# 1AC

## Adv 1- Preemption

**Status quo offensive cyber operations by the US has set a precedent that is being modeled by other countries – leads to prolif and diffusion of cyber weapons to third parties**

**Gjelten 13**

(Tom Gjelten, correspondent for NPR, “Pentagon Goes On The Offensive Against Cyberattacks” February 11, 2013, <http://www.npr.org/2013/02/11/171677247/pentagon-goes-on-the-offensive-against-cyber-attacks>, KB)

With the Pentagon now officially recognizing cyberspace as a domain of warfare, **U.S. military commanders** are emphasizing their readiness to defend the nation against cyberthreats from abroad. What they do not say is that they **are** equally **prepared to launch their own cyberattacks against U.S. adversaries.**¶ The importance of plans for offensive cyberwar operations is obscured by the reluctance of the government to acknowledge them. When the Pentagon announced its "Strategy for Operating in Cyberspace" in July 2011, for example, it appeared the military was focused only on protecting its own computer networks, not on attacking anyone else's.¶ "The thrust of the strategy is defensive," declared William Lynn, the deputy secretary of defense at the time. Neither he nor other Pentagon officials had one word to say about possible offensive cyberattacks. The Pentagon would not favor the use of cyberspace "for hostile purposes," according to the strategy. "Establishing robust cyberdefenses no more militarizes cyberspace," Lynn said, "than having a navy militarizes the ocean."¶ Those assurances are deceptive. Behind the scenes, **U.S. commanders are committing vast resources and large numbers of military personnel to planning offensive cyberattacks** and, in at least some cases, actually carrying them out. But the secrecy surrounding offensive cyberwar planning means there has been almost no public discussion or debate over the legal, ethical and practical issues raised by waging war in cyberspace.¶ **Offensive cyberattacks carried out by the United States could set precedents other countries would follow.** **The rules of engagement for cyberwar are not** yet **clearly defined.** And **the lack of regulation concerning the development of cyberweapons could lead to a proliferation of lethal attack tools** — **and** even to the possibility that such **weapons could fall into the hands of unfriendly states, criminal organizations and** even **terrorist groups.**¶In some cases, offensive cyberattacks are being conducted within the parameters of conventional military operations. In Afghanistan, soldiers and Marines depend heavily on video and data links when they go into combat. As part of the process of "prepping the battlefield," commanders may want to launch pre-emptive attacks on the adversary's cybercapabilities in order to make sure their data networks do not get interrupted.¶ Marine Lt. Gen. Richard Mills, in a rare acknowledgment that the military engages in offensive cyber operations, discussed just such a situation during a military conference in August 2012.¶ "I can tell you that as a commander in Afghanistan in the year 2010, I was able to use my cyber operations against my adversary with great impact," Mills declared. "I was able to get inside his nets, infect his command and control, and in fact defend myself against his almost constant incursions to get inside my wire."¶ Another reference to the military's use of cyberattacks as part of a traditional combat operation came in 2009, during a presentation at the Brookings Institution by Air Force Gen. Norton Schwartz. Now retired, Schwartz at the time was serving as Air Force chief of staff. He told his audience that his airmen were prepared to carry out cyberattacks on another country's radar and missile installations before launching airstrikes against that country.¶ "Traditionally, we take down integrated air defenses via kinetic [physical] means," Schwartz said. "But if it were possible to interrupt radar systems or surface-to-air missile systems via cyber, that would be another very powerful tool in our tool kit." Schwartz hinted that the Air Force already had that capability, and in the nearly four years since he gave that speech, such a capability has certainly matured.¶ Cyberattacks, however, are also being used independently of traditional or kinetic operations, according to Jason Healey, a former Air Force officer who now directs the Cyber Statecraft Initiative at the Atlantic Council.¶ "It might happen that we will use them as an adjunct to kinetic," Healey says, "but it's quite clear that we're using [cyber] quite a bit more freely."¶ The best example of an offensive cyberattack independent of a kinetic operation would be Stuxnet, the cyberweapon secretly used to damage nuclear installations in Iran. A U.S. official has privately confirmed to NPR what the New York Times reported last summer — that the United States had a role in developing Stuxnet.¶ Because the operation has been shrouded in secrecy, however, there has been no public discussion about the pros and cons of using a cyberweapon in the way Stuxnet was used.¶ Among the top concerns is that other countries, seeing Stuxnet apparently used by the United States and Israel, might conclude that they would also be justified in carrying out a cyberattack. The British author Misha Glenny, writing in the Financial Times, argued that the deployment of Stuxnet may be seen "as a starting gun; countries around the world can now argue that it is legitimate to use malware pre-emptively against their enemies."¶ Another concern is that **the malicious software code in Stuxnet**, instructing computers to order Iranian centrifuges to spin out of control, **could be modified and used against U.S. infrastructure assets.**¶ **"Now that technology is out there,"** cautions Michigan Rep. Mike Rogers, the Republican chairman of the House Permanent Select Committee on Intelligence. **"People are taking a look at it.** **We are just a few lines of code away from someone else getting closer to a very sophisticated piece of malware that they either wittingly or unwittingly unleash across the world [and cause] huge, huge damage."**¶ The absence of debate over the pros and cons of using cyberweapons is in sharp contrast to the discussion of nuclear weapons. The United States has adopted a "declaratory policy" regarding why it has nuclear weapons and when it would be justified to use them. There is nothing comparable for the cyberweapon arsenal.¶ Rep. Rogers says such gaps in military doctrine and strategy indicate that developments on the cyberwar front are getting ahead of U.S. thinking about cyberwar.¶ "The capabilities, I think, are keeping pace with technology," Rogers said in an interview with NPR. "It's the policy that I worry about. We have not fully rounded out what our [cyber] policies are."¶ The advantages of using cyberweapons are clear. They are more precise than bombs or missiles, and because they damage data rather than physical installations, they are far less likely to hurt innocent civilians. But they are new weapons, and critics say their use should be given careful consideration.¶ **"If we are allowing ourselves to go on the offense without thinking about it, we're likely to militarize cyberspace,"** says the Atlantic Council's Jason Healey. **"We will end up with a cyberspace where everyone is attacking everyone else.** I don't believe we need to go on the offense just yet. The downside is higher than the government acknowledges."¶ White House officials are sensitive to the charge that they should promote more public debate surrounding cybercapabilities. "We understand that there is a view that more discussion is needed about how the United States operates in cyberspace," says National Security Council spokeswoman Caitlin Hayden. "That's why we've published numerous strategies, testified before Congress dozens of times, and [it is why] senior officials ... have given speeches and spoken at conferences and other public events."

**Cyber prolif will be rapid- low barriers of entry and use of proxies**

**Walsh 11**

(Eddie Walsh, The Diplomat's Pentagon (accredited) correspondent and a WSD-Handa Fellow at Pacific Forum CSIS, “The Cyber Proliferation Threat” October 6, 2011, <http://thediplomat.com/new-leaders-forum/2011/10/06/the-cyber-proliferation-threat/>, KB)

**The United States might not be quite as far ahead of other nations in terms of cyber capabilities as many people think** – including potential rivals in the Asia-Pacific, analysts say. It should be a sobering thought for US policymakers at a time when national security analysts around the world have grown increasingly vocal over the proliferation of offensive cyber capabilities by state and non-state actors.¶ **‘There are definitely concerns about cyber warfare proliferation**,’ says Kristin Lord, vice president at the Center for a New American Security, who says she believes that Americans need to take the threat seriously. **‘This isn’t like missiles, which require transporting large materials that can be detected. We are talking about knowledge and code.’**¶ **China, Iran, North Korea and Russia are all seen as likely possessing offensive cyber capabilities that can inflict serious damage on the United States and its allies.** The question is whether they also have the intent to proliferate these capabilities on the black and grey markets.¶ According to Lord, the United States is particularly concerned about scenarios involving collaboration between criminal groups (motivated by financial gain) and state adversaries (wanting to advance their national security interests). **‘We’ve already seen indications of states using criminal groups as proxies for attacks. We** also **know that countries like North Korea are aggressively trying to develop their cyber capabilities,**’ she says. ‘**The open black market, which already exists** in the criminal world, **is** therefore **a big concern**. It provides a place for states and criminals to find each other.’¶ Robert Giesler, a senior vice president and cyber security director at technology applications company SAIC, says **the threat of proliferation is exacerbated by the fact that the technical gap between the United States and its potential adversaries may not be as wide as Americans often like to think.** ‘It’s a dangerous assumption to believe that the US is far ahead in cyber capabilities,’ he says. **‘There’s a low barrier of entry in this market.** We should never use the term dominance in cyber when a 16 year-old can still launch an effective cyber attack.’¶ Faced with such a complex domain, what can the United States do to mitigate the risks posed by foreign cyber capabilities?¶ One answer would be to significantly ramp up US investments in defensive capabilities. According to Giesler, the United States is certainly already further along in defensive cyber security practices and capabilities than the rest of the world. However, Lord cautions that the **United States ‘can’t put a protective wall around every possible target.** Unlike terrorism, **the number of potential targets is almost infinite and not limited by geography.**’

**Proliferation of cyber weapons to terrorists causes nuclear great power wars**

**Fritz 9**

Researcher for International Commission o n Nuclear Nonproliferation and Disarmament [Jason, researcher for International Commission on Nuclear Nonproliferation and Disarmament, former Army officer and consultant, and has a master of international relations at Bond University, “Hacking Nuclear Command and Control,” July, <http://www.icnnd.org/latest/research/Jason_Fritz_Hacking_NC2.pdf>]

This paper will analyse the threat of cyber terrorism in regard to nuclear weapons. Specifically, this research will use open source knowledge to identify the structure of nuclear command and control centres, how those structures might be compromised through computer network operations, and how doing so would fit within established cyber terrorists’ capabilities, strategies, and tactics. If access to command and control centres is obtained, **terrorists could** fake or actually **cause one nuclear-armed state to attack another**, thus **provoking a nuclear response** from another nuclear power. **This may be an easier alternative for terrorist groups than building or acquiring a nuclear weapon or dirty bomb** themselves. **This would also act as a force equaliser, and provide terrorists with the asymmetric benefits of high speed, removal of geographical distance, and a** relatively **low cost.** Continuing **difficulties in** developing **computer tracking technologies** which could trace the identity of intruders, and difficulties in establishing an internationally agreed upon legal framework to guide responses to computer network operations, **point towards an inherent weakness in using computer networks to manage nuclear weaponry. This is** particularly **relevant to reducing the hair trigger posture of existing nuclear arsenals.** **All computers** which are connected to the internet **are susceptible to infiltration and remote control. Computers** which operate on a closed network **may** also **be compromised by various hacker methods, such as privilege escalation, roaming notebooks, wireless access points, embedded exploits in software and hardware, and maintenance entry points.** For example, **e-mail spoofing** targeted at individuals who have access to a closed network, **could lead to the installation of a virus on an open network. This virus could then be** carelessly **transported on removable data storage** between the open and closed network. Information found on the internet may also reveal how to access these closed networks directly. **Efforts by militaries to place increasing reliance on computer networks**, including experimental technology such as autonomous systems, **and their desire to have multiple launch options, such as nuclear triad capability, enables multiple entry points for terrorists.** For example, if a terrestrial command centre is impenetrable, perhaps isolating one nuclear armed submarine would prove an easier task. There is evidence to suggest **multiple attempts have been made by hackers to compromise the extremely low radio frequency once used by the US Navy to send nuclear launch approval to submerged submarines.** Additionally, **the alleged Soviet system known as Perimetr was designed to automatically launch nuclear weapons if it was unable to establish communications with Soviet leadership. This was intended as a retaliatory response in the event that nuclear weapons had decapitated Soviet leadership; however it did not account for the possibility of cyber terrorists blocking communications** through computer network operations in an attempt to engage the system. **Should a warhead be launched, damage could be further enhanced through additional computer network operations. By using proxies, multi-layered attacks could be engineered. Terrorists could** remotely **commandeer computers in China and use them to launch a US nuclear attack against Russia.** Thus **Russia would believe it was under attack from the US and the US would believe China was responsible.** Further, **emergency response communications could be disrupted, transportation could be shut down, and disinformation, such as misdirection, could be planted**, thereby **hindering the disaster relief effort and maximizing destruction. Disruptions in communication and the use of disinformation could** also **be used to provoke uninformed responses.** For example, a nuclear strike between India and Pakis**tan could be** coordinated **with Distributed Denial of Service attacks against key networks,** so theywould have further difficulty in identifying what happened and beforced to respond quickl**y. Terrorists could** also **knock out communications between** these **states** so they cannot discuss the situation. Alternatively, amidst the confusion of a traditional large-scale terrorist attack, **claims of responsibility and declarations of war could be falsified in an attempt to instigate a hasty military response. These false claims could be posted directly on Presidential, military, and government websites. E-mails could also be sent to the media and foreign governments using the IP addresses and e-mail accounts of government officials. A sophisticated** and all encompassing **combination of traditional terrorism and cyber terrorism could be enough to launch nuclear weapons on its own, without the need for compromising command and control centres directly.**

**No defense- deterrence fails vs 3rd parties, making escalation likely**

**Owens et al 9**

(William A. Owens, as an Admiral in the United States Navy and later Vice Chairman of the Joint Chiefs of Staff, \*\*Kenneth W. Dam, served as Deputy Secretary of the Treasury from 2001 to 2003, where he specialized in international economic development, \*\*Herbert S. Lin, Senior Scientist and Study, “Technology, Policy, Law, and Ethics Regarding U.S. Acquisition and Use of Cyberattack Capabilities” 4/27/2009, <http://www.lawfareblog.com/wp-content/uploads/2013/01/NRC-Report.pdf>, KB)

**Catalytic conflict refers to the phenomenon in which a third party** ¶ **instigates conflict between two other parties.** These parties could be ¶ nation-states or subnational groups, such as terrorist groups. The canonical scenario is one in which the instigator attacks either Zendia or Ruritania in such a way that Zendia attributes the attack to Ruritania, or vice ¶ versa. **To increase confidence in the success of initiating a catalytic war,** ¶ **the instigator might attack both parties, seeking to fool each party into** ¶ **thinking that the other party was responsible**. ¶ As also noted in Section 2.4.2, **high-confidence attribution of a cyberattack under all circumstances is** arguably very **problematic, and an instigator would find it by comparison very easy to deceive each party about** ¶ **the attacker’s identity.** Thus, **a catalytic attack could be very plausibly** ¶ **executed**. In addition, **if a state of tension already exists** between the ¶ United States and Zendia, **both** U.S. and Zendian **leaders will be predisposed toward thinking the worst about each other—and thus may be** ¶ **less likely to exercise due diligence in carefully attributing a cyberattack.** ¶ A Ruritanian might thus choose just such a time to conduct a catalytic ¶ cyberattack.

#### And independently, cyber preemption escalates to shooting war

**Clarke 2009**

(Richard Clarke, special adviser to the president for cybersecurity in the George W. Bush administration and chairman of Good Harbor Consulting, November/December 2009, “War from Cyberspace,” The National Interest, http://web.clas.ufl.edu/users/zselden/coursereading2011/Clarkecyber.pdf)

As in the 1960s, **the speed of war is rapidly accelerating.** Then, long-range ¶ ¶ missiles could launch from the prairie of ¶ ¶ Wyoming and hit Moscow in only thirtyfive minutes. Strikes in cyber war move at ¶ ¶ a rate approaching the speed of light. And ¶ ¶ **this speed favors a strategy of preemption, which means the chances that people can become trigger-happy are high.** **This**, in ¶ ¶ turn, **makes cyber war all the more likely.** ¶ ¶ If a cyber-war commander does not attack quickly, his network may be destroyed first. **If a commander does not preempt an enemy, he may find that the target nation has suddenly raised new defenses or even disconnected from the worldwide Internet.** ¶ ¶ There seems to be a premium in cyber war ¶ ¶ to making the first move.¶ ¶ And much as in the nuclear era, **there is a real risk of escalation with cyber war.** ¶ ¶ Nuclear war was generally believed to be ¶ ¶ something that might quickly grow out of ¶ ¶ conventional combat, perhaps initiated with ¶ ¶ tanks firing at each other in a divided Berlin. The speed of new technologies created ¶ ¶ enormous risks for crisis instability and miscalculation. Today, **the risks of miscalculation are even higher, enhancing the chances that what begins as a battle of computer programs ends in a shooting war.** Cyber ¶ ¶ war, with its low risks to the cyber warriors, ¶ ¶ may be seen by a decision maker as a way ¶ ¶ of sending a signal, making a point without ¶ ¶ actually shooting. An attacker would likely ¶ ¶ think of a cyber offensive that knocked out ¶ ¶ an electric-power grid and even destroyed ¶ ¶ some of the grid’s key components (keeping ¶ ¶ the system down for weeks), as a somewhat ¶ ¶ antiseptic move; a way to keep tensions ¶ ¶ as low as possible. But **for the millions of people thrown into the dark** and perhaps ¶ ¶ the cold, unable to get food, without access ¶ ¶ to cash and dealing with social disorder, ¶ ¶ **it would be in many ways the same as if bombs had been dropped on their cities. Thus, the nation attacked might well respond with “kinetic activity.”**

**Plan solves-**

#### A) It provides international credibility that creates stables norms for deterring preemptive use

**Clarke and Knake ‘12** (Richard (former National Coordinator for Security, Infrastructure Protection, and Counter-terrorism for the United States) and Robert (Cybersecurity and homeland security expert at the Council on Foreign Relations), Cyber War: The Next Threat to National Security and What to Do About It, Harper Collins Books, 2012, RSR)

**Balancing our desire for military flexibility** **with the need to address the fact that cyber war could**¶ **damage the U.S. significantly, it may be possible to craft international constraints short of a complete ban.**¶ An international agreement that banned, under any circumstances, the use of cyber weapons is the most¶ extreme form of a ban. In the previous chapter, we looked briefly at the proposal of a no-first-use¶ agreement, which is a lesser option. **A no-first-use agreement could simply be a series of mutual**¶ **declarations**, or it could be a detailed international agreement. **The focus could be on keeping cyber**¶ **attacks from starting wars**, not on limiting their use once a conflict has started. We could apply the pledge¶ to all nations, or only to those nations that made a similar declaration or signed an agreement.¶ **Saying we won’t be the first ones to use cyber weapons may in fact have more than just diplomatic**¶ **appeal in the international arena**. **The existence of the pledge might make it less likely that another nation**¶ **would initiate cyber weapons use because to do so would violate an international norm that employing**¶ **cyber weapons crosses a line, is escalatory, and potentially destabilizing**. **The nation that goes first and**¶ **violates an agreement has added a degree of international opprobrium to its actions and created** in the¶ global community **a presumption of misconduct. International support for that nation’s** underlying **position**¶ in the conflict **might** thus **be undermined and the potential for international sanctions increased.**

**B) US norms against preemptive cyberattacks reverses cyber weapons prolif**

**Goldsmith 10**

Jack Goldsmith, teaches at Harvard Law School and is on the Hoover Institution's Task Force on National Security and Law. He was a member of a 2009 National Academies committee, “Can we stop the cyber arms race?” February 01, 2010, <http://articles.washingtonpost.com/2010-02-01/opinions/36895669_1_botnets-cyber-attacks-computer-attacks>, KB)

In a speech this month on "Internet freedom," Secretary of State Hillary Clinton decried the cyberattacks that threaten U.S. economic and national security interests. "Countries or individuals that engage in cyber attacks should face consequences and international condemnation," she warned, alluding to the China-Google kerfuffle. **We should "create norms of behavior among states and encourage respect for the global networked commons."**¶ Perhaps so. But **the problem** with Clinton's call for accountability and norms on the global network -- a call frequently heard in policy discussions about cybersecurity -- **is the** enormous **array of cyberattacks originating from the United States. Until we** acknowledge these attacks and signal how we might **control them, we cannot make progress on preventing cyberattacks emanating from other countries.**¶ An important weapon in the cyberattack arsenal is a botnet, a cluster of thousands and sometimes millions of compromised computers under the ultimate remote control of a "master." Botnets were behind last summer's attack on South Korean and American government Web sites, as well as prominent attacks a few years ago on Estonian and Georgian sites. They are also engines of spam that can deliver destructive malware that enables economic espionage or theft.¶ The United States has the most, or nearly the most, infected botnet computers and is thus the country from which a good chunk of botnet attacks stem. The government could crack down on botnets, but doing so would raise the cost of software or Internet access and would be controversial. So it has not acted, and the number of dangerous botnet attacks from America grows.¶ The United States is also a leading source of "hacktivists" who use digital tools to fight oppressive regimes. Scores of individuals and groups in the United States design or employ computer payloads to attack government Web sites, computer systems and censoring tools in Iran and China. These efforts are often supported by U.S. foundations and universities, and by the federal government. Clinton boasted about this support seven paragraphs after complaining about cyberattacks.¶ Finally, the U.S. government has perhaps the world's most powerful and sophisticated offensive cyberattack capability. This capability remains highly classified. But the New York Times has reported that the Bush administration used cyberattacks on insurgent cellphones and computers in Iraq, and that it approved a plan for attacks on computers related to Iran's nuclear weapons program. And the government is surely doing much more. "We have U.S. warriors in cyberspace that are deployed overseas" and "live in adversary networks," says Bob Gourley, the former chief technology officer for the Defense Intelligence Agency.¶ These warriors are now under the command of Lt. Gen. Keith Alexander, director of the National Security Agency. The NSA, the world's most powerful signals intelligence organization, is also in the business of breaking into and extracting data from offshore enemy computer systems and of engaging in computer attacks that, in the NSA's words, "disrupt, deny, degrade, or destroy the information" found in these systems. When the Obama administration created "cyber command" last year to coordinate U.S. offensive cyber capabilities, it nominated Alexander to be in charge.¶ Simply put, the United States is in a big way doing the very things that Clinton criticized. We are not, like the Chinese, stealing intellectual property from U.S. firms or breaking into the accounts of democracy advocates. But we are aggressively using the same or similar computer techniques for ends we deem worthy.¶ Our potent offensive cyber operations matter for reasons beyond the hypocrisy inherent in undifferentiated condemnation of cyberattacks. Even if we could stop all cyberattacks from our soil, we wouldn't want to. On the private side, hacktivism can be a tool of liberation. On the public side, the best defense of critical computer systems is sometimes a good offense. "My own view is that the only way to counteract both criminal and espionage activity online is to be proactive," Alexander said last year, adding that if the Chinese were inside critical U.S. computer systems, he would "want to go and take down the source of those attacks."¶ **Our adversaries are aware of our** prodigious and **growing offensive cyber capacities and exploits.** In a survey published Thursday by the security firm McAfee, **more information technology experts from critical infrastructure firms around the world expressed concern about the United States as a source of computer network attacks than about any other country. This awareness, along with our vulnerability to cyberattacks, fuels a dangerous** public and private **cyber arms race** in an arena **where the offense already has a natural advantage.**¶ Everyone agrees on the need to curb this race by creating proper norms of network behavior. But like Clinton, U.S. cybersecurity policymakers are in the habit of thinking too much about those who attack us and too little about our attacks on others. Creating norms to curb cyberattacks is difficult enough because the attackers' identities are hard to ascertain. But **a**nother large **hurdle is the federal government's refusal to acknowledge more fully its many offensive cyber activities**, or to propose which such activities it might clamp down on in exchange for reciprocal concessions by our adversaries.

## Adv 2- Trade-off

**Cyber attack is highly like in the squo- actors are probing grid weaknesses**

**Reed ‘12** John, Reports on the frontiers of cyber war and the latest in military technology for Killer Apps at Foreign Policy, "U.S. energy companies victims of potentially destructive cyber intrusions", 2012, killerapps.foreignpolicy.com/posts/2012/10/11/us\_energy\_companies\_victims\_of\_potentially\_destructive\_cyber\_attacks

Foreign actors are probing the networks of key American companies in an attempt to gain control of industrial facilities and transportation systems, Defense Secretary Leon Panetta revealed tonight.¶ "We know that foreign **cyber actors are probing America's critical infrastructure networks**," said Panetta, disclosing previously classified information during a speech in New York laying out the Pentagon's role in protecting the U.S. from cyber attacks. "They are targeting the computer control systems that operate chemical, **electricity** and water plants, and those that guide transportation thorough the country."¶ He went on to say that the U.S. government knows of "specific instances where intruders have gained access" to these systems -- frequently known as Supervisory Control and Data Acquisition (or SCADA) systems -- and that "they are seeking to create advanced tools to attack these systems and cause panic, destruction and even the loss of life," according to an advance copy of his prepared remarks.¶ The secretary said that **a coordinated attack on enough critical infrastructure could be a "cyber Pearl Harbor" that would "cause physical destruction and loss of life, paralyze and shock the nation, and create a profound new sense of vulnerability.**"¶ While there have been reports of criminals using 'spear phishing' email attacks aimed at stealing information about American utilties, Panetta's remarks seemed to suggest more sophisticated, nation-state backed attempts to actually gain control of and damage power-generating equipment. ¶ Panetta's comments regarding the penetration of American utilities echo those of a private sector cyber security expert Killer Apps spoke with last week **who said that the networks of American electric companies were penetrated, perhaps in preparation for a Stuxnet-style attack**.¶ Stuxnet is the famous cyber weapon that infected Iran's uranium-enrichment centrifuges in 2009 and 2010. Stuxnet is believed to have caused some of the machines to spin erratically, thereby destroying them.¶ "**There is hard evidence** that there has been penetration of our power companies, and given Stuxnet, that is a staging step before destruction" of electricity-generating equipment, the expert told Killer Apps. Because uranium centrifuges and power turbines are both spinning machines, "**the attack is identical -- the one to take out the centrifuges and the one to take out our power systems is the same attack**."¶ "If a centrifuge running at the wrong speed can blow apart" so can a power generator, said the expert. "If you do, in fact, spin them at the wrong speeds, you can blow up any rotating device."¶ Cyber security expert Eugene Kaspersky said two weeks ago that one of his greatest fears is someone reverse-engineering a sophisticated cyber weapon like Stuxnet **-- a relatively easy task** -- and he noted that Stuxnet itself passed through power plants on its way to Iran. "Stuxnet infected thousands of computer systems all around the globe, I know there were power plants infected by Stuxnet very far away from Iran," Kaspersky said.

**Current preemptive OCO policy backfires- creates priority confusion and drains cyber-defense resources**

**Healey ‘13**

[Jason Healey is director of the Cyber Statecraft Initiative at the Atlantic Council. <http://www.usnews.com/opinion/blogs/world-report/2013/03/08/clandestine-american-strategy-on-cyberwarfare-will-backfire> ETB]

**America's** generals and **spymasters have decided they can secure a better future in cyberspace through,** what else, covert warfare, **preemptive attacks**, and clandestine intelligence. Our rivals are indeed seeking to harm U.S. interests and it is perfectly within the president's purview to use these tools in response. Yet **this** is an unwise **policy** that **will ultimately backfire**. **The** undoubted, immediate national **security advantages will be at the expense of America's longer-term goals in cyberspace.** ¶ The latest headlines on covert and **preemptive cyberplans highlight just the latest phase of a cyber "cult of offense" dating back to the 1990s.** Unclassified details are scarce, but the Atlantic Council's study of cyber history reveals covert plans, apparently never acted upon, to drain the bank accounts of Slobodan Milosevic and Saddam Hussein. More recent press accounts detail cyber assaults on terrorist networks (including one that backfired onto U.S. servers) and Stuxnet, which destroyed Iranian centrifuges. American spy chiefs say U.S. cyber capabilities are so prolific that this is the "golden age" of espionage, apparently including the Flame and Duqu malware against Iran and Gauss, which sought financial information (perhaps also about Iran) in Lebanese computers.¶ **Offensive cyber capabilities do belong in the U.S. military arsenal. But the continuing obsession with** covert, **preemptive**, and clandestine **offensive cyber capabilities not only reduces resources dedicated for defense but overtakes other priorities as well.**

#### Focus on preemptive cyber-attack capability trades off with fixing critical cyber vulnerabilities

**Rid 2/4**/13

[Thomas Rid is a reader at the Department of War Studies, King's College London. [http://www.newrepublic.com/article/112314/obama-administrations-lousy-record-cyber-security#](http://www.newrepublic.com/article/112314/obama-administrations-lousy-record-cyber-security) ETB]

But the rhetoric of war doesn't accurately describe much of what happened. There was no attack that damaged anything beyond data, and even that was the exception; the Obama administration's rhetoric notwithstanding, there was nothing that bore any resemblance to World War II in the Pacific. Indeed, the **Obama** administration **has been** so intent on **responding to the cyber threat with martial aggression** that it hasn't paused to consider the true nature of the threat. And **that has lead to two crucial mistakes: first, failing to realize** (or choosing to ignore) **that offensive capabilities in cyber security don’t translate easily into defensive capabilities. And second, failing to realize** (or choosing to ignore) **that it is far more urgent for the United States to concentrate on developing the latter**, rather than the former.¶ At present, the United States government is one of the most aggressive actors when it comes to offensive cyber operations, excluding commercial espionage. The administration has anonymously admitted that it designed Stuxnet (codenamed Olympic Games) a large-scale and protracted sabotage campaign against Iran’s nuclear enrichment facility in Natanz that was unprecedented in scale and sophistication. Close expert observers assume that America also designed Flame, a major and mysterious espionage operation against several Middle Eastern targets mostly in the energy sector. The same goes for Gauss, a targeted and sophisticated spying operation designed to steal information from Lebanese financial institutions.¶ Developing sophisticated, code-borne sabotage tools requires skills and expertise; they also require detailed intelligence about the input and output parameters of the targeted control system. The **Obama** administration seems to have **decided** **to prioritize** such **high-end offensive operations.** Indeed, the Pentagon's bolstered Cyber Command seems designed primarily for such purposes. **But these kinds of narrowly-targeted offensive investments have no defensive value.** ¶ **So** amid all the activity, **little has been done to address the country's major vulnerabilities**. The software that controls **America's most critical infrastructure**—from pipeline valves to elevators to sluices, trains, and the electricity grid—**is** often **highly insecure** by design, as the work of groups like Digital Bond illustrates. **Worse**, **these systems are** often **connected** **to the internet** **for maintenance** reasons, **which means they are always vulnerable to attack**. Shodan, a search engine dubbed the Google for hackers, has already made these networked devices searchable. Recently a group of computer scientists at the Freie Universität in Berlin began to develop their own crawlers to geo-locate these vulnerable devices and display them on a map. Although the data are still incomplete and anonymized, **parts of America's most vulnerable infrastructure are now visible for anyone to see.**¶ **Defending these areas ought to be the government's top priority, not** the creation of a larger Cyber Command capable of **going on the offense.** Yet the White House has hardly complained that the piece of legislation that would have made some progress towards that goal, the Cybersecurity Act of 2012, has stalled indefinitely in the Senate.

**Military focus on offense spills over the private sector**

**Gjelten, 13**

(Tom, correspondent for NPR, "First Strike: US Cyber Warriors Seize the Offensive", Jan/Feb, [www.worldaffairsjournal.org/article/first-strike-us-cyber-warriors-seize-offensive](http://www.worldaffairsjournal.org/article/first-strike-us-cyber-warriors-seize-offensive) NL)

**When the Pentagon launched its much-anticipated “Strategy for Operating in Cyberspace” in July 2011, it appeared the US military was interested only in protecting its own computer networks**, not in attacking anyone else’s. “The thrust of the strategy is defensive,” declared Deputy Secretary of Defense William Lynn. The Pentagon would not favor the use of cyberspace “for hostile purposes.” Cyber war was a distant thought. “Establishing robust cyber defenses,” Lynn said, “no more militarizes cyberspace than having a navy militarizes the ocean.”¶ **That was then. Much of the cyber talk around the Pentagon these days is about offensive operations.** **It is no longer enough for cyber troops to be deployed along network perimeters, desperately trying to block the constant attempts by adversaries to penetrate front lines. The US military’s geek warriors are now prepared to go on the attack, armed with potent cyberweapons that can break into enemy computers with pinpoint precision**.¶ The new emphasis is evident in a program launched in October 2012 by the Defense Advanced Research Projects Agency (DARPA), the Pentagon’s experimental research arm. **DARPA funding enabled the invention of the Internet, stealth aircraft, GPS, and voice-recognition software, and the new program, dubbed Plan X, is equally ambitious.** DARPA managers said **the Plan X goal was “to create revolutionary technologies for understanding, planning, and managing cyberwarfare.”** The US Air Force was also signaling its readiness to go into cyber attack mode, announcing in August that it was looking for ideas on how “to destroy, deny, degrade, disrupt, deceive, corrupt, or usurp the adversaries [sic] ability to use the cyberspace domain for his advantage. **The new interest in attacking enemies rather than simply defending against them has even spread to the business community**. Like their military counterparts, **cybersecurity experts in the private sector have become increasingly frustrated by their inability to stop intruders from penetrating critical computer networks to steal valuable data or even sabotage network operations. The new idea is to pursue the perpetrators back into their own networks**. “We’re following a failed security strategy in cyber,” says Steven Chabinsky, formerly the head of the FBI’s cyber intelligence section and now chief risk officer at CrowdStrike, a startup company that promotes aggressive action against its clients’ cyber adversaries. “There’s no way that we are going to win the cybersecurity effort on defense. We have to go on offense.”¶ **The growing interest in offensive operations is bringing changes in the cybersecurity industry.** Expertise in patching security flaws in one’s own computer network is out; expertise in finding those flaws in the other guy’s network is in. Among the “hot jobs” listed on the career page at the National Security Agency are openings for computer scientists who specialize in “vulnerability discovery.” **Demand is growing in both government and industry circles for technologists with the skills to develop ever more sophisticated cyber tools,** including malicious software—malware—with such destructive potential as to qualify as cyberweapons when implanted in an enemy’s network. “**Offense is the biggest growth sector in the cyber industry right now,”** says Jeffrey Carr, a cybersecurity analyst and author of Inside Cyber Warfare. But have we given sufficient thought to what we are doing? Offensive operations in the cyber domain raise a host of legal, ethical, and political issues, and governments, courts, and business groups have barely begun to consider them.

#### 2 impacts:

#### First, cyberwar:

**Overconcentration on offense is destabilizing- makes cyberwar inevitable**

**McGraw 13** <[Gary McGraw](http://www.tandfonline.com/action/doSearch?action=runSearch&type=advanced&searchType=journal&result=true&prevSearch=%2Bauthorsfield%3A(McGraw%2C+G)), PhD is Chief Technology Ofﬁcer of Cigital, and author of¶ Software Security (AWL 2006) along with ten other software security¶ books. He also produces the monthly Silver Bullet Security Podcast for¶ IEEE Security & Privacy Magazine (syndicated by SearchSecurity), Cyber War is Inevitable (Unless We Build Security In), Journal of Strategic Studies - Volume 36, Issue 1, 2013, pages 109-119, <http://www.tandfonline.com.proxy.library.cornell.edu/doi/pdf/10.1080/01402390.2012.742013>>#**SPS**

**Also of note is the balancing effect that extreme cyber vulnerability**¶ **has on power when it comes to cyber war.** In the case of the Stuxnet¶ attack, the balance of power was clearly stacked high against Iran.¶ Subsequently, however, Iran responded with the (alleged) hijacking of a¶ US drone being used for surveillance in Iranian airspace.10 **Ironically, it**¶ **may be that the most highly developed countries are more vulnerable to**¶ **cyber warfare because they are more dependent on modern high-tech**¶ **systems.** **In any case, failure to build security into the modern systems**¶ **we depend on can backlash, lowering the already low barrier to entry**¶ **for geopolitically motivated cyber conﬂict.** **Defending against cyber**¶ **attack (by building security in) is just as important as developing**¶ **offensive measures. Indeed it is more so.**¶ War has both defensive and offensive aspects, and understanding this¶ is central to understanding cyber war. **Over-concentrating on offense¶ can be very dangerous and destabilizing because it encourages actors to¶ attack ﬁrst and ferociously, before an adversary can.** **Conversely, when¶ defenses are equal or even superior to offensive forces, actors have less¶ incentive to strike ﬁrst because the expected advantages of doing so are¶ far lower.** **The United States is supposedly very good at cyber offense**¶ **today, but from a cyber defense perspective it lives in the same glass**¶ **houses as everyone else.** The root of the problem is that the systems we¶ depend on – the lifeblood of the modern world – are not built to be¶ secure.11¶ This notion of offense and defense in cyber security is worth teasing¶ out. Offense involves exploiting systems, penetrating systems with¶ cyber attacks and generally leveraging broken software to compromise¶ entire systems and systems of systems.12 Conversely, defense means¶ building secure software, designing and engineering systems to be¶ secure in the ﬁrst place, and creating incentives and rewards for systems¶ that are built to be secure.13 What sometimes passes for cyber defense¶ today – actively watching for intrusions, blocking attacks with network¶ technologies such as ﬁrewalls, law enforcement activities, and protecting against malicious software with anti-virus technology – is little more than a cardboard shield.14 **If we do not focus more attention on**¶ **real cyber defense by building security in, cyber war will be inevitable.**¶

**That causes nuclear miscalc due to hair-trigger response**

**Clark and Andreasen 13**

(Richard A. Clarke, the chairman of Good Harbor Security Risk Management, was special adviser to the president for cybersecurity in the George W. Bush administration. Steve Andreasen, a consultant to the Nuclear Threat Initiative, was the National Security Council’s staff director for defense policy and arms control from 1993 to 2001, “Cyberwar’s threat does not justify a new policy of nuclear deterrence” June 14, 2013, <http://articles.washingtonpost.com/2013-06-14/opinions/39977598_1_nuclear-weapons-cyber-attack-cyberattacks>, KB)

President Obama is expected to unveil a new nuclear policy initiative this week in Berlin. Whether he can make good on his first-term commitments to end outdated Cold War nuclear policies may depend on a firm presidential directive to the Pentagon rejecting any new missions for nuclear weapons — in particular, their use in response to cyberattacks.¶ The Pentagon’s Defense Science Board concluded this year that **China and Russia could develop capabilities to launch an “existential cyber attack” against the United States** — that is, **an attack causing sufficient damage that our government would lose control of the country.** “**While the manifestation of a nuclear and cyber attack are** very **different**,” the board concluded, “in the end, **the existential impact to the United States is the same.”**¶ Because it will be impossible to fully defend our systems against existential cyberthreats, the board argued, the United States must be prepared to threaten the use of nuclear weapons to deter cyberattacks. In other words: I’ll see your cyberwar and raise you a nuclear response.¶ Some would argue that Obama made clear in his 2010 Nuclear Posture Reviewthat the United States has adopted the objective of making deterrence of nuclear attacks the “sole purpose” of our nuclear weapons. Well, the board effectively reviewed the fine print and concluded that the Nuclear Posture Review was “essentially silent” on the relationship between U.S. nuclear weapons and cyberthreats, so connecting the two “is not precluded in the stated policy.”¶ As the board noted, cyberattacks can occur very quickly and without warning, requiring rapid decision-making by those responsible for protecting our country. **Integrating the nuclear threat into the equation means making clear to any potential adversary that the United States is prepared to use nuc**lear weapon**s very early in response to a major cyberattack — and is maintaining nuclear forces on “prompt launch” status to do so.**¶ **Russia and China would** certainly take note — and presumably **follow suit**. Moreover, **if the United States, Russia and China adopted policies threatening an early nuclear response to cyber­attacks, more countries would surely take the same approach.**¶ It’s hard to see how this cyber-nuclear action-reaction dynamic would improve U.S. or global security. It’s more likely to lead to a new focus by Pentagon planners on generating an expanding list of cyber-related targets and the operational deployment of nuclear forces to strike those targets in minutes.¶ Against that backdrop, maintaining momentum toward reducing the role of nuclear weapons in the United States’ national security strategy (and that of other nations) — a general policy course pursued by the past five presidents — would become far more difficult. **Further reductions in nuclear forces and changes in “hair-trigger” postures, designed to lessen the risk of an accidental or unauthorized nuclear launch, would** also probably **stall**.¶ Fortunately, Obama has both the authority and the opportunity to make clear that he meant what he said when he laid out his nuclear policy in Prague in 2009. For decades, presidential decision directives have made clear the purpose of nuclear weapons in U.S. national security strategy and provided broad guidance for military planners who prepare the operations and targeting plans for our nuclear forces. An update to existing presidential guidance is one of the homework items tasked by the 2010 Nuclear Posture Review.¶ Cyberthreats are very real, and **there is** much we ne**ed to do to defend our military and critical civilian infrastructure against** what former defense secretary Leon E. Panetta referred to as **a “cyber Pearl Harbor”** — including enhancing the ability to take action, when directed by the president, against those who would attack us. We also need more diplomacy such as that practiced by Obama with his Chinese counterpart, Xi Jinping, at their recent summit. Multinational cooperation centers could ultimately lead to shared approaches to cybersecurity, including agreements related to limiting cyberwar.

**Link is linear- every investment in offensive capabilities fuels a cyber-arms race that risks escalation**

**Gjelten, 13**

(Tom, correspondent for NPR, "First Strike: US Cyber Warriors Seize the Offensive", Jan/Feb, [www.worldaffairsjournal.org/article/first-strike-us-cyber-warriors-seize-offensive](http://www.worldaffairsjournal.org/article/first-strike-us-cyber-warriors-seize-offensive) NL)

In addition, **there are policy questions raised by the escalating government investment in offensive cyber war capabilities.** One fear is that **each new offensive cyberweapon introduced into use will prompt the development of an even more lethal weapon by an adversary and trigger a fierce cyber arms race. A hint of such an escalatory cycle may be seen in the confrontation with Iran over its nuclear program.** US officials suspect the Iranian government was responsible for the recent wave of cyber attacks directed against Aramco, the Saudi oil company, and may also have been behind a series of denial-of-service attacks on US financial institutions. **Such attacks could be in retaliation for the Stuxnet worm.**¶ Some writers foresee a dangerous new world, created by the United States and Israel with the deployment of Stuxnet. Misha Glenny, writing in the Financial Times, argued that the tacit US admission of responsibility for Stuxnet will act “as a starting gun; countries around the world can now argue that it is legitimate to use malware pre-emptively against their enemies.” One danger is that US adversaries, notably including Russia and China, may now cite the use of Stuxnet to support their argument that an international treaty regulating the use of cyberweapons may be needed. The United States has long opposed such a treaty on the grounds that it would undermine its own technological advantages in cyberspace and could also lead to efforts to regulate the Internet in ways that would harm freedom of expression and information.

#### Second, cyber crime

**Defense solves it**

**McGraw 13** <[Gary McGraw](http://www.tandfonline.com/action/doSearch?action=runSearch&type=advanced&searchType=journal&result=true&prevSearch=%2Bauthorsfield%3A(McGraw%2C+G)), PhD is Chief Technology Ofﬁcer of Cigital, and author of¶ Software Security (AWL 2006) along with ten other software security¶ books. He also produces the monthly Silver Bullet Security Podcast for¶ IEEE Security & Privacy Magazine (syndicated by SearchSecurity), Cyber War is Inevitable (Unless We Build Security In), Journal of Strategic Studies - Volume 36, Issue 1, 2013, pages 109-119, <http://www.tandfonline.com.proxy.library.cornell.edu/doi/pdf/10.1080/01402390.2012.742013>>#**SPS**

**The conceptual conﬂation of cyber war, cyber espionage, and cyber**¶ **crime into a three-headed cyber Cerberus perpetuates fear, uncertainty**¶ **and doubt. This has made the already gaping policy vacuum on cyber**¶ **security more obvious than ever before.**¶ Of the three major cyber security concerns in the public eye, cyber¶ crime is far more pervasive than cyber war or espionage. And yet it is¶ the least commonly discussed among policymakers. Cyber crime is¶ already commonplace and is growing: 285 million digital records were¶ breached in 2008 and 2011 boasted the second-highest data loss total¶ since 2004.2¶ Though economic calculations vary widely and are difﬁcult to make,¶ cyber crime and data loss have been estimated to cost the global¶ economy at least $1.0 trillion dollars annually.3¶ Even if this estimate is¶ an order of magnitude too high, cyber crime is still an important problem that needs addressing. Just as consumers ﬂock to the Internet,¶ so do criminals. Why did Willie Sutton, the notorious Depression-era¶ gangster, rob banks? As he famously (and perhaps apocryphally) put it:¶ ‘That’s where the money is.’ Criminals ﬂock to the Internet for the same¶ reason.¶ Cyber espionage is another prominent problem that captivates the¶ imagination, and is much more common than cyber war. The highly¶ distributed, massively interconnected nature of modern information¶ systems makes keeping secrets difﬁcult. It is easier than ever before to¶ transfer, store and hide information, while more information than ever¶ before is stored and manipulated on networked machines. A pen drive¶ the size of a little ﬁnger can store more information than the super¶ computers of a decade ago.¶ **Cyber war, cyber espionage, and cyber crime all share the same root**¶ **cause: our dependence on insecure networked computer systems.** The¶ bad news about this dependency is that cyber war appears to be¶ dominating the conversation among policy-makers even though cyber¶ crime is the largest and most pervasive problem. **When pundits and**¶ **policymakers focus only on cyber war, the most threats emanating from**¶ **cyber crime and espionage are relegated to the background.** **Interestingly, building systems properly from a security perspective will address**¶ **the cyber crime and espionage problems just as effectively as it will**¶ **address cyber war.** **By building security into our systems in the ﬁrst**¶ **place we can lessen the possibility of cyber war, take a bite out of cyber**¶ **crime, and deter cyber espionage all at the same time.**

#### Major cyber crime crushes the global economy via ripple effects

Sani et al 12 <Hemraj, Associate Professor & Head, Department of Computer Science & Engineering, Alwar Institute of Engineering & Technology, Yerra Shankar, PhD Student, Department of Mathematics Shiksha ‗O‘ Anusandhan University, T.C. Principal, Orissa Engineering College, “Cyber-Crimes and their Impacts: A Review,” Vol. 2, Issue 2,Mar-Apr 2012, <http://www.ijera.com/papers/Vol2_issue2/AG22202209.pdf>>#SPS

.1. Potential Economic Impact ¶ The 2011 Norton Cyber crime disclosed that over 74 million people in the United States were victims of cyber crime ¶ in 2010. These criminal acts resulted in $32 billion in direct financial losses. Further analysis of this growing ¶ problem found that 69 percent of adults that are online have been victims of cyber crime resulting in 1 million cyber ¶ crime victims a day. Many people have the attitude that cyber crime is a fact of doing business online! [18]. ¶ As today‘s consumer has become increasingly dependent on computers, networks, and the information these ¶ are used to store and preserve, the risk of being subjected to cyber-crime is high. Some of the surveys conducted ¶ in the past have indicated as many as 80% of the companies‘ surveyed acknowledged financial losses due to ¶ computer breaches. The approximate number impacted was $450 million. Almost 10% reported financial fraud ¶ [14]. Each week we hear of new attacks on the confidentiality, integrity, and availability of computer systems. This ¶ could range from the theft of personally identifiable information to denial of service attacks. ¶ As the economy increases its reliance on the internet, it is exposed to all the threats posed by cyber-criminals. Stocks ¶ are traded via internet, bank transactions are performed via internet, purchases are made using credit card via ¶ internet. All instances of fraud in such transactions impact the financial state of the affected company and hence the ¶ economy. ¶ The disruption of international financial markets could be one of the big impacts and remains a serious ¶ concern. The modern economy spans multiple countries and time zones. Such interdependence of the world's ¶ economic system means that a disruption in one region of the world will have ripple effects in other regions. ¶ Hence any disruption of these systems would send shock waves outside of the market which is the source of the ¶ problem. ¶ Productivity is also at risk. Attacks from worms, viruses, etc take productive time away from the user. Machines ¶ could perform more slowly; servers might be in accessible, networks might be jammed, and so on. Such ¶ instances of attacks affect the overall productivity of the user and the organization. It has customer service impacts ¶ as well, where the external customer sees it as a negative aspect of the organization. ¶ In addition, user concern over potential fraud prevents a substantial cross-section of online shoppers from ¶ transacting business. It is clear that a considerable portion of e-commerce revenue is lost due to shopper hesitation, ¶ doubt, and worry. These types of consumer trust issues could have serious repercussions and bear going into more ¶ detail

#### Economic collapse causes nuclear conflicts

Burrows and Harris 9

Mathew J. Burrows counselor in the National Intelligence Council and Jennifer Harris a member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” The Washington Quarterly 32:2 https://csis.org/files/publication/twq09aprilburrowsharris.pdf

Increased Potential for Global Conflict¶ Of course, the report encompasses more than economics and indeed believes the¶ future is likely to be the result of a number of intersecting and interlocking¶ forces. With so many possible permutations of outcomes, each with ample opportunity for unintended consequences, there is a growing sense of insecurity.¶ Even so, history may be more instructive than ever. While we continue to¶ believe that the Great Depression is not likely to be repeated, the lessons to be¶ drawn from that period include the harmful effects on fledgling democracies and¶ multiethnic societies (think Central Europe in 1920s and 1930s) and on¶ the sustainability of multilateral institutions (think League of Nations in the¶ same period). There is no reason to think that this would not be true in the¶ twenty-first as much as in the twentieth century. For that reason, the ways in¶ which the potential for greater conflict could grow would seem to be even more¶ apt in a constantly volatile economic environment as they would be if change¶ would be steadier.¶ In surveying those risks, the report stressed the likelihood that terrorism and¶ nonproliferation will remain priorities even as resource issues move up on the¶ international agenda. Terrorism’s appeal will decline if economic growth¶ continues in the Middle East and youth unemployment is reduced. For those¶ terrorist groups that remain active in 2025, however, the diffusion of¶ technologies and scientific knowledge will place some of the world’s most¶ dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a¶ combination of descendants of long established groupsinheriting¶ organizational structures, command and control processes, and training¶ procedures necessary to conduct sophisticated attacksand newly emergent¶ collections of the angry and disenfranchised that become self-radicalized,¶ particularly in the absence of economic outlets that would become narrower¶ in an economic downturn.¶ The most dangerous casualty of any economically-induced drawdown of U.S.¶ military presence would almost certainly be the Middle East. Although Iran’s¶ acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed¶ Iran could lead states in the region to develop new security arrangements with¶ external powers, acquire additional weapons, and consider pursuing their own¶ nuclear ambitions. It is not clear that the type of stable deterrent relationship¶ that existed between the great powers for most of the Cold War would emerge¶ naturally in the Middle East with a nuclear Iran. Episodes of low intensity¶ conflict and terrorism taking place under a nuclear umbrella could lead to an¶ unintended escalation and broader conflict if clear red lines between those states¶ involved are not well established. The close proximity of potential nuclear rivals¶ combined with underdeveloped surveillance capabilities and mobile¶ dual-capable Iranian missile systems also will produce inherent difficulties in¶ achieving reliable indications and warning of an impending nuclear attack. The¶ lack of strategic depth in neighboring states like Israel, short warning and missile¶ flight times, and uncertainty of Iranian intentions may place more focus on¶ preemption rather than defense, potentially leading to escalating crises.Types of conflict that the world continues¶ to experience, such as over resources, could¶ reemerge, particularly if protectionism grows and¶ there is a resort to neo-mercantilist practices.¶ Perceptions of renewed energy scarcity will drive¶ countries to take actions to assure their future¶ access to energy supplies. In the worst case, this¶ could result in interstate conflicts if government¶ leaders deem assured access to energy resources,¶ for example, to be essential for maintaining domestic stability and the survival of¶ their regime. Even actions short of war, however, will have important geopolitical¶ implications. Maritime security concerns are providing a rationale for naval¶ buildups and modernization efforts, such as China’s and India’s development of¶ blue water naval capabilities. If the fiscal stimulus focus for these countries indeed¶ turns inward, one of the most obvious funding targets may be military. Buildup of¶ regional naval capabilities could lead to increased tensions, rivalries, and¶ counterbalancing moves, but it also will create opportunities for multinational¶ cooperation in protecting critical sea lanes. With water also becoming scarcer in¶ Asia and the Middle East, cooperation to manage changing water resources is¶ likely to be increasingly difficult both within and between states in a more¶ dog-eat-dog world.¶

## Adv 3 SOP

#### Congressional restrictions on executive cyberwar power is critical to maintain SOP

**Lorber 13**

[Eric, J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University

Department of Political Science. Journal Of Constitutional Law 15.3 <https://www.law.upenn.edu/live/files/1773-lorber15upajconstl9612013>. ETB]

Yet addressing these questions is increasingly important for two reasons. ¶ First, **as states such as China, Israel, Russia, and the U**nited **S**tates **use these weapons now and likely will do so more in future conflicts, determining the domestic legal strictures governing their use would provide policymakers and military planners a better sense of how to operate in cyberspace**.12¶ Second**, the possible employment of these tools adds yet another wrinkle to the battle between the executive and legislative branches over war-making authority**.13 In particular, if neither the War Powers Resolution nor the ¶ Intelligence Authorization Act governs OCOs**, the executive may be allowed** ¶ **to employ U.S. military power** in a manner largely **unchecked by congressional authority**.**14 As a result, the employment of these tools i**mplicates—and perhaps **problematically shifts—the balance between the executive**’s commander-in-chief power15 **and Congress’**s war-making ¶ authority.16

**Strong separation of powers key to heg**

**Ikenberry 1** (G. John, Professor @ Georgetown University, Spring, The National Interest)

First, **America's mature political institutions organized around the rule of law have made it a relatively predictable and cooperative hegemon. The pluralistic and regularized way in which U.S. foreign and security policy is made reduces surprises and allows other states to build long-term, mutually beneficial relations. The governmental separation of powers creates a shared decision-making system that opens up the process and reduces the ability of any one leader to make abrupt or aggressive moves toward other states**. An active press and competitive party system also provide a service to outside states by generating information about U.S. policy and determining its seriousness of purpose. **The messiness of a democracy can**, indeed, **frustrate American diplomats and confuse foreign observers. But over the long term, democratic institutions produce more consistent and credible policies--policies that do not reflect the capricious and idiosyncratic whims of an autocrat**. Think of the United States as a giant corporation that seeks foreign investors. It is more likely to attract investors if it can demonstrate that it operates according to accepted accounting and fiduciary principles. The rule of law and the institutions of policymaking in a democracy are the political equivalent of corporate transparency and accountability. Sharp shifts in policy must ultimately be vetted within the policy process and pass muster by an array of investigatory and decision-making bodies. **Because it is a constitutional, rule-based democracy, outside states are more willing to work with the U**nited **S**tates-or, to return to the corporate metaphor, to invest in ongoing partnerships.

**Heg solves great power wars**

**Barnett 11** (Thomas P.M. Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat., worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, “The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,” March 7 http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads)

**Events in Libya are a further reminder for Americans** that we **stand at a crossroads in our continuing evolution as the world's sole full-service superpower**. **Unfortunately**, **we are increasingly seeking change without cost, and shirking from risk because we are tired of the responsibility**. We don't know who we are anymore, and our president is a big part of that problem. Instead of leading us, he explains to us. Barack Obama would have us believe that he is practicing strategic patience. But many experts and ordinary citizens alike have concluded that he is actually beset by strategic incoherence -- in effect, a man overmatched by the job. It is worth first examining the larger picture: **We live in a time of arguably the greatest structural change in the global order yet endured**, **with this historical moment's most amazing feature being its** relative and absolute **lack of mass violence**. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: **As the guardian of globalization**, **the U.S. military has been the greatest force for peace the world has ever known**. **Had America been removed from the global dynamics that governed the 20th century**, the **mass murder never would have ended**. Indeed, it's entirely conceivable **there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation.**  But **the world did not keep sliding down that path of perpetual war**. **Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace**. **We introduced the international liberal trade order known as globalization** and played loyal Leviathan over its spread. **What resulted was the collapse of empires, an explosion of democracy**, the **persistent spread of human rights**, the liberation of women, **the doubling of life expectancy**, a roughly **10-fold increase in adjusted global GDP** **and a profound and persistent reduction in battle deaths from state-based conflicts.** That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these **calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms**, deeply embedded in the geometry to come. To continue the historical survey, after salvaging Western Europe from its half-century of civil war, the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism. America then successfully replicated globalization further in East Asia over the second half of the 20th century, setting the stage for the Pacific Century now unfolding.

**Early SOP key to prevent escalation of prez powers and massive inter-branch conflict**

**Taylor- Robinson and Ura 12** (Michelle M, Joseph, "Public opinion and conflict in the separation of powers: Understanding the Honduran coup of 2009," Journal of Theoretical Politics, Oct 9, jtp.sagepub.com/content/early/2012/10/07/0951629812453216.full.pdf)

Finally, our model shows that **once inter-institutional conﬂict has emerged within the**¶ **separation of powers, it is likely to continue inexorably until it is resolved by authoritative**¶ **public action**. **An institution that** rationally **seeks to expand its authority in a separation**¶ **of powers system will also have incentives to continue and**, indeed, **escalate the conﬂict**¶ **rather than abandon its effort to aggrandize its authority in the face of opposition**. Likewise, **an attacked institution that rationally combats an attempted expansion of another**¶ **institution’s authority will not fold if the aggressor subsequently raises the stakes.** In the¶ case of Honduras, this dynamic is visible in the mutual escalation of the conﬂict between¶ President Zelaya and the nation’s Congress and Supreme Court. More generally, **this**¶ **result indicates dim prospects for hopes that inter-branch conﬂicts may be resolved by processes that are entirely endogenous to the institutions in question. Rather, intervention by the public or some other exogenous force may be critical to resolving a conﬂict**¶ **once it has emerged.**

**Interbranch conflict causes extinction**

Linda S. **Jamison**, Deputy Director of Governmental Relations @ CSIS, Spring 19**93**, Executive-Legislative Relations after the Cold War, Washington Quarterly, v.16, n.2, p. 189

Indeed there are very few domestic issues that do not have strong international implications, and likewise there are numerous transnational issues in which all nations have a stake. Environmental degradation, the proliferationof weapons of mass destruction, population control, migration, international narcotics trafficking, the spread of AIDS, andthe deterioration of the human condition in the less developed world are circumstancesaffecting all corners ofthe globe. Neither political isolation nor policy bifurcation is an option for the United States. Global circumstances have drastically changed with the end of the Cold War and the political and policy conditions that sustained bipartisan consensus are not applicable to the post-war era. The formulation of a new foreign policy must be grounded in broad-based principles that reflect domestic economic, political and social concerns while providing practical solutions to new situations. Toward a cooperative US Foreign Policy for the 1990s: Ifthe federalgovernment is to meetthenewinternational policychallengesof the post-cold war era, institutional dissension caused by partisan competition and executive-legislative friction must give way to a new way of business**.** Policy flexibility must be the watchword of the 1990s in the foreign policy domainif the United States is to have any hope of securing its interests in theuncertainyears ahead**.** One former policymaker, noting the historical tendency of the United States to make fixed “attachments,” has argued that a changing world dictates policy flexibility, where practical solutions can be developed on principles of broad-based policy objectives (Fulbright 1979). Flexibility, however, will not be possible without interbranch cooperation. The end of the Cold War and the new single-party control of the White House and Congress provide a unique opportunity to reestablish foreign policy cooperation. Reconfiguring post cold war objectives requires comprehension of the remarkable transformations in world affairs and demands an intense political dialogue that goes beyond the executive branch (Mann 1990, 28-29).

**Congressional failure to act leads to massive expansion in prez power- now key**

**Dycus 10**

[Stephen, Professor, Vermont Law School. JOURNAL OF NATIONAL SECURITY LAW &POLICY 4.155.

<http://jnslp.com/wp-content/uploads/2010/08/11_Dycus.pdf> ETB]

**If Congress now fails to enact guidelines for cyber warfare, it might** ¶ **be perceived as inviting “measures on independent presidential** ¶ **responsibility.**”21 Chief Justice **Marshall suggested in Little v. Barreme that** ¶if Congress had remained silent, the President might have been free to ¶ conduct the Quasi-War with France as he saw fit.22 But **the national interest** ¶ **in electronic warfare**, just as in that early maritime conflict, **is so great that** ¶ **the planning and conduct of such a war should not be left entirely to the** ¶ **Executive. And because a cyber war might be fought under circumstances** ¶ **that make it impossible for Congress to play a meaningful contemporaneous** ¶ **role, Congress ought to get out in front of events now in order to be able to** ¶ **participate in the formulation of national policy.**

**Unfettered presidential powers cause nuclear war; ev is gender modified**

**Forrester 89** - Professor, Hastings College of the Law (Ray, August 1989, ESSAY: Presidential Wars in the Nuclear Age: An Unresolved Problem, 57 Geo. Wash. L. Rev. 1636)

On the basis of this report, the startling fact is that **one** man **[person] alone has the ability to start a nuclear war**. A basic theory--if not the basic theory of our Constitution--is that **concentration of power** in any one person, or one group, **is dangerous to** mankind **[humanity]. The Constitution**, therefore, **contains a strong system of checks and balances, starting** **with the separation of powers** between the President, Congress, and the Supreme Court. The message is that no one of them is safe with unchecked power. Yet, in what is probably the most dangerous governmental power ever possessed, we find the potential for world destruction lodged in the discretion of one person. As a result of public indignation aroused by the Vietnam disaster, in which tens of thousands lost their lives in military actions initiated by a succession of Presidents, Congress in 1973 adopted, despite presidential veto, the War Powers Resolution. Congress finally asserted its checking and balancing duties in relation to the making of presidential wars. Congress declared in section 2(a) that its purpose was to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations. The law also stated in section 3 that [t]he President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated. . . . Other limitations not essential to this discussion are also provided. The intent of the law is clear. Congress undertook to check the President, at least by prior consultation, in any executive action that might lead to hostilities and war.  [\*1638]  President Nixon, who initially vetoed the resolution, claimed that it was an unconstitutional restriction on his powers as Executive and Commander in Chief of the military. His successors have taken a similar view. Even so, some of them have at times complied with the law by prior consultation with representatives of Congress, but obedience to the law has been uncertain and a subject of continuing controversy between Congress and the President. Ordinarily, the issue of the constitutionality of a law would be decided by the Supreme Court. But, despite a series of cases in which such a decision has been sought, the Supreme Court has refused to settle the controversy. The usual ground for such a refusal is that a "political question" is involved. The rule is well established that the federal judiciary will decide only "justiciable" controversies. "Political questions" are not "justiciable." However, the standards established by the Supreme Court in 1962 in [Baker v. Carr, 369 U.S. 186,](http://www.lexisnexis.com/us/lnacademic/mungo/lexseestat.do?bct=A&risb=21_T9842011382&homeCsi=7338&A=0.48452774259109876&urlEnc=ISO-8859-1&&citeString=369%20U.S.%20186&countryCode=USA) to determine the distinction between "justiciable controversies" and "political questions" are far from clear. One writer observed that the term "political question" [a]pplies to all those matters of which the court, at a given time, will be of the opinion that it is impolitic or inexpedient to take jurisdiction. Sometimes this idea of inexpediency will result from the fear of the vastness of the consequences that a decision on the merits might entail. Finkelstein, Judicial Self-Limitation, 37 HARV. L. REV. 338, 344 (1924)(footnote omitted). It is difficult to defend the Court's refusal to assume the responsibility of decisionmaking on this most critical issue. The Court has been fearless in deciding other issues of "vast consequences" in many historic disputes, some involving executive war power. It is to be hoped that the Justices will finally do their duty here. But **in the meantime the spectre of single-minded power persists, fraught with all of the frailties** of human nature **that each human possesses, including the President**. World history is filled with tragic examples. Even if the Court assumed its responsibility to tell us whether the Constitution gives Congress the necessary power to check the President, the War Powers Resolution itself is unclear. Does the Resolution require the President to consult with Congress before launching a nuclear attack? It has been asserted that "introducing United States Armed Forces into hostilities" refers only to military personnel and does not include the launching of nuclear missiles alone. In support of this interpretation, it has been argued that Congress was concerned about the human losses in Vietnam and in other presidential wars, rather than about the weaponry. Congress, of course, can amend the Resolution to state explicitly that "the introduction of Armed Forces" includes missiles as well as personnel. However, the President could continue to act without prior consultation by renewing the claim first made by President  [\*1639]  Nixon that the Resolution is an unconstitutional invasion of the executive power. Therefore, the real solution, in the absence of a Supreme Court decision, would appear to be a constitutional amendment. All must obey a clear rule in the Constitution. The adoption of an amendment is very difficult. Wisely, Article V requires that an amendment may be proposed only by the vote of two-thirds of both houses of Congress or by the application of the legislatures of two-thirds of the states, and the proposal must be ratified by the legislatures or conventions of three-fourths of the states. Despite the difficulty, the Constitution has been amended twenty-six times. Amendment can be done when a problem is so important that it arouses the attention and concern of a preponderant majority of the American people. But the people must be made aware of the problem. It is hardly necessary to belabor the relative importance of the control of nuclear warfare. A constitutional amendment may be, indeed, the appropriate method. But the most difficult issue remains. What should the amendment provide? How can the problem be solved specifically? The Constitution in section 8 of Article I stipulates that "[t]he Congress shall have power . . . To declare War. . . ." The idea seems to be that only these many representatives of the people, reflecting the public will, should possess the power to commit the lives and the fortunes of the nation to warfare. This approach makes much more sense in a democratic republic than entrusting the decision to one person, even though he may be designated the "Commander in Chief" of the military forces. His power is to command the war after the people, through their representatives, have made the basic choice to submit themselves and their children to war. **There is a recurring relevation of a paranoia of power**throughout human history **that has impelled one leader after another** to draw their people **into wars** which, in hindsight, were foolish, unnecessary, and, in some instances, downright insane. Whatever may be the psychological influences that drive the single decisionmaker to these irrational commitments of the lives and fortunes of others, the fact remains that the **behavior is** a **predictable** one **in any government that does not provide an effective check and balance against uncontrolled power in the hands of one human**. We, naturally, like to think that our leaders are above such irrational behavior. Eventually, however, human nature, with all its weakness, asserts itself whatever the setting. At least that is the evidence that experience and history give us, even in our own relatively benign society, where the Executive is subject to the rule of law.  [\*1640]  Vietnam and other more recent engagements show that it can happen and has happened here. But the "nuclear football"--the ominous "black bag" --remains in the sole possession of the President. And, most important, his **[the] decision to launch a nuclear missile would be**, in fact if not in law, a **declaration of nuclear war, one which** the nation and, indeed, **humanity** in general, probably **would be unable to survive**.

## Plans

#### The United States federal government should substantially increase statutory restrictions on the war powers authority of the President of the United States by banning the preemptive use of large-scale cyber-attacks, except in direct support of Congressionally authorized United States military operations.

## Solvency

#### Congressional action is critical to cyber expertise and preserves presidential flexibility

**Dycus ‘10**

[Stephen, Professor, Vermont Law School. JOURNAL OF NATIONAL SECURITY LAW &POLICY 4.155.

<http://jnslp.com/wp-content/uploads/2010/08/11_Dycus.pdf> ETB]

Congress’s active role in the development and implementation of cyber ¶ warfare policy is no guarantee of national security. The policy might be ¶ flawed in various ways. There is also a risk that whatever policy is adopted ¶ will not be properly executed or that its execution will have unintended ¶ results. The policy might be misunderstood or might not provide clear or ¶ appropriate guidance in the urgent circumstances facing its interpreter. The ¶ person charged with implementing the policy might make a mistake – for ¶ example, by interpreting a potential enemy’s electronic espionage as an ¶ attack. Available cyber weaponry might not work as planned. Or a purely ¶ defensive move by U.S. operators might be construed by another nation as ¶ offensive, and provoke an attack. Nor can the clearest policy, statutory or ¶ executive, guarantee compliance by an Executive determined to ignore it.71¶ The rules might be construed by the President in a way that reduces the ¶ importance of Congress’s role. Or they might be challenged in court. ¶ **Congress should not**, however, **hesitate to take the steps outlined here** ¶ **merely because they might produce unintended results or because they** ¶ **could be difficult to enforce. Exactly the same criticisms could be leveled** ¶ **at almost any reorganization or legislative initiative. The high stakes in this** ¶ **instance, and Congress’s constitutional responsibility for formulation of** ¶ **national security policy, mean that Congress cannot sit this one out**. ¶ It might be suggested that these proposed measures would dangerously ¶ tie the President’s hands, thereby limiting her freedom to respond to ¶ unpredictable future national security threats. The very point of the ¶ recommendations, however, is that **Congress should place limits on the** ¶ **President’s actions** – to require her to share the responsibility for deciding ¶ to go to war. **Even then, if the nation comes under sudden cyber or kinetic** ¶ **attack the President will remain free to respond as she sees fit.** ¶ **The United States faces unprecedented challenges from enemies** ¶ **equipped with new weaponry possessing vast, evolving destructive** ¶ **potential. The two political branches must draw on their respective** ¶ **expertise and experiences to work together to meet these challenges,** as the ¶ Framers intended.

#### XO can’t solve- binding precedent is key to norm building and check expansion of prez powers

**Huston ‘11**

[Warner Todd Huston is a Chicago based freelance writer, has been writing opinion editorials and social criticism since early 2001, <http://www.conservativecrusader.com/articles/we-need-rules-for-cyberwarfare-before-a-president-steals-that-power-too> ETB]

**Presidents have had certain restrictions for war**-making ever since because the founders wanted to make sure that war was something duly considered not easily engaged.¶ **This should hold as much for use of computer-based warfare** as it does for any other type of military attack. **Currently** computer-based war, or **cyberwarfare**, presents a new field of military application and we **have no legal precedent to govern its use.**¶ **Despite the last 200 years of presidents slowly stealing away power from Congress to initiate military actions, we should really think long and hard about allowing any president to unleash cyberwarfare at his discretion**. In fact, **we should set a precedent immediately to prevent any president from using cyberwarfare without the consent of Congress.**¶ Why? Because cyberwarfare is a far, far different animal than use of conventional military forces and indiscriminate use of it **would endanger** our way of **life** in harsh and immediate terms if used against us. For that reason, **we should be very careful when we use it against others**. We should have solid legal definitions behind its use **so as not to give enemies the excuse to resort to it quickly themselves.**¶ You see, cyberwarfare is a relatively cheap war power, easier to implement, and requires far fewer in personnel and facilities than launching an invasion using conventional military forces. This is not to say that cyberwarfare is easy -- far from it. But it is cheaper and easier than deploying regular military forces.¶ So, we should casually resort to cyberwarfare no more easily than we would to using conventional forces. But **if we do not set down** specific and **binding rules for its use we risk giving this power over to a president which could cause less considered use of this** sort of **warfare**. **That** in turn, **would give enemies an excuse to do the same**. Further, remember that setting legally binding reasons for warfare is a long and proud American tradition, one that legitimizes our nation and one we should not casually toss aside simply under the assumption that enemies will not be as thoughtful as we.¶ **We should lead the world in** **considered** **use of cyberwarfare** **and we should do so now**. Any of those that felt we illicitly launched into the war on terror should no less worry about indiscriminate use of cyberwarfare. But illicit use or no, **we should be** deadly **certain of what powers our president can have,** **when and how he can use them, and where the line should be drawn, even in cyberspace.**

**Renouncing use of large-scale attacks reduces the risk of cyberattack**

**Owens et al. ‘9**

[William A. Owens, Kenneth W. Dam, and Herbert S. Lin, editors, ¶ Committee on Offensive Information Warfare, National Research Council. <http://www.lawfareblog.com/wp-content/uploads/2013/01/NRC-Report.pdf> ETB]

**No first use of large-scale cyberattacks**. Although weapons for cyberattack are valid and legitimate military weapons to be deployed and ¶ used in support of U.S. interests, **the U**nited **S**tates **will not be the** ¶ **first nation in a conflict to conduct against nations cyberattacks that** ¶ **would have the potential of causing widespread societal devastation and chaos.** Nevertheless, the United States reserves the right ¶ to conduct such attacks should it be subject to such attacks itself.¶ **Such a policy would** seek to **discourage the use of large-scale cyberattacks as an instrument of** national **policy by any nation.** However, the U.S. ¶ stance on the use of large-scale cyberattacks would be based primarily ¶ on threatening in-kind retaliation rather than setting an example. As in ¶ the previous case, **the benefit to the United States** if such stigmatization ¶ occurred **would be a lower likelihood that it would experience such an** ¶ **attack.**

#### Military will adhere to the law- fear the consequences

Dunlap ‘12

[Maj. Gen. Charles J. Dunlap Jr. (Ret.), Professor of the Practice of Law¶ Executive Director, Center on Law, Ethics and National Security @ Duke. In Patriot Debates: Contemporary Issues in National Security Law. <http://www.americanbar.org/groups/public_services/law_national_security/patriot_debates2/the_book_online/ch9/ch9_ess2.html> ETB]

 This raises an important question: Should America wage war— cyber or otherwise—without legal “limits”? Military commanders have seen the no-legal-limits movie before and they do not like it. In the aftermath of 9/11, civilian lawyers moved in exactly that direction. Former Attorney General Alberto Gonzales, for example, rejected parts of the Geneva Conventions as “quaint.” He then aligned himself with other civilian government lawyers who seemed to believe that the President’s war-making power knew virtually no limits. The most egregious example of this mindset was their endorsement of interrogation techniques now widely labeled as torture.25 The results of the no-legal-limits approach were disastrous. The ill-conceived civilian-sourced interrogation, detention, and military tribunal policies, implemented over the persistent objections of America’s military lawyers, caused an international uproar that profoundly injured critical relations with indispensable allies.26 Even more damaging, they put the armed forces on the road to Abu Ghraib, a catastrophic explosion of criminality that produced what military leaders like then U.S. commander in Iraq Lieutenant General Ricardo Sanchez labeled as a “clear defeat.”27 Infused with illegalities, Abu Ghraib became the greatest reversal America has suffered since 9/11. In fact, in purely military terms, it continues to hobble counterterrorism efforts. General David Petraeus observed that “Abu Ghraib and other situations like that are non-biodegradable. They don’t go away.” “The enemy,” Petraeus says, “continues to beat you with them like a stick.”28 In short, military commanders want to adhere to the law because they have hard experience with the consequences of failing to do so.

# 2AC

## 2AC Heg Bad

**Hegemonic strategy inevitable**

**Calleo ‘10**

Calleo, Director – European Studies Program and Professor @ SAIS, ‘10¶ (David P, “American Decline Revisited,” Survival, 52:4, 215 – 227)

The history of **the past two decades suggest**s **that adjusting to a plural world is not easy for the U**nited **S**tates. **As** its economic **strength is increasingly challenged by relative decline, it clings all the more to its peerless military prowess.** As the wars in **Iraq and Afghanistan have shown**, **that** overwhelming military power, evolved over the Cold War, is less and less effective. In many respects, **America's geopolitical imagination seems frozen in the posture of the Cold War. The** lingering **pretension to be the dominant power** everywhere **has encouraged** the United States to hazard **two** unpromising **land wars, plus a diffuse** and interminable **struggle against 'terrorism'.** Paying for these wars and the pretensions behind them confirms the United States in a new version of Cold War finance. Once more, unmanageable fiscal problems poison the currency, an old pathology that firmly reinstates the nation on its path to decline. It was the hegemonic Cold War role, after all, that put the United States so out of balance with the rest of the world economy. **In its hegemonic Cold War position, the U**nited **S**tates **found it necessary to run very large deficits and was able to finance them** simply **by creating and exporting** more and more **dollars**. The consequence is today's restless mass of accumulated global money. Hence, whereas the value of all global financial assets in 1980 was just over 100% of global output, by 2008, even after the worst of the financial implosion, that figure had exploded to just under 300%.25 Much of this is no doubt tied up in the massive but relatively inert holdings of the Chinese and Japanese. But **thanks to today's instantaneous electronic transfers**, **huge sums can be marshalled and deployed on very short notice**. It is **this excess of volatile money** that arguably fuels the world's great recurring bubbles. It can **create the semblance of vast real wealth** for a time, but can also (with little notice) sow chaos in markets, wipe out savings and dry up credit for real investment. What constitutes a morbid overstretch in the American political economy thus ends up as a threat to the world economy in general. To lead itself and the world into a more secure future the United States must put aside its old, unmeasured geopolitical ambitions paid for by unlimited cheap credit. Instead, the United States needs a more balanced view of its role in history. But **America's** post-Soviet **pundits have**, unfortunately, **proved more skilful at perpetuating outmoded dreams of past glory** **than** at **promoting** the more modest visions appropriate to **a plural future**. One can always hope that newer generations of Americans will find it easier to adjust to pluralist reality. The last administration, however, was not very encouraging in this regard. III What about Barack Obama? So far, his economic policy has shown itself probably more intelligent and certainly more articulate than his predecessor's. His thinking is less hobbled by simple-minded doctrines. It accepts government's inescapable role in regulating markets and providing a durable framework for orderly governance and societal fellowship. To be sure, the Obama administration, following in the path of the Bush administration, has carried short-term counter-cyclical stimulation to a previously unimagined level. Perhaps so radical an expansion of credit is unavoidable under present circumstances. The administration is caught between the need to rebalance by scaling back and the fear that restraint applied now will trigger a severe depression. Obama's chief aide, Rahm Emanuel, is famous for observing: 'Rule one: Never allow a crisis to go to waste. They are opportunities to do big things.'26 So far, Obama's administration has made use of its crisis to promote an unprecedented expansion of welfare spending.27 Much of the spending is doubtless good in itself and certainly serves the administration's strong counter-cyclical purposes. But at some point the need to pass from expansion to stabilisation will presumably be inescapable. Budget cuts will have to be found somewhere, and demographic trends suggest that drastic reductions in civilian welfare spending are unlikely. Elementary **prudence might suggest that today's** financial **crisis is an ideal occasion for America's** long-overdue **retreat** from geopolitical overstretch, a time for bringing America's geopolitical pretensions into harmony with its diminishing foreign possibilities and expanding domestic needs. The opportunities for geopolitical saving appear significant. According to the Congressional Budget Office (CBO), current military plans will require an average military budget of $652bn (in 2010 dollars) each year through 2028. The estimate optimistically assumes only 30,000 troops will be engaged abroad after 2013. As the CBO observes, these projections exceed the peak budgets of the Reagan administration's military build-up of the mid-1980s (about $500bn annually in 2010 dollars). This presumes a military budget consuming 3.5% of GDP through 2020.28 Comparable figures for other nations are troubling: 2.28% for the United Kingdom, 2.35% for France, 2.41% for Russia and 1.36% for China.29 Thus, while **the** financial **crisis has** certainly made Americans fear for their economic future, it does **not** yet seem to have **resulted in a more modest view of the country's place in the world,** **or a more prudent approach to military spending.** Instead**, an addiction to hegemonic status continues to blight** the **prospects** for sound fiscal policy. Financing the inevitable deficits inexorably turns the dollar into an imperial instrument that threatens the world with inflation.

**Transition wars**

**Goldstein ‘07**

(Avery, Professor of Global Politics and International Relations @ University of Pennsylvania, “Power transitions, institutions, and China's rise in East Asia: Theoretical expectations and evidence,” Journal of Strategic Studies, Volume 30, Issue 4 & 5 August)

Two closely related, though distinct, theoretical arguments focus explicitly on the consequences for international politics of a shift in power between a dominant state and a rising power. In War and Change in World Politics, Robert Gilpin suggested that **peace prevails when a dominant state’s capabilities enable it to ‘govern’** an international order that it has shaped. Over time, however, **as** economic and technological diffusion proceeds during eras of peace and development, **other states are empowered**. Moreover, the burdens of international governance drain and distract the reigning hegemon, **and challengers** eventually **emerge** who seek to rewrite the rules of governance. As the power advantage of the erstwhile hegemon ebbs, it may become desperate enough to resort to the ultima ratio of international politics, force**, to forestall the increasingly urgent demands of a rising challenger**. Or as the power of the challenger rises, it may be tempted to press its case with threats to use force. It is **the** rise and **fall of** the **great powers** that **creates** the circumstances under which major wars, what Gilpin labels ‘**hegemonic wars’**, break out.13 Gilpin’s argument logically encourages pessimism about the implications of a rising China. It leads to the expectation that international trade, investment, and technology transfer will result in a steady diffusion of American economic power, benefiting the rapidly developing states of the world, including China. As the US simultaneously scurries to put out the many brushfires that threaten its far-flung global interests (i.e., the classic problem of overextension), it will be unable to devote sufficient resources to maintain or restore its former advantage over emerging competitors like China. **While the erosion of the once clear American advantage plays itself out, the US will find it ever more difficult to preserve** the **order** in Asia that it created during its era of preponderance. The expectation is an increase in the likelihood for the use of force – either by a Chinese challenger able to field a stronger military in support of its demands for greater influence over international arrangements in Asia, or by a besieged American hegemon desperate to head off further decline. Among the trends that alarm those who would look at Asia through the lens of Gilpin’s theory are **China’s expanding share of** world trade and **wealth** (much of it resulting from the gains made possible by the international economic order a dominant US established); its **acquisition of technology in key sectors that have** both civilian and **military applications** (e.g., information, communications, and electronics linked with the ‘revolution in military affairs’); **and** an **expanding military burden for the US** (as it copes with the challenges of its global war on terrorism and especially its struggle in Iraq) that limits the resources it can devote to preserving its interests in East Asia.14 Although similar to Gilpin’s work insofar as it emphasizes the importance of shifts in the capabilities of a dominant state and a rising challenger, the power-transition theory A. F. K. Organski and Jacek Kugler present in The War Ledger focuses more closely on the allegedly dangerous phenomenon of ‘crossover’– the point at which a dissatisfied challenger is about to overtake the established leading state.15 In such cases, **when the power gap narrows, the dominant state becomes increasingly desperate to forestall, and the challenger becomes increasingly determined to realize the transition to a new international order whose contours it will define.** Though suggesting why a rising China may ultimately present grave dangers for international peace when its capabilities make it a peer competitor of America, Organski and Kugler’s power-transition theory is less clear about the dangers while a potential challenger still lags far behind and faces a difficult struggle to catch up. This clarification is important in thinking about the theory’s relevance to interpreting China’s rise because **a broad consensus prevails** among analysts **that Chinese military capabilities are at a minimum two decades from putting it in a league with the US** in Asia.16 Their **theory**, then, **points with alarm to trends in China’s growing wealth and power relative to the U**nited **S**tates, but especially looks ahead to what it sees as the period of maximum danger – that time when a dissatisfied China could be in a position to overtake the US on dimensions believed crucial for assessing power. Reports beginning in the mid-1990s that offered extrapolations suggesting China’s growth would give it the world’s largest gross domestic product (GDP aggregate, not per capita) sometime in the first few decades of the twentieth century fed these sorts of concerns about a potentially dangerous challenge to American leadership in Asia.17 **The huge gap between Chinese and American military capabilities** (especially in terms of technological sophistication) **has** so far **discouraged prediction of comparably disquieting trends on this dimension, but inklings of similar concerns may be reflected in occasionally alarmist reports about purchases of** advanced **Russian air and naval equipment, as well as concern that Chinese espionage may have undermined the American advantage** in nuclear and missile technology, and speculation about the potential military purposes of China’s manned space program.18 Moreover, **because** a dominant state may react to the prospect of a crossover and believe that it is wiser to embrace the logic of preventive war and act early to delay a transition while the task is more manageable, Organski and Kugler’s powertransition theory also provides grounds for concern about the period prior to the possible crossover.19

**Sustainability is not a yes no question – depends on policy**
Krauthammer 9

(Charles Krauthammer, Pulitzer Prize-winning syndicated columnist and political commentator, 10/19/09, “Decline Is a Choice”, <http://weeklystandard.com/Content/Public/Articles/000/000/017/056lfnpr.asp?pg=2>)

Among these crosscurrents, my thesis is simple: The question of whether America is in decline cannot be answered yes or no. There is no yes or no. Both answers are wrong, because **the assumption that** somehow **there** **exists** **some** predetermined **inevitable trajectory,** the result of uncontrollable external forces, **is wrong**. Nothing is inevitable. Nothing is written. For America today, **decline is not a condition.** Decline is a choice. Two decades into the unipolar world that came about with the fall of the Soviet Union, **America is in the position of deciding whether to abdicate or retain its dominance.** Decline--or continued ascendancy--is in our hands.

**Buffers check their warrants**

Norrlof 10

Carla Norrlof (an Associate Professor in the Department of Political Science at the University of Toronto) 2010 “ America’s Global Advantage US Hegemony and International Cooperation” p. 1-2

**The United States has been the most powerful country in the world for more than sixty years**. Throughout this period, it has had the world’s largest economy and the world’s most important currency. **For most of this time, it had the world’s most powerful military as well** – and its military supremacy today is beyond question. **We are truly in an era of US hegemony, a unipolar moment**, a Pax Americana, which has enabled Americans to enjoy the highest standard of living in human history. **Is this privileged position being undercut** by serial trade deficits? **The pessimists are growing more numerous by the day. They see the country’s spendthrift ways as a disaster waiting to happen. They warn that the cavernous gap in** merchandise **trade**, well above 6 percent in 2006, **is an ominous sign of competitive slippage**. In 2008, the liabilities acquired to finance the shortfall in exports reached an amazing 29 percent of GDP. **A falling dollar, military overstretch, the rise of the euro, the rise of China, and progressively deeper integration in East Asia are among the factors that many believe herald the imminent decline of American hegemony**. In my view, **the doomsayers are mistaken**. I argue that **American hegemony is stable and sustainable. While the United States certainly does face a number of challenges, an analysis of the linkages between trade, money, and security shows that American power is robust**. This book is a story about why and how American hegemony works, and what other states would have to do to emulate or, on other grounds, thwart, America’s power base. As I will show, the United States benefits from running persistent trade deficits as a result of its special position in the international system. I will argue that any comparably situated country would choose to pursue the same cyclical deficit policy as the one encouraged by the US government. **A series of size advantages cut across trade, money, and security: the size of the American market, the role of the dollar, and American military power interact to make a trade deficit policy rewarding and buffer the United States from the extreme consequences that a sustained deficit policy would otherwise have.**

## 2AC Nietzsche

Only the plan affirms life – embracing the struggle against our genetic predisposition towards violence through resisting nuclear war is key

Barash and Lipton, 1985

David P., Professor of Psychology at the University of Washington (Seattle) and Judith Eve, psychiatrist at the Swedish Medical Center in Washington, “The Caveman and the Bomb” p.261-267

Fortunately, whatever genetic imperatives operate in Homo sapiens, they are unlikely to extend directly to nuclear weapons, any more than a tendency for body adornment necessarily leads to a Christian Dior necktie or a New Guinea penis sheath. The general patterns that char­acterize today's nuclear Neanderthal are, in fact, general, nonspecific. They may incline us to a degree of saber rattling that seems likely to trouble the world in one way or another as long as we and the world persist, but these patterns don't require that the saber be nuclear. On this level the nuclear Neanderthal doesn't even have to play "as if": We are called on to behave not as if we had free will regarding the renun­ciation of nuclear weapons and nuclear war, but to act in accord with that free will, which we assuredly have. That is honest empowerment indeed. Teilhard de Chardin wrote about the "Omega point" at which human beings become conscious of their own evolution and, hence, of them­selves. He called for a recognition of unity and connectedness, with our speciesborn on this planet and spread over its entire surface, coming gradually to form around its earthly matrix a single, major organic unity, enclosed upon itself; a single, hypercomplex, hyperconcentrated, hyperconscious arch-molecule, coextensive with the heavenly body on which it is born.9 In overcoming the Neanderthal mentality we could finally become hu­man, or perhaps even more than this, at last able to answer affirmatively the question: Is there intelligent life on earth? As poet and novelist Nikos Kazantzakis pleaded, "Let us unite, let us hold each other tightly, let us merge our hearts, let us create for Earth a brain and a heart, let us give a human meaning to the superhuman struggle."'° Something has spoken to me in the night, burning the tapers of the waning year; something has spoken in the night, and told me I shall die, I know not where. Saying: "To lose the earth you know, for greater knowing; to lose the life you have, for greater life; to leave the friends you loved, for greater loving; to find a land more kind than home, more large than earth—Whereupon the pillars of this earth are founded, toward which the conscience of the world is tending—a wind is rising and the rivers flow." THOMAS WOLFE 11 For the existentialists the essence of humanity is in saying no—no to injustice, to murder, to the absurd and dehumanizing universe itself But the ultimate existential tragedy is that in the long run, saying no cannot succeed. Each of us will eventually die, and this looming inevitability makes our lives absurd. By our very aliveness we are therefore embarked on a hopeless campaign, which may yield some victories, but only tem­porary ones. Like a cosmic poker game, we are playing against the house, but in this game the house never loses; even if we are briefly ahead, we cannot cash in our chips and go home winners. There is no other place to go. At the close of The Plague, Albert Camus lets us inside the thoughts of Dr. Rieux, who had courageously battled a typhoid epidemic in a North African city. Just as the plague has finally been overcome, and the survivors were celebrating in the streets, Dr. Rieux understood that the tale he had to tell could not be one of a final victory. It could be only the record of what had had to be done, and what assuredly would have to be done again in the never-ending fight against terror and its relentless onslaughts, despite their personal afflictions, by all who, while unable to be saints but refusing to bow down to pestilences, strive their utmost to be healers. And, indeed, as he listened to the cries of joy rising from the town, Rieux remembered that such joy is always imperiled. He knew what those jubilant crowds did not know but could have learned from books: that the plague bacillus never dies or disappears for good; that it can lie dormant for years and years in furniture and linen-chests; that it bides its time in bedrooms, cellars, trunks, and bookshelves; and that perhaps the day would come when, for the bane and the enlightening of men, it would rouse up its rats again and send them forth to die in a happy city.12 But effectiveness per se is not the issue. The rats may come again, and with them the plague, just as every person now alive must some day die. The real question—for would-be post-Neanderthals no less than for existential thinkers—concerns the obligation of human beings in the face of such a world. "In everlasting terms—those of eternity," wrote Thomas Wolfe, "there is no greater wisdom than the wisdom of Ecclesiastes, no acceptance finally so true as the stern fatalism of the rock. Man was born to live, to suffer, and to die, and what befalls him is a tragic lot. There is no denying this in the final end." Nonetheless, he concludes, we must "deny it all along the way." Although admitting the "stern lesson of acceptance," which calls for acknowledging the "tragic under-weft of life into which man is born, through which he must live, out of which he must die," Wolfe described his intention, "having accepted it, to try to do what was before me, what I could do, with all my might."13 Camus went farther. According to Greek mythology, Sisyphus had been condemned to spend eternity rolling an enormous rock up a steep hill; when the rock neared the top, it would roll back down, and Sisyphus would have to start again. In "The Myth of Sisyphus," Sisyphus serves not only as a metaphor for humanity but, as Camus sees it, as a model as well. His struggle is not only self-defining, but also ennobling. More­over, Camus concludes that Sisyphus is happy. There are some important differences between Sisyphus and Dr. Rieux, and the post-Neanderthal. For one thing, Dr. Rieux could afford to lose many battles and even many patients, just as Sisyphus can tolerate the constant victory of gravity. Sisyphus, after all, is crushed neither mentally nor literally by his stone; no matter how many people die from a plague, some survive. Dr. Rieux will never eradicate the plague; his glory comes from his fighting on in the face of that knowledge. Sisyphus will never succeed in his labor; his happiness comes from his self-defi­nition, knowing his futility. Unlike them, however, we are not doomed to failure. Before beginning their combat the Roman gladiators used to face the spectators in the Coliseum and announce, "We who are about to die salute you." Two thousand years later the poet W. H. Auden updated their credo: "We who are about to die demand a miracle." Like the gladiators, Auden was concerned about the end of his life, what Kurt Vonnegut calls "plain old death." And to overcome plain old personal death, nothing less than a bona fide miracle in the theological sense will do. We can say no to personal death and an absurd universe all we like, but in the end, like Rieux and Sisyphus, we are bound to lose. The good news, however, is that the other kind of death—the mass, meaningless annihilation that would come with nuclear war—is not inevitable. Unlike the overturning of personal death, no divine intervention is required. Unlike the eruption of a volcano or the brewing of a hurricane, nuclear war is a man-made problem, with man- and woman-made solutions. Unlike Auden and the gladiators, we have a precious and unique op­portunity: We can say no to our Neanderthal mentality, to our genes. We are the only creatures on earth who can do this. We have this op­portunity because our genes whisper to us, they do not shout. They can be stubborn, but they can be persuaded, cajoled, bribed, or, if necessary, simply overruled and strong-armed into submission. Dr. Rieux learned in a time of pestilence that "there are more things to admire in men than to despise." Similarly, the whole can be greater than the sum of its parts, if we choose to be. We can be greater than the sum of our genes. If that is our decision, evolution can't do a thing about it. Making that decision is the supreme test of our humanity, our greatest challenge and our most sublime opportunity. Nonetheless, war touches a deep chord in most human beings, and the decision to say no will not be an easy one. Sigmund Freud com­mented that prohibitions and taboos by their very existence strongly suggest a preexisting desire to perform the prohibited act, otherwise there would be no need for the prohibition: "What no human soul desires, there is no need to prohibit; it is automatically excluded. The very em­phasis of the commandment Thou Shalt Not Kill makes it certain that we spring from an endless ancestry of murderers, with whom the lust for killing was in the blood, as possibly it is to this day with ourselves." He also emphasized that wars occur because nations, like individuals, "still obey their immediate passions far more readily than their inter­ests,"14 a succinct summary of the plight of today's Neanderthal. Prior to World War I especially, the making of war was generally considered a laudable activity. Admiration and often adulation flowed to such men as Alexander, Achilles, Caesar, Charlemagne, Frederick the Great, Napoleon, and Robert E. Lee. The first masterpiece of Western literature (Homer's Iliad) and the first histories (Herodotus' account of the Persian Wars, and Thucydides' study of the Peloponnesian War) focused on war. Western culture is by no means unique in its glorification of war, as witness the cultures of ancient Africa, Mexico, and Fiji. Ac­cordingly, "the war against war," as William James pointed out, "is going to be no holiday excursion or camping party."15 The fact is that war and sanctified violence have had a powerful and persistent appeal cross‑culturally, although not in all cultures, and throughout human history. Thus, as James said, war has come to be seen as "preserving our ideals of hardihood," a supreme test of human effectiveness, the most de­manding and, hence, for many people, the most rewarding activity of which they are capable. It is revealing that whereas "war" exists in the plural, "peace" is conceived only in the singular. (A similar pattern obtains in other lan­guages as well.) We have the War of the Roses, the Napoleonic wars, the Maori wars, World Wars I and II, and so on, but only one peace, despite the fact that there must have been as many different kinds of peace as different kinds of wars. As with the Eskimos, who are said to have eleven words for what in English we simply call "snow," or the Bedouin, who have more than one hundred words for "camel," human beings distin­guish carefully among whatever is important to them. For countless generations the human Neanderthal has been obsessed with war, and indifferent to peace, even slightly bored with it. When and if peace becomes as appealing as war, perhaps then we shall focus on it, identi­fying its varieties and nuances. Words signifying normalcy, like "peace," "health," and "sanity," have lagged behind their pathological counter­parts; thus, we know more about diseases than about wellness. Yet, as the holistic health movements are demonstrating, in order to practice preventive medicine, it is necessary to define, describe, and validate the state of wellness before one can act effectively to preserve it. Much of war's appeal, according to William James, comes from its aura of extremis, embodying the most dangerous and strenuous of human struggles, and hence becoming strangely ennobling despite (or in part, because of) its extraordinary horror. The contemplation of war, the prep­aration for war, and in many cases even the fighting of war is something that most Neanderthals find compelling, exciting, and even fun. Accord­ing to James, this gut-level attraction "cannot be met effectively by mere counter-insistency on war's expensiveness and horror. The horror makes the thrill; and when the question is of getting the extremist and supremist out of human nature, talk of expense sounds ignominious." He therefore proposed a "substitute for war's disciplinary function"—his now-famous Moral Equivalent of War, suggesting a peacetime conscription which would not so much overcome the Neanderthal mentality as bypass it with a bit of social ju jitsu, sublimating dangerous human urges into constructive activity.16 In a sense, the Peace Corps was a practical example of James's con­ception; but a real peace corps can be fashioned only when peacemaking becomes recognized as an acceptable and active verb, and when peace takes its rightful place at our own core. Ironically, in a world society that is increasingly intolerant of personal violence, that forbids murder, assault, even the threat of physical abuse, and in which fistfights and even bullying are grossly out of place, in diplomatic parlors, war and the threat of war remain acceptable. Rather than finding a moral equivalent of war, we have collectively made war itself into a morally acceptable form of violence such that societies can contemplate and plan actions that would be unacceptable if undertaken by its individual members. Those old Neanderthal cravings are still alive and well, running just beneath the surface, needing only the slightest provocation to erupt, even in the most sophisticated and presumably civilized societies. Just let some Americans be taken hostage in Iran, or a Korean airliner violate Soviet airspace, and suddenly the cavemen are at it again and the old predictable tribal bellowing resumes. Homo, called sapiens, is all but drowned in an atavistic avalanche of anger, distrust, and intolerance. The structures of peace, built up with such care and needing such nurturance, seem woefully delicate and fragile before the crude, easily evoked Neanderthal onslaught. But here we note Theodore Roethke's observation, "In a dark time, the eye begins to see." Perhaps by thinking, feeling, and believing, we can see through our Neanderthal mentality, and forge a new awareness where we confront our limitations and our strengths, able to bend, but nonetheless to resist and not to break. A major impediment to this awareness has been our ignorance that the Neanderthal mentality even exists. There is also the double irony of pessimism—the assumption that the Neanderthal mentality, under the alias of "human nature," is un­changeable. Insofar as it succeeds, this assumption is a triumph for the Neanderthal mentality and, moreover, a self-fulfilling prophecy. It is also seductive; it leaves each of us free to go ahead with his or her own little life, all the while treading on unstable slopes, heedless of the danger. "The challenge to humans in our time is whether they can become aroused not just over small but over larger dangers," observed Norman Cousins. "Whether they can perceive universal problems as well as per­sonal ones, whether they can become as concerned over their survival as a species as they are over their jobs."" This arousal is growing, in part because the overriding universal problem is increasingly perceived as an intensely personal one, because it threatens the deepest personal values of every human being, and also because it demands a committed personal response. Perhaps we shall have the final laugh after all, and perhaps the laugh will be on evolution. In giving so much autonomy to the bodies they create, the genes of Homo sapiens have unwittingly sewn the seeds of their own overthrow (not the seeds of their destruction, for that would mean our own demise as well). It is precisely—and only—by overthrowing our genes, by taking the unprecedented step and saying no to their dangerous and insistent whisperings, that we can preserve them, along with everything else. By saying no to that aspect of our genes, we say yes to life, to love, and to hope, and even to the continuation of those troublesome genes themselves. There is no better time. "At this moment," wrote Albert Camus, when each of us must fit an arrow to his bow and enter the lists anew, to reconquer, within history and in spite of it, that which he owns already, the thin yield of his fields, the brief love of this earth, at this moment when at last a man is born, it is time to forsake our age and its adolescent furies. The bow bends; the wood complains. At the moment of supreme tension, there will leap into flight an unswerving arrow, a shaft that is inflexible and free.18 Maybe in the long run we shall all laugh together, as through our negation of the Neanderthal mentality we arrive at a new affirmation, a higher level of life, its most exalted accomplishment. This will be the point at which, while unable to be saints but refusing to bow down to universal murder, we resolve to overcome the Neanderthal mentality and thereby transcend, if not overcome, our biology itself.

Perm – do the plan and all non-mutually exclusive parts of the alternative

This solves best – we have to both accept the world and attempt to change it – best way to affirm life

May 5 – Todd, Clemson University, “To change the world, to celebrate life”, Philosophy Social Criticism 2005; 31; 517, sagepub

For those among us who seek in philosophy a way to grapple with our lives rather than to solve logical puzzles; for those whose reading and whose writing are not merely appropriate steps toward academic advancement but a struggle to see ourselves and our world in a fresher, clearer light; for those who find nourishment among impassioned ideas and go hungry among empty truths: there is a struggle that is often waged within us. It is a struggle that will be familiar to anyone who has heard in Foucault’s sentences the stammering of a fellow human being struggling to speak in words worth hearing. Why else would we read Foucault? We seek to conceive what is wrong in the world, to grasp it in a way that offers us the possibility for change. We know that there is much that is, to use Foucault’s word, ‘intolerable’. There is much that binds us to social and political arrangements that are oppressive, domineering, patronizing, and exploitative. We would like to understand why this is and how it happens, in order that we may prevent its continuance. In short, we want our theories to be tools for changing the world, for offering it a new face, or at least a new expression. There is struggle in this, struggle against ideas and ways of thinking that present themselves to us as inescapable. We know this struggle from Foucault’s writings. It is not clear that he ever wrote about anything else. But this is not the struggle I want to address here. For there is, on the other hand, another search and another goal. They lie not so much in the revisioning of this world as in the embrace of it. There is much to be celebrated in the lives we lead, or in those led by others, or in the unfolding of the world as it is, a world resonant with the rhythms of our voices and our movements. We would like to understand this, too, to grasp in thought the elusive beauty of our world. There is, after all, no other world, except, as Nietzsche taught, for those who would have created another one with which to denigrate our own. In short, we would like our thought to celebrate our lives. To change the world and to celebrate life. This, as the theologian Harvey Cox saw, is the struggle within us.1 It is a struggle in which one cannot choose sides; or better, a struggle in which one must choose both sides. The abandonment of one for the sake of the other can lead only to disaster or callousness. Forsaking the celebration of life for the sake of changing the world is the path of the sad revolutionary. In his preface to Anti-Oedipus, Foucault writes that one does not have to be sad in order to be revolutionary. The matter is more urgent than that, however. One cannot be both sad and revolutionary. Lacking a sense of the wondrous that is already here, among us, one who is bent upon changing the world can only become solemn or bitter. He or she is focused only on the future; the present is what is to be overcome. The vision of what is not but must come to be overwhelms all else, and the point of change itself becomes lost. The history of the left in the 20th century offers numerous examples of this, and the disaster that attends to it should be evident to all of us by now. The alternative is surely not to shift one’s allegiance to the pure celebration of life, although there are many who have chosen this path. It is at best blindness not to see the misery that envelops so many of our fellow humans, to say nothing of what happens to sentient nonhuman creatures. The attempt to jettison world-changing for an uncritical assent to the world as it is requires a self-deception that I assume would be anathema for those of us who have studied Foucault. Indeed, it is anathema for all of us who awaken each day to an America whose expansive boldness is matched only by an equally expansive disregard for those we place in harm’s way. This is the struggle, then. The one between the desire for life celebration and the desire for world-changing. The struggle between reveling in the contingent and fragile joys that constitute our world and wresting it from its intolerability. I am sure it is a struggle that is not foreign to anyone who is reading this. I am sure as well that the stakes for choosing one side over another that I have recalled here are obvious to everyone. The question then becomes one of how to choose both sides at once.

Perm – vote aff for the tragedy of the 1AC

Even though the universe probably will not accept our attempts at control, there is beauty in the struggle to shape our small part of it

Dienstag 4

Joshua Foa, Associate Professor of Politics at the University of Virginia. Tragedy, Pessimism, Nietzsche. New Literary History 34:1 Project Muse

Tragic art is the organization of a small portion of an otherwise meaningless world that gives purpose to an individual existence (WP 585). It is the attempt to impose a temporary form on the inevitable transformation of the world. Since the world must acquire some particular forms in its metamorphoses, art is "repeating in miniature, as it were, the tendency of the whole" (WP 617)-only now by an effort of will. Thus, art is not really an attempt to fight the pattern of existence, but rather to shape that pattern into something recognizable, "to realize in oneself the eternal joy of becoming-that joy which also encompasses joy in destruction" (TI 110). When art assumes this shape, it becomes "the great seduction to life, the great stimulant to life" (WP 853). This is not to say, however, that such art must be "uplifting" in the conventional sense. Since joy in destruction may be a stimulant to life, even depictions of the most miserable things may be included: "The things they display are ugly: but that they display them comes from their pleasure in the ugly . . . How liberating is Dostoevsky!" (WP 821). If we can understand why an artist like Dostoyevsky, who knows that art is devoid of metaphysical value, would still want to write, then we can understand why Nietzsche thinks pessimism can result in a creative pathos. Similarly, if we can see how tragedy, the "repetition in miniature" of worldly chaos, can represent the liberating "joy of becoming," then we can get a sense for the political productivity of a pessimistic ethic. The normal situation of an architect, I think, helps us to get some purchase on this: any sane architect must know that no building lasts forever. Built in opposition to nature but using the unstable materials of nature (as, to some extent, every human structure must be), every edifice will be attacked by nature (by wind, by water, by gravity, and so forth) the moment it is completed. Whatever the purpose for which it is initially designed, that purpose will someday be superseded. However beautiful it may seem when erected, it will someday, to another set of eyes, appear ugly. Yet, knowing all this, architects pursue their craft. Knowing that the universe will ultimately not tolerate their work, they continue to organize a small portion of that same universe for local purposes. The lack of an objective or metaphysical meaning for the work is no obstacle; indeed, architects often think of the generation of locally meaningful environments out of natural waste to be a particular goal, a spur to activity. Dionysian pessimism, then, is an ethos of a similar kind, an art of living. In recommending it as a life-practice, Nietzsche is, in some sense, thereby recommending the practice of life. But since, as he was fond of pointing out, there is really no perspective from which to view life as a whole (whether to deny or affirm it), such an assent can only be a kind of gamble or risk-taking. It is an affirmation in the dark, an approval given in ignorance. Above all, in keeping with the emphasis on the centrality of temporal experience, it is a decision to welcome the unknown future and accept the unseen past, rather than clinging to a familiar present. While other pessimisms (such as Schopenhauer's) also conclude that the universe has no order and human history no progress, Dionysian pessimism is the one that can find something to like about this situation: "My new way to 'yes.' My new version of pessimism as a voluntary quest for fearful and questionable aspects of beings. . . . A pessimist such as that could in that way lead to a Dionysian yes-saying to the world as it is: as a wish for its absolute return and eternity: with which a new ideal of philosophy and sensibility would be given" (KGW 8.2.121).

Their criticism misses the point – we shouldn’t abandon ethics, but transcend current norms and create new ones based on cross-cultural understanding

Fasching 1993 (Darrell J., Professor of Religious Studies at University of South Florida, *The Ethical Challenge of Auschwitz and Hiroshima,*Pp. 42-43)

In overcoming all the hazards of knowing, the subject experi­ences the "virtually unconditioned" objectivity of (not absolute but rather) contingent truth that suggests a direction of appropriate action and defines the horizon of new questions that may lead to additional insights. It would seem, then, that the question defines the horizon of possibilities to be exhausted through the pursuit of insight. In the very act of arriving at insight one overcomes the existing horizon, but only to discover a new one, and with it new possibilities and new questions. For Nietzsche, there seem to be only two options. Either there is a fixed order of being with a fixed horizon in which there is no freedom (i.e., the Procrutean or cosmological myth) or there is self-transcending freedom and no fixed horizon (i.e., the Protean or existential myth). But as Lonergan’s world suggests, there is a third option, namely, that transcendence occurs through a shifting of horizons. If so, then the quest for understanding is like a journey in which the arrival at what is perceived as the horizon and the further direction for one’s journey. On this model it would appear that the otherness of reality is itself utopian and that utopian transcendence occurs through the dialectic of the question and answer between the inquiring subject and the otherness of the world. If this be the case, then the self-transcending project of the technological self need not proceed as Nietzsche envisioned, by way of the murder of God, that is, the destruction of the horizon of being and the sense of direction it provides. Rather, if our humanity gives voice to the utopian condition of nature, then self-transcending freedom occurs through the receiving of insight by which the given horizon is transcended and a new horizon of possibilities is opened up. We realize our humanity then through a realization of that which it is not, as a movement toward the ever-shifting horizon of our journey. On the premise of this third option, the historical and sociological relativity experienced by the technological self as a “knower” need not lead one into the void of pure relativism and nihilism as it seems to do with Nietzsche. Rather than falling into a world without horizons, the technological self exercises its self-transcending freedom by moving from horizon to horizon. By putting the world in question and being put in question by the world, one experiences insight as a guide to action toward the realization of utopian in which the given horizon is transcended and redefined in an act of new creation. But unlike that of Nietzsche’s Ubermensch, this act of new creation emerges out of a dialectic of self and otherness of the world. It emerges out of the experience of giving and receiving in which the ego is relativized and in which the noetic process borders on a mystical participation in the ecological integrity of the utopian becoming of all things.

**Threats are real and securitization theory is outdated – applies more to the Cold War era than today**

**Knudsen 1** (Olav F., Soderton University College, Huddinge, Sweden, “Post-Copenhagen Security Studies: Desecuritizing Securitization”, jstor, accessed 7/5/12)//AMV

During the Cold War, peace research was struggling to gain the status of social and intellectual respectability then only accorded strategic studies. The concept of securitization has helped to change that. A key aspect of the securitization idea is to create awareness of the (allegedly) arbitrary nature of ‘threats’, to stimulate the thought that the foundation of any national security policy is not given by ‘nature’ but chosen by politicians and decisionmakers who have an interest in defining it in just that way. That interest (according to this line of reasoning) is heavily embodied not j2ust in each country’s military establishment, but also in the power and influence flowing from the military’s privileged position with respect to the network of decisionmakers and politicians serving that establishment. Hence, ‘securitization’ gave a name to the process, hitherto vaguely perceived, of raising security issues above politics and making them something one would never question. This argument is convincing as far as its description of the military establishment and decisionmakers goes, but its heyday is gone. It was a Cold War phenomenon, and things just aren’t so anymore. **In the post-Cold War period, agenda-setting has been much easier to influence than the securitization approach assumes**. That change cannot be credited to the concept; the change in security politics was already taking place in defense ministries and parliaments before the concept was first launched. Indeed, securitization in my view is more appropriate to the security politics of the Cold War years than to the post-Cold War period. Moreover, I have a problem with the underlying implication that it is unimportant whether states ‘really’ face dangers from other states or groups. In the Copenhagen school, threats are seen as coming mainly from the actors’ own fears, or from what happens when the fears of individuals turn into paranoid political action. In my view, this emphasis on the subjective is a misleading conception of threat, in that it discounts an independent existence for whatever is perceived as a threat. Granted, political life is often marked by misper ceptions, mistakes, pure imaginations, ghosts, or mirages, but such phenom ena do not occur simultaneously to large numbers of politicians, and hardly most of the time. During the Cold War, threats — in the sense of plausible possibilities of danger — referred to ‘real’ phenomena, and they **refer to ‘real’ phenomena now**. The objects referred to are often not the same, but that is a different matter. **Threats have to be dealt with both in terms of perceptions and in terms of the phenomena which are perceived to be threatening.**

**Nietzsche views compassion itself as the most difficult test – embrace it as a tool to overcome what is most difficult and then employ it in a new ethics**

**Fraser 6** (The Review of Politics (2006), 68: 49-78 Cambridge University Press Michael Frazer's research focuses on Enlightenment political philosophy and its relevance for contemporary political theory. His current book project, “The Enlightenment of Sympathy: Justice and the Moral Sentiments in the Eighteenth Century and Today,” defends a psychologically holistic approach to political reflection through an examination of such authors as David Hume, Adam Smith and J. G. Herder. Dr. Frazer has also published articles on Maimonides, Nietzsche, John Rawls and Leo Strauss in such journals as "Political Theory" and "The Review of Politics." After receiving his B.A. from Yale University and his Ph.D. from Princeton University, Dr. Frazer spent the 2006-7 academic year as a postdoctoral research associate in the Political Theory Project at Brown University. Assistant professor – HARVARD)

This conventional interpretation of the close of Nietzsche's epic, however, is surely incorrect. A close examination of the passage in question reveals that Zarathustra never “overcomes” his compassion in the sense of ridding himself of it once and for all. There is no indication that our hero will fail to experience compassion upon further encounters with suffering, or even that he has ceased to feel compassion for the higher men. Achieving “mastery” over a virtue or sentiment, remember, necessarily implies retaining it in one's psyche, not abandoning it. Rather than ridding himself of all sympathetic sentiments once and for all, Zarathustra affirms his feelings for the higher men as having had their “time” as an essential component of his destiny. Compassion may cause him real misery, but, when properly harnessed, it helps rather than hinders Zarathustra's creativity. Indeed, as tightly bound as sympathetic feelings are with the possession of knowledge and the faculty of imagination, they are necessarily present in any creative psyche. Remembering, then, that the telos of human striving is not happiness but creation (more specifically value-creation), the experience of compassion is nothing to be regretted.While Rosen acknowledges that “the pitiful must be accepted as a natural part of human existence,” he nonetheless interprets Nietzsche to maintain that “it must also be destroyed in order for the creation of higher values that will themselves exclude or minimize pity by the imposition of a natural hardness that … is for Nietzsche the indispensable complement to the birth of a race of warrior-artists.”48 Yet value-creation does not require the “destruction” of compassion; it requires affirmation of the imaginative strength which allows the wise to share suffering with the objects of their all-encompassing knowledge. A mere brute warrior may not need to experience compassion, but a warrior-artist and value-creator surely must, albeit without allowing this suffering to interfere with his work. Though the weak may be unable to withstand even the slightest pain, the strong and creative not only withstand their suffering and their sympathetic suffering—they positively embrace them. Such suffering is of no “matter” to them, for it is no hindrance in their creative task, only a hindrance to the pursuit of happiness undertaken by the “last man” and other such degenerates (See Z I Prologue 5, p. 129). Compassion, Zarathustra concludes, is an unbearable burden only for those who mistakenly believe the true goal of human existence to be contentment rather than creation. Elsewhere, speaking of his philosophical honesty, Nietzsche reasons that, despite this honesty's regrettable aspects, “supposing that this is our virtue from which we cannot get away, we free spirits—well, let us work on it with all our malice and love and not weary of ‘perfecting’ ourselves in our virtue” (JGB VII:227, p. 345).49 Zarathustra treats compassion similarly, realizing that sympathetic suffering is inseparable from his imaginative creativity, and then returning to his destined task with the glow of a healthy soul ready to use all his faculties—including compassionate imagination—in pursuit of his chosen task.50 This, remember, is how value-creation first appears, as a great self-affirmation on the part of the naturally noble (see GM I:2, p. 462). Such a value-creator seizes the right to call even his propensities for suffering—including a propensity for the sympathetic suffering of Mitleid—by the name of virtue. The virtue so chosen will inevitably shine forth as a sign of his strength, and be put to service in the advancement of life.

**Nietzschean/Heideggarian philosophies asymmetrically privilege transcendent concerns over experience, precluding any involvement or explanation from the human community.**

**Matthews 2k7** [richard, “the limits of transcendence”, phaenex 2, no. 1, spring/summer 2007]

Since it is a central concept of this paper, I want to briefly define the notion of an asymmetrical privilege. **To privilege authentic reflection presupposes the identification of philosophy with transcendental reflection; it also assumes its priority over mundane experience. Philosophies are asymmetrically privileged when they restrict philosophy solely to transformative reflection about that which is.** Furthermore **they see the value of empirical facts, mundane senses of truth and historical events as non-philosophical. At best they are a clue to authentic reflection. The asymmetry occurs in the judgment of the relative importance of the philosophical and non-philosophical spheres. Heideggerian and Nietzschean philosophy is asymmetrically privileged because the everyday sphere is in various ways inferior a priori to genuine reflection. The everyday requires the revisions provided by philosophical reflection, but contains no resources within it to limit the creative philosophical acts of transformative thinkers**. In asymmetrically privileged reflection, the point is to transcend the limitations of experience, not with a view to final escape (since that is impossible) but rather with a view to novel philosophical reflection and the more or less abrupt emergence of a new everyday community or world. What makes the reflection asymmetrical is that **there is no reverse obligation on the part of the philosopher to treat those contingent details as themselves constituting limits that the transformative thinker ought to respect. Philosophies are asymmetrically privileged when they treat the metaphysical speculation as the priority, when they display a**n insouciant, **dismissive attitude towards commonsense reasoning, towards truths, and** most importantly, **when they treat the specific truths, historical experiences, sufferings, and violence experienced and inflicted by individuals and communities as philosophically secondary if not utterly irrelevant**. This attitude is widespread and cuts across philosophical traditions. **It characterizes positivist eliminations of moral and aesthetic norms, beliefs and propositions from the cognitive sphere as much as the Nietzschean move from herd morality to the transformation of values instantiated by the Übermensch; the norms and practices of the herd out of which he emerges are no constraint on his creativity. His reflection is understood to be already beyond legitimation by the norms of the herd.** In Heidegger, we see an analogous privilege in the move from ontic to ontological and beyond to the primordial conditions of emergence of a novel transformation in a community’s understanding of the meaning of Being. The community following to which he grants resistance (better its “independent power” or Eigenkraft) is a community that listens to transformative thinkers and statesmen; it neither criticizes nor opposes. Its role is to understand, not to resist (Heidegger, “The Self-Assertion of the German University” 38). The problem is that **nothing counts as a limit on what can be said except the so-called matter for thinking itself, whatever that might be. Since that matter is defined as beyond the normal ken of a given human community, the specific experiences, norms and practices of that community have nothing really to contribute to philosophical understanding and hence are bracketed a priori; a thinker must neither account for nor respond to them**. In consequence, concepts of individual rights and freedoms are barriers to creative activity, a conclusion that Heidegger explicitly draws in his 1936 lectures on Schelling. Heidegger asserts that the freedom of choice that underpins modern liberalism is an illusory doctrine that plays havoc in morality and law (Heidegger, Schelling's Treatise on the Essence of Human Freedom 15-16).

**Democratic legal institutions preserve struggle necessary to affirm life**

**Hatab 2002** (professor at Old Dominion University, The Journal of Nietzsche Studies 24 (2002) 132-147, Prospects For A Democratic Agon: Why We Can Still Be Nietzscheans, Project Muse)

How can we begin to apply the notion of agonistics to politics in general and democracy in particular? First of all, **contestation and competition can be seen as fundamental to self-development and as an intrinsically social phenomenon.** Agonistics helps us articulate the social and political ramifications of Nietzsche's concept of will to power. As Nietzsche put it in an 1887 note, "**will to power can manifest itself only against resistances; it seeks that which resists it**" (KSA 12, p.424). **Power,** therefore, is not simply an individual possession or a goal of action; it **is more a global**, interactive **conception.** For Nietzsche, every advance in life is an overcoming of some obstacle or counterforce, so that conflict is a mutual co-constitution of contending forces. [End Page 134] Opposition generates development. The human self is not formed in some internal sphere and then secondarily exposed to external relations and conflicts. The self is constituted in and through what it opposes and what opposes it; in other words, **the self is formed through agonistic relations**. Therefore, any annulment of one's Other would be an annulment of one's self in this sense. **Competition can be understood as** a shared activity for the sake of fostering high achievement and self-development, and therefore as **an intrinsically social activity.** 10 In the light of Nietzsche's appropriation of the two forms of Eris, it is necessary to distinguish between agonistic conflict and sheer violence. A radical agonistics rules out violence, because **violence is** actually **an impulse to eliminate conflict** by annihilating or incapacitating an opponent, **bringing the agon to an end**. 11 In a later work Nietzsche discusses the "spiritualization of hostility (Feindschaft)," wherein **one must affirm both the presence and the power of one's opponents as implicated in one's own posture** (TI "Morality as Antinature," 3). And in this passage Nietzsche specifically applies such a notion to the political realm.What this implies is that the category of the social need not be confined to something like peace or harmony. **Agonistic relations**, therefore, do not connote a deterioration of a social disposition and **can** thus **be extended to political relations.** How can democracy in general terms be understood as an agonistic activity? Allow me to quote from my previous work. **Political judgments are not preordained or dictated;** outcomes depend upon a contest of speeches where one view wins and other views lose in a tabulation of votes; sincethe results are binding and backed by the coercive power of the government, **democratic elections and procedures establish temporary control and subordination—which,** however**, can always be altered** or reversed **because of the succession of periodic political contests. . .** . Democratic elections allow for, and depend upon, peaceful exchanges and transitions of power. . . . **[L]anguage is the weapon in democratic contests.** The binding results, however, produce tangible effects of gain and loss that make political exchanges more than just talk or a game. . . . **The urgency of such political contests is that losers must yield to,** and live under, **the policies of the winner; we notice**, therefore, **specific configurations of power**, of domination and submission **in democratic politics.** 12

### Will To Power DA

Rejecting ethical norms means the will-to-power reigns supreme – guarantees extinction

Fasching 1993 (Darrell J., Professor of Religious Studies at University of South Florida, The Ethical Challenge of Auschwitz and Hiroshima, Pp. 28-29)

Our modern technological civilization offers us seemingly infi­nite utopian opportunities to recreate ourselves (e.g., genetic engi­neering, behavioral engineering) and our societies (social engineer­ing) and our world (chemical engineering, atomic engineering). But having transcended all limits and all norms, **we seem bereft of a** normative **vision to govern** the use of **our utopian techniques. This normlessness threatens us with demonic self-destruction.** It is this dark side of technical civilization that was **revealed to us** not only **at Auschwitz and** but also at **Hiroshima.** Auschwitz represents a severe challenge to the religious traditions of the West: to Christians, because of the complicity of Christian‑ity in the anti-Judaic path that led to Auschwitz renders its theological categories ethically suspect; to Jews, because their victim status presses faith in the God of history and in humanity to the breaking
point. But the path to Auschwitz, and from Auschwitz to Hiroshima, represents a challenge, equally severe, for the scientific and technical, secular culture of the Enlightenment. We do not seem to have fared any better under a secular ethic than we did under a religious one. Indeed we have fared worse. **Genocide** it seems **is a unique product of the modern secular world and its technically competent barbarians.** Auschwitz stands for a demonic period in modern Western civi‑lization in which the religious, political and technological develop‑ments converged to create a society whose primary purpose was the most efficient organization of that entire society for the purpose of exterminating all persons who were regarded as aliens and strangers—especially the Jews. **The Nazi vision** of the pure Aryan society **repre‑sents a utopian vision of demonic proportions**—a vision that inspired an apocalyptic revolutionary program of genocide. **It reveals at once both a time of "The Death of God" in the Nietzschean sense and yet the resurgence of religion**, that is, **a demonic religiosity that creates a new public order in which all pluralism is eliminated** from the public square and in which virtually nothing is sacred—not even human life. **The period of the Holocaust stands as prophetic warning to a technological civilization that has no other norm than the will to power.** If Auschwitz embodies the demonic use of technology against targeted populations to commit genocide, Hiroshima and Nagasaki represent the last such use of technology. For with the coming of Nuclear warfare, technology has outstripped human intentionality so that if the bomb is ever used again, **genocide will be transformed into collective** suicide or **omnicide—the destruction of all life.** Having ene­mies is a luxury no community on the face of the earth can any longer afford. If there is a next time, it will not matter who is right and who is wrong, we shall all perish in the flames. Auschwitz and Hiroshima suggest that the millennium which brought us the utopian age of progress threatens to bring itself to an abrupt apocalyptic conclusion. The age of the bomb seems to have shattered and restructured the millennial myth. No longer can we imagine that apocalypse will be followed by utopia. The myth of unfolding stages seems to have broken apart into an absolute Either-Or: either Apocalypse or Utopia. Not wishing to face the terror of the first option we enthusiastically (although uneasily) embrace the second. Through a somewhat forced utopian euphoria we try to repress the prophetic warnings of Ausch­witz and Hiroshima which remind us that a normless world will inevitably end in apocalyptic self-destruction.

### Solar Will DA

We’ll turn their freedom claims – rejecting norms means individuals are enslaved within the command to be free

Fasching 1993 (Darrell J., Professor of Religious Studies at University of South Florida, The Ethical Challenge of Auschwitz and Hiroshima, Pp. 188-189)

The modern sense of **human dignity is** directly **rooted in** these **experiences of** the irreducible inalienable **transcendence of the self to its social identity** that are now embedded in the urban consciousness of the naked self. Paralleling the experience of the holy, the modern naked (existential) self now experiences itself as radically other—as that which cannot be captured by the sociocosmic or bureaucratic imagination and hence cannot be reduced to its social role in some sacred cosmic order. Every ideology begins by defining the human in a language of natural differences so as to separate the superior from the inferior, whether by race or sex or class. Defining the human inevitably occurs only for the purpose of violating someone's human dignity. But the human cannot be defined. To put it another way, the human can be defined only by its undefinability. Our inalienable dignity is rooted in our undefinability. However, **without the transformative experience of the empti**­**ness** or imagelessness **of the self found in holy communities, the existential self-transcendence** of the modern urban self **is liable to** find itself in the situation of Nietzsche's Ubermensch, who **takes self-transcendence to be an act of self-creation in which the self can never allow itself to be put in question** or open to the infinite. **The plunge** of the Nietzchean self or Ubermensch **into the abyss of inwardness**, be­cause it will never allow itself to be put in question, **replaces a genuine openness to the infinite with the infinitizing of the self**—the will to power. **The Ubermensch** is a naked self that will not allow itself to discover its own emptiness, its own openness to the infinite, but rather **remains imprisoned in the icy light of its own "solar will."** Apart from the transforming experiences of openness to the infinite nurtured through prayer-meditation and through the alternative myths and rituals of holy communities (or its secular philosophical equiva­lent of surrendering to the questions) the modern self-transcending self ends up trapped in the egoistic individualism of the will to power, **which reduces rights claims to the struggle of all against all.** What the experience of the emptiness or imagelessness of the holy-infinite does is to transform the anarchic individualism of the urban self into an authentic experience of the interdependence of the utopian becoming of all things, an experience of interdependence whose authenticity is measured by the readiness to welcome the stranger. When the Platform Sutra tells us that in the Buddha nature "there is neither north nor south"54 *(north* and *south* representing class differences in China) it is making an affirmation that parallels the statement of Paul of Tarsus, that "there is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus" (Galatians 3:28). In both cases what is being affirmed is that the experience of the self as empty, as being without image, leads to a realization that all selves are equal and interdependent. But neither of these affirmations of the inherent tran­scendence and equality of all selves is as radical as the Jewish affirma­tion that the test of faith lies in welcoming the stranger.

**No uniqueness to suffering inevitable**

**BOSTROM 2009** (Nick, Oxford University, Faculty of Philosophy, The Global Spiral, Feb 5, http://www.metanexus.net/magazine/tabid/68/id/10687/Default.aspx)

The prospect of posthumanity is feared for at least two reasons. One is that the state of being posthuman might in itself be degrading, so that by becoming posthuman we might be harming ourselves. Another is that posthumans might pose a threat to “ordinary” humans. (I shall set aside a third possible reason, that the development of posthumans might offend some supernatural being.) The most prominent bioethicist to focus on the first fear is Leon Kass:

 Most of the given bestowals of nature have their given species-specified natures: they are each and all of a given sort. Cockroaches and humans are equally bestowed but differently natured. To turn a man into a cockroach—as we don’t need Kafka to show us—would be dehumanizing. To try to turn a man into more than a man might be so as well. We need more than generalized appreciation for nature’s gifts. We need a particular regard and respect for the special gift that is our own given nature.5

Transhumanists counter that nature’s gifts are sometimes poisoned and should not always be accepted. Cancer, malaria, dementia, aging, starvation, unnecessary suffering, cognitive shortcomings are all among the presents that we wisely refuse. Our own species-specified natures are a rich source of much of the thoroughly unrespectable and unacceptable—susceptibility for disease, murder, rape, genocide, cheating, torture, racism. The horrors of nature in general and of our own nature in particular are so well documented6 that it is astonishing that somebody as distinguished as Leon Kass should still in this day and age be tempted to rely on the natural as a guide to what is desirable or normatively right. We should be grateful that our ancestors were not swept away by the Kassian sentiment, or we would still be picking lice off each other’s backs. Rather than deferring to the natural order, transhumanists maintain that we can legitimately reform ourselves and our natures in accordance with humane values and personal aspirations.

**Nietzsche’s nihilism – rejecting all technology makes life meaningless, culminating in extinction**

**Hicks 3 – Professor of Philosophy @ Queens**

Steven V., Professor of Philosophy @ Queens, “Nietzsche, Heidegger, and Foucault: Nihilism and Beyond,” Foucault and Heidegger: Critical Encounters, Ed. Alan Milchman and Alan Rosenberg, p. 109, Questia

Why a “philosphical shock”? The answer, in part, may be that from Foucault's perspective, Heidegger's insightful reading of Nietzsche and the problem of nihilism is itself too ascetic. Heidegger's emphasis on “silence” as proper to Dasein's being, his frequent use of quasireligious (even Schopenhauerean) terms of “grace” and “call of conscience, ” his many references to the destiny of the German Volk, his avoidance of politics and the serious “quietistic” tone of Heideggerian Gelassenheit are all reminiscent of the **life-denying ascetic** ideal Nietzsche **sought to** **avoid**. 65 Moreover, Foucault seems to join with Derrida and other “neo-Nietzscheans” in regarding Heidegger's idea of “letting Being be”—his vision of those who have left traditional metaphysics behind and with it the obsession with mastery and technology that drives contemporary civilization—as too passive or apathetic a response to the legitimate problems of post-Nietzschean nihilism that Heidegger's own analysis uncovers. 66 Here we have arrived at a key difference between Heidegger and Foucault: for Foucault, Heidegger takes insufficient account of the playful and even irreverent elements in Nietzsche and of Nietzsche's critique of the dangers of the ascetic ideal. Foucault joins with other new Nietzscheans in promoting, as an alternative to Heideggerian Gelassenheit, the more Nietzschean vision of “playing with the text”—which in Foucault's case means promulgating active and willful images of resistance and struggle against particular practices of domination, rebellion against “micro-powers, ” and blatant disregard for tradition (cf. DP, 27). 67 This context-specific, unambiguously confrontational nature of Foucault's critique of the forms of domination and technologies of power lodged in modern institutions offers a more Nietzsche-like response than the one Heidegger offers to the nihilistic problems of Western civilization. As Foucault sees it, the lessons Heidegger would have us draw from Nietzsche throw us back to the passive “nihilism of emptiness” that Nietzsche feared. While not predicting the emergence of better times, Foucault tries to offer a better (less passive, less ascetic) model for reforming our “background practices” and for cultivating an affirmative attitude toward life that he and other neo-Nietzscheans think may be “our only chance to keep from **extinguishing life on earth altogether**.”

**Draw a line –some things are wrong**

**Dimitrijevic 10** Nenad, associate professor at CEU Political Science Department, “Moral knowledge and mass crime : A critical reading of moral relativism,” Philosophy Social Criticism February 2010 vol. 36 no. 2

How does this abstract theory work when applied to concrete cases in specific contexts? Harman explores Hitler’s case, looking for the proper moral understanding of his role in the Holocaust, and, more generally, for the proper moral attitude towards the whole practice of the Holocaust. Anyone is entitled to make a normative, that is, non-inner and hence non-moral, judgment about the Holocaust, and to assess it as a practice that ought never to have happened. In the same way, anyone can infer that what Hitler did was wrong. Following Harman’s exposition of the analytical conditions for inner judgments, we would expect that only Germans could say that Hitler’s intentions were morally wrong. But, Harman here makes an interesting theoretical turn, arguing that in Hitler’s case even Germans cannot reconstruct an inner, moral judgment: ‘It sounds odd to say that Hitler should not have ordered the extermination of the Jews, that it was wrong of him to have done so.’ 22 What would be ‘odd’ in the statement of a German that Hitler’s intentions were morally wrong, or that the Holocaust was morally wrong, given that it would be a clear instance of the inner judgment? The moral judgment does not work here, argues Harman, because it is too weak – the speakers come to realize that Hitler’s actions were so terrible that they placed him beyond the scope of moral considerations. Hitler remains ‘beyond the pale’. 23 This is where a sophisticated theoretical model reaches its limits. By claiming that ‘Hitler is beyond the pale’, Harman uses a concrete extreme example to make a generalizible inference: distinguishing between external and internal judgments is not a sufficient condition for a precise demarcation of the status and the meaning of morality. As persons in the relation of ‘relevant moral understanding’, we realize that distinguishing between right and wrong intentions is sometimes a matter of degree. However, some intentions transpire as so gravely and indisputably wrong that they obstruct the basic meaning and the very possibility of the moral understanding – it is not possible to acknowledge the moral terms of the internal group relationship any more. The (realized) intention to kill the Jews or the Bosniaks tells us about abandoning the background moral understanding. The society has entered a new condition, to which moral criteria do not apply any more. It follows that the moral judgment about mass crime and its agents is not possible because the agents’ intentions and actions remain ‘beyond the motivational reach of the relevant moral considerations’. 24 Or, they do not fit into the logical form of inner judgments.

**Nietzsche’s logic is self-defeating and circular**

**Quodlibet Journal 04,** Quodlibet Journal is a peer-reviewed academic journal of philosophy. The Failure of Friedrich Nietzsche and Sigmund Freud’s Objection to Thomistic (Objective) “Truth” and “Right” Author: Joseph Steineger Quodlibet Journal: Volume 6 Number 1, January - March 2004 ISSN: 1526-6575 http://www.quodlibet.net/articles/steineger-aquinas.shtml

The point in contrasting Aquinas’ position for a single standard of truth and right against that of Nietzsche and Freud’s views is to emphasize Aquinas’ belief that there is one correct way of knowing and participating in the world; a claim both Nietzsche and Freud reject in their implicit relativism. Relativism is the argument that truth and knowledge are relative to one’s “point of view,” an era, a location, or a cultural-cognitive limitation. In this view, truth and knowledge are no longer truth and knowledge. Truth, as the correspondence between what one says and “how things are,” an appropriate bearer of the veracity or falsity of statements, sentences, assertions, and beliefs, is here traded in for skepticism, the assertion that nothing is—or more radically, can be—known. Hence, a presupposition of this paper is that relativism is skepticism in disguise. The basis for rejecting both is the same: **if we know nothing, then we do not know that we know nothing. The argument is self-defeating.**Likewise, if my view of how the world is is exactly opposite of another’s view of the world, and both views claim to be the “actual” way the world is, any claim that both are equally true denies the correspondence of “truth” to reality. How do Nietzsche’s arguments lead to relativism? The initial question that begins Nietzsche’s descent becomes why do human beings come to value certain ideas, standards, or objects and not others? He answers in proposing projectivism, the assertion that human beings project value into the world based on their conditionings and sentiments: “Judgments, value judgments concerning life, for or against, can in the last resort never be true: they possess value only as symptoms, they come into consideration only as symptoms—in themselves such judgments are stupidities.”[6] Thus, the traditional virtues may now be discarded and replaced by Nietzsche’s “Will to Power.” This, he posits, is the naturalistic, unconscious force “within,” driving all of human behavior. Ideally, this striving for power should be nurtured in opposition to the sentimental, conditioned values of the “idols.” When this power is released without limitation one may become an individual capable of luxuriating in every decision made during his life (which Nietzsche deems the “Superman”). This leaves Nietzsche’s position only one possible “ethics”: might makes right. For the Superman, moral action does not rest on any objectively defined or justified principle. This amounts to the powerful being able to act as he or she wishes. Man thus becomes the measure of all things, hearkening back to Sophist philosophy such as that put forth by Protagoras, and magnifying the notion that there is no objective truth in virtue of which an individual’s views or actions may be established as more right than another. **This is the very definition of relativism**. Despite Nietzsche’s argument for the Superman as the ideal illustration of man, he contradicts himself in asserting that value may not be assigned by men in the world: “One would have to be situated outside of life…to be permitted to touch on the problem of the value of life at all: sufficient reason for understanding that this problem is for us an inaccessible problem.”[7] It is not possible for Nietzsche to hold this “inaccessibility” view and his notions of the “Will to Power,” the “Superman,” or any assertion that places value on a certain way of life over another. Nietzsche does not recognize his contradiction in asserting there is no possibility of discerning objective value in life, yet stating that Christianity’s emphasis on charity and suffering makes an individual “weak,” thereby agitating that individual’s innate Will to Power and making him “sick.” This inherently assumes that sickness is bad, weakness is bad, and power is good; all of which are value judgments forbidden by relativist presuppositions.

**8. Their vision justifies genocide – Nietzsche may not have been a Nazi but his vision was compatible with theirs – if nothing is true everything is permitted**

**Fasching 93** Darrell, professor of religious studies at the University of South Florida, The Ethical Challenge of Auschwitz and Hiroshima: Apocalypse or Utopia

Scarcely more than half a century after Nietzsche's madman had unleashed his prophecy the Nazis came along to embrace his vision of a normless will to power. Nietzsche had offered a vision of a new type of individual who would have to take charge of human history after the death of God; namely, the Übermensch or self-transcending person. Such individuals would have the courage to "transvalue all values" and remake the world in their own image. Nietzsche, of course, had a somewhat aristocratic vision of these new individuals. But his vision was easily usurped by the Nazis who imagined themselves, the pure Aryan race, as the natural embodiment of this superior human being who would recreate the world through a will to power. The Nazi program of attempted genocide of the Jews is a logical outcome of this new normless situation expressed in Nietzsche's parable of "the Death of God." In a world where power is the final arbiter of values and might makes right, deicide is inexorably followed by genocide

# 1AR

#### Avoiding suffering is DISTINCT from fearing death—extreme anguish is NEVER justified because it’s imposed on others.

**Edelglass 6** – William, Assistant Professor of Philosophy at Marlboro College, “LEVINAS ON SUFFERING AND COMPASSION” Sophia, Vol. 45, No. 2, October 2006

Because suffering is a pure passivity, lived as the breach of the totality we constitute through intending acts, Levinas argues, **even suffering that is chosen** cannot be meaningfully systematized within a coherent whole. Suffering is a rupture and disturbance of meaning because it **suffocates the subject and destroys the capacity for systematically assimilating the world**. 9 Pain isolates itself in consciousness, overwhelming consciousness with its insistence. Suffering, then, is an absurdity, 'an absurdity breaking out on the ground of signification.'1~ This absurdity is the eidetic character of suffering Levinas seeks to draw out in his phenomenology.

Suffering often appears justified, from the biological need for sensibility to pain, to the various ways in which suffering is employed in character formation, the concerns of practical life, a community's desire for justice, and the needs of the state. Implicit in Levinas's texts is the insistence that the analysis of these sufferings calls for a distinction between the use of pain as a tool, a practice performed on the Other's body for a particular end, and the acknowledgement of the Other's lived pain. A consequence of Levinas's phenomenology is the idea that instrumental justifications of extreme suffering necessarily are insensible to the unbearable pain theyseek to legitimize. Strictly speaking, then, suffering is meaningless and cannot be comprehended or justified by rational argument.

Meaningless, and therefore unjustifiable, Levinas insists, suffering is evil. Suffering, according to Levinas's phenomenology, is an exception to the subject's mastery of being; in suffering the subject endures the overwhelming of freedom by alterity. The will that revels in the autonomous grasping of the world, in suffering finds itself grasped by the world. The in-itself of the will loses its capacity to exert itself and submits to the will of what is beyond its grasp. Contrary to Heidegger, it is not the anxiety before my own death which threatens the will and the self. For, Levinas argues, death, announced in suffering, is in a future always beyond the present. Instead of death, it is the pure passivity of suffering that menaces the freedom of the will. The will endures pain 'as a tyranny,' the work of a 'You,' a malicious other who perpetrates violence (TI239). This tyranny, Levinas argues, 'is more radical than sin, for it threatens the will in its very structure as a will, in its dignity as origin and identity' (TI237). Because **suffering is unjustifiable**, it is a tyranny breaking open my world of totality and meaning 'for nothing.'

The gratuitous and extreme suffering that destroys the capacity for flourishing human activity is generally addressed by thinkers in European traditions in the context of metaphysical questions of evil (is evil a positive substance or deviation from the Good?), or problems of philosophical anthropology (is evil chosen or is it a result of ignorance?). For these traditions it is evil, not suffering, that is the great scandal, for they consider suffering to be evil only when it is both severe and unjustified. II But for Levinas suffering is essentially without meaning and thus cannot be legitimized; **all suffering is evil**. As he subsumes the question of death into the problem of pain, 12 so also Levinas understands evil in the context of the unassumability and meaninglessness of suffering. 13 The suffering of singular beings is not incidental to an evil characterized primarily by the subordination of the categorical imperative to self-interest, or by neglect of the commands of a Divine Being. Indeed, for Levinas, evil is understood through suffering: 'All evil relates back to suffering' (US92). No explanation can redeem the suffering of the other and thereby remove its evil while leaving the tyranny of a pain that overwhelms subjectivity.

**Images of nuclear apocalypse are necessary to problematize their usage**

James **Foard. 1997**. Associate Professor of Religion, Arizona State, “Imagining Nuclear Weapons: Hiroshima, Armageddon, and the Annihilation of the Students of Ichijo School,” Journal of the American Academy of Religion, http://jaar.oxfordjournals.org/cgi/reprint/LXV/1/1.pdf TBC 7/1/10)

**This ambivalence about Hiroshima has been partially ameliorated by displacing it with Armageddon in our imagination of nuclear weapons** In America **the images of the atomic bomb**, particularly after the Soviet Union's successful test in 1949 (Boyer.341), **were pressed into the service of apocalyptic speculations**, both scientific and otherwise, a process which has until recently assigned the horror that Hiroshima represented to a superpower war in an imagined future (cf. Pease'562). Specifically, **images of a nuclear Armageddon have helped us perform two sorts of cultural tasks fundamental for imagining nuclear weapons**: those involving difference and those involving representation. By "difference" I mean both **the articulation of what makes nuclear weapons different from other weapons and the consequent reflection on the different human situation engendered by them**. By "representation" I mean **the expressions which seek to describe the use of nuclear weapons and incorporate that description into structures of meaning Armageddon permits us to define the difference of nuclear weapons by their capacity to destroy the human species** in a war that no one will win. It also has suggested to many, particularly literary critics but also some nuclear strategists, that nuclear war is but an imaginary event, divorced from reality, such that all representations are, to use the most famous phrase, "fabulously textual" (Derrida'23).

**Prez will adhere to congressional constraints- fear of political costs**

**Bradley and Morrison ‘13**

[Curtis A., William Van Alstyne Professor of Law, Duke Law School. Trevor W., Liviu Librescu Professor of Law, Columbia Law School. Columbia Law Review 113. <http://www.columbialawreview.org/wp-content/uploads/2013/05/Bradley-Morrison.pdf> ETB]

**In addition to the constraining influence arising from the internalization of legal norms** by executive branch lawyers and other officials, **law** ¶ **could constrain the President if there are “external” sanctions for** ¶ **violating it.** The core idea here is a familiar one, often associated with ¶ Holmes’s “bad man”139: One who obeys the law only because he ¶ concludes that the cost of noncompliance exceeds the benefits is still ¶ subject to legal constraint if the cost of noncompliance is affected by the ¶ legal status of the norm. This is true even though the law is likely to ¶ impose less of a constraint on such “bad men” than on those who have ¶ internalized legal norms, and even though it is likely to be difficult in ¶ practice to disentangle internal and external constraints. ¶ Importantly, **external sanctions for noncompliance need not be** ¶ **formal. If the existence or intensity of an informal sanction is affected by** ¶ **the legal status of the norm in question, compliance with the norm in** ¶ **order to avoid the sanction should be understood as an instance of law** ¶ **having a constraining effect**. **In the context of presidential compliance** ¶ **with the law, one can plausibly posit a number of such informal** ¶ **sanctions. One operates on the level of** professional **reputation,** and may ¶ be especially salient for lawyers in the executive branch. If a lawyer’s own ¶ internalization of the relevant set of legal norms is insufficient to prevent ¶ him from defending as lawful actions that he knows are obviously beyond ¶ the pale, he might respond differently if he believed his legal analysis ¶ would or could be disclosed to the broader legal community in a way that ¶ would threaten his reputation and professional prospects after he leaves ¶ government.140 (This concern might help further explain the OLC and other Justice Department officials’ resistance to the White House in the ¶ warrantless surveillance example discussed above.) ¶ Although **fear of harm to their professional reputations may indeed** ¶ **help constrain government lawyers**, if that were the only operative ¶ external sanction in this context it would be fair to ask whether it ¶ translated into a real constraint on the President in high-stakes contexts. ¶ But it is not the only potential sanction. **A** related and perhaps **more** ¶ **significant sanction may operate directly on political leaders within the** ¶ **government, including the President himself: partisan politics**. **If being** ¶ **perceived to act lawlessly is politically costly, a President’s political rivals** ¶ **will have an incentive to invoke the law to oppose him**. Put another way, ¶ **legal argumentation might have a salience with the media, the public at** ¶ **large, and influential elites that could provide presidential opponents in** ¶ **Congress and elsewhere with an incentive to criticize executive actions in** ¶ **legal terms. If such criticism gains traction in a given context, it could** ¶ **enable the President’s congressional opponents to impose even greater** ¶ **costs on him** through a variety of means, **ranging from oversight hearings** ¶ **to,** in the extreme case, threats of **impeachment**. Thus, **so long as the** ¶ **threat of such sanctions is credible, law will impose an external** ¶ **constraint**—whether or not the President himself or those responsible ¶ for carrying out his policies have internalized the law as a normative ¶ matter. **The prospect of political sanctions might help explain,** for ¶ example, **why modern Presidents do not seem to seriously contemplate** ¶ **disregarding Supreme Court decisions**.141 **And if Presidents are constrained to follow the practice-based norm of judicial supremacy, they** ¶ **may be constrained to follow other normative practices that do not** ¶ **involve the courts**. ¶ **Work by political scientists concerning the use of military force is at** ¶ **least suggestive of how a connection between public sanctions and law** ¶ **compliance might work**. As this work shows, **the opposition party in** ¶ **Congress, especially during times of divided government, will have both** ¶ **an incentive and the means to use the media to criticize unsuccessful** ¶ **presidential uses of force. The additional political costs that the** ¶ **opposition party is able to impose in this way will in turn make it less** ¶ **likely that Presidents will engage in large-scale military operations.1**42 It is ¶ at least conceivable, as the legal theorist Fred Schauer has suggested, that ¶ **the political cost of pursuing an ultimately unpopular policy initiative** ¶ (such as engaging in a war) **goes up with the perceived illegality of the initiative**.143 If that is correct, then **actors will require more assurance of** ¶ **policy success before potentially violating the law. This should count as a** ¶ **legal constraint on policymaking even if the relevant actors themselves** ¶ **do not see any normative significance in the legal rule in question.**

## K

**Global extinction risks require rereading resentiment – we have to accept pity for utilitarian reasons**

**Winchester 94** (James J. Winchester teaches Philosophy at Spelman College, “Nietzsche's Aesthetic Turn”)

As uninformed as it is to assume that there is an easy connection between his thought and National Socialism, it is neither difficult nor misguided to consider his lack of social concern. Nietzsche saw one danger in our century, but failed to see a second. His critique of herd mentality reads like a prophetic warning against the dictatorships that have plagued and continue to haunt the twentieth century. **But the context of our world has changed in ways that Nietzsche never imagined. We now have, as never before, the ability to destroy the planet.** The threat of the destruction of a society is not new. From the beginnings of Western literature in the Iliad and the Odyssey, the Western mind has contemplated the destruction that, for example, warfare has wrought. Although the Trojan war destroyed almost everyone involved, both the victors and the vanquished, it did not destroy the entire world. **In the twentieth century, what has changed is the scale of destruction**. If a few countries destroy the ozone layer, the whole world perishes, or if two countries fight a nuclear or biological war, the whole planet is threatened. This is something new in the history of the world. The interconnectedness of the entire world has grown dramatically. We live, as never before, in a global community where our actions affect ever-larger numbers of the world's population. The earth's limits have become more apparent. Our survival depends on working together to solve problems like global pollution. Granted mass movements have instituted reigns of tenor, but **our survival as a planet is becoming ever-more predicated on community efforts of the sort that Nietzsche's thought seems to** denigrate if not **preclude**. I do not criticize Nietzsche for failing to predict the rise of problems requiring communal efforts such as the disintegration of the ozone layer, acid rain, and the destruction of South American rain forests. Noting his lack of foresight and his occasional extremism, I propose, in a Nietzschean spirit, to reconsider his particular tastes, without abandoning his aesthetic turn. Statements like "common good is a self-contradiction" are extreme, even for Nietzsche. He was not always so radical. Yet there is little room in Nietzsche's egoism for the kind of cooperation and sense of community that is today so important for our survival. I am suggesting that the time for Nietzsche's radical individualism is past. There are compelling pragmatic and aesthetic reasons why we should now be more open to the positive possibilities of living in a community. There is nothing new about society's need to work together. What has changed is the level of interconnectedness that the technological age has pressed upon us.

### K

**Cyber threats are real – they facilitate dangerous armed social movements**

**Deibert and Rohozinski 2010**

(Ronald J, professor of Political Science and Director of the Canada Centre for Global Security Studies and the Citizen Lab at the Munk School of Global Affairs, University of Toronto, and Rafal, Canadian expert and practitioner active in the fields of information security, cyber warfare, and the globalization of armed violence at the University of Toronto, 2010, International Studies Association, “Risking Security: Policies and Paradoxes of Cyberspace Security,” International Political Sociology, vol. 4, p. 22, BS)

Even among democratic states, **the explosion of civic networks has presented serious challenges**, though of a slightly different nature. **Just as progressive and social justice groups have made use of the Internet to advance global norms, so too have a wide variety of militant groups, extremists, criminal organizations, and terrorists to serve more ulterior purposes. Cyberspace has facilitated their activities** in much the same way as it has for more benign civil society networks that often get more attention, but **the aims of these groups are often criminal, covert, and sometimes violent. We call these risks through the network dark nets**, of which there are two different sorts (Deibert and Rohozinski 2008). **The most well known of the dark nets are armed social movements, which can represent a multiplicity of local causes, but whose ability to share tactics, contacts, and at times, drink from the same ideological well, make them appear as a uniﬁed global network. In the post-9/11 era, Al Qaeda and the Jihad movements represent the most visible manifestation of this kind of armed social movement. However, they are by no means the ﬁrst and only networks of this kind.** Many of the ‘‘new wars’’ (as Mary Kaldor calls them) that occurred during the 1990s were fought essentially as transnational civil wars where participants pursued both guerilla and conventional warfare against government and rival groups (Kaldor 1999). **In conﬂicts that included Sri Lanka, Somalia, former Yugoslavia, West Africa and Chechnya, ‘‘new wars’’ demonstrated that armed social movements are capable of challenging and at times defeating state actors without the need of state-based patrons or backers. More importantly, this new generation of armed social actors has also increasingly embraced cyberspace** (Rohozinski 2004). **They recognize the capacity afforded by cyberspace to ‘‘effect’’ both their supporters and opponents**. Signiﬁcantly, it was these groups, rather than militaries of the First World War, that were the ﬁrst to leverage cyberspace as means to wage information operations redeﬁning the main battleﬁeld away from the military and towards the political sphere (Weimann 2006b). **Beginning with the ﬁrst Chechen war, the video taping of attacks on the Russian military became more important than the military signiﬁcance of the attacks themselves.** When shown to supporters, as well as the Russian public (via rebroadcast in Russian television, and later on the Internet) their shock value was enough to convey the impression that the Russian military was being defeated. Similar tactics were adopted and further reﬁned by Hezbollah in its resistance against Israeli occupation of Southern Lebanon prior to their withdrawal in 2001, and again in the 2006 summer war. Attacks were documented and produced in the form of music videos, that were both broadcast across Hezbollah’s terrestrial TV station, (al Manar) as well as made available for download from a website, the movement established as part of its strategic communications and information warfare strategy (Pahlavi 2007; Wehrey 2002). **These video shorts proved highly effective**, and have since undergone several signiﬁcant evolutions, paralleling the spread and popularity of such on-line resources as YouTube and Twitter that are used by ‘‘civil’’ networks. **They are now one of the key instruments used by these movements to attract interest in their causes and are a signiﬁcant feature of the more than 4,500+ active jihad websites, chat rooms, and forums** (Weimann 2006a; Kimmage 2008). As the resources necessary for producing multimedia technologies continue to fall, and access to inexpensive digital cameras and computers increases, the threshold and number of video and other multimedia products in circulation has grown exponentially, while the age of the producers has declined. During the early months of the second Intifada, for example, several of the more compelling PowerPoint slides circulating on the Internet depicting the brutality of the Israeli reoccupation of the West bank were produced by a 14-year-old living in a refugee camp in Lebanon.