# 1AC

### Plan

**The United States federal government should require the President of the United States consult Congress prior to the use of offensive cyber operations or provide a prompt full account of the use of offensive cyber operations by the United States.**

### Advantage 1 – Unipolarity

#### US preemptive cyber policy creates global cyber-counter-balancing

Benavides 7/30/13 (Stephen Benavides is a policy analyst and union organizer from Dallas. He holds a bachelor's degree in political science from the University of North Texas and has done graduate research in econometrics and economic theory. , “The Coming Cyber-Cold War: US Pioneering Online Attacks”, <http://truth-out.org/news/item/17714-the-coming-cyber-cold-war>)

The US government is openly and actively engaged in a reincarnation of the Cold War. Physical assets such as spies and informants have been replaced with zero-day software exploits and network security analysts. Old-school intelligence gathering, while effective to some degree, pales in comparison with the scope of big-data firms such as Endgame and Palantir. Instead of war-ravaged proximity states in Eastern Europe or the Middle East, we have shadowy "actors in cyberspace" and network backdoors on the Internet. The development and expansion of cyber-security, and hence cyber-warfare - equivalent to an arms race - has been in the works for decades and is now a prime objective for the executive branch and the Department of Defense. As the US prepares to deploy weaponized malware and viruses against its enemies, it is forcing those enemies to respond in kind. We are witnessing the first stage of an America-led arms race that undoubtedly will result in a cyber cold war.

Before Edward Snowden released details about foreign and domestic spying program PRISM, low-level and continuous cyber espionage was well underway. As far back as 2002, a three-year attack accessed and downloaded 10 to 20 terabytes of sensitive information from the Department of Defense in an operation titled "Titan Rain." The culprit - whether an individual or a state - was never identified. In 2009, there were cyber attacks on the US water and sewage systems, as well as the national electrical grid. China and Russia are alleged to have accessed secure systems and mapped out the entire infrastructure of the country. More recently, the Obama administration was forced to admit that it had deployed Stuxnet against Iranian nuclear centrifuges and that the NSA attacked Tsinghua University, a research facility in China.

"Cyber warfare attacks" are the new terrorism, with risk to economic and national security elevated to Orwellian heights found post-9/11. At least that's what US military commanders want the public to believe.

#### Global counterbalancing in cyber space is inevitable absent a shift in US policy – the result is a collapse of military primacy

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 The Internet has experienced developments similar to those of the armored tank and helicopter— and the intellectual ceiling for Internet militarization has been incrementally breaking since 2010.

Militarizing the Internet didn’t require new technology or networking capabilities; rather, it required rethinking how the Internet application layer could be used for political or military gains.

Stuxnet—the set of code that affected the Iranian nuclear centrifuges—is the product of such a change in thinking. Designing Stuxnet to target and deliberately damage the Iranian nuclear centrifuges turned an existing technology into a new cyberweapon. Applying this type of weapon, nation states could potentially attack industrial control systems, such as municipal waterworks or other local infrastructure, damaging a society’s ability to function.

The increased number of SCADA (supervisory control and data acquisition) systems attacks are a product of the shift in the cyberattack modus operandi, from marginally funded cybercriminals are replaced with well-funded state actors with a completely different objective and agenda.1 A state actor seeking an advantage over another state might attack the core industrial backbone of a targeted country in the hopes of creating havoc in the transportation and communication infrastructure. For the traditional threat, cybercriminals, this would be a pointless operation, which is why we now must quickly change how we view, design, create, and maintain information security and protect our assets connected to cyberspace.

A militarized Internet and the potential for intelligence and economic espionage, which could destabilize adversarial states, radically changes the fundamentals for cyberspace security. State actors could exploit weaknesses in national infrastructures and information systems as well as exploit the public’s heavy reliance on the Internet.

Although the goal for individuals and criminal networks is usually financial gain, a state might seek to optimize its influence and power or avoid being overpowered by others. It thus has a vested interest in being able to destabilize the systems of other nations and could employ a full-system attack strategy instead of the traditional cyberattack, which seeks limited goals with a quick turnaround. Nation states have more time, resources, and opportunities, making them a far more capable perpetrator for covert cyberoperations.

Certain areas, previously sheltered from cyberattacks—such as the space-borne US global information grid—could be a target for state actors.4 A criminal network or hackers didn’t stand to gain financially from attacking the US global information grid, and even if they could sell the accessed information, it wouldn’t be worth the risk, given the repercussions if caught.

Thus, the satellite infrastructure wasn’t considered vulnerable. Attacking the global information grid represents no quick financial gain for a criminal network or hackers, and any marginal gain from selling the information would be drastically outweighed by the repercussions of the act, which have left the satellite infrastructure untouched by serious and capable cyberattacks.

However, in 2011, William J. Lynn III, former US deputy secretary of defense, reflected on the US national security space strategy:5 ”The willingness of states to interfere with satellites in orbit has serious implications for our national security. Space systems enable our modern way of war. They allow our warfighters to strike with precision, to navigate with accuracy, to communicate with certainty, and to see the battlefield with clarity. Without them, many of our most important military advantages evaporate.”

A kinetic antisatellite missile attack against the US would catapult the missile-launching nation on a confrontational course likely to lead to war or other uncertain drastic repercussions. However, a cyberattack carries much less risk, and it would be significantly harder to identify the perpetrator with sufficient satisfaction to warrant sanctions from the international community.

Attacking the superpowers’ space-borne grids presents an opportunity to undermine information supremacy and war-fighting abilities, with direct geopolitical consequences.

John Fraser, a British editor, wrote in The Spectator after a major British security breach:6 “ Suddenly, the western Internet “firewalls” are looking like a digital Maginot Line, so vulnerable that amateur hackers [could] steal hundreds of thousands of secrets for fun. So what might a cyberarmy be able to achieve?”

This analogy relates back to the history of the tank, when the French built the Maginot Line on their border with Germany to ensure the Germans couldn’t successfully attack France after World War I. Work started in 1930, and this construction project was one of the largest of its time. However, the Maginot Line was based on a major flaw—the French assumed the attacker would use a designated path and thus planned on fighting in fortified positions along that path. Using the new mindset of armored and mobile warfare, the Germans took another route, and the French endured one of history’s most humiliating defeats.

The entrance of state actors into cyberoperations represents the same drastic change of mindset and concept as the Germans using mobile armored warfare to overrun French defenses in 1940. A digital Maginot Line would be pouring in money and resources into a defensive position that assumes that cyberattacks occur as expected. The vast effort in cybersecurity today is placed on addressing the threats of the past, where a few unfunded individuals pound a single point of system entry using often crude tools to find configuration errors.

Information assurance strategies thus resemble trench and position warfare, fought from fixed positions in a known terrain using hardened positions and pre-assessed planning. The hardened system defends against a few limited attacks trying to penetrate a specific sector, server, or area. We can’t continue to focus on information assurance. By continuously hardening systems, a false sense of control and security is maintained, mainly based on the earlier attacker profile with single individuals or small criminal efforts penetrating the system. State actors have far more options to attack a system than solely trying to penetrate a firewall, so we need to redesign and restructure cybersecurity from a systems perspective.

The well-funded and geopolitically driven militarization of the Internet is a recent development—and represents a major shift in the related risks and threats. Security analyst Dan Geer has said that researching cybersecurity requires embracing the unknown —in other words, cybersecurity researchers must step out of their comfort zone of traditional IT security, taking a higher-level systematic view of system security.

Political scientist Kenneth N. Waltz said that the power with nuclear arms isn’t what you do with them but instead what you can do with them.8 Similarly, a state could use the mere threat of cyberoperations to deter other states from taking certain actions. However, once states engage their resources in cyberoperations, universities and intelligence agencies can become armories,9 and defense industries can receive contracts to identify weaknesses in foreign systems, redefining how we address cybersecurity.

#### Plan solves international counter balancing – it creates a LOAC for cyber space

Bradbury 11 (Steven Assistant Attorney General for the Office of Legal Counsel, The Developing Legal Framework for Defensive and Offensive Cyber Operations, <http://harvardnsj.org/wp-content/uploads/2011/02/Vol.-2_Bradbury_Final1.pdf>)

Evolving customary law. This approach also accommodates the reality that how the U.S. chooses to use its armed forces will significantly influence the development of customary international law.

As the label implies, customary law can evolve depending on the accepted conduct of major nations like the United States. The real-world practice of the United States in adapting the use of its military to the new challenges raised by computer warfare will (and should) help clarify the accepted customs of war in areas where the limits are not clearly established today.

And if you just review the literature on cyber war, you quickly see that that’s where we are: precisely how the laws and customs of war should apply to offensive cyber operations is not yet crystallized in key respects.

For example, there aren’t always bright lines to tell us when a cyber attack on computer systems constitutes an “armed attack” or a “use of force” that justifies a nation in launching a responsive military strike under Article 51 of the U.N. Charter.

Some questions are easy: Hacking into a sensitive government computer system to steal information is an act of espionage, not an armed attack. It’s clearly not prohibited by the laws and customs of war.

On the other hand, if the cyber intrusion inflicts significant physical destruction or loss of life by causing the failure of critical infrastructure, like a dam or water supply system, then it obviously would constitute an armed attack under the law of war and would justify a full military response if it could be attributed to a foreign power. Where committed as an offensive act of aggression, such an attack may violate international law.

If significant enough, the effect of the attack will determine its treatment, not necessarily whether the attack is delivered through computer lines as opposed to conventional weapons systems. In these cases, the laws and customs of war provide a clear rule to apply.

But there will be gray areas in the middle. Thus, it’s far less clear that a computer assault that’s limited to deleting or corrupting data or temporarily disabling or disrupting a computer network or some specific equipment associated with the network in a way that’s not life threatening or widely destructive should be considered a use of force justifying military retaliation, even if the network belongs to the military or another government agency.

This was the case with the “distributed denial of service” attacks experienced by Estonia in 2007, which severely disrupted the country’s banking and communications systems. Suspecting that Russia was behind it, Estonia suggested that NATO declare that Estonia’s sovereignty had been attacked, which would have triggered the collective self-defense article of the NATO Treaty, but that suggestion was rebuffed on the ground that a cyber attack is not a clear military action.12

There’s an echo of that reasoning in Article 41 of the U.N. Charter, which says that a “complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communications” is not a “measure . . . involving armed force.”

And what about Stuxnet? As I understand it from public reports, Stuxnet was a computer worm that found its way into the systems controlling Iran’s nuclear program and gave faulty commands causing the destruction of the centrifuges used for enriching uranium. Suppose President Ahmadinejad claimed that Israel was behind the Stuxnet worm and claimed that Stuxnet constituted an armed attack on Iran that justified a military response against Israel. I suspect the United States would disagree.

At the same time, when it comes to a cyber attack directed against U.S. computer systems, I certainly want the President to have leeway in determining whether or not to treat the attack as a use of force that supports military retaliation. Making such judgments is a traditional power exercised by the President, and I think he retains that leeway.

Similarly, I submit, it’s not clearly established that a cyber attack aimed at disrupting a server or Web site located in a neutral country or in a country outside a theater of open hostilities would be a violation of that country’s neutrality.

The server might be a valid military target because it’s being used for the communications or command and control of the enemy fighters in the area of hostilities (after all, al Qaeda regularly uses the Internet in planning and ordering operations). The server might have no connection to the host country’s military, government, or critical infrastructure, and it might be readily targeted for a computer attack without inflicting widespread damage on unrelated systems used for civilian purposes.

Such a focused cyber operation — with little physical impact beyond the destruction of data or the crippling of a server — is very different from the kind of physical violation of territory — such as a conventional troop incursion or a kinetic bombing raid — that we ordinarily think of as constituting an affront to neutrality.13

Although every server has a physical location, the Internet is not segmented along national borders, and the enemy may gain greater tactical advantage from a server hosted half way around the world than from one located right in the middle of hostilities.

The targeting of a server in a third country may well raise significant diplomatic difficulties (and I wouldn’t minimize those), but I don’t think the law-of-war principle of neutrality categorically precludes the President from authorizing such an operation by an execute order to Cyber Command.

Conclusion. So here’s my thesis: To my view, the lack of clarity on certain of these issues under international law means that with respect to those issues, the President is free to decide, as a policy matter, where and¶ how the lines should be drawn on the limits of traditional military power in the sphere of cyberspace. For example, that means that within certain parameters, the President could decide when and to what extent military cyber operations may target computers located outside areas of hot fighting that the enemy is using for military advantage. And when a cyber attack is directed at us, the President can decide, as a matter of national policy, whether and when to treat it as an act of war.

The corollary to all this is that in situations where the customs of war, in fact, are not crystallized, the lawyers at the State Department and the Justice Department shouldn’t make up new red lines — out of some aspirational sense of what they think international law ought to be — that end up putting dangerous limitations on the options available to the United States. Certainly, the advice of lawyers is always important, especially so where the legal lines are established or firmly suggested. No one would contend that the laws of war have no application to cyber operations or that cyberspace is a law-free zone. But it’s not the role of the lawyers to make up new lines that don’t yet exist in a way that preempts the development of policy.14

In the face of this lack of clarity on key questions, some advocate for the negotiation of a new international convention on cyberwarfare —¶ perhaps a kind of arms control agreement for cyber weapons. I believe there is no foreseeable prospect that that will happen. Instead, the outlines of accepted norms and limitations in this area will develop through the practice of leading nations. And the policy decisions made by the United States in response to particular events will have great influence in shaping those international norms. I think that’s the way we should want it to work.

One final admonition I’ll offer on the topic of offensive cyber operations: In cases where the President shapes new policy by choosing military action over covert action for a cyber operation, or vice versa, I would strongly urge that the President fully brief both sets of committees in Congress — the Intelligence Committees and the Armed Services Committees — and explain the basis for the choice. It’s inevitable the committees will find out anyway when a jurisdictional marker is crossed, and it will help smooth the development of consistent policies and standards for the committee members and staff to understand and appreciate the choices made on both sides of the question.

#### Congressional restrictions on OCOs reestablish US leadership

Bastby 12 (Judy, Chairwoman of the American Bar Association’s Privacy and Computer Crime Committee, CEO of Global Cyber Risk, “U.S. Administration's Reckless Cyber Policy Puts Nation at Risk” June 4, 2012, <http://www.forbes.com/sites/jodywestby/2012/06/04/u-s-administrations-reckless-cyber-policy-puts-nation-at-risk/2/>)

Perhaps more important than being out of the cyber coordination loop, is the how the U.S.’s attitude is being perceived by others in the international community. If the U.S. were a member of IMPACT and taking an active role in the investigation, it would be upholding its role as a global cybersecurity power. Instead, the U.S. appears as the shirking nation state quietly standing on the sidelines while being accused of engaging in cyberwarfare tactics. “People look to the U.S., Russia, and China for leadership and when the U.S. is absent, they will turn to the other two,” observes Dr. Amin.

The U.S. Administration’s failure to develop a strong foreign policy with respect to cybersecurity reveals a gross lack of attention at the highest levels of the U.S. Government to one of the country’s most vulnerable areas — the IT systems that underpin the functioning of our society and economy. This failure begins at basic strategy levels and extends to reckless disregard for the consequences of the risky covert Stuxnet operation and failure to secure classified information about the program. For example, in May 2011, government delegations from around the world gathered in Geneva for the World Summit on the Information Society (WSIS), one of the most important communications and technology conferences globally. Noticeably, the U.S. did not have a delegation present. Yet, it was during the WSIS event that the U.S. Administration chose to release its International Strategy for Cyberspace – from Washington, D.C. rather than Geneva. WSIS participants were dumbstruck. For the few private sector Americans who were present, including myself, it was embarrassing.

If in fact the Administration did authorize targeting Iranian nuclear systems with Stuxnet and/or Flame, it was a dangerous and reckless decision, especially since the U.S. Government has no idea how many computers in America may be infected with malware capable of being activated by Iran or one of its allies in retaliation. Such “backdoor” malware is capable of having enormous consequences to life and property. A similar CIA covert operation successfully destroyed a Soviet pipeline. In 1982, President Reagan approved a plan to transfer software used to run pipeline pumps, turbines, and valves to the Soviet Union that had embedded features designed to cause pump speeds and valve settings to malfunction. The plot was revealed in a 2004 Washington Post article by David Hoffman in advance of its discussion in former Air Force Secretary Thomas C. Reed’s book, At the Abyss: An Insider’s History of the Cold War. Reed recalled to Hoffman that, “The result was the most monumental non-nuclear explosion and fire ever seen from space.” Unlike Stuxnet, however, the program remained classified for 22 years until the CIA authorized Reed to discuss it in his book. Sanger’s information came from loose-lipped persons involved with the Stuxnet operation.

Before pulling a trigger (or launching malware) a nation should assess its strengths and resources and its correlation of vulnerabilities, which, in 2012, includes understanding what an adversary can do when firing back using cyber capabilities. In addition, before launching covert operations, such as Stuxnet, a nation also should ensure that the secrecy of the intelligence operations can be maintained.

Conversations with Hill staffers indicate that Congress believes the State Department’s 2011 appointment of Coordinator for Cyber Issues has sufficiently addressed concerns about the lack of U.S. involvement in international cybersecurity matters. Clearly, this is narrow, wishful thinking. Congress needs to stop focusing on what it believes it should force businesses to do about cybersecurity and instead focus on what it should demand that the U.S. Government do to protect our critical infrastructure businesses and avoid retaliatory cyber attacks. The kind of reckless cyber diplomacy and foreign policy now at work has put our nation at risk and demonstrates cyber irresponsiblity, not cyber leadership.

#### Unipolarity creates structural incentives for peace

Wohlforth 09 – Professor of government @ Dartmouth College [[William C. Wohlforth](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#back), “Unipolarity, Status Competition, and Great Power War,” World Politics, Volume 61, Number 1, January 2009, http://www.polisci.wisc.edu/Uploads/Documents/IRC/Wohlforth%20(2009).pdf]

Second, I question the dominant view that status quo evaluations are relatively independent of the distribution of capabilities. If the status of states depends in some measure on their relative capabilities, and if states derive utility from status, then different distributions of capabilities may affect levels of satisfaction, just as different income distributions may affect levels of status competition in domestic settings. [6](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f6) Building on research in psychology and sociology, I argue that even capabilities distributions among major powers foster ambiguous status hierarchies, which generate more dissatisfaction and clashes over the status quo. And the more stratified the distribution of capabilities, the less likely such status competition is. Unipolarity thus generates far fewer incentives than either bipolarity or multipolarity for direct great power positional competition over status. Elites in the other major powers continue to prefer higher status, but in a unipolar system they face comparatively weak incentives to translate that preference into costly action. And the absence of such incentives matters because social status is a positional good—something whose value depends on how much one has in relation to others.[7](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f7) “If everyone has high status,” Randall Schweller notes, “no one does.”[8](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f8) While one actor might increase its status, all cannot simultaneously do so. High status is thus inherently scarce, and competitions for status tend to be zero sum.[9](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f9) I begin by describing the puzzles facing predominant theories that status competition might solve. Building on recent research on social identity and status seeking, I then show that under certain conditions the ways decision makers identify with the states they represent may prompt them to frame issues as positional disputes over status in a social hierarchy. I develop hypotheses that tailor this scholarship to the domain of great power politics, showing how the probability of status competition is likely to be linked to polarity. The rest of the article investigates whether there is sufficient evidence for these hypotheses to warrant further refinement and testing. I pursue this in three ways: by showing that the theory advanced here is consistent with what we know about large-scale patterns of great power conflict through history; by [End Page 30] demonstrating that the causal mechanisms it identifies did drive relatively secure major powers to military conflict in the past (and therefore that they might do so again if the world were bipolar or multipolar); and by showing that observable evidence concerning the major powers’ identity politics and grand strategies under unipolarity are consistent with the theory’s expectations. Puzzles of Power and War Recent research on the connection between the distribution of capabilities and war has concentrated on a hypothesis long central to systemic theories of power transition or hegemonic stability: that major war arises out of a power shift in favor of a rising state dissatisfied with a status quo defended by a declining satisfied state.[10](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f10) Though they have garnered substantial empirical support, these theories have yet to solve two intertwined empirical and theoretical puzzles—each of which might be explained by positional concerns for status. First, if the material costs and benefits of a given status quo are what matters, why would a state be dissatisfied with the very status quo that had abetted its rise? The rise of China today naturally prompts this question, but it is hardly a novel situation. Most of the best known and most consequential power transitions in history featured rising challengers that were prospering mightily under the status quo. In case after case, historians argue that these revisionist powers sought recognition and standing rather than specific alterations to the existing rules and practices that constituted the order of the day. In each paradigmatic case of hegemonic war, the claims of the rising power are hard to reduce to instrumental adjustment of the status quo. In R. Ned Lebow’s reading, for example, Thucydides’ account tells us that the rise of Athens posed unacceptable threats not to the security or welfare of Sparta but rather to its identity as leader of the Greek world, which was an important cause of the Spartan assembly’s vote for war.[11](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f11) The issues that inspired Louis XIV’s and Napoleon’s dissatisfaction with the status quo were many and varied, but most accounts accord [End Page 31] independent importance to the drive for a position of unparalleled primacy. In these and other hegemonic struggles among leading states in post-Westphalian Europe, the rising challenger’s dissatisfaction is often difficult to connect to the material costs and benefits of the status quo, and much contemporary evidence revolves around issues of recognition and status.[12](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f12) Wilhemine Germany is a fateful case in point. As Paul Kennedy has argued, underlying material trends as of 1914 were set to propel Germany’s continued rise indefinitely, so long as Europe remained at peace.[13](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f13) Yet Germany chafed under the very status quo that abetted this rise and its elite focused resentment on its chief trading partner—the great power that presented the least plausible threat to its security: Great Britain. At fantastic cost, it built a battleship fleet with no plausible strategic purpose other than to stake a claim on global power status.[14](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f14) Recent historical studies present strong evidence that, far from fearing attacks from Russia and France, German leaders sought to provoke them, knowing that this would lead to a long, expensive, and sanguinary war that Britain was certain to join.[15](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f15) And of all the motivations swirling round these momentous decisions, no serious historical account fails to register German leaders’ oft-expressed yearning for “a place in the sun.” The second puzzle is bargaining failure. Hegemonic theories tend to model war as a conflict over the status quo without specifying precisely what the status quo is and what flows of benefits it provides to states.[16](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f16) Scholars generally follow Robert Gilpin in positing that the underlying issue concerns a “desire to redraft the rules by which relations among nations work,” “the nature and governance of the system,” and “the distribution of territory among the states in the system.”[17](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f17) If these are the [End Page 32] issues at stake, then systemic theories of hegemonic war and power transition confront the puzzle brought to the fore in a seminal article by James Fearon: what prevents states from striking a bargain that avoids the costs of war? [18](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f18) Why can’t states renegotiate the international order as underlying capabilities distributions shift their relative bargaining power? Fearon proposed that one answer consistent with strict rational choice assumptions is that such bargains are infeasible when the issue at stake is indivisible and cannot readily be portioned out to each side. Most aspects of a given international order are readily divisible, however, and, as Fearon stressed, “both the intrinsic complexity and richness of most matters over which states negotiate and the availability of linkages and side-payments suggest that intermediate bargains typically will exist.”[19](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f19) Thus, most scholars have assumed that the indivisibility problem is trivial, focusing on two other rational choice explanations for bargaining failure: uncertainty and the commitment problem.[20](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f20) In the view of many scholars, it is these problems, rather than indivisibility, that likely explain leaders’ inability to avail themselves of such intermediate bargains. Yet recent research inspired by constructivism shows how issues that are physically divisible can become socially indivisible, depending on how they relate to the identities of decision makers.[21](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f21) Once issues surrounding the status quo are framed in positional terms as bearing on the disputants’ relative standing, then, to the extent that they value their standing itself, they may be unwilling to pursue intermediate bargaining solutions. Once linked to status, easily divisible issues that theoretically provide opportunities for linkages and side payments of various sorts may themselves be seen as indivisible and thus unavailable as avenues for possible intermediate bargains. The historical record surrounding major wars is rich with evidence suggesting that positional concerns over status frustrate bargaining: expensive, protracted conflict over what appear to be minor issues; a propensity on the part of decision makers to frame issues in terms of relative rank even when doing so makes bargaining harder; decision-makers’ [End Page 33] inability to accept feasible divisions of the matter in dispute even when failing to do so imposes high costs; demands on the part of states for observable evidence to confirm their estimate of an improved position in the hierarchy; the inability of private bargains to resolve issues; a frequently observed compulsion for the public attainment of concessions from a higher ranked state; and stubborn resistance on the part of states to which such demands are addressed even when acquiescence entails limited material cost. The literature on bargaining failure in the context of power shifts remains inconclusive, and it is premature to take any empirical pattern as necessarily probative. Indeed, Robert Powell has recently proposed that indivisibility is not a rationalistic explanation for war after all: fully rational leaders with perfect information should prefer to settle a dispute over an indivisible issue by resorting to a lottery rather than a war certain to destroy some of the goods in dispute. What might prevent such bargaining solutions is not indivisibility itself, he argues, but rather the parties’ inability to commit to abide by any agreement in the future if they expect their relative capabilities to continue to shift.[22](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f22) This is the credible commitment problem to which many theorists are now turning their attention. But how it relates to the information problem that until recently dominated the formal literature remains to be seen.[23](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f23) The larger point is that positional concerns for status may help account for the puzzle of bargaining failure. In the rational choice bargaining literature, war is puzzling because it destroys some of the benefits or flows of benefits in dispute between the bargainers, who would be better off dividing the spoils without war. Yet what happens to these models if what matters for states is less the flows of material benefits themselves than their implications for relative status? The salience of this question depends on the relative importance of positional concern for status among states. Do Great Powers Care about Status? Mainstream theories generally posit that states come to blows over an international status quo only when it has implications for their security or material well-being. The guiding assumption is that a state’s satisfaction [End Page 34] with its place in the existing order is a function of the material costs and benefits implied by that status.[24](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f24) By that assumption, once a state’s status in an international order ceases to affect its material wellbeing, its relative standing will have no bearing on decisions for war or peace. But the assumption is undermined by cumulative research in disciplines ranging from neuroscience and evolutionary biology to economics, anthropology, sociology, and psychology that human beings are powerfully motivated by the desire for favorable social status comparisons. This research suggests that the preference for status is a basic disposition rather than merely a strategy for attaining other goals.[25](http://muse.jhu.edu/journals/world_politics/v061/61.1.wohlforth.html#f25) People often seek tangibles not so much because of the welfare or security they bring but because of the social status they confer. Under certain conditions, the search for status will cause people to behave in ways that directly contradict their material interest in security and/or prosperity.

Much of this research concerns individuals, but international politics takes place between groups. Is there reason to expect individuals who act in the name of states to be motivated by status concerns? Compelling findings in social psychology suggest a positive answer. Social identity theory (SIT) has entered international relations research as a psychological explanation for competitive interstate behavior. 26 According to the theory’s originator, Henri Tajfel, social identity is “that part of an individual’s self-concept which derives from his knowledge of his membership of a social group (or groups) together with the value and emotional significance attached to that membership.” 27 Tajfel and his followers argue that deep-seated human motivations of self-definition and self-esteem induce people to define their identity in relation to their in-group, to compare and contrast that in-group with out-groups, and to want that comparison to reflect favorably on themselves. In a remarkable set of experiments that has since been replicated dozens of times, Tajfel and his collaborators found that simply assigning subjects to trivially defined “minimal” in-groups led them to discriminate in favor of their in-group at the expense of an out-group, even when nothing else about the setting implied a competitive relationship. Although SIT appears to provide a plausible candidate explanation for interstate conﬂict, moving beyond its robust but general implication about the ubiquitous potential for status seeking to speciﬁc hypotheses about state behavior has proved challenging. In particular, experimental ﬁndings concerning which groups individuals will select as relevant comparisons and which of many possible identity-maintenance strategies they will choose have proved highly sensitive to the assumptions made about the social context. The results of experimental research seeking to predict responses to status anxiety—whether people will choose social mobility (identifying with a higher status group), social creativity (seeking to redeﬁne the relevant status-conferring dimensions to favor those in which one’s group excels), social conﬂict (contesting the status-superior group’s claim to higher rank), or some other strategy—are similarly highly context dependent. 28 For international relations the key unanswered question remains: under what circumstances might the constant underlying motivation for a positive self-image and high status translate into violent conﬂict? While SIT research is suggestive, standard concerns about the validity of experimental ﬁndings are exacerbated by the fact that the extensive empirical SIT literature is generally not framed in a way that captures salient features of international relations. The social system in which states operate is dramatically simpler than the domestic social settings much of the research seeks to capture. Decision makers’ identiﬁcation with the state is generally a given, group boundaries are practically impermeable, and there are very few great powers and very limited mobility. For states, comparison choice and the selection of status-maintenance strategies are constrained by exogenous endowments and geographical location. Natural and historical endowments—size and power potential—vary much more among states than among indi- iduals and so play a much larger role in determining hierarchies and inﬂuencing the selection of identity maintenance strategies. Assumptions built into most SIT research to date generally do not capture these realities of interstate life. In particular, standard SIT research designs beg the question of the expected costs of competing for status. Experiments do not generally posit situations in which some groups are endowed with demonstrably superior means with which to discriminate in favor of their own group at the expense of out-groups. Indeed, built in to most experimental setups is an implied assumption of material equality among groups. Yet international politics is notable as a social realm with especially large disparities in material capabilities, and decision makers are unlikely to follow identity-maintenance strategies that are demonstrably beyond their means. Nevertheless, there is no reason to doubt the relevance for states of SIT’s core finding that individual preferences for higher status will affect intergroup interactions. Individuals who identify with a group transfer the individual’s status preference to the group’s relations with other groups. If those who act on behalf of a state (or those who select them) identify with that state, then they can be expected to derive utility from its status in international society. In addition, there are no evident reasons to reject the theory’s applicability to interstate settings that mimic the standard SIT experimental setup—namely, in an ambiguous hierarchy of states that are comparable in material terms. As Jacques Hymans notes: “in the design of most SIT experiments there is an implicit assumption of rough status and power parity. Moreover, the logic of SIT theory suggests that its findings of ingroup bias may in fact be dependent on this assumption.” 29 Status conflict is thus more likely in flat, ambiguous hierarchies than in clearly stratified ones. And there are no obvious grounds for rejecting the basic finding that comparison choice will tend to be “similar but upward” (that is, people will compare and contrast their group with similar but higher status groups). 30 In most settings outside the laboratory this leaves a lot of room for consequential choices, but in the context of great power relations, the set of feasible comparison choices is constrained in highly consequential ways.

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#### Decline of great powers and assent of challengers produces massive violence

Kagan ’12 [Robert Kagan, senior fellow at the Brookings Institution in American History, PhD in American History, award-winning writer and commentator. “The World American Made”. Ebook]

The challenge will be all the greater if the shift from an American-dominated world to a multipolar world leads to an increase in strategic competition and conflict among great powers. Contrary to what one often hears, multipolar systems have historically been neither particularly stable nor particularly peaceful. War among the great powers was a common, if not constant, occurrence in the long periods of multipolarity in the sixteenth, seventeenth, and eighteenth centuries, the latter culminating in the series of destructive Europe-wide wars following the French Revolution and ending with Napoléon’s defeat at Waterloo in 1815. The nineteenth century was notable for two stretches of great-power peace lasting thirty-eight years and forty-three years each. The peace was punctuated, however, by major wars among great powers: the Crimean War of 1853 and a series of wars between Prussia and its neighbors—the wars of German unification—culminating in the Franco-Prussian War of 1870–71. International relations theorists often treat these as minor disturbances in an otherwise peaceful century, but they were massive and costly. The Crimean War was a mini world war involving well over a million Russian, French, British, and Turkish troops, as well as forces from nine other nations, and produced almost half a million dead combatants and many more wounded. In the Franco-Prussian War seventeen years later, the two nations together fielded close to two million troops, of whom nearly half a million were killed or wounded. That kind of war today would not be regarded as a minor disturbance in an otherwise peaceful century. International relations theorists look back with fondness on the European balance of power that followed the unification of Germany. Perhaps too much fondness. Yes, there was great-power peace for four decades, but the period was characterized by increasing tension and competition, numerous war scares, and massive increases in armaments on both land and sea—all culminating in the most destructive and deadly war mankind had known up to that point. Even when the balance of power was maintained, it was not only by amicable diplomacy but also by the ever-present prospect of military confrontation. As the political scientist Robert W. Tucker has observed, “Such stability and moderation as the balance brought rested ultimately on the threat or use of force. War remained the essential means for maintaining the balance of power.”68 People imagine that American predominance will be replaced by some kind of multipolar harmony, but there is little reason to believe that a return to multipolarity in the twenty-first century would bring greater peace and stability than it did in the past. The great powers today act in a restrained fashion not because they are inherently restrained but because their ambitions are checked by a still-dominant United States. Some imagine we have entered a “nonpolar” era because, while they believe the United States is declining, they don’t see other powers rising to fill regional vacuums.69 But, in fact, other poles have not emerged, because the American world order is still intact. Were the United States genuinely to decline, great powers like China, Russia, India, and Brazil would quickly become more dominant in their respective regions, and the world would return to something like the multipolar system of nineteenth-century Europe. The problem in such a world is less likely to come from the other democracies—though even democracies have ambitions and seek their own spheres of influence. It is more likely to come from the autocratic great powers. The democracies can be satisfied with the liberal world order the United States created, duly adjusted to suit their own growing influence. But can the autocratic powers be satisfied with a world that favors democracy and puts constant pressure on autocratic regimes? One often hears today that the United States need not worry about China and Russia. China is a cautious actor on the world scene and is not interested in territorial expansion or conflict with its neighbors. Experts on today’s Russia argue that, notwithstanding occasional neo-imperial rhetoric, the rulers in Moscow have no desire to restore the Russian Empire, to take charge of the Baltic states of Lithuania, Latvia, and Estonia, or to reunite old Soviet republics like Ukraine, Moldova, Georgia, and Belarus. But is this because they are innately uninterested in such goals, or is it because they are constrained by the global power equation from realizing these ambitions, and so temper them? There is no way to know for sure, but history suggests that when we look at the behavior of nations and try to understand their motives and ambitions, we need to be aware that their calculations are affected by what they believe they can achieve and what they believe is off-limits. One thing we do know for sure: a China unchecked by American power would be a different China from one that must worry about American power. If Beijing today does not behave more aggressively toward Japan, or India, or the Southeast Asian nations with which it has disputes, this is not because China is inherently passive and cautious. There have been times in its history when China has taken military action, even in situations where the odds did not favor it—for instance, against American forces in Korea in 1950. Rather, it is because those powers are backed up by the power of the United States. Were American power removed from the equation, the Chinese would make a different calculation. So would those other nations. Today they are content to resist China’s more ambitious designs, in the South China Sea and elsewhere, because they know the United States is there to support them. China, not surprisingly, is increasing its naval power in an effort to reduce this American role. American officials claim to be puzzled by China’s naval buildup. They ask for greater “transparency” about China’s intentions. They might as well ask why a tiger grows teeth. This is the normal behavior of rising great powers. It only seems unusual because the American world order has until now been suppressing these natural great-power tendencies. The same is true of Russia and its neighbors. The continued defiance of Moscow in the Baltics, the Caucasus, and eastern Europe owes a great deal to the fact that these nations have a powerful ally to back them up. In the absence of American power, Russia would be far more tempted to compel its neighbors to accommodate Moscow’s wishes, and they would be far more tempted to acquiesce. If Putin, who once called the collapse of the Soviet Union the “greatest geopolitical catastrophe” of the twentieth century, believed he could safely restore it, would he resist the temptation? He is already using every tool short of military force—energy, trade, support for politicians and parties—to bring the former Soviet states as much under Moscow’s influence as possible. Nor, in the one case where he did use force, against Georgia in 2008, is it likely he would have stopped his forces short of Tbilisi had he not been deterred by the United States and NATO.

#### American power solves global problems

Barnett 2011, Thomas P.M. Barnett, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat., worked as the Assistant for Strategic Futures in the Office of Force Transformation in the Department of Defense, 3-7-2011, “The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads,” , http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads

It is worth first examining the larger picture: We live in a time of arguably the greatest structural change in the global order yet endured, with this historical moment's most amazing feature being its relative and absolute lack of mass violence. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II. Let me be more blunt: As the guardian of globalization, the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the mass murder never would have ended. Indeed, it's entirely conceivable there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation. But the world did not keep sliding down that path of perpetual war. Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace. We introduced the international liberal trade order known as globalization and played loyal Leviathan over its spread. What resulted was the collapse of empires, an explosion of democracy, the persistent spread of human rights, the liberation of women, the doubling of life expectancy, a roughly 10-fold increase in adjusted global GDP and a profound and persistent reduction in battle deaths from state-based conflicts. That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war. We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come. To continue the historical survey, after salvaging Western Europe from its half-century of civil war, the U.S. emerged as the progenitor of a new, far more just form of globalization -- one based on actual free trade rather than colonialism. America then successfully replicated globalization further in East Asia over the second half of the 20th century, setting the stage for the Pacific Century now unfolding.

#### Data free of ideology

Owen, associate professor of politics – University of Virginia, 2/11/’11 [John, “Don’t Discount Hegemony,” <http://www.cato-unbound.org/2011/02/11/john-owen/dont-discount-hegemony/>]

Andrew Mack and his colleagues at the Human Security Report Project are to be congratulated. Not only do they present a study with a striking conclusion, driven by data, free of theoretical or ideological bias, but they also do something quite unfashionable: they bear good news. Social scientists really are not supposed to do that. Our job is, if not to be Malthusians, then at least to point out disturbing trends, looming catastrophes, and the imbecility and mendacity of policy makers. And then it is to say why, if people listen to us, things will get better. We do this as if our careers depended upon it, and perhaps they do; for if all is going to be well, what need then for us? Our colleagues at Simon Fraser University are brave indeed. That may sound like a setup, but it is not. I shall challenge neither the data nor the general conclusion that violent conflict around the world has been decreasing in fits and starts since the Second World War. When it comes to violent conflict among and within countries, things have been getting better. (The trends have not been linear—Figure 1.1 actually shows that the frequency of interstate wars peaked in the 1980s—but the 65-year movement is clear.) Instead I shall accept that Mack et al. are correct on the macro-trends, and focus on their explanations they advance for these remarkable trends. With apologies to any readers of this forum who recoil from academic debates, this might get mildly theoretical and even more mildly methodological. Concerning international wars, one version of the “nuclear-peace” theory is not in fact laid to rest by the data. It is certainly true that nuclear-armed states have been involved in many wars. They have even been attacked (think of Israel), which falsifies the simple claim of “assured destruction”—that any nuclear country A will deter any kind of attack by any country B because B fears a retaliatory nuclear strike from A. But the most important “nuclear-peace” claim has been about *mutually* assured destruction, which obtains between two robustly nuclear-armed states. The claim is that (1) rational states having second-strike capabilities—enough deliverable nuclear weaponry to survive a nuclear first strike by an enemy—will have an overwhelming incentive not to attack one another; and (2) we can safely assume that nuclear-armed states are rational. It follows that states with a second-strike capability will not fight one another. Their colossal atomic arsenals neither kept the United States at peace with North Vietnam during the Cold War nor the Soviet Union at peace with Afghanistan. But the argument remains strong that those arsenals did help keep the United States and Soviet Union at peace with each other. Why non-nuclear states are not deterred from fighting nuclear states is an important and open question. But in a time when calls to ban the Bomb are being heard from more and more quarters, we must be clear about precisely what the broad trends toward peace can and cannot tell us. They may tell us nothing about why we have had no World War III, and little about the wisdom of banning the Bomb now. Regarding the downward trend in *international* war, Professor Mack is friendlier to more palatable theories such as the “democratic peace” (democracies do not fight one another, and the proportion of democracies has increased, hence less war); the interdependence or “commercial peace” (states with extensive economic ties find it irrational to fight one another, and interdependence has increased, hence less war); and the notion that people around the world are more anti-war than their forebears were. Concerning the downward trend in *civil* wars, he favors theories of economic growth (where commerce is enriching enough people, violence is less appealing—a logic similar to that of the “commercial peace” thesis that applies among nations) and the end of the Cold War (which end reduced superpower support for rival rebel factions in so many Third-World countries). These are all plausible mechanisms for peace. What is more, none of them excludes any other; all could be working toward the same end. That would be somewhat puzzling, however. Is the world just lucky these days? How is it that an array of peace-inducing factors happens to be working coincidentally in our time, when such a magical array was absent in the past? The answer may be that one or more of these mechanisms reinforces some of the others, or perhaps some of them are mutually reinforcing. Some scholars, for example, have been focusing on whether economic growth might support democracy and vice versa, and whether both might support international cooperation, including to end civil wars. We would still need to explain how this charmed circle of causes got started, however. And here let me raise another factor, perhaps even less appealing than the “nuclear peace” thesis, at least outside of the United States. That factor is what international relations scholars call hegemony—specifically American hegemony. A theory that many regard as discredited, but that refuses to go away, is called hegemonic stability theory. The theory emerged in the 1970s in the realm of international political economy. It asserts that for the global economy to remain open—for countries to keep barriers to trade and investment low—one powerful country must take the lead. Depending on the theorist we consult, “taking the lead” entails paying for global public goods (keeping the sea lanes open, providing liquidity to the international economy), coercion (threatening to raise trade barriers or withdraw military protection from countries that cheat on the rules), or both. The theory is skeptical that international cooperation in economic matters can emerge or endure absent a hegemon. The distastefulness of such claims is self-evident: they imply that it is good for everyone the world over if one country has more wealth and power than others. More precisely, they imply that it has been good for the world that the United States has been so predominant. There is no obvious reason why hegemonic stability theory could not apply to other areas of international cooperation, including in security affairs, human rights, international law, peacekeeping (UN or otherwise), and so on. What I want to suggest here—suggest, not test—is that American hegemony might just be a deep cause of the steady decline of political deaths in the world. How could that be? After all, the report states that United States is the third most war-prone country since 1945. Many of the deaths depicted in Figure 10.4 were in wars that involved the United States (the Vietnam War being the leading one). Notwithstanding politicians’ claims to the contrary, a candid look at U.S. foreign policy reveals that the country is as ruthlessly self-interested as any other great power in history. The answer is that U.S. hegemony might just be a deeper cause of the proximate causes outlined by Professor Mack. Consider economic growth and openness to foreign trade and investment, which (so say some theories) render violence irrational. American power and policies may be responsible for these in two related ways. First, at least since the 1940s Washington has prodded other countries to embrace the market capitalism that entails economic openness and produces sustainable economic growth. The United States promotes capitalism for selfish reasons, of course: its own domestic system depends upon growth, which in turn depends upon the efficiency gains from economic interaction with foreign countries, and the more the better. During the Cold War most of its allies accepted some degree of market-driven growth. Second, the U.S.-led western victory in the Cold War damaged the credibility of alternative paths to development—communism and import-substituting industrialization being the two leading ones—and left market capitalism the best model. The end of the Cold War also involved an end to the billions of rubles in Soviet material support for regimes that tried to make these alternative models work. (It also, as Professor Mack notes, eliminated the superpowers’ incentives to feed civil violence in the Third World.) What we call globalization is caused in part by the emergence of the United States as the global hegemon. The same case can be made, with somewhat more difficulty, concerning the spread of democracy. Washington has supported democracy only under certain conditions—the chief one being the absence of a popular anti-American movement in the target state—but those conditions have become much more widespread following the collapse of communism. Thus in the 1980s the Reagan administration—the most anti-communist government America ever had—began to dump America’s old dictator friends, starting in the Philippines. Today Islamists tend to be anti-American, and so the Obama administration is skittish about democracy in Egypt and other authoritarian Muslim countries. But general U.S. material and moral support for liberal democracy remains strong.

#### Combining quantitative research with qualitative research produces a higher value of truth regardless of ontological or epistemological stance

O’Connor and Netting 2005, Mary Katherine O'Connor, Ph.D. ¶ Professor ¶ School of Social Work ¶ Virginia Commonwealth University, and ¶ ¶ F. Ellen Netting, Ph.D. ¶ Professor ¶ School of Social Work ¶ Virginia Commonwealth University , 2005, “A Defense and Justification of Qualitative Research”, http://www.gptsw.net/papers/dfnsjstndrft.pdf

Qualitative research methods are important modes of inquiry, regardless of ¶ discipline. Because of the development and proliferation of qualitative technologies they ¶ present a confusing array of alternatives based on some common procedures for ¶ collecting and interpreting word data. All qualitative research is not based on the same ¶ ontological and epistemological assumptions and therefore cannot be expected to be held ¶ to a universal standard of rigor, quality or worth. The key to the justification of ¶ qualitative processes and products is the selection of the appropriate research design ¶ including data collection and analysis techniques able to answer a particular research ¶ question lodged within a specific paradigmatic perspective. When there is congruence ¶ between the paradigmatic perspective, the research goal and the selected process a ¶ reasonable articulation of what can and should be expected by way of accountability ¶ standards become possible and usefulness, if not generalizability, can be asserted. ¶ Interpretive work is not generalizable and cannot be held to that standard, but it can provide complex, context-based deep understanding. Functionalist work cannot ¶ provide deep, individualized meaning, but in can be a basis for appropriately targeted ¶ quantitative work or provide additional evidence to support causal hypotheses. Neither ¶ interpretive nor functionalist inquiry can be expected to be held to a change standard such ¶ as those found at the radical structuralist (for class or structural changes) or radical ¶ humanist (for individual, subjective changes) inquiry perspectives. Understanding the ¶ need for differential application of standards and being able to articulate both the basis of ¶ and the details for those standards will go far to establish what a particular study can be ¶ expected to produce by way of a quality process and product. Being sensitive to the ¶ philosophical base of the study, bias, and consistency of the design should allow for ¶ acceptable interpretations of the data that can produce fundable research with a differing truth value than what can be possible under traditional quantitative research standards. ¶ It is the role of those steeped in these differential perspectives to articulate the ¶ basis of these differences in order to provide guidance to reviewers, editors, authors and ¶ funders in their efforts to apply quality standards appropriate to the authors' (and not just ¶ of those reviewing the work) research philosophy and purpose. Quality quantitative ¶ research can provide deep meaning, profound understanding, and surprising changes in ¶ complex situations. This is the worth of qualitative inquiry and it should not be ¶ diminished by being held to a standard that it cannot achieve without removing the very ¶ aspects that give it its worth.

#### Perception of decline cause lash out

Beckley 2012, Michael Beckley, PHD Columbia, assistant professor of political science at Tufts University specializing in U.S. and Chinese foreign policy, 2012, “The Unipolar Era: Why American Power Persists and China’s Rise Is Limited”, PDF, <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDkQFjAB&url=http%3A%2F%2Facademiccommons.columbia.edu%2Fcatalog%2Fac%3A146399&ei=I1mZUaOnMMLk0gH9iICoCw&usg=AFQjCNGKp8jw7t-cvRknlrP0qcv6Z7M41w&sig2=EcwCKI0jGPs3NkMrxYYY5g&bvm=bv.46751780,d.dmQ>

Another danger is that declinism may impair foreign policy decision-­‐making. If top government officials come to believe that China is overtaking the United States, they are likely to react in one of two ways, both of which are potentially disastrous. The first is that policymakers may imagine the United States faces a closing “window of opportunity” and should take action “while it still enjoys preponderance and not wait until the diffusion of power has already made international politics more competitive and unpredictable.”315 This belief may spur positive action, but it also invites parochial thinking, reckless behavior, and preventive war.316 As Robert Gilpin and others have shown, “hegemonic struggles have most frequently been triggered by fears of ultimate decline and the perceived erosion of power.”317 By fanning such fears, declinists may inadvertently promote the type of violent overreaction that they seek to prevent. The other potential reaction is retrenchment – the divestment of all foreign policy obligations save those linked to vital interests, defined in a narrow and national manner. Advocates of retrenchment assume, or hope, that the world will sort itself out on its own; that whatever replaces American hegemony, whether it be a return to balance-­‐of-­‐power politics or a transition to a post-­‐power paradise, will naturally maintain international order and prosperity. But order and prosperity are unnatural. They can never be presumed. When achieved, they are the result of determined action by powerful actors and, in particular, by the most powerful actor, which is, and will be for some time, the United States. Arms buildups, insecure sea-­‐lanes, and closed markets are only the most obvious risks of U.S. retrenchment. Less obvious are transnational problems, such as global warming, water scarcity, and disease, which may fester without a leader to rally collective action.

#### Decline of hegemony makes everything worse

Zbigniew Brzezinski, national security advisor under U.S. President Jimmy Carter, PHD, JAN/FEB 2012, “After America”, <http://www.foreignpolicy.com.ezproxy.baylor.edu/articles/2012/01/03/after_america?print=yes&hidecomments=yes&page=full>, KENTUCKY

Not so long ago, a high-ranking Chinese official, who obviously had concluded that America's decline and China's rise were both inevitable, noted in a burst of candor to a senior U.S. official: "But, please, let America not decline too quickly." Although the inevitability of the Chinese leader's expectation is still far from certain, he was right to be cautious when looking forward to America's demise. For if America falters, the world is unlikely to be dominated by a single preeminent successor -- not even China. International uncertainty, increased tension among global competitors, and even outright chaos would be far more likely outcomes. While a sudden, massive crisis of the American system -- for instance, another financial crisis -- would produce a fast-moving chain reaction leading to global political and economic disorder, a steady drift by America into increasingly pervasive decay or endlessly widening warfare with Islam would be unlikely to produce, even by 2025, an effective global successor. No single power will be ready by then to exercise the role that the world, upon the fall of the Soviet Union in 1991, expected the United States to play: the leader of a new, globally cooperative world order. More probable would be a protracted phase of rather inconclusive realignments of both global and regional power, with no grand winners and many more losers, in a setting of international uncertainty and even of potentially fatal risks to global well-being. Rather than a world where dreams of democracy flourish, a Hobbesian world of enhanced national security based on varying fusions of authoritarianism, nationalism, and religion could ensue. The leaders of the world's second-rank powers, among them India, Japan, Russia, and some European countries, are already assessing the potential impact of U.S. decline on their respective national interests. The Japanese, fearful of an assertive China dominating the Asian mainland, may be thinking of closer links with Europe. Leaders in India and Japan may be considering closer political and even military cooperation in case America falters and China rises. Russia, while perhaps engaging in wishful thinking (even schadenfreude) about America's uncertain prospects, will almost certainly have its eye on the independent states of the former Soviet Union. Europe, not yet cohesive, would likely be pulled in several directions: Germany and Italy toward Russia because of commercial interests, France and insecure Central Europe in favor of a politically tighter European Union, and Britain toward manipulating a balance within the EU while preserving its special relationship with a declining United States. Others may move more rapidly to carve out their own regional spheres: Turkey in the area of the old Ottoman Empire, Brazil in the Southern Hemisphere, and so forth. None of these countries, however, will have the requisite combination of economic, financial, technological, and military power even to consider inheriting America's leading role. China, invariably mentioned as America's prospective successor, has an impressive imperial lineage and a strategic tradition of carefully calibrated patience, both of which have been critical to its overwhelmingly successful, several-thousand-year-long history. China thus prudently accepts the existing international system, even if it does not view the prevailing hierarchy as permanent. It recognizes that success depends not on the system's dramatic collapse but on its evolution toward a gradual redistribution of power. Moreover, the basic reality is that China is not yet ready to assume in full America's role in the world. Beijing's leaders themselves have repeatedly emphasized that on every important measure of development, wealth, and power, China will still be a modernizing and developing state several decades from now, significantly behind not only the United States but also Europe and Japan in the major per capita indices of modernity and national power. Accordingly, Chinese leaders have been restrained in laying any overt claims to global leadership. At some stage, however, a more assertive Chinese nationalism could arise and damage China's international interests. A swaggering, nationalistic Beijing would unintentionally mobilize a powerful regional coalition against itself. None of China's key neighbors -- India, Japan, and Russia -- is ready to acknowledge China's entitlement to America's place on the global totem pole. They might even seek support from a waning America to offset an overly assertive China. The resulting regional scramble could become intense, especially given the similar nationalistic tendencies among China's neighbors. A phase of acute international tension in Asia could ensue. Asia of the 21st century could then begin to resemble Europe of the 20th century -- violent and bloodthirsty. At the same time, the security of a number of weaker states located geographically next to major regional powers also depends on the international status quo reinforced by America's global preeminence -- and would be made significantly more vulnerable in proportion to America's decline. The states in that exposed position -- including Georgia, Taiwan, South Korea, Belarus, Ukraine, Afghanistan, Pakistan, Israel, and the greater Middle East -- are today's geopolitical equivalents of nature's most endangered species. Their fates are closely tied to the nature of the international environment left behind by a waning America, be it ordered and restrained or, much more likely, self-serving and expansionist. A faltering United States could also find its strategic partnership with Mexico in jeopardy. America's economic resilience and political stability have so far mitigated many of the challenges posed by such sensitive neighborhood issues as economic dependence, immigration, and the narcotics trade. A decline in American power, however, would likely undermine the health and good judgment of the U.S. economic and political systems. A waning United States would likely be more nationalistic, more defensive about its national identity, more paranoid about its homeland security, and less willing to sacrifice resources for the sake of others' development. The worsening of relations between a declining America and an internally troubled Mexico could even give rise to a particularly ominous phenomenon: the emergence, as a major issue in nationalistically aroused Mexican politics, of territorial claims justified by history and ignited by cross-border incidents. Another consequence of American decline could be a corrosion of the generally cooperative management of the global commons -- shared interests such as sea lanes, space, cyberspace, and the environment, whose protection is imperative to the long-term growth of the global economy and the continuation of basic geopolitical stability. In almost every case, the potential absence of a constructive and influential U.S. role would fatally undermine the essential communality of the global commons because the superiority and ubiquity of American power creates order where there would normally be conflict.

#### US is the opposite of paranoid – we under-estimate threats

Mazurak 2012, Zbigniew Mazurak, BA and M.A. degrees in history, working on PhD, Aug. 26, 2012, “The lies of Micah Zenko and Michael Cohen”, <http://zbigniewmazurak.wordpress.com/2012/08/26/the-lies-of-micah-zenko-and-michael-cohen/>, KENTUCKY

In two related articles, extreme leftists Micah Zenko and Michael Cohen have falsely claimed that the US is “Super Secure”; that the world is “remarkably secure”; that the threats to the US are being “vastly exaggerated”; that “an overly militarized foreign policy has not made the US safer”; and that “Washington needs a policy that reflects that.” Moreover, they falsely claim that “US officials and national security experts chronically exaggerate foreign threats.” All of their claims are utter garbage. Let’s start with their fallacious claims about threats being exaggerated. The truth is that American officials, commentators, and individual citizens have a habit of routinely UNDERESTIMATING foreign threats. They were underestimated in the late 1940s, as the Russians were believed to be too backward and primitive to be able to field a jet fighter, and as a result, American pilots were being slaughtered en masse in the early stages of the Korean War by the MiG-15. The US had nothing to fight with against it until F-86s were delivered in numbers. The US continued to underestimate the Russians’ capabilities, and as a result, the US was surprised by the Russians’ advantage in space capabilities, demonstrated by the launch of the first satellite, first animal in space, and first man in space. The US underestimated Soviet capabilities in the 1970s, and as a result, the Soviet Union achieved an overall military advantage over the West by the end of the decade. From 1974 to 1985, it was producing 3.5 times more weapons of every category than the US was. In the 1980s, Ronald Reagan unveiled the vast disparity between the USSR and the US. America’s vast underestimation of Soviet capabilities was proven after 1991 when, in 1992, American inspectors discovered that the former USSR had left Russia with an arsenal of 40,000 nuclear warheads – twice as many as the CIA had estimated. Currently, the US is, and has been for years, vastly underestimating the capabilities of its enemies, including China, Russia, and Iran. In fact, the DOD has downplayed Russia’s bomber exercises and intrusions into US airspace and has denied that a Russian Akula class submarine has been prowling the Gulf of Mexico, and has routinely and vastly underestimating Chinese military capabilities for many years – solely to appease China and obtain invitations for visits to Beijing, and to mollify the “benign China” school of thought. This year’s DOD report on China’s military capabilities doesn’t just vastly underestimate them, it leaves entire big issues and entire parts of China’s military buildup unmentioned completely. It says nothing of China’s great underground network of tunnels and bunkers for nuclear warheads and BMs, China’s BMD system development, or China’s supplying of ballistic missile TELs to North Korea. The fact is that the US, including US officials and national security experts, routinely UNDERESTIMATE the threats America is facing. As for the accusation that the US has an “overly militarized foreign policy”, that is also manifestly untrue. The Obama Administration’s foreign policy has been very civilian and pacifist, and the US has never had a “militarized” foreign policy. The Obama Admin has been appeasing Russia, China, North Korea, Iran, and Venezuela since its first day in office, tolerating their provocations, armament, and aggressions. It has adopted a hands-off approach to these countries. It has been using diplomacy and only diplomacy to mollify them, in pathetic, naive attempts to appease them. It has never seriously considered, let alone threatened, the use of force towards Iran or North Korea. Zenko’s and Cohen’s claims that the world is “super secure” from America’s standpoint is probably the most ridiculous and laughable of all, because it was made at a time when the world is, as JCS Chairman Martin Dempsey has pointed out, the most dangerous in his lifetime, and indeed the most dangerous since World War II. China is arming at an alarming rate, increasing its military budget by double digits every year for the last 22 years, acquiring large quantities of weapons that can keep the US military out of entire combat theaters, and behaving ever more aggressively towards other Pacific Rim countries. Russia is rearming with huge weapon orders, numerous missile tests, bomber exercises, intrusions into US airspace, and numerous nuclear weapon usage threats. Iran is speeding towards a nuclear weapon. North Korea already has a dozen of them, and has received ICBMs whose TELs (if not the missiles themselves) were produced in China. Venezuela is arming itself with advanced Russian conventional weapons while allowing Iran to build an IRBM base on its soil. And yet, these two anti-defense hacks claim that the world is “super secure” from the US standpoint. Their two articles are utterly ridiculous, and the Council on Foreign Relations has utterly discredited itself by publishing their screeds in its Foreign Affairs bimonthly. In FA’s pages, Paul D. Miller has ably countered Zenko’s and Cohen’s claims. But he has not stated the fact that the overseas threats he’s listed, and other threats to US interests, are dangers to America just as much as they threaten America’s allies. Miller’s argument is essentially that these regimes, as well as terrorist groups, threaten America’s allies and thus the US. Unmentioned is the fact that these regimes and terrorist groups pose a threat to America itself first and foremost. Thus, Miller correctly accuses Zenko and Cohen of narrowing down the definition of a threat to something that threatens US citizens bodily, but he does not mention that China, Russia, Iran, and North Korea do threaten US citizens bodily – whether they be in the US or abroad – and, with the temporary exception of Iran, pose a grave threat to the US homeland. Iran will, too, once it acquires an ICBM, which US intel says it will do by 2015. No, threats to America are not being “vastly exaggerated”. They are being vastly UNDERESTIMATED. And that will bring about disastrous results for the US, because intellectual disarmament always precedes actual disarmament.

### Contention 2 – Impact Framing

#### The fundamental question of debate is the role of America – should it exist and if so how? We answer yes to both – America must exist and with that it must be celebrated – only US hegemony starves off international violence

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TWENTY YEARS later, it is time once again to challenge an indifferent America and a confused American conservatism. Today's lukewarm consensus about America's reduced role in a post-Cold War world is wrong. Conservatives should not accede to it; it is bad for the country and, incidentally, bad for conservatism. Conservatives will not be able to govern America over the long term if they fail to offer a more elevated vision of America's international role. What should that role be? Benevolent global hegemony. Having defeated the "evil empire," the United States enjoys strategic and ideological predominance. The first objective of U.S. foreign policy should be to preserve and enhance that predominance by strengthening America's security**,** supporting its friends, advancing its interests, and standing up for its principles around the world. The aspiration to benevolent hegemony might strike some as either hubristic or morally suspect. But a hegemon is nothing more or less than a leader with preponderant influence and authority over all others in its domain. That is America's position in the world today. The leaders of Russia and China understand this. At their April summit meeting, Boris Yeltsin and Jiang Zemin joined in denouncing "hegemonism" in the post-Cold War world. They meant this as a complaint about the United States. It should be taken as a compliment and a guide to action. Consider the events of just the past six months, a period that few observers would consider remarkable for its drama on the world stage. In East Asia, the carrier task forces of the U.S. Seventh Fleet helped deter Chinese aggression against democratic Taiwan, and the 35,000 American troops stationed in South Korea helped deter a possible invasion by the rulers in Pyongyang. In Europe, the United States sent 20,000 ground troops to implement a peace agreement in the former Yugoslavia, maintained 100,000 in Western Europe as a symbolic commitment to European stability and security, and intervened diplomatically to prevent the escalation of a conflict between Greece and Turkey. In the Middle East, the United States maintained the deployment of thousands of soldiers and a strong naval presence in the Persian Gulf region to deter possible aggression by Saddam Hussein's Iraq or the Islamic fundamentalist regime in Iran, and it mediated in the conflict between Israel and Syria in Lebanon. In the Western Hemisphere, the United States completed the withdrawal of 15,000 soldiers after restoring a semblance of democratic government in Haiti and, almost without public notice, prevented a military coup in Paraguay. In Africa, a U.S. expeditionary force rescued Americans and others trapped in the Liberian civil conflict. These were just the most visible American actions of the past six months, and just those of a military or diplomatic nature. During the same period, the United States made a thousand decisions in international economic forums, both as a government and as an amalgam of large corporations and individual entrepreneurs, that shaped the lives and fortunes of billions around the globe. America influenced both the external and internal behavior of other countries through the International Monetary Fund and the World Bank. Through the United Nations, it maintained sanctions on rogue states such as Libya, Iran, and Iraq. Through aid programs, the United States tried to shore up friendly democratic regimes in developing nations. The enormous web of the global economic system, with the United States at the center, combined with the pervasive influence of American ideas and culture, allowed Americans to wield influence in many other ways of which they were entirely unconscious. The simple truth of this era was stated last year by a Serb leader trying to explain Slobodan Milosevic's decision to finally seek rapprochement with Washington. "As a pragmatist," the Serbian politician said, "Milosevic knows that all satellites of the United States are in a better position than those that are not satellites." And America's allies are in a better position than those who are not its allies. Most of the world's major powers welcome U.S. global involvement and prefer America's benevolent hegemony to the alternatives. Instead of having to compete for dominant global influence with many other powers, therefore, the United States finds both the Europeans and the Japanese -- after the United States, the two most powerful forces in the world -- supportive of its world leadership role. Those who anticipated the dissolution of these alliances once the common threat of the Soviet Union disappeared have been proved wrong. The principal concern of America's allies these days is not that it will be too dominant but that it will withdraw. Somehow most Americans have failed to notice that they have never had it so good. They have never lived in a world more conducive to their fundamental interests in a liberal international order, the spread of freedom and democratic governance, an international economic system of free-market capitalism and free trade, and the security of Americans not only to live within their own borders but to travel and do business safely and without encumbrance almost anywhere in the world. Americans have taken these remarkable benefits of the post-Cold War era for granted, partly because it has all seemed so easy. Despite misguided warnings of imperial overstretch, the United States has so far exercised its hegemony without any noticeable strain, and it has done so despite the fact that Americans appear to be in a more insular mood than at any time since before the Second World War. The events of the last six months have excited no particular interest among Americans and, indeed, seem to have been regarded with the same routine indifference as breathing and eating. And that is the problem. The most difficult thing to preserve is that which does not appear to need preserving. The dominant strategic and ideological position the United States now enjoys is the product of foreign policies and defense strategies that are no longer being pursued. Americans have come to take the fruits of their hegemonic power for granted. During the Cold War, the strategies of deterrence and containment worked so well in checking the ambitions of America's adversaries that many American liberals denied that our adversaries had ambitions or even, for that matter, that America had adversaries. Today the lack of a visible threat to U.S. vital interests or to world peace has tempted Americans to absentmindedly dismantle the material and spiritual foundations on which their national well-being has been based. They do not notice that potential challengers are deterred before even contemplating confrontation by their overwhelming power and influence. The ubiquitous post-Cold War question -- where is the threat? -- is thus misconceived. In a world in which peace and American security depend on American power and the will to use it, the main threat the United States faces now and in the future is its own weakness. American hegemony is the only reliable defense against a breakdown of peace and international order. The appropriate goal of American foreign policy, therefore, is to preserve that hegemony as far into the future as possible. To achieve this goal, the United States needs a neo-Reaganite foreign policy of military supremacy and moral confidence.

Use of national security simulations good

Donohue 13 [2013 National Security Pedagogy: The Role of Simulations, Associate Professor of Law, Georgetown Law, <http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2172&context=facpub>]

C ONCLUDING R EMARKS The legal academy has, of late, been swept up in concern about the econom ic conditions that affect the placement of law school graduates. The image being conveyed , however, does not resonate in every legal field. I t is particularly inapposite to the burgeoning opportunities presented to students in national security. That th e conversation about legal education is taking place now should come as little surprise. Quite apart from economic concern is the traditional introspection that follows American military engagement. It makes sense: law overlaps substantially with political power, being at once both the expression of government authority and the effort to limit the same. The one - size fits all approach currently dominating the conversation in legal education , however, appears ill - suited to this realm. Instead of looking at law across the board, greater insight can be gleaned by looking at the specific demands of the different fields themselv es. This does not mean that the goals identified are exclusive to, for instance, national security law , but it does suggest a greater nuance with regard to how the pedagogical skills present. With this approach in mind, I have here suggested six pedagogical goals for national security . For following graduation, s tudents must be able to perform in each of the areas identified — i.e., (1 ) understanding the law as applied , (2) dealing with factual chaos and uncertainty, (3) obtaining critical distance, (4) developing nontraditional written and oral communication skills, (5) exhibiting leadership, integrity, and good judgment in a high - stakes, highly - charged environment, and (6) creating continued opportunities for self - learning . They also must learn how to integrate these different skills into one experience, ensuring that they will be most effective when they enter the field. The problem with the current structures in l egal education is that they fall short, in important ways, from helping students to obtain these goals. Doctrinal courses may incorporate a range of experiential learning components, such as hypotheticals, doctrinal problems, single exercises, extended or continuing exercises, and tabletop exercises49 These are important devices to introduce into the classroom. T he amount of time required for each varies, as does the object of the exercise itself. But where they fall short is in providing a more holistic approach to national security law, which allows for the maximum conveyance of required skills. Total immersion simulations, which have not yet been addressed in the secondary literature for civilian education in national security law, here may provide an important way forward. Such simulations also help to address shortcomings in other areas of experiential education, such as clinics and moot court. It is in an effort to address these concerns that I developed the simulation The approach draws on the strengths of doctrinal courses and embeds a total immersion simulation within it . I t makes use of technology and physical space to engage students in a multi - day exercise, in which they are given agency and responsibility for their decision making, resulting in a steep learning curve . While further adaptation of this model is undoubtedly necessary, it suggests one potential direction for t he years to come.model above. NSL Sim 2.0 ce rtainly is not the only solution, but it does provide a starting point for moving forward.

#### Life is always good and even if its not you should stay alive because there is still value

Torbjörn Tännsjö 11, the Kristian Claëson Professor of Practical Philosophy at Stockholm University, 2011, “Shalt Thou Sometimes Murder? On the Ethics of Killing,” online: http://people.su.se/~jolso/HS-texter/shaltthou.pdf

I suppose it is correct to say that, if Schopenhauer is right, if life is never worth living, then according to utilitarianism we should all commit suicide and put an end to humanity. But this does not mean that, each of us should commit suicide. I commented on this in chapter two when I presented the idea that utilitarianism should be applied, not only to individual actions, but to collective actions as well.¶ It is a well-known fact that people rarely commit suicide. Some even claim that no one who is mentally sound commits suicide. Could that be taken as evidence for the claim that people live lives worth living? That would be rash. Many people are not utilitarians. They may avoid suicide because they believe that it is morally wrong to kill oneself. It is also a possibility that, even if people lead lives not worth living, they believe they do. And even if some may believe that their lives, up to now, have not been worth living, their future lives will be better. They may be mistaken about this. They may hold false expectations about the future.¶ From the point of view of evolutionary biology, it is natural to assume that people should rarely commit suicide. If we set old age to one side, it has poor survival value (of one’s genes) to kill oneself. So it should be expected that it is difficult for ordinary people to kill themselves. But then theories about cognitive dissonance, known from psychology, should warn us that we may come to believe that we live better lives than we do.¶ My strong belief is that most of us live lives worth living. However, I do believe that our lives are close to the point where they stop being worth living. But then it is at least not very far-fetched to think that they may be worth not living, after all. My assessment may be too optimistic.¶ Let us just for the sake of the argument assume that our lives are not worth living, and let us accept that, if this is so, we should all kill ourselves. As I noted above, this does not answer the question what we should do, each one of us. My conjecture is that we should not commit suicide. The explanation is simple. If I kill myself, many people will suffer. Here is a rough explanation of how this will happen: ¶ ... suicide “survivors” confront a complex array of feelings. Various forms of guilt are quite common, such as that arising from (a) the belief that one contributed to the suicidal person's anguish, or (b) the failure to recognize that anguish, or (c) the inability to prevent the suicidal act itself. Suicide also leads to rage, loneliness, and awareness of vulnerability in those left behind. Indeed, the sense that suicide is an essentially selfish act dominates many popular perceptions of suicide. ¶ The fact that all our lives lack meaning, if they do, does not mean that others will follow my example. They will go on with their lives and their false expectations — at least for a while devastated because of my suicide. But then I have an obligation, for their sake, to go on with my life. It is highly likely that, by committing suicide, I create more suffering (in their lives) than I avoid (in my life).

#### Preventing death is the first ethical priority – it’s the only impact you can’t recover from.

Bauman 95 Zygmunt Bauman, University of Leeds Professor Emeritus of Sociology, 1995, Life In Fragments: Essays In Postmodern Morality, p. 66-71

The being‑for is like living towards‑the‑future: a being filled with anticipation, a being aware of the abyss between future foretold and future that will eventually be; it is this gap which, like a magnet, draws the self towards the Other,as it draws life towards the future, making life into an activity of overcoming, transcending, leaving behind. The self stretches towards the Other, as life stretches towards the future; neither can grasp what it stretches toward, but it is in this hopeful and desperate, never conclusive and never abandoned stretching‑toward that the self is ever anew created and life ever anew lived. In the words of M. M. Bakhtin, it is only in this not‑yet accomplished world of anticipation and trial, leaning toward stubbornly an‑other Other, that life can be lived ‑ not in the world of the `events that occurred'; in the latter world, `it is impossible to live, to act responsibly; in it, I am not needed, in principle I am not there at all." Art, the Other, the future: what unites them, what makes them into three words vainly trying to grasp the same mystery, is the modality of possibility. A curious modality, at home neither in ontology nor epistemology; itself, like that which it tries to catch in its net, `always outside', forever `otherwise than being'. The possibility we are talking about here is not the all‑too‑familiar unsure‑of‑itself, and through that uncertainty flawed, inferior and incomplete being, disdainfully dismissed by triumphant existence as `mere possibility', `just a possibility'; possibility is instead `plus que la reahte' ‑ both the origin and the foundation of being. The hope, says Blanchot, proclaims the possibility of that which evades the possible; `in its limit, this is the hope of the bond recaptured where it is now lost."' The hope is always the hope of *being fu filled,* but what keeps the hope alive and so keeps the being open and on the move is precisely its *unfu filment.* One may say that the paradox *of hope* (and the paradox of possibility founded in hope) is that it may pursue its destination solely through betraying its nature; the most exuberant of energies expends itself in the urge towards rest. Possibility uses up its openness in search of closure. Its image of the better being is its own impoverishment . . . The togetherness of the being‑for is cut out of the same block; it shares in the paradoxical lot of all possibility. It lasts as long as it is unfulfilled, yet it uses itself up in never ending effort of fulfilment, of recapturing the bond, making it tight and immune to all future temptations. In an important, perhaps decisive sense, it is selfdestructive and self‑defeating: its triumph is its death. The Other, like restless and unpredictable art, like the future itself, is a *mystery.* And being‑for‑the‑Other, going towards the Other through the twisted and rocky gorge of affection, brings that mystery into view ‑ makes it into a challenge. That mystery is what has triggered the sentiment in the first place ‑ but cracking that mystery is what the resulting movement is about. The mystery must be unpacked so that the being‑for may focus on the Other: one needs to know what to focus on. (The `demand' is *unspoken,* the responsibility undertaken is *unconditional;* it is up to him or her who follows the demand and takes up the responsibility to decide what the following of that demand and carrying out of that responsibility means in practical terms.) Mystery ‑ noted Max Frisch ‑ (and the Other is a mystery), is an exciting puzzle, but one tends to get tired of that excitement. `And so one creates for oneself an image. This is a loveless act, the betrayal." Creating an image of the Other leads to the substitution of the image for the Other; the Other is now fixed ‑ soothingly and comfortingly. There is nothing to be excited about anymore. I know what the Other needs, I know where my responsibility starts and ends. Whatever the Other may now do will be taken down and used against him. What used to be received as an exciting surprise now looks more like perversion; what used to be adored as exhilarating creativity now feels like wicked levity. Thanatos has taken over from Eros, and the excitement of the ungraspable turned into the dullness and tedium of the grasped. But, as Gyorgy Lukacs observed, `everything one person may know about another is only expectation, only potentiality, only wish or fear, acquiring reality only as a result of what happens later, and this reality, too, dissolves straightaway into potentialities'. Only death, with its finality and irreversibility, puts an end to the musical‑chairs game of the real and the potential ‑ it once and for all closes the embrace of togetherness which was before invitingly open and tempted the lonely self." `Creating an image' is the dress rehearsal of that death. But creating an image is the inner urge, the constant temptation, the *must* of all affection . . . It is the loneliness of being abandoned to an unresolvable ambivalence and an unanchored and formless sentiment which sets in motion the togetherness of being‑for. But what loneliness seeks in togetherness is an end to its present condition ‑ an end to itself. Without knowing ‑ without being capable of knowing ‑ that the hope to replace the vexing loneliness with togetherness is founded solely on its own unfulfilment, and that once loneliness is no more, the togetherness ( the being‑for togetherness) must also collapse, as it cannot survive its own completion. What the loneliness seeks in togetherness (suicidally for its own cravings) is the foreclosing and pre‑empting of the future, cancelling the future before it comes, robbing it of mystery but also of the possibility with which it is pregnant. Unknowingly yet necessarily, it seeks it all to its own detriment, since the success (if there is a success) may only bring it back to where it started and to the condition which prompted it to start on the journey in the first place. The togetherness of being‑for is always in the future, and nowhere else. It is no more once the self proclaims: `I have arrived', `I have done it', `I fulfilled my duty.' The being‑for starts from the realization of the bottomlessness of the task, and ends with the declaration that the infinity has been exhausted. This is the tragedy of being‑for ‑ the reason why it cannot but be death‑bound while simultaneously remaining an undying attraction. In this tragedy, there are many happy moments, but no happy end. Death is always the foreclosure of possibilities, and it comes eventually in its own time, even if not brought forward by the impatience of love. The catch is to direct the affection to staving off the end, and to do this against the affection's nature. What follows is that, if moral relationship is grounded in the being-for togetherness (as it is), then it can exist as a project, and guide the self's conduct only as long as its nature of a project (a not yet-completed project) is not denied. Morality, like the future itself, is forever not‑yet. (And this is why the ethical code, any ethical code, the more so the more perfect it is by its own standards, supports morality the way the rope supports the hanged man.) It is because of our loneliness that we crave togetherness. It is because of our loneliness that we open up to the Other and allow the Other to open up to us. It is because of our loneliness (which is only belied, not overcome, by the hubbub of the being‑with) that we turn into moral selves. And it is only through allowing the togetherness its possibilities which only the future can disclose that we stand a chance of acting morally, and sometimes even of being good, in the present.

#### Comparative evidence – extinction is worse than everything

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Potentially worse than that, bio-engineered agents by the hundreds with no known cure could wreck even greater calamity on the human race than could persistent radiation. AIDS and ebola viruses are just a small example of recently emerging plagues with no known cure or vaccine. Can we imagine hundreds of such plagues? HUMAN EXTINCTION IS NOW POSSIBLE. Ironically, the Bush administration has just changed the U.S. nuclear doctrine to allow nuclear retaliation against threats upon allies by conventional weapons. The past doctrine allowed such use only as a last resort when our nation’s survival was at stake. Will the new policy also allow easier use of US bioweapons? How slippery is this slope? Against this tendency can be posed a rational alternative policy. To preclude possibilities of human extinction, "patriotism" needs to be redefined to make humanity’s survival primary and absolute. Even if we lose our cherished freedom, our sovereignty, our government or our Constitution, where there is life, there is hope. What good is anything else if humanity is extinguished? This concept should be promoted to the center of national debate.. For example, for sake of argument, suppose the ancient Israelites developed defensive bioweapons of mass destruction when they were enslaved by Egypt. Then suppose these weapons were released by design or accident and wiped everybody out? As bad as slavery is, extinction is worse. Our generation, our century, our epoch needs to take the long view. We truly hold in our hands the precious gift of all future life. Empires may come and go, but who are the honored custodians of life on earth? Temporal politicians? Corporate competitors? Strategic brinksmen? Military gamers? Inflated egos dripping with testosterone? How can any sane person believe that national sovereignty is more important than survival of the species? Now that extinction is possible, our slogan should be "Where there is life, there is hope." No government, no economic system, no national pride, no religion, no political system can be placed above human survival. The egos of leaders must not blind us. The adrenaline and vengeance of a fight must not blind us. The game is over. If patriotism would extinguish humanity, then patriotism is the highest of all crimes.

#### 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.

# 2AC

### 1AR - VTL

#### Value to life is subjective – they can’t decide it for others and the kritik doesn’t change any system living is still valuable because you can’t come back from it

Bauman 95 Zygmunt Bauman, University of Leeds Professor Emeritus of Sociology, 1995, Life In Fragments: Essays In Postmodern Morality, p. 66-71

The being‑for is like living towards‑the‑future: a being filled with anticipation, a being aware of the abyss between future foretold and future that will eventually be; it is this gap which, like a magnet, draws the self towards the Other,as it draws life towards the future, making life into an activity of overcoming, transcending, leaving behind. The self stretches towards the Other, as life stretches towards the future; neither can grasp what it stretches toward, but it is in this hopeful and desperate, never conclusive and never abandoned stretching‑toward that the self is ever anew created and life ever anew lived. In the words of M. M. Bakhtin, it is only in this not‑yet accomplished world of anticipation and trial, leaning toward stubbornly an‑other Other, that life can be lived ‑ not in the world of the `events that occurred'; in the latter world, `it is impossible to live, to act responsibly; in it, I am not needed, in principle I am not there at all." Art, the Other, the future: what unites them, what makes them into three words vainly trying to grasp the same mystery, is the modality of possibility. A curious modality, at home neither in ontology nor epistemology; itself, like that which it tries to catch in its net, `always outside', forever `otherwise than being'. The possibility we are talking about here is not the all‑too‑familiar unsure‑of‑itself, and through that uncertainty flawed, inferior and incomplete being, disdainfully dismissed by triumphant existence as `mere possibility', `just a possibility'; possibility is instead `plus que la reahte' ‑ both the origin and the foundation of being. The hope, says Blanchot, proclaims the possibility of that which evades the possible; `in its limit, this is the hope of the bond recaptured where it is now lost."' The hope is always the hope of *being fu filled,* but what keeps the hope alive and so keeps the being open and on the move is precisely its *unfu filment.* One may say that the paradox *of hope* (and the paradox of possibility founded in hope) is that it may pursue its destination solely through betraying its nature; the most exuberant of energies expends itself in the urge towards rest. Possibility uses up its openness in search of closure. Its image of the better being is its own impoverishment . . . The togetherness of the being‑for is cut out of the same block; it shares in the paradoxical lot of all possibility. It lasts as long as it is unfulfilled, yet it uses itself up in never ending effort of fulfilment, of recapturing the bond, making it tight and immune to all future temptations. In an important, perhaps decisive sense, it is selfdestructive and self‑defeating: its triumph is its death. The Other, like restless and unpredictable art, like the future itself, is a *mystery.* And being‑for‑the‑Other, going towards the Other through the twisted and rocky gorge of affection, brings that mystery into view ‑ makes it into a challenge. That mystery is what has triggered the sentiment in the first place ‑ but cracking that mystery is what the resulting movement is about. The mystery must be unpacked so that the being‑for may focus on the Other: one needs to know what to focus on. (The `demand' is *unspoken,* the responsibility undertaken is *unconditional;* it is up to him or her who follows the demand and takes up the responsibility to decide what the following of that demand and carrying out of that responsibility means in practical terms.) Mystery ‑ noted Max Frisch ‑ (and the Other is a mystery), is an exciting puzzle, but one tends to get tired of that excitement. `And so one creates for oneself an image. This is a loveless act, the betrayal." Creating an image of the Other leads to the substitution of the image for the Other; the Other is now fixed ‑ soothingly and comfortingly. There is nothing to be excited about anymore. I know what the Other needs, I know where my responsibility starts and ends. Whatever the Other may now do will be taken down and used against him. What used to be received as an exciting surprise now looks more like perversion; what used to be adored as exhilarating creativity now feels like wicked levity. Thanatos has taken over from Eros, and the excitement of the ungraspable turned into the dullness and tedium of the grasped. But, as Gyorgy Lukacs observed, `everything one person may know about another is only expectation, only potentiality, only wish or fear, acquiring reality only as a result of what happens later, and this reality, too, dissolves straightaway into potentialities'. Only death, with its finality and irreversibility, puts an end to the musical‑chairs game of the real and the potential ‑ it once and for all closes the embrace of togetherness which was before invitingly open and tempted the lonely self." `Creating an image' is the dress rehearsal of that death. But creating an image is the inner urge, the constant temptation, the *must* of all affection . . . It is the loneliness of being abandoned to an unresolvable ambivalence and an unanchored and formless sentiment which sets in motion the togetherness of being‑for. But what loneliness seeks in togetherness is an end to its present condition ‑ an end to itself. Without knowing ‑ without being capable of knowing ‑ that the hope to replace the vexing loneliness with togetherness is founded solely on its own unfulfilment, and that once loneliness is no more, the togetherness ( the being‑for togetherness) must also collapse, as it cannot survive its own completion. What the loneliness seeks in togetherness (suicidally for its own cravings) is the foreclosing and pre‑empting of the future, cancelling the future before it comes, robbing it of mystery but also of the possibility with which it is pregnant. Unknowingly yet necessarily, it seeks it all to its own detriment, since the success (if there is a success) may only bring it back to where it started and to the condition which prompted it to start on the journey in the first place. The togetherness of being‑for is always in the future, and nowhere else. It is no more once the self proclaims: `I have arrived', `I have done it', `I fulfilled my duty.' The being‑for starts from the realization of the bottomlessness of the task, and ends with the declaration that the infinity has been exhausted. This is the tragedy of being‑for ‑ the reason why it cannot but be death‑bound while simultaneously remaining an undying attraction. In this tragedy, there are many happy moments, but no happy end. Death is always the foreclosure of possibilities, and it comes eventually in its own time, even if not brought forward by the impatience of love. The catch is to direct the affection to staving off the end, and to do this against the affection's nature. What follows is that, if moral relationship is grounded in the being-for togetherness (as it is), then it can exist as a project, and guide the self's conduct only as long as its nature of a project (a not yet-completed project) is not denied. Morality, like the future itself, is forever not‑yet. (And this is why the ethical code, any ethical code, the more so the more perfect it is by its own standards, supports morality the way the rope supports the hanged man.) It is because of our loneliness that we crave togetherness. It is because of our loneliness that we open up to the Other and allow the Other to open up to us. It is because of our loneliness (which is only belied, not overcome, by the hubbub of the being‑with) that we turn into moral selves. And it is only through allowing the togetherness its possibilities which only the future can disclose that we stand a chance of acting morally, and sometimes even of being good, in the present.

### 1AR – Framework

#### The roll of the ballot is who did the best debating – our framework is not mutually exclusive with theirs -methods are inclusive

#### We don’t link to their offense – we know the plan will not happen but it is an interesting thought experiment

#### Even illusory agency is productive. Imagining possible changes is necessary to motivate action.

Elizabeth SHOVE Sociology @ Lancaster AND Gordon WALKER Geography @ Lancaster ‘7 “CAUTION! Transitions ahead: politics, practice, and sustainable transition management” *Environment and Planning C* 39 (4)

For academic readers, our commentary argues for loosening the intellectual grip of ‘innovation studies’, for backing off from the nested, hierarchical multi-level model as the only model in town, and for exploring other social scientific, but also systemic theories of change. The more we think about the politics and practicalities of reflexive transition management, the more complex the process appears: for a policy audience, our words of caution could be read as an invitation to abandon the whole endeavour. If agency, predictability and legitimacy are as limited as we’ve suggested, this might be the only sensible conclusion.However, we are with Rip (2006) in recognising the value, productivity and everyday necessity of an ‘illusion of agency’, and of the working expectation that a difference can be made even in the face of so much evidence to the contrary. The outcomes of actions are unknowable, the system unsteerable and the effects of deliberate intervention inherently unpredictable and, ironically, it is this that sustains concepts of agency and management. As Rip argues ‘illusions are productive because they motivate action and repair work, and thus something (whatever) is achieved’ (Rip 2006: 94). Situated inside the systems they seek to influence, governance actors – and actors of other kinds as well - are part of the dynamics of change: even if they cannot steer from the outside they are necessary to processes within. This is, of course, also true of academic life. Here we are, busy critiquing and analysing transition management in the expectation that somebody somewhere is listening and maybe even taking notice. If we removed that illusion would we bother writing anything at all? Maybe we need such fictions to keep us going, and maybe – fiction or no - somewhere along the line something really does happen, but not in ways that we can anticipate or know.

#### Voting aff is a form of *demosprudence* – a legal bridge between aggrieved communities and existing institutions. Becoming role-literate participants in legal debates builds public momentum for social change.

Lani GUINIER Law @ Harvard **‘**9 “BEYOND LEGISLATURES: SOCIAL MOVEMENTS, SOCIAL CHANGE, AND THE POSSIBILITIES OF DEMOSPRUDENCE” 89 B.U. L. Rev. 539 2009 p.544-554

In her Ledbetter dissent and subsequent remarks, Justice Ginsburg was courting the people to reverse the decision of a Supreme Court majority and thereby limit its effect. In Robert Cover's "jurisgenerative" sense,36 she claimed a space for citizens to advance alternative interpretations of the law. Her oral dissent and public remarks represented a set of *demosprudential* practices for instantiating and reinforcing the relationship between public engagement and institutional legitimacy. In Justice Ginsburg's oral dissent we see the possibilities of a more democratically-oriented jurisprudence, or what Gerald Torres and I term demosprudence. 37 Demosprudence builds on the idea that lawmaking is a collaborative enterprise between formal elites - whether judges, legislators or lawyers - and ordinary people. The foundational hypothesis of demosprudence is that the wisdom of the people should inform the lawmaking enterprise in a democracy. From a demosprudential perspective, the Court gains a new source of democratic authority when its members engage ordinary people in a productive dialogue about the potential role of "We the People" in lawmaking.38 Demosprudence is a term Professor Torres and I initially coined to describe the process of making and interpreting law from an external - not just internal - perspective. That perspective emphasizes the role of informal democratic mobilizations and wide-ranging social movements that serve to make formal institutions, including those that regulate legal culture, more democratic. 39 Demosprudence focuses on the ways that "the demos" (especially through social movements) can contribute to the meaning of law. Justice Ginsburg acted demosprudentially when she invited a wider audience into the conversation about one of the core conflicts at the heart of our democracy. 40 She grounded her oral dissent and her public remarks in a set of demosprudential practices that linked public engagement with institutional legitimacy. Those practices are part of a larger demosprudential claim: that the Constitution belongs to the people, not just to the Supreme Court. The dissenting opinions, especially the oral dissents, of Justice Ginsburg and other members of the Court are the subject of my 2008 Supreme Court foreword, *Demosprudence Through Dissent.41* The foreword was addressed to judges, especially those speaking out in dissent, urging them to "engage dialogically with nonjudicial actors and to encourage them to act democratically. '42 The foreword focuses on oral dissents because of the special power of the spoken word, but Justices can issue demosprudential concurrences and even majority opinions, written as well as spoken.43 Moreover, true to its origins, demosprudence is not limited to reconceptualizing the judicial role. Lawyers and nonlawyers alike can be demosprudential, a claim that I foreshadow in the foreword and which Torres and I are developing in other work on law and social movements. 44 Supreme Court Justices can play a democracy-enhancing role by expanding the audience for their opinions to include those unlearned in the law. Of the current Justices, Justice Antonin Scalia has a particular knack for attracting and holding the attention of a nonlegal audience. His dissents are "deliberate exercises in advocacy" that "chart new paths for changing the law."'45 Just as Justice Ginsburg welcomed women's rights activists into the public sphere in response to the Court majority's decision in *Ledbetter,* Justice Scalia's dissents are often in conversation with a conservative constituency of accountability. 46 By writing dissents like these, both Justices have acknowledged that their audience is not just their colleagues or the litigants in the cases before them. Both exemplify the potential power of demosprudential dissents when the dissenter is aligned with a social movement or constituency that "mobilizes to change the meaning of the Constitution over time. '47 Thus, Justice Ginsburg speaks in her "clearest voice" when she addresses issues of gender equality.48 Similarly, Justice Scalia effectively uses his originalist jurisprudence as "a language that a political movement can both understand and rally around. 4 9 Both Justices Ginsburg and Scalia are at their best as demosprudential dissenters when they encourage a "social movement to fight on." 50 Robert Post, writing in this symposium, reads my argument exactly right: "[C]ourts do not end democratic debate about the meaning of rights and the law; they are participants within that debate." 51 As Post explains, I argue that the "meaning of constitutional principles are forged within the cauldron of political debate," a debate in which judges are often important, though not necessarily central, actors. 52 Law and politics are in continuous dialogue, and the goal of a demosprudential dissenter is to ensure that the views of a judicial majority do not preempt political dialogue. When Justice Ginsburg spoke in a voice more conversational than technical, she did more than declare her disagreement with the majority's holding. By vigorously speaking out during the opinion announcement, she also appealed to citizens in terms that laypersons could understand and to Congress directly. 53 This is demosprudence. Robert Post eloquently summarizes and contextualizes the argument I make about demosprudence. He also corrects the misunderstanding of the law/politics divide that beats at the heart of Gerald Rosenberg's criticisms of that argument.54 Post neatly restates my premise: "Law inspires and provokes the claims of politically engaged agents, as it simultaneously emerges from these claims. '55 In his companion essay, Professor Rosenberg polices the law/politics distinction to create a false binary. Rosenberg dismisses the possibility of an ongoing and recursive conversation between law and politics that *may* produce changes in the law and eventually in our "constitutional culture," meaning changes in the popular as well as elite understanding of what the law means. Constitutional culture is the fish tank in which the beliefs and actions of judicial as well as nonjudicial participants swim. It is the "dynamic sociopolitical environment" in which ideas about legal meanings circulate, ferment, compete and ultimately surface in formal venues such as legal advocacy or legislative actions.56 As political scientist Daniel HoSang explains, the goal of demosprudence is "to open up analytic and political possibility to build and sustain more dynamic and politically potent relationships between [legal elites] and aggrieved communities. 57 Professor Rosenberg's critique of demosprudence rests on several misunderstandings of my work and that of other legal scholars.58 First, Professor Rosenberg wrongly assumes that my claims are descriptive rather than aspirational.5 9 Second, Professor Rosenberg's concern about my "Courtcentric" analysis overlooks the occasion for my argument;60 that is, the traditions associated with the Supreme Court foreword published every year in the November issue of the *Harvard Law Review.* Third, he orients his entire critique around polling data and other social science research to trivialize the relationship of narrative to culture, to exaggerate the predictive capacity of a data-driven approach to quantify causation and to preempt other useful analytic approaches. 6 1 First, my foreword posits that judges *can* play a demosprudential role and that oral dissents are one *potential* vehicle for allowing them to do so. 6 2 While it is true that oral dissents *currently* face obstacles to their demosprudential efficacy, those obstacles need not be insurmountable. Moreover, Rosenberg's critique arguably makes my point. He is saying "people don't pay attention, 63 while **I** am saying "yes, they can!" Indeed, they might pay more attention if Justices took the time to talk to them.64 He characterizes the past; I aim to sketch out the contours of a different future. Rosenberg is absolutely right that one next step might be to deploy the tools of social science to explore the extent to which this claim has been realized.65 But the foreword is suggestive, not predictive. Justices of the Supreme Court can be demosprudential when they use their opinions to engage nonlegal actors in the process of making and interpreting law over time. They have democratically-based reasons to seek to inspire a mobilized constituency; it is not that they invariably *will* cause a social movement to emerge. Similarly, the idea that Court opinions do not invariably inspire social movements does not mean they cannot have this effect. Nor do I argue that oral dissents are the only, or even the single most important, communication tool at the Court's disposal. When the Supreme Court announced *Brown v. Board of Education66* in 1954, there were no dissents. Moreover, the orality of the opinion announcement was not a central feature of the event. No one heard the voice of Earl Warren reading his decision on the radio. Nevertheless, the decision had a powerful effect, in part because it was purposely drafted to speak to "the people. '67 Justice Warren consciously intended that the *Brown* opinion should be short and readable by the lay public. 68 In his work, Professor Rosenberg focuses on the white backlash the Brown decision inspired.69 But a demosprudential analysis also focuses on the frontlash, the way that Brown helped inspire the civil rights movement. *Brown's* accessibility and forcefulness helped inspire a social movement that in turn gave the opinion its legs. 70 In 1955, Rosa Parks refused to give up her seat on a bus in Montgomery. She was arrested. Four days later, when she was formally arraigned and convicted, a one-day bus boycott by the black citizens of Montgomery was unexpectedly, amazingly, successful. 71 Dr. Martin Luther King, Jr. delivered a sermon that evening before a mass meeting of 5000 people gathered at and around Holt Street Baptist Church. 72 He prepared his audience to take the bold step of continuing the boycott indefinitely. He did so by brilliantly fusing two great texts: the Supreme Court's pronouncement a year earlier in *Brown* and the Bible.73 Dr. King roused the crowd at that first mass meeting in Montgomery with a spirited refrain: "If we are wrong - the Supreme Court of this nation is wrong. If we are wrong God Almighty was wrong. In the foreword, I argue that Dr. King was a classic example of a "role literate participant. '75 His theological and strategic acumen enabled him to invoke Brown as "authorization" and "legitimation" to sustain the actions that 50,000 blacks in Montgomery, Alabama would take for over thirteen months when they refused to ride the city's buses.76 But as Robert Post rightly points out, the word "authorize" meant something more like embolden or encourage. 77 My point is that Brown shows judicial actors can inspire or provoke "mass conversation." It is when the legal constitution is narrated through the experience of ordinary people in conversation with each other that legal interpretation becomes sustainable as a culture shift.78 And if a majority opinion can rouse, so too can a dissenting one. Thus, demosprudence through dissent emphasizes the use of narrative techniques and a clear appeal to shared values that make the legal claims transparent and accessible. Although demosprudence through dissent is prescriptive rather than descriptive, it was never my intent to suggest that the Court should be central to any social movement. Like Justice Ginsburg, I am not a proponent of juridification (the substitution of law for politics). 79 In Justice Ginsburg's words, "[t]he Constitution does not belong to the Supreme Court." 80 At the same time, I recognize that the Court has been deeply influential, albeit unintentionally at times, in some very important social movements. Studying the 1960s student movement in Atlanta, Tomiko Brown-Nagin argues that the lunch counter sit-ins were, in fact, a reaction to the Supreme Court's decision not because of what the Supreme Court said, but because of what it did not say. 81 The Court initially raised, then dashed expectations. It was the disappointment with "all deliberate speed" **-** the legal system's failure to live up to the promise of the Court's initial ruling- that inspired students to take to the streets and initiate some of the bold protest demonstrations at lunch counters and in streets in the 1960s.8 2 Brown-Nagin emphasizes the multiple ways in which courts, lawyers and social movement actors are engaged in a dialogic and recursive discourse.83 Rosenberg's second misunderstanding deserves both a concession and a clarification. Rosenberg's criticism that my argument is too Court-centric is fair as far as it goes.84 I appreciate (and to a great extent share) Rosenberg's skepticism regarding courts as the primary actors in forging the path of social change. Gerald Torres and I argue that social change involves denaturalizing prior assumptions, a process that must be continuously monitored under the watchful eye of engaged political and social actors. 85 Moreover, social change is only sustainable if it succeeds in changing cultural norms, is institutionalized through policy decisions and the oversight of administrative actors, and develops an internal and external constituency of accountability. I concede that courts are not necessarily central to social movement activism. Why then do I focus on the dialogic relationship between the Supreme Court and other essential social change actors in the foreword? The foreword is designed to be, and has always been, *about the Court's Term.86* In this venue, I developed the idea of demosprudence *in application* to this particular organ of government. The inherent structural limitation of this particular art form was challenging but ultimately, in my view, productive. It pushed me to explore the ways that judicial actors, in conjunction with mobilized constituencies, can redefine their roles consistently with ideas of democratic accountability. Indeed, because the format of the foreword encouraged me to approach demosprudence from this angle, I discovered something important about demosprudence: judges, not just lawyers or legislators, speak to constituencies of accountability in a democratically accountable and democracy-inspired legal system. I argued that oral dissents (like Justice Ginsburg's in *Ledbetter)* reveal the existence of an alternative, and relatively unnoticed, source of judicial authority.87 The Court's legitimacy in a democracy need not depend on the Court speaking with an "institutional voice" (that is, unanimously). Here I am influenced by Jane Mansbridge's idea that democratic power can be held to account through two-way interactions, a source of authority rooted in "deliberative accountability. '88 The demosprudential dissenter ideally provides greater transparency to the Court's internal deliberative process. 89 At the same time, the dissenter may disperse power "by appealing to the audience's own experience and by drafting or inspiring them to participate in a form of collective problem solving." 9° Thus, the Court gains constitutional authority when dissenters speak in a "democratic voice," potentially expanding their audience beyond legal elites. In Mark Tushnet's words, "the Constitution belongs to all of us collectively, *as we act together."9'* Third, Rosenberg's argument that oral dissents are ineffectual, are unlikely to ever be effectual, and should not be considered relevant, reflects his disciplinary allegiances. 92 His perspective depends on empirical evidence of causation. It has a substantive, a methodological and a technological dimension. Rosenberg's substantive argument seems to rest on the assumption that law almost never influences politics or vice versa. His skeptical certitude reduces to insignificance the recursive interactions between the courts and the activists in the 1950s and '60s over civil rights, in the 1970s over the meaning of gender equality, in the 1990s over affirmative action, and in the 2000s over the meaning of marriage. In addition, Professor Rosenberg's certitude goes well beyond the evidence he cites. He believes demosprudential dissents "are not necessary because if there is an active social movement in place then no judicial help is needed. '93 At the same time, he quotes McCann approvingly despite the fact that McCann concludes law can in fact make a difference under the right circumstances. 94 There is more than a friendly misunderstanding at work. Within Professor Rosenberg's critique of demosprudence lurks a deep disciplinary tension about the nature of causation and the primacy of uniform metrics of measurement, as well as the meaning of political participation and influence. 95 What I value about political engagement cannot simply be reduced to what can be measured. When judges participate openly in public discussion, whether through book tours or oral dissents, their words or ideas may have traction without causing measureable changes in public opinion. As Robert Post notes, I am of the school that values "the texture and substance of dialogue. '96 I do not define politics, more generally, primarily by election outcomes or polling data. As I write elsewhere, opportunities for participation enhance democratic legitimacy in part because "democracy involves justice-based commitments to voice, not just votes: participation cannot be reduced to a single moment of choice. '97 Opportunities for formal and informal deliberation are important because of "the texture and meaning of the relationships among political actors, as well as the texture and substance of the values that emerge from public discussion." 98 The methodological aspect of Rosenberg's critique involves his taste for numbers and other metrics of certainty. 99 Rosenberg would prefer that I treat the format of a dissent as something to be studied by literary critics but as irrelevant to political or public relationships.100 The notion that storytelling is not the stuff of politics ignores the important work of social psychologists and linguists who write at length about the processes by which the brain hears and evaluates information. For example, what people say they believe is not necessarily predictive of what they do.' 01 Indeed, attitudes are not recalled like USB memory sticks, but are reconstructed in relationship to the environment. 102 My argument assumes that the river of social change has many tributaries, from the strategic mobilization of diverse resources that Marshall Ganz identifies to the narratives of resistance that Fred Harris explores. 0 3 No single institution of government, acting alone, successfully controls or enables these mighty currents. For example, the Supreme Court, when it wields law to establish relationships of power and control, primarily legitimates rather than destabilizes existing relationships of power and control. 104 Thus I agree with Rosenberg that the Court rarely functions as the central power source for fundamental structural change. Nevertheless, I argue that members of the Court can catalyze change when they help craft or expand the narrative space in which mobilized constituencies navigate the currents of democracy. That role may be hard to measure, especially when demosprudential politics do not use the same language or framing devices as ordinary politics. 0 5 That role may also be inaccurately interpreted if the evaluation tool is survey data that asks open-ended questions or miscodes respondents' answers. 10 6 For example, after recalibrating the measurement tools on which conventional wisdom relies, Professors Gibson and Caldeira conclude that the American people may not be as woefully ignorant about the Court as has been consistently reported. 07 In addition, when members of the Court direct their dissents to social movement actors and other role-literate participants, the recursive nature of that discourse would be difficult to capture in national survey instruments.10 8

### 2AC Lobel

#### Giving up on connecting to conventional democratic institutions creates a higher level of cooptation and complacency.

**Lobel 07** (Orly Lobel, Assistant Professor of Law, University of San Diego, THE PARADOX OF EXTRALEGAL ACTIVISM: CRITICAL LEGAL CONSCIOUSNESS AND TRANSFORMATIVE POLITICS, Harvard Law Review, 2007, Vol. 120)

Both the practical failures and the fallacy of rigid boundaries generated by extralegal activism rhetoric permit us to broaden our inquiry to the underlying assumptions of current proposals regarding transformative politics — that is, attempts to produce meaningful changes in the political and socioeconomic landscapes. The suggested alternatives produce a new image of social and political action. This vision rejects a shared theory of social reform, rejects formal programmatic agendas, and embraces a multiplicity of forms and practices. Thus, it is described in such terms as a plan of no plan,211 “a project of pro- jects,”212 “anti-theory theory,”213 politics rather than goals,214 presence rather than power,215 “practice over theory,”216 and chaos and openness over order and formality. As a result, the contemporary message rarely includes a comprehensive vision of common social claims, but rather engages in the description of fragmented efforts. As Professor Joel Handler argues, the commonality of struggle and social vision that existed during the civil rights movement has disappeared.217 There is no unifying discourse or set of values, but rather an aversion to any metanarrative and a resignation from theory. Professor Handler warns that this move away from grand narratives is self-defeating precisely because only certain parts of the political spectrum have accepted this new stance: “[T]he opposition is not playing that game . . . . [E]veryone else is operating as if there were Grand Narratives . . . .”218 Intertwined with the resignation from law and policy, the new bromide of “neither left nor right” has become axiomatic only for some.219 The contemporary critical legal consciousness informs the scholarship of those who are interested in progressive social activism, but less so that of those who are interested, for example, in a more competitive securities market. Indeed, an interesting recent development has been the rise of “conservative public interest lawyer[ing].”220 Although “public interest law” was originally associated exclusively with liberal projects, in the past three decades conservative advocacy groups have rapidly grown both in number and in their vigorous use of traditional legal strategies to promote their causes.221 This growth in conservative advocacy is particularly salient in juxtaposition to the decline of traditional progressive advocacy. Most recently, some thinkers have even suggested that there may be “something inherent in the left’s conception of social change — focused as it is on participation and empowerment — that produces a unique distrust of legal expertise.”222 Once again, this conclusion reveals flaws parallel to the original disenchantment with legal reform. Although the new extralegal frames present themselves as apt alternatives to legal reform models and as capable of producing significant changes to the social map, in practice they generate very limited improvement in existing social arrangements. Most strikingly, the cooptation effect here can be explained in terms of the most profound risk of the typology — that of legitimation. The common pattern of extralegal scholarship is to describe an inherent instability in dominant structures by pointing, for example, to grassroots strategies,223 and then to assume that specific instances of counterhegemonic activities translate into a more complete transformation. This celebration of multiple micro-resistances seems to rely on an aggregate approach — an idea that the multiplication of practices will evolve into something substantial. In fact, the myth of engagement obscures the actual lack of change being produced, while the broader pattern of equating extralegal activism with social reform produces a false belief in the potential of change. There are few instances of meaningful reordering of social and economic arrangements and macro-redistribution. Scholars write about decoding what is really happening, as though the scholarly narrative has the power to unpack more than the actual conventional experience will admit.224 Unrelated efforts become related and part of a whole through mere reframing. At the same time, the elephant in the room — the rising level of economic inequality — is left unaddressed and comes to be understood as natural and inevitable.225 This is precisely the problematic process that critical theorists decry as losers’ self-mystification, through which marginalized groups come to see systemic losses as the product of their own actions and thereby begin to focus on minor achievements as representing the boundaries of their willed reality. The explorations of micro-instances of activism are often fundamentally performative, obscuring the distance between the descriptive and the prescriptive. The manifestations of extralegal activism — the law and organizing model; the proliferation of informal, soft norms and norm-generating actors; and the celebrated, separate nongovernmental sphere of action — all produce a fantasy that change can be brought about through small-scale, decentralized transformation. The emphasis is local, but the locality is described as a microcosm of the whole and the audience is national and global. In the context of the humanities, Professor Carol Greenhouse poses a comparable challenge to ethnographic studies from the 1990s, which utilized the genres of narrative and community studies, the latter including works on American cities and neighborhoods in trouble.226 The aspiration of these genres was that each individual story could translate into a “time of the nation” body of knowledge and motivation.227 In contemporary legal thought, a corresponding gap opens between the local scale and the larger, translocal one. In reality, although there has been a recent proliferation of associations and grassroots groups, few new local-statenational federations have emerged in the United States since the 1960s and 1970s, and many of the existing voluntary federations that flourished in the mid-twentieth century are in decline.228 There is, therefore, an absence of links between the local and the national, an absent intermediate public sphere, which has been termed “the missing middle” by Professor Theda Skocpol.229 New social movements have for the most part failed in sustaining coalitions or producing significant institutional change through grassroots activism. Professor Handler concludes that this failure is due in part to the ideas of contingency, pluralism, and localism that are so embedded in current activism.230 **Is the focus on small-scale dynamics simply an evasion of the need to engage in broader substantive debate**? It is important for next-generation progressive legal scholars, while maintaining a critical legal consciousness, to recognize that not all extralegal associational life is transformative. We must differentiate, for example, between inward-looking groups, which tend to be self- regarding and depoliticized, and social movements that participate in political activities, engage the public debate, and aim to challenge and reform existing realities.231 We must differentiate between professional associations and more inclusive forms of institutions that act as trustees for larger segments of the community.232 As described above, extralegal activism tends to operate on a more divided and hence a smaller scale than earlier social movements, which had national reform agendas. Consequently, within critical discourse there is a need to recognize the limited capacity of small-scale action. We should question the narrative that imagines consciousness-raising as directly translating into action and action as directly translating into change. Certainly not every cultural description is political. Indeed, it is questionable whether forms of activism that are opposed to programmatic reconstruction of a social agenda should even be understood as social movements. In fact, when groups are situated in opposition to any form of institutionalized power, they may be simply mirroring what they are fighting against and merely producing moot activism that settles for what seems possible within the narrow space that is left in a rising convergence of ideologies. The original vision is consequently coopted, and contemporary discontent is legitimated through a process of self-mystification.

### Shaw

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.**

### A2 - Circumvention

#### Legal reforms restrain the cycle of violence and prevent error replication

Colm O’Cinneide 8, Senior Lecturer in Law at University College London, “Strapped to the Mast: The Siren Song of Dreadful Necessity, the United Kingdom Human Rights Act and the Terrorist Threat,” Ch 15 in Fresh Perspectives on the ‘War on Terror,’ ed. Miriam Gani and Penelope Mathew, <http://epress.anu.edu.au/war_terror/mobile_devices/ch15s07.html>

This ‘symbiotic’ relationship between counter-terrorism measures and political violence, and the apparently inevitable negative impact of the use of emergency powers upon ‘target’ communities, would indicate that it makes sense to be very cautious in the use of such powers. However, the impact on individuals and ‘target’ communities can be too easily disregarded when set against the apparent demands of the greater good. Justice Jackson’s famous quote in Terminiello v Chicago [111] that the United States Bill of Rights should not be turned into a ‘suicide pact’ has considerable resonance in times of crisis, and often is used as a catch-all response to the ‘bleatings’ of civil libertarians.[112] The structural factors discussed above that appear to drive the response of successive UK governments to terrorist acts seem to invariably result in a depressing repetition of mistakes.¶ However, certain legal processes appear to have some capacity to slow down the excesses of the counter-terrorism cycle. What is becoming apparent in the UK context since 9/11 is that there are factors at play this time round that were not in play in the early years of the Northern Irish crisis. A series of parliamentary, judicial and transnational mechanisms are now in place that appear to have some moderate ‘dampening’ effect on the application of emergency powers.¶ This phrase ‘dampening’ is borrowed from Campbell and Connolly, who have recently suggested that law can play a ‘dampening’ role on the progression of the counter-terrorism cycle before it reaches its end. Legal processes can provide an avenue of political opportunity and mobilisation in their own right, whereby the ‘relatively autonomous’ framework of a legal system can be used to moderate the impact of the cycle of repression and backlash. They also suggest that this ‘dampening’ effect can ‘re-frame’ conflicts in a manner that shifts perceptions about the need for the use of violence or extreme state repression.[113] State responses that have been subject to this dampening effect may have more legitimacy and generate less repression: the need for mobilisation in response may therefore also be diluted.

### AT Whiteness

#### Their argument elevates white supremacy to an all-pervasive force that explains nearly all global oppression—this conceptual expansion hides the actual practice of racism and makes breaking it down more difficult

Andersen 3—Margaret L. Andersen, Professor of Sociology and Women's Studies and Vice Provost for Academic Affairs at the University of Delaware, 2003, “Whitewashing Race: A Critical Perspective on Whiteness,” in White Out: The Continuing Significance of Racism, ed Doane & Bonilla-Silva, p. 28]

Conceptually, one of the major problems in the whiteness literature is the reification of whiteness as a concept, as an experience, and as an identity. This practice not only leads to conceptual obfuscation but also impedes the possibility for empirical analysis. In this literature, "whiteness" comes to mean just about everything associated with racial domination. As such, whiteness becomes a slippery and elusive concept. Whiteness is presented as any or all of the following: identity, self-understanding, social practices, group beliefs, ideology, and a system of domination. As one critic writes, "If historical actors are said to have behaved the way they did mainly because they were white, then there's little room left for more nuanced analysis of their motives and meanings" (Stowe 1996:77). And Alastair Bonnett points out that whiteness "emerges from this critique as an omnipresent and all-powerful historical force. Whiteness is seen to be responsible for the failure of socialism to develop in America, for racism, for the impoverishment of humanity. With the 'blame' comes a new kind of centering: Whiteness, and White people, are turned into the key agents of historical change, the shapers of contemporary America" (1996b:153).

Despite noting that there is differentiation among whites and warning against using whiteness as a monolithic category, most of the literature still proceeds to do so, revealing a reductionist tendency. Even claiming to show its multiple forms, most writers essentialize and reify whiteness as something that directs most of Western history (Gallagher 2000). Hence while trying to "deconstruct” whiteness and see the ubiquitousness of whiteness, the literature at the same time reasserts and reinstates it (Stowe 1996:77).

For example, Michael Eric Dyson suggests that whiteness is identity, ideology, and institution (Dyson, quoted in Chennault 1998:300). But if it is all these things, it becomes an analytically useless concept. Christine Clark and James O'Donnell write: "to reference it reifies it, to refrain from referencing it obscures the persistent, pervasive, and seemingly permanent reality of racism" (1999:2). Empirical investigation requires being able to identify and measure a concept— or at the very least to have a clear definition—but since whiteness has come to mean just about everything, it ends up meaning hardly anything.