# Racial Profiling Neg

### Circumvention Turn

#### No solvency – executive agencies circumvent – too much discretion makes abuses of power inevitable.

- Can’t just end the FBI or DHS surveillance – racial, ethnic, and religious surveillance is widespread across government agencies

- Laws exist to stop racial, ethnic, and religious targeting – empirically ignored by surveillance agencies DESPITE absolute bans

- No enforcement – there is no way to check governmental abuses.

Unegbu, Howard University JD candidate, 2013

[Cindy, 57 How. L.J. 433, “NOTE AND COMMENT: National Security Surveillance on the Basis of Race, Ethnicity, and Religion: A Constitutional Misstep” Lexis, accessed 7-6-15, TAP]

The authority to spy and monitor domestic individuals has been granted to various agencies within the government, such as the FBI and the DHS. 104Link to the text of the note This power, granted through the establishment of the NCTC and the DIOG, has led to various improper surveillance practices, such as using race, ethnicity, or religion as a basis for monitoring an individual when there is no suspicion of criminal or terrorist activity. 105Link to the text of the note The government has used race and ethnicity as a basis for selecting individuals to monitor and for conducting threat analysis in the past. 106Link to the text of the note Furthermore, with the additional surveillance power that has been given to the government, the use of race and ethnicity as a basis for surveillance is disconcerting. Past Department of Justice national security guidance has explicitly disallowed the consideration of race or ethnicity, except to the extent permitted by the Constitution [450] and laws of the nation. 107Link to the text of the note Although a constitutional analysis of the government's surveillance efforts will be conducted later in this Comment, it is important to note that the Justice Department's past guidance stated that "in absolutely no event … may Federal officials assert a national security or border integrity rationale as a mere pretext for invidious discrimination." 108Link to the text of the note This 2003 guidance explains what efforts regarding race or ethnicity are allowed and not allowed as a means to protect national security; however, the DIOG has permitted measures that are contrary to the standards outlined in the 2003 Department of Justice Guidance. 109Link to the text of the note

#### No solvency – total ban key – loopholes for circumvention are inevitable.

- If the aff only deals with one of race, ethnicity, or religion, law enforcement will just one of the others as the basis for its enforcement policies.

Unegbu, Howard University JD candidate, 2013

[Cindy, 57 How. L.J. 433, “NOTE AND COMMENT: National Security Surveillance on the Basis of Race, Ethnicity, and Religion: A Constitutional Misstep” Lexis, accessed 7-6-15, TAP]

Although the DIOG prohibits the FBI from considering race or ethnicity as the sole factor in determining whether an individual or group will be subject to intense monitoring, 110Link to the text of the note ethnicity may be considered in evaluating whether an individual is a possible associate of a criminal or terrorist group that is known to be comprised of members of the same ethnic grouping as that individual. 111Link to the text of the note Furthermore, the DIOG permits the FBI to identify areas of concentrated ethnic communities if the locations will reasonably aid in threat analysis. 112Link to the text of the note The locations of "ethnic-oriented" businesses and facilities may be gathered if their locations will reasonably contribute to an awareness of threats, vulnerabilities, and intelligence collection opportunities. 113Link to the text of the note Just as race or ethnicity is often closely correlated to religious affiliation, the FBI has been granted the authority, although accompanied with many restrictions, to utilize religion as a basis for examination. 114Link to the text of the note

#### The government has too much discretion to conduct surveillance – circumvention is inevitable.

Unegbu, Howard University JD candidate, 2013

[Cindy, 57 How. L.J. 433, “NOTE AND COMMENT: National Security Surveillance on the Basis of Race, Ethnicity, and Religion: A Constitutional Misstep” Lexis, accessed 7-6-15, TAP]

Furthermore, the government has received criticism in the past for misusing its surveillance authority. 128Link to the text of the note In March of 2007, the Director of the FBI, Robert Mueller III, acknowledged that the bureau had improperly used the Patriot Act to obtain surveillance information. 129Link to the text of the note An investigation into the government's surveillance practices found that national security letters, which allow the bureau to obtain records from telephone companies, internet service providers, banks, credit companies, and other businesses without a judge's approval, were improperly, and sometimes illegally, used. 130Link to the text of the note Additionally, incorrect recordkeeping was exposed, in which the actual number of national security letters utilized were frequently understated when reported to Congress. 131Link to the text of the note Several legislatures have expressed concern about the misuse of government surveillance. 132Link to the text of the note It is apparent that this concern is not misguided since the Justice Department's Office of the Inspector General noted, in a 2007 audit report, that many FBI failures had occurred as a result of its surveillance procedures. 133Link to the text of the note These failures include a lack of internal controls 134Link to the text of the note and the absence of required information in national security letter approval memoranda. 135Link to the text of the note

#### Congress can’t enforce the plan – institutional barriers and secrecy.

Unegbu, Howard University JD candidate, 2013

[Cindy, 57 How. L.J. 433, “NOTE AND COMMENT: National Security Surveillance on the Basis of Race, Ethnicity, and Religion: A Constitutional Misstep” Lexis, accessed 7-6-15, TAP]

Although the NCTC itself was enacted under the authority of the executive branch, the additional surveillance authority given to the government through the NCTC guidelines was not vetted through congressional channels, which are supposed to be representatives of the people. In fact, many argue that the configuration of the guidelines result in surveillance procedures that will be very difficult for [462] other government authority, like Congress, to monitor and ensure that the civil liberties of domestic individuals remain intact. 183Link to the text of the note

#### FBI will circumvent – this evidence is specific to the informant program.

Stabile, University of California Berkeley School of Law JD, 2014

[Emily, 102 Calif. L. Rev. 235, “COMMENT: Recruiting Terrorism Informants: The Problems with Immigration Incentives and the S-6 Visa” Lexis, accessed 7-12-15, TAP]

Despite the FBI's long history of problematic relationships with informants, 39Link to the text of the note both Congress and the Department of Justice - the FBI's parent agency - provide very little oversight of FBI informants. The lack of transparency, control, and accountability give the FBI almost unlimited power over how it recruits, handles, and rewards informants. 40Link to the text of the note In particular, because of the greater secrecy afforded to national security investigations, the use of terrorism informants presents unique problems not present in traditional, nonterrorism use of informants.

### Terror DA

#### Perception of US weakness post terrorist attack leads to violence on people of color – US goes down kicking

Unegbu, Howard University JD candidate, 2013

[Cindy, 57 How. L.J. 433, “NOTE AND COMMENT: National Security Surveillance on the Basis of Race, Ethnicity, and Religion: A Constitutional Misstep” Lexis, accessed 7-6-15, TAP]

It is suspected that Abdulmutallab received his Islamic radicalization while living in London with his family, and later disappearing to Yemen, where al-Qaeda trained him. 48Link to the text of the note He, unfortunately, was not on the government's watch list. 49Link to the text of the note This was, perhaps, the most daunting aspect of the botched terror mission for the national government. 50Link to the text of the note An investigation revealed that the government had, in fact, received information on Abdulmutallab, but intelligence agencies failed to utilize all resources in order to connect the appropriate dots. 51Link to the text of the note As a result of this inadequacy, President Obama demanded a watch list overhaul. 52Link to the text of the note One of the most debated changes is the National Counterterrorism Center's (NCTC) ability to query different databases for individuals' personal information and retain the information for up to five years, even when the query results in no indication of criminal or terrorist activity. 53Link to the text of the note This change in procedure was primarily due to counterterrorism officials' belief that some information [443] could possibly prove helpful later. 54Link to the text of the note The Abdulmutallab attack marked the beginning of more intense counterterrorism measures, in which personal information is made subject to government surveillance without prior suspicion of criminal activity. 55Link to the text of the note Over time, as the threat of a terrorist attack on the United States has become increasingly hostile, the pressure placed on the federal government to ensure domestic safety has led to a broadening of surveillance authority. II. TREND TOWARD INVASIVE SURVEILLLANCE MEASURES After the 9/11 attacks, domestic fear of future terrorist attacks grew, spurring the national government's focus of more intrusive levels of surveillance. 56Link to the text of the note The government's focus on national security surveillance was indicative of the ballooning of the post-9/11 national security budget, the expansion of technological abilities, and the almost complete unaccountability and secrecy of national security covert operations. 57Link to the text of the note Former Vice President Dick Cheney, a well-known advocate of the government's surveillance programs, has argued that the surveillance programs are necessary if terrorist attacks are to be stopped. 58Link to the text of the note Other major political figures, like Robert Mueller, the current director of the FBI, assert that the loss of privacy for everyday Americans is justified because the eavesdropping has thwarted terrorist plots. 59Link to the text of the note In an address to Congress in 2013, Mueller stated that the "challenge in a position such as I have held in the last 11 years is to [444] balance on the one hand the security of the nation and on the other hand the civil liberties that we enjoy in this country." 60Link to the text of the note

#### War turns the Aff – causes adoption of ever-more totalitarian surveillance- Cold war proves.

Kullenberg ’09 (Kullenberg, Christopher, PhD, University Gothenburg, His dissertation concerns the statistical social sciences, their epistemic problems and their role in modern societies, and contains a case-study of the SOM-institute, a Gothenburg research center that has been very successful in providing large surveys, "The social impact of IT: Surveillance and resistance in present-day conflicts." How can activists and engineers work together pg. 37-40. <http://fiff.de/publikationen/fiff-kommunikation/fk-2009/fiff-ko-1-2009/fiko_1_2009_kullenberg.pdf> DA: 7/8/15 CB)

Since the 9/11 attacks the world has been challenged with intrusive legislation upon civil liberties and increased use of surveillance technologies. As this development is proceeding rapidly, both from a legal point of view and the technological side, it takes more than parliamentary politics to pursue a democratic and open discussion about these matters. This is where the civil society, or rather the civil societies, need to collaborate. Thus, I will propose that engineers, software-programmers and people in the private sector of Information Technology could co-operate with activists, human-rights organizations and citizen-journalists in a very productive manner. I will also give tangible examples on how such activities have been pursued in Sweden during a controversy on the role of signals intelligence. Surveillance and war. Issues that keep arising in the backwaters of the “wars” on terrorists, drugs, and trafficking are often complex and require technical and legal expertise, not only to be understood, but more importantly, to be taken seriously in the public debate by the media. In order to avoid laws are passed without a proper debate or that technologies are implemented as merely technical solutions, I will propose that criticism could have a positive task in building a collaborative informational infrastructure, an effective media strategy, and other innovations. Let me give an example from Sweden. During 2008, a law was passed which allowed the government to pursue extensive signals intelligence on the Internet. It was termed the FRA-law in the press, since the authority responsible for signals intelligence is called Forsvarets Radioanstalt [1], which is the equivalent to the NSA in the United States, or the BND in Germany. The FRA was previously only allowed to search and intercept radio traffic, but this new law would allow the authority to intercept all internet traffic, by monitoring so-called “co-operation points” at the Internet Service Providers. By copying all the information passing through the cables, the FRA will be able to extract traffic-data from, the multitude of data, both domestic and international. Consequently, a mode of operation which was developed in the context of the post-war arms race will be transferred to the Internet as this law is effectuated during 2009. However, the Internet is largely used by private and corporate communication, rather than military information, a fact that raises questions concerning privacy, integrity and the rights to private communication. I will argue that if it were not for the active formation of a public, this law would have been passed without resistance or criticism. In order to understand how this works, the notion of a “public” is borrowed from the philosopher John Dewey, who explicitly stresses the importance of communication: “But participation in activities and sharing in results are additive concerns. They demand communication as a prerequisite. /…/ Communication of the results of social inquiry is the same thing as the formation of public opinion.” [2] Crucial to the formation of a participatory public issue, and to allow it to build political pressure, is there free flow of information in the sense that it operates without restrictions, something which is very different compared to traditional theories of mass-communication. This is where the Internet has a very interesting potential since its architecture, at least ideally, promotes participation, sharing and communication, which is precisely what Dewey is asking for. However, it seems that this free flow cannot be guaranteed by the internet alone, since the same abilities can be used for intrusive surveillance. Panspectric Surveillance. How are we then to conceive of contemporary technologies of surveillance? One way is to ask how technologies are used throughout society, by analyzing their performances and abilities in socio-technical assemblages. Digital technologies, besides sharing certain properties in hardware such as microprocessors, electricity-based operations and abilities to process instructions and algorithms, usually share many networked, or social effects. The internet as an assemblage of computers, routers, switches and all kinds of IP-based technologies, such as mobile devices and satellites, shapes emergent forms of effectuation. For example file-sharing, voice-transmission, e-mails etc. are all dependent on interconnectivity. Also, they operate on the potentiality of decentralization and read-write capacities, and on the ability to transfer the analogue world to a digital realm, which we see in the digitalization of images, sounds, and even in the keystrokes of keyboard. There is however a critical paradox built into our mundane technologies. We may use digital cameras on our mundane technologies. We may use digital cameras on our holiday trips and post the images on a blog, but we may also use the same capacities for an IP-based surveillance camera. The present any technologies are this at the same time what may liberate sounds, texts, images and videos from their “material imprisonment” and geographical spatiality, while they simultaneously make possible for what is called panspectric surveillance [3] The concept of panspectrocism comes from philosopher Manuel DeLanda, who situates the origin of these technologies in war. It is worthwhile to quote from his work War in the Age of Intelligent Machines (1991) in length: “There are many differences between the Panopticon and the Panspectron /…/ Instead of positiong some human bodies around a central sensor, a multiplicity of sensors is deployed around all bodies: its antenna farms, spy satellites and cable-traffic intercepts feed into its computers all the information that can be gathered. Thus is then processed through a series of “filters” or key-word watch lists. The Panspectron does not merely select certain bodies and certain (visual) data about them. Rather, it compiles information about all at the same time, using computers to select the segments of data relevant to its surveillance tasks [4].” DeLanada thus argues that the technologies we face in contemporary debates on Internet surveillance, originate in post-war setting which culminated during the cold war. Signals intelligence which culminated during the cold war. Signals intelligence was born in a combination of radio interception, transferring analogue signals to digital information, and computers which calculated patterns, attached meta-data, and filtered out only the relevant pieces of information in a multiplicity of signals. The birth of the panspectric technological framework, at least an abstract sense, this came from warfare. However, it was developed and refined during times when consumer technologies were not yet digital, and usually not even made for two-way communication (TV. Press, radio). What we see today is a complete change of orders. Signals intelligence performed by governments, such as the NSA, the FRA or the BND have entered a territory populated by ordinary citizens, rather than tanks, spy satellites and nuclear weapons. Contemporary panspectric surveillance depends on the interconnectedness of sensors and computational methods such as data mining, sociograms and databases. Sensors include RFID-chips, digital CCTV-cameras, credit cards, mobile phones, internet surveillance etc., and they all have the ability to record an ever increasing part of our everyday lives. This is where we get close to the etymology of the words pan-, which means everything, and spectrum which is the entire range of detectable traces. The radical digitalisation of our societal functions and everyday lives, reconﬁgures and prolongs the range of surveillance. However, to make sense of this enormous abundance of data, methods of reducing complexity and ﬁnding relevant traces are needed. This is where the other pole of panspectrocism emerges; the need for supercomputers and advanced software and statistics. The FRA has bought one of the fastest supercomputers in the world, and it is plugged directly into the central ﬁbre-cables of the Swedish Internet Service Providers. They will consequently receive a copy of all trafﬁc-data, and then process it in several steps in order to ﬁnd patterns. The problem is, however, that trafﬁc-data (which contains information about with whom, at what time, how frequently etc. we communicate) can say a great deal about you and your life. If we make social network analyses of the meta-data you give off during a normal day, the surveyor can probably ﬁnd out who most of your friends are, and where you are most likely to be located. With more and more data, the surveyor is able to tell your religion, sexuality, political afﬁliation and consumer behaviour. Citizen Journalism, Pirate Parties and Activists We can make a tripartite division of activities that may challenge the increasing use of legal and technological means of mass surveillance; citizen journalism, pirate parties and activism. They may sometimes resonate in the same direction, towards a clear goal, but their basic properties and relations are essentially heterogeneous. Issues, such as the FRA-law, can only stir up reactions and become “issues proper” if, following Dewey, there is communication between actors allowing them to react to what is imposed on them. It has been said that the case of the FRA-law was the ﬁrst time in Swedish history that traditional newspapers lagged the blogosphere, and for the centre-conservative government the force of citizen journalism came as quite a surprise. The blogosphere displayed a few interesting abilities by cooperating and sharing knowledge. One important aspect of raising issues, needed to be accounted for in this case, is speed. Paul Virilio argues in his book Speed and Politics, that: “If speed thus appears as the essential fall out of styles of conflicts and cataclysms, the current arms race is in fact only the arming of the race toward the end of the world as a distance, in other words as a ﬁeld of action.” [5] Speed turns distance into action, and citizen journalism has a higher velocity than the traditional media, being dependent on printing presses, paid and professional journalists, or hierarchical organisations. During the passing of the FRA-law, the only ones being able to read legal documents, do proper research, and have a constructive discussion, were bloggers. In this case (and I do not want to generalise this observation to be valid for „the media“ in general) we may say that the allocation of resources was much more efﬁcient than that of large media corporations. The critical task for the blogosphere in making a successful attempt at stopping this law is knowledge production. Surveillance technologies and intrusive legislations are complex matters which are often secretive in character. Signals intelligence is maybe an extreme case, since details about methods and search criteria is necessarily kept away from the public. The ﬁrst step in the case of the FRA was ontopolitical, in the sense that there was (and still is) a struggle to deﬁne whether signals intelligence is mass-surveillance, which would be a disaster for integrity, or simply a means to target very few „enemies of society“ (terrorists). Bloggers analysed legal documents and government white papers, as a kind of swarm intelligence, and could argue convincingly that they entailed many legal exceptions for the FRA in registering political opinions, sexual orientation or religious background. The counter-argument from advocates of the law did not convince the bloggers, and the traditional media started covering the issue extensively. During the summer of 2008, there were articles in the newspaper almost every day for months, and many bloggers wrote extensively in both arenas

### Politics

#### Restricting informant intelligence collection is unpopular.

Stabile, University of California Berkeley School of Law JD, 2014

[Emily, 102 Calif. L. Rev. 235, “COMMENT: Recruiting Terrorism Informants: The Problems with Immigration Incentives and the S-6 Visa” Lexis, accessed 7-12-15, TAP]

Due to the popularity and longstanding use of informants, it is unrealistic to think that the FBI will stop using immigration law as a way to leverage cooperation. In the past, informants have aided national security by providing useful intelligence, and so they are highly valued as a source of intelligence. Hence, no matter how narrow in scope the proposed changes are, changes to the S-6 visa would greatly benefit the FBI, informants, and Muslim and Middle Eastern communities. Better intelligence may mean the difference between wasting government resources on empty threats and preventing the loss of life in future terrorist attacks.

#### Court decisions are perceived—empirics go neg.

Jones 7/16/15. (Jeffrey M. Jones for Gallop. Republicans' Approval of Supreme Court Sinks to 18%. <http://www.gallup.com/poll/184160/republicans-approval-supreme-court-sinks.aspx?utm_source=Politics&utm_medium=newsfeed&utm_campaign=tiles>. MMG)

PRINCETON, N.J. -- After a historic Supreme Court session that included rulings on same-sex marriage and the Affordable Care Act, Democrats' approval of the high court has surged to 76% and Republicans' approval has plummeted to a record-low 18%. Americans overall are divided, with 49% approving and 46% disapproving. The new July 8-12 Gallup poll came after the Supreme Court issued rulings in late June that legalized same-sex marriage nationwide and upheld federal subsidies for health insurance purchased through government exchanges. Those decisions were hailed by President Barack Obama and other Democratic leaders but criticized by Republican leaders. The shift in opinions of the Supreme Court by political party indicates that many Americans are aware of the decisions, as well as the thrust of those decisions politically, and have adjusted their views accordingly. Specifically, Republicans' approval of the Supreme Court is down 17 percentage points from September 2014 and down a total of 33 points since last summer. Democrats' approval rose from 47% in September to 76% now -- a 29-point gain. Independents' views were largely unchanged, as 46% approved in September 2014 and 49% currently do. Supreme Court approval among all Americans is up five points since last fall, from 44% to 49%. The current job approval rating is just below the 52% average, which dates back to 2000. As a result of the partisan changes in opinions of the Supreme Court, Americans' views of it are polarized along party lines more than ever has been the case in Gallup's 15-year trend. The 18% approval among Republicans is the lowest to date, and the 76% approval among Democrats is the highest, albeit by a single percentage point. In 2009, after Obama took office and nominated Justice Sonia Sotomayor to the Supreme Court, 75% of Democrats approved. The previous high point in political party polarization came in 2012, after the first major Supreme Court ruling on the 2010 healthcare law upheld Congress' ability to fine Americans for not having health insurance. After that decision, 68% of Democrats and 29% of Republicans approved, a 39-point party gap compared with the current 58-point gap. Supreme Court job approval among all Americans has varied between 42% and 62% in Gallup's 15-year trend. But it has varied even more among Republicans (between 18% and 80%) and Democrats (38% and 76%) during this time. That is because partisans, as is the case in the current poll, have frequently re-evaluated their views of the Supreme Court after it issued rulings that touched on topics that greatly divide Republicans and Democrats. For example, after the Supreme Court ruled in favor of George W. Bush in the dispute with Al Gore over recounts in Florida presidential voting back in 2000, Republican approval increased 20 points while Democratic approval dropped by 28 points. As previously noted, the initial Supreme Court ruling on the 2010 healthcare law -- issued in 2012 -- led to a much more positive evaluation of the high court from Democrats along with diminished approval among Republicans.

### Yes War

#### International flashpoints make global war realistic

Cohen 14 (Roger. Roger Cohen is a columnist for *The New York Times* and an author. 8-2014. “Yes It Could Happen Again”. The Atlantic. <http://www.theatlantic.com/magazine/archive/2014/08/yes-it-could-happen-again/373465/>. Accessed 7-8-2015. KC)

The unimaginable can occur. That is a notion at once banal and perennially useful to recall. Indeed, it has just happened in Crimea, where a major power has forcefully changed a European border for the first time since 1945. Russia’s act of annexation and its evident designs on eastern Ukraine constitute a reminder that NATO was created to protect Europe after its pair of 20th-century self-immolations. NATO’s core precept, as the Poles and other former vassals of the Soviet empire like to remind blithe western Europeans, is Article 5, by which the Allies agreed that “an armed attack against one or more of them in Europe or North America shall be considered an attack against them all,” triggering a joint military response. This has proved a powerful deterrent against potential adversaries. Vladimir Putin, the Russian president, has been most aggressive in the no-man’s-lands of Georgia and Ukraine, nations suspended between East and West, neither one a member of NATO. Had Ukraine been a member of NATO, the annexation of Crimea would have come only at the (presumably unacceptable) price of war. Article 5, until demonstrated otherwise, is an ironclad commitment. When a 19-year-old Bosnian Serb nationalist, Gavrilo Princip, assassinated the heir to the Austro-Hungarian throne in Sarajevo, on June 28, 1914, he acted to secure Serbia’s liberty from imperial dominion. He could not have known that within weeks, Austria-Hungary would declare war on Serbia, goading Russia (humiliated in war a decade earlier by Japan) to mobilize in defense of its Slavic ally, which caused the kaiser’s ascendant Germany to launch a preemptive attack on Russia’s ally France, in turn prompting Britain to declare war on Germany. Events cascade. It is already clear that the nationalist fervor unleashed by Putin after a quarter century of Russia’s perceived post–Cold War decline is far from exhausted. Russians are sure that the dignity of their nation has been trampled by an American and European strategic advance to their border dressed up in talk of democracy, the rule of law, and human rights. Whether this is true is irrelevant; they believe it. National humiliation, real or not, is a tremendous catalyst for war. That was the case in Germany after the Treaty of Versailles imposed reparations and territorial concessions; so, too, in Serbia more than 70 years later, after the breakup of Yugoslavia, a country Serbia had always viewed as an extension of itself. Russia, convinced of its lost greatness, is gripped by a Weimar neurosis resembling Germany’s post–World War I longing for its past stature and power. The Moscow-backed separatists taking over government buildings in eastern Ukraine and proclaiming an independent “Donetsk People’s Republic” demonstrate the virulence of Russian irredentism. Nobody can know where it will stop. Appetite, as the French say, grows with eating. Let us indulge in dark imaginings, then, in the cause of prudence. Here is one possible scenario: Clashes intensify between Ukrainian government forces and paramilitary formations organized by Russian fifth columnists. The death toll rises. The ongoing NATO dispatch of troops and F‑16s to Poland and the Baltic states, designed as a deterrence, redoubles anger in Russia—“a great and humble nation besieged,” a Russian general might declare. The American president, saying his war-weary country will not seek conflict, imposes sanctions on the entire Russian oil-and-gas sector. European states dependent on Russian energy grumble; a former German chancellor working in natural gas says his country’s interests lie with Moscow. Then, say, an independence movement of the Russian minority gains momentum in Estonia, backed with plausible deniability by Moscow’s agents, and announces support for the Donetsk People’s Republic. A wave of cyberattacks disables Estonian government facilities, and an Estonian big shot calls the Russian leader an “imperialist troglodyte trapped in a zero-sum game.” After an assassination attempt on the Estonian foreign minister at a rally in the capital, calls grow louder for the American president to invoke Article 5. He insists that “drawing red lines in the 21st century is not a useful exercise.” The unimaginable can occur. Indeed, it has just happened in Crimea. Let us further imagine that shortly after the president delivers his speech, in a mysterious coincidence, a Chinese ship runs aground on one of the uninhabited Senkaku Islands, administered by Japan, in the East China Sea. China dispatches a small force to what it calls the Diaoyu Islands “as a protective measure.” Japan sends four destroyers to evict the Chinese and reminds the American president that he has said the islands, located near undersea oil reserves, “fall within the scope” of the U.S.-Japan Treaty of Mutual Cooperation and Security. A Republican senator, echoing the bellicose mood in Washington, declares that “Estonia is more than a couple of rocks in the East China Sea” and demands to know whether “the United States has torn up the treaty alliances in Europe and Asia that have been the foundation of global security since 1945.” The president gives China an ultimatum to leave the Japanese islands or face a military response. He also tells Russia that another act of secessionist violence in Estonia will trigger NATO force against Russian troops massed on the Estonian border. Both warnings are ignored. Chinese and Russian leaders accuse the United States of “prolonging Cold War hostilities and alliances in pursuit of global domination.” World War III begins. It could not happen; of course it couldn’t. Peace, if not outright pacifism, is now bred in the bones of Europeans, who contemplate war with revulsion. Europe is politically and economically integrated. America, after two wars without victory, is in a period of retrenchment that may last a generation. Wars no longer happen between big land armies; they are the stuff of pinpoint strikes by unpiloted drones against jihadist extremists. Putin’s Russia is opportunistic—it will change the balance of power in Ukraine or Georgia if it considers the price acceptable—but it is not reckless in countries under NATO protection. China, with its watchword of “Harmony,” is focused on its own rising success and understands the usefulness of the United States as an offsetting Pacific power able to reassure anxious neighbors like Japan and Vietnam. For the time being, Beijing will not seek to impose its own version of the Monroe Doctrine. It will hold nationalism in check even as the Asian naval arms race accelerates. Unlike in 1914 or 1939, the presence of large American garrisons in Europe and Asia sustains a tenacious Pax Americana. The United Nations, for all its cumbersome failings, serves as the guarantor of last resort against another descent into horror. The specter of nuclear holocaust is the ultimate deterrent for a hyperconnected world. Citizens everywhere now have the tools to raise a cacophony in real time against the sort of folly that, in World War I, produced the deaths of so many unidentifiable young men “known unto God,” in Kipling’s immortal phrasing. Convincing? It would certainly be nice to believe that, as President Clinton suggested in 1997, great-power territorial politics are a thing of the past. A new era had dawned, he said, in which “enlightened self-interest, as well as shared values, will compel countries to define their greatness in more-constructive ways.” In fact, the realization that the Russian bear can bite as well as growl is timely. It is a reminder that a multipolar world in a time of transition, when popular resentments are rising over joblessness and inequality, is a dangerous place indeed. The international system does not look particularly stable. The Cold War’s bipolar confrontation, despite its crises, was predictable. Today’s world is not. It features a United States whose power is dominant but no longer determinant; a one-party China that is a rising hegemon; an authoritarian Russia giddy on nationalism and the idea of a restored imperium; and a weak, navel-gazing, blasé Europe whose pursuit of an ever closer union is on hold and perhaps on the brink of reversal.

#### No war predictions parallel those before World War I and World War II

Cohen 14 (Roger. Roger Cohen is a columnist for *The New York Times* and an author. 8-2014. “Yes It Could Happen Again”. The Atlantic. <http://www.theatlantic.com/magazine/archive/2014/08/yes-it-could-happen-again/373465/>. Accessed 7-8-2015. KC)

Pessimism is a useful prism through which to view the affairs of states. Their ambition to gain, retain, and project power is never sated. Optimism, toward which Americans are generally inclined, leads to rash predictions of history’s ending in global consensus and the banishment of war. Such rosy views accompanied the end of the Cold War. They were also much in evidence a century ago, on the eve of World War I. Then, as now, Europe had lived through a long period of relative peace, after the end of the Napoleonic Wars. Then, too, rapid progress in science, technology, and communications had given humanity a sense of shared interests that precluded war, despite the ominous naval competition between Britain and Germany. Then, too, wealthy individuals devoted their fortunes to conciliation and greater human understanding. Rival powers fumed over provocative annexations, like Austria-Hungary’s of Bosnia-Herzegovina in 1908, but world leaders scarcely believed a global conflagration was possible, let alone that one would begin just six years later. The very monarchs who would consign tens of millions to a murderous morass from 1914 to 1918 and bury four empires believed they were clever enough to finesse the worst. The unimaginable can occur. That is a notion at once banal and perennially useful to recall. Indeed, it has just happened in Crimea, where a major power has forcefully changed a European border for the first time since 1945. Russia’s act of annexation and its evident designs on eastern Ukraine constitute a reminder that NATO was created to protect Europe after its pair of 20th-century self-immolations. NATO’s core precept, as the Poles and other former vassals of the Soviet empire like to remind blithe western Europeans, is Article 5, by which the Allies agreed that “an armed attack against one or more of them in Europe or North America shall be considered an attack against them all,” triggering a joint military response. This has proved a powerful deterrent against potential adversaries. Vladimir Putin, the Russian president, has been most aggressive in the no-man’s-lands of Georgia and Ukraine, nations suspended between East and West, neither one a member of NATO. Had Ukraine been a member of NATO, the annexation of Crimea would have come only at the (presumably unacceptable) price of war. Article 5, until demonstrated otherwise, is an ironclad commitment. When a 19-year-old Bosnian Serb nationalist, Gavrilo Princip, assassinated the heir to the Austro-Hungarian throne in Sarajevo, on June 28, 1914, he acted to secure Serbia’s liberty from imperial dominion. He could not have known that within weeks, Austria-Hungary would declare war on Serbia, goading Russia (humiliated in war a decade earlier by Japan) to mobilize in defense of its Slavic ally, which caused the kaiser’s ascendant Germany to launch a preemptive attack on Russia’s ally France, in turn prompting Britain to declare war on Germany. Events cascade. It is already clear that the nationalist fervor unleashed by Putin after a quarter century of Russia’s perceived post–Cold War decline is far from exhausted. Russians are sure that the dignity of their nation has been trampled by an American and European strategic advance to their border dressed up in talk of democracy, the rule of law, and human rights. Whether this is true is irrelevant; they believe it. National humiliation, real or not, is a tremendous catalyst for war. That was the case in Germany after the Treaty of Versailles imposed reparations and territorial concessions; so, too, in Serbia more than 70 years later, after the breakup of Yugoslavia, a country Serbia had always viewed as an extension of itself. Russia, convinced of its lost greatness, is gripped by a Weimar neurosis resembling Germany’s post–World War I longing for its past stature and power. The Moscow-backed separatists taking over government buildings in eastern Ukraine and proclaiming an independent “Donetsk People’s Republic” demonstrate the virulence of Russian irredentism. Nobody can know where it will stop. Appetite, as the French say, grows with eating. Let us indulge in dark imaginings, then, in the cause of prudence. Here is one possible scenario: Clashes intensify between Ukrainian government forces and paramilitary formations organized by Russian fifth columnists. The death toll rises. The ongoing NATO dispatch of troops and F‑16s to Poland and the Baltic states, designed as a deterrence, redoubles anger in Russia—“a great and humble nation besieged,” a Russian general might declare. The American president, saying his war-weary country will not seek conflict, imposes sanctions on the entire Russian oil-and-gas sector. European states dependent on Russian energy grumble; a former German chancellor working in natural gas says his country’s interests lie with Moscow. Then, say, an independence movement of the Russian minority gains momentum in Estonia, backed with plausible deniability by Moscow’s agents, and announces support for the Donetsk People’s Republic. A wave of cyberattacks disables Estonian government facilities, and an Estonian big shot calls the Russian leader an “imperialist troglodyte trapped in a zero-sum game.” After an assassination attempt on the Estonian foreign minister at a rally in the capital, calls grow louder for the American president to invoke Article 5. He insists that “drawing red lines in the 21st century is not a useful exercise.” The unimaginable can occur. Indeed, it has just happened in Crimea. Let us further imagine that shortly after the president delivers his speech, in a mysterious coincidence, a Chinese ship runs aground on one of the uninhabited Senkaku Islands, administered by Japan, in the East China Sea. China dispatches a small force to what it calls the Diaoyu Islands “as a protective measure.” Japan sends four destroyers to evict the Chinese and reminds the American president that he has said the islands, located near undersea oil reserves, “fall within the scope” of the U.S.-Japan Treaty of Mutual Cooperation and Security. A Republican senator, echoing the bellicose mood in Washington, declares that “Estonia is more than a couple of rocks in the East China Sea” and demands to know whether “the United States has torn up the treaty alliances in Europe and Asia that have been the foundation of global security since 1945.” The president gives China an ultimatum to leave the Japanese islands or face a military response. He also tells Russia that another act of secessionist violence in Estonia will trigger NATO force against Russian troops massed on the Estonian border. Both warnings are ignored. Chinese and Russian leaders accuse the United States of “prolonging Cold War hostilities and alliances in pursuit of global domination.” World War III begins. It could not happen; of course it couldn’t. Peace, if not outright pacifism, is now bred in the bones of Europeans, who contemplate war with revulsion. Europe is politically and economically integrated. America, after two wars without victory, is in a period of retrenchment that may last a generation. Wars no longer happen between big land armies; they are the stuff of pinpoint strikes by unpiloted drones against jihadist extremists. Putin’s Russia is opportunistic—it will change the balance of power in Ukraine or Georgia if it considers the price acceptable—but it is not reckless in countries under NATO protection. China, with its watchword of “Harmony,” is focused on its own rising success and understands the usefulness of the United States as an offsetting Pacific power able to reassure anxious neighbors like Japan and Vietnam. For the time being, Beijing will not seek to impose its own version of the Monroe Doctrine. It will hold nationalism in check even as the Asian naval arms race accelerates. Unlike in 1914 or 1939, the presence of large American garrisons in Europe and Asia sustains a tenacious Pax Americana. The United Nations, for all its cumbersome failings, serves as the guarantor of last resort against another descent into horror. The specter of nuclear holocaust is the ultimate deterrent for a hyperconnected world. Citizens everywhere now have the tools to raise a cacophony in real time against the sort of folly that, in World War I, produced the deaths of so many unidentifiable young men “known unto God,” in Kipling’s immortal phrasing. Convincing? It would certainly be nice to believe that, as President Clinton suggested in 1997, great-power territorial politics are a thing of the past. A new era had dawned, he said, in which “enlightened self-interest, as well as shared values, will compel countries to define their greatness in more-constructive ways.” In fact, the realization that the Russian bear can bite as well as growl is timely. It is a reminder that a multipolar world in a time of transition, when popular resentments are rising over joblessness and inequality, is a dangerous place indeed. The international system does not look particularly stable. The Cold War’s bipolar confrontation, despite its crises, was predictable. Today’s world is not. It features a United States whose power is dominant but no longer determinant; a one-party China that is a rising hegemon; an authoritarian Russia giddy on nationalism and the idea of a restored imperium; and a weak, navel-gazing, blasé Europe whose pursuit of an ever closer union is on hold and perhaps on the brink of reversal. Pacifist tendencies in western Europe coexist with views of power held in Moscow and Beijing that Bismarck or Clausewitz would recognize instantly. After the genocides in Rwanda and Bosnia, the UN General Assembly ratified the concept that governments have a “responsibility to protect” their citizens from atrocities. But in the face of Syria’s bloody dismemberment and Ukraine’s cynical dismantlement, idealism of that kind looks fluffy or simply irrelevant. The Baltic countries are front-line states once again. The fleeting post–Cold War dream of a zone of unity and peace stretching from Lisbon to Vladivostok has died. As John Mearsheimer observes in his seminal The Tragedy of Great Power Politics, “Unbalanced multipolar systems feature the most dangerous distribution of power, mainly because potential hegemons are likely to get into wars with all of the other great powers in the system.” In this context, nothing is more dangerous than American weakness. It is understandable that the United States is looking inward after more than a decade of post-9/11 war. But it is also worrying, because the credibility of American power remains the anchor of global security. The nation’s mood is not merely a reflection of economic hardship or the costs of war; it is also determined by the president’s decisions and rhetoric. There was no American majority for involvement in World War I or World War II—until the president set out to forge one (helped decisively in Franklin D. Roosevelt’s case by Pearl Harbor). As Jonathan Eyal of Britain’s Royal United Services Institute says, “If a president stands up and says something, he can shift the debate.” President Obama has made clear he does not believe in military force. His words spell that out; so does his body language. He asks, after Iraq and Afghanistan, what force accomplishes. These are fair questions; the bar must be very high for unleashing military power. But when an American president marches allies up the hill to defend his “red line”—as Obama did regarding Syria’s use of chemical weapons—and then marches them back down again, he does something damaging that the world does not forget. And when Obama, in response to a recent question about whether declaring that the United States would protect the Senkaku Islands risked drawing another “red line,” gives an evasive answer, he does something so dangerous that his words are worth repeating: The implication of the question, I think, … is that each and every time a country violates one of these norms, the United States should go to war or stand prepared to engage militarily, and if it doesn’t, then somehow we’re not serious about these norms. Well, that’s not the case. If these treaty obligations do not constitute a red line triggering a U.S. military response—the only way to prove the seriousness of “these norms”—all bets are off in a world already filled with uncertainties. A century ago, in the absence of clear lines or rules, it was just this kind of feel-good hope and baseless trust in the judgment of rival powers that precipitated catastrophe. But that, it may be said, was then. The world has supposedly been transformed. But has it? Consider this article in my father’s 1938 high-school yearbook: The machine has brought men face to face as never before in history. Paris and Berlin are closer today than neighboring villages were in the Middle Ages. In one sense distance has been annihilated. We speed on the wings of the wind and carry in our hands weapons more dreadful than the lightning … The challenge of the machine is the greatest opportunity mankind has yet enjoyed. Out of the rush and swirl of the confusions of our times may yet arise a majestic order of world peace and prosperity. Optimism is irrepressible in the human heart—and best mistrusted. Our world of hyperconnectivity, and the strains and aspirations that accompany it, is not so novel after all. The ghosts of repetition reside alongside the prophets of progress. From the “rush and swirl” of 1938 where “distance has been annihilated” would follow in short order the slaughter of Stalingrad, the mass murder of European Jewry, the indiscriminate deaths in Hiroshima and Nagasaki, and the anguish of all humanity. We should not lightly discard a well-grounded pessimism or the treaties it has produced.

#### Nuclear escalation is probable in an international war, the other option is alliance collapse

Fisher 15 (Max. Max Fisher is a freelance journalist and a former writer and editor at The Atlantic. 6-29-2015. “How World War III became possible: A Nuclear conflict with Russia is likelier than you think”. Vox. <http://www.vox.com/2015/6/29/8845913/russia-war>. Accessed 7/8/2015. KC)

The view among many Western analysts is that the nuclear-capable missiles are meant as a gun against the heads of the Americans and the Europeans: You better not mess with us Russians, or who knows what we'll do. Putin himself endorsed this view in a 2014 speech in Sochi, where he approvingly cited Soviet leader Nikita Khrushchev's 1960 address to the United Nations, when he hammered his shoe on the podium. "The United States and NATO thought, 'This Nikita is best left alone, he might just go and fire a missile. We better show some respect for them,'" Putin said. This sort of a nuclear threat could be a perfect way for Putin to attempt the sort of NATO-splitting scenario described by analysts like Piontkovsky. What if, Lucas asked as an example in his report, Putin found some excuse to declare a Russian "military exclusion zone" in the Baltic Sea, thus physically cutting off the Baltic states from the rest of NATO? "Would America really risk a nuclear standoff with Russia over a gas pipeline?" Lucas asked. "If it would not, NATO is over. The nuclear bluff that sustained the Western alliance through all the decades of the Cold War would have been called at last." Putin's love of brinksmanship, while perhaps born of Russia's weakness, is also deeply worrying for what it says about the leader's willingness and even eagerness to take on huge geopolitical risk. "Either he has a very weird theory of nuclear weapons, or he just doesn’t take the West seriously and is trying to cow us with whatever threat he can make," Saideman, the political scientist, said, going on to draw yet another of the many parallels analysts have drawn to the onset of World War I. "There are two visions of international relations: One is that threats work, and one is that threats don’t, where they cause counter-balancing," Saideman continued. "This was the theory of the [German] Kaiser before World War I: the more threatening you are, the more people will submit to your will. That might be Putin’s logic, that he’s just going to threaten and threaten and hope that NATO bends. But the long run of international relations suggests that it goes the other way, where the more threatening you are the more you produce balancing." In other words, Putin is hoping to compensate for his weakness by expressing his willingness to go further, and to raise the stakes higher, than the more powerful Western nations. But his actions are premised on a flawed understanding of how the world works. In fact, he is virtually forcing the West to respond in kind, raising not just the risk of a possible war, but the ease with which such a war would go nuclear.