# 1nc’

### 1

#### First, Topical affirmatives must increase restrictions in an entire area of war powers authority.

#### In the area” means all of the activities.

United Nations 13

(United Nations Law of the Sea Treaty, http://www.un.org/depts/los/convention\_agreements/texts/unclos/part1.htm)

PART I¶ INTRODUCTION¶ Article 1

Use of terms and scope¶ 1. For the purposes of this Convention:¶ (1) "Area" means the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction;¶ (2) "Authority" means the International Seabed Authority;¶ (3) "activities in the Area" means all activities of exploration for, and exploitation of, the resources of the Area;

#### Substantially is without qualification

Black’s Law Dictionary 91

~p. 1024~

Substantially - means essentially; without material qualification.

#### That is, at least 90%

Words and Phrases, 05 (v. 40B, p. 329)

N.H. 1949. The word “substantially” as used in provision of Unemployment Compensation Act that experience rating of an employer may be transferred to an employing unit which acquires the organization, trade, or business, or “substantially” all of the assets thereof, is an elastic term which does not include a definite, fixed amount of percentage, and the transfer does not have to be 100 per cent but cannot be less than 90 per cent in the ordinary situation. R.L. c 218, § 6, subd. F, as added by Laws 1945, c.138, § 16

#### Second, violation—aff only restricts war powers authority in a subset of one of the topic areas—not all activities and not even in the ball-park of substantial.

#### Third, prefer our interpretation.

#### Limits—allowing affs that restrict war powers exercised in an overly specific context explodes limits—4 topic areas times 2 mechanisms is already a huge research burden, this sets the bar impossibly high.

#### Predictability—by nationals we should know what to expect—but it’s impossible to predict every aff that limits one subset of one topic area.

#### Ground—we can’t get stable DA links because they can always no-link and say their specific subset isn’t key.

#### Fourth, vote neg—topicality is a prima facie burden and prefer competing interpretations.

### 2

#### The Executive Branch of the United States should prohibit the first use of Offensive Cyber Effects Operations against non-military targets.

#### self-binding creates accountability—court enforcement and political alienation for rollback

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

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

### 3

**The plan would uniquely decimate Obama and the military’s ability to calm alliances and deter enemies ---- makes terrorism and global nuclear war more likely**

**WAXMAN 2013** - law professor at Columbia Law School, co-chairs the Roger Hertog Program on Law and National Security (Matthew Waxman, “The Constitutional Power to Threaten War,” August 27, 2013, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2316777)

As a prescriptive matter, Part II also shows that examination of threatened force and the credibility requirements for its effectiveness calls into question many orthodoxies of the policy advantages and risks attendant to various allocations of legal war powers, including the existing one and proposed reforms.23 Most functional arguments about war powers focus on fighting wars or hostile engagements, but that is not all – or even predominantly – what the United States does with its military power. Much of the time it seeks to avert such clashes while achieving its foreign policy objectives: to bargain, coerce, deter.24 The President’s flexibility to use force in turn affects decision-making about threatening it, with major implications for securing peace or dragging the United States into conflicts. Moreover, constitutional war power allocations affect potential conflicts not only because they **may constrain U.S. actions** but because **they** maysend **signal**s **and shape** other states’ (including adversaries’) expectations of U.S. actions.25 That is, most analysis of war-powers law is inward-looking, focused on audiences internal to the U.S. government and polity, but thinking about threatened force prompts us to look outward, at how war-powers law affects external perceptions among adversaries and allies. Here, extant political science and strategic studies offer few clear conclusions, but they point the way toward more sophisticated and realistic policy assessment of legal doctrine and proposed reform. More generally, as explained in Part III, analysis of threatened force and war powers exposes an under-appreciated relationship between constitutional doctrine and grand strategy. Instead of proposing a functionally optimal allocation of legal powers, as legal scholars are often tempted to do, this Article in the end denies the tenability of any such claim. Having identified new spaces of war and peace powers that legal scholars need to take account of in understanding how those powers are really exercised, this Article also highlights the extent to which any normative account of the proper distribution of authority over this area depends on many matters that cannot be predicted in advance or expected to remain constant.26 Instead of proposing a policy-optimal solution, this Article concludes that the allocation of constitutional war powers is – and should be –geopolitically and strategically contingent; the actual and effective balance between presidential and congressional powers over war and peace in practice necessarily depends on fundamental assumptions and shifting policy choices about how best to secure U.S. interests against potential threats.27 I. Constitutional War Powers and Threats of Force Decisions to go to war or to send military forces into hostilities are immensely consequential, so it is no surprise that debates about constitutional war powers occupy so much space. But one of the most common and important ways that the United States uses its military power is by threatening war or force – and the constitutional dimensions of that activity receive almost no scrutiny or even theoretical investigation. A. War Powers Doctrine and Debates The Constitution grants Congress the powers to create military forces and to “declare war,”28 which the Supreme Court early on made clear includes the power to authorize limited uses of force short of full-blown war.29 The Constitution then vests the President with executive power and designates him commander in chief of the armed forces,30 and it has been well-accepted since the Founding that these powers include unilateral authority to repel invasions if the United States is attacked.31 Although there is nearly universal acceptance of these basic starting points, there is little legal agreement about how the Constitution allocates responsibility for the vast bulk of cases in which the United States has actually resorted to force. The United States has declared war or been invaded only a handful of times in its history, but it has used force – sometimes large-scale force – hundreds of other times.32 Views split over questions like when, if ever, the President may use force to deal with aggression against third parties and how much unilateral discretion the President has to use limited force short of full-blown war. For many lawyers and legal scholars, at least one important methodological tool for resolving such questions is to look at historical practice, and especially the extent to which the political branches acquiesced in common practices.33 Interpretation of that historical practice for constitutional purposes again divides legal scholars, but most would agree at least descriptively on some basic parts of that history. In particular, most scholars assess that from the Founding era through World War II, Presidents and Congresses alike recognized through their behavior and statements that except in certain narrow types of contingencies, congressional authorization was required for large-scale military operations against other states and international actors, even as many Presidents pushed and sometimes crossed those boundaries.34 Whatever constitutional constraints on presidential use of force existed prior to World War II, however, most scholars also note that the President asserted much more extensive unilateral powers to use force during and after the Cold War, and many trace the turning point to the 1950 Korean War.35 Congress did not declare war in that instance, nor did it expressly authorize U.S. participation.36 From that point forward, presidents have asserted broad unilateral authority to use force to address threats to U.S. interests, including threats to U.S. allies, and that neither Congress nor courts pushed back much against this expanding power.37 Concerns about expansive presidential war-making authority spiked during the Vietnam War. In the wind-down of that conflict, Congress passed – over President Nixon’s veto – the War Powers Resolution,38 which stated its purpose as to ensure the constitutional Founders’ original vision that the “collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.”39 Since then, presidentialists have argued that the President still retains expansive authority to use force abroad to protect American interests,40 and congressionalists argue that this authority is tightly circumscribed.41 These constitutional debates have continued through the first decade of the 21st century. Constitutional scholars split, for example, over President Obama’s power to participate in coalition operations against Libya without congressional authorization in 2011, especially after the War Powers Resolution’s 60-day clock expired.42 Some argue that President Obama’s use of military force without specific congressional authorization in that case **reflects the broad constitutional discretion presidents** now **have** to protect American interests, at least short of full-blown “war”, while others argue that it is the latest in a long record of presidential violations of the Constitution and the War Powers Resolution.43 B. Threats of Force and Constitutional Powers These days it is usually taken for granted that – whether or not he can make war unilaterally – the President is constitutionally empowered to threaten the use of force, implicitly or explicitly, through diplomatic means or shows of force. It is never seriously contested whether the President may declare that United States is contemplating military options in response to a crisis, or whether the President may move substantial U.S. military forces to a crisis region or engage in military exercises there. To take the Libya example just mentioned, is there any constitutional limitation on the President’s authority to move U.S. military forces to the Mediterranean region and prepare them very visibly to strike?44 Or his authority to issue an ultimatum to Libyan leaders that they cease their brutal conduct or else face military action? Would it matter whether such threats were explicit versus implicit, whether they were open and public versus secret, or whether they were just a bluff? If not a constitutional obstacle, could it be argued that the War Powers Resolution’s reporting requirements and limits on operations were triggered by a President’s mere ultimatum or threatening military demonstration, insofar as those moves might constitute a “situation where imminent involvement in hostilities is clearly indicated by the circumstances”? These questions simply are not asked (at least not anymore).45 If anything, most lawyers would probably conclude that the President’s constitutional powers to threaten war **are not just expansive but largely beyond Congress’s authority** to regulate directly. From a constitutional standpoint, to the extent it is considered at all, the President’s power to threaten force is probably regarded to be at least as broad as his power to use it. One way to look at it is that the power to threaten force is a lesser included element of presidential war powers; the power to threaten to use force is simply a secondary question, the answer to which is bounded by the primary issue of the scope of presidential power to actually use it. If one interprets the President’s defensive war powers very broadly, to include dealing with aggression not only directed against U.S. territories but also against third parties,46 then it might seem easy to conclude that the President can also therefore take steps that stop short of actual armed intervention to deter or prevent such aggression. If, however, one interprets the President’s powers narrowly, for example, to include only limited unilateral authority to repel attacks against U.S. territory,47 then one might expect objections to arguably excessive presidential power to include his unilateral threats of armed intervention. Another way of looking at it is that in many cases, threats of war or force might fall within even quite narrow interpretations of the President’s inherent foreign relations powers to conduct diplomacy or his express commander in chief power to control U.S. military forces – or some combination of the two – depending on how a particular threat is communicated. A President’s verbal warning, ultimatum, or declared intention to use military force, for instance, could be seen as merely exercising his role as the “sole organ” of U.S. foreign diplomacy, conveying externally information about U.S. capabilities and intentions.48 A president’s movement of U.S. troops or warships to a crisis region or elevation of their alert level could be seen as merely exercising his dayto- day tactical control over forces under his command.49 Generally it is not seriously contested whether the exercise of these powers alone could so affect the likelihood of hostilities or war as to intrude on Congress’s powers over war and peace.50 We know from historical examples that such unilateral military moves, even those that are ostensibly pure defensive ones, can provoke wars – take, for example, President Polk’s movement of U.S. forces to the contested border with Mexico in 1846, and the resulting skirmishes that led Congress to declare war.51 Coming at the issue from Congress’s Article I powers rather than the President’s Article II powers, the very phrasing of the power “To declare War” puts most naturally all the emphasis on the present tense of U.S. military action, rather than its potentiality. Even as congressionalists advance interpretations of the clause to include not merely declarative authority but primary decision-making authority as to whether or not to wage war or use force abroad, their modern-day interpretations do not include a power to threaten war (except perhaps through the specific act of declaring it). None seriously argues – at least not any more – that the Declare War Clause precludes presidential threats of war. This was not always the case. During the early period of the Republic, there was a powerful view that beyond outright initiation of armed hostilities or declaration of war, more broadly the President also could not unilaterally take actions (putting aside actual military attacks) that would likely or directly risk war,52 provoke a war with another state,53 or change the condition of affairs or relations with another state along the continuum from peace to war.54 To do so, it was often argued, would usurp Congress’s prerogative to control the nation’s state of peace or war.55 During the Quasi-War with France at the end of the 18th century, for example, some members of Congress questioned whether the President, absent congressional authorization, could take actions that visibly signaled an intention to retaliate against French maritime harassment,56 and even some members of President Adams’ cabinet shared doubts.57 Some questions over the President’s power to threaten force arose (eventually) in relation to the Monroe Doctrine, announced in an 1823 presidential address to Congress and which in effect declared to European powers that the United States would oppose any efforts to colonize or reassert control in the Western Hemisphere.58 “Virtually no one questioned [Monroe’s proclamation] at the time. Yet it posed a constitutional difficulty of the first importance.”59 Of course, Monroe did not actually initiate any military hostilities, but his implied threat – without congressional action – risked provoking rather than deterring European aggression and by putting U.S. prestige and credibility on the line it limited Congress’s practical freedom of action if European powers chose to intervene.60 The United States would have had at the time to rely on British naval power to make good on that tacit threat, though a more assertive role for the President in wielding the potential for war or intervention during this period went hand in hand with a more sustained projection of U.S. power beyond its borders, especially in dealing with dangers emanating from Spanish-held Florida territory.61 Monroe’s successor, John Quincy Adams, faced complaints from opposition members of Congress that Monroe’s proclamation had exceeded his constitutional authority and had usurped Congress’s by committing the United States – even in a non-binding way – to resisting European meddling in the hemisphere.62 The question whether the President could unilaterally send militarily-threatening signals was in some respects a mirror image of the issues raised soon after the Constitution was ratified during the 1793 Neutrality Controversy: could President Washington unilaterally declare the United States to be neutral as to the war among European powers. Washington’s politically controversial proclamation declaring the nation “friendly and impartial” in the conflict between France and Great Britain (along with other European states) famously prompted a back-and-forth contest of public letters by Alexander Hamilton and James Madison, writing pseudonymously as “Pacificus” and “Helvidius”, about whether the President had such unilateral power or whether it belonged to Congress.63 Legal historian David Currie points out the irony that the neutrality proclamation was met with stronger and more immediate constitutional scrutiny and criticism than was Monroe’s threat. After all, Washington’s action accorded with the principle that only Congress, representing popular will, should be able to take the country from the baseline state of peace to war, whereas Monroe’s action seemed (at least superficially) to commit it to a war that Congress had not approved.64 Curiously (though for reasons offered below, perhaps not surprisingly) this issue – whether there are constitutional limits on the President’s power to threaten war – has almost vanished completely from legal discussion, and that evaporation occurred even before the dramatic post-war expansion in asserted presidential power to make war. Just prior to World War II, political scientist and presidential powers theorist Edward Corwin remarked that “[o]f course, it may be argued, and has in fact been argued many times, that the President is under constitutional obligation not to incur the risk of war in the prosecution of a diplomatic policy without first consulting Congress and getting its consent.”65 “Nevertheless,” he continued,66 “the supposed principle is clearly a maxim of policy rather than a generalization from consistent practice.” In his 1945 study World Policing and the Constitution, James Grafton Rogers noted: [E]xamples of demonstrations on land and sea made for a variety of purposes and under Presidents of varied temper and in different political climates will suffice to make the point. The Commander-in-Chief under the Constitution can display our military resources and threaten their use whenever he thinks best. The weakness in the **diplomatic weapon** is the possibility of **dissidence at home** which may cast doubt on our serious intent. The danger of the weapon is war.67 At least since then, however, the importance to U.S. foreign policy of threatened force has increased dramatically, while legal questions about it have receded further from discussion. In recent decades a few prominent legal scholars have addressed the President’s power to threaten force, though in only brief terms.

Taylor Reveley noted in his volume on war powers the importance of allocating constitutional responsibility not only for the actual use of force but also “[v]erbal or written threats or assurances about the circumstances in which the United States will take military action …, whether delivered by declarations of American policy, through formal agreements with foreign entities, by the demeanor or words of American officials, or by some other sign of national intent.”68 Beyond recognizing the critical importance of threats and other non-military actions in affecting war and peace, however, Reveley made little effort to address the issue in any detail. Among the few legal scholars attempting to define the limiting doctrinal contours of presidentially threatened force, Louis Henkin wrote in his monumental Foreign Affairs and the Constitution that: Unfortunately, the line between war and lesser uses of force is often elusive, sometimes illusory, and the use of force for foreign policy purposes can almost imperceptibly become a national commitment to war. Even when he does not use military force, the President can incite other nations or otherwise plunge or stumble this country into war, or force the hand of Congress to declare or to acquiesce and cooperate in war. As a matter of constitutional doctrine, however, one can declare with confidence that a President begins to exceed his authority if he willfully or recklessly moves the nation towards war…69 The implication seems to be that the President may not unilaterally threaten force in ways that are dramatically escalatory and could likely lead to war, or perhaps that the President may not unilaterally threaten the use of force that he does not have the authority to initiate unilaterally.70 Jefferson Powell, who generally takes a more expansive view than Henkin of the President’s war powers, argues by contrast that “[t]he ability to warn of, or threaten, the use of military force is an ordinary and essential element in the toolbox of that branch of government empowered to formulate and implement foreign policy.”71 For Powell, the President is constantly taking actions as part of everyday international relations that carry a risk of military escalation, and these are well-accepted as part of the President’s broader authority to manage, if not set, foreign policy. Such brief mentions are in recent times among the rare exceptions to otherwise barren constitutional discussion of presidential powers to threaten force. That the President’s authority to threaten force is so well-accepted these days as to seem self-evident is not just an academic phenomenon. It is also reflected in the legal debates among and inside all three branches of government. In 1989, Michael Reisman observed: Military maneuvers designed to convey commitment to allies or contingent threats to adversaries … **are matters of presidential competence**. Congress does not appear to view as within its bailiwick many low-profile contemporaneous expressions of gunboat diplomacy, i.e., the physical interposition of some U.S. war-making capacity as communication to an adversary of United States’ intentions and capacities to oppose it.72 This was and remains a correct description but understates the pattern of practice, insofar as even major and high-profile expressions of coercive diplomacy are regarded among all three branches of government as within presidential competence. In Dellums v. Bush – perhaps the most assertive judicial scrutiny of presidential power to use large-scale force abroad since the end of the Cold War – the district court dismissed on ripeness grounds congressmembers’ suit challenging President George H. W. Bush’s intended military operations against Iraq in 1991 and seeking to prevent him from initiating an offensive attack against Iraq without first securing explicit congressional authorization for such action.73 That at the time of the suit the President had openly threatened war – through ultimatums and deployment of several hundred thousand U.S. troops – but had not yet “committed to a definitive course of action” to carry out the threat meant there was no justiciable legal issue, held the court.74 The President’s threat of war did not seem to give the district court legal pause at all; quite the contrary, the mere threat of war was treated by the court as a non-issue entirely.75 There are several reasons why constitutional questions about threatened force have dropped out of legal discussions. First, the more politically salient debate about the President’s unilateral power to use force has probably swallowed up this seemingly secondary issue. As explained below, it is a mistake to view threats as secondary in importance to uses of force, but they do not command the same political attention and their impacts are harder to measure.76 Second, the expansion of American power after World War II, combined with the growth of peacetime military forces and a set of defense alliance commitments (developments that are elaborated below) make at least some threat of force much more common – in the case of defensive alliances and some deterrent policies, virtually constant – and difficult to distinguish from other forms of everyday diplomacy and security policy.77 Besides, for political and diplomatic reasons, presidents rarely threaten war or intervention without at least a little deliberate ambiguity. As historian Marc Trachtenberg puts it: “It often makes sense … to muddy the waters a bit and avoid direct threats.”78 Any legal lines one might try to draw (recall early attempts to restrict the President’s unilateral authority to alter the state of affairs along the peacetime-wartime continuum) have become blurrier and blurrier. In sum, if the constitutional power to threaten war ever posed a serious legal controversy, it does so no more. As the following section explains, however, threats of war and armed force have during most of our history become a greater and greater part of American grand strategy, defined here as long-term policies for using the country’s military and non-military power to achieve national goals. The prominent role of threatened force in U.S. strategy has become the focus of political scientists and other students of security strategy, crises, and responses – but constitutional study has not adjusted accordingly.79 C. Threats of Force and U.S. Grand Strategy While the Korean and Vietnam Wars were generating intense study among lawyers and legal scholars about constitutional authority to wage military actions abroad, during that same period many political scientists and strategists – economists, historians, statesmen, and others who studied international conflict – turned their focus to the role of threatened force as an instrument of foreign policy. The United States was building and sustaining a massive war-fighting apparatus, but its security policy was not oriented primarily around waging or winning wars but around deterring them and using the threat of war – including demonstrative military actions – to advance U.S. security interests. It was the potential of U.S. military might, not its direct application or engagement with the enemy, that would do much of the heavy lifting. U.S. military power would be used to deter the Soviet Union and other hostile states from taking aggressive action. It would be unsheathed to prompt them to back down over disputes. It would reassure allies that they could depend on U.S. help in defending themselves. All this required that U.S. willingness to go to war be credible in the eyes of adversaries and allies alike. Much of the early Cold War study of threatened force concerned nuclear strategy, and especially deterrence or escalation of nuclear war. Works by Albert Wohlstetter, Herman Kahn, and others not only studied but shaped the strategy of nuclear threats, as well as how to use limited applications of force or threats of force to pursue strategic interests in remote parts of the globe without sparking massive conflagrations.80 As the strategic analyst Bernard Brodie wrote in 1946, “Thus far the chief purpose of our military establishment has been to win wars. From now on its chief purpose must be to avert them.”81 Toward that end, U.S. government security and defense planners during this time focused heavily on preserving and improving the credibility of U.S. military threats – while the Soviet Union was doing likewise.82 The Truman administration developed a militarized version of containment strategy against the Soviet empire, emphasizing that stronger military capabilities were necessary to prevent the Soviets from seizing the initiative and to resist its aggressive probes: “it is clear,” according to NSC-68, the government document which encapsulated that strategy, “that a substantial and rapid building up of strength in the free world is necessary to support a firm policy intended to check and to roll back the Kremlin's drive for world domination.”83 The Eisenhower administration’s “New Look” policy and doctrine of “massive retaliation” emphasized making Western collective security both more effective and less costly by placing greater reliance on deterrent threats – including threatened escalation to general or nuclear war. As his Secretary of State John Foster Dulles explained, “[t]here is no local defense which alone will contain the mighty landpower of the Communist world. Local defenses must be reinforced by the further deterrent of massive retaliatory power.”84 As described in Evan Thomas’s recent book, Ike’s Bluff, Eisenhower managed to convince Soviet leaders that he was ready to use nuclear weapons to check their advance in Europe and elsewhere. In part due to concerns that threats of massive retaliation might be insufficiently credible in Soviet eyes (especially with respect to U.S. interests perceived as peripheral), the Kennedy administration in 1961 shifted toward a strategy of “flexible response,” which relied on the development of a wider spectrum of military options that could quickly and efficiently deliver varying degrees of force in response to foreign aggression.85 Throughout these periods, the President often resorted to discrete, limited uses of force to demonstrate U.S. willingness to escalate. For example, in 1961 the Kennedy administration (mostly successfully in the short-run) deployed intervention-ready military force immediately off the coast of the Dominican Republic to compel its government's ouster,86 and that same year it used military exercises and shows of force in ending the Berlin crisis;87 in 1964, the Johnson administration unsuccessfully used air strikes on North Vietnamese targets following the Tonkin Gulf incidents, failing to deter what it viewed as further North Vietnamese aggression.88 The point here is not the shifting details of U.S. strategy after World War II – during this era of dramatic expansion in asserted presidential war powers – but the central role of credible threats of war in it, as well as the interrelationship of plans for using force and credible threats to do so. Also during this period, the United States abandoned its long-standing aversion to “entangling alliances,”89 and committed to a network of mutual defense treaties with dependent allies. Besides the global collective security arrangement enshrined in the UN Charter, the United States committed soon after World War II to mutual defense pacts with, for example, groups of states in Western Europe (the North Atlantic Treaty Organization)90 and Asia (the Southeast Asia Treaty Organization,91 as well as a bilateral defense agreement with the Republic of Korea,92 Japan,93 and the Republic of China,94 among others). These alliance commitments were part of a U.S. effort to “extend” deterrence of Communist bloc aggression far beyond its own borders.95 “Extended deterrence” was also critical to reassuring these U.S. allies that their security needs would be met, in some instances to head off their own dangerous rearmament.96 Among the leading academic works on strategy of the 1960s and 70s were those of Thomas Schelling, who developed the theoretical structure of coercion theory, arguing that rational states routinely use the threat of military force – the manipulation of an adversary’s perceptions of future risks and costs with military threats – as a significant component of their diplomacy.97 Schelling distinguished between deterrence (the use of threats to dissuade an adversary from taking undesired action) and compellence (the use of threats to persuade an adversary to behave a certain way), and he distinguished both forms of coercion from brute force: “[B]rute force succeeds when it is used, whereas the power to hurt is most successful when held in reserve. It is the threat of damage to come that can make someone yield of comply. It is latent violence that can influence someone’s choice.”98 Alexander George, David Hall, and William Simons then led the way in taking a more empirical approach, reviewing case studies to draw insights about the success and failure of U.S. coercive threats, analyzing contextual variables and their effects on parties’ reactions to threats during crises. Among their goals was to generate lessons informed by history for successful strategies that combine diplomatic efforts with threats or demonstrations of force, recognizing that the United States was relying heavily on threatened force in addressing security crises. Coercive diplomacy – if successful – offered ways to do so with minimal actual application of military force.99 One of the most influential studies that followed was Force Without War: U.S. Armed Forces as a Political Instrument, a Brookings Institution study led by Barry Blechman and Stephen Kaplan and published in 1977.100 They studied “political uses of force”, defined as actions by U.S. military forces “as part of a deliberate attempt by the national authorities to influence, or to be prepared to influence, specific behavior of individuals in another nation without engaging in a continued contest of violence.”101 Blechman and Kaplan’s work, including their large data set and collected case studies, was important for showing the many ways that threatened force could support U.S. security policy. Besides deterrence and compellence, threats of force were used to assure allies (thereby, for example, avoiding their own drive toward militarization of policies or crises) and to induce third parties to behave certain ways (such as contributing to diplomatic resolution of crises). The record of success in relying on threatened force has been quite mixed, they showed. Blechman and Kaplan’s work, and that of others who built upon it through the end of the Cold War and the period that has followed,102 helped understand the factors that correlated with successful threats or demonstrations of force without resort or escalation to war, especially the importance of credible signals.103 After the Cold War, the United States continued to rely on coercive force – threatened force to deter or compel behavior by other actors – as a central pillar of its grand strategy. During the 1990s, the United States wielded coercive power with varied results against rogue actors in many cases that, without the overlay of superpower enmities, were considered secondary or peripheral, not vital, interests: Iraq, Somalia, Haiti, Bosnia, and elsewhere. For analysts of U.S. national security policy, a major puzzle was reconciling the fact that the United States possessed overwhelming military superiority in raw terms over any rivals with its difficult time during this era in compelling changes in their behavior.104 As Daniel Byman and I wrote about that decade in our study of threats of force and American foreign policy: U.S. conventional and nuclear forces dwarf those of any adversaries, and the U.S. economy remains the largest and most robust in the world. Because of these overwhelming advantages, the United States can threaten any conceivable adversary with little danger of a major defeat or even significant retaliation. Yet coercion remains difficult. Despite the United States’ lopsided edge in raw strength, regional foes persist in defying the threats and ultimatums brought by the United States and its allies. In confrontations with Somali militants, Serb nationalists, and an Iraqi dictator, the U.S. and allied record or coercion has been mixed over recent years…. Despite its mixed record of success, however, coercion will remain a critical element of U.S. foreign policy.105 One important factor that seemed to undermine the effectiveness of U.S. coercive threats during this period was that many adversaries perceived the United States as still afflicted with “Vietnam Syndrome,” unwilling to make good on its military threats and see military operations through.106 Since the turn of the 21st Century, major U.S. security challenges have included non-state terrorist threats, the proliferation of nuclear and other weapons of mass destruction (WMD), and rapidly changing power balances in East Asia, and the United States has accordingly been reorienting but retaining its strategic reliance on threatened force. The Bush Administration’s “preemption doctrine” was premised on the idea that some dangerous actors – including terrorist organizations and some states seeking WMD arsenals – are undeterrable, so the United States might have to strike them first rather than waiting to be struck.107 On one hand, this was a move away from reliance on threatened force: “[t]he inability to deter a potential attacker, the immediacy of today’s threats, and the magnitude of potential harm that could be caused by our adversaries’ choice of weapons, do not permit” a reactive posture.108 Yet the very enunciation of such a policy – that “[t]o forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act preemptively”109 – was intended to persuade those adversaries to alter their policies that the United States regarded as destabilizing and threatening. Although the Obama administration pulled back from this rhetoric and placed greater emphasis on international institutions, it has continued to rely on threatened force as a key pillar of its strategy with regard to deterring threats (such as aggressive Iranian moves), intervening in humanitarian crises (as in Libya), and reassuring allies.110 With regard to East Asia, for example, the credible threat of U.S. military force is a significant element of U.S. strategy for deterring Chinese and North Korean aggression as well as reassuring other Asian powers of U.S. protection, to avert a destabilizing arms race.111 D. The Disconnect Between Constitutional Discourse and Strategy There is a major disconnect between the decades of work by strategists and many political scientists on American security policy and practice since the Second World War and legal analysis and scholarship of constitutional war powers during that period. Lawyers and strategists have been relying on not only distinct languages but distinct logics of military force – in short, when it comes to using U.S. military power, lawyers think in terms of “going to war” while strategists focus on potential war and processes leading to it. These framings manifest in differing theoretical starting points for considering how exercises of U.S. military might affect war and peace, and they skew the empirical insights and normative prescriptions about Presidential power often drawn from their analyses. 1. Lawyers’ Misframing Lawyers’ focus on actual uses of force – especially engagements with enemy military forces – as constitutionally salient, rather than including threats of force in their understanding of modern presidential powers tilts analysis toward a one-dimensional strategic logic, rather than a more complex and multi-dimensional and dynamic logic in which the credible will to use force is as important as the capacity to do so. As discussed above, early American constitutional thinkers and practitioners generally wanted to slow down with institutional checks decisions to go to war, because they thought that would make war less likely. “To invoke a more contemporary image,” wrote John Hart Ely of their vision, “it takes more than one key to launch a missile: It should take quite a number to start a war.”112 They also viewed the exercise of military power as generally a ratchet of hostilities, whereby as the intensity of authorized or deployed force increased, so generally did the state of hostilities between the United States and other parties move along a continuum from peace to war.113 Echoes of this logic still reverberate in modern congressionalist legal scholarship: the more flexibly the President can use military force, the more likely it is that the United States will find itself in wars; better, therefore, to clog decisions to make war with legislative checks.114 Modern presidentialist legal scholars usually respond that rapid action is a virtue, not a vice, in exercising military force.115 Especially as a superpower with global interests and facing global threats, presidential discretion to take rapid military **action** – endowed with what Alexander Hamilton called “[**d]ecision, activity, secrecy, and dispatch**”116 – **best protects American interests**. In either case the emphasis tends overwhelmingly to be placed on actual military engagements with adversaries. Strategists and many political scientists, by contrast, view some of the most significant use of military power as starting well before armed forces clash – and including important cases in which they never actually do. Coercive diplomacy and strategies of threatened force, they recognize, often involve a set of moves and countermoves by opposing sides and third parties before or even without the violent engagement of opposing forces. It is often the parties’ perceptions of anticipated actions and costs, not the actual carrying through of violence, that have the greatest impact on the course of events and resolution or escalation of crises. Instead of a ratchet of escalating hostilities, the flexing of military muscle can increase as well as decrease actual hostilities, inflame as well as stabilize relations with rivals or enemies. Moreover, those effects are determined not just by U.S. moves but by the responses of other parties to them – or even to anticipated U.S. moves and countermoves.117 Indeed, as Schelling observed, strategies of brinkmanship sometimes operate by “the deliberate creation of a recognizable risk of war, a risk that one does not completely control.”118 This insight – that effective strategies of threatened force involve not only great uncertainty about the adversary’s responses but also sometimes involve intentionally creating risk of inadvertent escalation119 – poses a difficult challenge for any effort to cabin legally the President’s power to threaten force in terms of likelihood of war or some due standard of care.120 2. Lawyers’ Selection Problems Methodologically, a lawyerly focus on actual uses of force – a list of which would then commonly be used to consider which ones were or were not authorized by Congress – vastly undercounts the instances in which presidents wield U.S. military might. It is already recognized by some legal scholars that studying actual uses of force risks ignoring instances in which President contemplated force but refrained from using it, whether because of political, congressional, or other constraints.121 The point here is a different one: that some of the most significant (and, in many instances, successful) presidential decisions to threaten force do not show up in legal studies of presidential war powers that consider actual deployment or engagement of U.S. military forces as the relevant data set. Moreover, some actual uses of force, whether authorized by Congress or not, were preceded by threats of force; in some cases these threats may have failed on their own to resolve the crisis, and in other cases they may have precipitated escalation. To the extent that lawyers are interested in understanding from historical practice what war powers the political branches thought they had and how well that understanding worked, they are excluding important cases. Consider, as an illustration of this difference in methodological starting point, that for the period of 1946-1975 (during which the exercise of unilateral Presidential war powers had its most rapid expansion), the Congressional Research Service compilation of instances in which the United States has utilized military forces abroad in situations of military conflict or potential conflict to protect U.S. citizens or promote U.S. interests – which is often relied upon by legal scholars studying war powers – lists only about two dozen incidents.122 For the same time period, the Blechman and Kaplan study of political uses of force (usually threats) – which is often relied upon by political scientists studying U.S. security strategy – includes dozens more data-point incidents, because they divide up many military crises into several discrete policy decisions, because many crises were resolved with threat-backed diplomacy, and because many uses of force were preceded by overt or implicit threats of force.123 Among the most significant incidents studied by Blechman and Kaplan but not included in the Congressional Research Service compilation at all are the 1958-59 and 1961 crises over Berlin and the 1973 Middle East War, during which U.S. Presidents signaled threats of superpower war, and in the latter case signaled particularly a willingness to resort to nuclear weapons.124 Because the presidents did not in the end carry out these threats, these cases lack the sort of authoritative legal justifications or reactions that accompany actual uses of force. It is therefore difficult to assess how the executive branch and congress understood the scope of the President’s war powers in these cases, but historical inquiry would probably show the executive branch’s interpretation to be very broad, even to include full-scale war and even where the main U.S. interest at stake was the very credibility of U.S. defense commitments undergirding its grand strategy, not simply the interests specific to divided Germany and the Middle East region.

Of course, one might argue that because the threatened military actions were never carried out in these cases, it is impossible to know if the President would have sought congressional authorization or how Congress would have reacted to the use of force; nonetheless, it is easy to see that in crises like these a threat by the President to use force, having put U.S. credibility on the line in addition to whatever other foreign policy stakes were at issues, would have put Congress in a bind. 3. Lawyers’ Mis-Assessment Empirically, analysis of and insights gleaned from any particular incident – which might then be used to evaluate the functional merits of presidential powers – looks very different if one focuses predominantly on the actual use of force instead of considering also the role of threatened force. Take for example, the Cuban Missile Crisis – perhaps the Cold War’s most dangerous event. To the rare extent that they consider domestic legal issues of this crisis at all, lawyers interested in the constitutionality of President Kennedy’s actions generally ask only whether he was empowered to initiate the naval quarantine of Cuba, because that is the concrete military action Kennedy took that was readily observable and that resulted in actual engagement with Soviet forces or vessels – as it happens, very minimal engagement.125 To strategists who study the crisis, however, the naval quarantine is not in itself the key presidential action; after all, as Kennedy and his advisers realized, a quarantine alone could not remove the missiles that were already in Cuba. The most consequential presidential actions were threats of military or even nuclear escalation, signaled through various means including putting U.S. strategic bombers on highest alert.126 The quarantine itself was significant not for its direct military effects but because of its communicative impact in showing U.S. resolve. If one is focused, as lawyers often are, on presidential military action that actually engaged the enemy in combat or nearly did, it is easy to dismiss this case as not very constitutionally significant. If one focuses on it, as strategists and political scientists often do, on nuclear brinkmanship, it is arguably the most significant historical exercise of unilateral presidential powers to affect war and peace.127 Considering again the 1991 Gulf War, most legal scholars would dismiss this instance as constitutionally a pretty uninteresting military conflict: the President claimed unilateral authority to use force, but he eventually sought and obtained congressional authorization for what was ultimately – at least in the short-run – a quite successful war. For the most part this case is therefore neither celebrated nor decried much by either side of legal war powers debates,128 though some congressionalist scholars highlight the correlation of congressional authorization for this war and a successful outcome.129 Political scientists look at the case differently, though. They often study this event not as a successful war but as failed coercive diplomacy, in that the United States first threatened war through a set of dramatically escalating steps that ultimately failed to persuade Saddam Hussein to withdraw from Kuwait.130 Some political scientists even see U.S. legal debate about military actions as an important part of this story, assessing that adversaries pay attention to congressional arguments and moves in evaluating U.S. resolve (an issue taken up in greater detail below) and that congressional opposition to Bush’s initial unilateralism in this case undermined the credibility of U.S. threats.131 Whether one sees the Gulf War as a case of (successful) war, as lawyers usually do, or (unsuccessful) threatened war, as political scientists usually do, colors how one evaluates the outcome and the credit one might attach to some factors such as vocal congressional opposition to initially-unilateral presidential moves. Notice also that legal analysis of Presidential authority to use force is sometimes thought to turn partly on the U.S. security interests at stake, as though those interests are purely contextual and exogenous to U.S. decision-making and grand strategy. In justifying President Obama’s 2011 use of force against the Libyan government, for example, the Justice Department’s Office of Legal Counsel concluded that the President had such legal authority “because he could reasonably determine that such use of force was in the national interest,” and it then went on to detail the U.S. security and foreign policy interests.132 The interests at stake in crises like these, however, are altered dramatically if the President threatens force: doing so puts the credibility of U.S. threats at stake, which is important not only with respect to resolving the crisis at hand but with respect to other potential adversaries watching U.S. actions.133 The President’s power to threaten force means that he may unilaterally alter the costs and benefits of actually using force through his prior actions.134 The U.S. security interests in carrying through on threats are partly endogenous to the strategy embarked upon to address crises (consider, for example, that once President George H.W. Bush placed hundred of thousands of U.S. troops in the Persian Gulf region and issued an ultimatum to Saddam Hussein in 1990, the credibility of U.S. threats and assurances to regional allies were put on the line).135 Moreover, interests at stake in any one crisis cannot simply be disaggregated from broader U.S. grand strategy: if the United States generally relies heavily on threats of force to shape the behavior of other actors, then its demonstrated willingness or unwillingness to carry out a threat and the outcomes of that action affect its credibility in the eyes of other adversaries and allies, too.136 It is remarkable, though in the end not surprising, that the executive branch does not generally cite these credibility interests in justifying its unilateral uses of force. It does cite when relevant the U.S. interest in sustaining the credibility of its formal alliance commitments or U.N. Security Council resolutions, as reasons supporting the President’s constitutional authority to use force.137 The executive branch generally refrains from citing the similar interests in sustaining the credibility of the President’s own threats of force, however, probably in part because doing so would so nakedly expose the degree to which the President’s prior unilateral strategic decisions would tie Congress’s hands on the matter. \* \* \* In sum, lawyers’ focus on actual uses of force – usually in terms of armed clashes with an enemy or the placement of troops into hostile environments – does not account for much vaster ways that President’s wield U.S. military power and it skews the claims legal scholars make about the allocation of war powers between the political branches. A more complete account of constitutional war powers should recognize the significant role of threatened force in American foreign policy. II. Democratic Checks on Threatened Force The previous Parts of this Article showed that, especially since the end of World War II, the United States has relied heavily on strategies of threatened force in wielding its military might – for which credible signals are a necessary element – and that the President is not very constrained legally in any formal sense in threatening war. Drawing on recent political science scholarship, this Part takes some of the major questions often asked by students of constitutional war powers with respect to the actual use of force and reframes them in terms of threatened force. First, as a descriptive matter, in the absence of formal legal checks on the President’s power to threaten war, is the President nevertheless informally but significantly constrained by democratic institutions and processes, and what role does Congress play in that constraint? Second, as a normative matter, what are the strategic merits and drawbacks of this arrangement of democratic institutions and constraints with regard to strategies of threatened force? Third, as a prescriptive matter, although it is not really plausible that Congress or courts would ever erect direct legal barriers to the President’s power to threaten war, how might legal reform proposals to more strongly and formally constrain the President’s power to use force indirectly impact his power to threaten it effectively? For reasons discussed below, I do not consider whether Congress could legislatively restrict directly the President’s power to threaten force or war; in short, I set that issue aside because assuming that were constitutionally permissible, even ardent congressionalists have exhibited no interest in doing so, and instead have focused on legally controlling the actual use of force. Political science insights that bear on these questions emerge from several directions. One is from studies of Congress’ influence on use of force decisions, which usually assume that Congress’s formal legislative powers play only a limited role in this area, and the effects of this influence on presidential decision-making about threatened force. Another is international relations literature on international bargaining138 as well as literature on the theory of democratic peace, the notion that democracies rarely, if ever, go to war with one another.139 In attempting to explain the near-absence of military conflicts between democracies, political scientists have examined how particular features of democratic governments – electoral accountability, the institutionalized mobilization of political opponents, and the diffusion of decision-making authority regarding the use of force among executive and legislative branches – affect decision-making about war.140 These and other studies, in turn, have led some political scientists (especially those with a rational choice theory orientation) to focus on how those features affect the credibility of signals about force that governments send to adversaries in crises.141 My purpose in addressing these questions is to begin painting a more complete and detailed picture of the way war powers operate, or could operate, than one sees when looking only at actual wars and use of force. This is not intended to be a comprehensive account but an effort to synthesize some strands of scholarship from other fields regarding threatened force to inform legal discourse about how war powers function in practice and the strategic implications of reform. The answers to these questions also bear on raging debates among legal scholars on the nature of American executive power and its constraint by law. Initially they seem to support the views of those legal scholars who have long believed that in practice law no longer seriously binds the President with respect to war-making.142 That view has been taken even further recently by Eric Posner and Adrian Vermeule, who argue that “[l]aw does little constraint the modern executive” at all, but also observe that “politics and public opinion” operate effectively to cabin executive powers.143 The arguments offered here, however, do more to support the position of those legal scholars who describe a more complex relationship between law and politics, including that law is constitutive of the processes of political struggle.144 That law helps constitute the processes of political struggles is true of any area of public policy, though, and what is special here is the added importance of foreign audiences – including adversaries and allies, alike – observing and reacting to those politics, too. Democratic Constraints on the Power to the Threaten Force Whereas most lawyers usually begin their analysis of the President’s and Congress’s war powers by focusing on their formal legal authorities, political scientists usually take for granted these days that the President is – in practice – the dominant branch with respect to military crises and that Congress wields its formal legislative powers in this area rarely or in only very limited ways. A major school of thought, however, is that congressional members nevertheless wield significant influence over decisions about force, and that this influence extends to threatened force, so that Presidents generally refrain from threats that would provoke strong congressional opposition. Even without any serious prospect for legislatively blocking the President’s threatened actions, Congress under certain conditions can loom large enough to force Presidents to adjust their policies; even when it cannot, congressional members can oblige the President expend lots of political capital. As Jon Pevehouse and William Howell explain: When members of Congress vocally **oppose a use of force, they undermine the president’s ability to convince** foreign states that he will see a fight through to the end. Sensing hesitation on the part of the United States, **allies may be reluctant to contribute** to a military campaign, **and adversaries are likely to fight harder and longer** when conflict erupts— thereby raising the costs of the military campaign, decreasing the president’s ability to negotiate a satisfactory resolution, and increasing the probability that American lives are lost along the way. Facing a limited band of allies willing to participate in a military venture and an enemy emboldened by domestic critics, presidents may choose to curtail, and even abandon, those military operations that do not involve vital strategic interests. 145 This statement also highlights the important point, alluded to earlier, that force and threatened force are not neatly separable categories. Often limited uses of force are intended as signals of resolve to escalate, and most conflicts involve bargaining in which the threat of future violence – rather than what Schelling calls “brute force”146 – is used to try to extract concessions. The formal participation of political opponents in legislative bodies provides them with a forum for registering dissent to presidential policies of force through such mechanisms floor statements, committee oversight hearings, resolution votes, and funding decisions.147 These official actions prevent the President “from monopolizing the nation’s political discourse” on decisions regarding military actions can thereby make it difficult for the President to depart too far from congressional preferences.148 Members of the political opposition in Congress also have access to resources for gathering policy relevant information from the government that informs their policy preferences. Their active participation in specialized legislative committees similarly gives opponent party members access to fact-finding resources and forums for registering informed dissent from decisions within the committee’s purview.149 As a result, legislative institutions within democracies can enable political opponents to have a more **immediate** and informed **impact** on executive’s decisions regarding force than can opponents among the general public. Moreover, studies suggest that Congress can actively shape media coverage and public support for a president’s foreign policy engagements.150 In short, these findings among political scientists suggest that, even without having to pass legislation or formally approve of actions, Congress often operates as an important check on threatened force by providing the president’s political opponents with a forum for registering dissent from the executive’s decisions regarding force in ways that attach domestic political costs to contemplated military actions or even the threats to use force. Under this logic, Presidents, anticipating dissent, will be more selective in issuing¶ threats in the first place, making only those commitments that would not incite¶ widespread political opposition should the threat be carried through.151 Political¶ opponents within a legislature also have few electoral incentives to collude in an¶ executive’s bluff, and they are capable of expressing opposition to a threatened use of¶ force in ways that could expose the bluff to a threatened adversary.152 This again narrows¶ the President’s range of viable policy options for brandishing military force. Counter-intuitively, given the President’s seemingly unlimited and unchallenged¶ constitutional power to threaten war, it may in some cases be easier for members of¶ Congress to influence presidential decisions to threaten military action than presidential¶ war decisions once U.S. forces are already engaged in hostilities. It is widely believed¶ that once U.S. armed forces are fighting, congress members’ hands are often tied: policy¶ opposition at that stage risks being portrayed as undermining our troops in the field.153¶ Perhaps, it could be argued, the President takes this phenomenon into account and¶ therefore discounts political opposition to threatened force; he can assume that such¶ opposition will dissipate if he carries it through. Even if that is true, before that point¶ occurs, however, members of Congress may have communicated messages domestically¶ and communicated signals abroad that the President will find difficult to counter.154 The bottom line is that a body of recent political science, while confirming the¶ President’s dominant position in setting policy in this area, also reveals that policymaking¶ with respect to threats of force is significantly shaped by domestic politics and¶ that Congress is institutionally positioned to play a powerful role in influencing those¶ politics, even without exercising its formal legislative powers. Given the centrality of¶ threatened force to U.S. foreign policy strategy and security crises, this suggests that the¶ practical war powers situation is not so imbalanced toward the President as many assume. B. Democratic Institutions and the Credibility of Threats A central question among constitutional war powers scholars is whether robust¶ checks – especially congressional ones – on presidential use of force lead to “sound”¶ policy decision-making. Congressionalists typically argue that legislative control over¶ war decisions promotes more thorough deliberation, including more accurate weighing of¶ consequences and gauging of political support of military action.155 Presidentialists¶ usually counter that the executive branch has better information and therefore better¶ ability to discern the dangers of action or inaction, and that quick and decisive military¶ moves are often required to deal with security crises.156 If we are interested in these sorts of functional arguments, then reframing the¶ inquiry to include threatened force prompts critical questions whether such checks also¶ contribute to or detract from effective deterrence and coercive diplomacy and therefore¶ positively or negatively affect the likelihood of achieving aims without resort to war.¶ Here, recent political science provides some reason for optimism, though the scholarship¶ in this area is neither yet well developed nor conclusive. To be sure, “soundness” of policy with respect to force is heavily laden with¶ normative assumptions about war and the appropriate role for the United States in the¶ broader international security system, so it is difficult to assess the merits and¶ disadvantages of constitutional allocations in the abstract. That said, whatever their¶ specific assumptions about appropriate uses of force in mind, constitutional war powers¶ scholars usually evaluate the policy advantages and dangers of decision-making¶ allocations narrowly in terms of the costs and outcomes of actual military engagements¶ with adversaries. The importance of credibility to strategies of threatened force adds important new¶ dimensions to this debate. On the one hand, one might intuitively expect that robust democratic checks would generally be ill-suited for coercive threats and negotiations –¶ that institutional centralization and secrecy of decision-making might better equip nondemocracies¶ to wield threats of force. As Quincy Wright speculated in 1944, autocracies¶ “can use war efficiently and threats of war even more efficiently” than democracies,157¶ especially the American democracy in which vocal public and congressional opposition¶ may undermine threats.158 Moreover, proponents of democratic checks on war powers¶ usually assume that careful deliberation is a virtue in preventing unnecessary wars, but¶ strategists of deterrence and coercion observe that perceived irrationality is sometimes¶ important in conveying threats: “don’t test me, because I might just be crazy enough to¶ do it!”159 On the other hand, some political scientists have recently called into question this¶ view and concluded that the institutionalization of political contestation and some¶ diffusion of decision-making power in democracies of the kind described in the previous¶ section make threats to use force rare but especially credible and effective in resolving¶ international crises without actual resort to armed conflict. In other words, recent¶ arguments in effect turn some old claims about the strategic disabilities of democracies¶ on their heads: whereas it used to be generally thought that democracies were ineffective¶ in wielding threats because they are poor at keeping secrets and their decision-making is¶ constrained by internal political pressures, a current wave of political science accepts this¶ basic description but argues that these democratic features are really strategic virtues.160 Rationalist models of crisis bargaining between states assume that because war is¶ risky and costly, states will be better off if they can resolve their disputes through¶ bargaining rather than by enduring the costs and uncertainties of armed conflict.161¶ Effective bargaining during such disputes – that which resolves the crisis without a resort¶ to force – depends largely on states’ perceptions of their adversary’s capacity to wage an¶ effective military campaign and its willingness to resort to force to obtain a favorable¶ outcome. A state targeted with a threat of force, for example, will be less willing to resist¶ the adversary’s demands if it believes that the adversary intends to wage and is capable of¶ waging an effective military campaign to achieve its ends. In other words, if a state¶ perceives that the threat from the adversary is credible, that state has less incentive to¶ resist such demands if doing so will escalate into armed conflict. The accuracy of such perceptions, however, is often compromised by¶ informational asymmetries that arise from private information about an adversary’s¶ relative military capabilities and resolve that prevents other states from correctly¶ assessing another states’ intentions, as well as by the incentives states have to¶ misrepresent their willingness to fight – that is, to bluff.162 Informational asymmetries¶ increase the potential for misperception and thereby make war more likely; war,¶ consequentially, can be thought of in these cases as a “bargaining failure.”163 Some political scientists have argued in recent decades – contrary to previously common wisdom – that features and constraints of democracies make them better suited than non-democracies to credibly signal their resolve when they threaten force. To bolster their bargaining position, states will seek to generate credible signals of their resolve by taking actions that can enhance the credibility of such threats, such as mobilizing military forces or making “hand-tying” commitments from which leaders cannot back down without suffering considerable political costs domestically.164 These domestic audience costs, according to some political scientists, are especially high for leaders in democratic states, where they may bear these costs at the polls.165 Given the potentially high domestic political and electoral repercussions democratic leaders face from backing down from a public threat, they have considerable incentives to refrain from bluffing. An adversary that understands these political vulnerabilities is thereby more likely to perceive the threats a democratic leader does issue as highly credible, in turn making it more likely that the adversary will yield.166 Other scholars have recently pointed to the special role of legislative bodies in signaling with regard to threatened force. This is especially interesting from the perspective of constitutional powers debates, because it posits a distinct role for Congress – and, again, one that does not necessarily rely on Congress’s ability to pass binding legislation that formally confines the President. Kenneth Schultz, for instance, argues that the open nature of competition within democratic societies ensures that the interplay of opposing parties in legislative bodies over the use of force is observable not just to their domestic publics but to foreign actors; this inherent transparency within democracies – magnified by legislative processes – **provides more information to adversaries** regarding the unity of domestic opponents around a government’s military and foreign policy decisions.167 Political opposition parties can undermine the credibility of some threats by the President to use force if they publicly voice their opposition in committee hearings, public statements, or through other institutional mechanisms. Furthermore, legislative processes – such as debates and hearings – make it difficult to conceal or misrepresent preferences about war and peace. Faced with such institutional constraints, Presidents will incline to be more selective about making such threats and avoid being undermined in that way.168 This restraining effect on the ability of governments to issue threats simultaneously makes those threats that the government issues more credible, if an observer assumes that the President would not be issuing it if he anticipated strong political opposition. Especially when members of the opposition party publicly support an executive’s threat to use force during a crisis, their visible support lends additional credibility to the government’s threat by demonstrating that political conditions domestically favor the use of force should it be necessary.169 In some cases, Congress may communicate greater willingness than the president to use force, for instance through non-binding resolutions.170 Such powerful signals of resolve should in theory make adversaries more likely to back down. The credibility-enhancing effects of legislative constraints on threats are subject to dispute. Some studies question the assumptions underpinning theories of audience costs – specifically the idea that democratic leaders suffer domestic political costs to failing to make good on their threats, and therefore that their threats are especially credible171 – and others question whether the empirical data supports claims that democracies have credibility advantages in making threats.172 Other scholars dispute the likelihood that leaders will really be punished politically for backing down, especially if the threat was not explicit and unambiguous or if they have good policy reasons for doing so.173 Additionally, even if transparency in democratic institutions allows domestic dissent from threats of force to be visible to foreign audiences, it is not clear that adversaries would interpret these mechanisms as political scientists expect in their models of strategic interaction, in light of various common problems of misperception in international relations.174 These disputes are not just between competing theoretical models but also over the links between any of the models and real-world political behavior by states. At this point there remains a dearth of good historical evidence as to how foreign leaders interpret political maneuvers within Congress regarding threatened force. Nevertheless, at the very least, strands of recent political science scholarship cast significant doubt on the intuition that democratic checks are inherently disadvantageous to strategies of threatened force. Quite the contrary, they suggest that legislative checks – or, indeed, even the signaling functions that Congress is institutionally situated to play with respect to foreign audiences interpreting U.S. government moves – can be harnessed in some circumstances to support such strategies. C. Legal Reform and Strategies of Threatened Force Among legal scholars of war powers, the ultimate prescriptive question is whether the President should be constrained more formally and strongly than he currently is by legislative checks, especially a more robust and effective mandatory requirement of congressional authorization to use force. Calls for reform usually take the form of narrowing and better enforcement (by all three branches of government) of purported constitutional requirements for congressional authorization of presidential uses of force or revising and enforcing the War Powers Resolutions or other framework legislation requiring express congressional authorization for such actions.175 As applied to strategies of threatened force, generally **under these proposals the President would lack authority to make good on them** unilaterally (except in whatever narrow circumstances for which he retains his own unilateral authority, such as deterring imminent attacks on the United States). Whereas legal scholars are consumed with the internal effects of war powers law, such as whether and when it constrains U.S. government decision-making, the analysis contained in the previous section shifts attention externally to whether and when U.S. law might influence decision-making by adversaries, allies, and other international actors. In prescriptive terms, if the President’s power to use force is linked to his ability to threaten it effectively, then any consideration of war powers reform on policy outcomes and longterm interests should include the important secondary effects on deterrent and coercive strategies – and how U.S. legal doctrine is perceived and understood abroad.176 Would stronger requirements for congressional authorization to use force reduce a president’s opportunities for bluffing, and if so would this improve U.S. coercive diplomacy by making ensuing threats more credible? Or would it undermine diplomacy by taking some threats off the table as viable policy options? Would stronger formal legislative powers with respect to force have significant marginal effects on the signaling effects of dissent within Congress, beyond those effects already resulting from open political discourse? These are difficult questions, but the analysis and evidence above helps generate some initial hypotheses and avenues for further research and analysis. One might ask at this point why, though, having exposed as a hole in war powers legal discourse the tendency to overlook threatened force, this Article does not take up whether Congress should assert some direct legislative control of threats – perhaps statutorily limiting the President’s authority to make them or establishing procedural conditions like presidential reporting requirements to Congress. This Article puts such a notion aside for several reasons. First, for reasons alluded to briefly above, such limits would be very constitutionally suspect and difficult to enforce.177 Second, even the most ardent war-power congressionalists do not contemplate such direct limits on the President’s power to threaten; they are not a realistic option for reform. Instead, this Article focuses on the more plausible – and much more discussed – possibility of strengthening Congress’s power over the ultimate decision whether to use force, but augments the usual debate over that question with appreciation for the importance of credible threats. A claim previously advanced from a presidentialist perspective is that stronger legislative checks on war powers is harmful to coercive and deterrent strategies, because it establishes easily-visible impediments to the President’s authority to follow through on threats. This was a common policy argument during the War Powers Resolution debates in the early 1970s. Eugene Rostow, an advocate inside and outside the government for executive primacy, remarked during consideration of legislative drafts that any serious restrictions on presidential use of force would mean in practice that “no President could make a credible threat to use force as an instrument of deterrent diplomacy, even to head off explosive confrontations.”178 He continued: In the tense and cautious diplomacy of our present relations with the Soviet Union, as they have developed over the last twenty-five years, the authority of the President to set clear and silent limits in advance is perhaps **the *most* important** of all the powers in our constitutional armory to prevent confrontations that could **carry nuclear implications**. … [I]t is the **diplomatic power the President needs** most under the circumstance of modern life—the power to make a credible threat to use force in order to prevent a confrontation which might escalate.179 In his veto statement on the War Powers Resolution, President Nixon echoed these concerns, arguing that **the law would undermine the credibility of U.S. deterrent** and coercive threats in the eyes of both adversaries and allies – they would know that presidential authority to use force would expire after 60 days, so absent strong congressional support they could assume U.S. withdrawal at that point.180 In short, those who oppose tying the president’s hands with mandatory congressional authorization requirements to use force sometimes argue that doing so incidentally and dangerously ties his hands in threatening it. A critical assumption here is that presidential flexibility, preserved in legal doctrine, enhances the credibility of presidential threats to escalate.

### 4

#### The logic of the affirmative asks how war should be waged rather than if war should be waged at all—their methods only spark temporary interest in the military-industrial complex—it leads to free reign of the mentality of constant war

Lichterman 3

[Andrew, Program Director of the Western States Legal Foundation, Missiles of Empire: America’s 21st Century Global Legions, WSLF Information Bulletin, Fall 2003, http://www.wslfweb.org/nukes.htm]

Criticizing the Hubcaps while the Juggernaut Rolls On The U.S. military-industrial complex today is so immense as to defy comprehension. Even those few paying attention tend to focus on one small piece at a time. One month it may be proposals for nuclear weapons with certain new capabilities. Then the attention may shift to missile defense– but there too, only a small part of the program attracts public debate, with immense programs like the airborne laser proceeding almost invisibly. Proposals for the intensive militarization of space like the Space Plane come to light for a day or two, attracting a brief flurry of interest; the continuing, broad development of military space technologies, from GPS-aided guidance to radiation hardened microchips to space power generation, draw even less scrutiny. There is so broad a consensus among political elites supporting the constant refinement of conventional armaments that new generations of strike aircraft, Navy ships, and armored vehicles attract little notice outside industry and professional circles, with only spectacular cost overruns or technical failures likely to draw the occasional headline. A few Congresspeople will challenge one or another particularly extreme new weapon (e.g. the “Robust Nuclear Earth Penetrator”), but usually on narrow pragmatic grounds: we can accomplish the same “mission” with less risky or cheaper weapons. But the question of “why,” seldom is asked, only “how,” or “how much does it cost?” Most of the programs that constitute the military machine glide silently onward undisturbed, like the body of a missile submarine invisible below the deceptively small surfaces that rise above the sea. The United States emerged after both World War II and the Cold War as the most powerful state on earth-- the one with the most choices. The first time, all of this was still new. We could perhaps understand our ever deeper engagement with the machinery of death as a series of tragic events, of the inevitable outcome of fallible humans grappling with the titanic forces they had only recently unleashed, in the context of a global confrontation layered in secrecy, ideology, and fear. But this time around, since the end of the Cold War, we must see the United States as truly choosing, with every new weapon and every new war, to lead the world into a renewed spiral towards catastrophe. The past is written, but our understanding of it changes from moment to moment. The United States began the nuclear age as the most powerful nation on earth, and proclaimed the character of the “American Century” with the bombings of Hiroshima and Nagasaki, a cryptic message written in the blood of innocents. Its meaning has come clear over fifty years of technocratic militarism, punctuated by the deaths of millions in neo-colonial warfare and underscored always by the willingness to end the world rather than share power with anyone. The path ahead still can be changed, but we must begin with an understanding of where we are, and how we got here. In the United States, there is a very long way to go before we have a debate about the uses of military force that addresses honestly the weapons we have and seek to develop, much less about the complex social forces which impel the United States to maintain its extraordinary levels of forces and armaments. Most Americans don’t know what their government is doing in their name, or why. Their government, regardless of the party in power, lies about both its means and its ends on a routine basis. And there is nothing the government lies about more than nuclear weapons, proclaiming to the world for the last decade that the United States was disassembling its nuclear facilities and leading the way to disarmament, while rebuilding its nuclear weapons plants and planning for another half century and more of nuclear dominance.74 It is clear by now that fighting violence with yet more violence, claiming to stop the spread of nuclear weapons by threatening the use of nuclear weapons, is a dead end. The very notion of “enforcement,” that some countries have the right to judge and punish others for seeking “weapons of mass destruction,” has become an excuse for war making, a cover and justification for the power and profit agenda of secretive and undemocratic elites. The only solution that will increase the security of ordinary people anywhere is for all of us, in our respective societies, to do everything we can to get the most violent elements in our cultures– whether in or out of uniform– under control. In the United States, this will require far more than changing a few faces in Washington. We will need a genuine peace movement, ready to make connections to movements for ecological balance, and for social and economic justice, and by doing so to address the causes of war. Before we can expect others to join us, it must be clear that we are leaving the path of violence.

#### Awareness of militarism key – our internalized acceptance of war guarantees endless violence that ensures planetary destruction and structural violence

Lawrence 9

[Grant, “Military Industrial "War" Consciousness Responsible for Economic and Social Collapse,” OEN—OpEdNews, March 27]

As a presidential candidate, [Barack Obama](http://obama.senate.gov/) called [Afghanistan](http://en.wikipedia.org/wiki/War_in_Afghanistan_%282001%E2%80%93present%29) ''the war we must win.'' He was absolutely right. Now it is time to win it... Senators [John McCain](http://www.imdb.com/name/nm0564587/) and Joseph Lieberman [calling](http://www.miamiherald.com/opinion/inbox/story/960269.html) for an expanded war in Afghanistan "How true it is that war can destroy everything of value." Pope Benedict XVI [decrying](http://www.google.com/hostednews/afp/article/ALeqM5iuue8kE-e0lYZVFpt4RlbX4M_IEw) the suffering of Africa Where troops have been quartered, brambles and thorns spring up. In the track of great armies there must follow lean years. Lao Tzu on [War](http://www.sacred-texts.com/tao/salt/salt09.htm) As Americans we are raised on the utility of war to conquer every problem. We have a drug problem so we wage war on it. We have a cancer problem so we wage war on it. We have a crime problem so we wage war on it. Poverty cannot be dealt with but it has to be warred against. Terror is another problem that must be warred against. In the [United States](http://maps.google.com/maps?ll=38.8833333333,-77.0166666667&spn=10.0,10.0&q=38.8833333333,-77.0166666667%20%28United%20States%29&t=h), solutions can only be found in terms of wars. In a society that functions to support a massive military industrial war machine and empire, it is important that the terms promoted support the conditioning of its citizens. We are conditioned to see war as the solution to major social ills and major political disagreements. That way when we see so much of our resources devoted to war then we don't question the utility of it. The term "war" excites mind and body and creates a fear mentality that looks at life in terms of attack. In war, there has to be an attack and a must win attitude to carry us to victory. But is this war mentality working for us? In an age when nearly half of our tax money goes to support the war machine and a good deal of the rest is going to support the elite that control the war machine, we can see that our present war mentality is not working. Our values have been so perverted by our war mentality that we see sex as sinful but killing as entertainment. Our society is dripping violence. The violence is fed by poverty, social injustice, the break down of family and community that also arises from economic injustice, and by the managed media. The cycle of violence that exists in our society exists because it is useful to those that control society. It is easier to sell the war machine when your population is conditioned to violence. Our military industrial consciousness may not be working for nearly all of the life of the planet but it does work for the very few that are the master manipulators of our values and our consciousness. Rupert Murdoch, the media monopoly man that runs the "Fair and Balanced" [Fox Network](http://www.fox.com/), Sky Television, and [News Corp](http://www.newscorp.com/) just to name a few, [had](http://en.wikipedia.org/wiki/Rupert_Murdoch) all of his 175 newspapers editorialize in favor of the [Iraq war](http://en.wikipedia.org/wiki/Iraq_War). Murdoch snickers when [he says](http://www.newscorpse.com/ncWP/?p=341) "we tried" to manipulate public opinion." The Iraq war was a good war to Murdoch [because,](http://www.americanprogress.org/issues/2004/07/b122948.html) "The death toll, certainly of Americans there, by the terms of any previous war are quite minute." But, to the media manipulators, the phony politicos, the military industrial elite, a million dead Iraqis are not to be considered. War is big business and it is supported by a war consciousness that allows it to prosper. That is why more war in Afghanistan, the war on Palestinians, and the other wars around the planet in which the [military industrial complex](http://en.wikipedia.org/wiki/Military-industrial_complex) builds massive wealth and power will continue. The military industrial war mentality is not only killing, maiming, and destroying but it is also contributing to the present social and economic collapse. As mentioned previously, the massive wealth transfer that occurs when the American people give half of their money to support death and destruction is money that could have gone to support a just society. It is no accident that after years of war and preparing for war, our society is crumbling. Science and technological resources along with economic and natural resources have been squandered in the never-ending pursuit of enemies. All of that energy could have been utilized for the good of humanity, ¶ instead of maintaining the power positions of the very few super wealthy. So the suffering that we give is ultimately the suffering we get. Humans want to believe that they can escape the consciousness that they live in. But that consciousness determines what we experience and how we live. As long as we choose to live in "War" in our minds then we will continue to get "War" in our lives. When humanity chooses to wage peace on the world then there will be a flowering of life. But until then we will be forced to live the life our present war consciousness is creating.

#### The alternative is to reject the 1AC’s crisis-driven politics

#### Moving away from the aff’s crisis-driven politics is key to solvency

Cuomo 96

Professor of Philosophy, 1996 Chris, Hypatia 11.4, proquest //Wyo-BF

Moving away from crisis-driven politics and ontologies concerning war and military violence also enables consideration of relationships among seemingly disparate phenomena, and therefore can shape more nuanced theoretical and practical forms of resistance. For example, investigating the ways in which war is part of a presence allows consideration of the relationships among the events of war and the following: how militarism is a foundational trope in the social and political imagination; how the pervasive presence and symbolism of soldiers/warriors/patriots shape meanings of gender; the ways in which threats of state-sponsored violence are a sometimes invisible/sometimes bold agent of racism, nationalism, and corporate interests; the fact that vast numbers of communities, cities, and nations are currently in the midst of excruciatingly violent circumstances. It also provides a lens for considering the relationships among the various kinds of violence that get labeled “war.” Given current American obsessions with nationalism, guns, and militias, and growing hunger for the death penalty, prisons, and a more powerful police state, one cannot underestimate the need for philosophical and political attention to connections among phenomena like the “war on drugs,” the “war on crime,” and other state-funded militaristic campaigns.

### Financial security

#### Crunch is inevitable by 2050- energy, population and food

Grantham 12

[Jeremy, “The Big Crunch”, New Statesman, July, p. asp//wyo-tjc]

Now economic statisticians can calculate a much more dangerous event that is being greeted with even less concern: our world is rapidly running out of resources -- of energy, metals and food. The data is readily available and is not in dispute. The market mechanism is reflecting what our leaders ignore. The start of the Industrial Revolution allowed us to make technological progress in delivering resources, outweighing the increasing marginal effort to dig ever deeper and chase lower-quality ores, for instance. The average price of 33 commodities (equally weighted) declined by 70 per cent (after inflation) between 1900 and 2002. Then, abruptly and without any particular crisis, prices reversed and in ten years the average commodity tripled to give back the advantage of the previous 100 years. It is perhaps the most important "phase" change of modern times, yet it attracted remarkably little concern. The causes are not hidden: there has been an explosion of both population and consumption since 1800, the advent of the Hydrocarbon Age. Global population increased from one billion to seven billion today, tripling even in my lifetime (I was born in 1938). In the same time, consumption of hydrocarbons and some metals increased one hundredfold. Initially, with few people and extensive high-grade resources, this did not show in prices, but more recently, with population still growing faster than ever in absolute terms, we have had to absorb an unprecedented surge in demand per capita from India, with its 1.2 billion people and growing at over 7 per cent a year, and China, with almost 1.3 billion and growing for over 20 years at 10 per cent a year -- a rate that will double consumption every seven years. China last year accounted for an astonishing 53 per cent of all the world's cement use, 48 per cent of its iron ore and 47 per cent of all the coal used. How could the best reserves not wither away under this attack, and prices not rise? Low-cost, high-grade coal, oil and natural gas -- the backbone of the Industrial Revolution -- will be a distant memory by 2050. Much higher cost remnants will still be available but they will not be able to drive our growth, our population and, most critically, our food supply as before. Conventional food production (let's call it "Big Ag") is desperately dependent on oil for insecticide, pesticide and fertiliser, and for transportation over thousands of miles. Modern agriculture has been accurately described as a way of turning oil into food. As the price of oil continues to rise, so will the price of food.

#### COLLAPSE SOONER IS BETTER THAN LATER KEY TO SURVIVAL

LEWIS 02'

(Chris H., Instructor, Sewall Program @ CU Boulder, On the Edge of Society, "Global Industrial Civilization: The Necessary Collapse," ed. M Dobkowski & I Wllimann, Syracuse U. Press, P.\_\_\_\_)[BLUE]

In conclusion, **the only solution to the growing political and economic chaos caused by the collapse of global industrial civilization is to encourage the uncoupling of nations and regions from the global industrial economy. Unfortunately, millions will die in the wars and economic and political conflicts created by the accelerating collapse of global industrial civilization.** But we can be assured that on that basis of past history of the collapse of regional civilizations such as the Mayan and the Roman Empires, **barring global nuclear war, human societies and civilizations will continue to exist and develop a smaller, regional scale. Yes, such civilizations will be violent, corrupt, and often cruel, but, in the end, less so than our current global industrial civilization, which is abusing the entire planet and threatening the mass death and suffering of all its peoples and the living biological fabric of life on earth.** The paradox of **global economic development is that although it creates massive wealth and power for First World Elites, it also creates massive poverty and suffering for Third World people and societies. The failure of global development to end this suffering and destruction will bring about us collapse. This collapse will cause millions of people to suffer and die throughout the world, but it should paradoxically, ensure the survival of future human societies. Indeed, the collapse of global industrial civilization is necessary for the future long-term survival of human beings. Although this future seems hopeless and heartless, it is not. We can learn alot from our present global crisis. What we learn will shape our future and the future of the complex, interconnected web of life on Earth.**

#### Biodiversity loss Leads to Extinction

Diner 94

[David, Major in US Army, Winter, “THE ARMY AND THE ENDANGERED SPECIES ACT: WHO'S ENDANGERING WHOM?” Lexis]

Biologically diverse ecosystems are characterized by a large number of specialist species, filling narrow ecological niches. These ecosystems inherently are more stable than less diverse systems. "The more complex the ecosystem, the more successfully it can resist a stress. . . . [l]ike a net, in which each knot is connected to others by several strands, such a fabric can resist collapse better than a simple, unbranched circle of threads -- which if cut anywhere breaks down as a whole." [79](http://www.lexis.com/research/retrieve?_m=2c2079b6a9753fd72b599ac94393715a&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVlz-zSkAA&_md5=5d418220b8f79eb99eb7ad7f7b46acfc" \l "n79" \t "_self) By causing widespread extinctions, humans have artificially simplified many ecosystems. As biologic simplicity increases, so does the risk of ecosystem failure. The spreading Sahara Desert in Africa, and the dustbowl conditions of the 1930s in the United States are relatively mild examples of what might be expected if this trend continues. Theoretically, each new animal or plant extinction, with all its dimly perceived and intertwined affects, could cause total ecosystem collapse and human extinction. Each new extinction increases the risk of disaster. Like a mechanic removing, one by one, the rivets from an aircraft's wings, [80](http://www.lexis.com/research/retrieve?_m=2c2079b6a9753fd72b599ac94393715a&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLzVlz-zSkAA&_md5=5d418220b8f79eb99eb7ad7f7b46acfc" \l "n80" \t "_self) mankind may be edging closer to the abyss.

#### Decline doesn’t cause war

Miller 00 (Morris, Professor of Administration @ the University of Ottawa, ‘2K (Interdisciplinary Science Review, v 25 n4 2000 p ingenta connect)

The question may be reformulated. Do wars spring from a popular reaction to a sudden economic crisis that exacerbates poverty and growing disparities in wealth and incomes? Perhaps one could argue, as some scholars do, that it is some dramatic event or sequence of such events leading to the exacerbation of poverty that, in turn, leads to this deplorable denouement. This exogenous factor might act as a catalyst for a violent reaction on the part of the people or on the part of the political leadership who would then possibly be tempted to seek a diversion by finding or, if need be, fabricating an enemy and setting in train the process leading to war. According to a study under- taken by Minxin Pei and Ariel Adesnik of the Carnegie Endowment for International Peace, there would not appear to be any merit in this hypothesis. After studying ninety-three episodes of economic crisis in twenty-two countries in Latin America and Asia in the years since the Second World War they concluded that:19 Much of the conventional wisdom about the political impact of economic crises may be wrong ... The severity of economic crisis – as measured in terms of inflation and negative growth – bore no relationship to the collapse of regimes ... (or, in democratic states, rarely) to an outbreak of violence ... In the cases of dictatorships and semi-democracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another).

#### War is only sparked by upswings—Must transition before 2025

Chase-Dunn & Bornschier 99

(Christopher, Director of the Institute for Research on World-Systems, U of California-Riverside, and Volker, prof at the University of Zurich, Switzerland, “The Future of Global Conflict”, Sage Publications, p. 43)

While the onset of a period of hegemonic rivalry is in itself disturbing, the picture becomes even grimmer when the influence of long-term economic cycles is taken into account. As an extensive body of research documents (see especially Van Duijn, 1983), the 50 to 60 year business cycle known as the Kondratieff wave (K-wave) has been in synchronous operation on an international scale for at least the last two centuries. Utilizing data gathering by Levy (1983) on war severity, Goldstein (1988) demonstrates that there is a corresponding 50 to 60 year cycle in the number of battle deaths per year for the period 1495-1975. Beyond merely showing that the K-wave and the war cycle are linked in a systematic fashion, Goldstein’s research suggests that severe core wars are much more likely to occur late in the upswing phase of the K-wave. This finding is interpreted as showing that, while states always desire to go to war, they can afford to do so only when economic growth is providing them with sufficient resources. Modelski and Thompson (1996) present a more complex interpretation of the systemic relationship between economic and war cycles, but it closely resembles Goldstein’s hypothesis. In their analysis, a first economic upswing generates the economic resources required by an ascending core state to make a bid for hegemony; a second period of economic growth follows a period of global war and the establishment of a new period of hegemony. Here, again, specific economic upswings are associated with an increased likelihood of the outbreak of core war. It is widely accepted that the current K-wave, which entered a downturn around 1967-73, is probably now in the process of beginning a new upturn which will reach its apex around 2025. It is also widely accepted that by this period US hegemony, already unravelling, will have been definitively eroded. This convergence of a plateauing economic cycle with a period of political multicentricity within the core should, if history truly does repeat itself, result in the outbreak of full-scale warfare between the declining hegemon and the ascending core powers. Although both Goldstein (1991) and Modelski and Thompson (1996) assert that such a global war can (somehow) be avoided, other theorists consider that the possibility of such a core war is sufficiently high that serious steps should be taken to ensure that such collective suicide does not occur (Chase-Dunn and O’Reilly, 1989; Goldfrank, 1987).

#### [Optional]Empirically Proven

Cashman 2k

(Greg, prof in the Department of Political Science at Salisbury U in Salisbury, Maryland, "What causes war?: an introduction to theories of international conflict," book, p. 135-136)

A psychological explanation for the relationship between war and economic upturns is also frequently made. Indeed, both Macfie and Blainey, as well as Goldstein, suggest that economic recoveries are associated with a general mood of optimism, which is the real cause of war. Blainey argues, When trade is deteriorating and when unemployment is increasing the mood of governments tend to be cautious and apprehensive. Dwindling revenues and soaring claims for the state's aid aggravate the mood. On the other hand, when prosperity is high—and this time is the most dangerous to peace—there comes a sense of mastery of the environment.43 Blainey is describing here a collective national mood. This general feeling of optimism and confidence colors the judgment of both political leaders and common people.44 Blainey believes such a feeling of optimism and mastery was evident on the eve of the Crimean War, the Franco-Prussian War, the Boer War, and others.45 Dexter Perkins finds the American experience fits this general pattern. He contends that belligerent, prowar feelings in the United States coincided with recoveries from economic downswings. The War of 1812 followed hard on the heels of a commercial upturn; the Mexican War occurred after the depression of 1837-1842; the Spanish-American War took place after the return to prosperity following the depression of 1893; World War I followed the economic decline of 1913-1914; and World War II took place during the recovery from the Great Depression of the 1930s.46

**Intervening actors check disease impact**

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

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

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

#### Alt Causes to Disease Spread

Bower & Chalk, ‘3

[Jennifer Brower and Peter Chalk, Jennifer Brower is a science and technology policy analyst. Peter Chalk is a political scientist, “Vectors Without Borders The Spread of Global Pathogens Can Imperil Us All,” RAND, Summer 2003, http://www.rand.org/publications/randreview/issues/summer2003/vectors.html]

**In the latter half of the 20th century, almost 30 new human diseases were identified. The spread of several of them has been expedited by the growth of** antibiotic and **drug resistance. Globalization, modern medical practices, urbanization, climate change, sexual promiscuity, intravenous drug use, and** acts of **bioterrorism further increase the likelihood that people will come into contact with** potentially **fatal diseases**.

**Democracy doesn’t solve war**

**Mueller 9**—pol sci prof and IR, Ohio State.Widely-recognized expert on terrorism threats in foreign policy. AB from U Chicago, MA in pol sci from UCLA and PhD in pol sci from UCLA (John, Faulty Correlation, Foolish Consistency, Fatal Consequence: Democracy, Peace, and Theory in the Middle East, 15 June 2007, http://psweb.sbs.ohio-state.edu/faculty/jmueller/KENT2.PDF)

In the last couple of decades there has been aburgeoning and intriguing discussion about the connection between democracy and war aversion.7 Most notable has been the empirical observation that democracies have never, or almost never, gotten into a war with each other. This relationship seems more correlative than causal,however. Like many important ideas over the last few centuries, the idea that war is undesirable and inefficacious and the idea that democracy is a good form of government have largely followed the same trajectory: they were embraced first in northern Europe and North America and then gradually, with a number of traumatic setbacks, became more accepted elsewhere. In this view, the rise of democracy not only is associated with the rise of war aversion, but also with the decline of slavery, religion, capital punishment, and cigarette smoking, and with the growing acceptance of capitalism, scientific methodology, women's rights, environmentalism, abortion, and rock music.8While democracy and war aversion have taken much the sametrajectory, however, they have been substantially out of synchronization with each other: the movement toward democracy began about 200 years ago,but the movement against war really began only about 100 years ago (Mueller 1989, 2004). Critics of the democracy/peace connection often cite examples of wars or near-wars between democracies. Most of these took place before World War I--that is, before war aversion had caught on.9 A necessary, logical connection between democracy and war aversion, accordingly, is far from clear. Thus, it is often asserted that democracies are peaceful because they apply their domestic penchant for peaceful compromise (something, obviously, that broke down in the United States in 1861) to the international arena or because the structure of democracy requires decision-makers to obtain domestic approval.10 But authoritarian regimes must also necessarily develop skills at compromisein order to survive, and they all have domestic constituencies that must be serviced such as the church, the landed gentry, potential urban rioters, the nomenklatura, the aristocracy, party members, the military, prominent business interests, the police or secret police, lenders of money to the exchequer, potential rivals for the throne, the sullen peasantry.11 Since World War I, the democracies in the developed world have been in the lead in rejecting war as a methodology. Some proponents of the democracy-peace connection suggest that this is because the democratic norm of non-violent conflict resolution has been externalized to the international arena. However,developed democracies have not necessarily adopted a pacifist approach, particularly after a version of that approach failed so spectacularly to prevent World War II from being forced upon them. In addition, they were willing actively to subvertor to threatenand sometimes apply military force when threats appeared to loom during the Cold War contest. At times this approach was used even against regimes that had some democratic credentials such as in Iran in 1953, Guatemala in 1954, Chile in 1973, and perhaps Nicaragua in the 1980s (Rosato 2003, 590-91). And, they have also sometimes used military force in their intermittent efforts to police the post-Cold War world (Mueller 2004, chs. 7, 8). It is true that they have warred little or not at all against each other--and, since there were few democracies outside the developed world until the last quarter of the twentieth century, it is this statistical regularity that most prominently informs the supposed connection between democracy and peace. However, thedeveloped democracies hardly needed democracy to decide that war among them was a bad idea.12 In addition, they also adopted a live-and-let-live approach toward a huge number of dictatorships and other non-democracies that did not seem threatening during the Cold War--in fact, they often aided and embraced such regimes if they seemed to be on the right side in the conflict with Communism. Moreover, the supposed penchant for peaceful compromise of democracies has not always served them well when confronted with civil war situations, particularly ones involving secessionist demands. The process broke down into civil warfare in democratic Switzerland in 1847 and savagely so in the United States in 1861. Democracies have also fought a considerable number of wars to retain colonial possessions--six by France alone since World War II--and these, as James Fearon and David Laitin suggest, can in many respects be considered essentially to be civil wars (2003, 76). To be sure, democracies have often managed to deal with colonial problems peacefully, mostly by letting the colonies go. But authoritarian governments have also done so: the Soviet Union, for example, withdrew from his empire in Eastern Europe and then dissolved itself, all almost entirely without violence. Thus, while democracy and war aversion have often been promoted by the same advocates, **the relationship does not seem to be a causal one**. And when the two trends are substantially out of step today, democracies will fight one another. Thus, it is not at all clear that telling the elected hawks in the Jordanian parliament that Israel is a democracy will dampen their hostility in the slightest. And various warlike sentiments could be found in the elected parliaments in the former Yugoslavia in the early 1990s or in India and then-democratic Pakistan when these two countries engaged in armed conflict in 1999. If Argentina had been a democracy in 1982 when it seized the Falkland Islands (a very popular undertaking), it is unlikely that British opposition to the venture would have been much less severe. "The important consideration," observes Miriam Fendius Elman after surveying the literature on the subject, does not seem to be "whether a country is democratic or not, but whether its ruling coalition is committed to peaceful methods of conflict resolution." As she further points out, the countries of Latin America and most of Africa have engaged in very few international wars even without the benefit of being democratic (for a century before its 1982 adventure, Argentina, for example, fought none at all) (1997, 484, 496). (Interestingly, although there has also been scarcely any warfare between Latin American states for over 100 years or among Arab ones or European ones for more that 50--in all cases whether democratic or not--this impressive phenomenon has inspired remarkably few calls for worldwide Arab colonialism or for the systematic transplant of remaining warlike states to Latin America or Europe.) And, of course, the long peace enjoyed by developed countries since World War II includes not only the one that has prevailed between democracies, but also the even more important one between the authoritarian east and the democratic west. Even if there is some connection, whether causal or atmospheric, between democracy and peace, it cannot explain this latter phenomenon. Democracy and the democratic peace become mystiques: the role of philosophers and divines Democracy has been a matter of debate for several millennia as philosophers and divines have speculated about what it is, what it might become, and what it ought to be. Associated with these speculations has been a tendency to emboss the grubby gimmick with something of a mystique. Of particular interest for present purposes is the fanciful notion that democracy does not simply express and aggregate preferences, but actually somehow creates (or should create) them. In addition, the (rough) correlation between democracy and war aversion has also been elevated into a causal relationship.

### Cyber War/Escalation

**2. Escalation is unlikely due to deterrence and international checks**

**Gartzke 12**

(Erik, Associate Professor in Political Science at UC-San Diego. “The Myth of Cyberwar” Page 23 12-7-12 http://dss.ucsd.edu/~egartzke/papers/cyberwar\_12062012.pdf//wyoccd)

**An open question exists in any crisis about how far competitors are willing to escalate, but an¶ ability to counter cyber attack with other, more kinetic forms of military violence serves alternately¶ to deter or to facilitate the use of cyber capabilities, giving those nations with terrestrial military¶ power yet another option that, even if available to their opponents, may prove extraordinarily¶ dangerous to practice**. **As we see today with U.S. drone attacks and special operations raids on¶ foreign sovereign territory, the power to do much more ensures that an opponent maintains a level¶ of discretion in its response to provocation**. Few can doubt the reaction of the United States, for¶ example, if **Pakistan were to attempt to conduct a commando raid on U.S. territory. Nations that¶ can physically punish others for transgressions in any domain, electronic or otherwise, are better¶ able to operate in all domains**. Once one distinguishes between simple vulnerability and actual¶ threats, terrestrial capabilities become pivotal in determining who exercises cyber capabilities.¶

**4. Cyber war is already happening – proves no escalation**

**Francis 13**

[Francis, David: national correspondent for The Fiscal Times, written for the Christian Science Monitor, contributed to World Politics Review, and holds a master’s from Georgetown University; “Chinese Attacks Reveal an Undeclared Global Cyber War,” TheFiscalTimes, 2/19/13; http://www.thefiscaltimes.com/Articles/2013/02/19/Chinese-Attacks-Reveals-an-Undeclared-Global-Cyber-War.aspx#page1,]

With the news that the Chinese military conducted more than 140 cyber attacks on U.S. government agencies and companies, **it’s** now **evident that China, the United States and other countries around the world are in an undeclared** and largely unseen **state of cyber war.** A report by Mandiant, a cyber security firm based in Alexandria, found that a group of Chinese hackers who are part of the Chinese military have been conducting attacks on American interests over the last seven years. The report claims repeated **denials of hacking activities by Chinese officials are lies.** The attacks outlined by Mandiant are the latest in a series of revealed global cyber attacks. According to reports, an attack by the United States and Israel crippled a nuclear facility in Iran. **The New York Times, Google and the Wall Street Journal have recently been targets of hackers suspected to be Chinese. Long-time foes India and Pakistan are also actively engaged in cyber warfare against one another, while France has accused the Tunisian military of attacking its networks. Russia used cyber warfare against Georgia during their war in 2008. But it was the attack on Estonia in 2007 that got the world’s attention.**  Jaak Aavisksoo, Estonia’s minister of defense, knew there was trouble when he kept getting error messages every time he tried to access a newspaper one morning. He told Wired Magazine, “**The attacks were aimed at the essential electronic infrastructure of the Republic of Estonia. All major commercial banks, telcos, media outlets, and name servers — the phone books of the Internet — felt the impact**, and this affected the majority of the Estonian population. This was the first time that a botnet threatened the national security of an entire nation." **Wired called it Web War One.**

#### Cyber Warfare will not happen

Rid 13

[Thomas, reader in war studies at King’s College London, “Cyber War Will Not take Place”, Journal of Strategic Studies, October 2011, <http://www.tandfonline.com/doi/pdf/10.1080/01402390.2011.608939>, wyo-bw]

But is it? Are the Cassandras of cyber warfare on the right side of¶ history? Is cyber war really coming? This article argues that cyber war will not take place. That statement does not come with a Giraudouxian¶ twist and irony. It is meant literally – as a statement about the past, the¶ present, and the likely future: Cyber war has never happened in the past. Cyber war does not take place in the present. And it is highly unlikely that cyber war will occur in the future. Instead, all past and¶ present political cyber attacks are merely sophisticated versions of three activities that are as old as warfare itself: subversion, espionage, and sabotage. That is improbable to change in the years ahead.¶ If the use of force in war is violent, instrumental, and political, then there is no cyber offense that meets all three criteria. But more than¶ that, there are very few cyber attacks in history that meet only one of¶ these criteria.¶ ¶ The first conclusion is about subversion. In the past and present, not high-tech but low-tech has been more likely to lead to an escalation of violence, instability, and ultimately even war. In the twenty-first century, the one type of political offence with the greatest potential to unleash instability and violence may not be technologically highly¶ sophisticated sabotage, but technically rather primitive subversion. Yet¶ the Internet facilitates an unexpected effect: specific social and political¶ causes may persist in subcultures and niche groups, either temporarily¶ or over an extended time, either violently or non-violently – and they¶ may never cease attracting followers yet never go mainstream. These¶ movements may be cause-driven to a significant extent, and less¶ dependent on leaders, organization, and mass support than classical¶ insurgent groups. Weak causes become stronger in the sense that they¶ garner enough support to persist over an extended period of time,¶ constantly maintaining a self-sufficient, self-recruiting, but also self limiting¶ number of supporters and activists.¶.¶ In the 1950s and 1960s, when Giraudoux was translated into¶ English, the world faced another problem that many thought was¶ inevitable: nuclear exchange. Herman Kahn, Bill Kaufmann, and Albert¶ Wohlstetter were told that nuclear war could not be discussed publicly,¶ as Richard Clarke pointed out in his alarmist book, Cyber War. He rightly concluded that as with nuclear security, there should be more public discussion on cyber security because so much of the work has been stamped secret. But in many ways the comparison between¶ nuclear war and cyber conflict, although often made, is misplaced and problematic. This should be obvious when the Pearl Harbor comparison or the Hiroshima-analogy is given a second thought: unlike the nuclear theorists in the 1950s, cyber war theorists of the 2010s have never experienced the actual use of a deadly cyber weapon,¶ let alone a devastating one like Little Boy. There was no and there is no¶ Pearl Harbor of cyber war. Unless significantly more evidence and¶ significantly more detail are presented publicly by more than one¶ agency, we have to conclude that there will not be a Pearl Harbor of¶ cyber war in the future either.70 Then the heading of this article should¶ not be understood with Giraudoux’s sense of fine irony, but literally.¶ Needless to say, Cassandra could still have the last word.¶

### SOP

**Lack of OCO oversight doesn’t disrupt SOP and plan makes OCO’s ineffective**

**Lorber ‘13**

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

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

This Comment provides an initial answer to the question of whether ¶ current U.S. law can effectively govern the Executive’s use of OCOs.17 It ¶ explores the interaction between this new tool and the current statutory ¶ limits on presidential war-making authority, with a particular focus on ¶ whether the two current federal laws meant to restrict executive power in ¶ this field—the War Powers Resolution18 and the Intelligence Authorization ¶ Act19—apply to a wide range of potential offensive cyber operations ¶ undertaken by the executive branch. Beyond suggesting that neither the ¶ War Powers Resolution nor the Intelligence Authorization Act can effectively ¶ regulate most types of offensive cyber operations, this Comment suggests ¶ that **while marginally problematic for a proper balance of war-making power ¶ between the executive and legislative branches,** this **lack of oversight** **does ¶ not fundamentally shift the current alignment**. It does argue, however, ¶ that—given this lack of regulatory oversight—the President now has another ¶ powerful war-making tool to use at his discretion. Finally, the Comment ¶ suggests that **this lack of limitation may be positive in some ways,** as laying ¶ **down clear legal markers before having a developed understanding of these ¶ capabilities may problematically limit their effective use.**

**2. OCO’s don’t undermine SOP, but plan kills presidential flexibility**

**Lorber ‘13**

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

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

This analysis suggests that**, given inherent weaknesses in the underlying ¶ statutory schemes, excluding offensive cyber operations from their scope ¶ does not substantially shift the balance of war-making authority between the ¶ President and Congress**. This exclusion does, however, provide the ¶ President additional, powerful means by which to conduct military action ¶ without congressional oversight. ¶ **Based on analysis of the War Powers Resolution, the lack of oversight for ¶ OCOs does not radically shift the balance between the legislative and ¶ executive branches’ war-making authority.** Most notably, because the War ¶ Powers Resolution itself has proven ineffective in providing Congress with a ¶ powerful tool to govern presidential use of force, bringing OCOs under the ¶ War Powers Resolution’s statutory umbrella likely would not provide the ¶ possibility of such oversight. However, insofar as the President has ¶ increasingly turned to covert action since the passage of the War Powers ¶ Resolution to avoid its reporting requirements,233 offensive cyber operations provide the President another means by which to continue this trend**. ¶ OCOs therefore may give the President substantially more flexibility than he ¶ already has under the War Powers Resolution by adding what will become an ¶ increasingly frequent tool of warfare to his option-set.** **The lack of congressional oversight of offensive cyber operations under ¶ the Intelligence Authorization Act also likely does not seriously shift the ¶ balance between congressional and executive war-making powers. The ¶ reason is inherent in the limitations of the legislation itself: the** Intelligence ¶ Authorization **Act specifies reporting requirements, but does not require the ¶ non-use or withdrawal of forces**.

234 Further, these reports must be made in a ¶ “timely” fashion (the definition of which is undefined) and only to a small ¶ number of Congressmen (at most eight).235 Thus **even if the President had ¶ to report offensive cyber operations to Congress, it is unclear he would have ¶ to do so in a way that gave Congress an effective check, as these reports ¶ would be made only to a small group of Congressmen (who would not be ¶ able to share the information, because of its classified nature, with other ¶ members of the legislature) and could be done well after the employment of ¶ these capabilities. The resulting picture is one of increased presidential ¶ flexibility**; the War Powers Resolution and the Intelligence Authorization ¶ Act—while arguably ineffective in many circumstances—provide increased ¶ congressional oversight of presidential war-making actions such as troop ¶ deployments and covert actions. Yet these **statutes do not cover offensive ¶ cyber operations, giving the President an increasingly powerful foreign ¶ policy tool outside congressional reach.**

#### Party polarization makes effective SOP impossible

Marshall ‘8

[William P. Marshall, Kenan Professor of Law, University of North Carolina. Boston Law Review 88:505, “The Inceasingly Polarized Two-Party System,”

http://www.bu.edu/law/central/jd/organizations/journals/bulr/documents/MARSHALL.pdf ETB]

The final reason why presidential power has increased relates to the rise of a ¶ highly polarized two-party system in which party loyalty trumps institutional ¶ concerns. The beginnings of this polarization can be traced to the enactment of ¶ the Civil Rights Act of 1964.82 The passage of that Act ended an era that had ¶ effectively been a three-party system in the United States: the northern ¶ Democrats, the southern Democrats, and the Republicans. During this “threeparty” era, members of Congress needed to work across party lines to develop ¶ working majorities on particular issues.83 Their political fortunes and ¶ reputations, therefore, were closely tied to the success of Congress as an ¶ institution.¶ In contrast, in the highly polarized two-party system currently dominating¶ national politics, a member’s political success depends more on the fortunes of ¶ her particular party than on the stature of Congress. This means members of ¶ Congress have a greater personal interest in the President’s success as leader of their party than they have in Congress as an institution. Correspondingly, ¶ because the President is the leader of his or her political party, the President ¶ can expect greater loyalty and discipline from party members than occurred in ¶ previous eras. The result of this is that when the President’s party controls the ¶ Congress, he or she can proceed virtually uncontested.84 Consequently, in an ¶ era of highly polarized parties, there no longer exists the constitutional balance ¶ purportedly fostered by separation of powers. Rather, the constitutional ¶ balance becomes what Daryl Levinson and Richard Pildes term a “separation ¶ of parties.”85 The problem, of course, is that separation of parties serves as no ¶ balance at all when both the Presidency and the Congress are controlled by the ¶ same party. In those circumstances, the power of the Presidency is effectively ¶ unchecked.

**Democracy doesn’t solve war**

**Mueller 9**—pol sci prof and IR, Ohio State.Widely-recognized expert on terrorism threats in foreign policy. AB from U Chicago, MA in pol sci from UCLA and PhD in pol sci from UCLA (John, Faulty Correlation, Foolish Consistency, Fatal Consequence: Democracy, Peace, and Theory in the Middle East, 15 June 2007, http://psweb.sbs.ohio-state.edu/faculty/jmueller/KENT2.PDF)

In the last couple of decades there has been aburgeoning and intriguing discussion about the connection between democracy and war aversion.7 Most notable has been the empirical observation that democracies have never, or almost never, gotten into a war with each other. This relationship seems more correlative than causal,however. Like many important ideas over the last few centuries, the idea that war is undesirable and inefficacious and the idea that democracy is a good form of government have largely followed the same trajectory: they were embraced first in northern Europe and North America and then gradually, with a number of traumatic setbacks, became more accepted elsewhere. In this view, the rise of democracy not only is associated with the rise of war aversion, but also with the decline of slavery, religion, capital punishment, and cigarette smoking, and with the growing acceptance of capitalism, scientific methodology, women's rights, environmentalism, abortion, and rock music.8While democracy and war aversion have taken much the sametrajectory, however, they have been substantially out of synchronization with each other: the movement toward democracy began about 200 years ago,but the movement against war really began only about 100 years ago (Mueller 1989, 2004). Critics of the democracy/peace connection often cite examples of wars or near-wars between democracies. Most of these took place before World War I--that is, before war aversion had caught on.9 A necessary, logical connection between democracy and war aversion, accordingly, is far from clear. Thus, it is often asserted that democracies are peaceful because they apply their domestic penchant for peaceful compromise (something, obviously, that broke down in the United States in 1861) to the international arena or because the structure of democracy requires decision-makers to obtain domestic approval.10 But authoritarian regimes must also necessarily develop skills at compromisein order to survive, and they all have domestic constituencies that must be serviced such as the church, the landed gentry, potential urban rioters, the nomenklatura, the aristocracy, party members, the military, prominent business interests, the police or secret police, lenders of money to the exchequer, potential rivals for the throne, the sullen peasantry.11 Since World War I, the democracies in the developed world have been in the lead in rejecting war as a methodology. Some proponents of the democracy-peace connection suggest that this is because the democratic norm of non-violent conflict resolution has been externalized to the international arena. However,developed democracies have not necessarily adopted a pacifist approach, particularly after a version of that approach failed so spectacularly to prevent World War II from being forced upon them. In addition, they were willing actively to subvertor to threatenand sometimes apply military force when threats appeared to loom during the Cold War contest. At times this approach was used even against regimes that had some democratic credentials such as in Iran in 1953, Guatemala in 1954, Chile in 1973, and perhaps Nicaragua in the 1980s (Rosato 2003, 590-91). And, they have also sometimes used military force in their intermittent efforts to police the post-Cold War world (Mueller 2004, chs. 7, 8). It is true that they have warred little or not at all against each other--and, since there were few democracies outside the developed world until the last quarter of the twentieth century, it is this statistical regularity that most prominently informs the supposed connection between democracy and peace. However, thedeveloped democracies hardly needed democracy to decide that war among them was a bad idea.12 In addition, they also adopted a live-and-let-live approach toward a huge number of dictatorships and other non-democracies that did not seem threatening during the Cold War--in fact, they often aided and embraced such regimes if they seemed to be on the right side in the conflict with Communism. Moreover, the supposed penchant for peaceful compromise of democracies has not always served them well when confronted with civil war situations, particularly ones involving secessionist demands. The process broke down into civil warfare in democratic Switzerland in 1847 and savagely so in the United States in 1861. Democracies have also fought a considerable number of wars to retain colonial possessions--six by France alone since World War II--and these, as James Fearon and David Laitin suggest, can in many respects be considered essentially to be civil wars (2003, 76). To be sure, democracies have often managed to deal with colonial problems peacefully, mostly by letting the colonies go. But authoritarian governments have also done so: the Soviet Union, for example, withdrew from his empire in Eastern Europe and then dissolved itself, all almost entirely without violence. Thus, while democracy and war aversion have often been promoted by the same advocates, **the relationship does not seem to be a causal one**. And when the two trends are substantially out of step today, democracies will fight one another. Thus, it is not at all clear that telling the elected hawks in the Jordanian parliament that Israel is a democracy will dampen their hostility in the slightest. And various warlike sentiments could be found in the elected parliaments in the former Yugoslavia in the early 1990s or in India and then-democratic Pakistan when these two countries engaged in armed conflict in 1999. If Argentina had been a democracy in 1982 when it seized the Falkland Islands (a very popular undertaking), it is unlikely that British opposition to the venture would have been much less severe. "The important consideration," observes Miriam Fendius Elman after surveying the literature on the subject, does not seem to be "whether a country is democratic or not, but whether its ruling coalition is committed to peaceful methods of conflict resolution." As she further points out, the countries of Latin America and most of Africa have engaged in very few international wars even without the benefit of being democratic (for a century before its 1982 adventure, Argentina, for example, fought none at all) (1997, 484, 496). (Interestingly, although there has also been scarcely any warfare between Latin American states for over 100 years or among Arab ones or European ones for more that 50--in all cases whether democratic or not--this impressive phenomenon has inspired remarkably few calls for worldwide Arab colonialism or for the systematic transplant of remaining warlike states to Latin America or Europe.) And, of course, the long peace enjoyed by developed countries since World War II includes not only the one that has prevailed between democracies, but also the even more important one between the authoritarian east and the democratic west. Even if there is some connection, whether causal or atmospheric, between democracy and peace, it cannot explain this latter phenomenon. Democracy and the democratic peace become mystiques: the role of philosophers and divines Democracy has been a matter of debate for several millennia as philosophers and divines have speculated about what it is, what it might become, and what it ought to be. Associated with these speculations has been a tendency to emboss the grubby gimmick with something of a mystique. Of particular interest for present purposes is the fanciful notion that democracy does not simply express and aggregate preferences, but actually somehow creates (or should create) them. In addition, the (rough) correlation between democracy and war aversion has also been elevated into a causal relationship.

### US china coop

**US-China Relations high**

**Yang 11**—Minister of Foreign Affairs, People's Republic of China (Jiechi, 6 January 2011, A Conversation with Yang Jiechi, <http://www.cfr.org/publication/23777/conversation_with_yang_jiechi.html>)

We have good reason to believe that with the efforts of both sides, President Hu's state visit this time will **forcefully move forward the positive, cooperative and comprehensive China-U.S. relationship** in the new era. It will take our practical cooperation to a new high and enhance the mutual understanding and friendship between the two peoples. And it will demonstrate the will of China and the United States to act together for world peace, stability and development. Ladies and gentlemen, President Hu's upcoming visit to the United States will take place when the Obama administration concludes its second year in office. We commend the good progress the China-U.S. relations have made over the past two years. The China-U.S. relationship is an extremely important bilateral relationship in today's world. We believe that though China-U.S. relationship has seen some difficulties in the past two years, it has made important overall progress, particularly in the following areas. First, the exchanges and communication between the two countries at the high level and various other levels **have never been closer**. China-U.S. relations achieved a smooth transition shortly after President Obama took office. In the past 24 months, the two presidents have had seven successful meetings. I had the good fortune to be present at all the seven meetings. And I always came away with a deep impression of the sincerity of the leaders in their discussion about how to move forward the relationship, how to face the challenges and how to work for the common good of our two peoples and the people of the world. President Obama paid a state visit to China, and now President Hu will come to the United States for a state visit. Officials of the two countries at various levels have had frequent contacts in diverse forms. The two sides have established the China-U.S. Strategic and Economic Dialogues and the high-level consultation on people-to-people exchange. This time in Washington, we discussed when to have the third round of SED, Strategic and Economic Dialogues. I think it will happen sometime in mid-2011. Setting up unique and effective -- I mean, these exchanges are setting up unique and effective platforms **to enhance mutual trust and cooperation** between China and the United States. Second, the desire and resolve of the two countries to strengthen their cooperation have never been stronger. In April 2009, President Hu and President Obama reached an important agreement when they met in London that the two sides should work together to build a positive, cooperative and comprehensive China-U.S. relationship for the 21st century. This has charted the course for the growth of China-U.S. relations in the new era. President Hu emphasizes on many occasions that a sound China-U.S. relationship is in the fundamental interests of the two countries and serves peace, stability and prosperity in the Asia-Pacific region and the world at large. He stressed that the Chinese government places high importance on its relations with the United States it and will work to promote cooperation with the United States. Likewise, President Obama attaches a great deal of importance to China-U.S. relations. The U.S. government has stressed its commitment to stronger cooperation between the two countries. Third, the Chinese and American interests have converged as never before. Today, we have tackled the international financial crisis, pushed forward the reform of global economic governance and played an important role in spurring world economic recovery. The China-U.S. business ties have been taken to a new level. Two-way trade is expected to top $380 billion U.S. dollars in 2010. China has been the fastest-growing major export market of the United States for nine consecutive years. Investment by Chinese enterprises in the United States has rapidly increased. By the end of November 2010, Chinese businesses had made over 4.4 billion U.S. dollars of non-financial direct investment in the United States. All this has contributed to the economic recovery and the protection of jobs in the United States. Our bilateral exchanges and cooperation in a wide range of areas, including energy and the environment, have been growing in breadth and depth. Fourth, the two peoples have never been engaged in China-U.S. relations in such a broad and in-depth manner. Today, around 120,000 Chinese students are studying in the United States and more than 20,000 American students are studying in China. According to Chinese statistics, over 3 million tourists visit each others' countries every year and 110 plus passenger flights fly between the two countries every week. China and the United States have forged 36 pairs of friendship, province-state and 161 sister-city relationships. Such close interactions have built countless bridges of friendship and cooperation between the two countries. Fifth, the communication and coordination between China and the United States on major regional and international issues have never been better. The two countries have maintained effective coordination on regional hotspot issues, such as the situation on the Korean Peninsula, the Iranian nuclear issue and South Asia. And now during this visit of mine, we discussed these issues. We also discussed the situation in Sudan, which figures prominently in the coming weeks. Also, on global issues, including climate change, G-20, the U.N. reform and fighting transnational crimes, working together the two countries have played an important and positive role in upholding world peace and security and promoting global sustainable development. The China-U.S. cooperation has become more strategic in terms of substance and more important in terms of global impact. What is it that has brought China and the United States closer to each other in the course of cooperation in the past two years? I believe that it is our growing common interests. It is the growing sense of any important reality that China-U.S. relations in the 21st century should be anchored in joint efforts to seize common opportunities and address common challenges for the welfare of our two peoples and the people of the world. **With regard to issues in China-U.S. relations, whatever the differences, thereis a basic consensus between China and the U**nited **S**tates: **namely, the China-U.S. relationship is far too important**. The two countries have far more common interests than disagreements and cooperation is always the defining feature of this relationship.

#### Interdependence proves

Kung Pao -08(Ta Kung Pao, September 9, 2008, BBC Monitoring Asia Pacific, *Chinese scholar “confident” in stable Sino-US ties under new administration*, Lexis)

Since the end of the Cold War, China has dealt with not only a liberal [US] president of the Democratic Party, but also a moderate president and a conservative president of the Republican Party separately. **The ever-growing common interests between China and the United States are driving the bilateral relations forward as a whole.** Therefore, **we are confident in the prospect of maintaining stability in the Sino-US relations** following the change of US presidency. The national conventions of both the Democrats and the Republicans in the United States have ended. Obama-Biden and McCain-Palin have been officially nominated by the two parties as presidential and vice-presidential candidates and the party platforms of both parties have also been officially published, marking the end of the intraparty rivalries and the beginning of a new phase in the presidential election, i.e. the phase of intense interparty contentions. What concerns us - scholars and the general public in China- the most is, naturally, the China policies of the two parties' candidates. Treatment of the China policy in both party's platforms is very brief, but based on the two candidates' speeches and articles, remarks made by members of their teams, and the two parties' disparate political views in the past, we can still make a preliminary comparison. The new president's policy cannot afford to stray from the current status quo of Sino-US relations. Following the pendular movements in the Sino-US relations through the 1990s, they have remained stable for over seven years since July 2001. It has been the longest period of steady development since the two countries established diplomatic relations. This is no accident. Today, **the ties between the two countries have gone far beyond the ambit of bilateral relations, as the relative importance of regional and global security and economic issues on the agenda is steadily growing**. As globalization progresses, **interdependence between the two countries on the strategic and economic fronts is constantly deepening** and this trend is set to continue. Given these circumstances, there will be considerable continuity between the post-election China policy of the incoming president and the current policy and the fluctuations and pendular movements of the past are unlikely to resurface. Judging by the current platforms of the two parties, the remarks made by the candidates, and what their teams have said, they have more in common than they have in conflict.

#### Military ties increasing, shows relations are increasing

Xinhua, 11

China-U.S. military ties to be further advanced with implementation of heads-of-state consensus, <http://news.xinhuanet.com/english2010/china/2011-05/20/c_13885931.htm>, accessed 5-24-2011, WYO/JF

**During a speech upon his arrival in the U.S., Chen said that his visit was aimed at implementing the consensus reached by the heads of state of the two nations on promoting bilateral military ties, boosting mutual understanding and trust and encouraging cooperation** as to build a new type of cooperative military relations featuring mutual respect and mutual benefit.

### Solvency

#### 1. Congress cannot effectively enforce the declaration – can’t appropriately check the executive.

Lorber 2013

(Eric, J.D. Candidate at the University of Pennsylvania Law School, and Ph. D candidate at Duke University, January, "Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?”, Journal of Constitutional Law, Vol. 15:3)

The lack of congressional oversight of offensive cyber operations under the Intelligence Authorization Act also likely does not seriously shift the balance between congressional and executive war-making powers. The reason is inherent in the limitations of the legislation itself: the Intelligence Authorization Act specifies reporting requirements, but does not require the non-use or withdrawal of forces.234 Further, these reports must be made in a “timely” fashion (the definition of which is undefined) and only to a small number of Congressmen (at most eight).235 Thus even if the President had to report offensive cyber operations to Congress, it is unclear he would have to do so in a way that gave Congress an effective check, as these reports would be made only to a small group of Congressmen (who would not be able to share the information, because of its classified nature, with other members of the legislature) and could be done well after the employment of these capabilities. The resulting picture is one of increased presidential flexibility; the War Powers Resolution and the Intelligence Authorization Act—while arguably ineffective in many circumstances—provide increased congressional oversight of presidential war-making actions such as troop deployments and covert actions. Yet these statutes do not cover offensive cyber operations, giving the President an increasingly powerful foreign policy tool outside congressional reach.

#### 2. No first use fails with cyber operations – leave us defenseless and no clear definition of use.

Clarke and Knake ‘12

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

However, forswearing the use of cyber weapons until they have been used on us could mean¶ that if a conventional war broke out, we would not defend our forces by such things as cyber¶ attacks on our opponent’s antiaircraft missile systems. The initial use of cyber war in the South¶ China Sea scenario was a psychological operation on China’s internal military network, sending a¶ harassing e-mail with a picture of a sinking Chinese ship. Should that be considered a first use of¶ cyber war?¶ Moreover, the scenario presented a problem that if you do not go first in cyberspace, your¶ ability to conduct cyber attack may be reduced by the other side stepping up both its defensive¶ measures (for example, China cutting off its cyberspace from the rest of the world) and its¶ offensive measures (including attacks that disrupted U.S. networks that may be necessary for¶ some of the U.S. attacks to be launched). Whether we say it publicly or maintain it as an internal¶ component of our strategy, if we were to accept the concept of No First Use in cyber war we¶ would require a clear understanding of what constitutes “use.” Is penetration of a network a¶ cyber war act? When the network penetration goes beyond just collecting information, does the¶ act then move from intelligence operations to cyber war? Any ban on “first use” would prils obably¶ only apply prior to kinetic shooting. Once a war goes kinetic, most bets are off.

#### 3. Status quo solves limits for cyber aggression

Nakashima 2012

(Ellen, Washington Post staff writer, November 14, "Obama signs secret directive to help thwart cyberattacks", http://www.washingtonpost.com/world/national-security/obama-signs-secret-cybersecurity-directive-allowing-more-aggressive-military-role/2012/11/14/7bf51512-2cde-11e2-9ac2-1c61452669c3\_story.html)

President Obama has signed a secret directive that effectively enables the military to act more aggressively to thwart cyber­attacks on the nation’s web of government and private computer networks. Presidential Policy Directive 20 establishes a broad and strict set of standards to guide the operations of federal agencies in confronting threats in cyberspace, according to several U.S. officials who have seen the classified document and are not authorized to speak on the record. The president signed it in mid-October. The new directive is the most extensive White House effort to date to wrestle with what constitutes an “offensive” and a “defensive” action in the rapidly evolving world of cyberwar and cyberterrorism, where an attack can be launched in milliseconds by unknown assailants utilizing a circuitous route. For the first time, the directive explicitly makes a distinction between network defense and cyber-operations to guide officials charged with making often-rapid decisions when confronted with threats. The policy also lays out a process to vet any operations outside government and defense networks and ensure that U.S. citizens’ and foreign allies’ data and privacy are protected and international laws of war are followed. “What it does, really for the first time, is it explicitly talks about how we will use cyber- operations,” a senior administration official said. “Network defense is what you’re doing inside your own networks. . . . Cyber-operations is stuff outside that space, and recognizing that you could be doing that for what might be called defensive purposes.” The policy, which updates a 2004 presidential directive, is part of a wider push by the Obama administration to confront the growing cyberthreat, which officials warn may overtake terrorism as the most significant danger to the country. “It should enable people to arrive at more effective decisions,” said a second senior administration official. “In that sense, it’s an enormous step forward.” Legislation to protect private networks from attack by setting security standards and promoting voluntary information sharing is pending on the Hill, and the White House is also is drafting an executive order along those lines. James A. Lewis, a cybersecurity expert at the Center for Strategic and International Studies, welcomed the new directive as bolstering the government’s capability to defend against “destructive scenarios,” such as those that Defense Secretary Leon E. Panetta recently outlined in a speech on cybersecurity. “It’s clear we’re not going to be a bystander anymore to cyberattacks,” Lewis said. The Pentagon is expected to finalize new rules of engagement that would guide commanders on when and how the military can go outside government networks to prevent a cyberattack that could cause significant destruction or casualties. The presidential directive attempts to settle years of debate among government agencies about who is authorized to take what sorts of actions in cyberspace and with what level of permission. An example of a defensive cyber-operation that once would have been considered an offensive act, for instance, might include stopping a computer attack by severing the link between an overseas server and a targeted domestic computer. “That was seen as something that was aggressive,” said one defense official, “particularly by some at the State Department” who often are wary of actions that might infringe on other countries’ sovereignty and undermine U.S. advocacy of Internet freedom. Intelligence agencies are wary of operations that may inhibit intelligence collection. The Pentagon, meanwhile, has defined cyberspace as another military domain — joining air, land, sea and space — and wants flexibility to operate in that realm. But cyber-operations, the officials stressed, are not an isolated tool. Rather, they are an integral part of the coordinated national security effort that includes diplomatic, economic and traditional military measures. Offensive cyber actions, outside of war zones, would still require a higher level of scrutiny from relevant agencies and generally White House permission.

# 2NC

### Accidental War

#### Cyber Warfare will not happen

Rid 13

[Thomas, reader in war studies at King’s College London, “Cyber War Will Not take Place”, Journal of Strategic Studies, October 2011, <http://www.tandfonline.com/doi/pdf/10.1080/01402390.2011.608939>, wyo-bw]

But is it? Are the Cassandras of cyber warfare on the right side of¶ history? Is cyber war really coming? This article argues that cyber war will not take place. That statement does not come with a Giraudouxian¶ twist and irony. It is meant literally – as a statement about the past, the¶ present, and the likely future: Cyber war has never happened in the past. Cyber war does not take place in the present. And it is highly unlikely that cyber war will occur in the future. Instead, all past and¶ present political cyber attacks are merely sophisticated versions of three activities that are as old as warfare itself: subversion, espionage, and sabotage. That is improbable to change in the years ahead.¶ If the use of force in war is violent, instrumental, and political, then there is no cyber offense that meets all three criteria. But more than¶ that, there are very few cyber attacks in history that meet only one of¶ these criteria.¶ ¶ The first conclusion is about subversion. In the past and present, not high-tech but low-tech has been more likely to lead to an escalation of violence, instability, and ultimately even war. In the twenty-first century, the one type of political offence with the greatest potential to unleash instability and violence may not be technologically highly¶ sophisticated sabotage, but technically rather primitive subversion. Yet¶ the Internet facilitates an unexpected effect: specific social and political¶ causes may persist in subcultures and niche groups, either temporarily¶ or over an extended time, either violently or non-violently – and they¶ may never cease attracting followers yet never go mainstream. These¶ movements may be cause-driven to a significant extent, and less¶ dependent on leaders, organization, and mass support than classical¶ insurgent groups. Weak causes become stronger in the sense that they¶ garner enough support to persist over an extended period of time,¶ constantly maintaining a self-sufficient, self-recruiting, but also self limiting¶ number of supporters and activists.¶.¶ In the 1950s and 1960s, when Giraudoux was translated into¶ English, the world faced another problem that many thought was¶ inevitable: nuclear exchange. Herman Kahn, Bill Kaufmann, and Albert¶ Wohlstetter were told that nuclear war could not be discussed publicly,¶ as Richard Clarke pointed out in his alarmist book, Cyber War. He rightly concluded that as with nuclear security, there should be more public discussion on cyber security because so much of the work has been stamped secret. But in many ways the comparison between¶ nuclear war and cyber conflict, although often made, is misplaced and problematic. This should be obvious when the Pearl Harbor comparison or the Hiroshima-analogy is given a second thought: unlike the nuclear theorists in the 1950s, cyber war theorists of the 2010s have never experienced the actual use of a deadly cyber weapon,¶ let alone a devastating one like Little Boy. There was no and there is no¶ Pearl Harbor of cyber war. Unless significantly more evidence and¶ significantly more detail are presented publicly by more than one¶ agency, we have to conclude that there will not be a Pearl Harbor of¶ cyber war in the future either.70 Then the heading of this article should¶ not be understood with Giraudoux’s sense of fine irony, but literally.¶ Needless to say, Cassandra could still have the last word.¶

**Massive cyber attacks-especially from Russia or China-are incredibly due to the high technical expertise required and they’re easy to block**

**Masnick 13**

(Michael "Mike" Masnick is an American editor and entrepreneur . He is the CEO and founder of Techdirt, a weblog that focuses on technology news and tech-related issues. “Director Of National Intelligence Admits That There's Little Risk Of A 'Cyber Pearl Harbor'” 3-13-13 http://www.techdirt.com/articles/20130313/03240122309/director-national-intelligence-admits-that-theres-little-risk-cyber-pearl-harbor.shtml//wyoccd)

**We've been pointing out for years that all the talk about "cyberattacks" and "cybersecurity" appear to be FUD, mostly designed to scare up money for "defense" contractors looking for a new digital angle. And yet, we keep seeing fear-mongering report after fear mongering report insisting that we're facing imminent threats of such a dire nature** that multiple people keep referring to this ridiculous concept of the "cyber Pearl Harbor" which is going to happen any day now if we don't pass vaguely worded bills that will surely ramp up huge contracts. And yet, every time we'd hear these cinematic scare stories, we'd point out that no one has yet died from a "cyber attack" and ask: where was the actual evidence of real harm? **Yes, we've seen hack attacks that are disruptive or really about espionage. But that "big threat" coming down to get us all? There's been nothing to support it**. ¶ **And perhaps that's because it doesn't exist. Amazingly, the Director of National Intelligence**, James Clapper, **actually admitted in a Senate hearing that there's little risk of any "cyber Pearl Harbor" in the foreseeable future**:¶ “We judge that there is a remote chance of a major cyber attack against U.S. critical infrastructure systems during the next two years that would result in long-term, wide-scale disruption of services, such as a regional power outage,” Clapper said in his statement to the committee. **“The level of technical expertise and operational sophistication required for such an attack — including the ability to create physical damage or overcome mitigation factors like manual overrides — will be out of reach for most actors during this time frame. Advanced cyber actors — such as Russia and China — are unlikely to launch such a devastating attack against the United States outside of a military conflict or crisis that they believe threatens their vital interests.”**¶ He later admitted that some others -- who weren't as knowledgeable -- might be able to sneak in some attacks here or there, but that the impact would likely be minimal:¶ “**These less advanced but highly motivated actors could access some poorly protected US networks that control core functions, such as power generation, during the next two years, although their ability to leverage that access to cause high-impact, systemic disruptions will probably be limited**. At the same time, there is a risk that unsophisticated attacks would have significant outcomes due to unexpected system configurations and mistakes, or that vulnerability at one node might spill over and contaminate other parts of a networked system,” he said.¶

**The risk of a cyber war is low due to technological barriers and a lack of motivation from the states actually capable**

**Gartzke 12**

(Erik, Associate Professor in Political Science at UC-San Diego. “The Myth of Cyberwar” Page 1 12-7-12 http://dss.ucsd.edu/~egartzke/papers/cyberwar\_12062012.pdf//wyoccd)

**A blitz of media, punditry and public pronouncements inform interested observers and policy¶ makers that the next war is likely to be won or lost on the internet**. Indeed, events such as the¶ coordinated cyber attacks on Estonia and the Stuxnet worm seem to indicate that cyberwar has¶ already begun. The sense of urgency surrounding cyberwar appears to be tied to perceptions that¶ internet con¶ ict is the newest phase in the ongoing revolution in military a airs, only this time the¶ threat is directed at the sophisticated technological civilizations of the West, rather than at poor¶ developing states or the recipients of inferior second-world military hardware.1 To believe a growing¶ number of pundits and practitioners, cyberwar threatens to render existing military advantages¶ impotent, exposing those nations most dependent on comprehensive information infrastructures to¶ devastating and unpredictable attacks. If powerful states largely immune to terrestrial invasion¶ can have their military might blunted and their factories and cities idled by foreign hackers, then¶ perhaps this latest technological revolution really does presage a \Pearl Harbor" in which the¶ United States and other great powers will be targets, rather than perpetrators, of shock and awe.¶ **There is a problem with the growing consensus of impending cyber apocalypse, however: it is¶ far from clear that con¶ ict over the internet can actually function as war. Discussions of cyberwar¶ commit a common fallacy of arguing from opportunity to outcome, rather than considering whether¶ something that could happen is at all likely, given the motives of those who are able to act.¶** **Cyber pessimism rests heavily on capabilities (means), with little thought to a companion logic of¶ consequences (ends). Much that could happen in the world fails to occur, largely because those¶ capable of initiating action discern no benefit from doing so.** **Put another way, advocates have yet¶ to work out how cyberwar actually accomplishes the objectives that typically sponsor terrestrial¶ military violence. Absent a logic of consequences, it is di cult to believe that cyberwar will proveas devastating for world a airs and for developed nations in particular as many seem to believe.**

**Threats of cyber war wrong: nobody would execute one and if they did the impact would be minimal**

**Dvorak 12**

(John Charles Dvorak is an American columnist and broadcaster in the areas of technology and computing. His writing extends back to the 1980s. “Cyber War? Bring It On!” 10-12-12 http://www.pcmag.com/article2/0,2817,2410931,00.asp//wyoccd)

**We've been warned again. The USA and all its citizens are under threat of "a cyber-Pearl Harbor!"** Find a desk to hide under. Look for cover. **Make it a place where the whole family can meet up so you can do a head count and see who is missing.¶ No seriously, a cyberattack is imminent and could happen any minute!**¶ I need to get in on some of this action by becoming a consultant.¶ **Look, does anyone remember Y2K? That was going to end the world as we know it. This one computer glitch/anomaly was predicted to be so onerous and dangerous that ATMs were going to shut down everywhere. Computer systems would stop and nobody would be able to start them ever again. The power grid would be annihilated.¶ When all was said and done, some old code was patched, some wasn't. Nothing happened. Nothing at all**. But a lot of consultants and book writers got rich and the whole fiasco may well have contributed to the dot-com crash because too much time, money, and effort was directed at the Y2K bug fix.¶ **Now, according to government officials, we again have a threat looming over our heads. This time it is a form of cyber-terrorism. Never mind that the terrorists who we manage to identify tend to be living in mud huts in Waziristan where we enjoy blasting them left and right with drone strikes.** As far as I know these folks and their dirt roads do not sit on any OC-768 fiber networks. If they even have a phone line, it would be a miracle. **Exactly how they can manage to get the skills necessary to develop complex cyber-attacks is beyond me. So what are the other possibilities?**¶ There is Iran who we have repeatedly cyberattacked the United States according to all sorts of credible sources. Perhaps we are goading them to attack us. From what I can tell, when it comes to Internet technology, the Iranians want to get completely off the grid and thus seem unlikely candidates.¶ **China could do it. After all, we are that country's biggest trading partner and it holds a good portion of our government bonds. Sure. Bankrupt us with a cyberattack and lose all its investments. This scenario makes zero sense**.¶ **The Russians are on the list of suspects, yes. But what would be the point? Why would the Russians want to do anything? What do they get out of it? Their business is selling oil to a thirsty world that needs to be running smoothl**y.¶ I

### US China

#### Military ties increasing, shows relations are increasing

Xinhua, 11

China-U.S. military ties to be further advanced with implementation of heads-of-state consensus, <http://news.xinhuanet.com/english2010/china/2011-05/20/c_13885931.htm>, accessed 5-24-2011, WYO/JF

**During a speech upon his arrival in the U.S., Chen said that his visit was aimed at implementing the consensus reached by the heads of state of the two nations on promoting bilateral military ties, boosting mutual understanding and trust and encouraging cooperation** as to build a new type of cooperative military relations featuring mutual respect and mutual benefit.

#### US China Relations good. North Korea de-escalation proves.

Pomfret, 11

(John Pomfret , Washington Post, January 2, 2011 Tone of US-China relations improves, but trust lacking <http://www.boston.com/news/world/asia/articles/2011/01/02/tone_of_us_china_relations_improves_but_trust_lacking/>UWYOKB)

**In part, the improved tone reflects Washington’s success in leveraging Beijing’s desire for a smooth summit to get concessions from China** or nudge it toward policies closer to Washington’s liking. That said, significant problems — such as a gap in strategic trust — bedevil the relationship. “**You’ve got leaders in the United States and in China that want to do everything possible to limit direct confrontation**,’’ said Ian Bremmer, president of the Eurasia Group, a consulting firm, “but structurally, both countries are going to have a hard time avoiding it.’’ **The most remarkable about-face has occurred in the administration’s attitude toward China over the Korean Peninsula. A few weeks ago, a senior administration official accused China of creating the conditions that allowed North Korea to start a uranium-enrichment program and launch two deadly attacks on South Korea. But late last month, senior administration officials praised China for pressing North Korea not to react to a South Korean military drill**. Officials referred specifically to a visit by China’s top diplomat, Dai Bingguo, to North Korea on Dec. 9. After the meeting, China’s state-run Xinhua News Agency reported that China and North Korea had reached a consensus on the situation on the peninsula — which many analysts interpreted as meaning North Korea had agreed not to provoke South Korea in the short term. **Administration officials also commended China for soft-pedaling a proposal to hold emergency talks between South and North Korea**, China, Russia, Japan, and the United States as part of a way **to calm the situation.** Instead, the officials said that China had accepted a US plan that put improving ties between the South and the North ahead of any multilateral talks on North Korea’s nuclear weapons program. Administration officials portrayed the United States and China as working in lockstep in dealing with the crisis. **China continued to urge restraint on North Korea**, they said, while the United States worked with Seoul to ensure that its exercises were “firm’’ but also “nonconfrontational and nonescalatory,’’ a senior administration said, speaking on the condition of anonymity because of the sensitivity of the topic.

# 1NR

#### Kicking out by saying that the collapse is inevitable and the economy is resilent from our no war miller 2k card is not enough. The affirmative has made extensive claims in the 1ac about why they will keep the financial sector from being attacked, preventing our soonest exit from the world economy. Rather they make us wait as the impacts of the economy continues to rage on.-

#### First the sustainability debate- Extend Grantham 12, the world will run out of energy, metals and food shocking markets via prices collapsing the economy.

#### Second the timeframe debate

#### Analysis was done above- Extend our lewis card, We must take the first exit possible. Makes it so that the survival of the human race is insure paradoxically by collapse of the economy- unchallenged, collapse solves.

#### Third, defense to their stuff

#### Extend Miller, decline has historically bore no relationship to violence.

#### Doesn’t Lead to war, Correlation not Causation

Ferguson 06

Niall Ferguson, Prof of Economic History @ Harvard, Foreign Affairs, “The Next War of the World”, p. asp, Sept/Oct 2006 //wyo-tjc

Nor can economic crises explain the bloodshed. What may be the most familiar causal chain in modern historiography links the Great Depression to the rise of fascism and the outbreak of World War II. But that simple story leaves too much out. Nazi Germany started the war in Europe only after its economy had recovered. Not all the countries affected by the Great Depression were taken over by fascist regimes, nor did all such regimes start wars of aggression. In fact, no general relationship between economics and conflict is discernible for the century as a whole. Some wars came after periods of growth, others were the causes rather than the consequences of economic catastrophe, and some severe economic crises were not followed by wars.

#### Next the impact debate-

#### First extend the diner 94 evidence, with each species that dies there is a larger risk of environmental and human X! This is external impact-

#### Growth causes disease spread and mutation

Hamburg 8—FDA Commissioner. Senior Scientist Nuclear Threat Initiative. MD (Margaret, Germs Go Global: Why Emerging Infectious Diseases Are a Threat to America, <http://healthyamericans.org/assets/files/GermsGoGlobal.pdf>)

Globalization, the worldwide movement toward economic, financial, trade, and communications integration, has impacted public health significantly. Technology and economic interdependence allow diseases to spread globally at rapid speeds. Experts believe that the increase in international travel and commerce, including the increasingly global nature of food handling, processing, and sales contribute to the spread of emerging infectious diseases. 47 Increased global trade has also brought more and more people into contact with zoonosis -diseases that originated in animals before jumping to humans. For example, in 2003, the monkey pox virus entered the U.S. through imported Gambian giant rats sold in the nation’s under-regulated exotic pet trade. The rats infected pet prairie dogs, which passed the virus along to humans. 48 International smuggling of birds, brought into the U.S. without undergoing inspection and/or quarantine, is of particular concern to public health experts who worry that it may be a pathway for the H5N1 “bird flu” virus to enter the country. Lower cost and efficient means of international transportation allow people to travel to more remote places and potential exposure to more infectious diseases. And the close proximity of passengers on passenger planes, trains, and cruise ships over the course of many hours puts people at risk for higher levels of exposure. If a person contracts a disease abroad, their symptoms may not emerge until they return home, having exposed others to the infection during their travels. In addition, planes and ships can themselves become breeding grounds for infectious diseases. The 2002-2003 SARS outbreak spread quickly around the globe due to international travel. SARS is caused by a new strain of corona virus, the same family of viruses that frequently cause the common cold. This contagious and sometimes fatal respiratory illness first appeared in China in November 2002. Within 6 weeks, SARS had spread worldwide, transmitted around the globe by unsuspecting travelers. According to CDC, 8,098 people were infected and 774 died of the disease. 49 SARS represented the first severe, newly emergent infectious disease of the 21st century. 50 It illustrated just how quickly infection can spread in a highly mobile and interconnected world. SARS was contained and controlled because public health authorities in the communities most affected mounted a rapid and effective response. SARS also demonstrated the economic consequences of an emerging infectious disease in closely interdependent and highly mobile world. Apart from the direct costs of intensive medical care and disease control interventions, SARS caused widespread social disruption and economic losses. Schools, hospitals, and some borders were closed and thousands of people were placed in quarantine. International travel to affected areas fell sharply by 50 - 70 percent. Hotel occupancy dropped by more than 60 percent. Businesses, particularly in tourism-related areas, failed. According to a study by Morgan Stanley, the Asia-Pacific region’s economy lost nearly $40 billion due to SARS. 51 The World Bank found that the East Asian region’s GDP fell by 2 percent in the second quarter of 2003. 52 Toronto experienced a 13.4 percent drop in tourism in 2003. 53

#### Extinction

Yu 9—Dartmouth Undergraduate Journal of Science (Victoria, Human Extinction: The Uncertainty of Our Fate, 22 May 2009, <http://dujs.dartmouth.edu/spring-2009/human-extinction-the-uncertainty-of-our-fate>)

A pandemic will kill off all humans. In the past, humans have indeed fallen victim to viruses. Perhaps the best-known case was the bubonic plague that killed up to one third of the European population in the mid-14th century (7). While vaccines have been developed for the plague and some other infectious diseases, new viral strains are constantly emerging — a process that maintains the possibility of a pandemic-facilitated human extinction. Some surveyed students mentioned AIDS as a potential pandemic-causing virus. It is true that scientists have been unable thus far to find a sustainable cure for AIDS, mainly due to HIV’s rapid and constant evolution. Specifically, two factors account for the virus’s abnormally high mutation rate: 1. HIV’s use of reverse transcriptase, which does not have a proof-reading mechanism, and 2. the lack of an error-correction mechanism in HIV DNA polymerase (8). Luckily, though, there are certain characteristics of HIV that make it a poor candidate for a large-scale global infection: HIV can lie dormant in the human body for years without manifesting itself, and AIDS itself does not kill directly, but rather through the weakening of the immune system. However, for more easily transmitted viruses such as influenza, the evolution of new strains could prove far more consequential. The simultaneous occurrence of antigenic drift (point mutations that lead to new strains) and antigenic shift (the inter-species transfer of disease) in the influenza virus could produce a new version of influenza for which scientists may not immediately find a cure. Since influenza can spread quickly, this lag time could potentially lead to a “global influenza pandemic,” according to the Centers for Disease Control and Prevention (9). The most recent scare of this variety came in 1918 when bird flu managed to kill over 50 million people around the world in what is sometimes referred to as the Spanish flu pandemic. Perhaps even more frightening is the fact that only 25 mutations were required to convert the original viral strain — which could only infect birds — into a human-viable strain (10).

#### War is only sparked by upswings—Must transition before 2025

Chase-Dunn & Bornschier 99

(Christopher, Director of the Institute for Research on World-Systems, U of California-Riverside, and Volker, prof at the University of Zurich, Switzerland, “The Future of Global Conflict”, Sage Publications, p. 43)

While the onset of a period of hegemonic rivalry is in itself disturbing, the picture becomes even grimmer when the influence of long-term economic cycles is taken into account. As an extensive body of research documents (see especially Van Duijn, 1983), the 50 to 60 year business cycle known as the Kondratieff wave (K-wave) has been in synchronous operation on an international scale for at least the last two centuries. Utilizing data gathering by Levy (1983) on war severity, Goldstein (1988) demonstrates that there is a corresponding 50 to 60 year cycle in the number of battle deaths per year for the period 1495-1975. Beyond merely showing that the K-wave and the war cycle are linked in a systematic fashion, Goldstein’s research suggests that severe core wars are much more likely to occur late in the upswing phase of the K-wave. This finding is interpreted as showing that, while states always desire to go to war, they can afford to do so only when economic growth is providing them with sufficient resources. Modelski and Thompson (1996) present a more complex interpretation of the systemic relationship between economic and war cycles, but it closely resembles Goldstein’s hypothesis. In their analysis, a first economic upswing generates the economic resources required by an ascending core state to make a bid for hegemony; a second period of economic growth follows a period of global war and the establishment of a new period of hegemony. Here, again, specific economic upswings are associated with an increased likelihood of the outbreak of core war. It is widely accepted that the current K-wave, which entered a downturn around 1967-73, is probably now in the process of beginning a new upturn which will reach its apex around 2025. It is also widely accepted that by this period US hegemony, already unravelling, will have been definitively eroded. This convergence of a plateauing economic cycle with a period of political multicentricity within the core should, if history truly does repeat itself, result in the outbreak of full-scale warfare between the declining hegemon and the ascending core powers. Although both Goldstein (1991) and Modelski and Thompson (1996) assert that such a global war can (somehow) be avoided, other theorists consider that the possibility of such a core war is sufficiently high that serious steps should be taken to ensure that such collective suicide does not occur (Chase-Dunn and O’Reilly, 1989; Goldfrank, 1987).

#### Growth catalyzes war

Boehmer 10

(Charles R., Ph.D Pennsylvania State U in IR, associate prof @ U of Texas at El Paso, Defence and Peace Economics, Vol. 21(3), June, pp.249-268, EBSCO)

Still, states often experience economic growth, whereas violent interstate conflicts are rare events. I do not argue that economic growth is a general and direct source of conflict between states. I contend instead that growth acts as a catalyst, pouring fuel on fires where conflicts have already commenced. Economic growth should influence the perceptions state leaders have about their state’s performance. I argue that economic growth acts as a catalyst for violent interstate conflicts by increasing the willingness of states to use military force in foreign policy, particularly to reciprocate militarized threats and uses of force or to escalate conflicts in a violent manner. Most and Starr (1989: 22) define willingness as “the willingness to choose (even if the choice is no action), and to employ available capabilities to further some policy option over others.” Most and Starr situate willingness against a background of ‘opportunity’. Naturally, not all states have the same opportunity to realistically choose policies that lead to interstate violence or war, at least with an equal chance of victory.

#### Empirically Proven

Cashman 2k

(Greg, prof in the Department of Political Science at Salisbury U in Salisbury, Maryland, "What causes war?: an introduction to theories of international conflict," book, p. 135-136)

A psychological explanation for the relationship between war and economic upturns is also frequently made. Indeed, both Macfie and Blainey, as well as Goldstein, suggest that economic recoveries are associated with a general mood of optimism, which is the real cause of war. Blainey argues, When trade is deteriorating and when unemployment is increasing the mood of governments tend to be cautious and apprehensive. Dwindling revenues and soaring claims for the state's aid aggravate the mood. On the other hand, when prosperity is high—and this time is the most dangerous to peace—there comes a sense of mastery of the environment.43 Blainey is describing here a collective national mood. This general feeling of optimism and confidence colors the judgment of both political leaders and common people.44 Blainey believes such a feeling of optimism and mastery was evident on the eve of the Crimean War, the Franco-Prussian War, the Boer War, and others.45 Dexter Perkins finds the American experience fits this general pattern. He contends that belligerent, prowar feelings in the United States coincided with recoveries from economic downswings. The War of 1812 followed hard on the heels of a commercial upturn; the Mexican War occurred after the depression of 1837-1842; the Spanish-American War took place after the return to prosperity following the depression of 1893; World War I followed the economic decline of 1913-1914; and World War II took place during the recovery from the Great Depression of the 1930s.46

#### higher risk because of resource shortages and expectations

Mauer 86 – economist (Nathan, The Kondratieif Waves, p 197-8)

The overall trend of the economy shapes perceptions as to its strength and direction. In a hull market, "experts" are almost uniformly optimistic; in a bear market the owlish analysts almost universally suggest caution. **It is during the upward swings**, soon after a trough and just before a peak, **that wars become more likely**. It should be rioted that peak wars are the result of a different kind of socioeconomic psychological pressure and have quite different economic results than trough wars. Nations become socially and politically unsettled after a long period of boom and expansion, perhaps because **in their final stages, peoples' expectations begin to outrun actual growth in the general level of prosperity. War** then **becomes the ultimate destination**. In as much as **all nations are attempting to expand simultaneously, the intense competition for resources and markets leads eventually to military confrontations, which become contagious**. One explanation suggested is that **during trough wars the public is still largely concerned with** private considerations and **their own wellbeing**. They tend to be less interested in international disputes, world crusades, or campaigns involving large investment of cash, effort, and the nervous energy needed to pursue projects to a conclusion. **Trough wars tend to be short**. They are more a matter of choice and sudden decision by the stronger power. Inasmuch as **peak wars are the result of frustration of expectations** {usually with economic elements), **peak wars tend to be more desperate, more widespread, and more destructive**.

#### Economic growth breeds war- empirically proven

Goldstein 87

(Joshua S, Poli- Sci @ MIT *, Journal of Conflict Resolution,* Vol 31, No 4, Dec. 1987, http://www.jstor.org/stable/174156 , P. 591- 92)

Why should an upturn in economic growth lead, about a decade later, to an upturn in great power war? My answer is based on the cost of wars. The biggest wars occur only when the core countries can afford them, which is after a sustained period of economic growth (Farrar, 1977; Vayrynen, 1983). When treasuries are full, countries will be able to wage big wars; when they are empty, countries will not wage such wars.21 Thus, when the growth of production accelerates, the war-supporting capacity of the system increases, and bigger wars ensue. Throughout history, wars have cost money. In preindustrial times, most European wars were fought by mercenaries hired by monarchs. A favorite phrase in this era was "money is the nerves of war." If the mercenaries were not paid, they would not fight-or, worse, they would turn on their masters. Braudel (1972) describes fifteenth- to seventeenthcentury European wars as moving in surges-the economy recovered from one war and was in turn drained by the next.22

#### Any war goes nuclear

Goldstein, 85

(Joshua, International studies quarterly, v29, n4, p411-444, “Kondratieff Waves as War Cycles,” jstor)

First, the incidence of great power war is declining-more and more 'peace' years separate the great power wars. Second, and related, the great power wars are becoming shorter. Third, however, those wars are becoming more severe-annual fatalities during war increasing more than a hundred- fold over the five centuries. Fourth (and more tentatively), the war cycle may be gradually lengthening in each successive era, from about 40 years in the first era to about 60 years in the third. The presence of nuclear weapons has continued these trends in great power war from the past five centuries-any great power wars in this era will likely be fewer, shorter and much more deadly.

#### Turns their impacts

#### Independently decline is key to solving extinction level-warming

Li 11

[Minqi Li, Assistant Professor of Economics at Utah, “The 21st Century Crisis: Climate Catastrophe or Socialism,” Review of Radical Political Economics 43:3, 8-23-11, p.289-301, Sage Journals \\wyo-bb]

The global average surface temperature is now about 0.8°C (0.8 degrees Celsius) higher than in pre-industrial times. Under the current trend, the world is on track towards a long-term warming between 4°C and 8°C. At this level of global warming, the world would be in an extreme greenhouse state not seen for almost 100 million years, devastating human civilization and destroying nearly all forms of life on Earth (Conner and McCarthy 2009). The scientific community has reached consensus that the current global warming results from the excessive accumulation in the atmosphere of carbon dioxide (CO2 ) and other greenhouse gases (such as methane and nitrous oxide) emitted by human economic activities. 1 The capitalist historical epoch has been characterized by the explosive growth of material production and consumption. The massive expansion of the world economy has been powered by fossil fuels (coal, oil, and natural gas). Since 1820, the world economy has expanded by about seventy times and the world emissions of carbon dioxide from fossil fuels burning have increased by about sixty times (see Figure 1). At the United Nations Conference on Climate Change concluded in Copenhagen in December 2009, the world’s governments officially committed to the objective of limiting global warming to no more than 2°C. However, according to the “Climate Action Tracker,” despite the official statement, the national governments’ current pledges regarding emission reduction in fact imply a warming of at least 3°C by the end of the 21st century with more warming to come in the following centuries (Climate Action Tracker 2010). In reality, all the major national governments are committed to infinite economic growth and none of them is willing to consider any emission reduction policy that could undermine economic growth. This is not simply because of intellectual ignorance or lack of political will. The pursuit of endless accumulation of capital (and infinite economic growth) is derived from the basic laws of motion of the capitalist economic system. Without fundamental social transformation, human civilization is now on the path to self-destruction. The next section (section 2) reviews the basic scientific facts concerning the climate change crisis. Without an end to economic growth, it is virtually impossible for meaningful climate stabilization to be achieved (section 3). However, both capitalist enterprises and states are constantly driven to expand production and consumption. The system of nation states effectively rules out a meaningful global political solution to the climate change crisis (section 4). The climate change crisis is but one of several long-term historical trends that are now leading to the structural crisis of capitalism (section 5). The resolution of the crisis and the survival of humanity require the building of a fundamentally different social system that is based on social ownership of the means of production and society-wide planning (section 6).

#### Growth turns democracy makes them in to authoritarian in response to poverty upheaval

Deudney 91

Hewlett Fellow in Science, Technology, and Society at the Center for Energy and Environmental Studies, Princeton (Daniel, Bulletin of the Atomic Scientists, Ebsco)

Poverty wars. In a second scenario, declining living standards first cause internal turmoil, then war. If groups at all levels of affluence protect their standard of living by pushing deprivation on other groups, class war and revolutionary upheavals could result. Faced with these pressures, liberal democracy and free market systems could increasingly be replaced by authoritarian systems capable of maintaining minimum order. If authoritarian regimes are more war-prone because they lack democratic control, and if revolutionary regimes are war-prone because of their ideological fervor and isolation, then the world is likely to become more violent. The record of previous depressions supports the proposition that widespread economic stagnation and unmet economic expectations contribute to international conflict. Although initially compelling, this scenario has major flaws. One is that it is arguably based on unsound economic theory. Wealth is formed not so much by the availability of cheap natural resources as by capital formation through savings and more efficient production. Many resource-poor countries, like Japan, are very wealthy, while many countries with more extensive resources are poor. Environmental constraints require an end to economic growth based on growing use of raw materials, but not necessarily an end to growth in the production of goods and services. In addition, economic decline does not necessarily produce conflict. How societies respond to economic decline may largely depend upon the rate at which such declines occur. And as people get poorer, they may become less willing to spend scarce resources for military forces. As Bernard Brodie observed about the modern era, “The predisposing factors to military aggression are full bellies, not empty ones.” The experience of economic depressions over the last two centuries may be irrelevant, because such depressions were characterized by under-utilized production capacity and falling resource prices. In the 1930's, increased military spending stimulated economies, but if economic growth is retarded by environmental constraints, military spending will exacerbate the problem.

#### Chinese economic growth endangers US heg

O'Connell 6

(Meghan, Research Associate at the Rudd Center for Food Policy and Obesity at Yale University, “China Threatens To Rival American Power Status,” United Press International, June 22, http://www.spacewar.com/reports/China\_Threatens\_To\_Rival\_American\_Power\_Status.html)

But the gap between America's dominance and China's power seems to be lessening. The debate is no longer about whether China has the military strength to pose a threat, but what to do about it, said Daniel Blumenthal, commissioner of the U.S.-China Economic and Security Review Commission. "China is probably the only country in the world that can compete with the United States militarily and actually pose a challenge to its hegemony," Blumenthal said, pointing to what he called a serious peacetime military buildup by China over the last 10 years. The United States has been shoring up its alliances around the region, he continued, with countries such as Japan, India, Vietnam and Mongolia all concerned about what China's military rise means. Because of the nation's military expansion, intervention should China attack Taiwan can no longer be accomplished at a low cost, said Randall Schriver, former deputy assistant secretary of state for East Asian and Pacific affairs. And though China has been bulking up its military presence along borders near Taiwan, Schriver said that the nation's vision extends far beyond the small island to regional and global contingencies. "The game is on in Asia, and the United States has to be engaged," Schriver said, emphasizing the growing global importance of Asia. According to the National Intelligence Council, Schriver said, by 2020, Asia will hold 56 percent of the world's population, six of the 10 largest militaries, three of the four largest economies, and six of the 10 largest energy consumers. By contrast, Schriver added, the NIC expects the population of the Middle East to compose only 4 percent of the world's total in 2020. "The whole center of gravity of the earth and human existence is moving to Asia," Schriver said, explaining that the United States needs a policy that will develop relations with the rest of Asia while confronting China. You get Asia right by getting China right and you get China right by getting Asia right, Schriver said. Yet in an age of globalization, any moves by China or the United States would have grand influence in areas beyond the military. "Economic setbacks and crises of confidence could slow China's emergence as a full-scale great power," the National Intelligence Council wrote in its 2020 Project report on global trends for the future. "Beijing's failure to maintain its economic growth would itself have a global impact."

#### No terrorism impact- she read defense

#### GROWTH MAKES TERRORISM INEVITABLE

Cronin 3

Senior Associate at the Oxford Leverhulme Programme on the Changing Character of War(Audrey Kurth, “Behind the Curve: Globalization and International Terrorism”, Project MUSE)

The objectives of international terrorism have also changed as a result of globalization. Foreign intrusions and growing awareness of shrinking global space have created incentives to use the ideal asymmetrical weapon, terrorism, for more ambitious purposes. The political incentives to attack major targets such as the United States with powerful weapons have greatly increased. The perceived corruption of indigenous customs, religions, languages, economies, and so on are blamed on an international system often unconsciously molded by American behavior. The accompanying distortions in local communities as a result of exposure to the global marketplace of goods and ideas are increasingly blamed on U.S.- sponsored modernization and those who support it. The advancement of technology, however, is not the driving force behind the terrorist threat to the United States and its allies, despite what some have assumed. Instead, at the heart of this threat are frustrated populations and international movements that are increasingly inclined to lash out against U.S.-led globalization. As Christopher Coker observes, globalization is reducing tendencies toward instrumental violence (i.e., violence between states and even between communities), but it is enhancing incentives for expressive violence (or violence that is ritualistic, symbolic, and communicative). The new international terrorism is [End Page 51] increasingly engendered by a need to assert identity or meaning against forces of homogeneity, especially on the part of cultures that are threatened by, or left behind by, the secular future that Western-led globalization brings. According to a report recently published by the United Nations Development Programme, the region of greatest deficit in measures of human development—the Arab world—is also the heart of the most threatening religiously inspired terrorism. Much more work needs to be done on the significance of this correlation, but increasingly sources of political discontent are arising from disenfranchised areas in the Arab world that feel left behind by the promise of globalization and its assurances of broader freedom, prosperity, and access to knowledge. The results are dashed expectations, heightened resentment of the perceived U.S.-led hegemonic system, and a shift of focus away from more proximate targets within the region. Of course, the motivations behind this threat should not be oversimplified: Anti-American terrorism is spurred in part by a desire to change U.S. policy in the Middle East and Persian Gulf regions as well as by growing antipathy in the developing world vis-à-vis the forces of globalization. It is also crucial to distinguish between the motivations of leaders such as Osama bin Laden and their followers. The former seem to be more driven by calculated strategic decisions to shift the locus of attack away from repressive indigenous governments to the more attractive and media-rich target of the United States. The latter appear to be more driven by religious concepts cleverly distorted to arouse anger and passion in societies full of pent-up frustration. To some degree, terrorism is directed against the United States because of its engagement and policies in various regions. Anti-Americanism is closely related to antiglobalization, because (intentionally or not) the primary driver of the powerful forces resulting in globalization is the United States. Analyzing terrorism as something separate from globalization is misleading and potentially dangerous. Indeed globalization and terrorism are intricately intertwined forces characterizing international security in the twenty-first century. The main question is whether terrorism will succeed in disrupting the [End Page 52] promise of improved livelihoods for millions of people on Earth. Globalization is not an inevitable, linear development, and it can be disrupted by such unconventional means as international terrorism. Conversely, modern international terrorism is especially dangerous because of the power that it potentially derives from globalization—whether through access to CBNR weapons, global media outreach, or a diverse network of financial and information resources.

#### Cooperation, smoperation- Greed will destroy cooperation, governments already focusing on hoarding

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[JUSTIN LAHART, PATRICK BARTA and ANDREW BATSON, All WSJ writers, qualifcations is in who they are quoting, “New Limits to Growth Revive Malthusian Fears”, March 24, 2008, http://online.wsj.com/article/SB120613138379155707.html, \\wyo-bb]

One danger is that governments, rather than searching for global solutions to resource constraints, will concentrate on grabbing share. China has been funding development in Africa, a move some U.S. officials see as a way for it to gain access to timber, oil and other resources. India, once a staunch supporter of the democracy movement in military-run Myanmar, has inked trade agreements with the natural-resource rich country. The U.S., European Union, Russia and China are all vying for the favor of natural-gas-abundant countries in politically unstable Central Asia. Competition for resources can get ugly. A record drought in the Southeast intensified a dispute between Alabama, Georgia and Florida over water from a federal reservoir outside Atlanta. A long-running fight over rights to the Cauvery River between the Indian states of Karnataka and Tamil Nadu led to 25 deaths in 1991. Economists Edward Miguel of the University of California at Berkeley and Shanker Satyanath and Ernest Sergenti of New York University have found that declines in rainfall are associated with civil conflict in sub-Saharan Africa. Sierra Leone, for example, which saw a sharp drop in rainfall in 1990, plunged into civil war in 1991.