# Georgia Round 5 v Emory LK

## 1NC

### Agamben

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

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

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

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

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

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

#### The Alternative is to reject the 1AC and imagine Whatever Being--Any point of rejection of the sovereign state creates a non-state world made up of whatever life – that involves imagining a political body that is outside the sphere of sovereignty in that it defies traditional attempts to maintain a social identity

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

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

### Kaldor

#### The affirmatives political methodology for addressing conflict is founded in stereotypes of fear, producing inaccurate scholarship. Their methodology will inherently pit anyone who is not with us, against us.

Kaldor 13, Mary Kaldor, professor of Global Governance at the London School of Economics and Director of the Civil Society and Human Security Research Unit, “In Defence of New Wars,” March 7, 2013, Stability, 2(1): 4, pp. 1-16, <http://www.stabilityjournal.org/article/download/sta.at/40%E2%80%8E>

The most common criticism of the ‘new wars’ argument is that new wars are not new. It is argued that the Cold War clouded our ability to analyse ‘small wars’ or ‘low-intensity wars’, that many of the characteristics of new wars associated with weak states can be found in the early modern period and that phenomena like banditry, mass rape, forced population displacement, or atrocities against civilians all have a long history. Of course this is true. Many of the features of new wars can be found in earlier wars. Of course the dominance of the East-West conflict obscured other types of conflict. But there is an important reason, which is neglected by the preoccupation with empirical claims, for insisting on the adjective ‘new’. Critics of the ‘new wars’ thesis often concede that what is useful about the analysis of ‘new wars’ is the policy implication of the argument. But this is precisely the point. The term ‘new’ is a way to exclude ‘old’ assumptions about the nature of war and to provide the basis for a novel research methodology. The aim of describing the conflicts of the 1990’s as ‘new’ is to change the way scholars investigate these conflicts and thus to change the way policy-makers and policy- shapers perceive these conflicts. Dominant understandings of these conflicts that under pin policy are of two kinds. On the one hand, there is a tendency to impose a stereotyped version of war, drawn from the experience of the last two centuries in Europe, in which war consists of a conflict between two warring parties, generally states or proto-states with legitimate interests, what I call ‘Old Wars’. This term refers to a stylised form of war rather than to all earlier wars. In such wars, the solution is either negotiation or victory by one side and outside intervention takes the form of either traditional peace, keeping in which the peace-keepers are supposed to guarantee a negotiated agreement and the ruling principles are consent, neutrality and impartiality - or traditional war-fighting on one side or the other, as in Korea or the Gulf War. On the other hand, where policy-makers recognise the short comings of the stereotypical understanding, there is a tendency to treat these wars as anarchy, barbarism, ancient rivalries, where the best policy response is containment, i.e. protecting the borders of the West from this malady. The use of the term ‘new’ is a way of demonstrating that neither of these approaches are appropriate, that these are wars with their own logic but a logic that is different from ‘old wars’ and which therefore dictates a very different research strategy and a different policy response. In other words, the ‘new wars’ thesis is both about the changing character of organised violence and about developing a way of understanding, interpreting and explaining the interrelated characteristics of such violence. As Jacob Mundy (2011) puts it, in one of the more thoughtful contributions to the debate: ‘Whether we choose to reject, embrace or reformulate concepts such as.... new wars, our justifications should not be based on claims of alleged coherence with particular representations of history Rather such concepts should be judged in terms of their ability to address the very phenomena they seek to ameliorate’. Even so, it can be argued that there are some genuinely new elements of contemporary conflicts. Indeed, it would be odd if there were not. The main new elements have to do with globalisation and technology. First of all, the increase in the destructiveness and accuracy of all forms of military technology has made symmetrical war, war between similarly armed opponents, increasingly destructive and therefore difficult to win. The first Gulf war between Iraq and Iran was perhaps the most recent example of symmetrical war a war, much like the First World War, that lasted for years and killed millions of young men, for almost no political result. Hence, tactics in the new wars necessarily have to deal with this reality. Secondly, new forms of communications (information technology, television and radio, cheap air travel) have had a range of implications. Even though most contemporary conflicts are very local, global connections are much more extensive, including criminal networks, Diaspora links, as well as the presence of international agencies, NGOS, and journalists. The ability to mobilise around both exclusivist causes and human rights causes has been speeded up by new communications. Communications are also increasingly a tool of war, making it easier, for example, to spread fear and panic than in earlier periods hence, spectacular acts of terrorism. This does not mean, as Berdal (2011) suggests, that the argument implies that all contemporary wars involve global connections or that those connections are necessarily regressive. Rather, it is an element in theorising the logic of new wars. Thirdly, even though it may be the case that, as globalisation theorists argue, globalisation has not led to the demise of the state but rather its transformation, it is important to delineate the different ways in which states are changing. Perhaps the most important aspect of state transformation is the changing role of the state in relation to organised violence. On the one hand, the monopoly of violence is eroded from above, as some states are increasingly embedded in a set of international rules and institutions. On the other hand, the monopoly of violence is eroded from below as other states become weaker under the impact of globalisation. There is, it can be argued, a big difference between the sort of privatised wars that characterised the pre-modern period and the ‘new wars’ which come after the modern period and are about disintegration. These new elements are not the reason for the adjective ‘new’, however, even though they may help to explain the evolution of new wars. The point of the adjective ‘new’ does not have to do with any particular feature of contemporary conflicts nor how well it resembles our assumptions about reality, but rather it has to do with the model of war and how the model I spell out is different from the prevailing models that underpin both policy and scholarship. It is a model that entails a specific political, economic and military logic.

#### Recreation of these stereotypes entrenches the existing power structure ensuring globalized war and structural violence

Kaldor 99, Mary Kaldor, professor of Global Governance a the London School of Economics and Director of the Civil Society and Human Security Research Unit, New & Old Wars, 1999, Stanford University Press, pg 110-111

The new wars have political goals. The aim is political mobilization on the basis of identity. The military strategy for achieving this aim is population displacement and destabilization so as to get rid of those whose identity is different and to foment hatred and fear. Nevertheless, this divisive and exclusive form of politics cannot be disentangled from its economic basis. The various political/military factions plunder the assets of ordinary people as well as the remnants of the state and cream off external assist ance destined for the victims, in a way that is only possible in conditions of war or near war. In other words, war provides a legitimation for various criminal forms of private aggrandizement while at the same time these are necessary sources of revenue in order to sustain the war. The warring parties need more or less permanent conflict both to reproduce their positions of power and for access to resources. While this predatory set of social relationships is most prevalent in the war zones, it aLso characterizes the surrounding regions. Because participation in the war is relatively low (in Bosnia, only 6.5 per cent of the population took part directly in the pros ecution of the war) the difference between zones of war and apparent zones of peace are not nearly as marked as in earlier periods. Just as it is difficult to distinguish between the political and the economic, public and private, military and civil, so it is increasingly difficult to distinguish between war and peace. The new war economy could be represented as a continuum, starting with the combination of criminality and racism to be found in the inner cities of Europe and North America and reaching its most acute manifestation in the areas where the scale of violence is greatest. If violence and predation are to be found in what are considered zones of peace, so it is possible to find islands of civility in nearly all the war zones. They are much less known about than the war zones, because it is violence and criminalitý and not normality that is generally reported. But there are regions where local state apparatuses continue to function, where taxes arc raised, services are provided and some production is maintained. There are groups who defend humanistic values and refuse the politics of particularism. The town of Tuzia in Bosnia— Herzegovina represents one celebrated example. The self-defence units created in Southern Rwanda arc another example. In isolation, these islands of civility are difficult to preserve, squeezed by the polarization of violence, but the very fragmentary and decentralized character of the new type of warfare makes such examples possible. Precisely because the new wars are a social condition that arises as the formal political economy withers, they are very difficult to end. Diplomatic negotiations from above fail to take into account the underlying social relations; they treat the various factions as though they were protostates. Temporary ceaselires or truces may merely legitimize new agreements or partnerships that, for the moment, suit the various factions. Peacekeeping troops sent in to monitor ceasefires which reflect the status quo may help to maintain a division of territory and to prevent the return of refugees. Economic reconstruction channelled through existing ‘political authorities’ may merely provide new sources of revenue as local assets dry up. As long as the power relations remain the same, sooner or later the violence will start again. Fear, hatred and predation are riot recipes for long-term viable polities. Indeed, this type of war economy is perennially on the edge of exhaustion. This does not mean, however, that they will disappear of their own accord. There has to be some alternative. In the next chapter, I will consider the possibilities for such an alternative; in particular, how islands of civility might offer a counterlogic to the new warfare.

#### The alternative is to reject the 1AC and their outdated conceptions of sovereignty and war to interrupt the cycle of acting and alter our scholarship and military logic to embrace a reformist cosmopolitan ethic.

Kaldor 05, Mary Kaldor, professor of Global Governance at the London School of Economics and Director of the Civil Society and Human Security Research Unit, “Old Wars, Cold Wars, New Wars, and the War on Terror,” International Politics, 42.4, December 2005, pg 497-498

By analysing New War in terms of social relations of warfare, we come up with a very different approach about how to deal with these type of conflicts and indeed, how to deal with terrorism in general. I don't want to suggest that terrorism is not a serious threat. On the contrary, I think it is too serious to be hijacked by fantasies of Old War. Actually, I felt the same way about Communism; nuclear weapons, in my view, prevented us from adopting a serious strategy for undermining communism; this was only possible in a détente context. I think World War II really did mark the end of Old Wars. Wars of this type are impossible; they are simply too destructive to be fought and have become unacceptable and, indeed, illegitimate. The 8-year war between Iraq and Iran was probably the exception that proved the rule. It was immensely destructive and led to a military stalemate and, at least on the Iraqi side, far from consolidating the state, it was the beginning of state disintegration, the slide into new war.New Wars deliberately violate all the conventions of Old War, as well as the new body of human rights legislation that has been built up since World War II. The key to dealing with New Wars has to be the reconstruction of political legitimacy. If Old Wars established a notion of political legitimacy in terms of the friend-enemy distinction, in New Wars the friend-enemy distinction destroys political legitimacy. So, political legitimacy can only be reconstructed on the basis of popular consent and within a framework of international law. It means supporting efforts of democratization in difficult situations or using various international tools and law to support such processes.Is there a role for military force? Yes, I believe military force has to be used to protect people and uphold the rule of law. I favour humanitarian intervention in cases of threatened humanitarian catastrophes. But that can't be done through classic war fighting. I don't have time to discuss this, but I do think that one can envisage new defensive uses of forces aimed at prevention, protection and stabilization rather than victory.Carl Schmitt would argue that there can be no political community without enemies, and that, where force is used in the name of humanity, the adversary is no longer an enemy but an outlaw, a disturber of the peace. If he is right, the future is very grim, a pervasive global New War is possible. But if we believe political communities can be held together by reason rather than fear, then there is an alternative possibility, a transformation of statehood, in which states are no longer intrinsically linked to warfare and operate within a multilateral framework. And as for the argument about humanity, we could turn it on its head. If we dub the terrorists as enemies, we give them political status; indeed, this may be what they are trying to achieve. I think it is quite a good idea to see them as outlaws and disturbers of the peace, and to use the methods of policing and intelligence rather than Old War.To conclude, what I have tried to show is that attempts to recreate Old War prevent us from dealing with the realities of today's globalized world. Indeed ideas of Old War feed into and exacerbate real New Wars taking place in Iraq and elsewhere. I call them 'new' not because they are altogether new but because we can only develop alternative strategies if we see how different they are from World War II, the Cold War or the War on Terror. I think there is a huge security gap in the world today. Millions of people live in daily fear of violence. Yet, our conceptions of security, drawn from the dominant experience of World War II, does not reduce that insecurity. Indeed, it makes it worse.

### 1NC Solvency

#### The aff’s legal approach only serves to normalize the state of exception – by creating a legal framework for the deployment of offensive cyberoperations, the affirmative legitimizes their ‘legal’ military use

Gregory 11. Derek Gregory, professor of geography at the University of British Columbia, “The Everywhere War,” he Geographical Journal, Vol. 177, No. 3, September 2011, pg. 246

The question is a good one, but it needs to be directed outwards as well as inwards. For the United States is also developing an offensive capacity in cyberspace, and the mission of CYBERCOM includes the requirement ‘to prepare to, and when directed conduct, full-spectrum military cyberspace opera- tions in order to enable actions in all domains’. This is a programmatic statement, and there are difficult con- ceptual, technical and operational issues to be resolved. The concept of the ‘cyber kill-chain’ has already made its appearance: software engineers at Lockheed Martin have identified seven phases or ‘border-crossings’ in cyberspace through which all advanced persistent intrusions must pass so that, con- versely, blocking an attack at any one of them (dislo- cating any link in the kill-chain) makes it possible ‘to turn asymmetric battle to the defender’s advantage’ (Croom 2011; Holcomb and Shrewsbury 2011). The issues involved are also ethical and legal. Debate has been joined about what constitutes an armed attack in cyberspace and how this might be legally codified (Dipert 2010; Nakashima 2010), and most of all about how to incorporate the protection of civilians into the conduct of cyber warfare. In the ‘borderless realm of cyberspace’ Hughes (2010, 536) notes that the boundary between military and civilian assets – and hence military and civilian targets – becomes blurred, which places still more pressure on the already stressed laws of armed conflict that impose a vital distinction between the two (Kelsey 2008). Pre- paring for offensive operations includes developing a pre-emptive precision-strike capacity, and this is – precisely – why Stuxnet is so suggestive and why Shakarian (2011) sees it as inaugurating ‘a revolution in military affairs in the virtual realm’. Far from ‘carpet bombing’ cyberspace, Gross (2011) describes Stuxnet as a ‘self-directed stealth drone’ that, like the Predator and the Reaper, is ‘the new face of twenty- first century warfare’. Cyber wars will be secret affairs, he predicts, waged by technicians ‘none of whom would ever have to look an enemy in the eye. For people whose lives are connected to the targets, the results could be as catastrophic as a bombing raid but would be even more disorienting. People would suffer, but [they] would never be certain whom to blame.’

Contrapuntal geographies

I have argued elsewhere that the American way of war has changed since 9/11, though not uniquely because of it (Gregory 2010), and there are crucial continuities as well as differences between the Bush and Obama administrations: ‘The man who many considered the peace candidate in the last election was transformed into the war president’ (Carter 2011, 4). This requires a careful telling, and I do not mean to reduce the three studies I have sketched here to a single interpretative narrative. Yet there are connections between them as well as contradictions, and I have indicated some of these en route. Others have noted them too. Pakistan’s President has remarked that the war in Afghanistan has grave consequences for his country ‘just as the Mexican drug war on US borders makes a difference to American society’, and one scholar has suggested that the United States draws legal authority to conduct military operations across the border from Afghanistan (including the killing of bin Laden, codenamed ‘Geronimo’) from its history of extra-territorial opera- tions against non-state actors in Mexico in the 1870s and 1880s (including the capture of the real Geronimo) (Margolies 2011). Whatever one makes of this, one of the most persistent threads connecting all three cases is the question of legality, which runs like a red ribbon throughout the prosecution of late modern war. On one side, commentators claim that new wars in the global South are ‘non-political’, intrinsically predatory criminal enterprises, that cartels are morphing into insurgencies, and that the origins of cyber warfare lie in the dark networks of cyber crime; on the other side, the United States places a premium on the rule and role of law in its new counterinsurgency doctrine, accentuates the involvement of legal advisers in targeting decisions by the USAF and the CIA, and even as it refuses to confirm its UAV strikes in Pakistan provides arguments for their legality.

The invocation of legality works to marginalise ethics and politics by making available a seemingly neutral, objective language: disagreement and debate then become purely technical issues that involve matters of opinion, certainly, but not values. The appeal to legality – and to the quasi-judicial process it invokes – thus helps to authorise a widespread and widening militarisation of our world. While I think it is both premature and excessive to see this as a transformation from governmentality to ‘militariality’ (Marzec 2009), I do believe that Foucault’s (2003) injunction – ‘Society must be defended’ – has been transformed into an unconditional imperative since 9/11 and that this involves an intensifying triangulation of the planet by legality, security and war. We might remember that biopolitics, one of the central projects of late modern war, requires a legal armature to authorise its interven- tions, and that necropolitics is not always outside the law. This triangulation has become such a common- place and provides such an established base-line for contemporary politics that I am reminded of an inter- view with Zizek soon after 9/11 – which for him marked the last war of the twentieth century – when he predicted that the ‘new wars’ of the twenty-first century would be distinguished by a radical uncertainty: ‘it will not even be clear whether it is a war or not’ (Deich- mann et al. 2002).

### 1NC Preemption

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

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

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

#### No great power draw-in

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

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

#### No US-China war

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

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

### 1NC China

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

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

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

## 2NC

### \*\*\*Kaldor

### A2 security good

#### Security threats are only used as a justification for militarism and violent exclusion – no impact turn.

Nayar 99 Copyright (c) 1999 Transnational Law & Contemporary Problems Transnational Law & Contemporary Problems Fall, 1999 9 Transnat'l L. & Contemp. Probs. 599. “SYMPOSIUM: RE-FRAMING INTERNATIONAL LAW FOR THE 21ST CENTURY: Orders of Inhumanity” Jayan Nayar (Ph. D from the University of Cambridge, Professor of International Development Law and Human Rights and the University of Warwick) cylab.info/u/JQ/texts/Nayar-\_Orders\_of\_Inhumanity.doc

"Security" is another bulwark of the "new world-order." This is not surprising, for "development" requires the creation of conditions that facilitate its implementation and that ensure the obedience, if not the subservience, of those to be "developed." Security, as a motive for ordering, has been a useful distraction for this purpose, as is demonstrated by its transformation from a precept of coexistence to a common cause of globalization. From its very conception, the current framework of international order, constructed through the United Nations Charter, had as its fundamental rationale the creation of conditions of security. Born out of the expressed aspirations of the Atlantic Charter n26 amid the early phases of the Second World War, the postwar UN Charter begins with words that were intended to resonate generations down the line: "We the Peoples of the United Nations Determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind. . . ." n27 [\*613] With these visions of an order freed from the madness of states in conflict, there was created a basis for collective responsibility in the preservation of peace--the collective security regime under the supervision of the Security Council, and particularly, its "Permanent Members," as stipulated in Chapter VII of the UN Charter. n28 Many further refinements to these high ideals have since been made as the post-UN Charter world-order evolves. With the end of formal colonialism, attention was transferred in the 1960s and 1970s to the perceived importance of elaborating on principles of non-aggression and non-intervention. The 1980s and 1990s have seen a reversal of enthusiasms, however, as interest is being increasingly expressed, especially within "Western" states, for a more "collective" undertaking of responsibility in matters of security. This includes the forwarding of arguments in favor of "humanitarian intervention" in cases of "internal" conflicts. n29 These trends in the changing outlook on "security" and its relationship to "sovereignty" have continued, and have recently resulted in the formation of a permanent International Criminal Court to bring to justice perpetrators of "genocide," "war crimes" and "crimes against humanity." n30 Ever so gradually, it seems, the "new world-order" is moving away from the statist pillars of sovereignty and domestic jurisdiction to a globalist notion of collective rights and responsibilities. Yet, as the following two observations on the nature of the global "security" landscape demonstrate, the realities of ordering that have flowed from reiterations of the commitment to non-violence have failed to establish a legacy of security for the majority of the global population: The period since 1945 may be regarded as a long peace only in the restricted sense that there has been no war between major powers. In other respects, and for much of the world, it has been a period of frequent wars. . . . By one estimate, between 1945 and 1989 there were 138 wars, resulting in some 23 million deaths. . . . All 138 wars were fought in the Third World, and many were fuelled by weapons provided by the two major powers [the United States and the Soviet Union] or their allies. n31 The twentieth-century is a period of history which, in the words of anthropologist Marvin Harris, has seen "a war to end all wars followed by a war to make the world safe for [\*614] democracy, followed by a world full of military dictatorships." We were then promised a New World-order as the reward for agreeing to the Gulf War, as the end of the Cold War gave way to a seemingly endless series of intra-state wars which the international community is unwilling or unable to bring to order. n32 Once again, from the perspective of the ordered, the order of security has proved to be the ideological weapon for the systematic infliction of violence. It is not so much the order of security that is of interest here, but rather, the ordering which takes place in its guise. And with the passing of history, so has the legitimizing claim for the necessity of violent ordering for "security" purposes--fascism, colonialism, communism, capitalism (depending on the ideological orientation of the claimant), terrorism (particularly of the Islamic bent). There is always an enemy, sometimes internal, sometimes external, threatening the well-being of the people. The languages of nationalism and sovereignty, of peace and collective security, constructed to suit whichever threat happens to be in fashion, are passionately employed; the anarchy that is a Hobbesian state of nature is always the prophesied consequence of the lack of order that is impending. And the price that the "ordered" has to pay for all this "security" in the post-colonial, new world-order?: the freedom of those who order to be violent! From a "nationalist" standpoint, the rhetoric would insist that the security of the state is paramount, all else flowing from it. By this perspective, the state, that prize which was (re)gained from the colonial epoch, that jewel to be protected by the international order of "collective security," becomes the expression of the dignity of the "people," no questions asked. n33 From the anti-colonial struggle, from independence, the reasoning flows naturally, it seems, that the State is to be preserved from any challenge. The police, the military, and the secret service, purportedly given sight and hearing by the eyes and the ears of "the people," are the trophies of "independence." Overnight, the term "freedom fighter" is banished from the vocabulary of the state, the notion of the "terrorist" becomes its replacement. Overnight, the revolution is terminated, with "counter-revolution" becoming [\*615] the label for any attempt to challenge the new status quo. Overnight, supposedly, the basic structures for freedom from violence are achieved--the condition of "security" that must be preserved is attained. Of course, the post-colonial state could not construct this security alone. In the spirit of the new "co-operation," where security is a global concern, the contribution by the "international community," providing the basic instruments of and training for security, proves essential. n34 From this "internationalist," arguably now, global, perspective, this "freedom to be violent" is a selective freedom, however. In some cases--in Turkey, Mexico, Burma, and until recently, in Indonesia, for example--the preserve of the state to "secure" its jurisdictional space is maintained, even encouraged, if not supported. In others--Kosovo and Iraq, for example--this "freedom to be violent" is denounced with the force of righteousness that automatically flows from the labeling of actions as "genocide," "crimes against humanity," "ethnic cleansing," or "holocaust." Most other cases, however, remain largely outside of global vision--Angola, Sierra Leone, Tibet, and Liberia being examples--where the sensitivities of morality are little disturbed by the apparent inconsequentiality of the deaths, pain and fear, the insecurity, of those sectors of humanity. Why this discrepancy in the international community's moral judgment on violence and "insecurity"? It may be that no "development" stakes presently exist for the international community with regard to the fate of these nameless, faceless wretches; they are so deemed unworthy of a starring role in the real-life dramas of prime-time television. Media hype and its feeding of the fixation of the arm-chair audience who are the ratings-figures that inform the corporate media of "newsworthiness" notwithstanding, the reality of insecurity is that it is a localized experience. No amount of editorial juxtapositioning of "shots" of suffering is able to capture fear and pain. "Insecurity" is beyond "order;" it either exists as an experiential reality or it does not. And where it does exist, it exists as a result of relationships of violence. Issues of complicity here warrant little air-time. Less compelling are revelations that distant suffering is not often the result of depravities "out there," but rather, the outcome of "securities" enforced on [\*616] "our" behalf. In this respect, I wonder for whom projections of order are (re)articulated at timely intervals. Is it for the secure who need reassurance to dissuade the suspicions within their conscience, or for the insecure whose very bodies and minds are the material "subjects" and objects of the very real effects of the ordering that is violence?

#### Globalization and collective security are inevitable, but our method and justification for how we should engage those strcutures is founded in our scholarship. Alt is a prerequisite and any risk of a link means you vote neg.

Kaldor 99, Mary Kaldor, professor of Global Governance a the London School of Economics and Director of the Civil Society and Human Security Research Unit, New & Old Wars, 1999, Stanford University Press, pg 123-124

The failure to take seriously alternative sources of power displays a myopia about the character of power and the relationship between power and violence. An effective response to the new wars has to be based on an alliance between international organizations and local advocates of cosmopolitanism in order to reconstruct legitimacy. A strategy of winning hearts and minds needs to identify with individuals and groups respected for their integrity. They have to be supported, and their advice, proposals, recommendations need to be taken seriously. There is no standard formula for a cosmopolitan response; the point is rather that, in each local situation, there has to be a process involving these individuals and groups through which a strategy is developed. The various components of international involvement — the use of troops, the role of negotiation, funds for reconstruction — need to be worked out jointly. This argument also has implications for the way in which political pressure from the above is exerted on political and military leaders to reach agreement or to consent to peacekeeping forces. Typical methods include the threat of air strikes or economic sanctions, which have the consequence of identifying the leaders with the population instead of isolating them, treating them as representative of ‘sides’, as legitimate leaders of states or proto-states. Such methods can easily be counterproductive, alienating the local population and narrowing the possibilities of pressure below. There may be circumstances in which these methods are an appropriate strategy and others where more targeted approaches may be more effective — arraigning the leaders as war criminals so that they Cannot travel, exempting Cultural communication so as to support civil society, for example. The point is that local cosmopolitans can provide the best advice on what is the best approach; they need to be consulted and treated as partners.

### 2NC – Framework GENERAL

#### Third, HOLD THEM ACCOUNTABLE TO THE 1AC. They replicate heteronormative and hyperracialzed power structures that ensures intervention in the name of violent world order. Rejecting their scholarship requires you to vote neg.

Patricia Hill Collins 90 (Patricia Hill, Distinguished University Professor of Sociology at the University of Maryland, College Park, Former head of the Department of African American Studies at the University of Cincinnati, and the past President of the American Sociological Association Council, Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment, p. 62-65)

A second component of the ethic of caring concerns the appropriateness of emotions in dialogues. Emotion indicates that a speaker believes in the validity of an argument. Consider Ntozake Shange’s description of one of the goals of her work: "Our [Western] society allows people to be absolutely neurotic and totally out of touch with their feelings and everyone else’s feelings, and yet be very respectable. This, to me, is a travesty I’m trying to change the idea of seeing emotions and intellect as distinct faculties." The Black women’s blues tradition’s history of personal expressiveness heals this either/or dichotomous rift separating emotion and intellect. For example, in her rendition of "Strange Fruit," Billie Holiday’s lyrics blend seamlessly with the emotion of her delivery to render a trenchant social commentary on southern lynching. Without emotion, Aretha Franklin’s cry for "respect" would be virtually meaningless. A third component of the ethic of caring involves developing the capacity for empathy. Harriet Jones, a 16-year-old Black woman, explains to her interviewer why she chose to open up to him: "Some things in my life are so hard for me to bear, and it makes me feel better to know that you feel sorry about those things and would change them if you could." Without her belief in his empathy, she found it difficult to talk. Black women writers often explore the growth of empathy as part of an ethic of caring. For example, the growing respect that the Black slave woman Dessa and the white woman Rufel gain for one another in Sherley Anne William’s Dessa Rose stems from their increased understanding of each other’s positions. After watching Rufel fight off the advances of a white man, Dessa lay awake thinking: "The white woman was subject to the same ravishment as me; this the thought that kept me awake. I hadn’t knowed white mens could use a white woman like that, just take her by force same as they could with us." As a result of her newfound empathy, Dessa observed, "it was like we had a secret between us." These components of the ethic of caring: the value placed on individual expressiveness, the appropriateness of emotions, and the capacity for empathy-pervade African-American culture. One of the best examples of the interactive nature of the importance of dialogue and the ethic of caring in assessing knowledge claims occurs in the use of the call-and-response discourse mode in traditional Black church services. In such services both the minister and the congregation routinely use voice rhythm and vocal inflection to convey meaning. The sound of what is being said is just as important as the words themselves in what is, in a sense, a dialogue of reason and emotion. As a result it is nearly impossible to filter out the strictly linguistic-cognitive abstract meaning from the sociocultural psychoemotive meaning. While the ideas presented by a speaker must have validity (i.e., agree with the general body of knowledge shared by the Black congregation), the group also appraises the way knowledge claims are presented. There is growing evidence that the ethic of caring may be part of women’s experience as well. Certain dimensions of women’s ways of knowing bear striking resemblance to Afrocentric expressions of the ethic of caring. Belenky et al. point out that two contrasting epistemological orientations characterize knowing: one an epistemology of separation based on impersonal procedures for establishing truth and the other, an epistemology of connection in which truth emerges through care. While these ways of knowing are not gender specific, disproportionate numbers of women rely on connected knowing. The emphasis placed on expressiveness and emotion in African-American communities bears marked resemblance to feminist perspectives on the importance of personality in connected knowing. Separate knowers try to subtract the personality of an individual from his or her ideas because they see personality as biasing those ideas. In contrast, connected knowers see personality as adding to an individual’s ideas and feel that the personality of each group member enriches a group’s understanding. The significance of individual uniqueness, personal expressiveness, and empathy in African-American communities thus resembles the importance that some feminist analyses place on women’s "inner voice." The convergence of Afrocentric and feminist values in the ethic of caring seems particularly acute. White women may have access to a women’s tradition valuing emotion and expressiveness, but few Eurocentric institutions except the family validate this way of knowing. In contrast, Black women have long had the support of the Black church, an institution with deep roots in the African past and a philosophy that accepts and encourages expressiveness and an ethic of caring. Black men share in this Afrocentric tradition. But they must resolve the contradictions that confront them in searching for Afrocentric models of masculinity in the face of abstract, unemotional notions of masculinity imposed on them. The differences among race/gender groups thus hinge on differences in their access to institutional supports valuing one type of knowing over another. Although Black women may be denigrated within white-male-controlled academic institutions, other institutions, such as Black families and churches, which encourage the expression of Black female power, seem to do so, in part, by way of their support for an Afrocentric feminist epistemology. The Ethic of Personal Accountability An ethic of personal accountability is the final dimension of an alternative epistemology. Not only must individuals develop their knowledge claims through dialogue and present them in a style proving their concern for their ideas, but people are expected to be accountable for their knowledge claims.

### A2 Reps =/= war

#### Mobilization using security logic creates a self-fulfilling prophecy

**- Bilgin ‘5** (Pinar Bilgin, Prof. of IR @ Bilkent Univ, ‘5 [Regional Security in The Middle East, p. 203-6]

First, it was argued only by thinking and writing about the future that one could raise actors' awareness as to 'threats to the future', what future outcomes may result, and what needs to be done in order to prevent them. Second, the chapter suggested that, **as knowledge about the future both shapes and constrains practices, thereby helping constitute the future, an uncritical adoption of existing knowledge produced by prevailing discourses** - **those that have been complicit in perpetuating regional insecurity in the Middle East could in itself be construed as a 'threat to the future'**. Indeed, given the conception of theory adopted by students of critical approaches to security (that theory is constitutive of the 'reality' it seeks to explain) it is vital that its proponents do not limit their thinking to 'desired' futures, **but also criticise existing knowledge about the future that informs actors' practices in an often unthinking manner**.

### \*\*\*Agamben

### 2NC – Framework

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

Pugliese, 13 -- Macquarie University Cultural Studies professor

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

A constitutively incomplete scholarship: redactions, foreclosures, fragments

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

### A2 perm

#### b) Their accidents and miscalc args frames Western nations as rational actors, but actors in the East inherently become dangerous to them.

#### Gusterson ’99 (Gusterson, Hugh,”Nuclear Weapons and the Other in Western Imagination” Cultural Anthropology, 14.1 Feb 1999 http://www.jstor.org/stable/656531 Aug 17/2009, p.120-21)NAR

The discourse on proliferation assumes that the superpowers' massive interlocking arsenals of highly accurate MIRVed missiles deployed on hair-trigger alert and designed with first-strike capability backed by global satellite capability was stable and that the small, crude arsenals of new nuclear nations would be unstable, but one could quite plausibly argue the reverse. Indeed, as mentioned above, by the 1980s a number of analysts in the West were concerned that the MIRVing of missiles and the accuracy of new guidance systems were generating increasing pressure to strike first in a crisis. Although the strategic logic might be a little different, they saw temptations to preempt at the high end of the nuclear social system as well as at the low end (Aldridge 1983; Gray and Payne 1980; Scheer 1982). There were also concerns (explored in more detail below) that the complex computerized early-warning systems with which each superpower protected its weapons were generating false alarms that might lead to accidental war (Blair 1993; Sagan 1993). Thus one could argue-as former Secretary of Defense Robert McNamara (1986) and a number of others have-that deterrence between the United States and Russia would be safer and more stable if each side replaced their current massive strategic arsenals with a small force of about one hundred nuclear weapons-about the size India's nu-clear stockpile is believed to be, as it happens. Further, Bruce Blair (Blair, Feiveson, and von Hippel 1997), a former missile control officer turned strategic analyst, and Stansfield Turner (1997), a former CIA director, have suggested that the readiness posture of American and Russian nuclear forces makes them an accident waiting to happen. The United States and Russia, they argue, would be safer if they stored their warheads separate from their delivery vehicles-as, it so happens, India and Pakistan do.1" In the words of Scott Sagan, a political scientist and former Pentagon official concerned about U.S. nuclear weapons safety, The United States should not try to make new nuclear nations become like the superpowers during the Cold War, with large arsenals ready to launch at a moment's notice for the sake of deterrence, instead, for the sake of safety, the United States and Russia should try to become more like some of the nascent nuclear states, maintaining very small nuclear capabilities, with weapons components separated and located apart from the delivers systems, and with civilian organizations controlling the warheads. [Sagan 1995:90-91 ]12 Given, as I have shown, that the crisis stability of large nuclear arsenals can also be questioned and that it is not immediately self-evident why the leader of, say, India today should feel any more confident that he would not lose a city or two in a preemptive strike on Pakistan than his U.S. counterpart would in attacking Russia, I want to suggest that an argument that appears on the surface to be about numbers and configurations of weapons is really, when one looks more closely, about the psychology and culture of people. Put simply, the dominant discourse assumes that leaders in the Third World make decisions differently than their counterparts in the West: that they are more likely to take risks, gambling millions of lives, or to make rash and irresponsible calculations.

#### C) International law is incapable of resisting imperialism- justifies US actions while leaving the most powerful in charge

Smith, 9 -- Internationalist Socialist Review editorial board member

[Ashley, "Humanitarian imperialism and its apologists," International Socialist Review, Issue 67, Sept 2009, isreview.org/issue/67/humanitarian-imperialism-and-its-apologists, accessed 9-8-13, mss]

Bricmont’s book is a good brief polemic, but he is too apologetic about the betrayals of Stalinism and failures of Third World nationalist governments. For an adequate reconstruction of the left, which is one of his stated goals, we must simultaneously oppose imperialism and criticize Stalinism and nationalist dictatorships as oppressive barriers to the transformation of our world. He also exaggerates the ability of the left to use the UN or international law to resist U.S. imperialism. China Miéville’s book Between Equal Rights is an important corrective to this widespread belief in international law as a means to prevent war and oppression of subject nations. Miéville is an award-winning novelist as well as a Marxist theorist of international law. Miéville argues that international law is the product of imperialism and is actually a vehicle for the dominance of the biggest powers, not a means for progressive opposition. Drawing on the Bolshevik legal theorist Evgeny Pashukanis, Miéville contends that generalized commodity exchange under capitalism gave birth to law in its distinctive modern form. Whether between workers and bosses for wage labor or between a buyer and a seller of a product or service, commodity exchange takes place as a contract between legally equal individuals. Thus the legal contract, law, has emerged as the ubiquitous social relation between individuals as well as nation-states in the international system. Coercion, Miéville shows, is intrinsic to this commodity form of law. He writes, “violence—coercion—is at the heart of commodity form, and thus the contract. For a commodity meaningfully to be ‘mine-not-yours’—which is, after all, central to the fact that it is a commodity to be exchange—some forceful capabilities are implied. If there were nothing to defend its ‘mine-ness,’ there would be nothing to stop it becoming ‘yours,’ and then it would no longer be a commodity, as I would not be exchanging it. Coercion is implicit.” Moreover, legal equality masks actual inequality. In the world system, advanced capitalist powers and oppressed nations are not in fact equal. So in a legal contest over the interpretation of, say, the legality of a war, the nation with the greatest power is more likely to win its interpretation over those with less power. To encapsulate the point, Miéville quotes Marx’s observation that between equal rights, force decides. This is particularly so in international law, since there is no sovereign state to oversee and enforce legal rulings as in domestic law. As a result, the interpretation and policing of international law comes down to the capitalist nation-states themselves. As Miéville writes, “this is why international law is a paradoxical form. It is simultaneously a genuine relation between equals and a form that the weaker states cannot hope to win.” Appeals to international law are, therefore, completely incapable of resisting imperialism. For example, International Court of Justice (ICJ) courts ruled that the United States violated Nicaragua’s sovereignty by supporting the Contras and mining the country’s harbors. But the United States ignored the ruling, argued that it was out of the ICJ’s jurisdiction, overrode a Security Council resolution that would have enforced the ruling, and never made any restitution. As Miéville points out, “from the left, one might argue that this evidences that the U.S. has the power to flout law with impunity; alternatively, that the U.S.’s interpretation was the one made actual and that this illustrates the imperial actuality of international law. Either way, out of an apparent legal triumph for progressives, the international legal system is undermined as a site for activism.” Importantly, Miéville argues that we have not entered a new phase of imperialism in which the so-called international community is using international law to undo national sovereignty. He points out that imperialism and its international law, while predicated on sovereign property-owning states, always built in qualifications of sovereignty so that powers could legally intervene in other states. The United States and other powers are using political humanitarianism and various international institutions as ideological justification and tools for traditional inter-imperial conflicts and to intervene in weaker nations.

#### 4.) Masking disad –

Gregory McNeal 08, Visiting Assistant Professor of Law, Pennsylvania State University Dickinson School of Law. The author previously served as an academic consultant to the former Chief Prosecutor, Department of Defense Office of Military Commissions, “ARTICLE: BEYOND GUANTANAMO, OBSTACLES AND OPTIONS,” August 08, 103 Nw. U. L. Rev. Colloquy 29

3. Executive Forum-Discretion--Any reform which allows for adjudication of guilt in different forums, each with differing procedural protections, raises serious questions of legitimacy and also incentivizes the Executive to use "lesser" forms of justice--nonprosecution or prosecutions by military commission. In this section, my focus is on the incentives which compel the Executive to not prosecute, or to prosecute in military commissions rather than Article III courts. Understanding the reason for these discretionary decisions will guide reformers pondering whether a new system will actually be used by the next President.¶ There are two primary concerns that executive actors face when selecting a forum: protecting intelligence and ensuring trial outcomes. Executive forum-discretion is a different form of prosecutorial discretion with a different balancing inquiry from the one engaged in by courts. Where prosecutorial discretion largely deals with the charges a defendant will face, executive forum-discretion impacts the procedural protections a defendant can expect at both the pretrial and trial phase. Where balancing by Courts largely focuses on ensuring a just outcome which protects rights, the balancing engaged in by executive actors has inwardly directed objectives [\*50] which value rights only to the degree they impact the Executive's self interest.¶ Given the unique implications flowing from forum determinations, reformers can benefit from understanding why an executive actor chooses one trial forum over another. I contend that there are seven predictive factors that influence executive discretion; national security court reformers should be aware of at least the two most salient predictive factors: trial outcomes and protection of intelligence equities. n112 The Executive's balancing of factors yields outcomes with direct implications for fundamental notions of due process and substantial justice. Any proposed reform is incomplete without thoroughly addressing the factors that the Executive balances.

#### 6.) Authority disad –

Jack Goldsmith 09, a professor at Harvard Law School and a member of the Hoover Institution Task Force on National Security and Law, assistant attorney general in the Bush administration, 5/31/09, “The Shell Game on Detainees and Interrogation,” <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/29/AR2009052902989.html>

The cat-and-mouse game does not end there. As detentions at Bagram and traditional renditions have come under increasing legal and political scrutiny, the Bush and Obama administrations have relied more on other tactics. They have secured foreign intelligence services to do all the work -- capture, incarceration and interrogation -- for all but the highest-level detainees. And they have increasingly employed targeted killings, a tactic that eliminates the need to interrogate or incarcerate terrorists but at the cost of killing or maiming suspected terrorists and innocent civilians alike without notice or due process.¶ There are at least two problems with this general approach to incapacitating terrorists. First, it is not ideal for security. Sometimes it would be more useful for the United States to capture and interrogate a terrorist (if possible) than to kill him with a Predator drone. Often the United States could get better information if it, rather than another country, detained and interrogated a terrorist suspect. Detentions at Guantanamo are more secure than detentions in Bagram or in third countries.¶ The second problem is that terrorist suspects often end up in less favorable places. Detainees in Bagram have fewer rights than prisoners at Guantanamo, and many in Middle East and South Asian prisons have fewer yet. Likewise, most detainees would rather be in one of these detention facilities than be killed by a Predator drone. We congratulate ourselves when we raise legal standards for detainees, but in many respects all we are really doing is driving the terrorist incapacitation problem out of sight, to a place where terrorist suspects are treated worse.¶ It is tempting to say that we should end this pattern and raise standards everywhere. Perhaps we should extend habeas corpus globally, eliminate targeted killing and cease cooperating with intelligence services from countries that have poor human rights records. This sentiment, however, is unrealistic. The imperative to stop the terrorists is not going away. The government will find and exploit legal loopholes to ensure it can keep up our defenses.¶ This approach to detention policy reflects a sharp disjunction between the public's view of the terrorist threat and the government's. After nearly eight years without a follow-up attack, the public (or at least an influential sliver) is growing doubtful about the threat of terrorism and skeptical about using the lower-than-normal standards of wartime justice.¶ The government, however, sees the terrorist threat every day and is under enormous pressure to keep the country safe. When one of its approaches to terrorist incapacitation becomes too costly legally or politically, it shifts to others that raise fewer legal and political problems. This doesn't increase our safety or help the terrorists. But it does make us feel better about ourselves.

#### 7.) Only confronting issues of sovereignty allows us to break free of the circular political practies that entrench militarism

Wadiwel 02 (Dinesh Joesph, completing a doctorate at the University of Western Sydney, 2K2, “Cows and Sovereignty: Biopower and Animal Life” Borderlands E-Journal Vol. 1 # 2 <http://www.borderlandsejournal.adelaide.edu.au/vol1no2_2002/wadiwel_cows.html>)

Such a political program has far reaching consequences, both for Western sovereignty, and the way that the business of politics is conducted. The living population of the earth has inherited a vision of sovereign power, which has spread cancerously into even the most seemingly inaccessible aspects of everyday life. This vision commands all, claims legitimacy for all, and determines the conduct of living for all within its domain. Politics ‘as we know it’ is caught inextricably in the web of sovereign power, in such a way that it seems that modern political debate cannot help but circulate around the same, routine issues: *"What is the appropriate legislative response?"; "Is it within the State’s powers to intervene in this particular conflict?";* "How can we ensure the citizen’s rights are maintained in the face of the state?"*.* To challenge such an encompassing and peremptory political discourse — where every question implies the sovereign absolutely, and every decision made refers to life itself — would require the most intensive rethinking of the way in which territory, governance and economy are imagined. In this sense, whilst Agamben’s analysis of bare life, and Foucault’s theory of bio-power, provide a means by which to assess the condition of non-human life with respect to sovereign power, the political project must reach beyond these terms, and embrace an intertwining of the human and the non-human: an intersection which may be found in the animal life shared by both entities.

### 2NC – Alt

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

Zeeze, 13 -- JD, Occupy Washington DC organizer

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

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

#### The alternative is the only effective means of breaking down militarism – even the military acknowledges that it cannot continue its violence without public support.

Taylor, 9 (Diana, Professor of Performance Studies and Spanish @ NYU, “Afterword: War Play,” *PMLA*, October, p. 1886-1895)

And war seeps back into aesthetic frameworks.¶ Avant-garde¶ is originally a military¶ term, meaning the advanced guard of an¶ army. Rendition referred to surrender before¶ it meant performance. Now rendition¶ is synonymous with dark sites and criminal¶ warfare. The blurring of boundaries between¶ militarism and play, and between scenarios¶ and the real, allows the performance of¶ power to reach very different audiences. The¶ media ensure that militarism reaches their¶ own theater of operations—public opinion.¶ Counterinsurgency, the 2006 field manual¶ (FM3‑24) put out by the United States Army and Marine Corps, makes it clear in the first¶ paragraph of the introduction: enemies of the United States cannot confront its military with conventional weapons; the military is too powerful. So “they try to exhaust U.S. national will, aiming to win by undermining and outlasting public support. Defeating such¶ enemies presents a huge challenge” (ix). The “decisive battle,” as one commentator put it,¶ “may take place, not in the streets of Baghdad, but in the living rooms of America.”11 We, the imagined audience, are the target; our resolve is the weak link.12

### A2: Case Outweighs

#### There’s also a value to life impact – that’s an a priori issue – this logic allows the government to view certain bodies as disposable - creates priming that psychologically structures escalation

Agamben, 00 (Giorgio, translated by Vincenzo Binetti and Cesare Casarino, “Means without ends,” published in 2000, pg 61-3)

The concepts of sovereignty and of constituent power, which are at the core of our political tradition, have to be abandoned or, at least, to be thought all over again. They mark, in fact, the point of indifference between right and violence, nature and logos, proper and improper, and as such they do not designate an attribute or an organ of the juridical system or of the state; they designate, rather, their own original structure. Sovereignty is the idea of an undecidable nexus between violence and right, between the living and language-a nexus that necessarily takes the paradoxical form of a decision regarding the state of exception (Schmitt) or ban (Nancy) in which the law (language) relates to the living by withdrawing from it, by abandoning it to its own violence and its own irrelatedness. Sacred life the life that is presupposed and abandoned by the law in the state of exception-is the mute carrier of sovereignty, the real sovereign subject. Sovereignty, therefore, is the guardian who prevents the undecidable threshold between violence and right, nature and language, from coming to light. We have to fix our gaze, instead, precisely on what the statue of justice (which, as Montesquieu reminds us, was to be veiled at the very moment of the proclamation of the state of exception) was not supposed to see, namely, what nowadays is apparent to everybody: that the state of exception is the rule, that naked life is immediately the carrier of the sovereign nexus, and that, as such, it is today abandoned to a kind of violence that is all the more effective for being anonymous and quotidian. If there is today a social power [potenza], it must see its own impotence [impotenza] through to the end, it must decline any will to either posit or preserve right, it must break everywhere the nexus between violence and right, between the living and language that constitutes sovereignty. While the state in decline lets its empty shell survive everywhere as a pure structure of sovereignty and domination, society as a whole is instead irrevocably delivered to the form of consumer society, that is, a society in which the sole goal of production is comfortable living. The theorists of political sovereignty, such as Schmitt, see in all this the surest sign of the end of politics. And the planetary masses of consumers, in fact, do not seem to foreshadow any new figure of the polis (even when they do not simply relapse into the old ethnic and religious ideals). However, the problem that the new politics is facing is precisely this: is it possible to have a political community that is ordered exclusively for the full enjoyment of wordly life? But, if we look closer, isn't this precisely the goal of philosophy? And when modern political thought was born with Marsilius of Padua, wasn't it defined precisely by the recovery to political ends of the Averroist concepts of "sufficient life" and "well-living"? Once again Walter Benjamin, in the "TheologicoPolitical Fragment," leaves no doubts regarding the fact that "The order of the profane should be erected on the idea of happiness."! The definition of the concept of "happy life" remains one of the essential tasks of the coming thought (and this should be achieved in such a way that this concept is not kept separate from ontology, because: "being: we have no experience of it other than living itself"). The "happy life" on which political philosophy should be founded thus cannot be either the naked life that sovereignty posits as a presupposition so as to turn it into its own subject or the impenetrable extraneity of science and of modern biopolitics that everybody today tries in vain to sacralize. This "happy life" should be, rather, an absolutely profane "sufficient life" that has reached the perfection of its own power and of its own communicability-a life over which sovereignty and right no longer have any hold.

#### Third, representations of war as an event bypass ethics--only viewing war in the everyday can foster an ethical approach to subverting all systems of oppression

Cuomo 96 (CHRIS J. is assistant professor of philosophy and women's studies at the University of Cincinnati. She teachescourses in ethics, feminist philosophy, social and political philosophy, environmental ethics, and lesbian and gay studies, fall [“War is not just an event: reflections on the significance of everyday violence,” Hypatia, v11.n4, pp30(16)]

Peach rightly identifies the pessimism, sexism, essentialism, and universalism at work in just-war theorists' conceptions of human nature. Nonetheless, she fails to see that just-war theorists employ ossified concepts of both "human nature" and "war." **Any interrogation of the relationships between war and "human nature,"** or more benignly,understandings and enactments of what it means to be diverse human agents in various contexts**, will be terribly limited insofar as they consider wars to be isolated events. Questions concerning the relationships between war and "human nature" become far more complex if we reject a conception of war** **that focuses only on events,** and abandon any pretense of arriving at universalist conceptions of human or female "nature." Feminist **ethical questions about war are not reducible to wondering how to avoid large-scale military conflict despite human tendencies toward violence. Instead, the central questions concern the omnipresence of militarism, the possibilities of making its presence visible, and the potential for resistance to its physical and hegemonic force**. Like **"solutions"** to the preponderance of violence perpetrated by men against women **that fail to analyze and articulate relationships between everyday violence and institutionalized or invisible systems of patriarchal, racist, and economic oppression, analyses that characterize eruptions of military violence as isolated, persistent events, are practically and theoretically insufficient.**

#### Fourth, if we win the thesis of the kritik they have no offense – The system is destroying itself now, making the only appropriate question whether to reform it or let it die—all the system is capable of is the inflicting of death and doing nothing

Prozorov 10. Sergei Prozorov, professor of political and economic studies at the University of Helsinki, “Why Giorgio Agamben is an optimist,” Philosophy Social Criticism 2010 36: pg. 1065

In a later work, Agamben generalizes this logic and transforms it into a basic ethical imperative of his work: ‘[There] is often nothing reprehensible about the individual behavior in itself, and it can, indeed, express a liberatory intent. What is disgraceful – both politically and morally – are the apparatuses which have diverted it from their possible use. We must always wrest from the apparatuses – from all apparatuses – the possibility of use that they have captured.’32 As we shall discuss in the following section, this is to be achieved by a subtraction of ourselves from these apparatuses, which leaves them in a jammed, inoperative state. What is crucial at this point is that the apparatuses of nihilism themselves prepare their demise by emptying out all positive content of the forms-of-life they govern and increasingly running on ‘empty’, capable only of (inflict- ing) Death or (doing) Nothing.¶

On the other hand, this degradation of the apparatuses illuminates the ‘inoperosity’ (worklessness) of the human condition, whose originary status Agamben has affirmed from his earliest works onwards.33 By rendering void all historical forms-of-life, nihi- lism brings to light the absence of work that characterizes human existence, which, as irreducibly potential, logically presupposes the lack of any destiny, vocation, or task that it must be subjected to: ‘Politics is that which corresponds to the essential inoperability of humankind, to the radical being-without-work of human communities. There is pol- itics because human beings are argos-beings that cannot be defined by any proper oper- ation, that is, beings of pure potentiality that no identity or vocation can possibly exhaust.’34¶ Having been concealed for centuries by religion or ideology, this originary inoperos- ity is fully unveiled in the contemporary crisis, in which it is manifest in the inoperative character of the biopolitical apparatuses themselves, which succeed only in capturing the sheer existence of their subjects without being capable of transforming it into a positive form-of-life:¶ [T]oday, it is clear for anyone who is not in absolutely bad faith that there are no longer historical tasks that can be taken on by, or even simply assigned to, men. It was evident start- ing with the end of the First World War that the European nation-states were no longer capa- ble of taking on historical tasks and that peoples themselves were bound to disappear.35¶ Agamben’s metaphor for this condition is bankruptcy: ‘One of the few things that can be¶ declared with certainty is that all the peoples of Europe (and, perhaps, all the peoples of the Earth) have gone bankrupt’.36 Thus, the destructive nihilistic drive of the biopolitical machine and the capitalist spectacle has itself done all the work of emptying out positive forms-of-life, identities and vocations, leaving humanity in the state of destitution that Agamben famously terms ‘bare life’. Yet, this bare life, whose essence is entirely con- tained in its existence, is precisely what conditions the emergence of the subject of the coming politics: ‘this biopolitical body that is bare life must itself be transformed into the site for the constitution and installation of a form-of-life that is wholly exhausted in bare life and a bios that is only its own zoe.’37¶ The ‘happy’ form-of-life, a ‘life that cannot be segregated from its form’, is nothing but bare life that has reappropriated itself as its own form and for this reason is no longer separated between the (degraded) bios of the apparatuses and the (endangered) zoe that functions as their foundation.38 Thus, what the nihilistic self-destruction of the appara- tuses of biopolitics leaves as its residue turns out to be the entire content of a new form-of-life. Bare life, which is, as we recall, ‘nothing reprehensible’ aside from its con- finement within the apparatuses, is reappropriated as a ‘whatever singularity’, a being that is only its manner of being, its own ‘thus’.39 It is the dwelling of humanity in this irreducibly potential ‘whatever being’ that makes possible the emergence of a generic non-exclusive community without presuppositions, in which Agamben finds the possi- bility of a happy life.¶ [If] instead of continuing to search for a proper identity in the already improper and sense- less form of individuality, humans were to succeed in belonging to this impropriety as such, in making of the proper being-thus not an identity and individual property but a singularity without identity, a common and absolutely exposed singularity, then they would for the first time enter into a community without presuppositions and without subjects.40¶ Thus, rather than seek to reform the apparatuses, we should simply leave them to their self-destruction and only try to reclaim the bare life that they feed on. This is to be achieved by the practice of subtraction that we address in the following section.

### A2 experts good

#### Expertism isn’t objective – you can’t trust their evidence – It’s incorporated within dominant ways of knowing that crowd out alternative explanations and solutions for policy problems

**Scrase and Ockwell 10** (J. Ivan - Sussex Energy Group, SPRU (Science and Technology Policy Research), Freeman Centre, University of Sussex, David G - Tyndall Centre for Climate Change Research, SPRU, Freeman Centre, University of Sussex, “The role of discourse and linguistic framing effects in sustaining high carbon energy policy—An accessible introduction,” Energy Policy: Volume 38, Issue 5, May 2010, Pages 2225–2233)

All too often, however, the subjective roles of specialist knowledge, ideas, values, beliefs, and **underlying interests** are **ignored in policy discussions**. As [Adams et al. (2003, p.1915)](http://www.sciencedirect.com/science/article/pii/S0301421509009471#bib1) put it: ‘…policy debates are often **flawed** because of the **assumption** that the **actors involved share an understanding of the problem that is being discussed**. They tend to ignore the fact that the assumptions, knowledge, and understandings that **underlie** the definition of [policy] problems are frequently uncertain and contested.’ In this way the ideas of certain actors are often **dismissed** as they fail to fit with **dominant ways of expressing knowledge claims within institutional contexts**. For example, in the aftermath of Chernobyl, Cumbrian sheep farmers’ knowledge about the physical properties of the soil in the Lake District was ignored by government scientists. This led to an ill-informed and ineffective policy response, while creating antagonism and fostering distrust of officials and experts ([Wynne, 1996](http://www.sciencedirect.com/science/article/pii/S0301421509009471#bib34)). Recognising the ways in which values, beliefs and ideas are shaped and drawn upon in the construction of policy problems and solutions makes it possible to reach a better understanding of the policy process. It is an arena that involves the interplay of different and often competing ‘knowledge claims’ of various actors. Sometimes these conflicts are between the different types of knowledge (‘knowledges’) of lay or local actors and those of experts, but they can equally constitute contests within local or specialist communities.

## 1NR

### China

#### No risk of a military conflict – it’ll never reach that level of hostilities

Moss 4/19/13 (Trefor, Independent Journalist for the Diplomat, "Is Cyber war the New Cold War")

Cyberspace is anarchic, and incidents there span a hazy spectrum from acts of protest and criminality all the way to invasions of state sovereignty and deliberate acts of destruction. Cyber attacks that might be considered acts of war have so far been rare. It is certainly hard to characterise the rivalry between China and the U.S. as it stands as cyber warfare, argues Adam Segal, a senior fellow at the Council on Foreign Relations. “I tend to stay away from the term ‘cyber war’ since we have seen no physical destruction and no deaths,” he explains. Segal accepts that there is a conflict of sorts between China and the U.S. in cyberspace, though he says it is “likely to remain below a threshold that would provoke military conflict.”. While there is no internationally accepted categorization of different kinds of cyber activity (individual states have varying definitions), it is self-evident that some episodes are more serious than others. NATO’s Cooperative Cyber Defence Centre of Excellence (CCDCOE) – a unit based, not by accident, in Estonia, which experienced a massive cyber-attack [from Russia](http://news.bbc.co.uk/2/hi/europe/6665145.stm) in 2007 – distinguishes between “cyber crime,”“cyber espionage,” and “cyber warfare.”¶ China’s cyber operations, for all their notoriety, have essentially been acts of theft – either criminals attempting to extract privileged data, or incidents of state-sponsored espionage (some of which, admittedly, had national security implications, such as the [extraction of blueprints](http://www.theaustralian.com.au/news/world/security-experts-admit-china-stole-secret-fighter-jet-plans/story-fnb64oi6-1226296400154) for the F-35 Joint Strike Fighter). But these operations did not seek to cause any physical destruction, and so would be hard to interpret as acts of war. This may explain why the U.S. government has been quite tolerant of Chinese hacking until now, seeing it as an irritant rather than as anything more provocative.

### China

**High relations check - there evidence doesn’t assume Taiwan’s New President**

**AFP 9** (Agency France Presse, “China Offers Peace Talks With Taiwan,” 3-5, The Australian,

http://www.theaustralian.news.com.au/story/0,25197,25142947-2703,00.html)

Premier Wen Jiabao said today that **China was ready for talks on** political and military **issues with Taiwan, seeking to further a** rapprochement between the rivals. “In the coming year**, we will continue** to adhere to the principle of **developing cross-strait relations** and promoting peaceful reunification of the motherland,” Wen said at the start of the annual full session of parliament. “We are ... ready to hold talks on cross-strait political and military issues and create conditions for ending the state of hostility and concluding a peace agreement.” China usually refers to relations with Taiwan as “cross-strait”, referring to the narrow Taiwan Strait separating the island and the mainland. China and Taiwan have been governed separately since the end of a civil war in 1949, but Beijing considers the island part of its territory, insisting that reunification is only a question of time. Their relationship has long been considered one of Asia's potential war flashpoints, and both sides have engaged in an expensive military build-up in the event of a conflict. From 2000 to 2008, relations between China and Taiwan were particularly bad, as Beijing watched the island's independence-minded president Chen Shui-bian push for greater autonomy. **However relations have** **improved markedly** **since** the more China-friendly **Ma** Ying-jeou **became president of** **Taiwan** in May **last year**, highlighted by the introduction of direct regular flights between the two sides.

**Hostile relations are disappearing - our evidence cites momentum**

**Khaleej Times 9** (Khaleej Times, “China’s Olive Branch to Taiwan,” 3-7, http://www.khaleejtimes.com/Display ArticleNew.asp?xfile=data/editorial/2009/March/editorial\_March14.xml&section=editorial&col=)

China’s readiness to talk to Taiwan to end mutual hostilities is a welcome initiative made by the Prime Minister Wen Jiabo in his address to the National Peoples Congress.  As Beijing seeks a cessation of tensions with Taipei since a civil war between the Communist party and the Nationalists in 1949, the question remains how this could be achieved. Taiwan President Ma Ying-jeou since assuming office in May 2008 has demonstrated a remarkable departure in policy from his predecessor, Chen Shui-bian who had escalated hostilities by building defence relations with the United States and actively pursuing independence from China. Even though President Ying-jeou has managed to obviate hostilities to a large extent by opening economic channels that include direct flights, shipping and postal links with China, he remains cautious on political differences with Beijing. Under the One China policy that is interpreted differently by Beijing and Taipei, China includes the mainland, Hong Kong, Taiwan and Macau. Increased hostilities over the sovereignty issue had led to China positioning 1300 missiles towards Taiwan. Furthermore, an anti-secession law that was adopted by China in 2005 thus legalising non-peaceful means to protect China’s sovereignty and territory, is perceived to be specifically aimed at Taiwan and Tibet. However, **of late one discerns a** **lessening of hostilities across the Straits**, which can **be attributed to the conciliatory attitude of the new Taiwanese leadership and the robust economic relations that continue to flourish despite political tensions**. Since China is Taiwan’s largest trading partner and a primary destination for Taiwanese investors, it is only natural for Taiwan to seek better economic relations with China and vice versa. The economic measures that both China and Taiwan are looking at include the drafting of a comprehensive agreement on economic cooperation that is expected to pave the way for a Free trade agreement. It also entails gradual integration of banking and other financial services across the Taiwan Straits. China’s avowal of developing economic ties with Taiwan is expected to yield positive results for economic investors in Taiwan that has suffered a fall back during recession. **Both Beijing and Taipei are** testing waters **and trying to** **build mutual trust** before embarking on issues that pose a conflict of interests. This may be the reason why Wen chose not to elaborate  on Chinese President Hu Jintao’s recent suggestion about the need to improve communication on military issues with Taiwan. Even as Taiwanese president welcomed Wen’s support for economic talks, he stressed on the need to build trust before addressing political issues. The Chinese have in short offered an olive branch to Taiwan, and an opportunity to formally cease decades of hostility.

### Solvency

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

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

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

#### The president will circumvent the aff

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3. Executive Forum-Discretion--Any reform which allows for adjudication of guilt in different forums, each with differing procedural protections, raises serious questions of legitimacy and also incentivizes the Executive to use "lesser" forms of justice--nonprosecution or prosecutions by military commission. In this section, my focus is on the incentives which compel the Executive to not prosecute, or to prosecute in military commissions rather than Article III courts. Understanding the reason for these discretionary decisions will guide reformers pondering whether a new system will actually be used by the next President.¶ There are two primary concerns that executive actors face when selecting a forum: protecting intelligence and ensuring trial outcomes. Executive forum-discretion is a different form of prosecutorial discretion with a different balancing inquiry from the one engaged in by courts. Where prosecutorial discretion largely deals with the charges a defendant will face, executive forum-discretion impacts the procedural protections a defendant can expect at both the pretrial and trial phase. Where balancing by Courts largely focuses on ensuring a just outcome which protects rights, the balancing engaged in by executive actors has inwardly directed objectives [\*50] which value rights only to the degree they impact the Executive's self interest.¶ Given the unique implications flowing from forum determinations, reformers can benefit from understanding why an executive actor chooses one trial forum over another. I contend that there are seven predictive factors that influence executive discretion; national security court reformers should be aware of at least the two most salient predictive factors: trial outcomes and protection of intelligence equities. n112 The Executive's balancing of factors yields outcomes with direct implications for fundamental notions of due process and substantial justice. Any proposed reform is incomplete without thoroughly addressing the factors that the Executive balances.

### Preemption

#### Too many logical holes for this to be a real advantage – psychological bias means you should be skeptical of their risk calculus and default negative towards higher probability impacts.

Cavelty 12 (Myriam Dunn Cavelty is a faculty member of the Swiss Federal Institute of Technology Center for Security Studies, "The militarisation of cyber security as a source of global tension", http://www.academia.edu/1471717/The\_militarisation\_of\_cyber\_security\_as\_a\_source\_of\_global\_tension, Strategic Trends 2012)

There is no denying that different political,¶ economic, and military conflicts¶ have had cyber(ed) components¶ for a number of years now. Furthermore,¶ criminal and espionage activities¶ involving the use of computers happen¶ every day. It is a fact that cyber¶ incidents are continually causing¶ minor and only occasionally major¶ inconveniences: These may be in the¶ form of lost intellectual property or¶ other proprietary data, maintenance¶ and repair, lost revenue, and increased¶ security costs. Beyond the direct impact,¶ badly handled cyber attacks have¶ also damaged corporate (and government)¶ reputations and have, theoretically¶ at least, the potential to reduce¶ public confidence in the security of¶ Internet transactions and e-commerce¶ if they become more frequent.¶ However, in the entire history of¶ computer networks, there are no examples¶ of cyber attacks that resulted¶ in actual physical violence against¶ persons (nobody has ever died from¶ a cyber incident), and only very few¶ had a substantial effect on property¶ (Stuxnet being the most prominent).¶ So far, cyber attacks have not caused¶ serious long-term disruptions. They¶ are risks that can be dealt with by¶ individual entities using standard¶ information security measures, and¶ their overall costs remain low in comparison¶ to other risk categories such¶ as financial risks.¶ These facts tend to be almost completely¶ disregarded in policy circles.¶ There are several reasons why the¶ threat is overrated. First, as combating¶ cyber threats has become a highly¶ politicised issue, official statements¶ about the level of threat must also be¶ seen in the context of competition for¶ resources and influence between various¶ bureaucratic entities. This is usually¶ done by stating an urgent need¶ for action and describing the overall¶ threat as big and rising.¶ Second, psychological research has¶ shown that risk perception, including¶ the perception of experts, is highly¶ dependent on intuition and emotions.¶ Cyber risks, especially in their¶ more extreme form, fit the risk profile¶ of so-called ‘dread risks’, which are¶ perceived as catastrophic, fatal, unknown,¶ and basically uncontrollable.¶ There is a propensity to be disproportionally¶ afraid of these risks despite¶ their low probability, which translates¶ into pressure for regulatory action of¶ all sorts and the willingness to bear¶ high costs of uncertain benefit.¶ Third, the media distorts the threat¶ perception even further. There is no¶ hard data for the assumption that the¶ level of cyber risks is actually rising¶ – beyond the perception of impact¶ and fear. Some IT security companies¶ have recently warned against overemphasising¶ sophisticated attacks just¶ because we hear more about them.¶ In 2010, only about 3 per cent of all¶ incidents were considered so sophisticated¶ that they were impossible to¶ stop. The vast majority of attackers¶ go after low-hanging fruit, which are¶ small to medium sized enterprises¶ with bad defences. These types of¶ incidents tend to remain under the¶ radar of the media and even law enforcement.¶ Cyber war remains unlikely¶ Since the potentially devastating¶ effects of cyber attacks are so scary, the¶ temptation is very high not only to¶ think about worst-case scenarios, but¶ also to give them a lot of (often too¶ much) weight despite their very low¶ probability. However, most experts¶ agree that strategic cyber war remains¶ highly unlikely in the foreseeable¶ future, mainly due to the uncertain¶ results such a war would bring, the¶ lack of motivation on the part of the¶ possible combatants, and their shared¶ inability to defend against counterattacks.¶ Indeed, it is hard to see how¶ cyber attacks could ever become truly¶ effective for military purposes: It is¶ exceptionally difficult to take down¶ multiple, specific targets and keep¶ them down over time. The key difficulty¶ is proper reconnaissance and¶ targeting, as well as the need to deal¶ with a variety of diverse systems and¶ be ready for countermoves from your¶ adversary. ¶ Furthermore, nobody can be truly¶ interested in allowing the unfettered¶ proliferation and use of cyber war¶ tools, least of all the countries with¶ the offensive lead in this domain.¶ Quite to the contrary, strong arguments¶ can be made that the world’s¶ big powers have an overall strategic¶ interest in developing and accepting¶ internationally agreed norms on¶ cyber war, and in creating agreements¶ that might pertain to the¶ development, distribution, and deployment¶ of cyber weapons or to¶ their use (though the effectiveness of¶ such norms must remain doubtful).¶ The most obvious reason is that the¶ countries that are currently openly¶ discussing the use of cyber war tools¶ are precisely the ones that are the¶ most vulnerable to cyber warfare attacks¶ due to their high dependency¶ on information infrastructure. The¶ features of the emerging information¶ environment make it extremely¶ unlikely that any but the most limited¶ and tactically oriented instances¶ of computer attacks could be contained.¶ More likely, computer attacks¶ could ‘blow back’ through the¶ interdependencies that are such an¶ essential feature of the environment.¶ Even relatively harmless viruses and¶ worms would cause considerable¶ random disruption to businesses,¶ governments, and consumers. This¶ risk would most likely weigh much¶ heavier than the uncertain benefits to¶ be gained from cyber war activities.¶ Certainly, thinking about (and planning¶ for) worst-case scenarios is a¶ legitimate task of the national security¶ apparatus. Also, it seems almost¶ inevitable that until cyber war is¶ proven to be ineffective¶ or forbidden, states and¶ non-state actors who¶ have the ability to develop¶ cyber weapons will try to do¶ so, because they appear cost-effective,¶ more stealthy, and less risky than other¶ forms of armed conflict. However,¶ cyber war should not receive too much¶ attention at the expense of more plausible¶ and possible cyber problems.¶ Using too many resources for highimpact,¶ low-probability events – and¶ therefore having less resources for the¶ low to middle impact and high probability¶ events – does not make sense,¶ neither politically, nor strategically¶ and certainly not when applying a¶ cost-benefit logic.¶ Europe is not the US¶ The cyber security discourse is American¶ in origin and American in the¶ making: At all times, the US government¶ shaped both the threat perception¶ and the envisaged countermeasures.¶ Interestingly enough, there are¶ almost no variations to be found in¶ other countries’ cyber threat discussions¶ – even though the strategic¶ contexts differ fundamentally. Many¶ of the assumptions at the heart of¶ the cyber security debate are shaped¶ by the fears of a military and political¶ superpower. The US eyes the cyber¶ capabilities of its traditional rivals, the¶ rising power of China and the declining¶ power of Russia, with particular¶ suspicion. This follows¶ a conventional strategic¶ logic: The main¶ question is whether¶ the cyber dimension could suddenly¶ tip the scales of power against the US¶ or have a negative effect on its ability¶ to project power anywhere and anytime.¶ In addition, due to its exposure¶ in world politics and its military engagements,¶ the US is a prime target¶ for asymmetric attack.¶ The surely correct assumption that¶ modern societies and their armed forces¶ depend on the smooth functioning¶ of information and communication¶ technology does not automatically¶ mean that this dependence will be¶ exploited – particularly not for the majority¶ of states in Europe. The existence¶ of the cyber realm seems to lead people¶ to assume that because they have¶ vulnerabilities, they will be exploited.¶ But in security and defence matters,¶ careful threat assessments need to be¶ made. Such assessments require that¶ the following question be carefully¶ deliberated: ‘Who has an interest in¶ attacking us and the capability to do so,¶ and why would they?’ For many democratic¶ states, particularly in Europe, the¶ risk of outright war has moved far to¶ the background and the tasks of their¶ armies have been adapted to this. Fears¶ of asymmetric attacks also rank low.¶ The same logic applies to the cyber domain.¶ The risk of a warlike cyber attack¶ of severe proportions is minimal; there¶ is no plausible scenario for it. Cyber¶ crime and cyber espionage, both political¶ and economic, are a different story:¶ They are here now and will remain the¶ biggest cyber risks in the future.¶ The limits of analogies¶ Even if the cyber threat were to be¶ considered very high, the current¶ trend conjures up wrong images.¶ Analogies are very useful for relating¶ non-familiar concepts or complex ideas¶ with more simple and familiar ones.¶ But when taken too far, or even taken¶ for real, they begin to have detrimental¶ effects. Military terms like ‘cyber¶ weapons’, ‘cyber capabilities’, ‘cyber¶ offence’, ‘cyber defence’, and ‘cyber¶ deterrence’ suggest that cyberspace¶ can and should be handled as an operational¶ domain of warfare like land,¶ sea, air, and outer space (cyberspace¶ has in fact been officially recognised¶ as a new domain in US military doctrine).¶ Again, this assumption clashes¶ with the reality of the threat

### Cyber War – Defense Solves

#### Cyber-wars don’t escalate – redundancy in the system reduces the threat

Posner 11 (Gary Becker and Richard Posner, 8/7/11 The Becker-Posner Blog, "The Challenge of Cyber Warfare - Posner")

Although at present defense against cyber warfare is very difficult, and indeed seemingly ineffectual, a pooling of the civilized world’s computer expertise in an international effort to secure computer networks and databases against online espionage and (especially) sabotage, as well as to create redundancy in such networks and databases that would enable their essential functions to be maintained even after a large-scale cyber attack, would certainly be a worthwhile undertaking. There are indications of cooperation between the United States and close allies such as the United Kingdom and Israel. Let us hope that international cooperation in cyber defense is expanded and adequately financed.

#### Cyber-aggression doesn’t escalate- damage is contained

**Gartzke ’12** [Erik A. Gartzke, Associate Professor of Political Science at UC San Diego, PhD in International Relations from Iowa, “The Myth of Cyberwar,” <http://dss.ucsd.edu/~egartzke/papers/cyberwar_12062012.pdf>]

Beyond questions of means and motive, two basic features make cyber warfare different from other¶ types of conflict. First, the bulk of damage contemplated by cyberwar is in all likelihood temporary.¶ The assumption among many cyber-pessimists that the potential for creating harm is sufficient to¶ make cyber space a suitable substitute for, or at least an alternative to, terrestrial conflict is simply¶ incorrect. Shutting down the power grid, or preventing communication could be tremendously¶ costly, but most such damage can be corrected quickly and with comparatively modest investment¶ of tangible resources. Regardless, damage of this type is sunk. Losses experienced over a given time¶ interval cannot be recovered whatever one's reactions and so should not have much direct impact on subsequent policy behavior. Harm inflicted over the internet or through any other medium¶ will matter politically when it involves changes to the subsequent balance of power, or when it¶ indicates enemy capabilities that must be taken into account in future plans. Precisely because¶ cyberwar does not involve bombing cities or devastating armored columns, the damage inflicted¶ will have a short-term impact on targets.10 To accomplish meaningful objectives, cyber attacks¶ must contribute to other aspects of a more conventional war effort. In order to affect the long-term¶ balance-of-power, for instance, cyberwar must be joined to other, more traditional, forms of war.¶ Temporary damage can be useful in two circumstances. First, compromising or incapacitating¶ networks might afford an enemy valuable tactical, or even strategic, advantages. An opponent that¶ cannot shoot, move, resupply or communicate will be easier to defeat. However, this still requires¶ the advantaged party to act through some medium of combat to seize the initiative. Notions that¶ cyber attacks will themselves prove pivotal in future war are reminiscent of World War I artillery¶ barrages that cleared enemy trenches, but which still required the infantry and other arms to achieve¶ a breakout. Whether an actor can benefit from cyberwar depends almost entirely on whether the¶ actor is willing and able to combine a cyber attack with some other method | typically kinetic¶ warfare | that can convert temporary advantages achieved over the internet into a lasting blow.¶ Internet attacks thus offer an assailant a \soft kill" that is valuable only when attackers intend and¶ prosecute follow-on attacks with traditional military force to permanently weaken an enemy.11¶ The notion of a devastating surprise attack is a particularly baroque aspect of cyberwar paranoia, and is certainly frightening to the degree that such scenarios are accurate. However, the idea¶ of a surprise attack over the internet is in fact extremely misleading and relies on a fundamental¶ misconception of the role of internet-based aggression. It has seldom been the case in modern times¶ that any one element of combat proves pivotal. Instead, it is the ability to combine elements into¶ a complex whole that increasingly distinguishes adept utilization of military force (Biddle 2004).¶ The archetype of modern, combined arms warfare is the blitzkreig, where the lethality and¶ effectiveness of conventional military violence is enhanced by actions designed to disrupt the enemy's military and civilian infrastructure. An important element of blitzkreig was the use of terror¶ weapons, such as the Ju 87 “Stuka” dive bomber, to sow panic, mobilizing enemy populations¶ to flood roads and railways, thereby crippling infrastructure needed by the defense. Yet, fear is¶ temporary and in the absence of substance, quickly subsides. The Stukas were effective only as long¶ as Germany held other military advantages over its enemies. Unless threatened with immediate¶ invasion, the terror role of the Stuka was largely redundant. Stukas contributed little to Germany's¶ attempt to subdue the United Kingdom, for example. Stuka units experienced heavy casualties¶ against a competent air defense and had to be removed from service in the Battle of Britain. The¶ hubris of Luftwa e commander Goring in promising victory while exploiting only a single domain¶ (the air) was precisely that he exaggerated the independent effect of a new technology on war.¶ There is no reason to believe that cyberwar will be any more useful as an isolated instrument¶ of coercive foreign policy. An attack that causes temporary harm will inevitably be followed by¶ countermeasures and heightened vigilance, as has happened for example in Estonia in the aftermath of the 2007 attacks. For cyber aggression to have lasting effects, a virtual attack must be¶ combined with physical intervention. Knocking out communications or power infrastructure could¶ cause tremendous disruption, but the ability to quickly recover from such attacks implies that the¶ consequences in terms of the balance of national power would be negligible. The need to follow¶ virtual force with physical force in order to achieve lasting political effects suggests that the application of cyber warfare independent of conventional forms of warfare will be of tertiary importance in¶ strategic and grand strategic terms. If one cannot foresee circumstances where physical aggression¶ is plausible independent of cyberwar, then cyberwar is also unlikely to constitute a critical threat.