. Unlike the Soviet Union, China is closely integrated into the world economy. With the exception of Japan, most countries in Asia would likely regard the importance of maintaining good relations with Beijing as outweighing any concerns about China having used force against Taiwan. They would resist U.S. pressure to choose between Washington and Beijing, preferring to maintain good relations with both. This logic would apply even more strongly to countries outside the region, which would be even less concerned about China’s use of force.

#### China-Taiwan war unlikely – economic ties and improving relations

Weede, Former Professor of Sociology at the University of Bonn, 2010

(Erich, retired in 2004, current member of the Mont Pelerin Society, “The Capitalist Peace and the Rise of China: Establishing Global Harmony by Economic Interdependence”, International Interactions 36:2, 206-213, 5/18/10, accessed 6/20/11) JDB

From an international trade perspective, all of East Asia has recently become a Chinese sphere of influence. China is the most important destination of Japanese, South Korean, and Taiwanese exports—ahead of the United States. Although Taiwanese politicians around the turn of the millennium rejected the idea of reunification on the Mainland’s terms, and although some of them were attracted to the idea of declaring the legal independence of Taiwan, economic and social ties across the Taiwan Strait grew vigorously at the same time. Taiwanese companies employ millions of people on the mainland. About a million people from Taiwan live on the Chinese mainland. Mainland China has been the preferred destination of Taiwan’s foreign investment. Since the lateral escalation of a military conflict between the People’s Republic of China and Taiwan constitutes the most plausible scenario whereby the U.S. and China might get into a war, economic interdependence between China and Taiwan contributes to the preservation of peace. Recently, political relations between the People’s Republic of China and the Republic of China on Taiwan have improved fast. Given the record of Sino-Japanese wars in the past and the power of these neighboring states, the extent of Sino-Japanese economic cooperation provides another reason for optimism. The capitalist peace stands a chance to apply between China and its neighbors and competitors.

#### No chance the US will be abandoning Taiwan – Taiwan is a strategic location for the US to uphold strong relations

Wang 11

[Chris, regular contributor to Focus Taiwan, U.S. Will Not Abandon Taiwan: American Scholar, Focus Taiwan, January 28, 2011, http://focustaiwan.tw/ShowNews/WebNews\_Detail.aspx?ID=201101180023&Type=aIPL//UWYO TDA]

Taipei, Jan. 18 (CNA) **Any assumption that the United States would ultimately abandon Taiwan would be far off the mark because Taiwan could play an important role in the triangular relations among the U.S., China and Taiwan**, visiting U.S. scholars said Tuesday. "The **most important part of the triangle** of course **is Taiwan**, standing between these two great powers and **improving relations**," said Arthur Brooks, president of the American Enterprise Institute (AEI) for public policy research, in an interview with Central News Agency. He said **Taiwan can help the U.S. by getting China to open more** but Taiwan will not be able to maintain peaceful openness between the two major powers if it cannot defend itself. That is why **the U.S. should make sure that Taiwan has strong defensive capability**, he said. "**There is approximately no chance that the U.S. will abandon Taiwan**," he said. **Taiwan is strategically useful to the U.S**., and support for Taiwan is an extension of the U.S. upholding its own values and a projection of its values to free people around the world, he added.