## Cites

## Case

### AT: No Impact to China

#### Miscalc is inevitable – especially given cyber space build up

Colby et al. 13  (Elbridge A. Colby, graduate of¶ Harvard College and Yale Law School and is a member of the Council on Foreign Relations (term)¶ and of the International Institute of Strategic Studies., Abraham M. Denmark, M.A. in international security from the Josef Korbel School of International Studies at the University¶ of Denver and has studied at China’s Foreign Affairs University and Peking University., John K. Warden, After receiving a B.A. in history and political science from Northwestern¶ University, he joined CSIS as a recipient of the William J. Taylor debate internship., James M. Acton, He holds a Ph.D. in theoretical physics from Cambridge University., Jay K. Brotz, M.S. in electrical and¶ computer engineering from Carnegie Mellon University., Michael S. Chase, M.A. in China studies from SAIS and a B.A. in politics from Brandeis University., AND more, “Nuclear Weapons and U.S.-China Relations: A way forward,” <http://csis.org/files/publication/130307_Colby_USChinaNuclear_Web.pdf>)

Miscommunication and misunderstanding. The danger posed by these potential flashpoints is¶ magnified by the potential for miscommunication and misunderstanding between China and¶ the United States. Although Beijing and Washington have agreed to a range of crisis management¶ mechanisms, such as the Military Maritime Consultative Agreement (MMCA) and the¶ establishment of a direct hotline between the Pentagon and the Ministry of National Defense,¶ the bases for miscommunication and misunderstanding remain and draw on deep historical¶ reservoirs of suspicion.15 For example, it is unclear whether either side understands what kinds¶ of actions would elicit a military, or even nuclear, response by the other party. Furthermore,¶ neither side seems to believe the other’s declared policies and intentions, suggesting that escala-tion management, already a very uncertain endeavor, could be especially difficult in any conflict.¶ Moreover, the continued expansion of the military relationship in space and cyberspace¶ introduces additional exacerbating factors.

### --- AT: North Korea

#### Nope – their ev concludes ambiguity confounds deterrence

Libicki 13 - senior management scientist at the RAND Corporation. His research focuses on the impacts of information technology on domestic and national security. Libicki spent 12 years at the National Defense University, three years on the Navy staff as program sponsor for industrial preparedness, and three years as a policy analyst for the U.S. General Accounting Office's Energy and Minerals Division. Libicki received his Ph.D. in city and regional planning from the University of California, Berkeley, writing on industrial economics. (Martin C. "Brandishing Cyberattack Capabilities" National Defense Research Institute, Prepared for the Office of the Secretary of Defense, http://www.rand.org/content/dam/rand/pubs/research\_reports/RR100/RR175/RAND\_RR175.pdf)

Marching warfighters and weaponry down urban thoroughfares has been a time-honored way for states to hint at their ability to carry out war. Cyberwar capabilities, to be sure, resist such presentation. Cadres of computer geeks advancing with laptops in their rucksacks somehow do not inspire the same awe. The inability to display power points to a larger dilemma of cyberwar. The U.S. military exists not just to fight and win wars but also to deter them, that is, to persuade others not to start them (or even prepare for them). To do this, it helps to demonstrate that the U.S. military is and always will be likely to ruin those who would fight it—whether the ruin be a crushed military or a damaged society. By so doing, the United States may hope to deter others from attacking it or its vital interests—either kinetically or via cyberspace. It may even hope to dissuade states from developing digitized capabilities that are particularly vulnerable to cyberattack. Although May Day parades are a bit of a caricature, a state would rationally examine the ability of its potential adversaries before pursuing its politicomilitary strategies. But cyberwar capabilities are hard to examine. Why so? No one doubts what would happen if a nuclear-armed power dropped its big weapon on a city, even though no city has been hit by a nuclear bomb since 1945. The physics are clear, and they work anywhere. But no one knows exactly or even approximately what would happen if a country suffered a full-fledged cyberattack, despite the plethora of hostile activity in cyberspace that shows no signs of abating. For one thing, there has never been such an attack. Theory also discourages good a priori expectations. First, systems are vulnerable only to the extent that they have exploitable errors that their owners do not know about or have simply ignored. Second, even if a cyberattack works, the damage it wreaks tends to be proportional to the time required to recover the attacked system, something neither the defender nor the attacker can easily predict. Third, national cyberwar capabilities are a closely guarded secret. Having spent much time and trouble developing cyberwar capabilities, states thus have nothing to show for their efforts until and unless they go to cyberwar. Although some of the capabilities needed for cyberwar are the same ones used for cyberespionage, some are not. Bringing systems down requires effort to understand their failure modes; keeping them down requires being able to insert code into the target networks and system in ways that make it difficult to eradicate. Furthermore, systems targeted by espionage (e.g., email networks) are very different from the harder systems that run critical infrastructure or war machines.

#### No Korea war – its all posturing and international powers check escalation – history proves

Fisher 3/12/13(Max, the Post's foreign affairs blogger. Before joining the Post, he edited international coverage for TheAtlantic.com, The Washington Post, “ Why North Korea loves to threaten World War III (but probably won’t follow through)”)

But is North Korea really an irrational nation on the brink of launching “all-out war,” a mad dog of East Asia? Is Pyongyang ready to sacrifice it all? Probably not. The North Korean regime, for all its cruelty, has also shown itself to be shrewd, calculating, and single-mindedly obsessed with its own self-preservation. The regime’s past behavior suggests pretty strongly that these threats are empty. But they still matter. For years, North Korea has threatened the worst and, despite all of its apparent readiness, never gone through with it. So why does it keep going through these macabre performances? We can’t read Kim Jong Eun’s mind, but the most plausible explanation has to do with internal North Korean politics, with trying to set the tone for regional politics, and with forcing other countries (including the United States) to bear the costs of preventing its outbursts from sparking an unwanted war. Starting World War III or a second Korean War would not serve any of Pyongyang’s interests. Whether or not it deploys its small but legitimately scary nuclear arsenal, North Korea could indeed cause substantial mayhem in the South, whose capital is mere miles from the border. But the North Korean military is antiquated and inferior; it wouldn’t last long against a U.S.-led counterattack. No matter how badly such a war would go for South Korea or the United States, it would almost certainly end with the regime’s total destruction. Still, provocations and threats do serve Pyongyang’s interests, even if no one takes those threats very seriously. It helps to rally North Koreans, particularly the all-important military, behind the leader who has done so much to impoverish them. It also helps Pyongyang to control the regional politics that should otherwise be so hostile to its interests. Howard French, a former New York Times bureau chief for Northeast Asia whom I had the pleasure of editing at The Atlantic, explained on Kim Jong Il’s death that Kim had made up for North Korea’s weakness with canny belligerence: The shtick of apparent madness flowed from his country’s fundamental weakness as he, like a master poker player, resolved to bluff and bluff big. Kim adopted a game of brinkmanship with the South, threatening repeatedly to turn Seoul into a “sea of flames.” And while this may have sharply raised the threat of war, for the North, it steadily won concessions: fuel oil deliveries, food aid, nuclear reactor construction, hard cash-earning tourist enclaves and investment zones. At the risk of insulting Kim Jong Eun, it helps to think of North Korea’s provocations as somewhat akin to a child throwing a temper tantrum. He might do lots of shouting, make some over-the-top declarations (“I hate my sister,” “I’m never going back to school again”) and even throw a punch or two. Still, you give the child the attention he craves and maybe even a toy, not because you think the threats are real or because he deserves it, but because you want the tantrum to stop. The big problem here is not that North Korea will intentionally start World War III or a second Korean War, because it probably won’t. So you can rest easy about that. The big problem is that North Korea’s threats and provocations, however empty, significantly raise the risk of an unwanted war. The United States, South Korea and yes Pyongyang’s all-important ally, China, all have much more to lose in a regional war than does North Korea. It falls to those countries, then, to keep the Korean peninsula from spiraling out of control. Even if they don’t ultimately offer Pyongyang concessions to calm it down, as they have in the past, they’ve still got an interest in preventing future outbursts. Like parents straining to manage a child’s tantrum, it’s a power dynamic that oddly favors the weak and misbehaving.

### --- AT: SCS

#### Behavior changes the pattern of other countries’ behavior – MUTUAL RESTRAINT makes other countries get on board – reduces cyber arms race worldwide.

Gompert & Saunders 11 (David C. Gompert, bachelor's degree in engineering from the U.S. Naval Academy, where he once served on the faculty, and a master of public affairs degree from Princeton University's Woodrow Wilson School of Public and International Affairs. Office of the Director of National Intelligence, Gompert most recently worked as a senior fellow at the RAND Corp, and Phillip C. Saunders, phD in IR from Princeton, Distinguished Research Fellow Director of Studies, Center for Strategic Research Director, Center for Study of Chinese Military Affairs, “The Paradox of Power Sino-American Strategic Restraint in an Age of Vulnerability”, <http://www.ndu.edu/inss/docuploaded/Paradox%20of%20Power.pdf>)

Behavior will speak at least as loudly as declaratory policy. Two behaviors that could undermine cyber deterrence vis-à-vis China are attacking Chinese networks other than in retaliation for Chinese attacks, and failing to retaliate for Chinese attacks. The greater the difference in consequences for China between attacking and not attacking the United States, the stronger the deterrence. Moreover, for the United States to attack Chinese networks absent Chinese attacks would strengthen the hands of those Chinese who argue for an aggressive cyber warfare policy and weaken those who argue that China is better off showing restraint. Conversely, U.S. failure to retaliate could undercut the credibility of deterrence insofar as the potential attacker is given reason to think that retaliation will not occur.

Such a posture is the opposite of frequent lesser network interference. It requires purposeful decisionmaking. The need for calibrated and consistent strategic behavior reinforces the need for strong civilian control, in both the United States and China. A clear distinction must be made between the technical competence to create and employ cyber weapons and the authority to determine whether, when, against whom, and for what ends to use them. Because it requires strategic behavior and is a matter of war and peace, cyber deterrence must be managed by proper authorities in the same way all other international uses of force are: politically accountable civilian officials of the executive branch and designated military commanders, with proper Congressional oversight. The United States is moving in this direction with the creation of U.S. Cyber Command (under U.S. Title 10 and the Secretary of Defense) alongside the National Security Agency (under U.S. Title 50 and the Director of National Intelligence).

The existence of security commitments to U.S. allies (and hypothetically to Chinese allies) may appear to further complicate an already difficult domain. But the cyber security of allies need not and should not be different than their physical security, at least not where destructive cyber warfare is concerned. For starters, a serious cyber attack on a NATO Ally should cause Article V of the Washington Treaty to be invoked; anything less would invite Russia to attempt again the sort of attacks it allegedly sponsored against Estonia (a NATO Ally) and Georgia. By extension, U.S. commitments to the security of Japan, South Korea, and other treaty Allies in Asia should include the option of U.S. retaliation for Chinese cyber attack. Thus, any agreement by the United States and China to show restraint toward the strategic cyberspace of the other must include at least treaty Allies.

Finally, Sino-American mutual restraint in cyberspace could be extended to cooperation against common third-party threats in that domain. Both countries have two sets of cyber security concerns: high-end state threats, and all other state and nonstate threats. For the former, deterrence is necessary and feasible; for the latter, it is less necessary and less feasible. U.S. and Chinese security against all other state and nonstate cyber threats could be improved through Sino-American cooperation, whether in bilateral or multilateral settings. At a minimum, exchanging information on potential attackers and attacks, notifying alerts, and extraordinary measures would be worthwhile, as gaining wide acceptance of mutual strategic restraint in cyberspace. While such cooperation is not essential for mutual restraint, it would be a natural and beneficial supplement.

## Topicality

### 2AC T-Statutory Authority

#### 1. We meet and CI -- statutory restrictions include 5 things

KAISER 80 The Official Specialist in American National Government, Congressional Research Service, the Library of Congress [Congressional Action to Overturn Agency Rules: Alternatives to the Legislative Veto; Kaiser, Frederick M., 32 Admin. L. Rev. 667 (1980)]

In addition to direct statutory overrides, there are a variety of statutory and nonstatutory techniques that have the effect of overturning rules, that prevent their enforcement, or that seriously impede or even preempt the promulgation of projected rules. For instance, a statute may alter the jurisdiction of a regulatory agency or extend the exemptions to its authority, thereby affecting existing or anticipated rules. Legislation that affects an agency's funding may be used to prevent enforcement of particular rules or to revoke funding discretion for rulemaking activity or both. Still other actions, less direct but potentially significant, are mandating agency consultation with other federal or state authorities and requiring prior congressional review of proposed rules (separate from the legislative veto sanctions). These last two provisions may change or even halt proposed rules by interjecting novel procedural requirements along with different perspectives and influences into the process.

It is also valuable to examine nonstatutory controls available to the Congress:

1. legislative, oversight, investigative, and confirmation hearings;

2. establishment of select committees and specialized subcommittees to oversee agency rulemaking and enforcement; 3. directives in committee reports, especially those accompanying legislation, authorizations, and appropriations, regarding rules or their implementation; 4. House and Senate floor statements critical of proposed, projected, or ongoing administrative action; and 5. direct contact between a congressional office and the agency or office in question. Such mechanisms are all indirect influences; unlike statutory provisions, they are neither self-enforcing nor legally binding by themselves. Nonetheless, nonstatutory devices are more readily available and more easily effectuated than controls imposed by statute. And some observers have attributed substantial influence to nonstatutory controls in regulatory as well as other matters.3 It is impossible, in a limited space, to provide a comprehensive and exhaustive listing of congressional actions that override, have the effect of overturning, or prevent the promulgation of administrative rules. Consequently, this report concentrates upon the more direct statutory devices, although it also encompasses committee reports accompanying bills, the one nonstatutory instrument that is frequently most authoritatively connected with the final legislative product. The statutory mechanisms surveyed here cross a wide spectrum of possible congressional action:

1. single-purpose provisions to overturn or preempt a specific rule

; 2. alterations in program authority that remove jurisdiction from an agency;

3. agency authorization and appropriation limitations;

4. inter-agency consultation requirements; and

5. congressional prior notification provisions

#### 2) C/I – Restriction means a limit or qualification, and includes conditions on action

CAA 8,COURT OF APPEALS OF ARIZONA, DIVISION ONE, DEPARTMENT A, STATE OF ARIZONA, Appellee, v. JEREMY RAY WAGNER, Appellant., 2008 Ariz. App. Unpub. LEXIS 613

P10 The term "restriction" is not defined by the Legislature for the purposes of the DUI statutes. See generally A.R.S. § 28-1301 (2004) (providing the "[d]efinitions" section of the DUI statutes). In the absence of a statutory definition of a term, we look to ordinary dictionary definitions and do not construe the word as being a term of art. Lee v. State, 215 Ariz. 540, 544, ¶ 15, 161 P.3d 583, 587 (App. 2007) ("When a statutory term is not explicitly defined, we assume, unless otherwise stated, that the Legislature intended to accord the word its natural and obvious meaning, which may be discerned from its dictionary definition.").

P11 The dictionary definition of "restriction" is "[a] limitation or qualification." Black's Law Dictionary 1341 (8th ed. 1999). In fact, "limited" and "restricted" are considered synonyms. See Webster's II New Collegiate Dictionary 946 (2001). Under these commonly accepted definitions, Wagner's driving privileges were "restrict[ed]" when they were "limited" by the ignition interlock requirement. Wagner was not only [\*7] statutorily required to install an ignition interlock device on all of the vehicles he operated, A.R.S. § 28-1461(A)(1)(b), but he was also prohibited from driving any vehicle that was not equipped with such a device, regardless whether he owned the vehicle or was under the influence of intoxicants, A.R.S. § 28-1464(H). These limitations constituted a restriction on Wagner's privilege to drive, for he was unable to drive in circumstances which were otherwise available to the general driving population. Thus, the rules of statutory construction dictate that the term "restriction" includes the ignition interlock device limitation.

#### Solves ground – there are NO restrictions on cyber now – means any DA applies

LORBER 13 J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University Department of Political Science. [Eric Lorber, Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?, January 2013, University of Pennsylvania Journal of Constitutional Law, 15 U. Pa. J. Const. L. 961]

These limited references to offensive cyber operations, including how existing legal principles may govern them, are becoming more frequent in public discussions, however. For example, in its Cyberspace Policy Report, the Department of Defense indirectly alluded to such capabilities by briefly touching on the application of the War Powers Resolution to cyberspace: "Cyber operations might not include the introduction of armed forces personnel into the area of hostilities. Cyber operations may, however, be a component of larger operations that could trigger notification and reporting in accordance with the War Powers Resolution." n59 Though not discussing specific U.S. policies or capabilities, such statements echo the idea - explored above in the Russian, Israeli, and Chinese cases - that the United States is actively planning to utilize cyber operations in future conflicts. And in one of the most transparent discussions of U.S. OCOs to date, General Alexander appeared before the Senate Armed Services Committee in 2010 and answered questions about CYBERCOM's mission, including its offensive activities. n60 In response to advance questions by senators, he noted that CYBERCOM would serve "as the focal point for deconfliction of DOD offensive cyberspace operations." n61 More recently, in the 2012 House Conference Report for the National Defense Authorization Act, Congress specifically recognized U.S. offensive cyber capabilities:

Congress affirms that the Department of Defense has the capability, and upon direction by the President may conduct offensive operations in cyberspace to defend our Nation, Allies and interests, subject to (1) the policy principles and legal regimes that the Department follows for kinetic capabilities, including the law of armed conflict; and (2) the War Powers Resolution... . n62

[\*973] Further, as discussed, in the recent Libyan intervention, the Obama administration has actively considered using its offensive cyber capabilities in conjunction with kinetic operations. n63 The instances above suggest that many countries - the United States among them - are developing and deploying offensive cyber capabilities both as tools of deterrence and for war-fighting purposes. Further, these comments and documents suggest that in the United States, policymakers are beginning to grapple with how these new technologies may fall under current legal regimes and potentially alter the war-making balance between Congress and the President.

## Counterplans

### 2AC XO

**Only a change in CHECKS AND BALANCES solve – international distrust of US policies means the cred advantage is still a DA to the CP**

Rothschild 13 (Matthew, Feb 4, "The Danger's of Obama's Cyber War Power Grab," [www.progressive.org/dangers-of-obama-cyber-war-power-grab](http://www.progressive.org/dangers-of-obama-cyber-war-power-grab))

When our founders were drafting the Constitution, they went out of their way to give warmaking powers to Congress, not the President.

They understood that if the President could make war on his own, he’d be no different than a king.

And they also understood, as James Madison said, that such power “would be too much temptation” for one man.

And so they vested that power in Congress.

But since World War II, one President after another has usurped that power.

The latest usurper is President Obama, who did so in Libya, and with drones, and now is prepared to do so in cyberspace.

According to The New York Times, the Obama Administration has concluded that the President has the authority to launch preemptive cyberattacks.

This is a very dangerous, and very undemocratic power grab.

There are no checks or balances when the President, alone, decides when to engage in an act of war.

And this new aggressive stance will lead to a cyber arms race. The United States has evidently already used cyber weapons against Iran, and so many other countries will assume that cyber warfare is an acceptable tool and will try to use it themselves.

Most troubling, U.S. cybersupremacy—and that is Pentagon doctrine—will also raise fears among nuclear powers like Russia, China, and North Korea that the United States may use a cyberattack as the opening move in a nuclear attack.

For if the United States can knock out the command and control structure of an enemy’s nuclear arsenal, it can then launch an all-out nuclear attack on that enemy with impunity. This would make such nuclear powers more ready to launch their nuclear weapons preemptively for fear that they would be rendered useless. So we’ve just moved a little closer to midnight.

Now, I don’t think Obama would use cyberwafare as a first strike in a nuclear war. But our adversaries may not be so sure, either about Obama or his successors.

They, too, worry about the temptations of a President.

#### Battles between jurisdiction in cyber space makes the propensity for cyber retaliation likely. Congressional involvement is necessary to stop bureaucratic inertia.

Moss 02 ( KENNETH B. Moss, Associate Professor, Felix Posen Chair in Modern Jewish Studies Modern Jewish history, Russia and Eastern Europe, nationalism, theory and practice of cultural history – Johns Hopkins, “Information Warfare and War Powers: Keeping the Constitutional Balance”, VOL.26:2 SUMMER/FALL 2002 p. 239 – 245 )

The last part of this scenario, involving a Presidential order to use limited military force and an ensuing disagreement with Congress over prior consultation and authorization to use force, is fairly predictable. Congress has been trying to protect its war powers-the power of declaration of war or an authorization to use force-since the 1970s through the War Powers Resolution of 1973 and other measures. But the first half of the scenario, involving "information war- fare," as it is now being called, places law and U.S. lawmakers on terra incognita. Perhaps consultation with Congress would occur with the senior Senate and House leadership, the Senate Foreign Relations Committee or the International Relations Committee in the House, as well as the intelligence committees, but it is just as likely that no consultation would take place. The role of Congress in information warfare operations is unclear because the status of such operations remains undefined in national law, international law, or the laws of warfare. Yet, if Congress is to protect its constitutional powers in war-making and the use of military force, the time has come when it must study the subject of information warfare and amend or create legislation to address this issue.

#### Lack of certainty makes unintended escalation inevitable

Owens et al. 09 (WILLIAM A. OWENS, AEA Holdings, Inc., Co-chair KENNETH W. DAM, University of Chicago, Co-chair THOMAS A. BERSON, Anagram Laboratories GERHARD CASPER, Stanford University DAVID D. CLARK, Massachusetts Institute of Technology RICHARD L. GARWIN, IBM Fellow Emeritus JACK L. GOLDSMITH III, Harvard Law School CARL G. O’BERRY, The Boeing Company JEROME H. SALTZER, Massachusetts Institute of Technology (retired) MARK SEIDEN, MSB Associates SARAH SEWALL, Harvard University WALTER B. SLOCOMBE, Caplin & Drysdale WILLIAM O. STUDEMAN, U.S. Navy (retired) MICHAEL A. VATIS, Steptoe & Johnson LLP, “Technology, Policy, Law, and Ethics Regarding U.S. Acquisition and Use of Cyberattack Capabilities”, pdf)

If an adversary conducts a cyberattack against the United States, a first question for U.S. decision makers will be knowledge of the attack’s impact and magnitude. Such knowledge is necessary to inform an appropriate U.S. response. (If, for example, the United States wishes to make a commensurate response, it needs to know what parameters of the incoming attack would characterize a commensurate response.)

But in many kinds of cyberattack, the magnitude of the impact of the first cyberattack will be uncertain at first, and may remain so for a considerable period of time. Decision makers may then be caught between two challenges—a policy need to respond quickly and the technical fact that it may be necessary to wait until more information about impact and damage can be obtained. (As noted in Section 2.5, these tensions are especially challenging in the context of active defense.)

Decision makers often feel intense pressure to “do something” immediately after the onset of a crisis, and sometimes such pressure is warranted by the facts and circumstances of the situation. On the other hand, the lack of immediate information may prompt decision makers to take a worst-case view of the attack and thus to assume that the worst that might have happened was indeed what actually happened. Such a situation has obvious potential for inappropriate and unintended escalation.

#### Congress is key to transparency – cant solve china

Butler 4/26/13 (Appellate Advocacy Counsel for the Electronic Privacy Information Center, When Cyberweapons End Up On Private Networks: Third Amendment Implications for Cybersecurity Policy, <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2257078>)

A. Authority: Congress Must Be Involved in Establishing Any Framework for the Authorization of Cyberoperations **Given that the Third Amendment requires war-time quartering be conducted “in a manner to be prescribed by law**,”223 Congress must have a role in establishing the framework used to authorize any offensive cyberoperation. This **legislative involvement would not only ensure that all cyberoperations have adequate legal authorization but** it would also **promote** the **broader goals of transparency and cooperation that the President has emphasized throughout this process**. So far Congress has focused its energy on perceived problems rather than real solutions.224 A debate raged in the 112th Congress over whether to let DHS or NSA take the lead on a proposed information-sharing environment.225 This turf war was quite tangential from the problems of substandard security for critical systems and a lack of legal clarity as to the role of each government agency in responding to an external threat or strategic opportunity.226 **The only congressional involvement in developing a cybersecurity framework so far has been its brief affirmance in the 2012 National Defense Authorization Act227 that the President may conduct “operations in cyberspace” subject to the traditional legal regimes applicable to kinetic warfare.228 Congress’s active role in setting our nation’s military actions in cyberspace is the only way to have a national dialogue and to avoid relying on secret legal interpretations about important national security matters. The President took steps to begin a national dialogue when he issued an Executive Order** on the same day as the 2013 State of the Union Address.229 The Executive Order focused on improving critical infrastructure cybersecurity while promoting privacy, civil liberties, and the economy.230 The Order also provided for sharing of “cyber threat information” from executive branch agencies to private sector entities,231 and the development of a framework by the National Institute of Standards and Technology (NIST) to establish baseline security standards for government agencies and critical infrastructure companies.232 The Order also required that privacy and civil liberties protections be incorporated into the cybersecurity program and that the Chief Privacy Officer of DHS assess the privacy risks and publish a report.233 The Executive Order did not address the “information sharing environment” proposed in Congress during 2012 and again in 2013.234 The Order also did not address the legal determination of when and how cyberoperations can be authorized, which has apparently already been made in an internal executive-branch memorandum.235 **The** President’s Executive **Order** is a step in the right direction but it does not provide sufficient authority for cyberoperations that could intrude upon civilian systems; only Congress can authorize such quartering.

### 2AC AT: Executive Good

#### Future presidents prevent solvency

Harvard Law Review 12, "Developments in the Law: Presidential Authority," Vol. 125:2057, [www.harvardlawreview.org/media/pdf/vol125\_devo.pdf](http://www.harvardlawreview.org/media/pdf/vol125_devo.pdf)

The recent history of signing statements demonstrates how public opinion can effectively check presidential expansions of power by inducing executive self-binding. **It remains to be seen**, however, **if this more restrained view of signing statements can remain intact, for it relies on the promises of one branch — indeed of one person — to enforce and maintain the separation of powers**. To be sure, President **Obama’s guidelines for the use of signing statements contain all the hallmarks of good executive branch policy: transparency, accountability, and fidelity to constitutional limitations.** Yet, in practice**, this apparent constraint (**however well intentioned**) may amount to** little more than voluntary self-restraint. 146 Without a formal institutional check, it is unclear what mechanism will prevent the next President (or President Obama himself) from reverting to the allegedly abusive Bush-era practices. 147 Only time, and perhaps public opinion, will tell.

#### Adventurism DA – Lack of consultation means presidential unitarism that causes escalatory wars.

HOLMES 08 Walter E. Meyer Professor of Law at NYU School of Law [Stephen Holmes, “Conclusion,” from Security v. Liberty: Conflicts Between Civil Liberties and National Security in American History, ed by Daniel Farber] page 218-219

A refusal to listen to criticism is dismaying precisely because the threat we face is so new and elusive and the resources we have at our disposal (soldiers, Arabic speakers, satellite coverage, the attention span of high officials, and so on) remain scarce. The extreme difficulty of setting priorities among low-probability catastrophic threats in the war on terror strongly suggests the need to revitalize various mechanisms of political self-correction, including after-action reviews and mandatory second opinions. Consultations with knowledgeable parties outside a narrow circle of like-minded operatives committed to upholding a party line should be not optional but obligatory. Because the country had never before faced a threat anything like that posed by private sector nuclear terrorism, the administration's first responses were destined to be experimental and plagued by mistakes. To respond intelligently, therefore, it should have safeguarded and fortified all existing decision-making protocols containing even residual elements of adversarial process.

Because the war on terror is totally unprecedented, giving unsupervised discretion to a single clique inside one compartment of the executive without requiring obligatory consultations with knowledgeable parties cannot possibly be prudent. The aim of liberal institutions should be to facilitate the psychologically painful process of recognizing past blunders and initiating requisite midstream readjustments. Preserving public liberty means frustrating the impulse of incumbents to silence their critics. The payoff, on balance, is more thoughtful policy. The worst imaginable decision making system for managing an unprecedented threat that is frustratingly difficult to assess is unchecked presidential discretion, because chief executives are bound to be inhibited by authorial pride from expeditiously correcting their most damaging missteps.

Not only do powerful men dislike admitting their mistakes. Multiparty democracy joins perverse institutional incentives to those stemming from ordinary human vanity. Competitive elections make incumbents view admission of error in questions of national security as a gift to their partisan rivals. Such a problem is so serious, in fact, that it might lead us to invert the conservative mantra that liberal constitutionalism is a suicide pact. Observing the disaster of the Iraq war, we can conclude that granting unfettered discretion to the commander in chief is the real suicide pact. Freeing a poorly equipped individual from all constitutional checks and balances and allowing a president to engage the American military in bloody foreign adventures without giving plausible reasons for his action is a perfect formula for creating the debacle facing us today.

### AT: Prez Powers

#### Syria tanked prez powes

Cordesman 9/1/13 (Anthony, SCIS burke chair, “President Obama and Syria: The ‘Waiting for Godot’ Strategy,” <http://csis.org/publication/president-obama-and-syria-waiting-godot-strategy>)

Instead, the Administration first rushed into the kind of rhetoric you only use if you actually intend to act regardless of domestic and international support. It tied its entire effort to Syrian use of chemical weapons and the precedent for using such weapons forever. And only then did it suddenly spun around and talked about then need for delay, measured action, and Congressional approval.

While Beckett might not appreciate my efforts to define Godot as the Syrian Civil war, the Administration followed the script of Beckett’s play to the extent it never defined the reasons for what the actors were doing, why they were waiting, or what would happen after Godot came. Chemical weapons are a very real issue, but they are only a subset of the real issue: the overall level of suffering and growing regional instability coming out of the Syrian civil war.

We now face the inevitable reaction. The President’s decisions have reinforced all of the doubts about American strength, and our willingness to act, of both our friends and foes. We now have ten days of confusion and uncertainty to deal with, and then Congress will be evidently be asked to act only on a strike tailored to deter the future use of chemical weapons. It will still lack a meaningful plan for dealing with the Syrian civil war and its impact on the region.

Israel is threatening to return to hawk mode over Iran. Russia and China are in the “we told you so”

///////////////////////MARKED AT////////////////

mode. Assad has already launched new conventional artillery barrages against Syrian civilian areas and now has time enough to disperse a significant number of key physical assets from fixed target sites. France is left hanging – as is Britain for very different reasons. Our Arab allies and Turkey have no clear lead to follow. Our whole strategy in the Middle East remains unclear, as is our entire national security posture in an era of Sequestration and funding crises.

If the Congress does support the President, it will only be after we have openly faltered, and after having rushed forward before deciding on a course of delay. The President will have set a uniquely dangerous precedent by turning to Congress only after he appeared weak, rather than doing from the start, and will have then committed himself to wait at least ten days for the congress to return for its holiday. The message to the world is obvious.

#### Prez powers inev

Posner 11 [Eric, Kirkland & Ellis Professor of Law, University of Chicago, “The inevitability of the imperial presidency,” <http://www.washingtonpost.com/blogs/political-bookworm/post/the-inevitability-of-the-imperial-presidency/2011/04/22/AFTRBoPE_blog.html>]

About this blog: President Bush asserted his executive power in managing the war on terror. President Obama showed the muscle of the White House in managing the financial crisis. Since the Republic’s early days a subtle balancing act has negotiated power between the president, Congress and the courts. But by the 20th century, power had tipped in favor of the president and has continued to grow. In their book “The Executive Unbound: After the Madisonian Republic,” recently released by Oxford University Press, Eric A. Posner and Adrian Vermeule explore the inevitability of the “imperial presidency” and argue that it must be accepted and is nothing to fear. Posner is a law professor at the University of Chicago Law School, while Vermeule is a law professor at Harvard Law School. Here, Posner takes us through the evolution and impact of an assertive executive branch. \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* It is common ground among historians that the presidency has grown and accumulated powers. At the founding, some people expected the presidency to be a ministerial office that would simply put into effect policy chosen by Congress. George Washington had different ideas, however, and helped set precedents that future presidents would take advantage of. Through most of the 19th century, there were some powerful presidents (notably the early Virginia Dynasty presidents, Jackson, Polk, and Lincoln) but most were junior partners with Congress. All of this changed in the 20th century. Starting with Theodore Roosevelt, presidents increasingly asserted their right to make and execute policy, especially in the area of foreign affairs and during times of crisis. Franklin Delano Roosevelt enjoyed quasi-dictatorial authority over both the economy during the Great Depression and foreign relations during World War II. The second half of the 20th century saw the institutionalization of the massive powers claimed by strong presidents like FDR, Theodore Roosevelt, and Lincoln. The budget and staff of the executive branch exploded. For the first time, the United States would have an enormous army permanently stationed around the world during peacetime, and it fell to the president to lead it. Meanwhile, the national government took over the regulatory powers that had been exercised by the states. The massive national regulatory apparatus was lodged in the executive branch and was thus, too, put under control of the president. Congress and the judiciary became increasingly marginal institutions. Congress delegated much of its lawmaking powers to regulatory agencies under the thumb of the president. Courts, too, lost their common law regulatory powers to these agencies. Congress and the courts could react to presidential power in various ways — slowing down projects they disapproved of, adjusting them along the edges — but they could not set policy or block the president’s agenda. To be sure, both institutions retained the formal power to constrain the president. But Congress is a creature of politics, so as people increasingly turned to the president to solve their problems, Congress was forced to go along with the president’s agenda. President Bush went to Congress for counterterrorism authority, but Congress could not deprive him of what he wanted. He, not Congress, set the policy. President Obama has gone to Congress for his financial regulation and health care laws; again, Congress could not say no to him. And both laws simply give the president various blank checks to regulate. For most commentators, these trends are matters of significant disquiet. Under the founding design, Congress, not the president, is supposed to make policy; and courts are supposed to enforce the laws that incorporate that policy. The academic effort to reinvigorate the archaic system of checks and balances is fundamentally nostalgic and reactionary. These institutions are as out of place today as the cocked hats and breeches worn by the founders as they drafted the Constitution. What has changed? Eighteenth century America was lightly populated, rural, agricultural, and (among the elites who counted) homogenous. Customs and honor counted a lot more for regulation than formal legal institutions did. Dangerous foreign enemies were at a safe distance. Life moved to the slow rhythms of the country lane. Today, America is huge, diverse, and commercial. Foreign relations are a constant series of crises that must be managed hour-to-hour. The domestic economy is enormously complex, ever-changing, and interconnected. Only one institution can realistically handle these 21st-century challenges, and that is the executive. The presidency has blossomed because Congress, the courts, and the state governments could not handle these challenges as they emerged in the last century. The major political challenge today is keeping the executive within bounds. But it is no longer possible to rely on Congress and the judiciary to do that. The party system, the media, a communications revolution that has kept the citizenry informed and politically engaged — these institutions are infinitely more important.

#### notification preserves flex

Dycus 10 (Professor Vermont Law School, “Congress’s Role in Cyber Warfare”, 8/11/2010, <http://jnslp.com/wp-content/uploads/2010/08/11_Dycus.pdf>)

Because of the grave potential consequences and the attendant need for close control and accountability, such operations should be undertaken only by government officials. These recommendations are, of course, riddled with terms that require careful definition. They also omit many critical details. Specific provisions relating to timing of notices and the requirement of consultation, for example, must be worked out between the political branches. 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.

#### We remove the zone of twilight and solve IBC which is the main barrier to effective counterstrike

CHESNEY 12 Charles I. Francis Professor in Law, University of Texas School of Law. [Robert Chesney, Military-Intelligence Convergence and the Law of the Title 10/Title 50 Debate, Journal of National Security Law & Policy, 5 J. Nat'l Security L. & Pol'y 539]

Clarify Authorization and Accountability for Cyberoperations. Operations in cyberspace tend to defy categorization by type (collection, covert action, or military activity) or geographic location. This causes problems on all the dimensions mentioned above, while also raising difficult questions regarding when an agency has the affirmative authority to conduct such operations in the first place. Legislation can resolve much of this uncertainty by (i) clarifying that the military has standing authority to conduct computer network attacks (unacknowledged or otherwise) when acting in a defensive capacity or under color of a statutory authorization for the use of military force, and (ii) providing timely notification to the House and Senate Armed Services Committees of such operations when they have or are likely to have significant consequences outside a theater of combat operations.

## Critique

### 2AC Security – UGA

#### Securitizing cyber space is the ONLY way to prevent large scale cyber war – the alt can’t solve fast enough or change US doctrine – vulnerability creates a Unique need for it

Pickin 12 (Matthew, MA War Stuides – Kings College, “What is the securitization of cyberspace? Is it a problem?”, http://www.academia.edu/3100313/What\_is\_the\_securitization\_of\_cyberspace\_Is\_it\_a\_problem)

In evaluating whether securitization of cyberspace is a problem, it is very clear that securitization is a growing concern with many complications. There are many issues including privacy, regulation, surveillance, internet regulation and the growing tension in the international system. However, because the United States is a superpower contesting with other cyber-heavyweights such as Iran, Russia and China the issue will not be de-securitized in the short term. With the discovery and use of cyber-weapons, many states are in the process of making their own for defensive and offensive purposes. The government of the United States will not de-securitize the issue of cyberspace while there are rival states and groups which prove a threat to the national security agenda. These problems will continue to exist until there is no defensive agenda and the issue is de-securitized, for now securitization is a necessary evil.

#### C) Dissident IR -- politicization and critique reproduces sovereignty and exploitation. Only political action within international relations can break the shackles of global oppression

Agathangelou and Ling, 1997 (Anna M., Director of the Global Change Institute in Nicosia and Former Assistant Professor of Women’s Studies and Politics at Oberlin; L.H.M., Institute of Social Studies at the Hague, Studies in Political Economy, v54, Fall, p. 7-8)

Yet, ironically if not tragically, dissident IR also paralyzes itself into non-action. While it challenges the status quo, dissident IR fails to transform it. Indeed, dissident IR claims that a “coherent” paradigm or research program – even an alternative one – reproduces the stifling parochialism and hidden power-mongering of sovereign scholarship “Any agenda of global politics informed by critical social theory perspectives”, write Jim George “must forgo the simple, albeit self-gratifying, options inherent in ready-made alternative Realisms and confront the dangers, closures, paradoxes, and complicities associated with them.” Even references to a “real world”, dissidents argue, repudiate the very meaning of dissidence given their sovereign presumption of a universalizable, testable Reality. What dissident scholarship opts for, instead, is a sense of disciplinary crisis that “resonates with the effects of marginal and dissident movements in all sorts of other localities.” Despite its emancipatory intentions, this approach effectively leaves the prevailing prison of sovereignty intact. It doubly incarcerates when dissident IR highlights the layers of power that oppress without offering a heuristic, not to mention a program, for emancipatory action. Merely politicizing the supposedly non-political neither guides emancipatory action nor guards it against demagoguery. At best, dissident IR sanctions a detached criticality rooted (ironically) in Western modernity. Michael Shapiro, for instance, advises the dissident theorist to take “a critical distance” or “position offshore” from which to “see the possibility of change.” But what becomes of those who know they are burning the hells of exploitation, racism, sexism, starvation, civil war, and the like while the esoteric dissident observes “critically” from offshore? What hope do they have of overthrowing these shackles of sovereignty? In not answering these questions, dissident IR ends up reproducing, despite avowals to the contrary, the sovereign outcome of discourse divorced from practice, analysis from policy, deconstruction from reconstruction, particulars from universals, and critical theory from problem-solving.

#### Reframing isn’t sufficient. Security framing is a pre-requisite for changing authority.

David **COLE** Law @ Georgetown **’12** “Confronting the Wizard of Oz: National Security, Expertise, and Secrecy” CONNECTICUT LAW REVIEW 44 (5) p. 1629-1633

Rana is right to focus our attention on the assumptions that frame modern Americans' conceptions about national security, but his assessment raises three initial questions. First, it seems far from clear that there ever was a "golden" era in which national security decisions were made by the common man, or "the people themselves," as Larry Kramer might put it.8 Rana argues that neither Hobbes nor Locke would support a worldview in which certain individuals are vested with superior access to the truth, and that faith in the superior abilities of so-called "experts" is a phenomenon of the New Deal era. 9 While an increased faith in scientific solutions to social problems may be a contributing factor in our current overreliance on experts,' 0 I doubt that national security matters were ever truly a matter of widespread democratic deliberation. Rana notes that in the early days of the republic, every able-bodied man had to serve in the militia, whereas today only a small (and largely disadvantaged) portion of society serves in the military." But serving in the militia and making decisions about national security are two different matters. The early days of the Republic were at least as dominated by "elites" as today. Rana points to no evidence that decisions about foreign affairs were any more democratic then than now. And, of course, the nation as a whole was far less democratic, as the majority of its inhabitants could not vote at all. 12 Rather than moving away from a golden age of democratic decision-making, it seems more likely that we have simply replaced one group of elites (the aristocracy) with another (the experts). Second, to the extent that there has been an epistemological shift with respect to national security, it seems likely that it is at least in some measure a response to objective conditions, not just an ideological development. If so, it's not clear that we can solve the problem merely by "thinking differently" about national security. The world has, in fact, become more interconnected and dangerous than it was when the Constitution was drafted. At our founding, the oceans were a significant buffer against attacks, weapons were primitive, and travel over long distances was extremely arduous and costly. The attacks of September 11, 2001, or anything like them, would have been inconceivable in the eighteenth or nineteenth centuries. Small groups of non-state actors can now inflict the kinds of attacks that once were the exclusive province of states. But because such actors do not have the governance responsibilities that states have, they are less susceptible to deterrence. The Internet makes information about dangerous weapons and civil vulnerabilities far more readily available, airplane travel dramatically increases the potential range of a hostile actor, and it is not impossible that terrorists could obtain and use nuclear, biological, or chemical weapons. 13 The knowledge necessary to monitor nuclear weapons, respond to cyber warfare, develop technological defenses to technological threats, and gather intelligence is increasingly specialized. The problem is not just how we think about security threats; it is also at least in part objectively based. Third, deference to expertise is not always an error; sometimes it is a rational response to complexity. Expertise is generally developed by devoting substantial time and attention to a particular set of problems. We cannot possibly be experts in everything that concerns us. So I defer to my son on the remote control, to my wife on directions (and so much else), to the plumber on my leaky faucet, to the electrician when the wiring starts to fail, to my doctor on my back problems, and to my mutual fund manager on investments. I could develop more expertise in some of these areas, but that would mean less time teaching, raising a family, writing, swimming, and listening to music. The same is true, in greater or lesser degrees, for all of us. And it is true at the level of the national community, not only for national security, but for all sorts of matters. We defer to the Environmental Protection Agency on environmental matters, to the Federal Reserve Board on monetary policy, to the Department of Agriculture on how best to support farming, and to the Federal Aviation Administration and the Transportation Security Administration on how best to make air travel safe. Specialization is not something unique to national security. It is a rational response to an increasingly complex world in which we cannot possibly spend the time necessary to gain mastery over all that affects our daily lives. If our increasing deference to experts on national security issues is in part the result of objective circumstances, in part a rational response to complexity, and not necessarily less "elitist" than earlier times, then it is not enough to "think differently" about the issue. We may indeed need to question the extent to which we rely on experts, but surely there is a role for expertise when it comes to assessing threats to critical infrastructure, devising ways to counter those threats, and deploying technology to secure us from technology's threats. As challenging as it may be to adjust our epistemological framework, it seems likely that even if we were able to sheer away all the unjustified deference to "expertise," we would still need to rely in substantial measure on experts. The issue, in other words, is not whether to rely on experts, but how to do so in a way that nonetheless retains some measure of self-government. The need for specialists need not preclude democratic decision-making. Consider, for example, the model of adjudication. Trials involving products liability, antitrust, patents, and a wide range of other issues typically rely heavily on experts.' 4 But critically, the decision is not left to the experts. The decision rests with the jury or judge, neither of whom purports to be an expert. Experts testify, but do so in a way that allows for adversarial testing and requires them to explain their conclusions to laypersons, who render judgment informed, but not determined, by the expert testimony. Similarly, Congress routinely acts on matters over which its members are not experts. Congress enacts laws governing a wide range of very complex issues, yet expertise is not a qualification for office. Members of Congress, like many political appointees in the executive branch, listen to and consider the views of experts to inform their decisions. Congress delegates initial consideration of most problems to committees, and by serving on those committees and devoting time and attention to the problems within their ambit, members develop a certain amount of expertise themselves. They may hire staff who have still greater expertise, and they hold hearings in which they invite testimony from still other experts. But at the end of the day, the decisions about what laws should be passed are made by the Congress as a whole, not by the experts. A similar process operates in the executive branch. The President and Vice-President generally need not be experts in any particular field, and many of the cabinet members they appoint are not necessarily experts either. They are managers and policy makers. They spend much of their day being briefed by people with more specialized expertise than they have. But at the end of the day, the important decisions are made by politically accountable actors. Thus, deference to experts need not preclude independent or democratically accountable decision-making. The larger problem may be one that Rana notes but does not sufficiently emphasize-an inordinate reliance on classified information and covert operations. 5 Secrecy is in many ways the ultimate enemy of democracy in the national security realm. 16 As Judge Damon Keith has written, "democracy dies behind closed doors.' ' 7 The experts in the intelligence community have the power to hide their decisions from external review and checks by classifying the information they consider or the actions they take.18 Even if they do so in good faith, the inevitable result is that their actions are increasingly insulated from scrutiny by others and immune from democratic checks. Virtually everyone who has had access to classified information concedes that the system leads to massive over-classification. 19 Our overreliance on secrecy may well be more central to the problem of inordinate deference than assumptions about the nature of knowledge regarding security. And in any event, the problems are mutually reinforcing. The inaccessibility of the information the experts rely upon compels us to defer to them because we lack sufficient grounds to question them. And that, in turn, may well make the experts more protective of their information and more likely to classify their actions, decisions, and considerations.

#### Call for end of security frame sparks American natioanalist backlash and international chaos – we should channel American identity productively.

Michael **HUNT** History @ UNC (Chapel Hill) **‘9** *Ideology and U.S. Foreign Policy* p. 214-218

The third and last facet of the momentous U.S . encounter with the world was the establishment of pervasive economic and cultural influence-what might be described as hegemony. Woodrow Wilson gave voice to hege- monic aspirations that had in view (prematurely, to be sure) nothing less than the remaking of the world. Already in the 1920s American values and institutions were having a widening impact, and they grew even greater after World War II. Washington's success at establishing an international leadership historically unprecedented in its breadth had important ideological consequences. Above all, it confirmed long-standing assumptions about an exceptional U.S. role in the world: people everywhere must deep down admire Americans, would gladly (if possible) become American, and surely looked to Washington as a repository of wisdom to which all countries should defer. Less noticed was how this special postwar standing created problems at home and set limits on U.S. action abroad. Dominance spawned resentments that on occasion inspired direct resistance and made hegemony more difficult to exercise. Faced with surly foreigners, perplexed officials tried to speak more clearly or more loudly. But the angry voices persisted, while a consumer-minded electorate wondered why bother with a benighted and ungrateful world. More serious still, these claims to international leadership imposed constraints on U.S. policymakers and their public. Americans had to actually know something about the world they claimed to lead. This was an inherently difficult task given the breadth of the U.S. reach. Making it even more trying was the notoriously insular nature of U.S. society, with its strongly nationalist bent shaped by animosity to one external threat after another. Compounding the problem, the public put an ever-higher value on individualism and consumerism. Citizens devoted to their distinctly materialist and individualist sense of the good life wanted ever-rising abundance and proved allergic, even phobic, when faced with military service or higher taxes. Further complicating the exercise of hegemony, policymakers limited their own freedom of action by paying obeisance to the invisible hand of the marketplace and embracing the utopian notion of a world turned over to international market forces in which corporations rather than states represented the highest form of human organization and activity. Policymakers operating on the global stage found themselves bound in yet another way-by the need to pay attention to the opinion of other international leaders as the price for securing deference and maintaining legitimacy. These crosscurrents engulfing U.S. policymakers over the twentieth century are an important part of any effort to understand the career of my core policy ideas. These several neglected dimensions to my argument have major implications for the controversial call in the concluding chapter of Ideology for a more modest (some might say "isolationist") foreign policy. I now have to concede that I was on the wrong trail. The United States is now implicated in world affairs in such a deep and complex fashion that a retreat is hard to imagine and if attempted might produce dire consequences overseas, notably a breakdown of global integration, with international anarchy a likely prospect. Moreover, an assertive U.S. nationalism is so important in providing social glue for a diverse, mobile people that a repudiation of the country's leading role on the international stage might well prove deeply divisive at home and spawn bitter cries of betrayal. Finally, pressing domestic problems are now inextricably entangled with international trends and pressures, ranging from climate change to global finance and trade to resource scarcity to immigrant pressures generated by failed states and stagnant economies. Rather than calling for a more modest foreign policy, I would now praise mid-twentieth-century U.S.leaders for following a visionary policy that included the Bretton Woods reforms for the international economy, the creation of the United Nations and other international organizations, the assertion of basic human rights, the decision to hold state leaders responsible for their crimes, and the priority given to economic recovery and relief. These measures were all conducive to world order and prosperity. U.S. leaders in recent decades deserve censure precisely because they neglected or even repudiated the public goods that the United States as hegemon is obligated to provide. A policy at once more territorially interventionist (imperial) and hands-off (neoliberal) in matters of global governance endangers the system of values and institutions promoted in the wake of World War II. The problem I am left with today is not much different from the one that haunted me in the conclusion of Ideology twenty years ago. How does one create an ideological foundation for a different kind of policy-one that serves the American people well while also advancing the cause of human welfare? Reflecting on this question has provided a chastening but useful reminder that ideologies are a lot easier to identify and explore than to construct or transform.

#### No root cause of war so changing existing norms alone fails– counter-cultural pressures require political agency that respects the power of dominant systems.

Jack **SNYDER** IR @ Columbia **’12** in *Power and Progress* p. 88-92

The end of the Cold War has given rise to hopes among many international relations scholars and public activists that a dramatic transformation in world politics is now unfolding. They contend that changes in norms, ideas, and culture have the power to tame the historically war-prone nature of international anarchy. ' This analysis and the prescriptions that follow from it exaggerate the autonomy of ideas and culture in shaping behavior in anarchy. A rich body of research on war by anthropologists suggests that ideas and culture are best understood not as autonomous but as embedded in complex social systems shaped by the interaction of material circumstances, institutional arrangements, and strategic choices, as well as by ideas and culture. Cultural prescriptions that ignore these multifaceted interactions will provide a poor road map to guide strategies of global change. Those who foresee substantial opportunities to transform the war-prone international system into a realm governed by benign norms contend that "anarchy is what states make of it."2 In their view, culture, defined as shared knowledge or symbols that create meaning within a social group, determines whether behavior in the absence of a common governing authority is bloody or benign. If more benign ideas and identities are effectively spread across the globe through cultural change and normative persuasion, then "ought" can be transformed into "is". Support for warlike dictators can be undermined, perpetrators of war crimes and atrocities can be held accountable, benign multicultural identities can be fostered, and international and civil wars w ill wane3 These academic concepts have a potent counterpart in the international human rights approach of activist organizations 4 In contrast, skeptics about such transformations argue that anarchy, whether among states coexisting in a self- help system or among contending groups inside collapsed states , gives rise to an inescapable logic of insecurity and competition that culture cannot trump5 These skeptics fear that a transformative attempt to supersede self-help behavior amounts to reckless overreaching that will create backlashes and quagmires. Ironically, in this view, the idealist vanguard of the new world order will need to rely increasingly on old-fashioned military and economic coercion in a futile effort to change world culture for the better.6 This is a debate of compelling intellectual and practical import. It lays bare the most fundamental assumptions about the nature of world politics that underpin real policy choices about the deployment of the vast military, economic, and moral resources of the United States and other wealthy democraci es. However, some of the leading voices in this debate, both in academic and broader public settings, overlook the decisive interplay between situational constraints and the creation of culture. Prophets of transformation sometimes assert that politics in anarchy and society is driven by " ideas almost all the way down." They dismiss as negligible what Alexander Wendt ca lls "rump" material constraints rooted in biology, the physical environment, or other circumstances unalterable through changes in symbolism.7 For them, "agency" by political actors committed to social change consists primarily in working to alter prevailing principled ideas, such as promoting the norm of universal jurisdiction in the case of crimes against humanity. In contrast, working for improved outcomes within existing constraints of material power, for example, by bargaining with still powerful human rights abusers, does not count for them as true "agency"; rather it is mere myopic "problem solving" within constraints8 Conversely, when prophets of continuity discuss culture at all, they treat it as a largely unchangeable force that may have some effect in constituting the units competing for security but that has at most a secondary effect on strategic interactions between those units, which are driven mainly by the logic of the anarchical situation9 This is an unnecessarily truncated menu of possibilities for imagining the relationship between anarchy and culture. Ironically, in light of the ambitiously activist agenda of the proponents of cultural approaches to international relations, their one-dimensional approach limits agents to a peculiarly circumscribed set of tools for promoting political change. A more promising approach would integrate the material, institutional, and cultural aspects of social change, drawing on the insights of theories of complex systems. Robert Jervis reminds us that the elements of complex systems, such as international anarchy, are highly interconnected and consequently the behavior of the system as a whole cannot be understood just by examining its separate parts.10 In a tightly coupled system, a change in one of its aspects, such as norms or ideas, is unlikely to have simple, linear effects . T he consequences of any change can be predicted only by considering its interaction with other attributes of the system. For example, whether the spread of the concept of national self-determination promotes peace or war may depend on the material and institutional setting in which it occurs. Negative feedback may cancel out a change that is at odds with the self-correcting logic of the system as a whole. Conversely, in unstable systems, positive feedback may amplify the effects of small changes. More complicated feedback effects may also be possible, depending on the nature of the system. Actions in a system may have different consequences when carried out in different sequences. In social systems, outcomes of an actor's plans depend on strategic interactions with the choices of other independent decision nl.akers. For example, projects for cultural change are likely to provoke cultural counterprojects from those threatened by them. Even in "games against nature," changes in behavior may transform the material setting in ways that foil actors' expectation s. For all these reasons, system effects are likely to skew or derail transformative efforts that focus narrowly on changing a single aspect of social life, such as norms and ideas. All of these system effects are relevant to understanding the effect of culture on conflict in anarchy. As I describe later, anthropological research on war shows that ideas, norms, and culture are typically interconnected with the material and institutional elements of anarchical social systems in ways that produce the full panoply of Jervis's system effects. In such systems, efforts to promote cultural transformation need to take into account the material and situational preconditions that sustain these developments; otherwise they are likely to produce unintended consequences. Underestimating situational constraints is just as dangerous and unwarranted as reifying them. Testing the effects of culture: insights from the anthropology of war Current debates about anarchy and culture have been carried out largely at the level of abstract philosophy and visceral morality. Ultimately, however, the impact of culture on war in anarchy is an empirical question. What evidence should be examined? To assess the claim that behavior in an anarchical system is what the units and their culture make of it, the obvious methodological move is to vary the culture of the units or of the system as a whole and then assess the effect on behavior. Reasonably enough, some scholars who see anarchical behavior as culturally constructed examine contemporary changes, such as the peaceful end of the Cold War, the emergence of the democratic peace, and the purported current strengthening of human rights norms. 11 In assessing such developments , it is difficult to distinguish the hopes of transitional moments from enduring trends . These kinds of tests, while not irrelevant , are not well designed to disentangle the effects of autonomous changes in ideas and culture from the effects of selfjustifying US hegemonic power, an ideological pattern that was quite familiar in the old world order. Other scholars try to show that the progenitor of the contemporary international system-the historical European balance-of-power system among sovereign states-was itself a by-product of ideas, such as the Protestant Reformation or analogies between sovereignty and individual property rights.12 The implication is that whatever has been established by ideas can also be dismantled by ideas. However, it is not a simple task to disentangle the effects of war, state formation, and ideological change on the emergence of the competitive states system. 13 Arguably, a comparison of the European system with behavior in other anarchical state systems offers a methodologically cleaner way to vary culture and assess its effects. However, when cultural constructivists do look at behavior in anarchies in cultural settings radically different from our own, they sometimes fail to exploit obvious opportunities for focused comparison. For example, Ian Johnston's prominent book Cultural Realism shows how the strategic wisdoms of the anarchical ancient Chinese Warring States system were passed down to future generations to constitute a warlike strategic "culture." His adherence to a cultural account of Chinese strategic practices remains untroubled by the fact that these ideas and practices are similar to those of the anarchic European balance- ofpower system, the ancient Greek city-states, and the ancient Indian states system described by Kautilya, a set of cultures diverse in almost every way except their strategic behavior. 14 At a first approximation, it would seem from this evidence that state behavior in anarchy is not fundamentally altered by variations in culture. This is not to deny that cultural differences may have influenced the meaning the actors imputed to their military behavior, some of the goals for which they fought, and some political features of these anarchical systems. Nonetheless, the evidence from historical state systems strongly suggests that the situational incentives of anarchy have significantly shaped strategic behavior in ways that transcend culture. Constructivists have paid less attention to another body of evidence ideally suited to assessing the effects of variations in culture on behavior in anarchy. For decades, anthropologists have been amassing a theoretically rich, empirically substantial, and methodologically self-aware body of statistical and case- study research on the relationship between war and culture in stateless societies and preindustrial anarchic systems. 15 Many of the causal factors and processes they examine will seem strikingly familiar to students of modern international relations-for example, security fears, economic rivalry between groups, economic interdependence, the institutionalization of cooperative ties across political units, the popular accountability of decision makers, and the nature of identities and cultural symbolism of the political units and of the anarchic system as a whole. Notwithstanding the familiarity of these categories, the kinds of societies anthropologists of war study differ vastly from contemporary, industrialized, bureaucratized societies, and thus research findings on the anthropological history of war can not simply be read off and applied to debates about the construction of culture in today's "new world order." Indeed, a central part of the constructivist claim is that the spread of a new democratic culture may be on the verge of making obsolete all those old cultural patterns, whether those of the Cold War, the ancient Chinese Warring States, or warring villages in the Venezuelan jungle. 16 Moreover, evidence based on technologically primitive societies, some of which lack the minimal economic resources needed for assured survival, may load the dice in favor of explanations based on material pressures. However, following the arguments ofDurkheim or Weber, one could also argue that this type of evidence is biased in favor of cultural explanations on the grounds that social solidarity in such societies is achieved more through cultural rituals than through differentiated, rational- legal institutions

#### Reps =/= wars

Rodwell 5—PhD candidate, Manchester Met. (Jonathan, Trendy But Empty: A Response to Richard Jackson, http://www.49thparallel.bham.ac.uk/back/issue15/rodwell1.htm, AMiles)

In this response I wish to argue that the Post-Structural analysis put forward by Richard Jackson is inadequate when trying to understand American Politics and Foreign Policy. The key point is that this is an issue of methodology and theory. I do not wish to argue that language is not important, in the current political scene (or indeed any political era) that would be unrealistic. One cannot help but be convinced that the creation of identity, of defining ones self (or one nation, or societies self) in opposition to an ‘other’ does indeed take place. Masses of written and aural evidence collated by Jackson clearly demonstrates that there is a discursive pattern surrounding post 9/11 U.S. politics and society. [i] Moreover as expressed at the start of this paper it is a political pattern and logic that this language is useful for politicians, especially when able to marginalise other perspectives. Nothing illustrates this clearer than the fact George W. Bush won re-election, for whatever the reasons he did win, it is undeniable that at the very least the war in Iraq, though arguable far from a success, at the absolute minimum did not damage his campaign. Additionally it is surely not stretching credibility to argue Bush performance and rhetoric during the immediate aftermath of the 9/11 attacks also strengthened his position. However, having said that, the problem is Jackson’s own theoretical underpinning, his own justification for the importance of language. If he was merely proposing that the understanding of language as one of many causal factors is important that would be fine. But he is not. The epistemological and theoretical framework of his argument means the ONLY thing we should look at is language and this is the problem.[ii] Rather than being a fairly simple, but nonetheless valid, argument, because of the theoretical justification it actually becomes an almost nonsensical. My response is roughly laid out in four parts. Firstly I will argue that such methodology, in isolation, is fundamentally reductionist with a theoretical underpinning that does not conceal this simplicity. Secondly, that a strict use of post-structural discourse analysis results in an epistemological cul-de-sac in which the writer cannot actually say anything. Moreover the reader has no reason to accept anything that has been written. The result is at best an explanation that remains as equally valid as any other possible interpretation and at worse a work that retains no critical force whatsoever. Thirdly, possible arguments in response to this charge; that such approaches provide a more acceptable explanation than others are, in effect, both a tacit acceptance of the poverty of force within the approach and of the complete lack of understanding of the identifiable effects of the real world around us; thus highlighting the contradictions within post-structural claims to be moving beyond traditional causality, re-affirming that rather than pursuing a post-structural approach we should continue to employ the traditional methodologies within History, Politics and International Relations. Finally as a consequence of these limitations I will argue that the post-structural call for ‘intertextuals’ must be practiced rather than merely preached and that an understanding and utilisation of all possible theoretical approaches must be maintained if academic writing is to remain useful rather than self-contained and narrative. Ultimately I conclude that whilst undeniably of some value post-structural approaches are at best a footnote in our understanding . The first major problem then is that historiographically discourse analysis is so capacious as to be largely of little use. The process of inscription identity, of discourse development is not given any political or historical context, it is argued that it just works, is simply a universal phenomenon. It is history that explains everything and therefore actually explains nothing. To be specific if the U.S. and every other nation is continually reproducing identities through ‘othering’ it is a constant and universal phenomenon that fails to help us understand at all why one result of the othering turned out one way and differently at another time. For example, how could one explain how the process resulted in the 2003 invasion of Iraq but didn’t produce a similar invasion of Afghanistan in 1979 when that country (and by the logic of the Regan administrations discourse) the West was threatened by the ‘Evil Empire’. By the logical of discourse analysis in both cases these policies were the result of politicians being able to discipline and control the political agenda to produce the outcomes. So why were the outcomes not the same? To reiterate the point how do we explain that the language of the War on Terror actually managed to result in the eventual Afghan invasion in 2002? Surely it is impossible to explain how George W. Bush was able to convince his people (and incidentally the U.N and Nato) to support a war in Afghanistan without referring to a simple fact outside of the discourse; the fact that a known terrorist in Afghanistan actually admitted to the murder of thousands of people on the 11h of Sepetember 2001. The point is that if the discursive ‘othering’ of an ‘alien’ people or group is what really gave the U.S. the opportunity to persue the war in Afghanistan one must surly wonder why Afghanistan. Why not North Korea? Or Scotland? If the discourse is so powerfully useful in it’s own right why could it not have happened anywhere at any time and more often? Why could the British government not have been able to justify an armed invasion and regime change in Northern Ireland throughout the terrorist violence of the 1980’s? Surely they could have just employed the same discursive trickery as George W. Bush? Jackson is absolutely right when he points out that the actuall threat posed by Afghanistan or Iraq today may have been thoroughly misguided and conflated and that there must be more to explain why those wars were enacted at that time. Unfortunately that explanation cannot simply come from the result of inscripting identity and discourse. On top of this there is the clear problem that the consequences of the discursive othering are not necessarily what Jackson would seem to identify. This is a problem consistent through David Campbell’s original work on which Jackson’s approach is based[iii]. David Campbell argued for a linguistic process that ‘always results in an other being marginalized’ or has the potential for ‘demonisation’[iv]. At the same time Jackson, building upon this, maintains without qualification that the systematic and institutionalised abuse of Iraqi prisoners first exposed in April 2004 “is a direct consequence of the language used by senior administration officials: conceiving of terrorist suspects as ‘evil’, ‘inhuman’ and ‘faceless enemies of freedom creates an atmosphere where abuses become normalised and tolerated”[v]. The only problem is that the process of differentiation does not actually necessarily produce dislike or antagonism. In the 1940’s and 50’s even subjected to the language of the ‘Red Scare’ it’s obvious not all Americans came to see the Soviets as an ‘other’ of their nightmares. And in Iraq the abuses of Iraqi prisoners are isolated cases, it is not the case that the U.S. militarily summarily abuses prisoners as a result of language. Surely the massive protest against the war, even in the U.S. itself, is also a self evident example that the language of ‘evil’ and ‘inhumanity’ does not necessarily produce an outcome that marginalises or demonises an ‘other’. Indeed one of the points of discourse is that we are continually differentiating ourselves from all others around us without this necessarily leading us to hate fear or abuse anyone.[vi] Consequently, the clear fear of the Soviet Union during the height of the Cold War, and the abuses at Abu Ghirab are unusual cases. To understand what is going on we must ask how far can the process of inscripting identity really go towards explaining them? As a result at best all discourse analysis provides us with is a set of universals and a heuristic model.

### 2AC AT: Link to LOAC

#### It’s bad to not adhere to the LOAC – causes extinction

Shaw 01 [Martin Shaw is a sociologist of global politics, war and genocide. He is Research Professor of International Relations at the University of Sussex The unfinished global revolution: intellectuals and the new politics of international relations<http://www.martinshaw.org/unfinished.pdf>]

The new politics of international relations require us, therefore, to go beyond the anti-imperialism of the intellectual left **as well as of the semi-anarchist traditions of the academic discipline**. We need to recognise three fundamental truths. First, in the twenty-first century people struggling for democratic liberties across the non-Western world are likely to make constant demands on our solidarity.Courageous academics, students and other intellectuals will be in the forefront of these movements. They deserve the unstinting support of intellectuals in the West**.** Second, the old international thinking in which democratic movements are seen as purely internal to states no longer carries conviction – despite the lingering nostalgia for it on both the American right and the anti-American left. The idea that global principles **can** and should be enforced worldwide is firmly established in the minds of hundreds of millions of people. This consciousness will a powerful force in the coming decades. Third, global state-formation is a fact. International institutions are being extended, and (like it or not) they have a symbiotic relation with the major centre of state power, the increasingly internationalised Western conglomerate. The success of the global-democratic revolutionary wave depends first on how well it is consolidated in each national context – but second, on how thoroughly it is embedded in international networks of power, at the centre of which, inescapably, is the West. **From these political fundamentals, strategic propositions can be derived**. First, democratic movements cannot regard non-governmental organisations and civil society as ends in themselves. They must aim to civilise local states, rendering them open, accountable and pluralistic, and curtail the arbitrary and violent exercise of power. Second, democratising local states is not a separate task from integrating them into global and often Western-centred networks. Reproducing isolated local centres of power carries with it classic dangers of states as centres of war.84 Embedding global norms and integrating new state centres with global institutional frameworks are essential to the control of violence. (To put this another way: the proliferation of purely national democracies is not a recipe for peace.) Third, while the global revolution cannot do without the West and the UN, neither can it rely on them unconditionally. We need these power networks, but we need to tame them too, to make their messy bureaucracies enormously more accountable and sensitive to the needs of society worldwide. This will involve the kind of ‘cosmopolitan democracy’ argued for by David Held85. It will also require us to advance a global social-democratic agenda, to address the literally catastrophic scale of world social inequalities. This is not a separate problem: social and economic reform is an essential ingredient of alternatives to warlike and genocidal power; these feed off and reinforce corrupt and criminal political economies. Fourth, if we need the global-Western state, if we want to democratise it and make its institutions friendlier to global peace and justice, **we cannot be indifferent to** its **strategic debates**. It matters to develop international political interventions, legal institutions and robust peacekeeping as strategic alternatives to bombing our way through zones of crisis. It matters that international intervention supports pluralist structures, rather than ratifying Bosnia-style apartheid.86 **As political intellectuals in the West**, we need to have our eyes on the ball at our feet, but we also need to raise them to the horizon. We need to grasp the historic drama that is transforming worldwide relationships between people and state, as well as between state and state. We need to think about how the turbulence of the global revolution can be consolidated in democratic, pluralist, international networks of both social relations and state authority. We cannot be simply optimistic about this prospect. Sadly, it will require repeated violent political crises to push Western and other governments towards the required restructuring of world institutions.87 What I have outlined is a huge challenge; but **the alternative is to** see the global revolution splutter into partial defeat, or degenerate into new genocidal wars - perhaps even nuclear conflicts. **The practical challenge for all concerned citizens, and the theoretical and analytical challenges for students of international relations and politics, are intertwined.**

## Politics

### 2AC Shutdown DA

#### Neither side will budget – shutdown inevitable AND proves no impact because it’s temporary

**McTague 9-21** [Jim, Barrons, “The GOP’s Threat to Investors,” http://online.barrons.com/article/SB50001424052748704293904579071302142628152.html?mod=BOL\_twm\_col]

Based on last week's stock action, the bulls are ignoring the Grand Old Party's threat to create a debt-limit crisis to exploit for political gain. They also don't seem to believe Obama's threat to behave as obstinately as his opposition. Yet, if Republicans and Democrats don't agree on a debt-ceiling increase by Oct. 1, a shutdown of the federal government is assured.¶ Hired political experts such as Gregg Hartley, vice chairman of the lobbying and advisory firm Cassidy & Associates, put the probability of a short-term shutdown at 100%. The GOP is driving it, but Democrats would benefit and so have no reason to budge. Because voters likely would blame the Republicans, a crisis would boost the Democrats in the 2014 midterm election. The House GOP will pass a debt-ceiling measure with spending and legislative proposals that Senate Democrats can't swallow, including defunding Obamacare. Because there's no shot clock on Capitol Hill, the Senate Democrats will play a four-corners defense, taking their good old time rewriting and passing the measure before sending it back to the House for a vote at the 11th hour, where it will fail.¶ In 2011, a similar debt-ceiling contretemps between Congressional Republicans and Democrats engendered several weeks of stomach-churning stock-market swings. The week of Aug. 7 was one of the wildest. On Monday, Aug. 8, the Dow industrials fell 635 points. On Tuesday, it rose 430 points. On Wednesday, it slid 520 points. On Thursday, the Dow rose 423, and on Friday, Aug. 12, it climbed 126 points. The Dow Jones Industrial Average ended the week at 11,269, up 4.2%. Barron's late, great Alan Abelson noted that advances led declines by 90% one day and vice versa the next day, for four consecutive days.

### 2AC Debt Ceiling Econ Impact

#### Destroys all critical infrastructure.

France Presse 3/12/13 (Agence France-Presse “Critical Infrastructure at Risk of Cyber Attack”, http://www.industryweek.com/information-technology/critical-infrastructure-risk-cyber-attack)

WASHINGTON -- The United States faces a mounting danger from cyber attacks on its infrastructure while digital espionage threatens to undercut the military's technological edge, the intelligence chief said Tuesday. Citing "increasing risk to U.S. critical infrastructure," National Intelligence Director James Clapper said in an annual report to Congress that "unsophisticated" attacks could penetrate poorly protected computer networks for power grids or similar systems. The threat of a large-scale digital assault that could cripple a regional power network was genuine but remained a "remote" possibility, the report said. "We judge that there is a remote chance of a major cyber attack against U.S. critical infrastructure systems during the next two years that would result in long-term, wide-scale disruption of services, such as a regional power outage," it said.

#### Empirics prove no war.

Miller 1—Morris Miller is an adjunct economics professor at the University of Ottawa [Jan.-Mar, 2001, “Poverty: A Cause of War?” *Peace Magazine*, <http://peacemagazine.org/archive/v17n1p08.htm>]

Economic Crises?

Some scholars have argued that it is not poverty, as such, that contributes to the support for armed conflict, but rather some catalyst, such as an economic crisis. However, a study by Minxin Pei and Ariel Adesnik shows that this hypothesis lacks merit. After studying 93 episodes of economic crisis in 22 countries in Latin American and Asia since World War II, they concluded that much of the conventional thinking about the political impact of economic crisis is wrong:

"The severity of economic crisis—as measured in terms of inflation and negative growth—bore no relationship to the collapse of regimes ... or (in democratic states, rarely) to an outbreak of violence... In the cases of dictatorships and semi-democracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another)."

### 2AC Politics (Body)

#### ---No Capital – Obama irrelevant

ROGERS 9 – 17 – 13 chair of the lobbying and communications firm BGR Group, Contributor to PostPartisan [Ed Rogers, Washington Post, The Insiders: Stubborn facts and bothersome polls, [http://www.washingtonpost.com/blogs/post-partisan/wp/2013/09/17/the-insiders-stubborn-facts-and-bothersome-polls/]\*\*\*eddited](http://www.washingtonpost.com/blogs/post-partisan/wp/2013/09/17/the-insiders-stubborn-facts-and-bothersome-polls/%5d***eddited) for ablest language

It seems like it has been 10 years, but in reality it has been less than 10 months since the president’s second inauguration. And as President Obama tries to put Syria behind him, nothing on the domestic agenda looks promising. I don’t know what the opposite of the Midas Touch is, but that’s what Obama has.

To try and regain some momentum and credibility domestically, the president is attempting to pivot back to the economy (yet again.) But his remarks yesterday, on the five-year anniversary of the Lehman Brothers bankruptcy, seemed [useless] tone-deaf, as he lashed out at Republicans on economic issues while the tragic events of the Navy Yard shooting were still unfolding.

‎And while the president loves to surround himself onstage with middle class families while he waxes poetic about how much he’s helping them, the truth is that Obama’s economic policies are only helping the rich get richer. In fact, the Associated Press reported last week that, “in 2012, the incomes of the top 1 percent rose nearly 20 percent compared with a 1 percent increase for the remaining 99 percent.” ‎

This income equality gap — now the largest since the 1920s — shows that Obama’s policies are failing miserably, with the middle class bearing the brunt of his no-growth economy. No president has been better for the 1 percent than Obama.

Obama was also dealt an embarrassing blow this week as Larry Summers withdrew his name from consideration for Federal Reserve Chairman. I wasn’t even for Summers getting the job, but this was another telling sign that the president lacks any political capital on the Hill — among members of either party. If he wasn’t so weak, he might have gotten his pick for the Fed, but as it is, he must defer to the loud voices making demands. The president does not have any influence with members of Congress now, and he isn’t going to have any going forward. I think it’s safe to say he cannot take a leadership role in the looming debt ceiling and budget battles. ‎

#### ---Fights now thump – Lots coming

LA TIMES 9 – 12 – 13 Obama's team calls a timeout, <http://www.latimes.com/nation/la-na-obama-congress-20130913,0,2959396.story>

As the White House announced this week it had canceled the annual congressional picnic, officials said the decision had nothing to do with the administration's frustration with Congress.

After a week in which President Obama narrowly averted a bruising defeat on Capitol Hill over a military strike on Syria, the decision had the feeling of a much-needed timeout.

The messy debate over a resolution to authorize military force put a harsh light on the president's already rocky relationship with Congress.

Despite a charm offensive earlier this year, complete with intimate dinners and phone calls, Obama faced contrary lawmakers in both parties, a climate that is certain to persist through the next round of legislative fights, if not to the end of his second term.

In deciding to seek approval for military action, Obama banked on the long-standing deference to the commander in chief on matters of national defense. But by the time he pressed "pause" on the intense White House lobbying effort, he was finding as much defiance as deference.

Although the White House cast the issue as a matter of national security and a crucial test of U.S. power, dozens of lawmakers from both parties were set to deliver a rare rebuke to a president on foreign policy. Even Democratic loyalists seemed unswayed by appeals to preserve the prestige of the presidency — and this president. Hawkish Republicans offering to reach across the aisle to support the president said they found the White House distant and uninterested.

The canceled picnic punctuated a week of aggravated feelings.

"We obviously have divided government. We have sometimes contentious, sometimes very effective relations with Congress. But we keep at it," said White House spokesman Jay Carney, who denied the picnic cancellation had anything to do with the state of relations between the two branches of government.

On Capitol Hill, the week's episode strained Obama's traditional alliance with his fellow Democrats, many of whom were wary of another military involvement, unclear about the president's plans for a missile strike and surprised by his decision to ask them to vote on it.

"Not only was it a hard ask, but it was not a well-prepared ask," said Sen. Sheldon Whitehouse (D-R.I.). "His willingness to back away from the ultimatum and pursue the disarmament proposal was extremely welcome, and I think that helped all of us in our relationship with him."

Obama's relationship with his Republican critics was not helped. As lawmakers look ahead to the rest of the fall agenda, including the coming budget battles, the administration's performance this week will not be easy to forget, some said.

"It's just more lack of confidence that they know what they're doing," said Sen. Tom Coburn (R-Okla.).

"There's only so much political capital," said Sen. Rob Portman (R-Ohio).

#### The plan’s not perceived

Schmitt 13, **co-director of the Marilyn Ware Center for Security Studies at AEI** and the director of AEI's Program on American Citizenship. Mr. Schmitt is a former staff director of the Senate Select Committee on Intelligence. He was executive director of the President's Foreign Intelligence Advisory Board during President Ronald Reagan's second term. Mr. Schmitt's security work focuses on longer-term strategic issues that will affect America's security at home and its ability to lead abroad, while his work in the area of citizenship focuses on challenges to maintaining and sustaining a strong civic culture. His books include Of Men and Materiel: The Crisis in Military Resources (AEI Press, 2007), to which he was a contributing author and editor with Tom Donnelly; Silent Warfare: Understanding the World of Intelligence (Brassey’s, 2002), coauthored with Abram Shulsky and now in its third edition; and U.S. Intelligence at the Crossroads: Agendas for Reform (Brassey’s, 1995), a coedited volume to which he is a contributing author. His two most recent books, to which he is also editor and contributing author, are The Rise of China: Essays on the Future Competition (Encounter Books, May 2009) and Safety, Liberty and Islamist Terrorism: American and European Approaches to Domestic Counterterrorism (AEI Press, 2010), <http://www.aei-ideas.org/2011/12/authorization-for-cyber-attacks/>

**The press (and the White House) has been obsessed by the detention provision** in the recently agreed upon FY2012 **Defense Authorization bill, but one of the items that** slipped under the radar **is language authorizing the American military to engage in offensive operations in cyberspace.** Under Sec. 954,

#### ---Logical policy maker could do both – vote aff and pass the bill

#### ---Winners win

THE HILL 3/20/13 [Amie Parnes and Justin Sink, Obama honeymoon may be over, http://thehill.com/homenews/administration/289179-obama-honeymoon-may-be-over]

The second-term honeymoon for President Obama is beginning to look like it is over.¶ Obama, who was riding high after his reelection win in November, has seen his poll numbers take a precipitous fall in recent weeks. ¶ A CNN poll released Tuesday showed Obama’s favorability rating underwater, with 47 percent approving and 50 percent disapproving of Obama’s handling of his job. ¶ Much of the president’s agenda is stuck, with climate change regulations delayed, immigration reform mired in committee negotiations and prospects for a grand bargain budget deal in limbo at best. ¶ On Tuesday, in a decision that underscored Obama’s depleting political capital, the White House watched as Senate Majority Leader Harry Reid (D-Nev.) announced only a watered-down version of Obama’s gun control proposals would be considered on the Senate floor. ¶ Republicans, sensing the sea change, are licking their chops. They point to the lack of movement on Obama’s signature issues, noting the contrast to the ambitious plans outlined in the early weeks of his second term.¶ “The president set very high goals for himself during his State of the Union, but the reality is very little of his agenda is actually moving,” Republican strategist Ron Bonjean said. “He allowed himself to get caught up in the legislative quicksand, [and] the cement is beginning to harden. “¶ History isn’t on Obama’s side. ¶ The last four presidents who won a second term all saw their poll numbers slide by mid-March with the exception of Bill Clinton, whose numbers improved in the four months following his reelection.¶ Clinton may have only been delaying the inevitable. His numbers dropped 5 points in April 1994. Even Ronald Reagan, buoyed by a dominant performance over Walter Mondale in the 1984 election, saw a double-digit erosion by this point in his second term.¶ Obama has yet to complete the first 100 days of his second term. But without a signature achievement since his reelection, he faces a crossroads that could define the remainder of his presidency. ¶ White House aides maintain that the 24-hour news cycle makes comparisons to previous presidents difficult.¶ “I think the nature of our politics now is different than Ronald Reagan’s honeymoon,” one senior administration official said. “The ebb and flow of politics doesn’t follow that model anymore.”¶ But observers say a drop in popularity is typical for second-termers.¶ “There may be some typical second-term honeymoon fade happening,” said Martin Sweet, an assistant visiting professor of political science at Northwestern University. “Honeymoon periods for incumbents are a bit more ephemeral.”¶ But like most other presidents, Sweet added, “Obama’s fate is tied to the economy.”¶ “Continuing economic progress would ultimately strengthen the president but if we are hit with a double-dip recession, then Obama’s numbers will crater,” he said.¶ The White House disputes any notion that Obama has lost any political capital in recent weeks.¶ “The president set out an ambitious agenda and he’s doing big things that are not easy, from immigration to gun control,” the senior administration official said. “Those are policies you can’t rack up easily, and no one here is naive about that.”¶ The White House is aware that the clock is ticking to push its hefty agenda, but the official added, “The clock is not ticking because of president’s political capital. The clock is ticking because there’s a timetable in achieving all of this. [Lawmakers] are not going to sign on because the president’s popular.” ¶ And administration officials believe they still have the leverage.¶ “There’s a decent amount of momentum behind all of this,” the official said. “It looks like immigration is closer [to passage] than ever before.”¶ Republican strategist Ken Lundberg argued that current budget fights “have cut short the president’s second-term honeymoon.” ¶ He said this could also hurt the president’s party, warning “the lower the president’s approval rating, the bigger the consequence for vulnerable Democrats.”¶ “Voters want solutions, and if they see the president headed down the wrong path, lockstep lawmakers will be punished in 2014,” he said.¶ Democratic strategist Chris Kofinis maintained that as long as he’s president, Obama still has the leverage.¶ “Immigration reform doesn’t get impacted by whether Obama’s poll numbers are 55 or 45,” Kofinis said. “Does it make certain things a little more difficult? Possibly. But while his numbers may have fallen, he’s still more likeable than the Republicans are on their best day.”¶ Kofinis said the real question for Obama is what kind of emphasis he’s going to place on his second term because the public will have less patience than they did during his first.¶ “The challenge in a second term is the American people look at certain things and have a higher tolerance in a second term,” he said. “When they know you’re not running for reelection again, they hold you to a higher standard.” ¶ Bonjean and other Republicans are aware that Obama could potentially bounce back from his latest slip in the polls and regain his footing.¶ “He has the opportunity to take minor legislative victories and blow them up into major accomplishments—meaning if he got something on gun control, he can tout that that was part of his agenda and the work isn’t over. If he were able to strike a grand bargain with Republicans, that’d be a legacy issue.”¶ Still, Bonjean added, “It’s not looking so good right now.”

#### ---Fiat solves the link – immediacy of the plan means no time to backlash.

#### ---Plan increases Inter-branch talks – builds agenda success

ANDRES & GRIFFIN 09 \*Vice Chair of Research for Dutko Worldwide, PhD in public policy analysis from Illinois \*\* partner Griffin Williams LLC, consulting firm. [Gary Andres & Patrick Griffin, “Understanding Presidential Relations with Congress,” from Rivals for Power, ed. James A. Thurber] page 117-118

Active Consultation

Presidents who put a strong emphasis on consultation with Congress, communicating often personally or through the staff with legislators, will get high marks and succeed in influencing the House and the Senate. The Clinton team got high marks early on with the Democratic leadership in Congress for consulting and working in concert on a variety of measures during 1993. Their initiatives included proposals on education and environment, the Family and Medical Leave Act, and "motor voter" legislation (two initiatives that President Clinton's predecessor, George H. W. Bush, consistently opposed that now could pass under conditions of unified party government), as well as modest institutional reform proposals regarding campaign finance and lobbying registration. Their agenda also included legislative objectives that began to reposition Democrats as supporting a balanced budget while reducing the size of government and expanding efforts to fight crime.

As is often the case in unified government, the Democrats worked to ensure that their proposals passed without Republican support. The cornerstone of this early agenda was a $500 billion tax increase and spending cut package to reduce the deficit. The measure passed the House by a margin of one, with all Republicans opposing it.

President George W. Bush's legislative strategy in the House followed a similar path over his first five years. In the Senate, however, Mr. Bush was also able to secure some Democratic support for most of his major initiatives like tax cuts, Medicare prescription drug legislation, and the No Child Left Behind education bill.

Holding their respective parties in line took Presidents Clinton and Bush many hours of consultation by inviting members to the White House and sending administration personnel to the Hill. Active consultation results in members of Congress believing that someone at the White House is listening and considering their point of view.

??????????MARKED AT//////////////////////

Often just "hearing people out" and being attentive to their views go a long way toward strengthening and creating positive relations with Congress.

Barack Obama followed an almost identical path in the House of Representatives. While he worked hard trying to win Republican support through phone calls, meetings, and social gatherings, he failed to win any House Republican votes on his first major legislative initiative-an economic stimulus package. Although these presidents failed to produce a lot of bipartisan votes, they received strong initial marks for trying. At a minimum, these consultations began a dialogue, keeping the door open for future negotiations and bipartisanship in policy areas that did not produce as much polarization. A cynical interpretation of these gestures might be that they were never expected to produce a bipartisan result. The hope in making these gestures was to reinforce a bipartisan image of the president that was carefully forged in the campaign. The president's advisers may have concluded early on that true bipartisanship was necessary or doable for the president to be successful in the long run. What he needed was to get the legislation through the Congress while minimizing a negative impact on his brand.

## 1AR

### 1AR – Circumvention

#### Congressional opposition to the authority curbs Presidential action – robust statistical and empirical proof

KRINER 10 Assistant professor of political science at Boston University [Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, page 228-231]

Conclusion

The sequence of events leading up to the sudden reversal of administration policy and the dramatic withdrawal of U.S. Marines from Lebanon clearly demonstrates that open congressional opposition to Reagan's conduct of the mission in Beirut was critically important in precipitating the change in course. By tracing the pathways of congressional in- fluence, the case study achieves two important objectives. First, it vividly illustrates Congress's capacity to influence the scope and duration of a use of force independent of major shifts in public opinion and changing conditions on the ground. The analysis makes clear that there was no dramatic shift in public opinion after the Beirut barracks bombing that compelled the Reagan administration to withdraw the Marines; in fact, in the wake of the attack the public rallied behind the president. As such, opponents of Reagan's policies in Congress initially fought against the tide of public opinion, and the modest decline in popular support for the president's handling of the Lebanon mission occurred only after a sustained campaign against the deployment on Capitol Hilt.89 Similarly, the administration's own internal analysis of the situation in early January 1984 makes clear that changing conditions on the ground did not necessitate a dramatic change in the nature of the Marine mission. Indeed, by the National Security Council's own estimate, some conditions in the region were actually improving. Instead, administration officials repeatedly emphasized domestic pressures to curtail the scope and duration of the Marine mission.90 Moreover, as the political and military situation in Lebanon worsened in late January and early February 1984, it is interesting that a number of key administration officials publicly and privately believed that there was a direct link between congressional opposition at home and the deterioration of the situation on the ground in the Middle East.

Second, the case study illustrates how the formal and informal congressional actions examined in the statistical analyses of chapter 4 affected presidential decision-making through the proposed theoretical mechanisms for congressional influence over presidential conduct of military affairs developed in chapter 2. Vocal opposition to the president in Congress-expressed through hearings and legislative initiatives to curtail presidential authority, and the visible defection from the White House of a number of prominent Republicans and erstwhile Democratic allies-raised the political stakes of staying the course in Lebanon. Nothing shook Reagan's basic belief in the benefits to be gained from a strong, defiant stand in Beirut. But the political pressure generated by congressional opposition to his policies on both sides of the aisle raised the likely political costs of obtaining these policy benefits. Congressional opposition also influenced the Reagan administration's decision-making indirectly by affecting its estimate of the military costs that would have to be paid to achieve American objectives. In the final analysis, through both the domestic political costs and signaling mechanisms discussed in chapter 2 , congressional opposition contributed to the administration's ultimate judgment that the benefits the United States might reap by continuing the Marine mission no longer outweighed the heightened political and military costs necessary to obtain them.

Finally, while the Marine mission in Lebanon is admittedly but one case, it is a case that many in the Reagan administration believed had important implications for subsequent military policymaking. In a postmortem review, Don Fortier of the National Security Council and Steve Sestanovich at the State Department warned that the debacle in Lebanon raised the possibility that, in the future, the decision to use force might be akin to an all-or-nothing decision. "If the public and Congress reject any prolonged U.S. role (even when the number of troops is small)," the administration analysts lamented, "we will always be under pressure to resolve problems through briefer, but more massive involvements-or to do nothing at all." Thus, from the administration's "conspicuously losing to the Congress" over Lebanon policy, Fortier and Sestanovich argued that the White House would have to anticipate costly congressional opposition if similar actions were launched in the future and adjust its conduct of military operations accordingly, with the end result being a "narrowing of options" on the table and more "limited flexibility" when deploying major contingents of American military might abroad.91 This last point echoes the first anticipatory mechanism posited in chapter 2, and reminds us that Congress need not overtly act to rein in a military action of which it disapproves for it to have an important influence on the scope and duration of a major military endeavor. Rather, presidents, having observed Congress's capacity to raise the political and tangible costs of a given course of military action, may anticipate the likelihood of congressional opposition and adjust their conduct of military operations accordingly.

### 1AR – Framework

#### Pragmatic Education - Problem solving theory and the security framework is key to solve their impacts

Tara McCormack, ’10, is Lecturer in International Politics at the University of Leicester and has a PhD in International Relations from the University of Westminster. 2010, (Critique, Security and Power: The political limits to emancipatory approaches, page 127-129)

The following section will briefly raise some questions about the rejection of the old security framework as it has been taken up by the most powerful institutions and states. Here we can begin to see the political limits to critical and emancipatory frameworks. In an international system which is marked by great power inequalities between states, the rejection of the old narrow national interest-based security framework by major international institutions, and the adoption of ostensibly emancipatory policies and policy rhetoric, has the consequence of **problematising weak or unstable states** and allowing international institutions or major states **a more interventionary role**, yet without establishing mechanisms by which the citizens of states being intervened in might have any control over the agents or agencies of their emancipation. Whatever the problems associated with the pluralist security framework **there were at least formal and clear demarcations**. This has the consequence of **entrenching international power inequalities** and allowing for a shift towards a hierarchical international order in which the citizens in weak or unstable states may arguably have even less freedom or power than before.

Radical critics of contemporary security policies, such as human security and humanitarian intervention, argue that we see an assertion of Western power and the creation of liberal subjectivities in the developing world. For example, see Mark Duffield’s important and insightful contribution to the ongoing debates about contemporary international security and development. Duffield attempts to provide a coherent empirical engagement with, and theoretical explanation of, these shifts. Whilst these shifts, away from a focus on state security, and the so-called merging of security and development are often portrayed as positive and progressive shifts that have come about because of the end of the Cold War, Duffield argues convincingly that these shifts are highly problematic and unprogressive. For example, the rejection of sovereignty as formal international equality and a presumption of nonintervention has eroded the division between the international and domestic spheres and led to an international environment in which Western NGOs and powerful states have a major role in the governance of third world states. Whilst for supporters of humanitarian intervention this is a good development, Duffield points out the depoliticising implications, drawing on examples in Mozambique and Afghanistan.

Duffield also draws out the problems of the retreat from modernisation that is represented by sustainable development. The Western world has moved away from the development policies of the Cold War, which aimed to develop third world states industrially. Duffield describes this in terms of a new division of human life into uninsured and insured life. Whilst we in the West are ‘insured’ – that is we no longer have to be entirely self-reliant, we have welfare systems, a modern division of labour and so on – sustainable development aims to teach populations in poor states how to survive in the absence of any of this. Third world populations must be taught to be self-reliant, they will remain uninsured. Self-reliance of course means **the condemnation of millions to** **a barbarous life of inhuman bare survival**. Ironically, although sustainable development is celebrated by many on the left today, by leaving people to fend for themselves rather than developing a society wide system which can support people, sustainable development actually leads to a less human and humane system than that developed in modern capitalist states. Duffield also describes how many of these problematic shifts are embodied in the contemporary concept of human security.

For Duffield, we can understand these shifts in terms of Foucauldian biopolitical framework, which can be understood as a regulatory power that seeks to support life through intervening in the biological, social and economic processes that constitute a human population (2007: 16). Sustainable development and human security are for Duffield technologies of security which aim to *create* self-managing and self-reliant subjectivities in the third world, which can then survive in a situation of serious underdevelopment (or being uninsured as Duffield terms it) without causing security problems for the developed world. For Duffield this is all driven by a neoliberal project which seeks to control and manage uninsured populations globally. Radical critic Costas Douzinas (2007) also criticises new forms of cosmopolitanism such as human rights and interventions for human rights as a triumph of American hegemony.

Whilst we are in agreement with critics such as Douzinas and Duffield that these new security frameworks cannot be empowering, and **ultimately lead to more power for powerful states**, we need to understand why these frameworks have the effect that they do. We can understand that these frameworks have political limitations without having to look for a specific plan on the part of current powerful states. In new security frameworks such as human security we can see the political limits of the framework proposed by critical and emancipatory theoretical approaches.

### 1AR – Permutation

#### A catch all security possibly makes action impossible and matters worse – we must combine cyber policy with the alternative strategically – conceptualizing security in terms of intention is a viable vision for change

NICHOLAS D. ANDERSON Georgetown University M.A., Security Studies, 2012, ““Re re defining” International Security”, The Josef Korbel Journal of Advanced International Studies Summer 2012, Volume 4, PDF, <http://www.du.edu/korbel/jais/journal/volume4/volume4_anderson.pdf>, KENTUCKY

First, too expansive a definition for security would make comparing similar policies essentially impossible, and distinguishing between different policy options inherently difficult (Baldwin 1997, 6). Take, for instance, the types of discussions surrounding counterinsurgency versus counterterrorism policies for the war in Afghanistan, with counterinsurgency being more people centered and counterterrorism being more threat centered. It is important to note that both are centrally concerned with security . But security for whom? And security fro m what? This is where a catch all security concept becomes problematic, for those advocating different positions will, in effect, be arguing for the same thing. And those making these ominous, life and death decisions will be left without the requisite clarity to make prudent, rational, and at times moral, judgments. Secondly, the human security concept has a bearing on bureaucratic questions concerning areas and responsibilities . Should we expect, for instance, the Department of Defense to be putting together clim ate change legislation proposals or running HIV/AIDS relief centers? Conversely, would it be wise to have the State Department, USAID, or the U.S. Geological Survey conducting operational planning? This isn’t to say that there shouldn’t be cross departmental collaboration and exchange, for today’s most complex security problems are often too much to handle for any one department alone. But these different agencies are designed, funded, and staffed according to different criteria and for different purposes. While more holistic approaches are undoubtedly necessary, a more clearly circumscribed security concept will help ensure that agency overlap won’t lead to detrimental results. Third, unlike academics, policymakers are tasked with the difficult requirement of allocating resources. Considering these requirements, if everything is a security threat, it is difficult to set priorities or single out areas of particular concern (Koblentz 2010, 108; Paris 2001, 92). If we conceive of such disparate issues as defic it spending, illegal immigration, the H1N1 virus, and the receding Arctic ice cap as “vital” security threats, right alongside the rise of China in Asia, Iranian nuclear proliferation, and al Qaeda training camps, knowing what matters when will be next to impossible. Fourth, if what constitutes a security problem or security threat is too broad, problems will be subject to incompatible policy solutions that could undercut each other, or will be paralyzed by competing demands, relegating them to lowest comm on denominator compromises (Koblentz 2010, 108). At the best of times, as the bureaucratic politics literature points out, this “pulling and hauling” in inter and intra agency battle leads to less than optimal outcomes, generally far from what would be decided upon according to more rational calculation (Allison 1969). If the meaning of what is being battled over lacks consensus, and the means to solve such problems come from every different direction, matters will be made far worse. F inally and perhaps mo st importantly, it is worth pointing out that security threats are used to justify the suspension of civil liberties, waging war, and legitimizing the reallocation of vast resources. In many cases , this is a necessary cost for maintaining security and part of the burden we must bear as citizens and members of democratic societies. And yet, even in the healthiest of democracies, we would be ill advised to provide the government an exponentially expanding list of “vital” security threats to protect against (B aldwin 1997, 8; Caldwell and Williams, Jr., 2006, 12). One can easily see how this is a potential first step on the road toward an Orwellian world much like that described in 1984: Oce ania being at war with Eurasia, and having always been at war with Euras ia (Orwell 2004). “Re redefinition”: Bringing Intent Back In How then, are we to define international security and what should be categorized as international security threats ? Arguably, the most intelligent way of narrowing the definition of internatio nal security is to accept the wide variety of possible threatened agents, but to restrict allowable threats to those with international implications that include the fundamental aspect of human agency or intent. This circumscription of the concept will hel p avoid many of the critical theoretical and policy problems outlined above. Furthermore, it is important to distinguish between tangible international security problems and what might be termed “ latent security problems.” Adherents to the human security p aradigm may argue that this distinction is not worth making, but it is important to recognize that nearly anything can have international security implications if the causal chain is drawn long enough. A useful rule of thumb is the more deliberate an inter national threat, the more justifiably it can be classified as a security issue (Caldwell and Williams, Jr., 2006, 11). Under this definition then, many of the modern era’s purported rising “nontraditional threats” (Mathews 1997, 51) do not necessarily me rit classification as international security problems. Rather than being vital security issues in and of themselves, those that exclude the important aspect of human agency are better classified as “latent . ” Climate change in the developing world, for inst ance, promises to bring food and water shortages, catastrophic natural disasters, deadly disease, mass human migration, and resource competition (Podesta and Ogden 2007 2008, 116). And yet, while it certainly poses an international threat, it does not meri t classification as a vital security threat in itself, because of the absence of intent. Deadly infectious diseases such as HIV/AIDS or the Avian flu are another such example. While they are clearly important problems posing potentially grave threats to individuals around the globe, classifying them as threats to international security will only cloud the necessary clarity needed to think and act intelligently in dealing with these problems (McInnes and Rushton 2010, 225). A great number of other examples that are often raised, such as poverty, economic recession, drug abuse, declining natural resources, and rapid urbanization and population growth, simply are what they are , and are not definitively vital issues of international security. While each has the potential to lead to serious international problems, even security problems, they are simply too many steps removed from posing a direct security threat to states, governments, militaries, communities, and individuals in the international system. A number of today’s oft cited threats to international security, on the other hand, are rightly categorized as such. The traditional issues of interstate conflict, military threats, arms races, nuclear deterrence, and contestation of the commons obviously continue to fit the definition. Some of the more recent threats , too, such as nuclear proliferation among “rogue” and weak states (Litwak 2007), increased international piracy, expanding organized crime rings, and international terrorism (Byman 2008; Cronin 2006; Rob erts 2005) all include human agency and have international implications, therefore befit ting the classification as international security problems. Even many emerging threats can be considered as such . Cyber threats, for instance, fit this classificat ion if they are carried out with the intent to threaten the state, its military, or its people (Diebert and Rohozinski 2010). For example, Chinese hackers stealing trade secrets is not an international security issue, whereas cyber penetration of classifie d intelligence files or online te rrorist recruitment and funding are. Biosecurity threats , too, can be justifiably classified as international security problems, but only if they include the fundamental issue of intent. Bio warfare, bio terrorism, maliciou s dual use biological research, and bio crime with violent intent or consequences are all obvious threats to international security. Laboratory accidents, pandemic and epidemic diseases, and agricultural blights, on the other hand, are not (Koblentz 2008, 111). 7 Admittedly, the lines are not nearly as clear as they have been made out to be here. Issues like military accidents, inadvertent missile launches, and abandoned mine fields fit within a grey area between tangible and potential international security problems. But these problems , among many others, can still be traced back to the key concept of intent. Militaries, missiles, and landmines are created and maintained with the intent of deterring, threatening, or even harming governments, militaries, co mmunities, and individuals, and although the harms they may happen to commit may not be intentional on given occasions, they still carry with them this important aspect of intentionality. And so an accidental nuclear weapon detonation should certainly be considered a true international security problem, but nuclear reactor accidents, even meltdowns, no matter how threatening, should not.

### Shaw

#### It’s bad to not adhere to the LOAC – causes extinction

Shaw 01 [Martin Shaw is a sociologist of global politics, war and genocide. He is Research Professor of International Relations at the University of Sussex The unfinished global revolution: intellectuals and the new politics of international relations<http://www.martinshaw.org/unfinished.pdf>]

The new politics of international relations require us, therefore, to go beyond the anti-imperialism of the intellectual left **as well as of the semi-anarchist traditions of the academic discipline**. We need to recognise three fundamental truths. First, in the twenty-first century people struggling for democratic liberties across the non-Western world are likely to make constant demands on our solidarity.Courageous academics, students and other intellectuals will be in the forefront of these movements. They deserve the unstinting support of intellectuals in the West**.** Second, the old international thinking in which democratic movements are seen as purely internal to states no longer carries conviction – despite the lingering nostalgia for it on both the American right and the anti-American left. The idea that global principles **can** and should be enforced worldwide is firmly established in the minds of hundreds of millions of people. This consciousness will a powerful force in the coming decades. Third, global state-formation is a fact. International institutions are being extended, and (like it or not) they have a symbiotic relation with the major centre of state power, the increasingly internationalised Western conglomerate. The success of the global-democratic revolutionary wave depends first on how well it is consolidated in each national context – but second, on how thoroughly it is embedded in international networks of power, at the centre of which, inescapably, is the West. **From these political fundamentals, strategic propositions can be derived**. First, democratic movements cannot regard non-governmental organisations and civil society as ends in themselves. They must aim to civilise local states, rendering them open, accountable and pluralistic, and curtail the arbitrary and violent exercise of power. Second, democratising local states is not a separate task from integrating them into global and often Western-centred networks. Reproducing isolated local centres of power carries with it classic dangers of states as centres of war.84 Embedding global norms and integrating new state centres with global institutional frameworks are essential to the control of violence. (To put this another way: the proliferation of purely national democracies is not a recipe for peace.) Third, while the global revolution cannot do without the West and the UN, neither can it rely on them unconditionally. We need these power networks, but we need to tame them too, to make their messy bureaucracies enormously more accountable and sensitive to the needs of society worldwide. This will involve the kind of ‘cosmopolitan democracy’ argued for by David Held85. It will also require us to advance a global social-democratic agenda, to address the literally catastrophic scale of world social inequalities. This is not a separate problem: social and economic reform is an essential ingredient of alternatives to warlike and genocidal power; these feed off and reinforce corrupt and criminal political economies. Fourth, if we need the global-Western state, if we want to democratise it and make its institutions friendlier to global peace and justice, **we cannot be indifferent to** its **strategic debates**. It matters to develop international political interventions, legal institutions and robust peacekeeping as strategic alternatives to bombing our way through zones of crisis. It matters that international intervention supports pluralist structures, rather than ratifying Bosnia-style apartheid.86 **As political intellectuals in the West**, we need to have our eyes on the ball at our feet, but we also need to raise them to the horizon. We need to grasp the historic drama that is transforming worldwide relationships between people and state, as well as between state and state. We need to think about how the turbulence of the global revolution can be consolidated in democratic, pluralist, international networks of both social relations and state authority. We cannot be simply optimistic about this prospect. Sadly, it will require repeated violent political crises to push Western and other governments towards the required restructuring of world institutions.87 What I have outlined is a huge challenge; but **the alternative is to** see the global revolution splutter into partial defeat, or degenerate into new genocidal wars - perhaps even nuclear conflicts. **The practical challenge for all concerned citizens, and the theoretical and analytical challenges for students of international relations and politics, are intertwined.**

### 1AR – Descuritization Fails

#### Desecuritization is not emancipatory---it’s worse for every tangible impact they isolate

Nunes 7 – Joao Reis Nunes, Marie Curie Fellow and Ph. D. Candidate in International Politics at University of Wales, Aberystwyth, September 2007, “Politics, Security, Critical Theory: A Contribution to Current Debates on Security,” online: <http://archive.sgir.eu/uploads/Nunes-joaonunes-politicssecuritycriticaltheory.pdf>

Yet, not all of the proponents of CSS would agree that security is something that needs to be ‘unmade’. In Fact, one of the theoreticalapproaches cited by the manifesto as an important inspiration—the Welsh School – has consistently argued that security is something that needs to be archived, promoted, and not replaced by something else. The manifesto has solved this contradiction by arguing that, in the Welsh School, security is ‘distinguished from order and power and redefinged as inclusive of individuals’ (2006:456). This is a fairly accurate view of the Welsh School’s understanding of the value of security; however, a deeper investigation of security-politics nexus implicit in this approach is needed, so that the debate is able to conceive viable theoretical alternatives to the predominant views described above. Security and politics in the Welsh School Several questions spring to mind when one faces the work of the Welsh School from the standpoint of other critical approaches. One of the most pressing is: why security? Why focus on such a loaded and manifestly dangerous term, a term that has been so often instrumentalized with the objective of justifying highly questionable practices? Can it be that the different critical approaches are talking about the same things, but with different names? Take the focus of the Welsh School on emancipation, for example (Booth 1991 and 1999a, Wyn Jones 2005): can it be placed on the same level of desecuritization, as Aradau (2004) has suggested? To use the words of the c.a.s.e. manifesto, can the politics of normality (desecuritization) and the politics of normativity (emancipation) be seen as two alternative or complementary pathways to ‘unmaking security’? It is consensual to argue that both of these strands definitely wish to ‘unmake security’, if by security one means an exceptionalist domain of violent and exclusionary practices. However, there are reasons as to why the Welsh School does not wish to get rid of the term ‘security’ – and that is why desecuritization cannot lead to emancipation. For the Welsh School, security in itself has an important normative value that needs to be maintained. This understanding of the value of security is intrinsically connected with an account of security-politics nexus that is at odds with the understandings that have achieved particular importance in the field. It must be said that the Welsh School has not engaged systematically with its own theoretical assumptions regarding the security-politics nexus. This reluctance results from a particularly pragmatic approach to the ‘realities’ of security. Booth defined traditional approaches as a form of self-deception, an ‘escape from the real’ (1995:105), and even a ‘theology’ and a set of ‘rites’ (1999b:45). As a consequence, CSS must aim at ‘engag[ing] comprehensively with the real’ (2004:8), that is, it must take into account the ‘real lives in real places in that real world which academic international relations realists disregard’ (1995:123). This comprehensive engagement is connected with a normative commitment to confront the materiality of what Booth terms ‘human wrongs’, ‘facts’ that dominate politics in a global scale and that can be said to constitute the ‘subject-matter’ of security studies: ‘The subject-matter consists of flesh (which is fed or famished) and blood (which is wet and messy, and hot or cold), and people living lives comfortably and securely, or enduring them against the wall, like a dog’ (1995:105). The crude emotion present in this description of what security studies ‘is all about’ must not be mistaken for poetic idealism: Booth has been quite consistent in his efforts to pin down security studies to a particular materiality, thereby eschewing a purely discursive critique of security. Williams (1999) has noted that the version of CSS put forward by Booth claims to be “better’ than others because of its improved ‘realism’, that is, its ability to engage with the factuality of human wrongs. This is why Booth, to the obvious disappointment of other critical security theorists who wish to put into question notions of reality and reason, consistently describes his approach as more realistic and rational that the others14. [CSS=Critical Security Studies]

### 1AR – A2 – Discourse Causes War

#### Missing an internal link

Kaufman, Prof Poli Sci and IR – U Delaware, ‘9

(Stuart J, “Narratives and Symbols in Violent Mobilization: The Palestinian-Israeli Case,” Security Studies 18:3, 400 – 434)

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

### AT: Yudkowski

**Multiplying *probability* and *magnitude* is key to ethical risk assessment—the most serious threats to humanity are the unknown and unthinkable – even if calc occurs its necessary to prevent extinction which is far worse**

**Rees, ‘08**— Sir Martin J. Rees, Professor of Cosmology and Astrophysics and Master of Trinity College at the University of Cambridge, Astronomer Royal and Visiting Professor at Imperial College London and Leicester University, Director of the Institute of Astronomy, Research Professor at Cambridge, 2008 (“Foreward,” Global Catastrophic Risks, Edited by Nick Bostrom and Milan M. Cirkovic, Published by Oxford University Press, ISBN 9780198570509, p. x-xi)

These concerns are not remotely futuristic - we will surely confront them within next 10-20 years. But what of the later decades of this century? It is hard to predict because some technologies could develop with runaway speed. Moreover, human character and physique themselves will soon be malleable, to an extent that is qualitatively new in our history. New drugs (and perhaps even implants into our brains) could change human character; the cyberworld has potential that is both exhilarating and frightening. We cannot confidently guess lifestyles, attitudes, social structures or population sizes a century hence. Indeed, it is not even clear how much longer our descendants would remain distinctively 'human'. Darwin himself noted that 'not one living species will transmit its unaltered likeness to a distant futurity'. Our own species will surely change and diversify faster than any predecessor - via human-induced modifications (whether intelligently controlled or unintended) not by natural selection alone. The post-human era may be only centuries away. And what about Artificial Intelligence? Super-intelligent machine could be the last invention that humans need ever make. We should keep our minds open, or at least ajar, to concepts that seem on the fringe of science fiction. These thoughts might seem irrelevant to practical policy - something for speculative academics to discuss in our spare moments. I used to think this. But humans are now, individually and collectively, so greatly empowered by rapidly changing technology that we can—by design or as unintended consequences—engender irreversible global changes. It is surely irresponsible not to ponder what this could mean; and it is real political progress that the challenges stemming from new technologies are higher on the international agenda and that planners seriously address what might happen more than a century hence. We cannot reap the benefits of science without accepting some risks - that has always been the case. Every new technology is risky in its pioneering stages. But there is now an important difference from the past. Most of the risks encountered in developing 'old' technology were localized: when, in the early days of steam, a boiler exploded, it was horrible, but there was an 'upper bound' to just how horrible. In our evermoreinterconnected world, however, there are new risks whose consequences could be global. **Even a tiny probability of global catastrophe is deeply disquieting.** We cannot eliminate all threats to our civilization (even to the survival of our entire species). But it is surely incumbent on us to think the unthinkable and study how to apply twenty-first centurytechnology optimally, while minimizing the 'downsides'. If we apply to catastrophic risks the same prudent analysis that leads us to take everyday safety precautions, and sometimes to buy insurance—**multiplying probability by consequences**—we had surely conclude that some of the scenarios discussed in this book deserve more attention that they have received. My background as a cosmologist, incidentally, offers an extra perspective -an extra motive for concern - with which I will briefly conclude. The stupendous time spans of the evolutionary past are now part of common culture - except among some creationists and fundamentalists. But most educated people, even if they are fully aware that our emergence took billions of years, somehow think we humans are the culmination of the evolutionary tree. That is not so. Our Sun is less than halfway through its life. It is slowly brightening, but Earth will remain habitable for another billion years. However, even in that cosmic time perspective—extending far into the future as well as into the past - the twenty-first century may be a defining moment. It is the first in our planet's history where one species—ours—has Earth's future in its hands and could jeopardise not only itself but also lifes immense potential. The decisions that we make, individually and collectively, will determine whether the outcomes of twenty-first century sciences are benign or devastating. We need to contend not only with threats to our environment but also with an entirely novel category of risks—with seemingly low probability, but with such colossal consequences that they merit far more attention than they have hitherto had. That is why we should welcome this fascinating and provocative book. The editors have brought together a distinguished set of authors with formidably wide-ranging expertise. The issues and arguments presented here should attract a wide readership - and deserve special attention from scientists, policy-makers and ethicists