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#### The affirmative’s emphasis on cybersecurity as a solution cedes control to elites who then deem acts legitimate – culminates in the exclusion of all those deemed potential hackers or threats to our techno-utopia

HANSEN AND NISSENBAUM 2009 (Lene, Associate Professor, Director of the Ph.d. Program, Department of Political Science, University of Copenhagen. AND\*\*\* Helen, Professor, New York University, Media, Culture, and Communication & Computer Science, Digital Disaster, Cyber Security, and the Copenhagen School, International Studies Quarterly (2009) 53, 1155–1175)

 As in most academic fields, computer scientists have disagreed on the likelihood of different forms of attacks, and since the field is also cloaked in military or business secrecy, the ‘‘normal’’ follower of these debates learns ‘‘that much is withheld or simply not known, and estimates of damage strategically either wildly exaggerated or understated’’ (Nissenbaum 2005:72). These fluctuations also facilitate a coupling of radical threats with techno-utopian solutions.11 The National Strategy (2003:35) for instance couples a series of securitizations with an exuberant faith in the development of ‘‘highly secure, trust-worthy, and resilient computer systems. In the future, working with a computer, the Internet, or any other cyber system may become as dependable as turning on the lights or the water.’’ Leaving aside that for the majority of the world’s poor, and even for the impoverished American, turning on the light or water may not be entirely dependable, this echoes a technological utopianism that sidesteps the systemic, inherent ontological insecurity that computer scientists consistently emphasize. It also invokes an inherent tension between disaster and utopia as the future of cyber security. The constitution of expert authority in cyber technifications invokes furthermore the tenuous relationship between ‘‘good’’ knowledge and ‘‘bad’’ knowledge, between the computer scientist and the hacker. The hacker, argues Nissenbaum (2004), has undergone a critical shift in Western policy and media discourse, moving from a previous subject position as geeky, apolitical, and driven by the boyish challenge of breaking the codes to one of thieves, vandals, and even terrorists.12 Although ‘‘hackers’’ as well as others speaking on behalf of ‘‘hacktivista’’—the use of hacking for dissident, normatively desirable purposes— have tried to reclaim the term (Deibert 2003), both official and dissident discourse converge in their underscoring of the general securitization of the cyber sector insofar as past political hacker naivety is no longer possible. The privileged role allocated to computer and information scientists within cyber security discourse is in part a product of the logic of securitization itself: if cyber security is so crucial it should not be left to amateurs. Computer scientists and engineers are however not only experts, but technical ones and to constitute cyber security as their domain is to technify cyber security. Technifications are, as securitizations, speech acts that ‘‘do something’’ rather than merely describe, and they construct an issue as reliant upon technical, expert knowledge, but they also simultaneously presuppose a politically and normatively neutral agenda that technology serves. The mobilization of technification within a logic of securitization is thus one that allows for a particular constitution of epistemic authority and political legitimacy (Huysmans 2006:6–9). It constructs the technical as a domain requiring an expertise that the public (and most politicians) do not have and this in turn allows ‘‘experts’’ to become securitizing actors while distinguishing themselves from the ‘‘politicking’’ of politicians and other ‘‘political’’ actors. Cyber security discourse’s simultaneous securitization and technification work to prevent it from being politicized in that it is precisely through rational, technical discourse that securitization may ‘‘hide’’ its own political roots.13 The technical and the securitized should therefore not be seen as opposed realms or disjunct discursive modalities, but as deployable in complex, interlocking ways; not least by those securitizing actors who seek to depoliticize their discourses’ threat and enemy constructions through linkages to ‘‘neutral’’ technologies. A securitization by contrast inevitably draws public attention to what is done in the name of security and this provides a more direct point of critical engagement for those wishing to challenge these practices than if these were constituted as technical.

#### Sanitization of US policy leads to endless violence and imperialism – turns case

Bacevich, 5 -- Boston University international relations professor

[A. J., retired career officer in the United States Army, former director of Boston University's Center for International Relations (from 1998 to 2005), The New American Militarism: How Americans Are Seduced by War, 2005 accessed 9-4-13, mss]

Today as never before in their history Americans are enthralled with military power. The global military supremacy that the United States presently enjoys--and is bent on perpetuating-has become central to our national identity. More than America's matchless material abundance or even the effusions of its pop culture, the nation's arsenal of high-tech weaponry and the soldiers who employ that arsenal have come to signify who we are and what we stand for. When it comes to war, Americans have persuaded themselves that the United States possesses a peculiar genius. Writing in the spring of 2003, the journalist Gregg Easterbrook observed that "the extent of American military superiority has become almost impossible to overstate." During Operation Iraqi Freedom, U.S. forces had shown beyond the shadow of a doubt that they were "the strongest the world has ever known, . . . stronger than the Wehrmacht in r94o, stronger than the legions at the height of Roman power." Other nations trailed "so far behind they have no chance of catching up. ""˜ The commentator Max Boot scoffed at comparisons with the German army of World War II, hitherto "the gold standard of operational excellence." In Iraq, American military performance had been such as to make "fabled generals such as Erwin Rommel and Heinz Guderian seem positively incompetent by comparison." Easterbrook and Booz concurred on the central point: on the modern battlefield Americans had located an arena of human endeavor in which their flair for organizing and deploying technology offered an apparently decisive edge. As a consequence, the United States had (as many Americans have come to believe) become masters of all things military. Further, American political leaders have demonstrated their intention of tapping that mastery to reshape the world in accordance with American interests and American values. That the two are so closely intertwined as to be indistinguishable is, of course, a proposition to which the vast majority of Americans subscribe. Uniquely among the great powers in all of world history, ours (we insist) is an inherently values-based approach to policy. Furthermore, we have it on good authority that the ideals we espouse represent universal truths, valid for all times. American statesmen past and present have regularly affirmed that judgment. In doing so, they validate it and render it all but impervious to doubt. Whatever momentary setbacks the United States might encounter, whether a generation ago in Vietnam or more recently in Iraq, this certainty that American values are destined to prevail imbues U.S. policy with a distinctive grandeur. The preferred language of American statecraft is bold, ambitious, and confident. Reflecting such convictions, policymakers in Washington nurse (and the majority of citizens tacitly endorse) ever more grandiose expectations for how armed might can facilitate the inevitable triumph of those values. In that regard, George W. Bush's vow that the United States will "rid the world of evil" both echoes and amplifies the large claims of his predecessors going at least as far back as Woodrow Wilson. Coming from Bush the war- rior-president, the promise to make an end to evil is a promise to destroy, to demolish, and to obliterate it. One result of this belief that the fulfillment of America's historic mission begins with America's destruction of the old order has been to revive a phenomenon that C. Wright Mills in the early days of the Cold War described as a "military metaphysics"-a tendency to see international problems as military problems and to discount the likelihood of finding a solution except through military means. To state the matter bluntly, Americans in our own time have fallen prey to militarism, manifesting itself in a romanticized view of soldiers, a tendency to see military power as the truest measure of national greatness, and outsized expectations regarding the efficacy of force. To a degree without precedent in U.S. history, Americans have come to define the nation's strength and well-being in terms of military preparedness, military action, and the fostering of (or nostalgia for) military ideals? Already in the 19905 America's marriage of a militaristic cast of mind with utopian ends had established itself as the distinguishing element of contemporary U.S. policy. The Bush administrations response to the hor- rors of 9/11 served to reaffirm that marriage, as it committed the United States to waging an open-ended war on a global scale. Events since, notably the alarms, excursions, and full-fledged campaigns comprising the Global War on Terror, have fortified and perhaps even sanctified this marriage. Regrettably, those events, in particular the successive invasions of Afghanistan and Iraq, advertised as important milestones along the road to ultimate victory have further dulled the average Americans ability to grasp the significance of this union, which does not serve our interests and may yet prove our undoing. The New American Militarism examines the origins and implications of this union and proposes its annulment. Although by no means the first book to undertake such an examination, The New American Militarism does so from a distinctive perspective. The bellicose character of U.S. policy after 9/11, culminating with the American-led invasion of Iraq in March 2003, has, in fact, evoked charges of militarism from across the political spectrum. Prominent among the accounts advancing that charge are books such as The Sorrows of Empire: Militarism, Secrecy, and the End of the Republic, by Chalmers Johnson; Hegemony or Survival: Americas Quest for Global Dominance, by Noam Chomsky; Masters of War; Militarism and Blowback in the Era of American Empire, edited by Carl Boggs; Rogue Nation: American Unilateralism and the Failure of Good Intentions, by Clyde Prestowitz; and Incoherent Empire, by Michael Mann, with its concluding chapter called "The New Militarism." Each of these books appeared in 2003 or 2004. Each was not only writ- ten in the aftermath of 9/11 but responded specifically to the policies of the Bush administration, above all to its determined efforts to promote and justify a war to overthrow Saddam Hussein. As the titles alone suggest and the contents amply demonstrate, they are for the most part angry books. They indict more than explain, and what- ever explanations they offer tend to be ad hominem. The authors of these books unite in heaping abuse on the head of George W Bush, said to combine in a single individual intractable provincialism, religious zealotry, and the reckless temperament of a gunslinger. Or if not Bush himself, they fin- ger his lieutenants, the cabal of warmongers, led by Vice President Dick Cheney and senior Defense Department officials, who whispered persua- sively in the president's ear and used him to do their bidding. Thus, accord- ing to Chalmers Johnson, ever since the Persian Gulf War of 1990-1991, Cheney and other key figures from that war had "Wanted to go back and finish what they started." Having lobbied unsuccessfully throughout the Clinton era "for aggression against Iraq and the remaking of the Middle East," they had returned to power on Bush's coattails. After they had "bided their time for nine months," they had seized upon the crisis of 9/1 1 "to put their theories and plans into action," pressing Bush to make Saddam Hussein number one on his hit list." By implication, militarism becomes something of a conspiracy foisted on a malleable president and an unsuspecting people by a handful of wild-eyed ideologues. By further implication, the remedy for American militarism is self-evi- dent: "Throw the new militarists out of office," as Michael Mann urges, and a more balanced attitude toward military power will presumably reassert itself? As a contribution to the ongoing debate about U.S. policy, The New American Militarism rejects such notions as simplistic. It refuses to lay the responsibility for American militarism at the feet of a particular president or a particular set of advisers and argues that no particular presidential election holds the promise of radically changing it. Charging George W. Bush with responsibility for the militaristic tendencies of present-day U.S. for- eign policy makes as much sense as holding Herbert Hoover culpable for the Great Depression: Whatever its psychic satisfactions, it is an exercise in scapegoating that lets too many others off the hook and allows society at large to abdicate responsibility for what has come to pass. The point is not to deprive George W. Bush or his advisers of whatever credit or blame they may deserve for conjuring up the several large-scale campaigns and myriad lesser military actions comprising their war on ter- ror. They have certainly taken up the mantle of this militarism with a verve not seen in years. Rather it is to suggest that well before September 11, 2001 , and before the younger Bush's ascent to the presidency a militaristic predisposition was already in place both in official circles and among Americans more generally. In this regard, 9/11 deserves to be seen as an event that gave added impetus to already existing tendencies rather than as a turning point. For his part, President Bush himself ought to be seen as a player reciting his lines rather than as a playwright drafting an entirely new script. In short, the argument offered here asserts that present-day American militarism has deep roots in the American past. It represents a bipartisan project. As a result, it is unlikely to disappear anytime soon, a point obscured by the myopia and personal animus tainting most accounts of how we have arrived at this point. The New American Militarism was conceived not only as a corrective to what has become the conventional critique of U.S. policies since 9/11 but as a challenge to the orthodox historical context employed to justify those policies. In this regard, although by no means comparable in scope and in richness of detail, it continues the story begun in Michael Sherry's masterful 1995 hook, In the Shadow of War an interpretive history of the United States in our times. In a narrative that begins with the Great Depression and spans six decades, Sherry reveals a pervasive American sense of anxiety and vulnerability. In an age during which War, actual as well as metaphorical, was a constant, either as ongoing reality or frightening prospect, national security became the axis around which the American enterprise turned. As a consequence, a relentless process of militarization "reshaped every realm of American life-politics and foreign policy, economics and technology, culture and social relations-making America a profoundly different nation." Yet Sherry concludes his account on a hopeful note. Surveying conditions midway through the post-Cold War era's first decade, he suggests in a chapter entitled "A Farewell to Militarization?" that America's preoccupation with War and military matters might at long last be waning. In the mid- 1995, a return to something resembling pre-1930s military normalcy, involving at least a partial liquidation of the national security state, appeared to be at hand. Events since In the Shadow of War appear to have swept away these expectations. The New American Militarism tries to explain why and by extension offers a different interpretation of America's immediate past. The upshot of that interpretation is that far from bidding farewell to militariza- tion, the United States has nestled more deeply into its embrace. f ~ Briefly told, the story that follows goes like this. The new American militarism made its appearance in reaction to the I96os and especially to Vietnam. It evolved over a period of decades, rather than being sponta- neously induced by a particular event such as the terrorist attack of Septem- ber 11, 2001. Nor, as mentioned above, is present-day American militarism the product of a conspiracy hatched by a small group of fanatics when the American people were distracted or otherwise engaged. Rather, it devel- oped in full view and with considerable popular approval. The new American militarism is the handiwork of several disparate groups that shared little in common apart from being intent on undoing the purportedly nefarious effects of the I96OS. Military officers intent on reha- bilitating their profession; intellectuals fearing that the loss of confidence at home was paving the way for the triumph of totalitarianism abroad; reli- gious leaders dismayed by the collapse of traditional moral standards; strategists wrestling with the implications of a humiliating defeat that had undermined their credibility; politicians on the make; purveyors of pop cul- turc looking to make a buck: as early as 1980, each saw military power as the apparent answer to any number of problems. The process giving rise to the new American militarism was not a neat one. Where collaboration made sense, the forces of reaction found the means to cooperate. But on many occasions-for example, on questions relating to women or to grand strategy-nominally "pro-military" groups worked at cross purposes. Confronting the thicket of unexpected developments that marked the decades after Vietnam, each tended to chart its own course. In many respects, the forces of reaction failed to achieve the specific objectives that first roused them to act. To the extent that the 19603 upended long-standing conventions relating to race, gender, and sexuality, efforts to mount a cultural counterrevolution failed miserably. Where the forces of reaction did achieve a modicum of success, moreover, their achievements often proved empty or gave rise to unintended and unwelcome conse- quences. Thus, as we shall see, military professionals did regain something approximating the standing that they had enjoyed in American society prior to Vietnam. But their efforts to reassert the autonomy of that profession backfired and left the military in the present century bereft of meaningful influence on basic questions relating to the uses of U.S. military power. Yet the reaction against the 1960s did give rise to one important by-prod: uct, namely, the militaristic tendencies that have of late come into full flower. In short, the story that follows consists of several narrative threads. No single thread can account for our current outsized ambitions and infatua- tion with military power. Together, however, they created conditions per- mitting a peculiarly American variant of militarism to emerge. As an antidote, the story concludes by offering specific remedies aimed at restor- ing a sense of realism and a sense of proportion to U.S. policy. It proposes thereby to bring American purposes and American methods-especially with regard to the role of military power-into closer harmony with the nation's founding ideals. The marriage of military metaphysics with eschatological ambition is a misbegotten one, contrary to the long-term interests of either the American people or the world beyond our borders. It invites endless war and the ever-deepening militarization of U.S. policy. As it subordinates concern for the common good to the paramount value of military effectiveness, it promises not to perfect but to distort American ideals. As it concentrates ever more authority in the hands of a few more concerned with order abroad rather than with justice at home, it will accelerate the hollowing out of American democracy. As it alienates peoples and nations around the world, it will leave the United States increasingly isolated. If history is any guide, it will end in bankruptcy, moral as well as economic, and in abject failure. "Of all the enemies of public liberty," wrote James Madison in 1795, "war is perhaps the most to be dreaded, because it comprises and develops the germ of every other. War is the parent of armies. From these proceed debts and taxes. And armies, debts and taxes are the known instruments for bringing the many under the domination of the few .... No nation could preserve its freedom in the midst of continual Warfare." The purpose of this book is to invite Americans to consider the continued relevance of Madison's warning to our own time and circumstances.

#### The Alternative is to imagine Whatever Being--Any point of rejection of the sovereign state creates a non-state world made up of whatever life – that involves imagining a political body that is outside the sphere of sovereignty in that it defies traditional attempts to maintain a social identity

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(Anne, “Bio-Sovereignty and the Emergence of Humanity,” Theory & Event, Volume 7, Issue 2, Project Muse)

Can we imagine another form of humanity, and another form of power? The bio-sovereignty described by Agamben is so fluid as to appear irresistible. Yet Agamben never suggests this order is necessary. Bio-sovereignty results from a particular and contingent history, and it requires certain conditions. Sovereign power, as Agamben describes it, finds its grounds in specific coordinates of life, which it then places in a relation of indeterminacy. What defies sovereign power is a life that cannot be reduced to those determinations: a life "that can never be separated from its form, a life in which it is never possible to isolate something such as naked life. " (2.3). In his earlier Coming Community, Agamben describes this alternative life as "whatever being." More recently he has used the term "forms-of-life." These concepts come from the figure Benjamin proposed as a counter to homo sacer: the "total condition that is 'man'." For Benjamin and Agamben, mere life is the life which unites law and life. That tie permits law, in its endless cycle of violence, to reduce life an instrument of its own power. The total condition that is man refers to an alternative life incapable of serving as the ground of law. Such a life would exist outside sovereignty. Agamben's own concept of whatever being is extraordinarily dense. It is made up of varied concepts, including language and potentiality; it is also shaped by several particular dense thinkers, including Benjamin and Heidegger. What follows is only a brief consideration of whatever being, in its relation to sovereign power. / "Whatever being," as described by Agamben, lacks the features permitting the sovereign capture and regulation of life in our tradition. Sovereignty's capture of life has been conditional upon the separation of natural and political life. That separation has permitted the emergence of a sovereign power grounded in this distinction, and empowered to decide on the value, and non-value of life (1998: 142). Since then, every further politicization of life, in turn, calls for "a new decision concerning the threshold beyond which life ceases to be politically relevant, becomes only 'sacred life,' and can as such be eliminated without punishment" (p. 139). / This expansion of the range of life meriting protection does not limit sovereignty, but provides sites for its expansion. In recent decades, factors that once might have been indifferent to sovereignty become a field for its exercise. Attributes such as national status, economic status, color, race, sex, religion, geo-political position have become the subjects of rights declarations. From a liberal or cosmopolitan perspective, such enumerations expand the range of life protected from and serving as a limit upon sovereignty. Agamben's analysis suggests the contrary. If indeed sovereignty is bio-political before it is juridical, then juridical rights come into being only where life is incorporated within the field of bio-sovereignty. The language of rights, in other words, calls up and depends upon the life caught within sovereignty: homo sacer. / Agamben's alternative is therefore radical. He does not contest particular aspects of the tradition. He does not suggest we expand the range of rights available to life. He does not call us to deconstruct a tradition whose power lies in its indeterminate status.21 Instead, he suggests we take leave of the tradition and all its terms. Whatever being is a life that defies the classifications of the tradition, and its reduction of all forms of life to homo sacer. Whatever being therefore has no common ground, no presuppositions, and no particular attributes. It cannot be broken into discrete parts; it has no essence to be separated from its attributes; and it has no common substrate of existence defining its relation to others. Whatever being cannot then be broken down into some common element of life to which additive series of rights would then be attached. Whatever being retains all its properties, without any of them constituting a different valuation of life (1993: 18.9). As a result, whatever being is "reclaimed from its having this or that property, which identifies it as belonging to this or that set, to this or that class (the reds, the French, the Muslims) -- and it is reclaimed not for another class nor for the simple generic absence of any belonging, but for its being-such, for belonging itself." (0.1-1.2). / Indifferent to any distinction between a ground and added determinations of its essence, whatever being cannot be grasped by a power built upon the separation of a common natural life, and its political specification. Whatever being dissolves the material ground of the sovereign exception and cancels its terms. This form of life is less post-metaphysical or anti-sovereign, than a-metaphysical and a-sovereign. Whatever is indifferent not because its status does not matter, but because it has no particular attribute which gives it more value than another whatever being. As Agamben suggests, whatever being is akin to Heidegger's Dasein. Dasein, as Heidegger describes it, is that life which always has its own being as its concern -- regardless of the way any other power might determine its status. Whatever being, in the manner of Dasein, takes the form of an "indissoluble cohesion in which it is impossible to isolate something like a bare life. In the state of exception become the rule, the life of homo sacer, which was the correlate of sovereign power, turns into existence over which power no longer seems to have any hold" (Agamben 1998: 153). / We should pay attention to this comparison. For what Agamben suggests is that whatever being is not any abstract, inaccessible life, perhaps promised to us in the future. Whatever being, should we care to see it, is all around us, wherever we reject the criteria sovereign power would use to classify and value life. "In the final instance the State can recognize any claim for identity -- even that of a State identity within the State . . . What the State cannot tolerate in any way, however, is that the singularities form a community without affirming an identity, that humans co-belong without a representable condition of belonging" (Agamben 1993:85.6). At every point where we refuse the distinctions sovereignty and the state would demand of us, the possibility of a non-state world, made up of whatever life, appears.

## 1NC T

#### A. Definitions

#### The only War Power authority is the ability to MAKE MILITARY DECISIONS

Bajesky 13 (2013¶ Mississippi College Law Review¶ 32 Miss. C. L. Rev. 9¶ LENGTH: 33871 words ARTICLE: Dubitable Security Threats and Low Intensity Interventions as the Achilles' Heel of War Powers NAME: Robert Bejesky\* BIO: \* M.A. Political Science (Michigan), M.A. Applied Economics (Michigan), LL.M. International Law (Georgetown). The author has taught international law courses for Cooley Law School and the Department of Political Science at the University of Michigan, American Government and Constitutional Law courses for Alma College, and business law courses at Central Michigan University and the University of Miami.)

A numerical comparison indicates that the Framer's intended for Congress to be the dominant branch in war powers. Congressional war powers include the prerogative to "declare war;" "grant Letters of Marque and Reprisal," which were operations that fall short of "war"; "make Rules for Government and Regulation of the land and naval Forces;" "organize, fund, and maintain the nation's armed forces;" "make Rules concerning Captures on Land and Water," "raise and support Armies," and "provide and maintain a Navy." [n25](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n25) In contrast, the President is endowed with one war power, named as the Commander-in-Chief of the Army and Navy. [n26](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n26)¶ The Commander-in-Chief authority is a core preclusive power, predominantly designating that the President is the head of the military chain of command when Congress activates the power. [n27](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n27) Moreover, peripheral Commander-in-Chief powers are bridled by statutory and treaty restrictions [n28](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n28) because the President "must respect any constitutionally legitimate restraints on the use of force that Congress has enacted." [n29](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n29) However, even if Congress has not activated war powers, the President does possess inherent authority to expeditiously and unilaterally react to defend the nation when confronted with imminent peril. [n30](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n30) Explicating the intention behind granting the President this latitude, Alexander Hamilton explained that "it is impossible to foresee or to define the extent and variety of national exigencies, or the correspondent extent and variety of the means which may be necessary to satisfy them." [n31](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n31) The Framers drew a precise distinction by specifying that the President was empowered "to repel and not to commence war." [n32](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.771738.1261791409&target=results_DocumentContent&returnToKey=20_T17974748742&parent=docview&rand=1376677997032&reloadEntirePage=true#n32)

#### **B. Violation – the affirmative does not prohibit the ability of the President to make a military decision in one of the following areas mentioned in the topic – it merely requires a process or disclosure for the President to go through before exercising his commander and chief power**

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

#### C. Prefer our interpretation

#### Ground – the negative should be able to say Drone Strikes, Cyber ops, troop invasion and indefinite detention good/bad – This is the core negative topic ground – they get to link turn our disad by saying we still allow authority in one of the areas.

#### Limits – they justify any aff that does transparency or requires a process before implementing a particular war power – this allows them to apply a process to any particular subsection…

#### D. Voting Issue – If it were not the affirmative could run the same case year after year or unbeatable truths like racism is wrong.

## 1NC DA

#### Congress will raise the debt ceiling now – but it’ll be a tough fight

The Detriot News 9/19/13 (Dale McFeatters, "Another Debt Ceiling Debate?")

The tea party-influenced wing of the House GOP favors passing the CRs but cutting any funds in those bills that would go toward paying for Obamacare. About two dozen House Republicans are in favor of this scheme.¶ But since neither President Barack Obama nor Senate Democrats would go along with this, House Republicans risk shutting down all or parts of the government. The House Republicans’ leadership, which bears no love for Obamacare, thinks this is a terrible idea.¶ National polls and the GOP’s internal polling show that the public would generally blame Republicans for the shutdown and likely take it out on the party in the next election.¶ The beleaguered Republicans who lead the House — Speaker John Boehner, Majority Leader Eric Cantor and whip Kevin McCarthy — prefer to wait until month’s end, when Congress must vote to raise the debt ceiling.¶ Failure to raise the debt limit means the government will begin defaulting on its debts, with dire and unpredictable consequences. Boehner has pledged not to let the government default. But he wants to tie the increase in the debt ceiling to tax reform, which would likely entail cuts in entitlements — anathema to most Democrats.¶ Obama and Senate Democratic leaders say they will not negotiate over the debt limit and have begun making the argument that failing to raise it is unconstitutional and that Congress’ permission might not even be necessary.¶ At a sensitive time in the nation’s economic recovery, the administration could face economic chaos. Younger House Republicans believe Obama would back down. However, faced with growing charges that his leadership is weak and uncertain, the president almost dare not.

#### Political capital is key to get the job done

Blake 9/18/13 (Aaron, Covers National Politics for the Washington Post, The Washington Post, Post Politics, Carney Assures That Obama 'Has Twisted Arms')

White House press secretary Jay Carney on Wednesday fought back against criticism that President Obama has been disengaged from legislative battles on Capitol Hill.¶ "He has twisted arms," Carney said. "He has used the powers that are available to him to try to convince, persuade, cajole Republicans into doing the sensible thing...."¶ Pressed on Obama's role in the current budget debate and his refusal to negotiate over the debt ceiling, Carney rebuffed the idea that the president isn't involved.¶ “You’re assuming he’s above the fray," Carney said. "He’s not. He’s in the fray. And he was in the fray today, and he'll be in the fray until Congress does the right thing.”

**Details of the plan get politicized by members of congress – make infighting inevitable**

**Bucci et al 13** <Steven P. Bucci, PhD, is Director of the Douglas and Sarah Allison Center for Foreign Policy Studies, a division of the Kathryn and Shelby Cullom Davis Institute for International Studies; Paul Rosenzweig is a Visiting Fellow in the Center for Legal and Judicial Studies and the Allison Center for Foreign Policy Studies; and David Inserra is a Research Assistant in the Allison Center for Foreign Policy Studies, at The Heritage Foundation. ”A Congressional Guide: Seven Steps to U.S. Security, Prosperity, and Freedom in Cyberspace” April 1, 2013. http://www.heritage.org/research/reports/2013/04/a-congressional-guide-seven-steps-to-us-security-prosperity-and-freedom-in-cyberspace>

The 112th Congress tried, and failed, to pass comprehensive cybersecurity legislation. Several bills were considered in both chambers, and one bill, the Cyber Intelligence and Sharing Protection Act (CISPA), passed the House of Representatives. Yet, no law was ultimately produced.

President Barack Obama recently issued an executive order that mirrors the proposed Senate Cybersecurity Act (CSA) of 2012, the so-called Lieberman–Collins bill.[4] The CSA failed to pass, specifically, due to reasonable differences among Members of Congress regarding how the nation should approach the growing challenge of cybersecurity. These differing camps are not at opposite ends of the political spectrum, but are spread throughout the American ideological landscape.

The staffs of Senators Joe Lieberman (I–CT, now retired) and Susan Collins (R–ME) who wrote the bill did a very good job reaching out to a wide array of actors from the public and private sectors to try to bridge the gap between the different camps. As the vote neared, the staff members tried to soften several areas that opponents found objectionable. While they deserve commendation for their efforts, the revisions were not satisfactory: The key revision to the CSA made cybersecurity standards voluntary. Individual regulatory agencies, however, could have promulgated regulations that would have made these voluntary standards mandatory in specific sectors. Ultimately, a significant number of relevant players believed—and still do—that regulation is the wrong way to foster cybersecurity. Such concerns prevented the Cybersecurity Act of 2012 from becoming law\

#### Failure to raise the debt ceiling has economic ripple effects – investor uncertainty

Masters 13 (Jonathan, Deputy Editor at the Council on Foreign Relations, Backgrounder, jan 2 2013"US Debt Ceiling. Costs and Consequences")

Most economists, including those in the White House and from former administrations, agree that the impact of an outright government default would be severe. Federal Reserve Chairman Ben Bernanke has said a U.S. default could be a ["recovery-ending event"](http://blogs.wsj.com/economics/2011/03/01/bernanke-warns-on-debt-limit-chaos/) that would likely spark another financial crisis. Short of default, officials warn that legislative delays in raising the debt ceiling could also inflict significant harm on the economy.¶ Many analysts say congressional gridlock over the debt limit will likely sow significant uncertainty in the bond markets and place upward pressure on interest rates. Rate increases would not only hike future borrowing costs of the federal government, but would also raise capital costs for struggling U.S. businesses and cash-strapped homebuyers. In addition, rising rates could divert future taxpayer money away from much-needed federal investments in such areas as infrastructure, education, and health care.¶ The protracted and politically acrimonious debt limit showdown in the summer 2011 prompted Standard and Poor's to take the unprecedented step of downgrading the U.S. credit rating from its triple-A status, and analysts fear such brinksmanship in early 2013 could bring about similar moves from other rating agencies.¶ A 2012 study by the non-partisan Government Accountability Office estimated that [delays in raising the debt ceiling](http://www.gao.gov/products/GAO-12-701) in 2011 cost taxpayers approximately $1.3 billion for FY 2011. BPC estimated the ten-year costs of the prolonged fight at roughly $19 billion.¶ The stock market also was thrown into frenzy in the lead-up to and aftermath of the 2011 debt limit debate, with the [Dow Jones Industrial Average](http://www.bizjournals.com/nashville/news/2011/08/08/slideshow-dows-10-worst-days-ever.html) plunging roughly 2,000 points from the final days of July through the first days of August. Indeed, the Dow recorded one of its worst single-day drops in history on August 8, the day after the S&P downgrade, tumbling 635 points.¶ Speaking to the [Economic Club of New York](http://www.reuters.com/article/2012/11/20/idUSW1E8KA00A20121120) in November 2012, Fed Chairman Ben Bernanke warned that congressional inaction with regard to the fiscal cliff, the raising of the debt ceiling, and the longer-term budget situation was creating uncertainty that "appears already to be affecting private spending and investment decisions and may be contributing to an increased sense of caution in financial markets, with adverse effects on the economy."

#### Extinction

Austin ‘09 (Michael, Resident Scholar – American Enterprise Institute, and Desmond Lachman, Resident Fellow – American Enterprise Institute, “The Global Economy Unravels”, Forbes, 3-6, <http://www.aei.org/article/100187>)

What do these trends mean in the short and medium term? The Great Depression showed how social and global chaos followed hard on economic collapse. The mere fact that parliaments across the globe, from America to Japan, are unable to make responsible, economically sound recovery plans suggests that they do not know what to do and are simply hoping for the least disruption. Equally worrisome is the adoption of more statist economic programs around the globe, and the concurrent decline of trust in free-market systems. The threat of instability is a pressing concern. China, until last year the world's fastest growing economy, just reported that 20 million migrant laborers lost their jobs. Even in the flush times of recent years, China faced upward of 70,000 labor uprisings a year. A sustained downturn poses grave and possibly immediate threats to Chinese internal stability. The regime in Beijing may be faced with a choice of repressing its own people or diverting their energies outward, leading to conflict with China's neighbors. Russia, an oil state completely dependent on energy sales, has had to put down riots in its Far East as well as in downtown Moscow. Vladimir Putin's rule has been predicated on squeezing civil liberties while providing economic largesse. If that devil's bargain falls apart, then wide-scale repression inside Russia, along with a continuing threatening posture toward Russia's neighbors, is likely. Even apparently stable societies face increasing risk and the threat of internal or possibly external conflict. As Japan's exports have plummeted by nearly 50%, one-third of the country's prefectures have passed emergency economic stabilization plans. Hundreds of thousands of temporary employees hired during the first part of this decade are being laid off. Spain's unemployment rate is expected to climb to nearly 20% by the end of 2010; Spanish unions are already protesting the lack of jobs, and the specter of violence, as occurred in the 1980s, is haunting the country. Meanwhile, in Greece, workers have already taken to the streets. Europe as a whole will face dangerously increasing tensions between native citizens and immigrants, largely from poorer Muslim nations, who have increased the labor pool in the past several decades. Spain has absorbed five million immigrants since 1999, while nearly 9% of Germany's residents have foreign citizenship, including almost 2 million Turks. The xenophobic labor strikes in the U.K. do not bode well for the rest of Europe. A prolonged global downturn, let alone a collapse, would dramatically raise tensions inside these countries. Couple that with possible protectionist legislation in the United States, unresolved ethnic and territorial disputes in all regions of the globe and a loss of confidence that world leaders actually know what they are doing. The result may be a series of small explosions that coalesce into a big bang

## 1NC Case

### I Law

#### **Citing international law doesn’t set a precedent**

New York Times 8 (“US Court is Now Guiding Fewer Nations,” 9-18, <http://www.nytimes.com/2008/09/18/us/18legal.html?_r=2&hp=&adxnnlx=1221753717-8pdanTsDalyAfCQgzjrVvQ&pagewanted=print>)

**Judicial citation** or discussion **of a foreign ruling does not**, moreover, **convert it into binding precedent.** Chief Justice John Marshall, sitting as a circuit court judge, discussed the question in 1811. “It has been said that the decisions of British courts, made since the Revolution, are not authority in this country,” he said. “I admit it — but they are entitled to that respect which is due to the opinions of wise men who have maturely studied the subject they decide.” Indeed, **American judges cite all sorts of things in their decisions — law review articles, song lyrics, television programs.** State supreme courts cite decisions from other states, though a decision from Wisconsin is no more binding in Oregon than is one from Italy. “**Foreign opinions are not authoritative; they set no binding precedent for the U.S. judge**,” Justice Ruth Bader Ginsburg said in a 2006 address to the Constitutional Court of South Africa. “But they can add to the story of knowledge relevant to the solution of trying questions.” But Professor Fried said the area was a minefield. “**Courts have been citing foreign law forever,** but sparingly, for very good reason,” he said. “It is an invitation to bolster conclusions reached on other grounds. It leads to more impressionistic, undisciplined adjudication.”

#### Other countries support international law now

Benvenisti 8 (Eyal, Professor of Law at Tel Aviv University, “Reclaiming Democracy,” 102 AJIL 241)

In recent years, courts in **several democracies have begun to engage seriously in** the interpretation and application of **international law** and to heed the constitutional jurisprudence of other national courts. Most recently, this new tendency has been demonstrated by the judicial [\*242] responses to the global counterterrorism effort since the events of September 11, 2001: national **courts have been challenging executive unilateralism in** what could perhaps be **a globally coordinated move**. In this article I describe and explain this shift, arguing that the chief motivation of the national courts is not to promote global justice, for they continue to regard themselves first and foremost as national agents. Rather, **the new jurisprudence is** part of a reaction to the forces of globalization, which are **placing increasing pressure on** the different domestic branches of **government to conform to global standards**. This reaction seeks to expand the space for domestic deliberation, to strengthen the ability of national governments to withstand the pressure brought to bear by interest groups and powerful foreign governments, and to insulate the national courts from intergovernmental pressures. For this strategy to succeed, courts need to forge a united judicial front, which entails coordinating their policies with equally positioned courts in other countries by developing common communication tools consisting of international law and comparative constitutional law. The analysis also explains why the U.S. Supreme Court, which does not need to protect the domestic political or judicial processes from external pressure, has still not joined this collective effort. 3 On the basis of this insight into the driving force behind reliance on foreign law, the article proposes another outlook for assessing the legitimacy of national courts' resort to foreign and international legal sources. It asserts that recourse to these sources is perfectly legitimate from a democratic theory perspective, as it aims at reclaiming democracy from the debilitating grip of globalization.

**Alt causes will always come before the plan—world focuses on failures not success**

**Rachman 9** [Gideon Rachman is the Economist's bureau chief in Brussels, June 1 http://www.ft.com/cms/s/0/e608b556-4ee0-11de-8c10-00144feabdc0.html]

Barack Obama is a soft power president. But the world keeps asking him hard power questions. From North Korea to Guantánamo Bay, from Iran to Afghanistan, Mr Obama is confronting a range of vexing **issues** that **cannot be charmed** **out of existence.** The problem is epitomised by the US president’s trip to the Middle East this week. Its focal point will be a much-trailed speech in Cairo on Thursday June 4, in which he will directly address the Muslim world. The Cairo speech is central to Mr Obama’s efforts to rebuild America’s global popularity and its ability to persuade – otherwise known as soft power. The president has been trying out potential themes for the speech on aides and advisers for months. He is likely to emphasise his respect for Islamic culture and history, and his personal links to the Muslim world. He will suggest to his audience that both the US and the Islamic world have, at times, misjudged and mistreated each other – and he will appeal for a new beginning. George W. Bush launched a military offensive in the Middle East. Mr Obama is launching a charm offensive. There is plenty to be said for this approach. Mr Bush embroiled America in a bloody war in Iraq that strengthened Iran and acted as a recruiting sergeant for America’s enemies. Mr Obama’s alternative strategy is based on diplomacy, engagement and empathy. Mr Bush had a shoe thrown at him in his last appearance in the Middle East. So if Mr Obama receives his customary standing ovation in Cairo, that will send a powerful symbolic message. But the president should not let the applause go to his head. Even if his speech is a success, the same foreign-policy problems will be sitting in his in-tray when he gets back to the Oval Office – and they will be just as dangerous as before. In particular, there is chatter in official Washington that the Israelis may be gearing up to attack Iran’s nuclear facilities before the end of the year. The Obama administration is against any such move and it is normally assumed that Israel would not dare to pull the trigger without the go-ahead from Washington – not least because the Israelis would have to fly across US-controlled airspace to get to their targets. But the Americans do not have a complete veto over Israel’s actions. One senior US official asks rhetorically: “What are we going to do? Shoot down their planes?” A conflict between Israel and Iran would scatter the Obama administration’s carefully laid plans for Middle East peace to the winds. It would also make talk of improving American soft power around the world seem beside the point. The immediate task would be to prevent a wider regional war. In the meantime, the US will press on with the effort to achieve peace between the Israelis and the Palestinians. But even that goal is **unlikely** to be advanced much by Mr Obama’s trip to the Middle East. Many in the audience in Cairo and in the wider Islamic world will want and even expect the new president to lay out a complete vision for a peace settlement and to apply unambiguous pressure on Israel. For reasons of domestic politics, diplomacy and timing, Mr Obama is highly unlikely to do this. Yet while his Arab audience may be disappointed by what he has to say about the Middle East peace process, Mr Obama is already facing an increasingly tense relationship with the new Israeli government. The administration has now clashed openly with the Israelis over the Netanyahu government’s tolerance of expanded settlements in occupied Palestinian land. Mr Obama is also running up against the limits of soft power elsewhere. Closing the prison camp at Guantánamo was meant to be the ultimate tribute to soft power over hard power. The Obama team argued consistently that the damage that Guantánamo did to America’s image in the world outweighed any security gains from holding al-Qaeda prisoners there. Yet, faced with the backlash against releasing the remaining 240 prisoners or imprisoning them in the US, the Obama administration has **back-tracked**. It is not clear whether Guantánamo will be closed on schedule or what will happen to the riskier-sounding prisoners, who may still be held indefinitely. The much-criticised military trials are likely to be revived. In Afghanistan, Mr Obama is trying a mixture of hard and soft power. There will be a military surge – but also a “civilian surge”, designed to build up civil society and governance in Afghanistan. Old hands in Washington are beginning to shake their heads and mutter about Vietnam. Mr Obama’s preferred tools of diplomacy, **engagement and charm do not seem to be of much use with Kim Jong-il of North Korea**, either. The North Koreans have just tested a nuclear weapon – leaving the Obama administration scratching its head about what to do. The president’s charisma and rhetorical skill are real diplomatic assets. If Mr Obama can deploy them to improve America’s image and influence around the world, that is all to the good. There is nothing wrong with trying to re-build American “soft power”. The danger is more subtle. It is that President Yes-we-can has raised exaggerated hopes about the pay-off from engagement and diplomacy. In the coming months it will become increasingly obvious that soft power also **has** its **limits**.

**No impact to soft power—countries will still work with us**

**Kagan, 6** (Robert, senior fellow at the Carnegie Endowment for International Peace, The Washington Post, 1/15, http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=17894&prog=zgp&proj=zusr)

The striking thing about the present international situation is the degree to which America remains what Bill Clinton once called "the indispensable nation." Despite global opinion polls registering broad hostility to George W. Bush's United States, the **behavior of governments** and political leaders **suggests America's position** in the world **is not all that different** from what it was before Sept. 11 and the Iraq war. The much-anticipated global effort to balance against American hegemony -- which the realists have been anticipating for more than 15 years now -- **has simply not occurred**. On the contrary, in Europe the idea has all but vanished. European Union defense budgets continue their steady decline, and even the project of creating a common foreign and defense policy has slowed if not stalled. Both trends are primarily the result of internal European politics. But if they really feared American power, Europeans would be taking more urgent steps to strengthen the European Union's hand to check it. Nor are Europeans refusing to cooperate, **even with an administration they allegedly despise**. Western Europe will not be a strategic partner as it was during the Cold War, because Western Europeans no longer feel threatened and therefore do not seek American protection. Nevertheless, **the current trend is toward closer cooperation**. Germany's new government, while still dissenting from U.S. policy in Iraq, is **working hard** **and** **ostentatiously to improve relations. It is bending over backward to show support for** the mission in **Afghanistan**, most notably by **continuing to supply** a small but, in German terms, meaningful number of **troops**. It even trumpets its willingness to train Iraqi soldiers. Chancellor Angela Merkel promises to work closely with Washington on the question of the China arms embargo, indicating agreement with the American view that China is a potential strategic concern. For Eastern and Central Europe, the growing threat is Russia, not America, and the big question remains what it was in the 1990s: Who will be invited to join NATO?

**Empirically fails to address specific flashpoints**

**Greenwald ’10** (Abe is policy adviser and online editor with the Foreign Policy Initiative in Washington, July/August http://www.commentarymagazine.com/viewarticle.cfm/the-soft-power-fallacy-15466?page=all

Like Francis Fukuyama’s essay “The End of History,” soft-power theory was a creative and appealing attempt to make sense of America’s global purpose. Unlike Fukuyama’s theory, however, which the new global order seemed to support for nearly a decade, Nye’s was basically refuted by world events in its very first year. In the summer of 1990, a massive contingent of Saddam Hussein’s forces invaded Kuwait and effectively annexed it as a province of Iraq. Although months earlier Nye had asserted that “geography, population, and raw materials are becoming somewhat less important,” the fact is that Saddam invaded Kuwait because of its geographic proximity, insubstantial military, and plentiful oil reserves. Despite Nye’s claim that “the definition of power is losing its emphasis on military force,” months of concerted international pressure, including the passage of a UN resolution, failed to persuade Saddam to withdraw. In the end, only overwhelming American military power succeeded in liberating Kuwait. The American show of force also succeeded in establishing the U.S. as the single, unrivaled post–Cold War superpower. Following the First Gulf War, the 1990s saw brutal acts of aggression in the Balkans: the Bosnian War in 1992 and the Kosovo conflicts beginning in 1998. These raged on despite international negotiations and were quelled only after America took the lead in military actions. It is also worth noting that attempts to internationalize these efforts made them more costly in time, effectiveness, and manpower than if the U.S. had acted unilaterally. Additionally, the 1990s left little mystery as to how cataclysmic events unfold when the U.S. declines to apply traditional tools of power overseas. In April 1994, Hutu rebels began the indiscriminate killing of Tutsis in Rwanda. As the violence escalated, the United Nations’s peacekeeping forces stood down so as not to violate a UN mandate prohibiting intervention in a country’s internal politics. Washington followed suit, refusing even to consider deploying forces to East-Central Africa. By the time the killing was done, in July of the same year, Hutus had slaughtered between half a million and 1 million Tutsis. And in the 1990s, Japan’s economy went into its long stall, making the Japanese model of a scaled down military seem rather less relevant. All this is to say that during the presidency of Bill Clinton, Nye’s “intangible forms of power” proved to hold little sway in matters of statecraft, while modes of traditional power remained as critical as ever in coercing other nations and affirming America’s role as chief protector of the global order.

### Adv 2

**No great power draw-in**

**Gelb ’10** (President Emeritus of the Council on Foreign Relations, 2010 (Leslie, former senior official in the U.S. Defense Department and State Department, Foreign Affairs, November/December Foreign Affairs 2010)

Also reducing the likelihood of conflict today is that there is **no arena** in which the vital interests of great powers seriously clash. Indeed, the most worrisome security threats today--rogue states with nuclear weapons and terrorists with weapons of mass destruction--**actually tend to unite the great powers more than divide them**. In the past, and specifically during the first era of globalization, major powers would war over practically nothing. Back then, they fought over the Balkans, a region devoid of resources and geographic importance, a strategic zero. **Today, they are unlikely to shoulder their arms over almost anything, even the highly strategic Middle East. All have much more to lose than to gain from turmoil in that region**. To be sure, great **powers such as China and Russia will tussle with one another for advantages, but they will stop well short of direct confrontation.** **To an unprecedented degree**, the **major powers now need one another to grow their economies, and they are loath to jeopardize this interdependence by allowing traditional military and strategic competitions to escalate into wars**. In the past, U.S. enemies--such as the Soviet Union--would have rejoiced at the United States' losing a war in Afghanistan. Today, the United States and its enemies share an interest in blocking the spread of both Taliban extremism and the Afghan-based drug trade. China also looks to U.S. arms to protect its investments in Afghanistan, such as large natural-resource mines. More broadly, no great nation is challenging the balance of power in either Europe or Asia. Although nations may not help one another, they rarely oppose one another in explosive situations.

**Grid is resilient and sustainable**

**Clark ’12** (MA candidate – Intelligence Studies @ American Military University, senior analyst – Chenega Federal Systems, 4/28/’12

(Paul, “The Risk of Disruption or Destruction of Critical U.S. Infrastructure by an Offensive Cyber Attack,” American Military University)

In 2003, a simple physical breakdown occurred – trees shorted a power line and caused a fault – that had a cascading effect and caused a power blackout across the Northeast (Lewis 2010). This singular occurrence has been used as evidence that the electrical grid is fragile and subject to severe disruption through cyber-attack, a disruption that could cost billions of dollars, brings business to a halt, and could even endanger lives – if compounded by other catastrophic events (Brennan 2012). A power disruption the size of the 2003 blackout, the worst in American¶ history at that time (Minkel 2008), is a worst case scenario and used as an example of the¶ fragility of the U.S. energy grid. This perceived fragility is not real when viewed in the context of the robustness of the electrical grid. When asked about cyber-attacks against the electrical grid in April of 2012, the intelligence chief of U.S. Cyber Command Rear Admiral Samuel Cox stated that an attack was unlikely to succeed because of the “huge amounts of resiliency built into the [electrical] system that makes that kind of catastrophic thing very difficult” (Capaccio 2012). This optimistic view is supported by an electrical grid that has proven to be robust in the face of large natural catastrophes. Complex systems like the electrical grid in the U.S. are prone to failures and the U.S. grid fails frequently. Despite efforts to reduce the risk out power outages, the risk is always present. Power outages that affect more than 50,000 people have occurred steadily over the last 20 years at a rate of 12% annually and the frequency of large catastrophes remains relatively high and outages the size of the 2003 blackout are predicted to occur every 25 years (Minkel 2008). In a complex system that is always at risk of disruption, the effect is mitigated by policies and procedures that are meant to restore services as quickly as possible. The most visible of these policies is the interstate Emergency Management Assistance Compact, a legally binding agreement allowing combined resources to be quickly deployed in response to a catastrophic disaster such as power outages following a severe hurricane (Kapucu, Augustin and Garayev 2009). The electrical grid suffers service interruptions regularly, it is a large and complex system supporting the largest economy in the world, and yet commerce does not collapse (Lewis 2010). Despite blizzards, earthquakes, fires, and hurricanes that cause blackouts, the economy is affected but does not collapse and even after massive damage like that caused by Hurricane Katrina, national security is not affected because U.S. military capability is not degraded (Lewis 2010). Cyber-security is an ever-increasing concern in an increasingly electronic and interconnected world. Cyber-security is a high priority “economic and national security challenge” (National Security Council n.d.) because cyber-attacks are expected to become the top national security threat (Robert S. Mueller 2012). In response to the threat Congress is crafting legislation to enhance cyber-security (Brito and Watkins 2012) and the Department of Homeland Security budget for cyber-security has been significantly increased (U.S. Senate Committee on Homeland Security and Governmental Affairs 2012).

**The military isn’t stupid – backup capacity solves blackouts**

Aimone ’12 (9-12 (Dr. Michael, Director of Business Enterprise Integration – Office of the Deputy Under Secretary of Defense (Installations and Environment), “Statement Before the House Committee on Homeland Security, Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies,” 2012, http://homeland.house.gov/sites/homeland.house.gov/files/Testimony%20-%20Aimone.pdf)

DoD’s facility energy strategy is also focused heavily on grid security in the name of mission assurance. Although the Department’s fixed installations traditionally served largely as a platform for training and deployment of forces, in recent years they have begun to provide direct support for combat operations, such as unmanned aerial vehicles (UAVs) flown in Afghanistan from fixed installations here in the United States. Our fixed installations also serve as staging platforms for humanitarian and homeland defense missions. These installations are largely dependent on a commercial power grid that is vulnerable to disruption due to aging infrastructure, weather-related events, and potential kinetic, cyber attack. In 2008, the Defense Science Board warned that DoD’s reliance on a fragile power grid to deliver electricity to its bases places critical missions at risk. 1 Standby Power Generation Currently, DoD ensures that it can continue mission critical activities on base largely through its fleet of on-site power generation equipment. This equipment is connected to essential mission systems and automatically operates in the event of a commercial grid outage. In addition, each installation has standby generators in storage for repositioning as required. Facility power production specialists ensure that the generators are primed and ready to work, and that they are maintained and fueled during an emergency. With careful maintenance these generators can bridge the gap for even a lengthy outage. As further back up to this installed equipment, DoD maintains a strategic stockpile of electrical power generators and support equipment that is kept in operational readiness. For example, during Hurricane Katrina, the Air Force transported more than 2 megawatts of specialized diesel generators from Florida, where they were stored, to Keesler Air Force Base in Mississippi, to support base recovery.

### Solvency

#### Congressional oversight is strong now – numerous congressional hearings prove

Inside Cyber Security 7/22/13 ("Congress Shifts Into Cyber Security Oversight Despite Unresolved Liability Questions")

In the absence of legislation, lawmakers are advancing their cybersecurity priorities and concerns through the oversight process. Meehan pressed witnesses from DHS and NIST on issues such as whether the voluntary framework is a first step toward formal regulation of industry, and whether the framework creates an assumption of liability for companies that decline to participate.¶ Robert Kolasky, who heads the DHS integrated task force on cybersecurity, and Charles Romine, director of NIST's information technology lab, represented the administration before the panel.¶ "I can speak with certainty that [DHS] looks at this as a voluntary program," Kolasky told Meehan. Romine said he didn't believe the process would lead to federal regulation, and said the "vigorous participation" by the private sector in developing the framework demonstrated its voluntary nature. "The only way it works is with buy-in," Romine said.¶ Subcommittee ranking member Yvette Clarke (D-NY) stressed her concerns that data privacy be protected throughout the process, and that federal civil liberties and privacy officials have a place at the table as the framework is developed and implemented.¶ Romine and Kolasky both said privacy protections were being "baked into the process," although officials acknowledged at a NIST workshop earlier this month in San Diego that more needs to be done to create metrics on privacy.¶ While the Homeland Security subcommittee hearing was largely a collegial affair, it didn't entirely escape the heat generated by the NSA leaks and other controversies.¶ "This administration has had a series of bungles," Rep. Tom Marino (R-PA) charged. "And usually a low-level person gets blamed." He demanded to know how accountability would be assessed within the administration's cyber program, saying "insider threats are happening ad nauseam in this administration."¶ Romine said "risk mitigation of insider threats" was an ongoing process. Kolasky mentioned three steps to ensure security: separating classified from unclassified information and getting the latter out as quickly as possible; security improvements to the Cybersecurity Service Program; and ensuring proper vetting of employees with access to the data.

Presidential Policy Directive 20 stops militarization of internet – status quo solves

Lawson 6/11 <Sean. “Is There A Silver Lining To The President's Cyber War Policy?” June 11, 2013.

http://www.forbes.com/sites/seanlawson/2013/06/11/is-there-a-silver-lining-to-the-presidents-cyber-war-policy/>

What started last week as a series of reports on domestic spying by the NSA took a turn towards cyber security on Friday when Glenn Greenwald and Ewen MacAskill of The Guardian published the top secret Presidential Policy Directive 20 (PPD–20), which deals with U.S. policy and planning for cyber conflict. Like the other documents that The Guardian released, this one largely confirmed what those who pay close attention to these issues already knew: the United States is working to build up its offensive cyber warfare capabilities. But the document provides other insights as well, and perhaps even a small measure of consolation for cyber war critics. First, we know from reporting by the New York Times this time last year that the United States has already engaged in offensive cyber attacks with the use of Stuxnet against Iranian nuclear facilities. Over the last year, other reportshave pointed to various indicators of the United States’s preparations for offensive cyber warfare. By calling attention to that portion of PPD–20 that directs DoD and the intelligence community to draw up a list of possible targets for “Offensive Cyber Effects Operations (OCEO)” (p. 3), Greenwald and MacAskill have provided one more important bit of information about how U.S. plans for possible offensive cyber warfare are proceeding. Second, PPD–20 provides an interesting tidbit related to cyber intelligence. Following the hack of HBGary Federal in 2011, various observers took note of the growing number of companies providing technologies and services for cyber intelligence to the U.S. government. One such technology was “persona management” software that can be used to facilitate online information gathering and perception management operations. Though the evidence for the existence of such tools and techniques seemed solid, some still questioned their reality. But PPD–20 makes reference to “the use of online personas” as a tool for “human intelligence operations undertaken via the Internet” (p. 5). This provides another, powerful piece of evidence for the reality of persona management. Third, the document might provide some measure of consolation for cyber war critics. Though news of the President’s order to draw up a list of targets and circumstances for which cyber capabilities might be appropriate is a disappointing development for those of us who wish the Internet were not becoming a battlefield, it is not surprising that policy makers and planners are carrying out this kind of exercise. It is routine and makes sense. If you are going to have a weapon/capability, you should think in advance about when, where, against whom, and with what effects that capability/weapon can be used. So yes, it’s disappointing to see one more step towards the militarization of the Internet and the possibility of cyber war. On the other hand, if we are going to have cyber weapons – and it appears that is all but inevitable at this point – better to think carefully about how they will and won’t be used than not. This is where we see one aspect of how some of the document might help to allay critics’ concerns. One of the biggest criticisms that many had of the Stuxnet operation (myself included) was that it seemed to have been carried out without adequate thought given to the larger implications. This document appears to initiate a process meant to engage in such thought. The document identifies a number of criteria to be considered when deciding upon the use of defensive and offensive cyber effects operations, including “impact,” “risks,” “methods,” “geography and identity,” “transparency,” and “authorities and civil liberties” (p. 13). Thomas Rid of the War Studies Department at Kings Collegeasked this week, “How would the authors of #PPD20 assess Stuxnet in hindsight against their own criteria?” His answer, “Probably ambiguous.” He pointed to the possibility for economic retaliation and “the establishment of unwelcome norms of international behavior” as at least two areas where the Stuxnet operation would likely fall short of PPD–20’s criteria. He is likely correct. On the other hand, given the firestorm of criticism that followed revelations of Stuxnet, perhaps PPD–20’s criteria can be read as a lesson learned and a commitment not to repeat the mistakes of Stuxnet. Only time will tell. Increasingly bellicose rhetoric in the U.S. public discourse about cyber warfare combined with revelations of the Stuxnet operation have led myself and others to worry that the United States was perhaps getting trigger happy with its cyber capabilities and that it had a too simplistic and overly optimistic idea of how those capabilities could realistically be used. But, there are elements of PPD–20 that, if truly heeded by planners, should help to allay those fears. First, critics have noted that the dense interconnectivity of cyberspace, which spans geographic boundaries, places serious limitations on the ability to precisely target and then control the effects of a cyber attack. Stuxnet’s escape into the “wild” soon emerged as an important piece of evidence in support of this caveat. We might take some comfort, therefore, in the fact that PPD–20 acknowledges that the global interconnectivity of cyberspace means that both defensive and offensive cyber operations, “even for subtle or clandestine operations, may generate cyber effects in locations other than the intended target, with potential unintended or collateral consequences that may affect U.S. national interests in many locations” (p. 6). A true appreciation of this possibility should serve to restrain the United States’s use of cyber attacks. Again, only time will tell if this lesson has truly been understood by U.S. policy makers. Second, though the document does confirm the President’s belief that “OCEO can offer unique and unconventional capabilities to advance U.S. national objectives around the world” and therefore calls for the U.S. Government to “identify potential targets of national importance where OCEO can offer a favorable balance of effectiveness” (p. 9), it also recognizes the considerable difficulties in accomplishing this task. Some cyber war proponents have tended to talk about cyber weapons as though they are munitions like any other, that they can be created easily and cheaply, stored up, and then used at lightening speed on any target. They have pointed to Stuxnet as evidence of this latest revolution in military affairs. Others, however, have seen in Stuxnet an example of the costs and complexity of developing and deploying such weapons, as well as their limited operational effectiveness [PDF]. This is because cyber weapons with the greatest potential effectiveness are those tailored to their targets. This tailoring, however, is complex, costly, and in need of constant updating as the target and the wider environment change. PPD–20 recognizes this fact when it says, “The development and sustainment of OCEO capabilities, however, may require considerable time and effort if access and tools for a specific target do not already exist” (9). Taken together, the application of the criteria laid out in PPD–20, its recognition of the difficulties of targeting and containing the effects of cyber attacks, and its acknowledgement of the considerable time and effort needed to develop a targeted, contained, and effective cyber weapon should all serve to constrain the United States’ use of cyber attack. Of course, the key word here is “should.” It is certainly disappointing that the problem of cyber security is still being framed primarily as a national security and military problem and, as such, the United States continues its march towards the militarization of cyberspace. Nonetheless, there are several possible benefits to the public availability of PPD–20. First, one action item at the end of PPD–20 is to develop a communication plan to explain the policy to the public. Ironically, the leak of this document might make that job easier. The public availability of PPD–20 helps to clarify for the public what its government’s understanding of and preparation for cyber warfare does and does not entail. Second, PPD–20 could help to change the public discourse about cyber warfare. On the whole, the language in PPD–20 is less bellicose than much of the rhetoric that has come to dominate the public discussion of this issue. If truly appreciated and applied, the caveats and criteria identified in PPD–20, though they will not stop the United States’s development of offensive cyber warfare capabilities, should serve to restrain the use of those capabilities. The kind of sober assessment found in PPD–20, which acknowledges the potential negative impacts of and limitations to the use of cyber attack, should replace the sometimes overheated and overly optimistic public discourse about cyber warfare. Finally, the public and the press now have an agreed-upon criteria against which to judge future calls by politicians or others for the use of offensive cyber attacks. The public can hold them to account for following “their own criteria,” as Rid has said, because now we know what the criteria is. And there is no room in that criteria for the kind of cyber warmongering that has become all too prominent recently.

# 2NC

## 2NC Kritik

### 2NC/1NR Overview

Kritik outweighs and turns the case –

#### First, structural violence – the aff sanitizes imperial violence by legitimizing the façade of “rule of law.” It creates the conditions for intervention because those countries are “devoid of rule of law” – that allows “ever deepening militarization” according to Bacevich. There’s also a value to life impact – that’s an a priori issue – this logic allows the government to view certain bodies as disposable - creates priming that psychologically structures escalation

Scheper-Hughes and Bourgois ‘4(Prof of Anthropology @ Cal-Berkely; Prof of Anthropology @ UPenn) (Nancy and Philippe, Introduction: Making Sense of Violence, in Violence in War and Peace, pg. 19-22)

This large and at first sight “messy” Part VII is central to this anthology’s thesis. It encompasses everything from the routinized, bureaucratized, and utterly banal violence of children dying of hunger and maternal despair in Northeast Brazil (Scheper-Hughes, Chapter 33) to elderly African Americans dying of heat stroke in Mayor Daly’s version of US apartheid in Chicago’s South Side (Klinenberg, Chapter 38) to the racialized class hatred expressed by British Victorians in their olfactory disgust of the “smelly” working classes (Orwell, Chapter 36). In these readings violence is located in the symbolic and social structures that overdetermine and allow the criminalized drug addictions, interpersonal bloodshed, and racially patterned incarcerations that characterize the US “inner city” to be normalized (Bourgois, Chapter 37 and Wacquant, Chapter 39). Violence also takes the form of class, racial, political self-hatred and adolescent self-destruction (Quesada, Chapter 35), as well as of useless (i.e. preventable), rawly embodied physical suffering, and death (Farmer, Chapter 34). Absolutely central to our approach is a blurring of categories and distinctions between wartime and peacetime violence. Close attention to the “little” violences produced in the structures, habituses, and mentalites of everyday life shifts our attention to pathologies of class, race, and gender inequalities. More important, it interrupts the voyeuristic tendencies of “violence studies” that risk publicly humiliating the powerless who are often forced into complicity with social and individual pathologies of power because suffering is often a solvent of human integrity and dignity. Thus, in this anthology we are positing a violence continuum comprised of a multitude of “small wars and invisible genocides” (see also Scheper- Hughes 1996; 1997; 2000b) conducted in the normative social spaces of public schools, clinics, emergency rooms, hospital wards, nursing homes, courtrooms, public registry offices, prisons, detention centers, and public morgues. The violence continuum also refers to the ease with which humans are capable of reducing the socially vulnerable into expendable nonpersons and assuming the license - even the duty - to kill, maim, or soul-murder. We realize that in referring to a violence and a genocide continuum we are flying in the face of a tradition of genocide studies that argues for the absolute uniqueness of the Jewish Holocaust and for vigilance with respect to restricted purist use of the term genocide itself (see Kuper 1985; Chaulk 1999; Fein 1990; Chorbajian 1999). But we hold an opposing and alternative view that, to the contrary, it is absolutely necessary to make just such existential leaps in purposefully linking violent acts in normal times to those of abnormal times. Hence the title of our volume: Violence in War and in Peace. If (as we concede) there is a moral risk in overextending the concept of “genocide” into spaces and corners of everyday life where we might not ordinarily think to find it (and there is), an even greater risk lies in failing to sensitize ourselves, in misrecognizing protogenocidal practices and sentiments daily enacted as normative behavior by “ordinary” good-enough citizens. Peacetime crimes, such as prison construction sold as economic development to impoverished communities in the mountains and deserts of California, or the evolution of the criminal industrial complex into the latest peculiar institution for managing race relations in the United States (Waquant, Chapter 39), constitute the “small wars and invisible genocides” to which we refer. This applies to African American and Latino youth mortality statistics in Oakland, California, Baltimore, Washington DC, and New York City. These are “invisible” genocides not because they are secreted away or hidden from view, but quite the opposite. As Wittgenstein observed, the things that are hardest to perceive are those which are right before our eyes and therefore taken for granted. In this regard, Bourdieu’s partial and unfinished theory of violence (see Chapters 32 and 42) as well as his concept of misrecognition is crucial to our task. By including the normative everyday forms of violence hidden in the minutiae of “normal” social practices - in the architecture of homes, in gender relations, in communal work, in the exchange of gifts, and so forth - Bourdieu forces us to reconsider the broader meanings and status of violence, especially the links between the violence of everyday life and explicit political terror and state repression, Similarly, Basaglia’s notion of “peacetime crimes” - crimini di pace - imagines a direct relationship between wartime and peacetime violence. Peacetime crimes suggests the possibility that war crimes are merely ordinary, everyday crimes of public consent applied systematic- ally and dramatically in the extreme context of war. Consider the parallel uses of rape during peacetime and wartime, or the family resemblances between the legalized violence of US immigration and naturalization border raids on “illegal aliens” versus the US government- engineered genocide in 1938, known as the Cherokee “Trail of Tears.” Peacetime crimes suggests that everyday forms of state violence make a certain kind of domestic peace possible. Internal “stability” is purchased with the currency of peacetime crimes, many of which take the form of professionally applied “strangle-holds.” Everyday forms of state violence during peacetime make a certain kind of domestic “peace” possible. It is an easy-to-identify peacetime crime that is usually maintained as a public secret by the government and by a scared or apathetic populace. Most subtly, but no less politically or structurally, the phenomenal growth in the United States of a new military, postindustrial prison industrial complex has taken place in the absence of broad-based opposition, let alone collective acts of civil disobedience. The public consensus is based primarily on a new mobilization of an old fear of the mob, the mugger, the rapist, the Black man, the undeserving poor. How many public executions of mentally deficient prisoners in the United States are needed to make life feel more secure for the affluent? What can it possibly mean when incarceration becomes the “normative” socializing experience for ethnic minority youth in a society, i.e., over 33 percent of young African American men (Prison Watch 2002). In the end it is essential that we recognize the existence of a genocidal capacity among otherwise good-enough humans and that we need to exercise a defensive hypervigilance to the less dramatic, permitted, and even rewarded everyday acts of violence that render participation in genocidal acts and policies possible (under adverse political or economic conditions), perhaps more easily than we would like to recognize. Under the violence continuum we include, therefore, all expressions of radical social exclusion, dehumanization, depersonal- ization, pseudospeciation, and reification which normalize atrocious behavior and violence toward others. A constant self-mobilization for alarm, a state of constant hyperarousal is, perhaps, a reasonable response to Benjamin’s view of late modern history as a chronic “state of emergency” (Taussig, Chapter 31). We are trying to recover here the classic anagogic thinking that enabled Erving Goffman, Jules Henry, C. Wright Mills, and Franco Basaglia among other mid-twentieth-century radically critical thinkers, to perceive the symbolic and structural relations, i.e., between inmates and patients, between concentration camps, prisons, mental hospitals, nursing homes, and other “total institutions.” Making that decisive move to recognize the continuum of violence allows us to see the capacity and the willingness - if not enthusiasm - of ordinary people, the practical technicians of the social consensus, to enforce genocidal-like crimes against categories of rubbish people. There is no primary impulse out of which mass violence and genocide are born, it is ingrained in the common sense of everyday social life. The mad, the differently abled, the mentally vulnerable have often fallen into this category of the unworthy living, as have the very old and infirm, the sick-poor, and, of course, the despised racial, religious, sexual, and ethnic groups of the moment. Erik Erikson referred to “pseudo- speciation” as the human tendency to classify some individuals or social groups as less than fully human - a prerequisite to genocide and one that is carefully honed during the unremark- able peacetimes that precede the sudden, “seemingly unintelligible” outbreaks of mass violence. Collective denial and misrecognition are prerequisites for mass violence and genocide. But so are formal bureaucratic structures and professional roles. The practical technicians of everyday violence in the backlands of Northeast Brazil (Scheper-Hughes, Chapter 33), for example, include the clinic doctors who prescribe powerful tranquilizers to fretful and frightfully hungry babies, the Catholic priests who celebrate the death of “angel-babies,” and the municipal bureaucrats who dispense free baby coffins but no food to hungry families. Everyday violence encompasses the implicit, legitimate, and routinized forms of violence inherent in particular social, economic, and political formations. It is close to what Bourdieu (1977, 1996) means by “symbolic violence,” the violence that is often “nus-recognized” for something else, usually something good. Everyday violence is similar to what Taussig (1989) calls “terror as usual.” All these terms are meant to reveal a public secret - the hidden links between violence in war and violence in peace, and between war crimes and “peace-time crimes.” Bourdieu (1977) finds domination and violence in the least likely places - in courtship and marriage, in the exchange of gifts, in systems of classification, in style, art, and culinary taste- the various uses of culture. Violence, Bourdieu insists, is everywhere in social practice. It is misrecognized because its very everydayness and its familiarity render it invisible. Lacan identifies “rneconnaissance” as the prerequisite of the social. The exploitation of bachelor sons, robbing them of autonomy, independence, and progeny, within the structures of family farming in the European countryside that Bourdieu escaped is a case in point (Bourdieu, Chapter 42; see also Scheper-Hughes, 2000b; Favret-Saada, 1989). Following Gramsci, Foucault, Sartre, Arendt, and other modern theorists of power-vio- lence, Bourdieu treats direct aggression and physical violence as a crude, uneconomical mode of domination; it is less efficient and, according to Arendt (1969), it is certainly less legitimate. While power and symbolic domination are not to be equated with violence - and Arendt argues persuasively that violence is to be understood as a failure of power - violence, as we are presenting it here, is more than simply the expression of illegitimate physical force against a person or group of persons. Rather, we need to understand violence as encompassing all forms of “controlling processes” (Nader 1997b) that assault basic human freedoms and individual or collective survival. Our task is to recognize these gray zones of violence which are, by definition, not obvious. Once again, the point of bringing into the discourses on genocide everyday, normative experiences of reification, depersonalization, institutional confinement, and acceptable death is to help answer the question: What makes mass violence and genocide possible? In this volume we are suggesting that mass violence is part of a continuum, and that it is socially incremental and often experienced by perpetrators, collaborators, bystanders - and even by victims themselves - as expected, routine, even justified. The preparations for mass killing can be found in social sentiments and institutions from the family, to schools, churches, hospitals, and the military. They harbor the early “warning signs” (Charney 1991), the “priming” (as Hinton, ed., 2002 calls it), or the “genocidal continuum” (as we call it) that push social consensus toward devaluing certain forms of human life and lifeways from the refusal of social support and humane care to vulnerable “social parasites” (the nursing home elderly, “welfare queens,” undocumented immigrants, drug addicts) to the militarization of everyday life (super-maximum-security prisons, capital punishment; the technologies of heightened personal security, including the house gun and gated communities; and reversed feelings of victimization).

#### Second, the aff causes serial policy failure – the sovereign determines the law so the law cannot limit the sovereign …

#### Third, the executive will redefine the law to violate and ignore the plan

Pollack, 13 -- MSU Guggenheim Fellow and professor of history emeritus [Norman, "Drones, Israel, and the Eclipse of Democracy," Counterpunch, 2-5-13, www.counterpunch.org/2013/02/05/drones-israel-and-the-eclipse-of-democracy/, accessed 9-1-13, mss]

Bisharat first addresses the transmogrification of international law by Israel’s military lawyers. We might call this damage control, were it not more serious. When the Palestinians first sought to join the I.C.C., and then, to receive the UN’s conferral of nonmember status on them, Israel raised fierce opposition. Why? He writes: “Israel’s frantic opposition to the elevation of Palestine’s status at the United Nations was motivated precisely by the fear that it would soon lead to I.C.C. jurisdiction over Palestinian claims of war crimes. Israeli leaders are unnerved for good reason. The I.C.C. could prosecute major international crimes committed on Palestinian soil anytime after the court’s founding on July 1, 2002.” In response to the threat, we see the deliberate reshaping of the law: Since 2000, “the Israel Defense Forces, guided by its military lawyers, have attempted to **remake the laws** of war by consciously violating them and then **creating new legal concepts to provide juridical cover** for their misdeeds.” (Italics, mine) In other words, habituate the law to the existence of atrocities; in the US‘s case, targeted assassination, repeated often enough, seems permissible, indeed clever and wise, as pressure is steadily applied to the laws of war. Even then, “collateral damage” is seen as unintentional, regrettable, but hardly prosecutable, and in the current atmosphere of complicity and desensitization, never a war crime. (**Obama is hardly a novice at** this game of **stretching the law to suit the convenience of**, shall we say, the **national interest**? In order to ensure the distortion in counting civilian casualties, which would bring the number down, as Brennan with a straight face claimed, was “zero,” the Big Lie if ever there was one, placing him in distinguished European company, Obama **redefined the meaning** of “combatant” status to be any male of military age throughout the area (which we) declared a combat zone, which noticeably led to a higher incidence of sadism, because it allowed for “second strikes” on funerals—the assumption that anyone attending must be a terrorist—and first responders, those who went to the aid of the wounded and dying, themselves also certainly terrorists because of their rescue attempts.) These guys play hardball, perhaps no more than in using—by report—the proverbial baseball cards to designate who would be next on the kill list. But funerals and first responders—verified by accredited witnesses–seems overly much, and not a murmur from an adoring public.

#### Fourth, root cause – their aff only gets rid of a symptom of the system. It masks over policies of militarism that are at the heart of their impact claims.

#### [OPTIONAL] Fifth, only we can access offense – antiepistemologies created by the state plague their scholarship

Pugliese, 13 -- Macquarie University Cultural Studies professor

[Joseph, Macquarie University MMCCS (Media, Music, Communication and Cultural Studies) research director, *State Violence and the Execution of Law: Biopolitcal Caesurae of Torture, Black Sites, Drones,* 3-15-13, ebook accessed via EBL on 8-30-13, mss]

A constitutively incomplete scholarship: redactions, foreclosures, fragments

The work that unfolds in the chapters that follow is inscribed by a constitutively **incomplete** **scholarship**. This incompleteness is not due to the standard limitations imposed by time, word length and the other practical exigencies that impact on the process of scholarly research. Rather, this incompleteness is constitutive in quite another way. It is an incompleteness determined by the power of the state to impose fundamental omissions of information through the redaction of key documents, through the legal silencing of its agents and through the literal obliteration of evidence. **These** are all **techniques** of foreclosure that **establish the** **impossibility of disclosure**. In rhetorical terms, the redactions that score the legal texts that I examine operate as aposiopetic ﬁgures; ﬁgures that, in keeping with Greek etymology of the term, demand the keeping of silence. In their liquidation of linguistic meaning, they establish voids of signiﬁcation. Through the process of institutionalized censorship, they order into silence the voices of those subjects who might proceed to name the violence they perpetrated, while also nullifying the voices of the tortured. As rectilinear bars of blackness, the redactions that score the state’s declassiﬁed texts occlude the victims of state violence even as they neatly geometrize the disorder of torn flesh and violated bodies. The slabs of redaction encrypt the disappeared victims of torture in their textual black coffins. As such, they graphically exemplify the obliterative violence of law. These aposiopetic tracts are the textual and symbolic equivalent of the physical violence that is exercised by the state in order to silence its captives. Perhaps the most graphic incarnation of this transpired at Guantanamo, where a detainee, after an interrogation session, ‘began to yell (in Arabic): “Resist, Resist with all your might.”’102 The Interrogation Control Element Chief for Joint Task Force 170# GTMO ordered the detainee to be silenced with duct tape. In their Summarized Witness Statement, an unnamed agent recounts what they witnessed: "˜When I arrived at the interrogation room. I observed six or seven soldiers (or persons I believed were soldiers) laughing and pointing at something inside the room. When I looked inside I noticed a detainee with his entire head covered in duct tape . . . When I asked how he planned to take the tape off without hurting the detainee (the detainee had a beard and longer hair) [redacted] just laughed" The reduction of the detainee to a figure of bondage - short-shackled to the floor and manacled - is not adequate in confirming his status as captive. His face and voice, evidence of his human status, must be physically redacted. The taping of his entire head transmutes him into a faceless papier-machê mannequin. Even the most minimal sign of resistance, such as the exercise of the voice, IIILISI be subju- gated. The corporal economies of torture oscillate between the exercise of violence in order to extort confessions from broken bodies finally rendered docile and the exercise of violence to silence those insurgent bodies that refuse the order to be silent. The duct taping of the head of the detainee emblematizes the deployment of two violent modalities of torture: instrumental and gratuitous. Instrumental violence is produced by the direct application of tools and technologies - such as cables, pliers. electrodes and so on ~ onto the body of the victim in order to inflict pain. In this case the duct taping of the detainee's entire head directly produces a terrifying sense of asphyxiation. Gratuitous violence is a type of supplementary violence that results indirectly, after the fact of the application of instrumental violence. In this instance, the instrumentalized application of duct tape was principally driven by the desire to silence and subjugate the detainee. The ripping off of the duct tape and the tearing of his hair and beard will generate a violence that is wanton, augmenting the pain of having one's facial apertures sealed up. The end result is to confirm the detainee's status as subjugated object of violence. The US government’s power to withhold or destroy information runs the full gamut of censorial practices -- from the ludicrous to the indefensible. The CIA, for example, has exercised an impressive commitment to linguistic probity by insisting on the redaction of such disturbing terms as ‘rot,’ ‘shithole’ and ‘urinal’ from the testimony of one its former interrogators.104 It has also overseen the wholesale destruction of 92 videos that document the torture practices inflicted on their victims; torture practices that allegedly ‘went even beyond those approved by the expansive Yoo and Bybee Torture Memos.’105 **These censorial practices have fundamentally determined the very material conditions of possibility of** my **research**. They have produced a complex textual field inscribed by gaps, silences and the contingent fragments of knowledge that have managed to enter the public domain despite the censorial power of the state. And I refer here to the extraordinary work of individuals - such as Bradley Manning, who is himself now a victim of the state`s punitive regime of cruel and degrading punishment - or organizations, such as WikiLeaks, that have defied the censorial power of the state in order to make public texts that document the full extent of the state's violent practices and that compel its witnesses to call it to account. The work of these whistle- blowers and activists evidences the fact that the state is not an impervious monolith of repressive power but that, on the contrary, much as it strives to be unilateral in its actions and monologic in its enunciations, the state cannot completely master its heterogeneous agents or silence its heteroglossic voices. In the chapters that follow, I draw heavily on the texts that document the operations of the state in executing and exceeding its laws. I also, however, take the time to reflect critically on the materiality of the absences that mark my field of study by focusing specifically on the redactions that score a number of the key state documents to which I refer. These redactions, as I argue in Chapter 5, visibly signify both the sovereign power of the state and its insecurity. I read these redactions as techniques designed to manage, control and, where necessary, to obliterate knowledge altogether. In effect, these **redactions** function to **constitute the opposite of epistemology: they generate official systems of unknowing, anti-epistemologies that consign the reading subject to** **ignorance and unknowledge**. Faced with these lacunae, I attempt to unsettle the anti-epistemological practices of redaction by reading the very processes of redaction as symbolic instantiations of state violence: they reproduce, textually, their own figural black sites that effectively occlude the names of the agents responsible for the torture practices, even as they also become the black holes to which are dispatched the victims of such practices. Against the grain, then, I read these black sites of redaction as the textual and symbolic equivalent to the material black site prisons run by the state. The anti-epistemological violence of these sites of redaction works in tandem with the ontological violence that the state visits upon its embodied subjects.

### 2NC – Framework

#### Counter-interpretation – The judge is an education administer – the aff must defend their assembly and presentation of the 1AC – the ballot should endorse a decision making model for the most effective approach to war policy

#### 3. Fiat is not real – the k is an academic discussion of the underpinnings of the affirmative – by definition comes before the outcomes of the aff because winning that their epistomolgy is wrong means the aff should have never happened – this is specifically true of war powers debates

Pugliese, 13 -- Macquarie University Cultural Studies professor

[Joseph, Macquarie University MMCCS (Media, Music, Communication and Cultural Studies) research director, State Violence and the Execution of Law: Biopolitcal Caesurae of Torture, Black Sites, Drones, 3-15-13, ebook accessed via EBL on 8-30-13, mss]

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His face and voice, evidence of his human status, must be physically redacted. The taping of his entire head transmutes him into a faceless papier-machê mannequin. Even the most minimal sign of resistance, such as the exercise of the voice, IIILISI be subju- gated. The corporal economies of torture oscillate between the exercise of violence in order to extort confessions from broken bodies finally rendered docile and the exercise of violence to silence those insurgent bodies that refuse the order to be silent. The duct taping of the head of the detainee emblematizes the deployment of two violent modalities of torture: instrumental and gratuitous. Instrumental violence is produced by the direct application of tools and technologies - such as cables, pliers. electrodes and so on ~ onto the body of the victim in order to inflict pain. In this case the duct taping of the detainee's entire head directly produces a terrifying sense of asphyxiation. Gratuitous violence is a type of supplementary violence that results indirectly, after the fact of the application of instrumental violence. In this instance, the instrumentalized application of duct tape was principally driven by the desire to silence and subjugate the detainee. The ripping off of the duct tape and the tearing of his hair and beard will generate a violence that is wanton, augmenting the pain of having one's facial apertures sealed up. The end result is to confirm the detainee's status as subjugated object of violence. The US government’s power to withhold or destroy information runs the full gamut of censorial practices -- from the ludicrous to the indefensible. The CIA, for example, has exercised an impressive commitment to linguistic probity by insisting on the redaction of such disturbing terms as ‘rot,’ ‘shithole’ and ‘urinal’ from the testimony of one its former interrogators.104 It has also overseen the wholesale destruction of 92 videos that document the torture practices inflicted on their victims; torture practices that allegedly ‘went even beyond those approved by the expansive Yoo and Bybee Torture Memos.’105 These censorial practices have fundamentally determined the very material conditions of possibility of my research. They have produced a complex textual field inscribed by gaps, silences and the contingent fragments of knowledge that have managed to enter the public domain despite the censorial power of the state. And I refer here to the extraordinary work of individuals - such as Bradley Manning, who is himself now a victim of the state`s punitive regime of cruel and degrading punishment - or organizations, such as WikiLeaks, that have defied the censorial power of the state in order to make public texts that document the full extent of the state's violent practices and that compel its witnesses to call it to account. The work of these whistle- blowers and activists evidences the fact that the state is not an impervious monolith of repressive power but that, on the contrary, much as it strives to be unilateral in its actions and monologic in its enunciations, the state cannot completely master its heterogeneous agents or silence its heteroglossic voices. In the chapters that follow, I draw heavily on the texts that document the operations of the state in executing and exceeding its laws. I also, however, take the time to reflect critically on the materiality of the absences that mark my field of study by focusing specifically on the redactions that score a number of the key state documents to which I refer. These redactions, as I argue in Chapter 5, visibly signify both the sovereign power of the state and its insecurity. I read these redactions as techniques designed to manage, control and, where necessary, to obliterate knowledge altogether. In effect, these redactions function to constitute the opposite of epistemology: they generate official systems of unknowing, anti-epistemologies that consign the reading subject to ignorance and unknowledge. Faced with these lacunae, I attempt to unsettle the anti-epistemological practices of redaction by reading the very processes of redaction as symbolic instantiations of state violence: they reproduce, textually, their own figural black sites that effectively occlude the names of the agents responsible for the torture practices, even as they also become the black holes to which are dispatched the victims of such practices. Against the grain, then, I read these black sites of redaction as the textual and symbolic equivalent to the material black site prisons run by the state. The anti-epistemological violence of these sites of redaction works in tandem with the ontological violence that the state visits upon its embodied subjects.

#### 4. Framework links – it’s a performative example of how they bracket out certain perspectives in favor of hegemonic ones – It’s not just about simulating war powers debate but who has the best method for making war policy debates inclusive and productive –

Sparks 3 (Holloway, asst prof of political science, Penn State, Queens, Teens, and Model Mothers Race and the Politics of Welfare Reform (Paperback) by Sanford F. Schram (Editor), Joe Soss (Editor), Richard C. Fording (Editor))

In spite of the participatory principles embodied in these theories, some deliberative democrats have given inadequate attention to the barriers to public sphere participation confronted by marginalized citizens. Activists, dissidents,, racial and ethnic minorities, and particularly poor citizens are regularly excluded from both decision making and deliberative venues, but this problem is often sidestepped in the mainstream theoretical literature by theorists who downplay the effects of social and economic inequality on public participation (see, e.g., Barber 1984; Cohen 1989; Dryzek '99°). The claim that we can effectively bracket inequality in the public sphere, however, has been strongly criticized recently by a group of theorists explicitly concerned with problems of democratic inclusion. These scholars, including James Bohman ('996), Nancy Fraser (r7), Jane Mansbridge (i5ir, 1999), and his Young (1993, 1996, woo), have emphasized the fact that formal political equality does not guarantee equal authority in or even access to the public realm. Iris Young, for example, has identified two forms of exclusion that prevent citizens from fully participating in democracies. What she calls external exclusion "names the many ways that individuals and groups that ought to be included are purposely or inadvertently left out of fora for discussion and decision making" (zooo, 53 54). External exclusion can be as blatant as deliberately failing to invite certain groups to important meetings, or can take more subtle forms such as the way economic inequalities affect access to political institutions. As Nancy Fraser has noted, in societies like the United States in which the publication and circulation of political views depends on media organizations that are privately owned and operated for profit, those citizens who lack wealth will also generally "lack access to the material means of equal participation". This criticism has obvious salience for families living on welfare budgets. On a more basic level, money and time are also necessary for participation in putatively "free" political institutions. Poor parents with young children, for example, might not have the resources to purchase child care in order to attend a town council meeting at which important political decisions are made.3 Internal exclusions, in contrast, "concern ways that people lack effective opportunity to influence the thinking of others even when they have access to fora and procedures of decision making" (Young 2000, 55; emphasis added). Citizens may find that "others ignore or dismiss or patronize their statements and expressions. Though formally included in forum or process, people may find that their claims are not taken seriously and may believe that they are not treated with equal respect" (fl). Internal exclusion can take the form of public ridicule or face to face inattention (Bickford 5996), but it can also stem from less obvious sources, such as the norms of articulateness, dispassionateness, and orderliness that are often privileged in political discussions (Young 2ooo, 6). As Young observes, In many formal situations the better educated white middle class people often act as though they have a right to speak and that their words carry authority, whereas those of other groups often feel intimidated by the argument requirements and the formality and rules of parliamentary procedure, so they do not speak, or speak only in a way that those in charge find "disruptive." . . . The dominant groups, moreover, often fail entirely to notice this devaluation and silencing, while the less privileged often feel put down or frustrated, either losing confidence in themselves or becoming angry. (5996, 114) Since "unruly" forms of speech tend to be used primarily by women, racial minorities, and working class people, large groups of citizens face the devaluation of their political participation.

8. “Bracketing out” of our alternative is meant to safeguard the status quo from addressing underlying justifications behind the plan

Meszaros, Chair of Philosophy at the University of Sussex, 89

(Istvan, Chair of philosophy @ U. of Sussex, The Power of Ideology, p. 232-234)

Nowhere is the myth of ideological neutrality – the self-proclaimed Wertfeihert or value neutrality of so-called ‘rigorous social science’ – stronger than in the field of methodology. Indeed, we are often presented with the claim that the adoption of the advocated methodological framework would automatically exempt one from all controversy about values, since they are systematically excluded (or suitably ‘bracketed out’) by the scientifically adequate method itself, thereby saving one from unnecessary complication and securing the desired objectivity and uncontestable outcome. Claims and procedures of this kind are, of course, extremely problematical. For they circularly assume that their enthusiasm for the virtues of ‘methodological neutrality’ is bound to yield ‘value neutral’ solutions with regard to highly contested issues, without first examining the all-important question as to the conditions of possibility – or otherwise – of the postulated systematic neutrality at the plane of methodology itself. The unchallengeable validity of the recommended procedure is supposed to be self-evident on account of its purely methodological character. In reality, of course, this approach to methodology is heavily loaded with a conservative ideological substance. Since, however, the plane of methodology (and ‘meta-theory’) is said to be in principle separated from that of the substantive issues, the methodological circle can be conveniently closed. Whereupon the mere insistence on the purely methodological character of the criteria laid down is supposed to establish the claim according to which the approach in question is neutral because everybody can adopt it as the common frame of reference of ‘rational discourse’. Yet, curiously enough, the proposed methodological tenets are so defined that vast areas of vital social concern are a priori excluded from this rational discourse as ‘metaphysical’, ‘ideological’, etc. The effect of circumscribing in this way the scope of the one and only admissible approach is that it automatically disqualifies, in the name of methodology itself, all those who do not fit into the stipulated framework of discourse. As a result, the propounders of the ‘right method’ are spared the difficulties that go with acknowledging the real divisions and incompatibilities as they necessarily arise from the contending social interests at the roots of alternative approaches and the rival sets of values associated with them. This is where we can see more clearly the social orientation implicit in the whole procedure. For – far from offering an adequate scope for critical enquiry – the advocated general adoption of the allegedly neutral methodological framework is equivalent, in fact, to consenting not even to raise the issues that really matter. Instead, the stipulated ‘common’ methodological procedure succeeds in transforming the enterprise of ‘rational discourse’ into the dubious practice of producing methodology for the sake of methodology: a tendency more pronounced in the twentieth century than ever before. This practice consists in sharpening the recommended methodological knife until nothing but the bare handle is left, at which point a new knife is adopted for the same purpose. For the ideal methodological knife is not meant for cutting, only for sharpening, thereby interposing itself between the critical intent and the real objects of criticism which it can obliterate for as long as the pseudo-critical activity of knife-sharpening for its own sake continues to be pursued. And that happens to be precisely its inherent ideological purpose. 6.1.2 Naturally, to speak of a ‘common’ methodological framework in which one can resolve the problems of a society torn by irreconcilable social interest and ensuing antagonistic confrontations is delusory, at best, notwithstanding all talk about ‘ideal communication communities’. But to define the methodological tenets of all rational discourse by way of transubstantiating into ‘ideal types’ (or by putting into methodological ‘brackets’) the discussion of contending social values reveals the ideological colour as well as the extreme fallaciousness of the claimed rationality. For such treatment of the major areas of conflict, under a great variety of forms – from the Viennes version of ‘logical positivism’ to Wittgenstein’s famous ladder that must be ‘thrown away’ at the point of confronting the question of values, and from the advocacy of the Popperian principle of ‘little by little’ to the ‘emotivist’ theory of value – inevitably always favours the established order. And it does so by declaring the fundamental structural parameters of the given society ‘out of bounds’ to the potential contestants, on the authority of the ideally ‘common’ methodology. However, even on a cursory inspection of the issues at stake it ought to be fairly obvious that to consent not to question the fundamental structural framework of the established order is radically different according to whether one does so as the beneficiary of that order or from the standpoint of those who find themselves at the receiving end, exploited and oppressed by the overall determinations (and not just by some limited and more or less easily corrigible detail) of that order. Consequently, to establish the ‘common’ identity of the two, opposed sides of a structurally safeguarded hierarchical order – by means of the reduction of the people who belong to the contending social forces into fictitious ‘rational interlocutors’, extracted from their divided real world and transplanted into a beneficially shared universe of ideal discourse – would be nothing short of a methodological miracle. Contrary to the wishful thinking hypostatized as a timeless and socially unspecified rational communality, the elementary condition of a truly rational discourse would be to acknowledge the legitimacy of contesting the given order of society in substantive terms. This would imply the articulation of the relevant problems not on the plan of self-referential theory and methodology, but as inherently practical issues whose conditions of solution point towards the necessity of radical structural changes. In other words, it would require the explicit rejection of all fiction of methodological and meta-theoretical neutrality. But, of course, this would be far too much to expect precisely because the society in which we live is a deeply divided society. This is why through the dichotomies of ‘fact and value’, ‘theory and practice’, ‘formal and substantive rationality’, etc., the conflict-transcending methodological miracle is constantly stipulated as the necessary regulative framework of ‘rational discourse’ in the humanities and social sciences, in the interest of the ruling ideology. What makes this approach particularly difficult to challenge is that its value-commitments are mediated by methodological precepts to such a degree that it is virtually impossible to bring them into the focus of the discussion without openly contesting the framework as a whole. For the conservative sets of values at the roots of such orientation remain several steps removed from the ostensible subject of dispute as defined in logico/methodological, formal/structural, and semantic/analytical terms. And who would suspect of ideological bias the impeccable – methodologically sanctioned – credentials of ‘procedural rules’, ‘models’ and ‘paradigms’? Once, though, such rules and paradigms are adopted as the common frame of reference of what may or may not be allowed to be considered the legitimate subject of debate, everything that enters into the accepted parameters is necessarily constrained not only by the scope of the overall framework, but simultaneously also by the inexplicit ideological assumptions on the basis of which the methodological principles themselves were in the first place constituted. This is why the allegedly ‘non-ideological’ ideologies which so successfully conceal and exercise their apologetic function in the guise of neutral methodology are doubly mystifying.

### 2NC – Agency DA

#### Identifying with the state scapegoats it for violence which allows evil to continue

**Shaffer 2007** [Butler teaches at the Southwestern University School of Law. B.S., Law, 1958, University of Nebraska, Lincoln; B.A., Political Science, 1959, and J.D., 1961, University of Chicago; Member, Colorado and Nebraska State Bars. “Identifying With the State” June 29th 2007. <http://www.lewrockwell.com/shaffer/shaffer159.html>]

One of the deadliest practices we engage in is that of identifying ourselves with a collective entity. Whether it be the state, a nationality, our race or gender, or any other abstraction, we introduce division – hence, conflict – into our lives as we separate ourselves from those who identify with other groupings. If one observes the state of our world today, this is the pattern that underlies our deadly and destructive social behavior. This mindset was no better articulated than when George W. Bush declared “you’re either with us, or against us.” Through years of careful conditioning, we learn to think of ourselves in terms of agencies and/or abstractions external to our independent being. Or, to express the point more clearly, we have learned to internalize these external forces; to conform our thinking and behavior to the purposes and interests of such entities. We adorn ourselves with flags, mouth shibboleths, and decorate our cars with bumper-stickers, in order to communicate to others our sense of “who we are.” In such ways does our being become indistinguishable from our chosen collective. In this way are institutions born. We discover a particular form of organization through which we are able to cooperate with others for our mutual benefit. Over time, the advantages derived from this system have a sufficient consistency to lead us to the conclusion that our well-being is dependent upon it. Those who manage the organization find it in their self-interests to propagate this belief so that we will become dependent upon its permanency. Like a sculptor working with clay, institutions take over the direction of our minds, twisting, squeezing, and pounding upon them until we have embraced a mindset conducive to their interests. Once this has been accomplished, we find it easy to subvert our will and sense of purpose to the collective. The organization ceases being a mere tool of mutual convenience, and becomes an end in itself. Our lives become “institutionalized,” and we regard it as fanciful to imagine ourselves living in any other way than as constituent parts of a machine that transcends our individual sense. Once we identify ourselves with the state, that collective entity does more than represent who we are; it is who we are. To the politicized mind, the idea that “we are the government” has real meaning, not in the sense of being able to control such an agency, but in the psychological sense. The successes and failures of the state become the subject’s successes and failures; insults or other attacks upon their abstract sense of being – such as the burning of “their” flag – become assaults upon their very personhood. Shortcomings on the part of the state become our failures of character. This is why so many Americans who have belatedly come to criticize the war against Iraq are inclined to treat it as only a “mistake” or the product of “mismanagement,” not as a moral wrong. Our egos can more easily admit to the making of a mistake than to moral transgressions. Such an attitude also helps to explain why, as Milton Mayer wrote in his revealing post-World War II book, [They Thought They Were Free](http://www.amazon.com/They-Thought-Were-Free-Germans/dp/0226511928/lewrockwell/), most Germans were unable to admit that the Nazi regime had been tyrannical. It is this dynamic that makes it easy for political officials to generate wars, a process that reinforces the sense of identity and attachment people have for “their” state. It also helps to explain why most Americans – though tiring of the war against Iraq – refuse to condemn government leaders for the lies, forgeries, and deceit employed to get the war started: to acknowledge the dishonesty of the system through which they identify themselves is to admit to the dishonest base of their being. The truthfulness of the state’s rationale for war is irrelevant to most of its subjects. It is sufficient that they believe the abstraction with which their lives are intertwined will be benefited in some way by war. Against whom and upon what claim does not matter – except as a factor in assessing the likelihood of success. That most Americans have pipped nary a squeak of protest over Bush administration plans to attack Iran – with nuclear weapons if deemed useful to its ends – reflects the point I am making. Bush could undertake a full-fledged war against Lapland, and most Americans would trot out their flags and bumper-stickers of approval. The “rightness” or “wrongness” of any form of collective behavior becomes interpreted by the standard of whose actions are being considered. During World War II, for example, Japanese kamikaze pilots were regarded as crazed fanatics for crashing their planes into American battleships. At the same time, American war movies (see, e.g., [Flying Tigers](http://www.amazon.com/Flying-Tigers-John-Wayne/dp/0782011276/lewrockwell/)) extolled the heroism of American pilots who did the same thing. One sees this same double-standard in responding to “conspiracy theories.” “Do you think a conspiracy was behind the 9/11 attacks?” It certainly seems so to me, unless one is prepared to treat the disappearance of the World Trade Center buildings as the consequence of a couple pilots having bad navigational experiences! The question that should be asked is: whose conspiracy was it? To those whose identities coincide with the state, such a question is easily answered: others conspire, we do not. It is not the symbiotic relationship between war and the expansion of state power, nor the realization of corporate benefits that could not be obtained in a free market, that mobilize the machinery of war. Without most of us standing behind “our” system, and cheering on “our” troops, and defending “our” leaders, none of this would be possible. What would be your likely response if your neighbor prevailed upon you to join him in a violent attack upon a local convenience store, on the grounds that it hired “illegal aliens?” Your sense of identity would not be implicated in his efforts, and you would likely dismiss him as a lunatic. Only when our ego-identities become wrapped up with some institutional abstraction – such as the state – can we be persuaded to invest our lives and the lives of our children in the collective madness of state action. We do not have such attitudes toward organizations with which we have more transitory relationships. If we find an accounting error in our bank statement, we would not find satisfaction in the proposition “the First National Bank, right or wrong.” Neither would we be inclined to wear a T-shirt that read “Disneyland: love it or leave it.” One of the many adverse consequences of identifying with and attaching ourselves to collective abstractions is our loss of control over not only the meaning and direction in our lives, but of the manner in which we can be efficacious in our efforts to pursue the purposes that have become central to us. We become dependent upon the performance of “our” group; “our” reputation rises or falls on the basis of what institutional leaders do or fail to do. If “our” nation-state loses respect in the world – such as by the use of torture or killing innocent people we consider ourselves no longer respectable, and scurry to find plausible excuses to redeem our egos. When these expectations are not met, we go in search of new leaders or organizational reforms we believe will restore our sense of purpose and pride that we have allowed abstract entities to personify for us. As the costs and failures of the state become increasingly evident, there is a growing tendency to blame this system. But to do so is to continue playing the same game into which we have allowed ourselves to become conditioned. One of the practices employed by the state to get us to mobilize our “dark side” energies in opposition to the endless recycling of enemies it has chosen for us, is that of psychological projection. Whether we care to acknowledge it or not – and most of us do not – each of us has an unconscious capacity for attitudes or conduct that our conscious minds reject. We fear that, sufficiently provoked, we might engage in violence – even deadly – against others; or that inducements might cause us to become dishonest. We might harbor racist or other bigoted sentiments, or consider ourselves lazy or irresponsible. Though we are unlikely to act upon such inner fears, their presence within us can generate discomforting self-directed feelings of guilt, anger, or unworthiness that we would like to eliminate. The most common way in which humanity has tried to bring about such an exorcism is by subconsciously projecting these traits onto others (i.e., “scapegoats”) and punishing them for what are really our own shortcomings. The state has trained us to behave this way, in order that we may be counted upon to invest our lives, resources, and other energies in pursuit of the enemy du jour. It is somewhat ironic, therefore, that most of us resort to the same practice in our criticism of political systems. After years of mouthing the high-school civics class mantra about the necessity for government – and the bigger the government the better – we begin to experience the unexpected consequences of politicization. Tax burdens continue to escalate; or the state takes our home to make way for a proposed shopping center; or ever-more details of our lives are micromanaged by ever-burgeoning state bureaucracies. Having grown weary of the costs – including the loss of control over our lives – we blame the state for what has befallen us. We condemn the Bush administration for the parade of lies that precipitated the war against Iraq, rather than indicting ourselves for ever believing anything the state tells us. We fault the politicians for the skyrocketing costs of governmental programs, conveniently ignoring our insistence upon this or that benefit whose costs we would prefer having others pay. The statists have helped us accept a world view that conflates our incompetence to manage our own lives with their omniscience to manage the lives of billions of people – along with the planet upon which we live! – and we are now experiencing the costs generated by our own gullibility. We have acted like country bumpkins at the state fair with the egg money who, having been fleeced by a bunch of carnival sharpies, look everywhere for someone to blame other than ourselves. We have been euchred out of our very lives because of our eagerness to believe that benefits can be enjoyed without incurring costs; that the freedom to control one’s life can be separated from the responsibilities for one’s actions; and that two plus two does not have to add up to four if a sizeable public opinion can be amassed against the proposition. By identifying ourselves with any abstraction (such as the state) we give up the integrated life, the sense of wholeness that can be found only within each of us. While the state has manipulated, cajoled, and threatened us to identify ourselves with it, the responsibility for our acceding to its pressures lies within each of us. The statists have – as was their vicious purpose – simply taken over the territory we have abandoned. Our politico-centric pain and suffering has been brought about by our having allowed external forces to move in and occupy the vacuum we created at the center of our being. The only way out of our dilemma involves a retracing of the route that brought us to where we are. We require nothing so much right now as the development of a sense of “who we are” that transcends our institutionalized identities, and returns us – without division and conflict – to a centered, self-directed integrity in our lives.

### A2 Perm do both

#### 3.) Masking disad to the perm – zones of in distinction between “citizen” and “noncitizen” targets justifies violence and homo sacer

Van Veeren 13, Elspeth Van Veeren, from the Panel of Visualizing Security: Images and the Meditation of Threats, Center for International and Security Studies, and postdoctoral research fellow in International Relations at the University of Sussex, Materiality, and Bodies, “On the Limits of the Visual to ‘Speak Security’ or There is More Than One Way to Imagine a Drone,” April 5, 2013, ISA Annual Conventions, Ebsco

\*\*\*gendered language not endorsed

These figures and statistics work in the same way as Bridle’s drone vision’ to produce a sense that everything is knowable from the perspective of the analyst, Researcher, member of the public at large. But statistics and graphs (and related infographics) are also visual practices that seek to deliver a sense of certitude and objectivity through technology. They are biopolitical, a technic of power, As much as drones are, they are also a technological imaginary. Like drone vision, statistics and graphs seem to offer an anesthetic experience of violence, one which is calculating, rational, and irrefutable. Categories are clear and definable: civilians and combatants. children and adult. Like official representations of drone use. drone statistics turn around a visual representation of accuracy Within the frame used by the Bureau of Investigative Journalism (and their colleagues at Pitch Interactive who recently worked to develop an animated and interactive infographic on death counts and drone strikes21), for example. these statistics and graphs as imaginaries of drone warfare become a central means to present drones as ‘dirty’ weapons. as weapons that kill civilians as well as combatants. Whereas official constructions of the ‘shadow war’ (and before that the Global War on Terror) relies on a projection of security as ‘clean’, these statistics look to trouble that message of accuracy with their own. In a similar way, capturing this ‘dronestream’ is a twitter feed set up and operated by Josh Begley.22 Begley tells the story of the ‘drone war’ and renders drones visible by tweeting every drone strike in Yemen, Somalia and Pakistan in the last ten years, linking it to the report of casualties. Presenting the rhythm of these strikes, with a different kind of visuality or imaginary than that of ‘drone vision’, Begley’ s tweets make visible the mounting death toll of drones, and renders visible in particular the ‘double tap’ strategy used by US forces (an illegal practice under international law whereby a first strike follows the second to target any assistance arriving at the scene). The use of statistics, graphs and the ‘dronestream’ to imagine drones captures the scale of the shadow war. Collated and visually refrained, a steady trickle of information on drone strikes becomes a torrent that seeks to disrupt the clean imagery of war.13These statistics, but more importantly the different forms of visualizing these statistics as communicative forms, have been used so extensively because the effectiveness and precision of drones is at the heart of the debate over their growing use (along with transparency/accountability and proliferation):4 Drones are being sold as clean warfare (see for example Plaw and Fricker (2012) and how they make the case for drones as precise) and these statistics seek to disrupt that by suggesting that the result is not clean. The suggestion is that drones are risk-transfer weapons. Nevertheless, this strategy does produce categories and make distinctions: between combatant and civilians, between men and ‘women and children’. with an accompanying politics and ethics. This occurs in terms of drawing boundaries between acceptable violence and unacceptable violence (and therefore legitimization certain forms of warfare. As Maja Zehfuss (2012) and Helen Kinsella (2012) argue. to maintain the distinction between legitimate violence and illegitimate violence(clean and dirty war). the ‘principle of distinction’ is to continue to justify war and paradoxically lead to more unethical practices. including civilian deaths. In the case of drones. the US has simply redeemed all males over the age of 13 as combatants.25 Second. modern warfare. weaponry and technological practices also make counting both easier and harder. It may be increasingly easy to conduct battle damage assessments’ even from 5.000 feet and determine body counts (while forensic science means that the remains of war are more easily identified). modern mechanised warfare is also more likely to make bodies harder to count by obliterating them (Hawley. 2005). Uncertainty is a quality of modern warfare. both through its increased visibilities and invisibilities.

#### 5.) These sanitizing myths are absolutely crucial to the maintenance of imperialism

Bacevich, 5 -- Boston University international relations professor

[A. J., retired career officer in the United States Army, former director of Boston University's Center for International Relations (from 1998 to 2005), The New American Militarism: How Americans Are Seduced by War, 2005 accessed 9-4-13, mss]

The new American militarism draws much of its sustaining force from myth-stories created to paper over incongruities and contradictions that pervade the American way of life. The exercise of global power by the United States aggravates these incongruities. Americans want to feel secure, in their homes and where they work. Rather than safety, however, the possession of military might without precedent has in practice yielded a heightened sense of vulnerability. Americans see themselves as an idealistic people. But the dispatch of U.S. forces to oppose tyranny and create the conditions for peace does not evoke accolades from abroad. Instead, it fuels anti-Americanism and generates suspicion of our motives and intentions. Americans believe in democracy. But their democracy works such that the divide between rich and poor grows ever wider. In America, the win- ners control an ever-increasing percentage of the nation's wealth. To be a member of the upper class is to have privileges, among them ensuring that it's someone else's kid who is getting shot at in Iraq or Afghanistan. These are hard, uncomfortable truths, for which the existing political system does not provide an easily available remedy. So Americans concoct stories to make such truths more palatable. During the past quarter century, American politicians with their eyes firmly fixed on the main chance, assisted by purveyors of popular culture with a well-honed instinct for what sells, have promulgated a host of such stories. One result has been to contrive a sentimentalized version of the American military experience and an idealized image of the American soldier. These myths make an essential contribution to the new American militarism. They create an apparently seamless historical narrative of American soldiers as liberators, with Operation Iraqi Freedom in March zoo; becoming a sequel to Operation Overlord in June 1944. They divert attention from the reality of U.S. military policy, now having less to do with national defense than with imperial policing. They help to sustain the willingness of American soldiers to shoulder their frequently thankless and seemingly endless burdens in places like the Balkans, Central Asia, and the Persian Gulf. Above all, they function as a salve for what remains of the American conscience. Myths offer reassurance that America remains, as Ronald Rea- gan put it, "still a land of heroes with all the courage and love of freedom that ever was before." They enable us to sustain the belief that the soldiers whom we hire to do the nation's dirty work but whom we do not know are, in fact, bringing peace and light to troubled corners of the earth rather than pushing ever outward the perimeter of an American empire.

#### 6.) Particularized approaches to resistance fails – the universal contestation of the alternative is key.

Brophy, 9 – Professor at York University

(Susan Dianne, “Lawless Sovereignty: Challenging the State of Exception,” Sage Publishing, Social Legal Studies, Vol 18., No. 2)

What ensues is a form of the ‘boomerang effect’: the constituting power of justice, which was once ﬁctitiously held by the state, lies not in the state’s juridical order but in the universalized externality represented in the act of dissent itself. This stands to undo, at least partially, the paradox of sovereignty by placing the limiting and limited version of state sovereignty alongside and in opposition to a form of sovereignty that lies extra-juridically, and therefore, outside state. In that case, state sovereignty cannot claim that there is nothing outside the law because, as this article has come to demonstrate, justice itself is outside the law and it thereby presides as the constituting force that substantiates the sovereign power of the (lawless) universalized standpoint. The references to colonialism have helped to demonstrate (a) the degree to which the state of exception gets normalized at the expense of life and justice, and (b) the importance of challenging the state of exception from outside the juridical order so as to expose the ﬁctional quality of the relations between law and life from a universalized standpoint. In the capitalist colonial sense, acts of dissent against the state of exception can be similarly conceptualized as having to emerge from the universal externality that upholds lawlessness. There are numerous distinctive experiences of the state of exception as the limit-ﬁgure on life, which is a mode of governance that is highlyconducive to reckless capitalist growth (hence the term ‘capitalistcolonialism’), and has deep afﬁnities with the ever-expanding ‘war on terror’. Whether these universalizable distinctions are experienced at the level of class, gender, race and/or ethnicity, they nonetheless stand to represent a shared externality that can never truly be ‘included’ in the juridical order of any given sovereign power. The compromised form of consent that characterizes these externalities in relation to the state of exception makes it such that the excluded, despite short-term attempts at inclusion, will always ﬁnd their footing in the constituting power of universal justice. If the sovereign power of state lies in indistinction, meaning in the power of inclusive exclusion, then challenges to the state of exception must appeal to universalized distinctions, to that which is always external and must always be external to state insofar as universality itself can never be ‘included’ in the juridico-political operations of any given state. The state will always choose the state; it exists for itself, and the state of exception is an extreme example of the truth of this fate.

### 2NC - Cyber Attacks/Terror Links

#### Their cyberattack arguments are produced from the scholarship of paranoia – this justifies unending threat construction and elimination of those threats

Hart 11 (Catherine, Masters in Communications at Simon Fraser U, "Mobilizing the Cyberspace Race: the Securitization of the Internet and its Implications for Civil Liberties," Cyber-Surveillance in Everyday Life: An International Workshop \* May 12-15, 2011 \* University of Toronto, <http://www.digitallymediatedsurveillance.ca/wp-content/uploads/2011/04/Hart-Mobilizing-the-Cyberspace-race.pdf>)

In this paper I seek to explore the way in which the increasing regulation of networked computing through digital controls and surveillance is being **justified using a securitizing discourse**. I argue that **the dominant frame** of ‘cybersecurity’ has become one based on national security, due to the potentially debilitating effect that a breakdown of the network would have on society, the economy, the military, and government. This understanding caused President Obama, during his 2008 presidential campaign, to declare the U.S. information infrastructure a ‘strategic asset,’ a move which positions the Internet as a significant issue for the military (Clarke, 2010, 116). Within the Copenhagen School’s perspective on International Security Studies, this is known as a ‘securitizing move’; an attempt to frame something as essential to national security. I seek to examine the application of this securitizing discourse to networked computing and its development into an issue of ‘cybersecurity’ over the past three U.S. administrations. To do this, I will apply the Copenhagen School’s framework to each administration’s official policy on cybersecurity, in order to assess whether the securitization is successful, and what impact proposed responses may have on civil liberties. Securitization: A Framework for Analysis A securitization is a speech act which constitutes a ‘referent object’, in this case the state, as threatened in its very existence, and therefore necessitates urgent action (Buzan et al, 1998). The analysis of this process of “securitization” in networked computing involves a three-part process: the identification of a discourse of national security within discussions of networked computing, evidence of the acceptance of this discourse by an audience, and the promotion or uptake of restrictive responses aimed at increasing security. The first part of the process, the mobilization of an existing discourse of national security, relies upon the understanding that “the very utterance of ‘security’ is more than just saying or describing something but the **performing of an action**,” with the potential to create a new reality (Stritzel, 2007, 362). This is a prominent feature of framing, which Edelman explains allows “the character, causes, and consequences of any phenomenon [to] become radically different as changes are made in what is prominently displayed, what is repressed and especially in how observations are classified” (as cited in Entman, 1993, 54). Therefore scholars of securitization are not concerned with the validity of an asserted threat; their focus, rather, is the action that is facilitated as a result of the acceptance of the validity of a threat. Buzan explains that [s]tates, like people, can be **paranoid** (**constructing threats where none exist**) or complacent (ignoring actual threats). But since it is the success (or not) of the securitization that determines whether action is taken, that side of threat analysis deserves scrutiny just as close as that given to the material side. (Buzan, 2006, 1102) The second stage in the process concerns the likelihood that this discourse will be accepted by a wider audience than those advancing the securitization. The ability of an actor to successfully securitize an issue is highly dependent on their position. Security has, to some degree, been institutionalized, as is the case with the military, and therefore “some actors are placed in positions of power by virtue of being generally accepted voices of security, by having the power to define security” (Buzan et al, 1998, 31). Government cybersecurity policy would therefore seem to be an ideal vehicle to mobilize and perhaps also legitimize a securitizing move. Policy represents an administration’s **official standpoint** on an issue which is understood to be a problem, and proposes solutions based on technical knowledge and research. However, as public policy scholar Frank Fischer explains, [f]rom the social constructivist perspective... the social and political life under investigation is embedded in a web of social meanings produced and reproduced through discursive practices. Politics and public policy are understood to take shape through socially interpreted understandings, and their meanings and the discourses that circulate them are not of the actors’ own choosing or making. (2003, 13) Public policy therefore contains both a persuasive and a responsive element; it seeks to **justify a chosen course of action** which is based upon socially interpreted understandings of ‘national security’. To use the Copenhagen School’s terms, it is both part of the securitizing move, employing a discourse of security, but by its very existence, demonstrates the success of the securitizing move because the issue has been taken seriously enough to warrant an official standpoint and planned response. Assessing how far securitization in policy promotes national security above all other considerations, including civil liberties, is the third part of the process. By applying a framework of security to an event, it is understood that the issue is one of urgency, and, in the words of Buzan et al, “if the problem is not handled now it will be too late, and we will not exist to remedy our failure” (1998, 26). According to the Copenhagen School's approach, “[t]he invocation of security has been the key to **legitimizing the use of force**, but more generally it has opened the way for the state to **mobilize**, or to take special powers, **to handle existential threats**” (ibid, 21). If a securitization is successful, an audience will tolerate violations of rules that would otherwise have to be obeyed, for example the restriction of free speech, or freedom from unreasonable search and seizure. By its very definition, a framework selectively calls attention to certain aspects of reality, and therefore ignores or omits others(Entman, 1993, 54). A security framework privileges security above all other concerns, sometimes to the detriment of civil liberties. It is commonly understood that to attain security, a little freedom must be given up, but how much freedom is under debate. It is not yet clear whether the security arguments of the U.S. military, the intelligence community, and more hawkish members of government will result in the hypersecuritization of cyberspace—to use Barry Buzan's term for the mobilization of exaggerated threats and excessive countermeasures (2004, 172)—or whether a more measured view, taking into account civil liberties and the positive potential of the Internet, will win out.

### 2NC - China Link

#### Descriptions of China are not neutral or objective – Their strategies are self-fulfilling prophecies that must be critically interrogated

Pan 4 (Chengxin, Department of Political Science and International Relations, Faculty of Arts, Deakin University, Discourses Of ‘China’ In International Relations: A Study in Western Theory as (IR) Practice, p. 305-307

While U.S. China scholars argue fiercely over "what China precisely is," their debates have been underpinned by some common ground, especially in terms of a positivist epistemology. Firstly, they believe that China is ultimately a knowable object, whose reality can be, and ought to be, empirically revealed by scientific means. For example, after expressing his dissatisfaction with often conflicting Western perceptions of China, David M. Lampton, former president of the National Committee on U.S.-China Relations, suggests that "it is time to step back and look at where China is today, where it might be going, and what consequences that direction will hold for the rest of the world." (2) Like many other China scholars, Lampton views his object of study as essentially "something we can stand back from and observe with clinical detachment." (3) Secondly, associated with the first assumption, it is commonly believed that China scholars merely serve as "disinterested observers" and that their studies of China are neutral, passive descriptions of reality. And thirdly, in pondering whether China poses a threat or offers an opportunity to the United States, they rarely raise the question of "what the United States is." That is, the meaning of the United States is believed to be certain and beyond doubt. I do not dismiss altogether the conventional ways of debating China. It is not the purpose of this article to venture my own "observation" of "where China is today," nor to join the "containment" versus "engagement" debate per se. Rather, I want to contribute to a novel dimension of the China debate by questioning the seemingly unproblematic assumptions shared by most China scholars in the mainstream IR community in the United States. To perform this task, I will focus attention on a particularly significant component of the China debate; namely, the "China threat" literature. More specifically, I want to argue **that U.S. conceptions of China as a threatening other are always intrinsically linked to how U.S. policymakers/**mainstream China **specialists** **see themselves (as representatives of the** indispensable, **security-conscious nation**, for example). As such, they are not value-free, objective descriptions of an independent, preexisting Chinese reality out there, but are better understood as a kind of normative, meaning-giving practice that often **legitimates power politics** in U.S.-China relations and helps transform the "**China threat" into social reality**. In other words, it is **self-fulfilling** in practice, and is always part of the "China threat" problem it purports merely to describe. In doing so, I seek to bring to the fore two interconnected themes of self/other constructions and of theory as practice inherent in the "China threat" literature--themes that have been overridden and rendered largely invisible by those common positivist assumptions. These themes are of course nothing new nor peculiar to the "China threat" literature. They have been identified elsewhere by critics of some conventional fields of study such as ethnography, anthropology, oriental studies, political science, and international relations. (4) Yet, so far, the China field in the West in general and the U.S. "China threat" literature in particular have shown remarkable resistance to systematic critical reflection on both their normative status as discursive practice and their enormous practical implications for international politics. (5) It is in this context that this article seeks to make a contribution.

### 2NC – Democracy/Modeling

#### The aff’s attempt to spread democracy strips the human of his or her dignity and fuels radical evil

**Raffin, 08** - Professor and Researcher at the University of Buenos Aires of Philosophy, Social and Political Theory, and Human Rights; PhD in Philosophy, University of Paris

(Marcello, “Symposium 2008: The United Nations Genocide Convention: A 60th Anniversary Commemoration: Metaphysics, Politics, Truth: Genocide Practices as a Way of Deploying the Modern Paradigm,” Lexis)

As we can see - and we can also recall the letter that Arendt sent to Karl Jaspers on March 4, 1951 n38 - she identifies the phenomenon of radical evil with superfluousness, that is, human life deprived of its dignity and unpredictability. / But her decisive discovery is not only that radical evil takes place in the context of a system that is generally totalitarian, but [\*120] also, and particularly, a democratic one. n40 Specifically, she writes that the danger of the corpse factories and holes of oblivion is that today, with populations and homelessness everywhere on the increase, masses of people are continuously rendered superfluous if we continue to think of our world in utilitarian terms. Political, social, and economic events everywhere are in a silent conspiracy with totalitarian instruments devised for making men superfluous. The implied temptation is well understood by the utilitarian common sense of the masses, who in most countries are too desperate to retain much fear of death. The Nazis and the Bolsheviks can be sure that their factories of annihilation which demonstrate the swiftest solution to the problem of overpopulation, of economically superfluous and socially rootless human masses, are as much of an attraction as a warning. Totalitarian solutions may well survive the fall of totalitarian regimes in the form of strong temptations which will come up whenever it seems impossible to alleviate political, social, or economic misery in a manner worthy of man. / This form of radical evil is not consequently exclusive of totalitarian regimes, but it can also happen under democratic ones.

### 2NC – No War

#### No risk of war --

#### First, mutually assured destruction

**Robinson 01** – President and Director, Sandia National Laboratories, PhD Physics @ FSU, Chair of the Policy Committee of the Strategic Advisory Group for the Commander, US Strategic Command (Paul, March 22, “Pursuing a New Nuclear Weapons Policy for the 21st Century,” <http://www.sandia.gov/media/whitepaper/2001-04-Robinson.htm>)

Let me then state my most important conclusion directly: I believe nuclear weapons must have an abiding place in the international scene for the foreseeable future. I believe that the world, in fact, would become more dangerous, not less dangerous, were U.S. nuclear weapons to be absent. The most important role for our nuclear weapons is to serve as a “**sobering force**,” one that can cap the level of destruction of military conflicts and thus force all sides to come to their senses. This is the enduring purpose of U.S. nuclear weapons in the post-Cold War world. I regret that we have not yet captured such thinking in our public statements as to why the U.S. will retain nuclear deterrence as a cornerstone of our defense policy, and urge that we do so in the upcoming Nuclear Posture Review. Nuclear deterrence becomes in my view a “countervailing” force and, in fact, a **potent antidote to military aggression** on the part of nations. But to succeed in harnessing this power, effective nuclear weapons strategies and policies are necessary ingredients to help shape and maintain a stable and peaceful world.

#### Second, nuclear war doesn’t cause extinction

**Nyquist 99** (J.R., Defense Analyst, Worldnetdaily.com, May 20, 1999)

As I write about Russia's nuclear war preparations, I get some interesting mail in response. Some correspondents imagine I am totally ignorant. They point out that nuclear war would cause "nuclear winter," and everyone would die. Since nobody wants to die, nobody would ever start a nuclear war (and nobody would ever seriously prepare for one). Other correspondents suggest I am ignorant of the world-destroying effects of nuclear radiation. I patiently reply to these correspondents that nuclear war would not be the end of the world. I then point to studies showing that "**nuclear winter" has no scientific basis**, that fallout from a nuclear war would not kill all life on earth. Surprisingly, few of my correspondents are convinced. They prefer apocalyptic myths created by pop scientists, movie producers and journalists. If Dr. Carl Sagan once said "nuclear winter" would follow a nuclear war, then it must be true. If radiation wipes out mankind in a movie, then that's what we can expect in real life. But Carl Sagan was wrong about nuclear winter. And the movie "On the Beach" misled American filmgoers about the effects of fallout. It is time, once and for all, to lay these myths to rest. Nuclear war would not bring about the end of the world, though it would be horribly destructive. The truth is, many prominent physicists have condemned the nuclear winter hypothesis. Nobel laureate Freeman Dyson once said of nuclear winter research, "It's an absolutely atrocious piece of science, but I quite despair of setting the public record straight." Professor Michael McElroy, a Harvard physics professor, also criticized the nuclear winter hypothesis. McElroy said that nuclear winter researchers "stacked the deck" in their study, which was titled "Nuclear Winter: Global Consequences of Multiple Nuclear Explosions" (Science, December 1983). Nuclear winter is the theory that the mass use of nuclear weapons would create enough smoke and dust to blot out the sun, causing a catastrophic drop in global temperatures. According to Carl Sagan, in this situation the earth would freeze. No crops could be grown. Humanity would die of cold and starvation. In truth, natural disasters have frequently produced smoke and dust far greater than those expected from a nuclear war. In 1883 Krakatoa exploded with a blast equivalent to 10,000 one-megaton bombs, a detonation greater than the combined nuclear arsenals of planet earth. The Krakatoa explosion had negligible weather effects. Even more disastrous, going back many thousands of years, a meteor struck Quebec with the force of 17.5 million one-megaton bombs, creating a crater 63 kilometers in diameter. But the world did not freeze. Life on earth was not extinguished. Consider the views of Professor George Rathjens of MIT, a known antinuclear activist, who said, "**Nuclear winter is the worst example of misrepresentation of science** to the public in my memory." Also consider Professor Russell Seitz, at Harvard University's Center for International Affairs, who says that the nuclear winter hypothesis has been discredited. Two researchers, Starley Thompson and Stephen Schneider, debunked the nuclear winter hypothesis in the summer 1986 issue of Foreign Affairs. Thompson and Schneider stated: "the global apocalyptic conclusions of the initial nuclear winter hypothesis can now be relegated to a vanishingly low level of probability." OK, so nuclear winter isn't going to happen. What about nuclear fallout? Wouldn't the radiation from a nuclear war contaminate the whole earth, killing everyone? The short answer is: absolutely not. Nuclear fallout is a problem, but we should not exaggerate its effects. As it happens, there are two types of fallout produced by nuclear detonations. These are: 1) delayed fallout; and 2) short-term fallout. According to researcher Peter V. Pry, "Delayed fallout will not, contrary to popular belief, gradually kill billions of people everywhere in the world." Of course, delayed fallout would increase the number of people dying of lymphatic cancer, leukemia, and cancer of the thyroid. "However," says Pry, "these deaths would probably be far fewer than deaths now resulting from ... smoking, or from automobile accidents." The real hazard in a nuclear war is the short-term fallout. This is a type of fallout created when a nuclear weapon is detonated at ground level. This type of fallout could kill millions of people, depending on the targeting strategy of the attacking country. But short-term fallout rapidly subsides to safe levels in 13 to 18 days. It is not permanent. People who live outside of the affected areas will be fine. Those in affected areas can survive if they have access to underground shelters. In some areas, staying indoors may even suffice. Contrary to popular misconception, there were no documented deaths from short-term or delayed fallout at either Hiroshima or Nagasaki. These blasts were low airbursts, which produced minimal fallout effects. Today's thermonuclear weapons are even "cleaner." If used in airburst mode, these weapons would produce few (if any) fallout casualties. On their side, Russian military experts believe that the next world war will be a nuclear missile war. They know that nuclear weapons cannot cause the end of the world. According to the Russian military writer, A. S. Milovidov, "There is profound error and harm in the disoriented claims of bourgeois ideologues that there will be no victor in a thermonuclear world war." Milovidov explains that Western objections to the mass use of nuclear weapons are based on "a subjective judgment. It expresses mere protest against nuclear war." Another Russian theorist, Captain First Rank V. Kulakov, believes that a mass nuclear strike may not be enough to defeat "a strong enemy, with extensive territory enabling him to use space and time for the organizations of active and passive defense. ..." Russian military theory regards nuclear war as highly destructive, but nonetheless winnable. Russian generals do not exaggerate the effects of mass destruction weapons. Although nuclear war would be unprecedented in its death-dealing potential, Russian strategists believe that a well-prepared system of tunnels and underground bunkers could save many millions of lives. That is why Russia has built a comprehensive shelter system for its urban populace. On the American side as well, there have been studies which suggest that nuclear war is survivable.

### Generic – 2NC

#### It is the process of stripping identies to engage in guerilla warfare against – it spills over Transformational change is possible- bottom-up anti-detention movements challenge US militarism

Zeeze, 13 -- JD, Occupy Washington DC organizer

[Kevin, and Margaret Flowers, It’s Our Economy co-director, "Building Mass Resistance against New World Order Economic Austerity," 5-24-13, www.globalresearch.ca/building-mass-resistance-against-new-world-order-economic-austerity/5336278, accessed 9-1-13, mss]

“We are in the midst of the pre-history of historic transformational change that will end the rule of money.” This was a week that exemplified the historic moment in which we live. We will look back at these times and see the seeds of a national revolt against concentrated wealth that puts profits ahead of people and the planet. Not only were there a wide array of resistance actions, but activists against the Guantanamo prison and drone strikes scored partial victories on which we much continue to build challenges to US empire and militarism. Mike Lux, who authored a history of the movements of the 1960s, wrote this week that when he researched his book he “was struck by the fact that so many big things happened so close together.” Comparing that moment to today he writes, “We are living in such a moment in history right now, that organizers and activists are sparking off each other and inspiring each other, that there is something building out there that will bring bigger change down the road.” That is how we felt as we watched and participated in this week’s unfolding. We began the week prepared to focus our attention on the amazing teacher, student and community actions that were occurring in defense of schools. In Philadelphia, there was a giant walk-out of schools last Friday as students demanded their schools remain open and be adequately funded. The photos of young people fighting for the basic necessity of education were an inspiration. That was followed by three days of protests in Chicago that were equally inspiring, students organized and communities came together to fight for education. Though corporate-mayor Rahm Emanuel’s carefully selected board voted to close 50 elementary schools and one high school (while the city funds the building of a new basketball stadium), the Chicago activists say they are not done. They are just getting started. It is that kind of persistence that wins transformation. These school battles are part of a national plan to replace community schools with corporatized charter schools. The battles of Chicago, Philadelphia and other cities are all of our battles. Then there were the college students, who inspired us with their bravery especially because they were not fighting for themselves but for the students who come after them. At Cooper Union, students are in their second week of occupying the school president’s office. As the sit-in grew to more than 100, they garnered increasing community support. The school is about to begin to charge tuition, ending the nearly two century mission of its founder for free higher education. The students protesting will get free tuition; they are protesting for the students who follow. While they are sitting in, they are painting the president’s offices black and will continue to do so until he resigns his $750,000 a year job. Thousands have signed a “no confidence” petition against the president and board chairman. We believe that a country that really believed in its youth and was building for its future would provide free post-high school education, college or vocational school, to young adults rather than leaving them crippled by massive debt. As the week went on, more Americans stood up and showed their power. On Monday, people who have lost their homes to foreclosure or are threatened with foreclosure, along with their allies, began an occupation of the Department of Justice. Some of them joined us first as guests on our radio show on We Act Radio. Afterwards, we went to Freedom Plaza where they rallied. The coalition was a great mix of people of different ages, races and regions who were angry, organized and prepared. They marched down Pennsylvania Ave. to the Department of Justice to demand that Attorney General Eric Holder prosecute the bankers who collapsed the economy and stole their homes. They blocked the doors at the Department of Justice and put up tents emblazoned with “Foreclose on Banks Not on People,” put up a home with “Bank Foreclosed” over it and blocked the streets with orange mesh saying “Foreclosure and Eviction Free Zone.” As evening came, they moved their tents onto DOJ property, brought in a big couch and prepared to stay the night – and some did. By the third day of protests, they moved to Covington and Burling, the corporate law firm that spawned Eric Holder and where the DOJ official in charge of prosecuting the banks, Lenny Breuer, who did not prosecute a single big bank now gets a $4 million annual salary. In Congress the DOJ could not justify their claim that prosecuting the big banks would hurt the economy. The Home Defenders League/Occupy Our Homes actions broke through in the media as you can see at the end of this photo essay. We particularly enjoyed the coverage in Forbes – someone claiming to be Jamie Dimon was arrested in DC – reporting on protesters who gave the name of banksters when they were arrested. The police responded aggressively, which often attracts media coverage, including the tasering non-violent protesters. And, we were pleased to see local groups, like Occupy Colorado, highlighting the efforts of their colleagues who came to DC. But, action in the nation’s capital did not end there. There was also a massive walkout of food service workers across the city. The strike began at the building named for the famed union-destroying president, the Ronald Reagan Building, and then moved on, with a particular focus on Obama – the largest employer of low-wage workers. Obama could end poverty federal wages with a stroke of the pen. Will he? DC is the sixth city to see low-wage workers striking, New York, Chicago, Detroit, St. Louis, and Milwaukee, came before the Capital. Communities have stood with the workers when employers threatened their jobs and people now need to do the same for the DC workers who are being threatened with job loss, please take action to support them. And, coming up is the Wal-Mart workers’ “Ride for Respect” to the annual shareholders meeting on June 7 which emulates the Freedom Riders. Actions are happening throughout the country. In Illinois, so far two people have been arrested at a sit-in in the capitol building to support a ban hydro-fracking. And, the reaction to the call for a fearless summer by front-line environmental groups has been very strong. They are working together to plan major actions throughout the summer escalating resistance against extreme energy extraction. Pressure is building in the environmental movement which now recognizes Obama is part of the problem, not part of the solution. Groups like 350.org that avoided protesting Obama, are now protesting his “grass roots” group, Organizing for America. And, more is coming. At the end of the week people who have been marching to Washington, DC from Philadelphia as part of “Operation Green Jobs” will arrive to protest at the corporate bully of the capital – the US Chamber of Commerce – uniting the masses in opposition to the corporate lobbyists. Their long walk to DC echoes a walk last week by people from Baltimore seeking jobs and justice. This Saturday will be the worldwide March Against Monsanto in 41 countries and nearly 300 cities. We published an article in Truthout that explains why we should all protest Monsanto on May 25. This is a great example of non-hierarchical organizing as this protest was called by young grass roots activists and supported by Occupy Monsanto. One of the things that let us know the popular revolt is more powerful than we realize is the reaction of the power structure. The Center for Media and Democracy issued a report this week that examined thousands of pages of documents which showed how the national security apparatus against terrorism combined with corporate America to attack the occupy movement. And, in Chicago one of the undercover police involved in the NATO 5 case, is still spying, now on students and teachers protesting school closures. If they did not fear the people, would the power structure be behaving this way? But, when you read reports about police acting in this undemocratic way, don’t forget that many of them do not like doing what they are ordered to do and that pulling them to join the popular revolt is part of our job. A mass movement needs people from the power structure to join it in order to achieve success. We highlight one this week, Officer Pedro Serrano of New York who took the great personal risk of taping his superiors as part of an effort to end the racist ‘stop and frisk’ program of the NYPD. And, it is great to see people planning ahead. We got notice this week from activists in Maine planning for an October Drone Walk. The anti-drone movement and Guantanamo protests have had very positive effects. This week, President Obama had to admit that he killed four Americans with drones, mostly by accident – even though the DoD claims drones are accurate. Also this week, activists filed a war crimes complaint against Obama, Brennan and other officials seeking their prosecution. And Thursday, Obama was forced to make a public speech at the National Defense University about both the drone program and Guantanamo Bay Prison. Medea Benjamin of CODEPINK, interrupted the speech several times such that the President had to acknowledge her and she asked powerful questions as she was escorted out by security. [See video and transcript.] As she was escorted from the room Obama acknowledged: “The voice of that women is worth paying attention to.” Guantanamo activists responded to the president saying “no more excuses” and vowed to keep the pressure on! So, just as author Mike Lux saw in the 60s, there is a lot going on, lots of issues coming to a head at the same time and people taking action to confront them. How do we get to the next phase of popular resistance? Long time writer on movements and transformational change, Sam Smith, the editor of Progressive Review wrote “The Great American Repair Manual in 1997,” we reprinted a portion of it this week: A Movement Manual. The essence: movements are “propelled by large numbers of highly autonomous small groups linked not by a bureaucracy or a master organization but by the mutuality of their thought, their faith and their determination.” He recommends: organize from the bottom up, create a subculture, create symbols, develop an agenda and make the movement’s values clear. He also recommends becoming what you want to be – become an existentialist – writing “existence precedes essence. We are what we do.” As far as building community power, we recommend this video from “The Democracy School” on how to use local governance to challenge corporate power.” Do not despair when the media says there is no popular resistance. We have been covering the actions of the movement with weekly reports since 2011 and even before the occupy movement began, we saw Americans beginning to stand up. We knew it was the right time for occupy and we now see it is the right time for a mass popular resistance. We will be announcing a new project in mid-June to help bring the movement to a new level. Sign up here to hear about it and how you can help. To create the transformative change we want to see, we need people to get involved. We agree with Mike Lux who writes: “just as it took several years for the seeds planted in those 18 months in the early ’60s to take root and begin to bring about the changes of the years to come in terms of civil rights, women’s rights, and the environment, it will take several years for the seeds being planted now to fully take root. But I believe more and more that it will happen.” The government responds with police force and ignores the demands of the people. Super majorities of Americans agree with the views of the popular resistance, even if they are not yet acting. This is a recipe for a mass eruption of movement activity. We are in the midst of the pre-history of historic transformational change: a transformation, which will end the power of money to ensure that the people and planet come before profits.

#### United front against imperialism solves- BUT reformist politics collapse revolutionary movements

Brown, 12 -- RAIM co-editor

[Nikolai, Revolutionary Anti-Imperialist Movement, "U.S. ramps up militarism amid Obama re-election, people’s war and united front will prevail," 12-11-12, anti-imperialism.com/2012/12/11/u-s-ramps-up-militarism-amid-obama-re-election-peoples-war-and-united-front-will-previal/, accessed 9-3-13, mss]

U.S. ramps up militarism amid Obama re-election, people’s war and united front will prevail Amid re-election victory, Barack Obama is leading the U.S. “forward” to increase aggression against the world’s people. More a sign of weakness than strength, U.S. militarism can be defeated by people’s wars and a united front against imperialism. A struggle must be waged in the ideological realm as well. First Worldism, social-chauvinism, and opportunism must be combated. U.S. imperialism marches world-wide Obama informed Congress in mid-September of plans to send combat-ready troops to Libya and Yemen “to protect U.S. lives and property.” The move is not unprecedented. In 1801 Thomas Jefferson used similar pretenses to launch the U.S.’s first foreign intervention, carried out against the ‘Barbary’ state centered in Tripoli. In the wake of the 2011 overthrow of Qaddafi, the U.S. recently promised eight million dollars in “counter-terrorism” aid to Libya. Yet, because Jihadists formed a crucial part of the U.S. backed coalition to overthrow the Libyan state and have since secured for themselves prominent positions of authority, U.S. officials are not sure who to give the cash to. Meanwhile, on the Arabian Peninsula, an ensuing U.S. military presence in Yemen is part of a larger strategy which includes drone warfare. (1) (2) Rebuking statements made throughout 2012 up to the election, the Obama administration announced plans for a sustained troop presence in Afghanistan. An “enduring” U.S. military force of around 10,000 troops will remain in the country ostensibly to combat approximately 100 suspected Al Qaeda members. (3) Obama has been silent over the Ugandan and Rwandan-sponsored conflict in the Democratic Republic of Congo. The approximately 3,000-5,500 fighters of the M23 militia have been organized together since April of 2012 and by November captured strategic portions in the eastern region of the central African country. Shamus Cooke, in an article reposted at Libya360, summarized an important factor in the situation: “The Democratic Republic of the Congo is home to 80 percent of the world’s cobalt, an extremely precious mineral needed to construct many modern technologies, including weaponry, cell phones, and computers. The DRC is possibly the most mineral/resource rich country in the world — overflowing with everything from diamonds to oil — though its people are among the world’s poorest, due to generations of corporate plunder of its wealth.” (4) M23 fighters are backed by US-supported governments in neighboring states, and the conflict has the markings of a U.S. covert operation aimed at looting the Congo’s remaining resources. The DRC is not the only place the U.S. is running covert operations. Obama recently publicly warned Syrian President Assad against using chemical weapons against Western-backed rebel forces. Obama’s warning is part of an emerging narrative, one which may be used as a pretext for direct foreign intervention, in which the Syrian government is plotting imminent attacks with supposed stockpiles of chemical weapons. Meanwhile in Turkey, NATO is deploying missiles near the Syrian border in preparation for a future conflict. (5) Behind the scenes, the U.S. is launching a new spy service. The Defense Intelligence Agency, the military’s version of the CIA, is being overhauled and rebranded as the Defense Clandestine Service. The revamped agency will be under the nominal direction of the Department of Defense and involved in assessing “emerging threats.” (6) The CIA is also in the news again. Former UK diplomat Craig Murray and Ecuadorian President Rafael Correa recently alleged that CIA drug money is being used in efforts to topple the social-democratic Ecuadorian government. The allegations coincide with reports from 2007 of a CIA airplane loaded with four tons of cocaine crashing in the Yucatan. (7) (8) World-wide resistance needed Despite these and other acts of imperialist militarism, the United States is far from invincible. Its increasing reliance on armed blackmail is a sign of long-term weakness, not strength. Thrown into financial crisis by the mechanisms of its parasitic economy, the U.S. is seeking a resolution by imposing even harsher neo-colonial conditions onto Third World peoples and ratcheting up inter-imperialist rivalry against Russian and Chinese capital. Commenting on the struggle of the Chinese masses against Japan’s 1937 invasion and occupation, Mao Zedong noted how the strengths and weaknesses of the opposing forces were not absolute values. Instead they were subject to change over the course of class struggle. Japanese imperialism, which appeared strong during its invasion and occupation of China, was defeated by a Communist-led united front. (9) Though U.S. imperialism appears strong today, it too is surmountable. Lin Biao, a field marshal in the Chinese People’s Liberation Army and prominent Maoist during the Cultural Revolution, noted that U.S.-led imperialism has set itself against the people of the world, specifically those in the Third World. This has made it possible to construct a broad, global, proletarian-led united front against imperialism. (10) Imperialism has other weaknesses as well. By maintaining national oppression within its own borders, U.S. imperialism has created inside itself potential allies of Third World-centered proletarian revolution. Likewise, imperialism, especially late imperialism like that of the U.S., is capitalism in its most decadent phase. It is characterized by increasing irrationality, militarism, and reaction. Under these conditions, proletarian revolution becomes not simply possible but necessary for the liberation of humanity at large. Imperialism is also marked by the increasingly parasitic relationship of First World economies to Third World ones. Imperialism has created within the First World a class of property-less petty-bourgeoisie. This class has both an ideological function and an economic one. On one hand, imperialism compensates ‘its’ workers above the value of their labor to create a mass base of support, and to sow social-chauvinism, opportunism, and confusion in proletarian movements. On the other hand, by paying ‘its’ workers in part with surplus, the imperialist bourgeoisie ‘invests’ value into its workers that can later be realized elsewhere in the First World. Economically speaking, the property-less petty-bourgeoisie is a functional expression of the concentration and accumulation of capital in the First World at the expense of the Third World. (11) This is why Lin’s summary of contemporary class struggle is significant. The proletarian-led united front against imperialism is strategically designed to change the balance of power in global class relations. First Worldism and opportunism against revolution Along with the need to build, consolidate and extent the united front against imperialism, First Worldism and opportunism must be combated within proletarian movements as well. First Worldism is the ‘left-wing’ ideological expression of the First World property-less petty-bourgeoisie. It expresses politics through the eyes of the First World property-less petty-bourgeoisie while simultaneous denying the existence of this class. By universalizing the property-less petty-bourgeoisie as a central progressive agent, First Worldism thereby misconstrues the notions of the proletariat, class struggle, and socialism. It is one of the most damaging and prevalent forms of social-chauvinism today. (12) Opportunism pursues short-term, narrow goals at the expense of the broader revolutionary interests of the proletariat as a whole.. Opportunism poses in ‘left-wing’ garb while supporting the basic aspects of imperialism. Not surprising, First Worldism and opportunism often go hand and hand. One must look no further than the ‘Communist’ Party-USA to see a clear example of First Worldism and opportunism coming together to support imperialism. In both 2008 and 2012, the ‘C’PUSA campaigned for Obama and other “progressive” Democrats. Their rationale is simple: Republican politicians represent a “far-right onslaught” against the interests of working people in the U.S. Regardless of whether this sentiment has any basis in truth, it demonstrates how First Worldist opportunism serve imperialism, in this case providing ‘Communist’ cover and support for the imperialist militarism carried out by Democrats. The ‘C’PUSA is merely one example of First Worldist opportunism. (13) Amy Goodman, host of Democracy Now!, made a salient point when she credited Obama’s re-election to “social movements.” Ostensibly referring to Occupy Wall Sreet and other First Worldist reform movements, Goodman noted how they joined together and secured Obama’s victory over Republican contender Mitt Romney. (14) This raises an important point about the First World property-less petty-bourgeoisie. While Goodman makes the short-sighted assessment that Obama’s electoral victory was carried through by the support of “grassroots activists,” it is more significant to note that imperialist militarism derives much-needed legitimacy and support from the willingness of the ‘left-wing’ in the U.S. to trade any semblance of internationalism for minor social and economic reforms for their own further benefit. Without the direct endorsements and implicit ideological support U.S. imperialism receives from ‘its’ ‘left-wing’ (which is bought and paid for through super-wages supplied via the exploitation of the Third World), it would not be at such ease to carry out global aggression under the banner of ‘democracy,’ ‘progress,’ and ‘human rights.’ First Worldism promotes opportunism and sets back proletarian revolution in other ways. If, as assumed by First Worldists, the First World property-less-petty bourgeoisie is the model of the modern proletariat, and if Amerikan workers receive high wages because of high productivity and historic class struggle (and not due to its historic unity with ‘their’ imperialists and corresponding relationship within developing class structures), then the logical route of class struggle around the world is for similar reforms. If First Worldists are correct and First World workers are an exploited proletariat, Third World people would be wisely advised to struggle for reforms to their own countries so that they may be exploited under terms similar to First World workers. For this reason, spreading First Worldist confusion regarding modern global class dynamics is tantamount to promoting opportunism and reformism. Groups waging people’s war who uphold First Worldism shoot themselves in the foot by doing so. There is still work to be done in the First World. Third Worldists in the First World should organize and agitate around challenging oppression and advancing higher interests than immediate class ones. Moreover, Third Worldists must spread awareness and support for people’s war and a united front against imperialism and prepare for later struggles ‘in the belly of the beast.’ U.S.-led imperialism is hardly invincible. Instead, it is weaker than ever. People’s wars and a broad united front against imperialism can alter the terrain of class struggle, thus bringing to the fore the struggle for socialism and communism. First Worldism and opportunism must not be treated lightly as part of this struggle. Whereas imperialism and reaction presents itself openly, First Worldism and opportunism operates within and around proletarian movements for similar ends. Obama, with the support and cover of the Amerikan and First World property-less petty-bourgeoisie, is leading a renewed imperialist offensive against the people of the Third World. People around the world must resist. People’s wars and revolutions against neo-colonial regimes must be initiated and carried out, and imperialism must be singled out and destroyed by a united front of exploited Third World peoples and their allies. Struggles must be waged in the ideological and practical sphere against First Worldism and opportunism. Allies must be built even in the First World, and unity must be achieved around revolutionary anti-imperialism.

## 2NC Case

### Ext. CIL = Ilusion

#### CIL cannot change state behavior

Hudson 6 (Walter, Major US Army, “The Limits of International Law, Book Review” *Army Lawyer*, http://www.encyclopedia.com/doc/1G1-156365904.html)

The authors of Limits rely on economic-based rational choice theory, using some modeling techniques derived from game theory, to advance their basic thesis. (5) Using this theory, Posner and Goldsmith argue that states act rationally to maximize their interests and that international law is little more than an expression of various state interests. "[International law] is not a check on state self-interest; it is a product of state self-interest." (6) As the authors assert, what practitioners perceive as international law is really "behaviorial regularit[y] that emerge[s] when states pursue their interests on the international stage." (7) There are four basic models that describe these regular international interactions: (1) coincidence of interest (a pattern of behavior that occurs when two states ignore the behavior of the other and pursue private interests); (8) (2) coercion (when one state forces another to serve its interests), (9) (3) cooperation (when states improve their relative positions by exchanging information); (10) and (4) coordination (when states' interests converge, but "each state's best move depends on the move of the other state"). (11) Limits applies these models to both customary international law and treaty-making. The authors contend **the notion of a customary international law as a normative system that compels state behavior is false.** Rather, state behaviors that appear to be customary international law are simply coincidences of interests between states or some form of bilateral transaction--of cooperation, coordination, or coercion--between states. (12)

#### Realism is inevitable, and CIL does not exist – it’s simply coincidence based off of bilateral cooperation and coercion

Goldsmith and Posner 98 (Jack and Eric, law profs at U of Chicago, “A Theory of Customary International Law” John M. Olin Law & Economics Working Paper No. 63, http://www.law.uchicago.edu/Lawecon/WkngPprs\_51-75/63.Goldsmith-Posner.pdf)

The theory suggests that many international behavioral regularities result from states independently pursuing their self-interest without generating gains from interaction. These cases are trivial and have no normative content. Some international behavioral regularities do reflect cooperation or coordination, but the theory suggests that these regularities will arise in bilateral, not multilateral, interactions. What appear to be multilateral CIL norms, then, are illusions, the product of some combination of (a) coincidence of interests among all, or almost all, states, (b) coercion by one or a few powerful states, or (c) a prisoner’s dilemma or a coordination game played out in discrete bilateral contexts. This theory differs from the standard conception of CIL in several fundamental respects. It rejects the usual explanations of CIL based on opinio juris, legality, morality, and related concepts. States do not comply with norms of CIL because of a sense of moral or legal obligation; rather, their compliance and the norms themselves emerge from the states’ pursuit of self-interested policies on the international stage. In other words, CIL is not an exogenous force that controls the behavior of states, the way domestic law controls the behavior of citizens; it is instead a label people attach to behavior that is generated endogenously from the interactions of states pursuing their self-interest. In addition, our theory rejects the traditional claim that the behaviors associated with CIL reflect a single, unitary logic. These behaviors instead reflect various and importantly different logical structures played out in discrete, historically contingent contexts. Finally, the theory is skeptical of the existence of law-like, multilateral behavioral regularities that are typically thought to constitute CIL. It holds that multinational regularities will invariably reflect coincidence of interest or coercion (and thus not be law-like), and that regularities that reflect cooperation or coordination arise only in bilateral contexts.

### A2 China

**No US-China war**

**Rosecrance et al ‘10** (Richard, Political Science Professor @ Cal and Senior Fellow @ Harvard’s Belfer Center and Former Director @ Burkle Center of IR @ UCLA, and Jia Qingguo, PhD Cornell, Professor and Associate Dean of School of International Studies @ Peking University, “Delicately Poised: Are China and the US Heading for Conflict?” Global Asia 4.4, <http://www.globalasia.org/l.php?c=e251>)

**Will China and the US Go to War?** If one accepts the previous analysis, the answer is “no,” or at least not likely. Why? First, despite its revolutionary past, **China has** gradually **accepted the US-**led **world** order **and become a status quo power.** It has joined most of the important inter-governmental international organizations. It has subscribed to most of the important international laws and regimes. It has not only accepted the current world order, it has become a strong supporter and defender of it. China has repeatedly argued that the authority of the United Nations and international law should be respected in the handling of international security crises. China has become an ardent advocate of multilateralism in managing international problems. And China has repeatedly defended the principle of free trade in the global effort to fight the current economic crisis, despite efforts by some countries, including the US, to resort to protectionism. To be sure, there are some aspects of the US world order that China does not like and wants to reform. However, it wishes to improve that world order rather than to destroy it. Second, **China** has **clearly rejected** the option of **territorial expansion.** It argues that territorial expansion is both immoral and counterproductive: immoral because it is imperialistic and counterproductive because it does not advance one’s interests. China’s behavior shows that instead of trying to expand its territories, **it has been trying to settle** its border **disputes through negotiation**. Through persistent efforts, China has concluded quite a number of border agreements in recent years. As a result, most of its land borders are now clearly drawn and marked under agreements with its neighbors. In addition, China is engaging in negotiations to resolve its remaining border disputes and making arrangements for peaceful settlement of disputed islands and territorial waters. Finally, **even on** the question of **Taiwan**, which China believes is an indisputable part of its territory, **it has adopted** a policy of **peaceful reunification**. A country that handles territorial issues in such a manner is by no means expansionist. Third, **China has relied on trade** and investment **for** national welfare and **prestige, instead of** military **conquest.** And like the US, Japan and Germany, China has been very successful in this regard. In fact, so successful that **it** really **sees no other option than** to continue on **this path to prosperity**. Finally, after years of reforms, China increasingly finds itself sharing certain basic values with the US, such as a commitment to the free market, rule of law, human rights and democracy. Of course, there are still significant differences in terms of how China understands and practices these values. However, at a conceptual level, Beijing agrees that these are good values that it should strive to realize in practice. A Different World It is also important to note that certain changes in international relations since the end of World War II have made the peaceful rise of a great power more likely. To begin with, the emergence of nuclear weapons has drastically reduced the usefulness of war as a way to settle great power rivalry. By now, all great powers either have nuclear weapons or are under a nuclear umbrella. If the objective of great power rivalry is to enhance one’s interests or prestige, the sheer destructiveness of nuclear weapons means that these goals can no longer be achieved through military confrontation. Under these circumstances, countries have to find other ways to accommodate each other — something that China and the US have been doing and are likely to continue to do. Also, globalization has made it easier for great powers to increase their national welfare and prestige through international trade and investment rather than territorial expansion. In conducting its foreign relations, the US relied more on trade and investment than territorial expansion during its rise, while Japan and Germany relied almost exclusively on international trade and investment. China, too, has found that its interests are best served by adopting the same approach. Finally, the development of relative pacifism in the industrialized world, and indeed throughout the world since World War II, has discouraged any country from engaging in territorial expansion. **There is less and less popular support for using force to address even legitimate concerns** on the part of nation states. Against this background, efforts to engage in territorial expansion are likely to rally international resistance and condemnation. Given all this, is the rise of China likely to lead to territorial expansion and war with the US? The answer is no.

**---Grid- Safeguards**

**No black-outs in the US**

**Wood 12** -- Senior Communications Advisor at Business Roundtable (Carter, 8/2/12, "The grid: After India, America? No, but still…" http://businessroundtable.org/blog/the-grid-after-india-america-no-but-still/)

**A blackout of such scale could not happen in the U**nited **S**tates. For one thing, we don't have 600 million people. And America's electrical grid is certainly much more resilient than the one in India, a still-developing country with ineffective governments. Still, as The Washington Post reports today, "Aging power grid on overload as U.S. demands more electricity." At CNBC, Jim Cramer asked Thomas F. Farrell II, Chairman, President & CEO of Dominion Resources, about India. Could the same thing happen in the United States? Farrell responded: Our system has **a lot more rigor** to it and partly because we have reserve margins, meaning we have more power stations than we need to run at any particular moment in time, so that **if a power station goes out, there's a back-up** to help keep the grid stable. They don't have that much excess power in India, and when they get to the root cause, they'll probably find that was somewhere in there.

# 1NR

#### Restrictions on authority are distinct from conditions

William Conner 78, former federal judge for the United States District Court for the Southern District of New York United States District Court, S. D. New York, CORPORACION VENEZOLANA de FOMENTO v. VINTERO SALES, http://www.leagle.com/decision/19781560452FSupp1108\_11379

Plaintiff next contends that Merban was charged with notice of the restrictions on the authority of plaintiff's officers to execute the guarantees. Properly interpreted, the "conditions" that had been imposed by plaintiff's Board of Directors and by the Venezuelan Cabinet were not "restrictions" or "limitations" upon the authority of plaintiff's agents but rather conditions precedent to the granting of authority. Essentially, then, plaintiff's argument is that Merban should have known that plaintiff's officers were not authorized to act except upon the fulfillment of the specified conditions.

#### Increase means from a baseline

Rogers 5 Judge, STATE OF NEW YORK, ET AL., PETITIONERS v. U.S. ENVIRONMENTAL PROTECTION AGENCY, RESPONDENT, NSR MANUFACTURERS ROUNDTABLE, ET AL., INTERVENORS, 2005 U.S. App. LEXIS 12378, \*\*; 60 ERC (BNA) 1791, 6/24, lexis

 [\*\*48]  Statutory Interpretation. [HN16](http://www.lexis.com/research/retrieve?_m=1fe428155fdfc9074f3623f0dae9d78a&docnum=14&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=0ebd338d6a7793de8561db53b915effd&focBudTerms=term%20increase&focBudSel=all#clscc16)While the CAA defines a "modification" as any physical or operational change that "increases" emissions, it is silent on how to calculate such "increases" in emissions. [42 U.S.C. § 7411(a)(4)](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=4&_butStat=0&_butNum=103&_butInline=1&_butinfo=42%20U.S.C.%207411&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=1f89a0e47b1996a5400e8d865d8da08a). According to government petitioners, the lack of a statutory definition does not render the term "increases" ambiguous, but merely compels the court to give the term its "ordinary meaning." See [Engine Mfrs.Ass'nv.S.Coast AirQualityMgmt.Dist., 541 U.S. 246, 124 S. Ct. 1756, 1761, 158 L. Ed. 2d 529(2004)](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_butNum=104&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b541%20U.S.%20246%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=48f016ea3eabfdb898b67b348b11662c); [Bluewater Network, 370 F.3d at 13](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_butNum=105&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b370%20F.3d%201%2cat%2013%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=78fdfe9d48c7b91d7659b90c0198707e); [Am. Fed'n of Gov't Employees v. Glickman, 342 U.S. App. D.C. 7, 215 F.3d 7, 10 [\*23]  (D.C. Cir. 2000)](http://www.lexis.com/research/buttonTFLink?_m=8541fbf7a7f5554ca588059b132acd17&_xfercite=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b367%20U.S.%20App.%20D.C.%203%5d%5d%3e%3c%2fcite%3e&_butType=3&_butStat=2&_butNum=106&_butInline=1&_butinfo=%3ccite%20cc%3d%22USA%22%3e%3c%21%5bCDATA%5b342%20U.S.%20App.%20D.C.%207%5d%5d%3e%3c%2fcite%3e&_fmtstr=FULL&docnum=14&_startdoc=1&wchp=dGLbVlz-zSkAW&_md5=fb18ff0b92931ac00621d88dae997e67). Relying on two "real world" analogies, government petitioners contend that the ordinary meaning of "increases" requires the baseline to be calculated from a period immediately preceding the change. They maintain, for example, that in determining whether a high-pressure weather system "increases" the local temperature, the relevant baseline is the temperature immediately preceding the arrival of the weather system, not the temperature five or ten years ago. Similarly,  [\*\*49]  in determining whether a new engine "increases" the value of a car, the relevant baseline is the value of the car immediately preceding the replacement of the engine, not the value of the car five or ten years ago when the engine was in perfect condition.