**1NC T**

**A Topical aff in order to be a statutory restriction can: Overturn authority, alter the jurisdiction, limit authorization, require inter-agency consultation, or require prior notification.**

**They don’t meet—they don’t do one of the 5.**

**KAISER 80**—the Official Specialist in American National Government, Congressional Research Service, the Library of Congress [Congressional Action to Overturn Agency Rules: Alternatives to the Legislative Veto; Kaiser, Frederick M., 32 Admin. L. Rev. 667 (1980)]

In addition to direct statutory overrides, there are a variety of statutory and nonstatutory techniques that have the effect of overturning rules, that prevent their enforcement, or that seriously impede or even preempt the promulgation of projected rules. For instance, a statute may alter the jurisdiction of a regulatory agency or extend the exemptions to its authority, thereby affecting existing or anticipated rules. Legislation that affects an agency's funding may be used to prevent enforcement of particular rules or to revoke funding discretion for rulemaking activity or both. Still other actions, less direct but potentially significant, are mandating agency consultation with other federal or state authorities and requiring prior congressional review of proposed rules (separate from the legislative veto sanctions). These last two provisions may change or even halt proposed rules by interjecting novel procedural requirements along with different perspectives and influences into the process.

It is also valuable to examine **nonstatutory** controls available to the Congress:

1. legislative, oversight, investigative, and confirmation hearings;

2. establishment of select committees and specialized subcommittees to oversee agency rulemaking and enforcement;

3. directives in committee reports, especially those accompanying legislation, authorizations, and appropriations, regarding rules or their implementation;

4. House and Senate floor statements critical of proposed, projected, or ongoing administrative action; and

5. direct contact between a congressional office and the agency or office in question.

Such mechanisms are all indirect influences; unlike statutory provisions, they are neither self-enforcing nor legally binding by themselves. Nonetheless, nonstatutory devices are more readily available and more easily effectuated than controls imposed by statute. And some observers have attributed substantial influence to nonstatutory controls in regulatory as well as other matters.3

It is **impossible**, in a **limited space**, to provide a comprehensive and exhaustive listing of congressional actions that override, have the effect of overturning, or prevent the promulgation of administrative rules. Consequently, this report **concentrates** upon the **more direct statutory devices**, although it also encompasses committee reports accompanying bills, the one nonstatutory instrument that is frequently most authoritatively connected with the final legislative product. The statutory mechanisms surveyed here cross a wide spectrum of possible congressional action:

1. single-purpose provisions to overturn or preempt a specific rule;

2. alterations in program authority that remove jurisdiction from an agency;

3. agency authorization and appropriation limitations;

4. inter-agency consultation requirements; and

5. congressional prior notification provisions.

**Vote negative—it is impossible to limit what is a statutory restriction outside of that interpretation and it kills neg ground since other changes aren’t as legally binding.**

**1NC CP**

**Text: The Office of Legal Counsel should determine that the Executive Branch lacks the legal authority to launch drone strikes within Pakistan without acquiring the approval of the Pakistani government.**

**The President should require the Office of Legal Counsel to publish any legal opinions regarding policies adopted by the Executive Branch.**

**The CP is competitive and solves the case—OLC rulings do not actually remove authority but nevertheless hold binding precedential value on the executive.**

Trevor W. **Morrison**, October **2010**. Professor of Law, Columbia Law School. “STARE DECISIS IN THE OFFICE OF LEGAL COUNSEL,” Columbia Law Review, 110 Colum. L. Rev. 1448, Lexis.

On the other hand, an OLC that says "yes" too often is not in the client's long-run interest. n49 Virtually all of OLC's clients have their own legal staffs, including the White House Counsel's Office in the White House and the general counsel's offices in other departments and agencies. Those offices are capable of answering many of the day-to-day issues that arise in those components. They typically turn to OLC when the issue is sufficiently controversial or complex (especially on constitutional questions) that some external validation holds special value. n50 For example, when a department confronts a difficult or delicate constitutional question in the course of preparing to embark upon a new program or course of action that raises difficult or politically sensitive legal questions, it has an interest in being able to point to a credible source affirming the  [\*1462]  legality of its actions. n51 The in-house legal advice of the agency's general counsel is unlikely to carry the same weight. n52 Thus, even though those offices might possess the expertise necessary to answer at least many of the questions they currently send to OLC, in some contexts they will not take that course because a "yes" from the in-house legal staff is not as valuable as a "yes" from OLC. But that value depends on OLC maintaining its reputation for serious, evenhanded analysis, not mere advocacy. n53

The risk, however, is that OLC's clients will not internalize the long-run costs of taxing OLC's integrity. This is in part because the full measure of those costs will be spread across all of OLC's clients, not just the client agency now before it. The program whose legality the client wants OLC to review, in contrast, is likely to be something in which the client has an immediate and palpable stake. Moreover, the very fact that the agency has come to OLC for legal advice will often mean it thinks there is  [\*1463]  at least a plausible argument that the program is lawful. In that circumstance, the agency is unlikely to see any problem in a "yes" from OLC.

Still, it would be an overstatement to say that OLC risks losing its client base every time it contemplates saying "no." One reason is custom. In some areas, there is a longstanding tradition - rising to the level of an expectation - that certain executive actions or decisions will not be taken without seeking OLC's advice. One example is OLC's bill comment practice, in which it reviews legislation pending in Congress for potential constitutional concerns. If it finds any serious problems, it writes them up and forwards them to the Office of Management and Budget, which combines OLC's comments with other offices' policy reactions to the legislation and generates a coordinated administration position on the legislation. n54 That position is then typically communicated to Congress, either formally or informally. While no statute or regulation mandates OLC's part in this process, it is a deeply entrenched, broadly accepted practice. Thus, although some within the Executive Branch might find it frustrating when OLC raises constitutional concerns in bills the administration wants to support as a policy matter, and although the precise terms in which OLC's constitutional concerns are passed along to Congress are not entirely in OLC's control, there is no realistic prospect that OLC would ever be cut out of the bill comment process entirely. Entrenched practice, then, provides OLC with some measure of protection from the pressure to please its clients.

But there are limits to that protection. Most formal OLC opinions do not arise out of its bill comment practice, which means most are the product of a more truly voluntary choice by the client to seek OLC's advice. And as suggested above, although the Executive Branch at large has an interest in OLC's credibility and integrity, the preservation of those virtues generally falls to OLC itself. OLC's nonlitigating function makes this all the more true. Whereas, for example, the Solicitor General's aim of prevailing before the Supreme Court limits the extent to which she can profitably pursue an extreme agenda inconsistent with current doctrine, OLC faces no such immediate constraint. Whether OLC honors its oft-asserted commitment to legal advice based on its best view of the law depends largely on its own self-restraint.

2. Formal Requests, Binding Answers, and Lawful Alternatives. - Over time, OLC has developed practices and policies that help maintain its independence and credibility. First, before it provides a written opinion, n55 OLC typically requires that the request be in writing from the head or general counsel of the requesting agency, that the request be as specific and concrete as possible, and that the agency provide its own written  [\*1464]  views on the issue as part of its request. n56 These requirements help constrain the requesting agency. Asking a high-ranking member of the agency to commit the agency's views to writing, and to present legal arguments in favor of those views, makes it more difficult for the agency to press extreme positions.

Second, as noted in the Introduction, n57 OLC's legal advice is treated as binding within the Executive Branch until withdrawn or overruled. n58 As a formal matter, the bindingness of the Attorney General's (or, in the modern era, OLC's) legal advice has long been uncertain. n59 The issue has never required formal resolution, however, because by longstanding tradition the advice is treated as binding. n60 OLC protects that tradition today by generally refusing to provide advice if there is any doubt about whether the requesting entity will follow it. n61 This guards against "advice-shopping by entities willing to abide only by advice they like." n62 More broadly, it helps ensure that OLC's answers matter. An agency displeased with OLC's advice cannot simply ignore the advice. The agency might  [\*1465]  construe any ambiguity in OLC's advice to its liking, and in some cases might even ask OLC to reconsider its advice. n63 But the settled practice of treating OLC's advice as binding ensures it is not simply ignored.

In theory, the very bindingness of OLC's opinions creates a risk that agencies will avoid going to OLC in the first place, relying either on their general counsels or even other executive branch offices to the extent they are perceived as more likely to provide welcome answers. This is only a modest risk in practice, however. As noted above, legal advice obtained from an office other than OLC - especially an agency's own general counsel - is unlikely to command the same respect as OLC advice. n64 Indeed, because OLC is widely viewed as "the executive branch's chief legal advisor," n65 an agency's decision not to seek OLC's advice is likely to be viewed by outside observers with skepticism, especially if the in-house advice approves a program or initiative of doubtful legality.

OLC has also developed certain practices to soften the blow of legal advice not to a client's liking. Most significantly, after concluding that a client's proposed course of action is unlawful, OLC frequently works with the client to find a lawful way to pursue its desired ends. n66 As the OLC Guidelines put it, "when OLC concludes that an administration proposal is impermissible, it is appropriate for OLC to go on to suggest modifications that would cure the defect, and OLC should stand ready to work with the administration to craft lawful alternatives." n67 This is a critical component of OLC's work, and distinguishes it sharply from the courts. In addition to "providing a means by which the executive branch lawyer can contribute to the ability of the popularly-elected President and his administration to achieve important policy goals," n68 in more instrumental terms the practice can also reduce the risk of gaming by OLC's clients. And that, in turn, helps preserve the bindingness of OLC's opinions. n69

 [\*1466]  To be sure, OLC's opinions are treated as binding only to the extent they are not displaced by a higher authority. A subsequent judicial decision directly on point will generally be taken to supersede OLC's work, and always if it is from the Supreme Court. OLC's opinions are also subject to "reversal" by the President or the Attorney General. n70 Such reversals are rare, however. As a formal matter, Dawn Johnsen has argued that "the President or attorney general could lawfully override OLC only pursuant to a good faith determination that OLC erred in its legal analysis. The President would violate his constitutional obligation if he were to reject OLC's advice solely on policy grounds." n71 Solely is a key word here, especially for the President. Although his oath of office obliges him to uphold the Constitution, n72 it is not obvious he would violate that oath by pursuing policies that he thinks are plausibly constitutional even if he has not concluded they fit his best view of the law. It is not clear, in other words, that the President's oath commits him to seeking and adhering to a single best view of the law, as opposed to any reasonable or plausible view held in good faith. Yet even assuming the President has some space here, it is hard to see how his oath permits him to reject OLC's advice solely on policy grounds if he concludes that doing so is indefensible as a legal matter. n73 So the President needs at least a plausible legal basis for  [\*1467]  disagreeing with OLC's advice, which itself would likely require some other source of legal advice for him to rely upon.

The White House Counsel's Office might seem like an obvious candidate. But despite recent speculation that the size of that office during the Obama Administration might reflect an intention to use it in this fashion, n74 it continues to be virtually unheard of for the White House to reverse OLC's legal analysis. For one thing, even a deeply staffed White House Counsel's Office typically does not have the time to perform the kind of research and analysis necessary to produce a credible basis for reversing an OLC opinion. n75 For another, as with attempts to rely in the first place on in-house advice in lieu of OLC, any reversal of OLC by the White House Counsel is likely to be viewed with great skepticism by outside observers. If, for example, a congressional committee demands to know why the Executive Branch thinks a particular program is lawful, a response that relies on the conclusions of the White House Counsel is unlikely to suffice if the committee knows that OLC had earlier concluded otherwise. Rightly or wrongly, the White House Counsel's analysis is likely to be treated as an exercise of political will, not dispassionate legal analysis. Put another way, the same reasons that lead the White House to seek OLC's legal advice in the first place - its reputation for  [\*1468]  providing candid, independent legal advice based on its best view of the law - make an outright reversal highly unlikely. n76

Of course, the White House Counsel's Office may well be in frequent contact with OLC on an issue OLC has been asked to analyze, and in many cases is likely to make it abundantly clear what outcome the White House prefers. n77 But that is a matter of presenting arguments to OLC in support of a particular position, not discarding OLC's conclusion when it comes out the other way. n78The White House is not just any other client, and so the nature of - and risks posed by - communications between it and OLC on issues OLC is analyzing deserve special attention. I take that up in Part III. n79 My point at this stage is simply that the prospect of literal reversal by the White House is remote and does not meaningfully threaten the effective bindingness of OLC's decisions.

**1NC T**

**Targeted killings are the use of force against specific individuals in an armed conflict who are identified in advance of the operation. Signature strikes are distinct from targeted killing because they don’t use individuated intelligence. Missions in Pakistan are signature strikes**

Kenneth **Anderson**, 8/29/**2011**. Professor at Washington College of Law, American University, Hoover Institution visiting fellow, member of Hoover Task Force on National Security and Law; nonresident senior fellow, Brookings Institution. “Distinguishing High Value Targeted Killing and “Signature” Attacks on Taliban Fighters,” <http://www.volokh.com/2011/08/29/distinguishing-high-value-targeted-killing-and-signature-attacks-on-taliban-fighters/>.

From the US standpoint, it is partly that it does not depend as much as it did on Pakistan’s intelligence.  But it is also partly, as a couple of well-publicized incidents a few months ago made clear, that sharing targeting decisions with Pakistan’s military and ISI runs a very considerable possibility of having the targets tipped off (as even The Onion has observed).  The article notes in this regard, the U.S. worries that “if they tell the Pakistanis that a drone strike is coming someone within Pakistani intelligence could tip off the intended target.”  However, the Journal’s reporting goes from there to emphasize an aspect of targeted killing and drone warfare that is not sufficiently appreciated in public discussions trying to assess such issues as civilian collateral damage, strategic value and uses, and the uses of drones in counterterrorism and counterinsurgency as distinct activities.  The article explains:

The CIA carries out two different types of drone strikes in the tribal areas of Pakistan—those against so-called high-value targets, including Mr. Rahman, and “signature” strikes targeting Taliban foot-soldiers who criss-cross the border with Afghanistan to fight U.S. forces there.

High-value targets are added to a classified list that the CIA maintains and updates. The agency often doesn’t know the names of the signature targets, but it tracks their movements and activities for hours or days before striking them, U.S. officials say.

Another way to put this is that, loosely speaking, the high value targets are part of a counterterrorism campaign – a worldwide one, reaching these days to Yemen and other places.  It is targeted killing in its strict sense using drones – **aimed at a distinct individual who has been identified by intelligence**.  **The “signature” strikes, by contrast, are not strictly** speaking **“targeted killing,” because they are aimed at larger numbers of fighters who are targeted on the basis of being combatants, but not on the basis of individuated intelligence**.  They are fighting formations, being targeted on a mass basis as part of the counterinsurgency campaign in Afghanistan, as part of the basic CI doctrine of closing down cross-border safe havens and border interdiction of fighters.  Both of these functions can be, and are, carried out by drones – though each strategic function could be carried out by other means, such as SEAL 6 or CIA human teams, in the case of targeted killing, or manned aircraft in the case of attacks on Taliban formations.  The fundamental point is that they serve distinct strategic purposes.  Targeted killing is not synonymous with drone warfare, just as counterterrorism is analytically distinct from counterinsurgency.  (I discuss this in the opening sections of this [draft chapter on SSRN](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1812124).)

This analytic point affects how one sees the levels of drone attacks going up or down over the years.  Neither the total numbers of fighters killed nor the total number of drone strikes – going up or down over months – tells the whole story.  Total numbers do not distinguish between the high value targets, being targeted as part of the top down dismantling of Al Qaeda as a transnational terrorist organization, on the one hand, and ordinary Taliban being killed in much larger numbers as part of counterinsurgency activities essentially part of the ground war in Afghanistan, on the other.  Yet the distinction is crucial insofar as the two activities are, at the level of truly grand strategy, in support of each other – the war in Afghanistan and the global counterterrorism war both in support of the AUMF and US national security broadly – but at the level of ordinary strategic concerns, quite distinct in their requirements and conduct.  If targeted killing against AQ leadership goes well in Pakistan, those might diminish at some point in the future; what happens in the war against the Afghan Taliban is distinct and has its own rhythm, and in that effort, drones are simply another form of air weapon, an alternative to manned aircraft in an overt, conventional war.  Rising or falling numbers of drone strikes in the aggregate will not tell one very much without knowing what mission is at issue.

Moreover, to the extent that one can have confidence in counts of civilian casualties (though there is a convergence on accepting that drone warfare is gradually producing far lower civilian casualty counts than alternative means), **it is** still **crucial to distinguish between the two types of strategic uses of drones**.  Totals that run the two activities together are not analytically very useful.  Moreover, there is some reason to believe that the kind of targeting that might produce the most civilian casualties is, under some circumstances (and perhaps counterintuitively) targeting a single, individual terrorist leader, rather than a larger group of fighters.  The reason is that a terrorist leader in Al Qaeda might well deliberately surround himself with many women and children all the time, as human shields, thus raising at least the possibility of greater civilian harm, should political authorities decide that a strike is warranted despite the civilian presence.  The Taliban formation might consist of more fighters, but fewer civilians.

These are analytic possibilities; the publicly available data does not seem to me sufficiently robust to draw strong conclusions about the kind of activity and civilian casualties. My point is an analytic one – **one has not said very much about drone warfare without disentangling the distinct strategic uses to which the weapon is put**.

**Vote negative –**

**2. Ground --- the aff doesn’t get to restrict drones, they get to restrict TK --- signature strikes and targeted killings are different strategies with different literature bases --- they bypass core negative ground and eliminate only the worst aspects of drone strikes.**

**1. Limits --- precise definition of TK key to prevent a topic explosion into areas like assassinations or killings of dissidents.**

Sebastian Jose **Silva**, **2003**. University of Montreal Master’s candidate. “Death for life : a study of targeted killing by States in international law,” <https://papyrus.bib.umontreal.ca/xmlui/bitstream/handle/1866/2372/11474222.PDF;jsessionid=4D1530E8E8F2DEE3B4C68BA4B7997F3B?sequence=1>.

As defined by Steven R. David, targeted killing is the "intentional slaying of a specific individual or group of individuals undertaken with explicit governmental approval.,,25 Though concise, the problem with this definition is that it fails to specify the intended targets and ignores the context in which they are carried out. By failing to define targeted killings as measures of counter-terrorism, killings of all types may indiscriminately fall under its mantle with devastating consequences. As such, the killing of political leaders in peacetime, which amounts to assassination, can fall within its scope. The same can be said about the killing of specific enemy combatants in armed conflict, which amounts to targeted military strikes, and the intentional slaying of common criminals, dissidents, or opposition leaders. Actions carried-out by governments within their jurisdictions can also be interpreted as targeted killings. Although the killing of terrorists abroad may constitute lawful and proportionate self-defense in response to armed attacks, the use of such measures by states for an unspecified number of reasons renders shady their very suggestion. David's definition is essentially correct but over-inclusive.

**1NC DA**

**Allowing foreign entities to dictate congressional policy would dismantle constitutional balance and democracy**

James R. **Edwards** Jr., Adjunct fellow with the Hudson Institute, **2002** [The Washington Times, “Homeland Security in Konts,” Lexis]

In other words, Congress would lose much of its constitutional ability to check the executive branch. And foreign governments, unelected supranational bodies and bureaucrats would be free to dictate to Americans what our laws are. The courts have consistently upheld the right of Congress to determine who to admit, exclude and expel and on what basis. This is a right of sovereignty. And exercising this right belongs to Congress alone among its plenary powers. To pawn off this exclusive congressional power to the executive branch or foreign entities would upset the constitutional balance. It would give noncitizens of the United States the ability to dictate our own laws, even if the Senate had never ratified a related treaty. The Senate should keep the homeland security bill free of these substantive changes in immigration policy. The House should insist that these be dropped from the bill. And the White House should include these in its reasons for a veto.

**Constitutional violations come first – under any framework**

Daryl **Levinson**, Professor of law at University of Virginia, **2000** [University of Chicago Law Review, Spring, Lexis]

Extending a majority rule analysis of optimal deterrence to constitutional torts requires some explanation, for we do not usually think of violations of constitutional rights in terms of cost-benefit analysis and efficiency. Quite the opposite, constitutional rights are most commonly conceived as **deontological side-constraints** that trump even utility-maximizing government action. 69Alternatively, constitutional rights might be understood as serving rule-utilitarian purposes. If the disutility to victims of constitutional violations often exceeds the social benefits derived from the rights-violating activity, or if rights violations create long-term costs that outweigh short-term social benefits, then constitutional rights can be justified as tending to maximize global utility, even though this requires local utility-decreasing steps. Both the deontological and rule-utilitarian descriptions imply that the optimal level of constitutional violations is **zero**; that is, society would be better off, by whatever measure, if constitutional rights were never violated.

**Democracy solves everything including extinction**

Larry **Diamond**, Hoover Institution, Stanford University, **1995**

Nuclear, chemical, and biological weapons continue to proliferate. The very source of life on Earth, the global ecosystem, appears increasingly endangered. Most of these new and unconventional threats to security are associates with or aggravated by the weakness or absence of democracy, with its provisions for legality, accountability, popular sovereignty, and openness.

**Politics**

**Iran sanctions won’t be extended**

**ABDI 11 – 15 – 13 Policy Director, National Iranian American Council** [Jamal Abdi, Tide Turns Towards Diplomacy as Key Senators Oppose New Iran Sanctions, <http://www.huffingtonpost.com/jamal-abdi/tide-turns-towards-diplom_b_4283626.html>]

President Obama and the White House have been engaged in a battle in the Senate to block the chamber from passing new sanctions that could derail ongoing negotiations with Iran. The White House has been clear: new sanctions could kill the talks and put the U.S. on a "path to war."

Groups including NIAC, FCNL, Peace Action, Americans for Peace Now, J Street, and International Campaign for Human Rights in Iran have all come out against new Senate sanctions. Groups including AIPAC and Foundation for Defense of Democracies are, as usual, advocating more sanctions. AIPAC even says they will explicitly try to kill a deal.

But it looks like the pro-diplomacy side is winning.

Senators Carl Levin, Christopher Murphy, and Dianne Feinstein have all now come out in opposition to new Iran sanctions, saying they will instead support the ongoing negotiations with Iran. And today, even Senator John McCain (R-AZ) told the BBC today he will not support new sanctions **for now**, saying, "I am skeptical of talks with Iran but willing to give the Obama administration a couple months."

Here are the three Senators who are leading the charge to protect diplomacy from a new sanctions push:

Senator Carl Levin (D-MI), Chairman of the Senate Armed Services Committee: "Whether it is a 10%, 40% or 60% chance [that the change is real], it should be tested and probed. We should not at this time impose additional sanctions."

Senator Dianne Feinstein (D-CA), Chairwoman of the Senate Select Committee on Intelligence: "I am baffled by the insistence of some senators to undermine the P5+1 talks. I will continue to support these negotiations and oppose any new sanctions as long as we are making progress toward a genuine solution."

Senator Chris Murphy (D-CT), Member of the Senate Foreign Relations Committee: "At this critical juncture in these negotiations when Iran may be on the verge of making serious concessions regarding its nuclear program, I worry it would be counterproductive for Congress to authorize a new round of sanctions, diminishing American leverage and weakening the hands of Secretary Kerry and his counterparts in the P5+1."

While the House of Representatives voted in support of new sanctions just days before Rouhani's inauguration, a recent letter calling for the Senate to support new sanctions drew less than half as many supporters as a previous letter supporting diplomacy and calling for sanctions to be traded in for Iranian nuclear concessions.

Now, it is now up to the Senate to decide whether to pass a sanctions bill opposed by the White House. The chamber has yet to advance their own bill despite prodding from hawks like Mark Kirk (R-IL) and Lindsey Graham (R-SC). The most likely path for the new sanctions was the National Defense Authorization Act, expected to be on the Senate floor next week. But with the two Senators who will manage the bill - Levin and McCain - now opposed to adding sanctions, U.S. negotiators are likely to have more space to conduct talks and secure a framework for a deal without Congressional interference.

**The standing of the executive is the crucial internal link – key to diplomacy**

**LEVERETT 11 – 7 – 13 Profs of International Relations – Penn State & American University** [Flynt Leverett and Hillary Mann Leverett, America’s Moment of Truth on Iran , <http://iranian.com/posts/view/post/23789>]

America’s Iran policy is at a crossroads. Washington can abandon its counterproductive insistence on Middle Eastern hegemony, negotiate a nuclear deal grounded in the Nuclear Non-Proliferation Treaty (NPT), and get serious about working with Tehran to broker a settlement to the Syrian conflict. In the process, the United States would greatly improve its ability to shape important outcomes there. Alternatively, America can continue on its present path, leading ultimately to strategic irrelevance in one of the world’s most vital regions—with negative implications for its standing in Asia as well.

U.S. policy is at this juncture because the costs of Washington’s post-Cold War drive to dominate the Middle East have risen perilously high. President Obama’s self-inflicted debacle over his plan to attack Syria after chemical weapons were used there in August showed that America can no longer credibly threaten the effective use of force to impose its preferences in the region. While Obama still insists “all options are on the table” for Iran, the reality is that, if Washington is to deal efficaciously with the nuclear issue, it will be through diplomacy.

In this context, last month’s Geneva meeting between Iran and the P5+1 brought America’s political class to a strategic and political moment of truth. Can American elites turn away from a self-damaging quest for Middle Eastern hegemony by coming to terms with an independent regional power? Or are they so enthralled with an increasingly surreal notion of America as hegemon that, to preserve U.S. “leadership,” they will pursue a course further eviscerating its strategic position?

The proposal for resolving the nuclear issue that Iran’s foreign minister, Javad Zarif, presented in Geneva seeks answers to these questions. It operationalizes the approach advocated by Hassan Rohani and other Iranian leaders for over a decade: greater transparency on Iran’s nuclear activities in return for recognizing its rights as a sovereign NPT signatory—especially to enrich uranium under international safeguards—and removal of sanctions. For years, the Bush and Obama administrations rejected this approach. Now Obama must at least consider it.

The Iranian package provides greater transparency on Tehran’s nuclear activities in two crucial respects. First, it gives greater visibility on the conduct of Iran’s nuclear program. Iran has reportedly offered to comply voluntarily for some months with the Additional Protocol (AP) to the NPT—which it has signed but not yet ratified and which authorizes more proactive and intrusive inspections—to encourage diplomatic progress. Tehran would ratify the AP—thereby committing to its permanent implementation—as part of a final deal.

Second, the package aims to validate Iran’s declarations that its enrichment infrastructure is not meant to produce weapons-grade fissile material. Iran would stop enriching at the near-20 percent level of fissile-isotope purity needed to fuel the Tehran Research Reactor and cap enrichment at levels suitable for fueling power reactors. Similarly, Iran is open to capping the number of centrifuges it would install—at least for some years—at its enrichment sites in Natanz and Fordo.

Based on conversations with Iranian officials and political figures in New York in September (during Rohani and Zarif’s visit to the UN General Assembly) and in Tehran last month, it is also possible to identify items that the Iranian proposal almost certainly does not include. Supreme Leader Ayatollah Seyed Ali Khamenei has reportedly given President Rohani and his diplomats flexibility in negotiating a settlement—but he has also directed that they not compromise Iran’s sovereignty. Thus, the Islamic Republic will not acquiesce to American (and Israeli) demands to suspend enrichment, shut its enrichment site at Fordo, stop a heavy-water reactor under construction at Arak, and ship its current enriched uranium stockpile abroad.

On one level, the Iranian package is crafted to resolve the nuclear issue based on the NPT, within a year. Iran’s nuclear rights would be respected; transparency measures would reduce the proliferation risks of its enrichment activities below what Washington tolerates elsewhere. On another level, though, the package means to test America’s willingness and capability to resolve the issue on this basis. It tests this not just for Tehran’s edification, but also for that of other P5+1 states, especially China and Russia, and of rising powers like India and South Korea.

America can fail the Iranian test in two ways. First, the Obama administration—reflecting America’s political class more broadly—may prove unwilling to acknowledge Iran’s nuclear rights in a straightforward way, insisting on terms for a deal that effectively suborn these rights and violate Iranian sovereignty.

**There are powerful constituencies**—e.g., the Israel lobby, neoconservative Republicans, their Democratic “fellow travelers,” and U.S.-based Iran “experts”—that oppose any deal recognizing Iran’s nuclear rights. They understand that acknowledging these rights would also mean accepting the Islamic Republic as an enduring entity representing legitimate national interests; to do so, America would have to abandon its post-Cold War pretensions to Middle Eastern hegemony.

Those pretensions have proven dangerously corrosive of America’s ability to accomplish important objectives in the Middle East, and of its global standing. Just witness the profoundly self-damaging consequences of America’s invasion and occupation of Iraq, and how badly the “global war on terror” has eviscerated the perceived legitimacy of American purposes in the Muslim world.

But, as the drama over Obama’s call for military action against Syria indicates, America’s political class remains deeply attached to imperial pretense—even as the American public turns away from it. If Washington could accept the Islamic Republic as a legitimate regional power, it could work with Tehran and others on a political solution to the Syrian conflict. Instead, Washington reiterates hubristic demands that President Bashar al-Assad step down before a political process starts, and relies on a Saudi-funded “Syrian opposition” increasingly dominated by al-Qa’ida-like extremists.

 If Obama does not conclude a deal recognizing Iran’s nuclear rights, it will confirm suspicions already held by many Iranian elites—including Ayatollah Khamenei—and in Beijing and Moscow about America’s real agenda vis-à-vis the Islamic Republic. It will become undeniably clear that U.S. opposition to indigenous Iranian enrichment is not motivated by proliferation concerns, but by determination to preserve American hegemony—and Israeli military dominance—in the Middle East. If this is so, why should China, Russia, or rising Asian powers continue trying to help Washington—e.g., by accommodating U.S. demands to limit their own commercial interactions with Iran—obtain an outcome it does not actually want?

America can also fail Iran’s test if it is unable to provide comprehensive sanctions relief as part of a negotiated nuclear settlement. The Obama administration now acknowledges what we have noted for some time—that, beyond transitory executive branch initiatives, lifting or even substantially modifying U.S. sanctions to support diplomatic progress **will take congressional action.**

 During Obama’s presidency, many U.S. sanctions initially imposed by executive order have been written into law. These bills—signed, with little heed to their long-term consequences, by Obama himself—have also greatly expanded U.S. secondary sanctions, which threaten to punish third-country entities not for anything they’ve done in America, but for perfectly lawful business they conduct in or with Iran. The bills contain conditions for removing sanctions stipulating not just the dismantling of Iran’s nuclear infrastructure, but also termination of Tehran’s ties to movements like Hizballah that Washington (foolishly) designates as terrorists and the Islamic Republic’s effective transformation into a secular liberal republic.

 The Obama administration may have managed to delay passage of yet another sanctions bill for a few weeks—but **Congressional Democrats no less than congressional Republicans have made publicly clear that they will not relax conditions for removing existing sanctions to help Obama conclude and implement a nuclear deal.** If their obstinacy holds, why should others respect Washington’s high-handed demands for compliance with its extraterritorial (hence, illegal) sanctions against Iran?

 Going into the next round of nuclear talks in Geneva on Thursday, it is unambiguously plain that Obama **will have to spend enormous political capital** to realign relations with Iran. America’s **future standing as a great power** depends significantly on his readiness to do so.

**PLAN kills the executive**

**KRINER 10**—Assistant professor of political science at Boston University [Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, pg. 276-77]

One of the mechanisms by which congressional opposition influences presidential cost-benefit calculations is by sending signals of American disunity to the target state. Measuring the effects of such congressional signals on the calculations of the target state is always difficult. In the case of Iraq it is exceedingly so, given the lack of data on the non-state insurgent actors who were the true “target” of the American occupation after the fall of the Hussein regime. Similarly, in the absence of archival documents, such as those from the Reagan Presidential Library presented in chapter 5, it is all but impossible to measure the effects of congressional signals on the administration’s perceptions of the military costs it would have to pay to achieve its objectives militarily.

By contrast. measuring the domestic political costs of congressional opposition, while still difficult, is at least a tractable endeavor. Chapter 2 posited two primary pathways through which congressional opposition could raise the political costs of staying the course militarily for the president. **First, high-profile congressional challenges** to a use of force can affect real or anticipated public opinion and bring popular pressures to bear on the president to change course. Second, congressional opposition to the president’s conduct of military affairs **can compel him to spend considerable political capital in the military arena to the detriment of other major items on his programmatic agenda**. On both of these dimensions, congressional opposition to the war in Iraq appears to have had the predicted effect.

**US/Iran war & Iranian prolif**

**WORLD TRIBUNE 11 – 13** – 13 [Obama said to suspend Iran sanctions without informing Congress, <http://www.worldtribune.com/2013/11/13/obama-said-to-suspend-iran-sanctions-without-informing-congress/>]

The administration has also pressured Congress to suspend plans for new sanctions legislation against Iran. The sources said the White House effort has encountered resistance from both Democrats and Republicans, particularly those in the defense and foreign affairs committees.

“I urge the White House and the Senate to learn from the lessons of the past and not offer sanctions relief in return for the false hopes and empty promises of the Iranian regime,” Rep. Ileana Ros-Lehtinen, chairwoman of the House Middle East and North Africa Subcommittee, said. “Instead, new rounds of sanctions must be implemented to gain further leverage because any misstep in calculations at this juncture will have devastating and irreversible consequences that will be difficult to correct retroactively.”

On Nov. 12, the White House warned that **additional sanctions on Iran would mean war with the United States.** White House press secretary Jay Carney, in remarks meant to intensify pressure on Congress, said sanctions **would end the prospect of any diplomatic solution** to Iran’s crisis.

“The American people do not want a march to war,” Carney said. “It is important to understand that if pursuing a resolution diplomatically is disallowed or ruled out, what options then do we and our allies have to prevent Iran from acquiring a nuclear weapon?”

Still, the Senate Banking Committee has agreed to delay any vote on sanctions legislation until a briefing by Secretary of State John Kerry on Nov. 13. The sources said Kerry was expected to brief the committee on the P5+1 talks in Geneva that almost led to an agreement with Teheran.

“The secretary will be clear that putting new sanctions in place would be a mistake,” State Department spokeswoman Jen Psaki said on Nov. 12. “We are still determining if there’s a diplomatic path forward. What we are asking for right now is a pause, a temporary pause, in sanctions.”

**Iran war escalates**

**White**, July/August 20**11** (Jeffrey—defense fellow at the Washington Institute for Near East Policy, What Would War With Iran Look Like, National Interest, p. <http://www.the-american-interest.com/article-bd.cfm?piece=982>)

A U.S.-Iranian war would probably not be fought by the **U**nited **S**tates and Iran alone. Each would have partners or allies, both willing and not-so-willing. Pre-conflict commitments, longstanding relationships, the course of operations and other factors would place the **U**nited **S**tates and Iran at the center of more or less structured coalitions of the marginally willing. A Western coalition could consist of the United States and most of its traditional allies (but very likely not Turkey, based on the evolution of Turkish politics) in addition to some Persian Gulf states, Jordan and perhaps Egypt, depending on where its revolution takes it. Much would depend on whether U.S. leaders could persuade others to go along, which would mean convincing them that U.S. forces could shield them from Iranian and Iranian-proxy retaliation, or at least substantially weaken its effects. Coalition warfare would present a number of challenges to the U.S. government. Overall, it would lend legitimacy to the action, but it would also constrict U.S. freedom of action, perhaps by limiting the scope and intensity of military operations. There would thus be tension between the desire for a small coalition of the capable for operational and security purposes and a broader coalition that would include marginally useful allies to maximize legitimacy. The U.S. administration would probably not welcome Israeli participation. But if Israel were directly attacked by Iran or its allies, Washington would find it difficult to keep Israel out—as it did during the 1991 Gulf War. That would complicate the U.S. ability to manage its coalition, although it would not necessarily break it apart. Iranian diplomacy and information operations would seek to exploit Israeli participation to the fullest. Iran would have its own coalition. Hizballah in particular could act at Iran’s behest both by attacking Israel directly and by using its asymmetric and irregular warfare capabilities to expand the conflict and complicate the maintenance of the U.S. coalition. The escalation of the Hizballah-Israel conflict could draw in Syria and Hamas; Hamas in particular could feel compelled to respond to an Iranian request for assistance. Some or all of these satellite actors might choose to leave Iran to its fate, especially if initial U.S. strikes seemed devastating to the point of decisive. But their involvement would **spread the conflict** to the entire eastern Mediterranean and perhaps beyond, complicating both U.S. military operations and coalition diplomacy.

**Case**

**1NC Turn—WP Fight DA**

**Wartime will force Obama to resist. The intractable battle creates a national diversion and impairs military wartime decisions**

**Lobel 8**—Professor of Law @ University of Pittsburgh [Jules Lobel, “Conflicts Between the Commander in Chief and Congress: Concurrent Power over the Conduct of War,” Ohio State Law Journal, Vol. 69, 2008, pg. 391]

The critical difficulty with a contextual approach is its inherent ambiguity and lack of clarity, which tends to sharply shift the balance of power in favor of a strong President acting in disregard of congressional will. For example, the application of the Feldman and Issacharoff test asking whether the **congressional restriction** makes realistic sense in the modern world would yield no coherent separation of powers answer if applied to the current Administration’s confrontation with Congress. It would undoubtedly **embolden the President to ignore Congress’s strictures**. The President’s advisors would argue that the McCain Amendment’s ban on cruel and inhumane treatment, or FISA’s requirement of a warrant, does not make realistic sense in the context of the contemporary realities of the war on terror in which we face a shadowy, ruthless nonstate enemy that has no respect for laws or civilized conduct, a conclusion hotly disputed by those opposed to the President’s policies. Focusing the debate over whether Congress has the power to control the treatment of detainees on the President’s claim that the modern realities of warfare require a particular approach will merge the separation of powers inquiry of who has the power with the political determination of what the policy ought to be. Such an approach is likely to encourage the President to **ignore and violate legislative wartime enactments** whenever he or she believes that a statute does not make realistic sense—that is, when it conflicts with a policy the President embraces. 53

The contextual approach has a “zone of twilight” quality that Justice Jackson suggested in Youngstown. 54 Often constitutional norms matter less than political realities—**wartime reality often favors a strong President who will overwhelm** both Congress and the courts. While it is certainly correct— as Jackson noted—that neither the Court nor the Constitution will preserve separation of powers where Congress is too politically weak to assert its authority, a fluid contextual approach is an invitation to Presidents to push beyond the constitutional boundaries of their powers and **ignore legislative enactments that seek to restrict their wartime authority**.

Moreover, another substantial problem with a contextual approach in the war powers context is that the judiciary is unlikely to resolve the dispute. 55 The persistent refusal of the judiciary to adjudicate the constitutionality of the War Powers Resolution strongly suggests that courts will often refuse to intervene to resolve disputes between the President and Congress over the constitutionality of a statute that a President claims impermissibly interferes with her conduct of an ongoing war. 56 This result leaves the political branches to engage in an **intractable dispute** over the statute’s constitutionality that **saps the nation’s energy, diverts focus** from the political issues in dispute, and **endangers the rule of law**.

Additionally, in wartime it is often important for issues relating to the exercise of war powers to be resolved quickly. Prompt action is not usually the forte of the judiciary.

If, however, a constitutional consensus exists or could be consolidated that Congress has the authority to check the President’s conduct of warfare, that consensus might help embolden future Congresses to assert their power. Such a consensus might also help prevent the **crisis, chaos, and stalemate** that may result when the two branches assert competing constitutional positions and, as a practical matter, judicial review is unavailable to resolve the dispute.

Moreover, the adoption of a contextual, realist approach will **undermine rather than aid the cooperation and compromise** between the political branches that is so **essential to success in wartime**. In theory, an unclear, ambiguous division of power between the branches that leaves each branch uncertain of its legal authority could further compromise and cooperation. However, **modern social science research** suggests that the opposite occurs. 57 Each side in the dispute is likely to grasp onto aspects or factors within the ambiguous or complex reality to support its own self-serving position. This **self-serving bias** hardens each side’s position and allows the **dispute to drag on**, as has happened with the ongoing, unresolved dispute over the constitutionality of the War Powers Resolution. Pg. 407-409

**Stalemate creates an antiwar congressional coalition that guts our commitment to Afghanistan**

**Lieberman 10**—Independent Democratic senator from Connecticut [Joseph I. Leiberman, “Back to a Bipartisan Foreign Policy,” Wall Street Journal, November 16, 2010, pg. http://tinyurl.com/m5z623w]

This year's midterm elections marked the first time since 9/11 that national security was not a major consideration for American voters. But it is precisely in the realm of foreign policy and national security that we may have the greatest opportunities for bipartisan **cooperation** between President Obama and resurgent Republicans in Congress.

Seizing these opportunities will require both parties to break out of a destructive cycle that has entrapped them since the end of the Cold War and caused them to depart from the principled internationalist tradition that linked Democratic presidents like Truman and Kennedy with Republican presidents like Nixon and Reagan.

During the 1990s, too many Republicans in Congress reflexively opposed President Clinton's policies in the Balkans and elsewhere. Likewise, during the first decade of the 21st century, too many Democrats came to view the post-9/11 exercise of American power under President Bush as a more pressing danger than the genuine enemies we faced in the world.

The larger truth was that the foreign policy practices and ideals of both President Clinton and Bush were within the mainstream of American history and values. And if one can see through the fog of partisanship that has continued to choke Washington since President Obama was elected in 2008, the same is true of the new administration as well.

President Obama has moved to the internationalist center on several key issues of national security. Although both parties are hesitant to acknowledge it, the story of the Obama administration's foreign policy is as much continuity as change from the second term of the Bush administration—from the surge in Afghanistan to the reauthorization of the Patriot Act, and from drone strikes against al Qaeda to a long-term commitment to Iraq.

Republicans have also stayed loyal to the internationalist policies they supported under President Bush. When they have criticized the Obama administration, it has reflected this worldview—arguing that the White House has not been committed enough in its prosecution of the war in Afghanistan or done enough to defend human rights and democracy in places like Iran and China.

The critical question now, as we look forward to the next two years, is whether this convergence of the two parties towards the internationalist center can be sustained and strengthened. There are three national security priorities where such a **consensus is urgently needed**.

The first is the war in Afghanistan. To his credit, President Obama last December committed more than 30,000 additional troops to Afghanistan as part of a comprehensive counterinsurgency campaign, despite opposition within the Democratic Party.

Having just returned from Afghanistan, I am increasingly confident that the tide there is turning in our favor, with growing signs of military progress. But as Gen. David Petraeus, the top U.S. commander in Afghanistan, has warned, success will come neither quickly nor easily, and there is still much tough fighting ahead. It is all but certain that no more than a small number of U.S. forces will be able to withdraw responsibly in July 2011, and that success in Afghanistan is going to require a **long-term commitment** by the U.S. beyond this date.

Sustaining political support for the war in Afghanistan therefore will increasingly require President Obama and Republicans in Congress to stand together. Failure to sustain this bipartisan alliance runs the risk that an **alternative coalition** will form in Congress, between **antiwar Democrats and isolationist Republicans**. That would be the **single greatest political threat** to the success of the war effort in Afghanistan, which remains critical to our security at home.

**Nuclear instability and great power adventurism**

**Miller 12**—Professor of International Security Affairs & Director for the Afghanistan-Pakistan program @ National Defense University [Paul D. Miller (Former Director for Afghanistan on the National Security Council staff under Presidents Bush and Obama), “It’s Not Just Al-Qaeda: Stability in the Most Dangerous Region,” World Affairs Journal, March-April 2012, pg. http://tinyurl.com/lnplsb7]

In fact, the war is only now entering its culminating phase, indicated by the willingness of both US and Taliban officials to talk openly about negotiations, something parties to a conflict do only when they see more benefit to stopping a war than continuing it. That means **the war’s ultimate outcome is likely to be decided by the decisions, battles, and bargaining of the next year or so**. And its outcome will have huge implications for the future of US national security. In turn, that means the **collective decision to ignore the war** and its consequences is foolish at best, dangerous at worst. While Americans have lost interest in the war, the war may still have an interest in America. Now is the time, more than ten years into the effort, to remind ourselves what is at stake in Afghanistan and why the United States must secure lasting stability in South Asia.

It was, of course, al-Qaeda’s attack on the US homeland that triggered the intervention in Afghanistan, but wars, once started, always involve broader considerations than those present at the firing of the first shot. The war in Afghanistan now affects all of America’s interests across South Asia: **Pakistan’s stability** and the security of its nuclear weapons, **NATO’s credibility**, **relations with Iran and Russia**, transnational drug-trafficking networks, and more. America leaves the job in Afghanistan unfinished at its peril.

The chorus of voices in the Washington policy establishment calling for withdrawal is growing louder. In response to this pressure, President Obama has pledged to withdraw the surge of thirty thousand US troops by September 2012—faster than US military commanders have recommended—and fully transition leadership for the country’s security to the Afghans in 2013. These decisions mirror the anxieties of the electorate: fifty-six percent of Americans surveyed recently by the Pew Research Center said that the US should remove its troops as soon as possible.

But it is not too late for Obama (who, after all, campaigned in 2008 on the importance of Afghanistan, portraying it as “the good war” in comparison to Iraq) to reformulate US strategy and goals in South Asia and explain to the American people and the world why an ongoing commitment to stabilizing Afghanistan and the region, however unpopular, is nonetheless necessary.

The Afghanistan Study Group, a collection of scholars and former policymakers critical of the current intervention, argued in 2010 that al-Qaeda is no longer in Afghanistan and is unlikely to return, even if Afghanistan reverts to chaos or Taliban rule. It argued that three things would have to happen for al-Qaeda to reestablish a safe haven and threaten the United States: “1) the Taliban must seize control of a substantial portion of the country, 2) Al Qaeda must relocate there in strength, and 3) it must build facilities in this new ‘safe haven’ that will allow it to plan and train more effectively than it can today.” Because all three are unlikely to happen, the Study Group argued, al-Qaeda almost certainly will not reestablish a presence in Afghanistan in a way that threatens US security.

In fact, none of those three steps are necessary for **al-Qaeda** to regain its safe haven and threaten America. The group could return to Afghanistan even if the Taliban do not take back control of the country. It could—and probably would—find safe haven there if Afghanistan relapsed into chaos or civil war. Militant groups, including al-Qaeda offshoots, have gravitated toward other failed states, like Somalia and Yemen, but Afghanistan remains especially tempting, given the network’s familiarity with the terrain and local connections. Nor does al-Qaeda, which was never numerically overwhelming, need to return to Afghanistan “in strength” to be a threat. Terrorist operations, including the attacks of 2001, are typically planned and carried out by very few people. Al-Qaeda’s resilience, therefore, means that stabilizing Afghanistan is, in fact, necessary even for the most basic US war aims. The international community should not withdraw until there is an Afghan government and Afghan security forces with the will and capacity to deny safe haven without international help.

Setting aside the possibility of al-Qaeda’s reemergence, the United States has other important interests in the region as well—notably preventing the Taliban from gaining enough power to destabilize neighboring Pakistan, which, for all its recent defiance, is officially a longstanding American ally. (It signed two mutual defense treaties with the United States in the 1950s, and President Bush designated it a major non-NATO ally in 2004.) **State failure in Pakistan** brokered by the Taliban could mean regional chaos and a possible **loss of control of its nuclear weapons**. Preventing such a catastrophe is clearly a vital national interest of the United States and cannot be accomplished with a few drones.

Alarmingly, Pakistan is edging toward civil war. A collection of militant Islamist groups, including al-Qaeda, Tehrik-e Taliban Pakistan (TTP), and Tehrik-e Nafaz-e Shariat-e Mohammadi (TNSM), among others, are fighting an insurgency that has escalated dramatically since 2007 across Khyber Pakhtunkhwa, the Federally Administered Tribal Areas, and Baluchistan. According to the Brookings Institution’s Pakistan Index, insurgents, militants, and terrorists now regularly launch more than one hundred and fifty attacks per month on Pakistani government, military, and infrastructure targets. In a so far feckless and ineffectual response, Pakistan has deployed nearly one hundred thousand regular army soldiers to its western provinces. At least three thousand soldiers have been killed in combat since 2007, as militants have been able to seize control of whole towns and districts. Tens of thousands of Pakistani civilians and militants—the distinction between them in these areas is not always clear—have been killed in daily terror and counterterror operations.

The two insurgencies in Afghanistan and Pakistan are linked. Defeating the Afghan Taliban would give the United States and Pakistan momentum in the fight against the Pakistani Taliban. A Taliban takeover in Afghanistan, on the other hand, will give new strength to the Pakistani insurgency, which would gain an ally in Kabul, safe haven to train and arm and from which to launch attacks into Pakistan, and a huge morale boost in seeing their compatriots win power in a neighboring country. Pakistan’s collapse or fall to the Taliban is (at present) unlikely, but the implications of that scenario are so dire that they cannot be ignored. Even short of a collapse, increasing chaos and instability in Pakistan could give cover for terrorists to increase the intensity and scope of their operations, perhaps even to achieve the cherished goal of **stealing a nuclear weapon**.

Although our war there has at times seemed remote, Afghanistan itself occupies crucial geography. Situated between Iran and Pakistan, bordering China, and within reach of Russia and India, it sits on a crossroads of Asia’s great powers. This is why it has, since the nineteenth century, been home to the so-called Great Game—in which the US should continue to be a player.

Two other players, Russia and Iran, are aggressive powers seeking to establish hegemony over their neighbors. Iran is seeking to build nuclear weapons, has an elite military organization (the Quds Force) seeking to export its Islamic Revolution, and uses the terror group Hezbollah as a proxy to bully neighboring countries and threaten Israel. Russia under Vladimir Putin is seeking to reestablish its sphere of influence over its near abroad, in pursuit of which it (probably) cyber-attacked Estonia in 2007, invaded Georgia in 2008, and has continued efforts to subvert Ukraine.

Iran owned much of Afghan territory centuries ago, and continues to share a similar language, culture, and religion with much of the country. It maintains extensive ties with the Taliban, Afghan warlords, and opposition politicians who might replace the corrupt but Western-oriented Karzai government. Building a stable government in Kabul will be a small step in the larger campaign to limit Tehran’s influence.

Russia remains heavily involved in the Central Asian republics. It has worked to oust the United States from the air base at Manas, Kyrgyzstan. It remains interested in the huge energy reserves in Kazakhstan and Turkmenistan. Russia may be wary of significant involvement in Afghanistan proper, unwilling to repeat the Soviet Union’s epic blunder there. But a US withdrawal from Afghanistan followed by Kabul’s collapse would likely **embolden Russia to assert its influence** more aggressively elsewhere in Central Asia or Eastern Europe, especially in the Ukraine.

A US departure from Afghanistan will also continue to resonate for years to come in the strength and purpose of NATO. Every American president since Harry Truman has affirmed the centrality of the Atlantic Alliance to US national security. The war in Afghanistan under the NATO-led International Security Assistance Force (ISAF), the Alliance’s first out-of-area operation in its sixty-year history, was going poorly until the US troop surge. Even with the limited success that followed, allies have complained that the burden in Afghanistan has been distributed unevenly. Some, like the British, Canadians, and Poles, are fighting a shooting war in Kandahar and Helmand, while others, like the Lithuanians and Germans, are doing peacekeeping in Ghor and Kunduz. The poor command and control—split between four regional centers—left decisionmaking slow and poorly coordinated for much of the war. ISAF’s strategy was only clarified in 2008 and 2009, when Generals David McKiernan and Stanley McChrystal finally developed a more coherent campaign plan with counterinsurgency-appropriate rules of engagement.

A bad end in Afghanistan could have **dire consequences for the Atlantic Alliance**, leaving the organization’s future, and especially its **credibility as a deterrent to Russia, in question**. It would not be irrational for a Russian observer of the war in Afghanistan to conclude that if NATO cannot make tough decisions, field effective fighting forces, or distribute burdens evenly, it **cannot defend Europe**. The United States and Europe **must prevent that outcome by salvaging a credible result to its operations in Afghanistan**—one that both persuades Russia that NATO is still a fighting alliance and preserves the organization as a pillar of US national security.

For some critics, organizing US grand strategy around the possible appearance of Russian tanks across the Fulda Gap is the perfect example of generals continuing to fight the last war. For them, the primary threat to US national security comes from terrorists, insurgency, state failure, ecological disaster, infectious pandemic disease, cyber attacks, transnational crime, piracy, and gangs.

But if that view of the world is right, it is all the more reason to remain engaged in Afghanistan, because it is the epicenter of the new, asymmetric, transnational threats to the US and allied national security. Even those who deny al-Qaeda could regain safe haven in Afghanistan cannot deny how much power, and capacity for damage, the drug lords have acquired there. In some years they have controlled wealth equivalent to fifty percent of Afghanistan’s GDP and produced in excess of ninety percent of the world’s heroin. Today, their products feed Europe’s endemic heroin problem, and the wealth this trade generates has done much to undermine nine years of work building a new and legitimate government in Kabul. In their quest for market share, the drug lords will expand wherever there is demand for their product or potential to grow a secure supply, almost certainly starting in Pakistan, where the trade was centered in the 1980s. Where the drug lords go, state failure, along with its accompanying chaos and asymmetric threats, will follow, as the violence and anarchy currently wracking parts of Mexico suggest. Imagine the Federally Administered Tribal Areas as a failed narco-state with the profits funding the revival of al-Qaeda or its many terror offshoots.

South Asia’s narcotics-smuggling cartels are dangerously close to seizing control of an entire state and using it to undermine law, order, and stability across an entire region. The poppy and heroin kingpins are fabulously wealthy and powerful; they oppose US interests, weaken US allies, and are headquartered in Afghanistan. Defeating them is a vital interest of the United States.

The allied mission in Afghanistan also aims to encourage the growth of democracy. Some cringe at the very thought of democratization being a part of US foreign policy, so discredited is the idea, for some, by the Iraq War, by the enduring corruption of the Afghan government, and by neoconservatives’ supposed naïveté and arrogance in assuming that this part of the world would yield so easily to democratic reform. But fostering democracy is still a vital American national security interest. However daunting the experience of trying to grow democracy in hostile soil may be, it is nonetheless true that genuine democratic change brings stability. Democracies tend to ally and trade with each other; they see the world in similar ways, and settle disputes peacefully. Spreading democracy decreases the frequency of war, creates potential allies, widens zones of stability, and as a consequence makes America safer. This is why we dare not give up on democracy promotion in South Asia.

The process of transitioning to democracy is hard, time-consuming, and even risky—it can temporarily increase the chances of instability as the experience in Iraq, among other recent examples, has shown. The difficulties of democratization are particularly well dramatized by events in Afghanistan, which has held four elections in ten years that have not made the country stable or the government honest. Continued inefficiency and corruption has undermined Afghans’ confidence in the government—although not their belief in the idea of democracy—with predictable results on voter turnout.

There is nothing inevitable about democracy’s success, as neoconservatives appeared to believe after the fall of the Soviet Union, the Taliban, or the Baathist regime in Iraq. But there is also nothing inevitable about its failure, as realists have argued in the years since these events. Democracies require longer time lines than an electoral cycle or deployment timetable, and they require security and institutional capacity, not just elections.

Afghanistan will not become a model of democracy within the foreseeable future, thanks to persistent problems of insecurity, corruption, and poverty. But the opportunity for some form of rough democracy in Afghanistan is real. Polling consistently shows that Afghans welcome greater accountability and representation in their government. Their main complaint is not that Kabul is too democratic, but that it is not democratic enough, failing to follow the rules of democratic fair play. That gives the United States the opportunity to continue to encourage genuinely local efforts to build a new democracy through capacity building, technical assistance, and training programs. Given the choice between planting democratic seeds today and accepting a tyranny imposed by a minority, the United States should choose the former every time.

Finally, the United States should remain involved in Afghanistan to prevent the reemergence of a humanitarian catastrophe. If Kabul collapses, civil war will almost certainly erupt and, at bare minimum, the warlords will reestablish their brutal fiefdoms. During Afghanistan’s civil wars, from 1992 to 2001, warlords at the head of sectarian militias regularly committed war crimes, **crimes against humanity, and ethnic cleansing**, as the Afghan Independent Human Rights Commission, Human Rights Watch, and the UN have well documented. The Taliban amassed a long record of massacring civilians and targeting the Hazara for ethnic cleansing, notably at Mazar-i-Sharif in 1998, Robatak Pass in 2000, and Yakawlang in 2001. But their crimes were not unique; Ittihad-e-Islami, for example, was accused of ethnic cleansing against the Hazara during a battle in the West Kabul neighborhood of Afshar in 1993. And if the Taliban take power over part or all of Afghanistan, **reprisal murders** against supporters of the Karzai government, including perhaps **whole tribes**, are likely to be widespread and swift, especially against **women and religious minorities**.

**Adv 1**

**No internal link – no evidence that**

**a) military control now**

**b) plan solves sharif legit**

Markey says the US will back down in squo

**No spillover – Zehra ev says public is “Demanding the promised peace” – how do drones strieks reduce public demand for reform?**

**Pakistan defense**

**Military crackdowns control instability**

**Bandow 09** – Senior Fellow at the Cato Institute (Doug, “Recognizing the Limits of American Power in Afghanistan,” Huffington Post, 11/31/09, <http://www.cato.org/pub_display.php?pub_id=10924>, MMarcus)

From Pakistan's perspective, limiting the war on almost any terms would be better than prosecuting it for years, even to "victory," whatever that would mean. In fact, the least likely outcome is a takeover by widely unpopular Pakistani militants. The Pakistan military is the nation's strongest institution; while the army might not be able to rule alone, it can prevent any other force from ruling. Indeed, Bennett Ramberg made the important point: "Pakistan, Iran and the former Soviet republics to the north have demonstrated a brutal capacity to suppress political violence to ensure survival. This suggests that even were Afghanistan to become a terrorist haven, the neighborhood can adapt and resist." The results might not be pretty, but the region would not descend into chaos. In contrast, warned Bacevich: "To risk the stability of that nuclear-armed state in the vain hope of salvaging Afghanistan would be a terrible mistake."

**Won’t escalate -- Paki loose nukes aren’t a threat.**

**Innocent 10** - foreign policy analyst at the Cato Institute (Malou, “Away from McChrystal and Back to the Basics,” Huffington Post, 6/28/10, <http://www.cato.org/pub_display.php?pub_id=11934>, MMarcus)

Pakistan has an elaborate command and control system in place that complies with strict Western standards, and the country's warheads, detonators, and missiles are not stored fully-assembled, but are scattered and physically separated throughout the country. In short, **the danger of militants seizing Pakistan's nuclear weapons in some Rambo-like scenario remains highly unlikely.**

**Balochistan**

**No internal link to balochistan – their ev says Sharif’s stance is a unifying force**

**No impact – instability would “influence relations” and cause competition**

**India defense**

**No Indo-Pak War – Economy and resolving disputes**

**Mahapatra 3/9**/12 (Dr Debidatta Aurobinda Mahapatra is currently associated with the Centre for Central Eurasian Studies, University of Mumbai, India. His areas of expertise include Kashmir, conflict, peace and development and South Asia., http://www.strategic-culture.org/news/2012/03/09/positive-reckoning-of-india-pakistan-relations.html)

Developments in past few weeks provide enough indication that India-Pakistan relations have changed significantly mainly owing to a sea change in the mindset of leaders of both the countries. Mutual understanding on various complex issues such as Kashmir, free trade regime and cross border trade clearly reflected the increasing pragmatic nature of relations which are no more governed by earlier rhetoric without any substance. Another perceptible change in relations is that retired diplomats and bureaucrats, as well as government officials in both the countries, have started speaking in plain language of dialogue and reconciliation with overt focus on issues of economic development and cooperation, while shelving contentious issues for the time being. Such an evolving format undoubtedly has its detractors, but their constituency has shrunk rapidly in past few months. The civilian governments in New Delhi and Islamabad appear to have developed a new understanding as to how to manage bilateral relations in a mutually beneficial framework. On 7 March 2012 one of the well known strategic think tanks in Islamabad called Institute of Strategic Studies organized a talk under the title “Pakistan’s Political and Economic Imperatives Require it to Pursue a Path Towards Normalisation of Relations with India, Even if an Acceptable Kashmir Settlement Remains Elusive for the Foreseeable Future.” Speaking on the occasion Ambassador (retd.) Najmuddin A. Sheikh one of the noted commentators of Pakistan strongly argued that both the countries can work together and engage in bilateral trade for economic development. Referring to his argument, the online Pak Observer noted, “it was vital to move the country out of the horrifying poverty levels for which non-tariff trade with India was partly the solution, along with fostering regional cooperation to promote overland trade. This would generate huge sums of money in the shape of revenue for Pakistan, create millions of jobs and increase Pakistan’s share in international trade.” At the end of the debate majority votes were in favour of strong India-Pakistan relations. Air Vice-Marshal (retd.), Shahzad Chaudhury of Pakistan while writing in Pakistan Tribune on 8 March 2012 hailed in clear terms the recent initiatives between the two countries. According to him, Pakistan “must include a genuine cost-benefit analysis that indicates the realism in actualizing some of Pakistan’s long-held objectives.” This pragmatism in relations was equally reciprocated by Indian opinion makers and officials. Indian Commerce Minister, Anand Sharma is a strong votary of synergizing India-Pakistan economic relations. He led a big delegation of Indian businessmen to Pakistan few weeks ago, which was highly appreciated by Pakistan. Some of the Indian strategic analysts have called these initiatives ‘historic.’ One of the noted Indian commentators C. Raja Mohan wrote in the Indian Express, “Despite some residual opposition, Zardari and Gilani have delivered on normalising commercial relations with India.” Currently the bilateral trade at the level of $2.7 billion appears miniscule keeping in mind the vast potentials both the countries possess. One of the significant developments that can be certainly called historic is the understanding between both the countries to go slow on the issue of Kashmir, and focus on non-contentious issues for mutual advantage. Under the initiative of Prime Minister Manmohan Singh of India and Prime Minister Yusuf Raja Gilani of Pakistan, both the countries have revived unofficial dialogue on this vexed issue after considerable gap. In this dialogue process Indian side is led by Satinder Lambah and Pakistani side is led by Riaz Khan. One of the interesting developments in this context is that both the countries have moderated their rigid positions on the issue. The speech of Prime Minister Gilani certainly magnifies this point. Last month on the Kashmir solidarity day, in which the usual tradition is to highlight the Kashmir issue with all vigour, Gilani seemed to downplay the contentious nature of the issue by using the tone of reconciliation. He openly proclaimed in Islamabad, “We want to resolve issues through dialogue, diplomacy, prudent policy and national consensus.” To the hardliners his message was very clear. He emphasized the futility of war and violence as four wars have already been fought over Kashmir but without any solution. In the 21st century, in the era of globalization and people-centric development, the Pakistani Prime Minister declared with statesmanship that ‘we cannot afford wars.’ This must be a clear message to hardliners and particularly the religious extremists who have resorted to methods of terrorist violence to address contentious issues including Kashmir.

**Doesn’t go nuclear – they will stay conventional**

**Chari 3**– P.R. Chari is a Research Professor. "IPCS Nuclear Crisis, Escalation Control, and Deterrence in South Asia” P.R. Chari Working Paper Version 1.0 August 2003 http://www.stimson.org/images/uploads/research-pdfs/escalation\_chari\_1.pdf

However, the involvement of nuclear installations in the Indo-Pak crises of 1984–85 does not qualify these events as nuclear crises. Similarly speculative reports have suggested that a nuclear dimension imbued the Brasstacks and Kashmir-related 1990 crisis, but evidence here is tenuous. However, the Indo-Pakistani crises that followed their reciprocal nuclear tests in May 1998 had a nuclear dimension; they include the Kargil conflict and the border confrontation following a Pakistan-sponsored terrorist attack on the Indian Parliament on December 13, 2001. The situation that arose could have erupted into a “shooting war.” The danger of Indo-Pakistani crises escalating across the nuclear threshold is apparent, but a thesis has gained currency in India that limited wars can be fought under the rubric of nuclear deterrence. As stated by George Fernandes, India’s Defence Minister, “Pakistan did hold out a nuclear threat during the Kargil War last year. But it had not absorbed the real meaning of nuclearization; that it can deter only the use of nuclear weapons, but not all and any war…. [S]o the issue was not that war had been made obsolete by nuclear weapons, and that covert war by proxy was the only option, but that conventional war remained feasible though with definite limitations.” 9 India and Pakistan have conducted proxy wars and sub rosa operations against each other and fought a limited war under the aegis of nuclear weapons. Hence, there is optimism that limited conflicts can be fought and will not escalate to general war and further to a nuclear exchange, despite the prevailing atmosphere of mistrust and convictions regarding the irrationality of the “Other.”

**Terror**

**Discount their public opinion surveys—they ignore the public opinion in FATA which is pro-drones**

**Taj 10**—Farhat Taj, Centre for Gender Research, University of Oslo, Norway and Aryana Institute for Regional Research and Advocacy, AIRRA, Islamabad, Pakistan [“The year of the drone misinformation,” *Small Wars & Insurgencies*, Volume 21, Issue 3, 2010, Taylor & Francis, Accessed through Emory Libraries]

2. Public opinion source

The writers of the above report refer to some public opinion survey in Pakistan to conclude that public opinion in Pakistan is sharply against the drone attacks, which are seen as a violation of Pakistan's sovereignty. My question is: which public opinion in Pakistan are the writers referring to? Public opinion in FATA or outside FATA? The public opinion survey that the writers referred to has not been conducted in FATA. Therefore, it does not capture the view of the people of FATA. Actually, according to my knowledge, there has never been any public opinion survey in FATA on the issue of drone attacks, apart from the one conducted by the Aryana Institute for Regional Research and Advocacy (AIRRA), which reflects a positive public opinion of the tribesmen of FATA on the drone attack.

I would therefore, request researchers to refrain from drawing conclusions from public opinion surveys that **have not included FATA in the sampling**.

**Zero risk of nuclear terrorism**

**Chapman 12** 5/22, \*Stephen Chapman is a columnist and editorial writer for the Chicago Tribune, “CHAPMAN: Nuclear terrorism unlikely,” http://www.oaoa.com/articles/chapman-87719-nuclear-terrorism.html, AJ

Ever since Sept. 11, 2001, Americans have had to live with the knowledge that the next time the terrorists strike, it could be not with airplanes capable of killing thousands but atomic bombs capable of killing hundreds of thousands. The prospect has created a sense of profound vulnerability. It has shaped our view of government policies aimed at combating terrorism (filtered through Jack Bauer). It helped mobilize support for the Iraq war. Why are we worried? Bomb designs can be found on the Internet. Fissile material may be smuggled out of Russia. Iran, a longtime sponsor of terrorist groups, is trying to acquire nuclear weapons. A layperson may figure it’s only a matter of time before the unimaginable comes to pass. Harvard’s Graham Allison, in his book “Nuclear Terrorism,” concludes, “On the current course, nuclear terrorism is inevitable.” But remember: After Sept. 11, 2001, we all thought more attacks were a certainty. Yet al-Qaida and its ideological kin have proved unable to mount a second strike. Given their inability to do something simple — say, shoot up a shopping mall or set off a truck bomb — it’s reasonable to ask whether they have a chance at something much more ambitious. Far from being plausible, argued Ohio State University professor John Mueller in a presentation at the University of Chicago, “the likelihood that a terrorist group will come up with an atomic bomb seems to be **vanishingly small**.” The events required to make that happen comprise a multitude of Herculean tasks. First, a terrorist group has to get a bomb or fissile material, perhaps from Russia’s inventory of decommissioned warheads. If that were easy, one would have already gone missing. Besides, those devices are probably no longer a danger, since weapons that are not maintained quickly become what one expert calls “radioactive scrap metal.” If terrorists were able to steal a Pakistani bomb, they would still have to defeat the arming codes and other safeguards designed to prevent unauthorized use. As for Iran, no nuclear state has ever given a bomb to an ally — for reasons even the Iranians can grasp. Stealing some 100 pounds of bomb fuel would require help from rogue individuals inside some government who are prepared to jeopardize their own lives. Then comes the task of building a bomb. It’s not something you can gin up with spare parts and power tools in your garage. It requires millions of dollars, a safe haven and advanced equipment — plus people with specialized skills, lots of time and a willingness to die for the cause. Assuming the jihadists vault over those Himalayas, they would have to deliver the weapon onto American soil. Sure, drug smugglers bring in contraband all the time — but seeking their help would confront the plotters with possible exposure or extortion. This, like every other step in the entire process, means expanding the circle of people who know what’s going on, multiplying the chance someone will blab, back out or screw up. That has heartening implications. If al-Qaida embarks on the project, it has only a minuscule chance of seeing it bear fruit. Given the formidable odds, it probably won’t bother. None of this means we should stop trying to minimize the risk by securing nuclear stockpiles, monitoring terrorist communications and improving port screening. But it offers good reason to think that in this war, it appears, the worst eventuality is **one that will never happen**.

**No central asian war – countries prefer cooperation**

**Maksutov 06** (Ruslan, Stockholm International Peace Research Institute, “The Shanghai Cooperation Organization: A Central Asian Perspective”, August, http://www.sipri.org/contents/worldsec/Ruslan.SCO.pdf/download)

As a starting point, it is fair to say that all Central Asian countries—as well as China and Russia—are interested in security cooperation within a multilateral framework, such as the SCO provides. For Central Asia this issue ranks in importance with that of economic development, given the explosive environment created locally by a mixture of external and internal threats. Central Asia is encircled by four of the world’s eight known nuclear weapon states (China, India, Russia and Pakistan), of which Pakistan has a poor nuclear non-proliferation profile and Afghanistan is a haven for terrorism and extremism. Socio-economic degradation in Central Asian states adds to the reasons for concern and makes obvious the interdependence between progress in security and in development. Some scholars argue that currently concealed tendencies evolving in various states of Central Asia—such as the wide-ranging social discontent with oppressive regimes in the region, and the growing risks of state collapse and economic decline—all conducive to the quick growth of radical religious movements, could have far-reaching implications for regional stability once they come more into the light.41 At first sight, the instruments established by the SCO to fulfill its declared security building objectives seem to match the needs that Central Asian states have defined against this background. While **the existence of the SCO further reduces the already remote threat of conventional interstate war in the region,**42 it allows for a major and direct focus on the non-state, non-traditional and transnational threats that now loom so large by comparison.

**Squo solves---defense capabilities**

**Daniel 12** 2/16, \*Lisa Daniel: American Forces Press Service, Defense News, “U.S. Faces Broad Spectrum of Threats, Intel Leaders Say,” http://www.defense.gov/news/newsarticle.aspx?id=67231, AJ

Intelligence shows the next three years will be a critical transition time in counterterrorism, as groups like al-Qaida diminish in importance and terrorist groups become more decentralized, Clapper said. U.S. counterterrorism has caused al-Qaida to lose so many top lieutenants since 2008 “that a new group of leaders, even if they could be found, would have difficulty integrating into the organization and compensating for mounting losses,” the director said. Al-Qaida’s regional affiliates in Iraq, the Arabian peninsula and North Africa are expected to “surpass the remnants of core al-Qaida in Pakistan,” he said. With continued, robust counterterrorism efforts and cooperation from international partners, Clapper said, “there is a better-than-even chance that decentralization will lead to fragmentation of the movement within a few years,” although he added that terrorist groups will continue to be a dangerous transnational force. **Intense counterterrorism pressure has made it unlikely that a terrorist group would launch a chemical, biological, radiological or nuclear mass attack** against the United States in the next year, Clapper said, but groups such as al-Qaida in the Arabian Peninsula continue to show interest in such an attack. Most terrorist groups, however, remain locally focused, Clapper said, noting that al-Qaida in Iraq remains focused on overthrowing the Shiia-led government in Baghdad in favor of a Sunni-led government. In Africa, the al-Qaida in the Islamic Maghreb and al-Shabaab organizations struggle with internal divisions and outside support, and have been diminished by government and military pressure in Somalia, Kenya and Ethiopia, he said. Still, intelligence shows no nation states have provided weapons of mass destruction assistance to terrorist groups, and no nonstate actors are targeting WMD sites in countries with unrest, the director said. But that could change as governments become more unstable, he added.

**adv 2**

**1NC economy**

Top experts agree – Pakistani economy growing

Rizvi, 4/28/12 (Jawwad, staff writer for The News, a Pakistani newspaper, “World Bank panel sees Pakistan’s economy resilient, growing,” The News, 4/28/12, <http://www.thenews.com.pk/Todays-News-3-105322-World-Bank-panel-sees-Pakistans-economy-resilient-growing>, Tashma)

Pakistan’s economy is **resilient** and growing with some phenomenal growth in remittances and informal economy, but the people are reluctant to invest due to many reasons including energy crisis. This was the crux of a panel discussion held under Finance Minister Abdul Hafeez Sheilkh at World Bank headquarter a few days ago. International experts on Pakistan’s financial and social issues were present at the event. According to the panellists Pakistan being the second largest country of the South Asian region a great potential to explore. The World Bank Vice President for South Asia Isabel Guerrero posed two questions to the panel: What inspires you about Pakistan and what is the one shift needed to change the country for the better? “The grace of the people of Pakistan amidst adversity inspires me,” Shaikh responded to the first question, and many of the other answers also cited Pakistan’s resilience in the face of multiple crises. Shaikh noted, “Countries that invested in their people, exported their products, and found the right balance between the public and private sector get ahead.” Nancy Birdsall, president of the Center for Global Development, said a “culture of philanthropy” has helped Pakistanis embrace displaced people and respond to these challenges. She said the country is similar in this regard to the United States, as well as in its tradition of religious moderation. Mohsin Khan, a senior fellow at the Peterson Institute cited the growth of the middle class - now 70 million out of Pakistan’s population of about 175 million - the informal economy, remittances from Pakistanis overseas, and the rural economy as encouraging factors.

**Pakistani economy is resilient**

**The Nation, 7/4/12** (“Power, engineering sectors have potential for investors,” The Nation, 7/4/12, <http://www.nation.com.pk/pakistan-news-newspaper-daily-english-online/business/04-Jul-2012/power-engineering-sectors-have-potential-for-investors>, Tashma)

Chairing a meeting of Board of Investment (BOI) at the Prime Minister’s House here, the Prime Minister said the efforts of BOI for speedy resolution of the investors’ problems would enhance their confidence and give positive signal to the foreign investors, making Pakistan an attractive investment destination. The Prime Minister said “Pakistan is a liberalized economy. We offer equal treatment to local and foreign investors, and most of the sectors are open for foreign investment under complete legal protection.” The Prime Minister said due to its rich resource potential, Pakistan is a preferred destination for foreign investors. He said Pakistan falls among the middle income countries and presence of large middle class provides vast local market to the new and expanding business. These facts about Pakistan be aggressively projected to enhance Foreign Direct Investment inflows in our country, the Prime Minister stressed. The foreign investment in Pakistan is fully protected under Foreign Private Investment and Protection Act 1976 and Protection of Economic Reforms Act 1992, the Prime Minister said. He said despite challenges in the recent past, Pakistan’s economy remains resilient to global economy meltdown inspite of devastating floods in the year 2010 **and rain floods** in 2011 in Sindh, coupled with internal and external security environmentof the country, our exports amounted US $ 25.439 billion in 2010-11 and are expected to grow further. The Prime Minister said currently Pakistan’s economy is in dire need of rapid and consistent growth rate. The dynamic role of private sector can restore the health of economy and help to accelerate its pace in the light of its vast and rich potential.

**i/l**

no warrant for why pak key

**econ d**

**Empirics prove no war.**

**Miller 1**—Morris Miller is an adjunct economics professor at the University of Ottawa [Jan.-Mar, 2001, “Poverty: A Cause of War?” *Peace Magazine*, http://peacemagazine.org/archive/v17n1p08.htm]

Economic Crises?

Some scholars have argued that it is not poverty, as such, that contributes to the support for armed conflict, but rather some catalyst, such as an economic crisis. However, a study by Minxin Pei and Ariel Adesnik shows that this hypothesis lacks merit. After studying 93 episodes of economic crisis in 22 countries in Latin American and Asia since World War II, they concluded that much of the conventional thinking about the political impact of economic crisis is wrong:

"The severity of economic crisis—as measured in terms of inflation and negative growth—bore no relationship to the collapse of regimes ... or (in democratic states, rarely) to an outbreak of violence... In the cases of dictatorships and semi-democracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another)."

**There is no causal relationship between the economy and conflict—the best study proves.**

**Brandt and Ulfelder 11**—\*Patrick T. Brandt, Ph.D. in Political Science from Indiana University, is an Assistant Professor of Political Science in the School of Social Science at the University of Texas at Dallas. \*\*Jay Ulfelder, Ph.D. in political science from Stanford University, is an American political scientist whose research interests include democratization, civil unrest, and violent conflict. [April, 2011, “Economic Growth and Political Instability,” Social Science Research Network]

These statements anticipating political fallout from the global economic crisis of 2008–2010 reflect a widely held view that economic growth has rapid and profound effects on countries’ political stability. When economies grow at a healthy clip, citizens are presumed to be too busy and too content to engage in protest or rebellion, and governments are thought to be flush with revenues they can use to enhance their own stability by producing public goods or rewarding cronies, depending on the type of regime they inhabit. When growth slows, however, citizens and cronies alike are presumed to grow frustrated with their governments, and the leaders at the receiving end of that frustration are thought to lack the financial resources to respond effectively. The expected result is an increase in the risks of social unrest, civil war, coup attempts, and regime breakdown.

Although it is pervasive, the assumption that countries’ economic growth rates strongly affect their political stability has not been subjected to a great deal of careful empirical analysis, and evidence from social science research to date does not unambiguously support it. Theoretical models of civil wars, coups d’etat, and transitions to and from democracy often specify slow economic growth as an important cause or catalyst of those events, but empirical studies on the effects of economic growth on these phenomena have produced mixed results. Meanwhile, the effects of economic growth on the occurrence or incidence of social unrest seem to have **hardly been studied in recent years**, as empirical analysis of contentious collective action has concentrated on political opportunity structures and dynamics of protest and repression.

This paper helps fill that gap by rigorously re-examining the effects of short-term variations in economic growth on the occurrence of several forms of political instability in countries worldwide over the past few decades. In this paper, we do not seek to develop and test new theories of political instability. Instead, we aim to subject a hypothesis common to many prior theories of political instability to more careful empirical scrutiny. The goal is to provide a detailed empirical characterization of the relationship between economic growth and political instability in a broad sense. In effect, we describe the conventional wisdom as seen in the data. We do so with statistical models that use smoothing splines and multiple lags to allow for nonlinear and dynamic effects from economic growth on political stability. We also do so with an instrumented measure of growth that explicitly accounts for endogeneity in the relationship between political instability and economic growth. To our knowledge, ours is the first statistical study of this relationship to simultaneously address the possibility of nonlinearity and problems of endogeneity. As such, we believe this paper offers what is probably the most rigorous general evaluation of this argument to date.

As the results show, some of our findings are surprising. Consistent with conventional assumptions, we find that social unrest and civil violence are more likely to occur and democratic regimes are more susceptible to coup attempts around periods of slow economic growth. At the same time, our analysis shows no significant relationship between variation in growth and the risk of civil-war onset, and results from our analysis of regime changes contradict the widely accepted claim that economic crises cause transitions from autocracy to democracy. While we would hardly pretend to have the last word on any of these relationships, our findings do suggest that the relationship between economic growth and political stability is neither as uniform nor as strong as the conventional wisdom(s) presume(s). We think these findings also help explain why the global recession of 2008–2010 has failed thus far to produce the wave of coups and regime failures that some observers had anticipated, in spite of the expected and apparent uptick in social unrest associated with the crisis.

**No impact**

Robert **Jervis 11**, Professor in the Department of Political Science and School of International and Public Affairs at Columbia University, December 2011, “Force in Our Times,” Survival, Vol. 25, No. 4, p. 403-425

Even if war is still seen as evil, the security community could be dissolved if severe conflicts of interest were to arise. Could the more peaceful world generate new interests that would bring the members of the community into sharp disputes? 45 A zero-sum sense of status would be one example, perhaps linked to a steep rise in nationalism. More likely would be a worsening of the current economic difficulties, which could itself produce greater nationalism, undermine democracy and bring back old-fashioned beggar-my-neighbor economic policies. While these dangers are real, **it is hard to believe that the conflicts could be great enough** to lead the members of the community to contemplate fighting each other. It is not so much that economic interdependence has proceeded to the point where it could not be reversed – states that were more internally interdependent than anything seen internationally have fought bloody civil wars. Rather it is that **even if the more extreme versions of free trade and economic liberalism become discredited**, it is hard to see how without building on a preexisting high level of political conflict leaders and mass opinion would come to believe that their countries could prosper by impoverishing or even attacking others. Is it possible that problems will not only become severe, but that people will entertain the thought that they have to be solved by war? While a pessimist could note that this argument does not appear as outlandish as it did before the financial crisis, an optimist could reply (correctly, in my view) that the very fact that we have seen **such a sharp economic down-turn** without **anyone** suggesting that force of arms is the solution shows that **even if bad times bring about greater economic conflict**, **it will not make war thinkable**.

**2NC CP**

#### 2NC AT: Solve

**OLC rulings hold binding precedential value --- the President has an incentive to defer to those rulings in order to maintain a unitary voice on executive legal policy.**

Arthur **Garrison**, **2013**. Assistant Professor of Criminal Justice at Kutztown University. Dr. Garrison received a B.S. from Kutztown University, a M.S. from West Chester University, and a Doctor of Law and Policy from Northeastern University. “THE OPINIONS BY THE ATTORNEY GENERAL AND THE OFFICE OF LEGAL COUNSEL: HOW AND WHY THEY ARE SIGNIFICANT,” Albany Law Review, 76 Alb. L. Rev. 217, Lexis.

Various Attorneys General have reflected on the approach of Wirt and Legare that an Attorney General opinion should be approached in similar matter to that of a judge. [n48](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true" \l "n48) Similar to a judge, the Attorney General is bound to make determinations of law, [n49](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n49) not to rule on hypothetical cases, [n50](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n50) and prior Attorneys General opinions have precedential authority on subsequent Attorneys General. [n51](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n51) Attorney General William Moody summarized the prevailing view on the authority of an Attorney General opinion when he opined in 1904:
Of course the opinion of the Attorney-General, when rendered in a proper case - as must be the presumption  [\*231]  always from the fact that it is rendered - must be controlling and conclusive, establishing a rule for the guidance of other officers of the Government, and must not be treated as nugatory and ineffective…
If a question is presented to the Attorney-General in accordance with law - that is, if it is submitted by the President or the head of a Department - if it is a question of law and actually arises in the administration of a Department, and the Attorney-General is of opinion that the nature of the question is general and important ... and therefore conceives that it is proper for him to deliver his opinion, I think it is final and authoritative under the law, and should be so treated ....
... I entertain no doubt whatever that the Attorney-General's opinion should not only be justly persuasive ... but should be controlling and should be followed ... unless contrary to some authoritative judicial decision which puts the matter at rest. It is always to be assumed that an Attorney-General would not overlook or ignore such a decision in announcing his own conclusion. [n52](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n52)
An opinion issued by past Attorneys General and those by the OLC serve as precedent that governs current opinion-making by the OLC. [n53](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n53) One significant attribute of the two centuries of Attorneys General and **OLC opinions** is that they **create an institutional legal foundation and tradition that governs current opinion-making regardless of the personal views of a current Attorney General or head of OLC**. [n54](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n54) Legal opinions need not nor should not be guided by the personal, political, or academic opinions held by the writer of  [\*232]  the opinion. Both precedent and institutional tradition obligate the writer to produce opinions that provide the best view of the law taking into account past opinions by the OLC and Attorneys General so as to protect the continuity of the law. [n55](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n55) As Walter Dellinger, in addressing the difference in his views on presidential power to deploy the military without prior congressional approval when he was a professor and when he was head of the OLC, observed,
I expect that I would have seen a distinction between the planned deployment in Haiti and the sending of half a million troops into battle against one of the world's largest and best-equipped armies. Even apart from that, however, I am not sure I agree with the apparent assumption of Professor Tribe's letter and the Washington Times editorial - that it would be wrong for me to take a different view at the Office of Legal Counsel from the one I would have been expected to take as an academic. It might well be the case that I have actually learned something from the process of providing legal advice to the executive branch - both about the law (from the career lawyers at the Departments of Justice, State, and Defense and the National Security Council) and about the extraordinary complexity of interrelated issues facing the executive branch in general and the President in particular.
Moreover, unlike an academic lawyer, an executive branch attorney may have an obligation to work within a tradition of reasoned, executive branch precedent, memorialized in formal written opinions. Lawyers in the executive branch have thought and written for decades about the President's legal authority to use force. Opinions of the Attorneys General and of the Office of Legal Counsel, in particular, have addressed the extent of the President's authority to use troops without the express prior approval of Congress. Although it would take us too far from the main subject here to discuss at length the stare decisis effect of these opinions on executive branch officers, the opinions do count for something. When lawyers who are now at the Office of Legal Counsel begin to research an issue, they are not expected to turn to what I might have written or said in a floor  [\*233]  discussion at a law professors' convention. They are expected to look to the previous opinions of the Attorneys General and of heads of this office to develop and refine the executive branch's legal positions. That is not to say that prior opinions will never be reversed, only that there are powerful and legitimate institutional reasons why one's views might properly differ when one sits in a different place. [n56](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n56)
Both tradition and fidelity to the rule of law are important in justifying the authority of the Attorney General to issue legal opinions which are **binding on the operations of the executive branch**. [n57](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n57)Another reason is protection of the unitary President and the power of the President to control the operation of the executive branch. As General Bell observed,
as a matter of good government, **it is desirable generally that the executive branch adopt a single, coherent position with respect to the legal questions that arise in the process of government**. Indeed, the commitment of our government to due process of law and to equal protection of the laws probably requires that our executive officers proceed in accordance with a coherent, consistent interpretation of the law, to the extent that it is administratively possible to do so. It is thus desirable for the President to entrust the final responsibility for interpretations of the law to a single officer or department. The Attorney General is the one officer in the executive branch who is charged by law with the duties of advising the others about the law and of representing the interests of the United States in general litigation in which questions of law arise. The task of developing a single, coherent view of the law is entrusted to the President himself, and by delegation to the Attorney General. That task is consistent with the nature of the office of Attorney General. [n58](http://www.lexisnexis.com.proxy.library.emory.edu/lnacui2api/frame.do?tokenKey=rsh-20.47081.33858445962&target=results_DocumentContent&returnToKey=20_T18153716325&parent=docview&rand=1379281447712&reloadEntirePage=true#n58)
As discussed below, the traditional view of the Office of the Attorney General regarding the quasi-judicial authority and status of legal opinions issued by the Attorney General is institutionalized within the OLC, the Department of Justice, and the executive  [\*234]  branch.

**Executive self-binding solves credibility.**

Eric A. **Posner and** Adrian **Vermeule**, Summer **2007**. Kirkland & Ellis Professor of Law, The University of Chicago Law School; and Professor of Law, Harvard Law School. “The Credible Executive,” University of Chicago Law Review, http://lawreview.uchicago.edu/sites/lawreview.uchicago.edu/files/uploads/74.3/74\_3\_Posner\_Vermeule.pdf.

Our aim in this Article is to identify this dilemma of credibility that afflicts the well-motivated executive and to propose mechanisms for ameliorating it. We focus on emergencies and national security but cast the analysis within a broader framework. Our basic claim is that the credibility dilemma can be addressed by executive signaling. **Without any new constitutional amendments, statutes, or legislative action, law and executive practice already contain resources to allow a well-motivated executive to send a credible signal of his motivations**, committing to use increased discretion in public-spirited ways. By tying policies to institutional mechanisms that impose heavier costs on ill-motivated actors than on well-motivated ones, the well-motivated executive can credibly signal his good intentions and thus persuade voters that his policies are those that voters would want if fully informed. We focus particularly on mechanisms of executive self-binding that send a signal of credibility by committing presidents to actions or policies that only a well-motivated president would adopt.

**Domestic audience costs create international credibility.**

Michael  **Tomz**, October **2007**. Stanford University. “Domestic Audience Costs in International Relations: An Experimental Approach,” International Organization 61.4.

What makes international commitments credible? The answer may lie, in part, at the intersection of foreign affairs and domestic politics. Recent models of international relations assume that leaders would suffer “domestic audience costs” if they issued threats or promises and failed to follow through. Citizens, it is claimed, would think less of leaders who backed down than of leaders who never committed in the first place. In a world with audience costs, the prospect of losing domestic support—or even office—could discourage leaders from making empty threats and promises. The concept of domestic audience costs is now central to theories about military crises, and researchers have incorporated similar ideas into models of alliances, economic sanctions, foreign trade, foreign direct investment, monetary commitments, interstate bargaining, and international cooperation more generally. [1](http://journals.cambridge.org.proxy.library.emory.edu/action/displayFulltext?type=6&fid=1367916&jid=INO&volumeId=61&issueId=04&aid=1367908&bodyId=&membershipNumber=&societyETOCSession=&fulltextType=RA&fileId=S0020818307070282#fn1)

Despite the prominence of audience costs in international relations theories, it remains unclear whether and when audience costs exist in practice. Most empirical work on the topic is indirect. Fearon conjectured that audience costs are higher in democracies than in autocracies and explained why this gap would cause the two types of regimes to behave differently. [2](http://journals.cambridge.org.proxy.library.emory.edu/action/displayFulltext?type=6&fid=1367916&jid=INO&volumeId=61&issueId=04&aid=1367908&fulltextType=RA&fileId=S0020818307070282#fn2) Researchers have, therefore, checked for correlations between democracy and foreign policy. [3](http://journals.cambridge.org.proxy.library.emory.edu/action/displayFulltext?type=6&fid=1367916&jid=INO&volumeId=61&issueId=04&aid=1367908&fulltextType=RA&fileId=S0020818307070282#fn3) Although valuable, these tests do not reveal whether the effects of democracy stem from audience costs or from other differences between political regimes.

One could try to study audience costs directly, perhaps by examining the historical fate of leaders who issued threats and then backed down. The problem, which international relations scholars widely recognize, is strategic selection bias. [4](http://journals.cambridge.org.proxy.library.emory.edu/action/displayFulltext?type=6&fid=1367916&jid=INO&volumeId=61&issueId=04&aid=1367908&fulltextType=RA&fileId=S0020818307070282#fn4) If leaders take the prospect of audience costs into account when making foreign policy decisions, then in situations when citizens would react harshly against backing down, leaders would tend to avoid that path, leaving little opportunity to observe the public backlash. It would seem, therefore, that a direct and unbiased measure of audience costs is beyond reach.

This article aims to solve the empirical conundrum. The analysis is based on a series of experiments embedded in public opinion surveys. In each experiment, the interviewer describes a military crisis. Some participants are randomly assigned to a control group and told that the president does not get involved. Others are placed in a treatment condition in which the president escalates the crisis but ultimately backs down. All participants are then asked whether they approve of the way the president handled the situation. By comparing approval ratings in the “stay out” and “back down” conditions, one can measure audience costs directly without strategic selection bias.

In the remainder of this article, I demonstrate that constituents disapprove of leaders who make international threats and then renege. I further explain why many leaders regard disapproval as a political liability. Finally, as a step toward deepening our theoretical as well as empirical understanding of audience costs, I investigate why citizens react negatively to empty threats.

**Institutional flaws make Congress less consistent and credible than the executive --- also makes them an ineffective check on executive over-reach.**

Eric A. **Posner and** Adrian **Vermeule**, Summer **2007**. Kirkland & Ellis Professor of Law, The University of Chicago Law School; and Professor of Law, Harvard Law School. “The Credible Executive,” University of Chicago Law Review, http://lawreview.uchicago.edu/sites/lawreview.uchicago.edu/files/uploads/74.3/74\_3\_Posner\_Vermeule.pdf.

Like the executive, Congress has a credibility problem. Members of Congress may be well motivated or ill motivated; the public does not know. Thus, when Congress passes a resolution criticizing presidential action or refuses to delegate power that he seeks, observers do not know whether Congress or the president is right. Ill-motivated members of Congress will constrain public-spirited presidents; thus the Madisonian cure for the problem of executive credibility could be worse than the disease. Even if members of Congress are generally well motivated, **Congress has a problem of institutional credibility that the president lacks**. Although a voter might trust the member of Congress for whom she voted because she knows about his efforts on his district’s behalf, she will usually know nothing about other members of Congress, so when her representative is outvoted, she might well believe that the other members are ill motivated. And, with respect to her own representative, he will often lack credibility compared to the president because he has much less information. Further, the reputation of congressional leaders is only very loosely tied to the reputation of the institution, while there is a closer tie between the president’s reputation and the presidency. **As a result, Congress is likely to act less consistently than the president, further reducing its relative credibility**.

Congressional lack of credibility undermines its ability to constrain the president: Congress can monitor the president and tell the public that the president has acted properly or improperly, but if the public does not believe Congress, then Congress’s power to check the president is limited.

#### 2NC Avoids Politics

**2NC OLC – AT: CP Links to Politics**

**Mandatory disclosure doesn’t link either --- changes in agency design are not as controversial as specific policies because of a lack of interest groups and constituency effect.**

Neal Kumar **Katyal**, **2006**. Professor of Law @ Georgetown University. “Internal Separation of Powers: Checking Today's Most Dangerous Branch from Within,” Yale Law Journal 115.9, The Most Dangerous Branch? Mayors, Governors, Presidents, and the Rule of Law: A Symposium on Executive Power (2006), pp. 2314-2349.

Before getting into the substance of the proposals, it is worth taking up a criticism that might be present off the bat. Aren't all proposals for bureaucratic reform bedeviled by the very forces that promote legislative inertia? If Congress can't be motivated to regulate any particular aspect of the legal war on terror, then how can it be expected to regulate anything more far-reaching? The answer lies in the fact that sometimes **broad design choices are easier to impose by fiat than are specific policies**.23

Any given policy proposal can get mired in a competition of special interests; indeed, that danger leads many to prefer executive action. Institutional design changes differ from these specific policy proposals because **they cut across a plethora of interest groups and because the effects on constituencies are harder to assess** due to the multiplicity of changes. The benefits of faction that Madison discussed in The Federalist No. 51 therefore arise; multitudes of interest groups find things to embrace in the system change. It is therefore not surprising that at the same time that Congress dropped the ball overseeing the legal war on terror it enacted the most sweeping set of changes to the executive branch in a half-century in the form of the Homeland Security Act of 2002.4 Indeed, as we shall see, that Act provides an object lesson: Design matters. And by altering bureaucratic arrangements, stronger internal checks can emerge.

**Executive orders don’t require political capital --- bypasses legislative process.**

Benjamin **Sovacool and** Kelly **Sovacool**, **2009**. PhD, Research Fellow in the Energy Governance Program at the Centre on Asia and Globalization; and Senior Research Associate at the Lee Kuan Yew School of Public Policy at the National University of Singapore. “Preventing National Electricity-Water Crisis Areas in the United States,” Columbia Journal of Environmental Law , 34 Colum. J. Envtl. L. 333.

Executive Orders also save time in a second sense. The President does not have to expend scarce political capital trying to persuade Congress to adopt his or her proposal. Executive Orders thus save presidential attention for other topics. Executive Orders bypass congressional debate and opposition, along with all of the horsetrading and compromise such legislative activity entails. 292 Speediness of implementation can be especially important when challenges require rapid and decisive action. After the September 11, 2001 attacks on the Pentagon and World Trade Center, for instance, the Bush Administration almost immediately passed Executive Orders forcing airlines to reinforce cockpit doors and freezing the U.S. based assets of individuals and organizations involved with terrorist groups. 293 These actions took Congress nearly four months to debate and subsequently endorse with legislation. Executive Orders therefore enable presidents to rapidly change law without having to wait for congressional action or agency regulatory rulemaking.

**Executive orders don’t cost capital.**

Shirley Anne **Warshaw**, Spring **2006**. Prof of Pol. Science @ Gettysburg College. “Administrative Strategies of President George W. Bush,” Extensions Journal, <http://www.ou.edu/special/albertctr/extensions/spring2006/Warshaw.pdf>.

However, in recent administrations, particularly since the Reagan administration, presidents have often bypassed Congress using administrative actions. They have opted for **a strategy** through administrative actions **that is less time-consuming and clearly less demanding of their political capital**. Using an array of both formal and informal executive powers, presidents have effectively directed the executive departments to implement policy without any requisite congressional authorization. In effect, presidents have been able to govern without Congress. The arsenal of administrative actions available to presidents includes the power of appointment, perhaps the most important of the arsenal, executive orders, executive agreements, proclamations, signing statements, and a host of national security directives.1 More than any past president, George W. Bush has utilized administrative actions as his primary tool for governance.

**Legislative process costs capital --- executive actions avoid.**

Phillip J. **Cooper**, **2002**. Professor of Liberal Arts @ University of Vermont. By Order of the President: The Use and Abuse of Executive Direct Action, p. 58-9.

Executive orders are often used because they are quick, convenient, and relatively easy mechanisms for moving significant policy initiatives. Though it is certainly true that executive orders are employed for symbolic purposes, enough has been said by now to demonstrate that they are also used for serious policymaking or to lay the basis for important actions to be taken by executive branch agencies under the authority of the orders. Unfortunately, as is true of legislation, it is not always possible to know from the title of orders which are significant and which are not, particularly since presidents will often use an existing order as a base for action and then change it in ways that make it far more significant than its predecessors. The relative ease of the use of an order does not merely arise from the fact that presidents may employ one to **avoid the cumbersome and time-consuming legislative process**. They may also use this device to avoid sometimes **equally time-consuming administrative procedure**, particularly the rulemaking processes required by the Administrative Procedure Act.

**Executive orders save capital by forcing others to spend resources.**

Kenneth R. **Mayer and** Kevin **Price**, 6/1/**2002**. Professor of Political Science @ University of Wisconsin-Madison; and Graduate Student in Political Science @ University of Wisconsin-Madison. “Unilateral Presidential Powers: Significant Executive Orders,” Presidential Studies Quarterly.

By using their formal powers, presidents structure the institutions that surround them to standardize their interactions with other actors. To convert the bargains that would **otherwise require skill and scarce political capital** into manageable leadership opportunities, presidents seek routines that encourage compliance from other actors. By creating institutions and processes that make these once-expensive bargains part of the political landscape, presidents alter default outcomes, leaving it to other actors to expend resources to undo what the president has done.

#### 2NC Funding

**President will transfer funds from other accounts**

**Heder 9**—JD, magna cum laude, from Brigham Young University [Adam S. Heder, “The Power to End War: The Extent and Limits of Congressional Power,” St Mary’s Law Journal, Volume 41 Number 3, 2009]

30. Louis Fisher, Unchecked Presidential Wars, 148 U. PA. L. REV. 1637, 1667–68 (2000).

This statement [that a war can be ended simply through exercise of the appropriations power] ignores the amount of money available to the President in the money pipeline: billions of dollars in previously appropriated funds that had yet to be obligated or expended. The President may also exercise statutory authority to transfer funds from one appropriations account to another and invoke emergency authority, such as the Feed and Forage Act, to incur obligations in advance of an appropriations. A war initiated by the President can proceed for quite a period of time, independent of fresh appropriations granted by Congress. Pg. 453

#### 2NC OLC – AT: Executive CP Illegitimate

 **[And --- internal versus external SOP is a key debate.]**

Shirin **Sinnar**, May **2013**. Assistant Professor of Law, Stanford Law School. “Protecting Rights from Within? Inspectors General and National Security Oversight,” Stanford Law Review, 65 Stan. L. Rev. 1027, Lexis.

More than a decade after September 11, 2001, the debate over which institutions of government are best suited to resolve competing liberty and national security concerns continues unabated. While the Bush Administration's unilateralism in detaining suspected terrorists and authorizing secret surveillance initially raised separation of powers concerns, the Obama Administration's aggressive use of drone strikes to target suspected terrorists, with little oversight, demonstrates how salient these questions remain. Congress frequently lacks the  [\*1029]  information or incentive to oversee executive national security actions that implicate individual rights. Meanwhile, courts often decline to review counterterrorism practices challenged as violations of constitutional rights out of concern for state secrets or institutional competence. [n1](http://www.lexisnexis.com/lnacui2api/frame.do?tokenKey=rsh-20.989825.547489962&target=results_DocumentContent&returnToKey=20_T18162396407&parent=docview&rand=1379360355353&reloadEntirePage=true" \l "n1)

These limitations on traditional external checks on the executive - Congress and the courts - have led to increased academic interest in potential checks within the executive branch. Many legal scholars have argued that executive branch institutions supply, or ought to supply, an alternative constraint on executive national security power. Some argue that these institutions have comparative advantages over courts or Congress in addressing rights concerns; others characterize them as a second-best option necessitated by congressional enfeeblement and judicial abdication.

**2NC DA**

#### 2NC Impact

**DA outweigh – constitutional rights are the only way to make decisions – makes them a side constraint – that’s Levinson – Don’t evaluate the consequences because a judge first has to decide if the plan is constitutional – this is the best role of a judge for federal policy**

**Pillon 99** vice president for legal affairs at the Cato Institute Roger, "The Purpose and Limits of Government," Cato's Letters #13, p. 26.

The idea, plainly, was to limit government from the outset by limiting the things it could do, almost all of which, as Article I, Section 8 of the Constitution indicates, relate to securing rights. In fact, James Madison, the principal author of the Constitution, made the point in 1794 when he rose from the floor of the House to object to a welfare proposal, saying that he could not undertake to lay [his] finger on that article of the Federal Constitution which granted a right to Congress of expending, on objects of benevolence, the money of their constituents.30 Notice that Madison was not objecting to benevolence. Rather, he was making a point about constitutional principle: **however worthy** the end might be, **Congress had no power to pursue it** since the people, through their Constitution, had given Congress no such power. In 1887, exactly 100 years after the Constitution was drafted, President Grover Cleveland made a similar point when he vetoed a bill to buy seeds for Texas farmers suffering from a drought, saying he could find no warrant for such an appropriation in the Constitution.31

**We shouldn’t make decisions based on product, only process – true for constitutional debates**

**Carter, 87** (Brigham Young University Law Review No. 3, p. 751-2)

The problem with this use of our burgeoning public policy science, an inevitable one in an area of theory driven by instrumental rationality, is that the law itself is stripped of the aura of uniqueness which is assigned to it in liberal theory. The law becomes all too mutable, and is left as no more than one of the means that must be tested against its efficacy in achieving the desired end. The Constitution, which is after all a species of law, is thus quite naturally viewed as a potential impediment to policy, a barrier that must be adjusted, through interpretation or amendment, more often than preservation of government under that constitution is viewed as a desirable policy in itself. In this the modern student of policy is like the modern moral philosopher – and like a good number of constitutional theorists as well – in denigrating the value of preserving any particular process and exalting the desirable result. But constitutionalism assigns enormous importance to process, and consequently assigns costs, albeit perhaps intangible ones, to violating the constitutional process. For the constitutionalist, as for classical liberal democratic theory, the autonomy of the people themselves, not the achievement of some well-intentioned government policy is the ultimate end of which the government exists. **As a consequence, no violation of the means the people have approved for pursuit of policy – here, the means embodied in the structural provisions of the Constitution – can be justified through reference to the policy itself as the end.**

#### 2NC Demo

**RUMMEL 09** Professor Emeritus of Political Science at the University of Hawaii

[Rudy (R.J.) Rummel, Democracy, Democratic peace, freedom, globalization, This entry was posted on Sunday, January 18th, 2009 at 4:02 pm, <http://democraticpeace.wordpress.com/2009/01/18/why-freedom/>]

There is still more to say about freedom’s value. While we now know that the world’s ruling thugs generally kill several times more of their subjects than do wars, it is war on which moralists and pacifists generally focus their hatred, and devote their resources to ending or moderating. This singular concentration is understandable, given the horror and human costs, and the vital political significance of war. Yet, it should be clear by now that war is a symptom of freedom’s denial, and that freedom is the cure. **First**:

**Democratically free people do not make war on each other**

Why? The diverse groups, cross-national bonds, social links, and shared values of democratic peoples sew them together; and shared liberal values dispose them toward peaceful negotiation and compromise with each other. It is as though the people of democratic nations were one society

This truth that **democrac**ies do not make war on each other provides a solution for eliminating war from the world: globalize democratic freedom

**Second**:

The less free the people within any two nations are, the bloodier and more destructive the wars between them; the greater their freedom, the less likely such wars become

And third:

The more freedom the people of a nation have, the less bloody and destructive their wars.

What this means is that we do not have to wait for all, or almost all nations to become liberal **democrac**ies to reduce the severity of war. As we promote freedom, as the people of more and more nations gain greater human rights and political liberties, as those people without any freedom become partly free, we will decrease the bloodiness of the world’s wars. **In short: Increasing freedom in the world decreases the death toll of its war**s. Surely, whatever reduces and then finally ends the scourge of war in our history, without causing a greater evil, must be a moral good. And this is freedom

In conclusion, then, we have wondrous human freedom as a moral force for the good, as President Bush well recognizes. Freedom produces social justice, creates wealth and prosperity, minimizes violence, saves human lives, and is a solution to war. In two words, it creates human security. Moreover, and most important:

People should not be free only because it is good for them. They should be free because it is their right as human beings.

**2NC Case**

#### 2NC Circumvent

**President will not abide. Congress will inevitably fall in line**

**Bell 4**—Professor of Political Science @ Randolph-Macon College [Lauren Cohen Bell, “Following the Leaders or Leading the Followers? The US President's Relations with Congress,” Journal of Legislative Studies, Summer/Autumn, 2004, Vol. 10 Issue 2/3, pg. 193-205]

As noted ahove. Article I of the Constitution grants to the Congress the sole authority to make declarations of war. However, the president has the power to command US military personnel based on the provisions of **Article II**. Over the course of US history, the commander-in-chief power has been interpreted to permit presidents to commit troops to areas of conflict even **in the absence of a formal declaration of war**. Today, formal declarations of war are the exception rather than the rule; separation of powers expert Louis Fisher notes that through 1991 only five wars had ever been declared and that "in only one (the War of 1812) did members of Congress actually debate the merits of entering into hostilities'.'^ As Samuel Kemell and Gary Jacohson note: "[SJince 1989 U.S. armed forces have been almost continuously engaged somewhere in the world.''^

This was not always the case. Fisher points out that there is evidence of presidential restraint with regard to war-making by relating the story of President Grover Cleveland (1885-89; 1893-97), who refused to mobilise troops for a conflict with Cuba despite Congress' intention to declare war. In Fisher's account, Cleveland told the Congress: 'I will not mobilize the army ... I happen to know that we can buy the island of Cuba from Spain for $100,000,000, and a war will cost vastly more than that and will entail another long list of pensioners. It would be an outrage to declare war.''^ Yet, in the modem history of presidential-congressional relations, it is much more frequently the president who has mobilised American troops without consultation with the Congress and in the absence of a formal declaration of war. And it is clear that even when we consider Cleveland's actions, the president has been far more important to the conduct of American foreign policy than the Congress.

This circumstance led, in the aftermath of the war in Vietnam, to congressional passage of the War Powers Resolution in 1973. The War Powers Resolution (WPR) was an attempt to constrain presidential discretion with regard to committing troops oversees. Section 3 of the WPR requires that 'The president in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances".' Section 4 of the WPR gives the president 48 hours to provide a report to both Chambers of the Congress detailing the reason for committing troops, the authority under which he committed them and his prediction conceming the duration of the troops' engagement abroad.'^ Once the president has informed the Congress of the commitment of troops, and in the event that the Congress does not declare war, the WPR requires the president to end the engagement within 60 days, with the possibility of an additional 30 days' commitment in the event that the president certifies to the Congress that the additional time is necessary.^\*\* According to the Congressional Research Service (CRS), the research branch of the Library of Congress, since the War Powers Resolution was enacted over President Richard M. Nixon's 1973 veto, it has been invoked on 107 occasions (to 23 July 2003).^' Figure 2 illustrates both the absolute number of times as well as the rate of each president's exercise of war powers. As Figure 2 demonstrates, the rate of War Powers Resolution uses has continually increased since it took effect in 1974.

A reading of the WPR would seem to clarify the relationship between Congress and the president with regard to the exercise of national war powers. A close reading would also suggest that the president and Congress share war-making power. Yet no president has ever recognised the WPR as a constraint on his ability to move American armed forces around the globe or keep them in place as long as necessary. Moreover, **presidents rarely abide by the provisions** of the Resolution that require their consultation with the Congress. As CRS researcher Richard F. Grimmett notes, 'there has been very little consultation with Congress under the Resolution when consultation is defined to mean seeking advice prior to a decision to introduce troops'.^" And while the Congress has, from time to time, expressed its sense that troops should be withdrawn from conflicts or engagements abroad, in truth the Congress has relatively **few options for dealing with a president** that violates the WPR. Indeed, as the late presidency scholar Aaron Wildavsky notes, the Congress is much less likely to challenge presidents" foreign policy actions than it is willing to challenge presidents" domestic policy actions.'^'^ This is because presidents oversee an enormous national security apparatus and because the constituents represented by members of Congress rarely hold strong opinions on matters of foreign policy. As a result, congressional challenges to violations of the WPR consist mostly of holding oversight hearings and passing symbolic resolutions.''\* Moreover, once troops are committed abroad. Congress almost **always falls in line with the president’s vision** of the scope of the conflict and the need for a military presence. The members of Congress become **reluctant to challenge a president** who has troops on the ground and typically acquiesce to the president’s wishes when it comes to provisions for support. In this way, the president is able to exercise some **leadership over the Congress**, whose members generally find it politically **expedient to follow the president** on matters pertaining to the military or the conduct of America's relations with other countries. Pg. 200-202

#### Pres powers low = No Hegemony

 **IKENBERRY 11** – (May/June issue of Foreign Affairs, G. John, PhD, Albert G. Milbank Professor of Politics and International Affairs at Princeton University in the Department of Politics and the Woodrow Wilson School of Public and International Affairs, “The Future of the Liberal World Order,” http://www.foreignaffairs.com/

articles/67730/g-john-ikenberry/the-future-of-the-liberal-world-order?page=show)

For all these reasons, many observers have concluded that world politics is experiencing not just a changing of the guard but also a transition in the ideas and principles that underlie the global order. The journalist Gideon Rachman, for example, says that a cluster of liberal internationalist ideas -- such as faith in democratization, confidence in free markets, and the acceptability of U.S. military power -- are all being called into question. According to this worldview, the future of international order will be shaped above all by China, which will use its growing power and wealth to push world politics in an illiberal direction. Pointing out that China and other non-Western states have weathered the recent financial crisis better than their Western counterparts, pessimists argue that an authoritarian capitalist alternative to Western neoliberal ideas has already emerged. According to the scholar Stefan Halper, emerging-market states "are learning to combine market economics with traditional autocratic or semiautocratic politics in a process that signals an intellectual rejection of the Western economic model." Today's international order is not really American or Western--even if it initially appeared that way. But this panicked narrative misses a deeper reality: although the United States' position in the global system is changing, the liberal international order is alive and well. The struggle over international order today is not about fundamental principles. China and other emerging great powers do not want to contest the basic rules and principles of the liberal international order; they wish to gain more authority and leadership within it. Indeed, today's power transition represents not **the defeat of the liberal order but its ultimate ascendance**. Brazil, China, and India have all become more prosperous and capable by operating inside the existing international order -- benefiting from its rules, practices, and institutions, including the World

Trade Organization (WTO) and the newly organized G-20. Their economic success and growing influence are tied to the liberal internationalist organization of world politics, and they have deep interests in preserving that system. In the meantime, alternatives to an open and rule-based order have yet to crystallize. Even though the last decade has brought remarkable upheavals in the global system -- the emergence of new powers, bitter disputes among Western allies over the United States' unipolar ambitions, and a global financial crisis and recession -- the liberal international order has no competitors. On the contrary, the rise of non-Western powers and the growth of economic and security interdependence are creating new constituencies for it. To be sure, as wealth and power become less concentrated in the United States' hands, the country will be less able to shape world politics. But the underlying foundations of the liberal international order will survive and thrive. Indeed, now may be the best time for the United States and its democratic partners to update the liberal order for a new era, ensuring that it continues to provide the benefits of security and prosperity that it has provided since the middle of the twentieth century.

#### AT: Kickout

**No backlash – Paki military leaders support strikes**

**AFP 10/23**/13 [Agence France-Presse, “Pakistan's Sharif takes up post-war ties with Obama,” October 23, 2013 11:32, pg. http://www.globalpost.com/dispatch/news/afp/131023/pakistans-sharif-takes-post-war-ties-obama

Despite public criticism, diplomatic cables released by the WikiLeaks website showed that past Pakistani civilian and military leaders quietly approved strikes.

Pakistani newspapers in editorials acknowledged that Sharif would face an uphill task in ending drone strikes in the semi-autonomous Fata tribal areas.

"Until militants are denied sanctuary in Fata, drone strikes, and their attendant complications, are unlikely to cease," wrote Dawn, the country's oldest English-language newspaper.

**Coop high. Areas of common interest prevents decline**

**CSM 10/23**/13 [Howard LaFranchi, “Drones? What drones? Obama and Pakistan's Sharif to accentuate the positive,”| Christain Science Monitor, 10/23/13, pg. http://www.minnpost.com/christian-science-monitor/2013/10/drones-what-drones-obama-and-pakistans-sharif-accentuate-positive

Calling significant changes unlikely as long as American forces remain in large numbers in Afghanistan, Mr. Hathaway says that, instead, he expects Mr. Obama and Mr. Sharif to focus on issues of importance to both sides and where both agree, such as Pakistan’s economic growth and peace and stability in Afghanistan.

“What the two leaders really need to do is figure out how to move forward in the areas where they do have common interests – and there are a number of common interests – while simultaneously not allowing their differences on issues like drones to sour the entire relationship,” he says.

For some Pakistani experts, a common interest in the stability of one of the world’s nuclear powers is driving the rapprochement between the two counties.

“The main interest that both countries have in common … is stability,” says Khurram Husain, a Pakistani economics specialist and currently a Wilson Center scholar. “I don’t think anybody in the US wants to contemplate the prospect of a nuclear country sinking into the kind of instability that we’ve been seeing happen across the Middle East for instance.”

The Obama administration has taken two key steps recently to demonstrate a desire to work with Pakistan on strengthening its economic and political stability.

On the eve of Sharif’s arrival in the US Sunday, senior US officials disclosed that the administration intends to release $1.6 billion in foreign aid to Pakistan that was frozen after relations hit rock bottom in 2011. In addition to the military and economic assistance is some compensation for counterterrorism expenses that the US pledged to cover in the past.

#### 2NC Balochistan

**Can’t solve Balochistan conflict – multiple alt causes**

**Democracy Digest, their author, 12**, “Balochistan conflict tests Pakistan’s state legitimacy, integrity,” May 29, 2013, <http://www.demdigest.net/blog/2012/05/balochistan-conflict-tests-pakistans-state-legitimacy-integrity/>

The province’s rich mineral resources are controlled by Pakistan’s military and security apparatuses which are determined to resist Balochi demands for autonomy or independence. “Caught in the crossfire are ordinary civilians – moderate Baloch voices, political leaders, civic activists, scholars, lawyers and journalists – who have been the victims of enforced disappearances, torture and politically motivated killings,” Akbar told a recent meeting in Washington (above). “Excessive use of force by the state, retaliatory acts by Baloch separatists, insufficient spece for political dialog, media censorship and threats against journalists continue to limit prospects for conflict resolution.” A resolution to the conflict is unlikely “because the security establishment believes its security-first approach will eventually quell the violence and the civilian political leadership is too weak and divided to impose its own, political, approach to addressing Balochistan’s problems,” according to Dawn, a leading Pakistani newspaper. But the “civil-military imbalance will never be righted unless the civilians learn how to wrest back space from the army.”

#### 2NC Pakistan Econ High

**Pakistan economy is strong and resilient and US cooperation high- newest evidence**

**Desk ’13** (Web Desk, The Express Tribune, “Economic stability of Pakistan an encouraging sign: Olson”, <http://tribune.com.pk/story/491648/economic-stability-of-pakistan-an-encouraging-sign-olson>, January 9, 2013)

ISLAMABAD: US Ambassador to Pakistan Richard Olson in a meeting with finance minister Dr Abdul Hafeez Sheikh on Wednesday said that **economic stability of Pakistan is an encouraging sign**, Radio Pakistan reported. Dr Sheikh said that despite energy scarcity and security issue in the country‚ economic indicators are showing positive trends which **reflect resilience** of the economy. The Finance Minister added that due to economic policies of the government‚ Pakistan is currently witnessing the lowest inflation rate in the region and the Karachi Stock Exchange has emerged as the best performing Stock Exchange in the world. Both the sides reaffirmed their commitment to enhancing economic relations. Olson said that the United States is assisting Pakistan in many public welfare projects and will continue to do so in future to further cement the relations between the two people. The Ambassador said that the US values its relations with Pakistan and would continue to move forward in a number of mutually beneficial areas.

#### 2NC Economy

**Econ collapse doesn’t cause war**

**Bazzi and Blattman, 11** (Samuel **Bazzi** (Department of Economics at University of California San Diego) **and** Christopher **Blattman** (assistant professor of political science and economics at Yale University) November **2011** “Economic Shocks and Conflict: The (Absence of?) Evidence from Commodity Prices” <http://www.chrisblattman.com/documents/research/2011.EconomicShocksAndConflict.pdf?9d7bd4>)

VI. Discussion and conclusions A. Implications for our theories of political instability and conflict The state is not a prize?—Warlord politics and the state prize logic lie at the center of the most influential models of conflict, state development, and political transitions in economics and political science. Yet we see no evidence for this idea in economic shocks, even when looking at the friendliest cases: fragile and unconstrained states dominated by extractive commodity revenues. Indeed, we see the opposite correlation: if anything, higher rents from commodity prices weakly 22 lower the risk and length of conflict. Perhaps shocks are the wrong test. Stocks of resources could matter more than price shocks (especially if shocks are transitory). But combined with emerging evidence that war onset is no more likely even with rapid increases in known oil reserves (Humphreys 2005; Cotet and Tsui 2010) we regard the state prize logic of war with skepticism.17 Our main political economy models may need a new engine. Naturally, an absence of evidence cannot be taken for evidence of absence. Many of our conflict onset and ending results include sizeable positive and negative effects.18 Even so, commodity price shocks are highly influential in income and should provide a rich source of identifiable variation in instability. It is difficult to find a better-measured, more abundant, and plausibly exogenous independent variable than price volatility. Moreover, other time-varying variables, like rainfall and foreign aid, exhibit robust correlations with conflict in spite of suffering similar empirical drawbacks and generally smaller sample sizes (Miguel et al. 2004; Nielsen et al. 2011). Thus we take the absence of evidence seriously. Do resource revenues drive state capacity?—State prize models assume that rising revenues raise the value of the capturing the state, but have ignored or downplayed the effect of revenues on self-defense. We saw that a growing empirical political science literature takes just such a revenue-centered approach, illustrating that resource boom times permit both payoffs and repression, and that stocks of lootable or extractive resources can bring political order and stability. This countervailing effect is most likely with transitory shocks, as current revenues are affected while long term value is not. Our findings are partly consistent with this state capacity effect. For example, conflict intensity is most sensitive to changes in the extractive commodities rather than the annual agricultural crops that affect household incomes more directly. The relationship only holds for conflict intensity, however, and is somewhat fragile. We do not see a large, consistent or robust decline in conflict or coup risk when prices fall. A reasonable interpretation is that the state prize and state capacity effects are either small or tend to cancel one another out. Opportunity cost: Victory by default?—Finally, the inverse relationship between prices and war intensity is consistent with opportunity cost accounts, but not exclusively so. As we noted above, the relationship between intensity and extractive commodity prices is more consistent with the state capacity view. Moreover, we shouldn’t mistake an inverse relation between individual aggression and incomes as evidence for the opportunity cost mechanism. The same correlation is consistent with psychological theories of stress and aggression (Berkowitz 1993) and sociological and political theories of relative deprivation and anomie (Merton 1938; Gurr 1971). Microempirical work will be needed to distinguish between these mechanisms. Other reasons for a null result.—Ultimately, however, the fact that commodity price shocks have no discernible effect on new conflict onsets, but some effect on ongoing conflict, suggests that political stability might be less sensitive to income or temporary shocks than generally believed. One possibility is that successfully mounting an insurgency is no easy task. It comes with considerable risk, costs, and coordination challenges. Another possibility is that the counterfactual is still conflict onset. In poor and fragile nations, income shocks of one type or another are ubiquitous. If a nation is so fragile that a change in prices could lead to war, then other shocks may trigger war even in the absence of a price shock. The same argument has been made in debunking the myth that price shocks led to fiscal collapse and low growth in developing nations in the 1980s.19 B. A general problem of publication bias? More generally, these findings should heighten our concern with publication bias in the conflict literature. Our results run against a number of published results on commodity shocks and conflict, mainly because of select samples, misspecification, and sensitivity to model assumptions, and, most importantly, alternative measures of instability. Across the social and hard sciences, there is a concern that the majority of published research findings are false (e.g. Gerber et al. 2001). Ioannidis (2005) demonstrates that a published finding is less likely to be true when there is a greater number and lesser pre-selection of tested relationships; there is greater flexibility in designs, definitions, outcomes, and models; and when more teams are involved in the chase of statistical significance. The cross-national study of conflict is an extreme case of all these. Most worryingly, almost no paper looks at alternative dependent variables or publishes systematic robustness checks. Hegre and Sambanis (2006) have shown that the majority of published conflict results are fragile, though they focus on timeinvariant regressors and not the time-varying shocks that have grown in popularity. We are also concerned there is a “file drawer problem” (Rosenthal 1979). Consider this decision rule: scholars that discover robust results that fit a theoretical intuition pursue the results; but if results are not robust the scholar (or referees) worry about problems with the data or empirical strategy, and identify additional work to be done. If further analysis produces a robust result, it is published. If not, back to the file drawer. In the aggregate, the consequences are dire: a lower threshold of evidence for initially significant results than ambiguous ones.20

**No war – interdependence and institutional checks**

**Barnett ‘9** (Thomas P.M. Barnett, senior managing director of Enterra Solutions LLC, “The New Rules: Security Remains Stable Amid Financial Crisis,” 8/25/2009)

When the global financial crisis struck roughly a year ago, the blogosphere was ablaze with all sorts of scary predictions of, and commentary regarding, ensuing conflict and wars -- a rerun of the Great Depression leading to world war, as it were. Now, as global economic news brightens and recovery -- surprisingly led by China and emerging markets -- is the talk of the day, it's interesting to look back over the past year and realize how globalization's first truly worldwide recession has had virtually no impact whatsoever on the international security landscape. None of the more than three-dozen ongoing conflicts listed by GlobalSecurity.org can be clearly attributed to the global recession. Indeed, the last new entry (civil conflict between Hamas and Fatah in the Palestine) predates the economic crisis by a year, and three quarters of the chronic struggles began in the last century. Ditto for the 15 low-intensity conflicts listed by Wikipedia (where the latest entry is the Mexican "drug war" begun in 2006). Certainly, the Russia-Georgia conflict last August was specifically timed, but by most accounts the opening ceremony of the Beijing Olympics was the most important external trigger (followed by the U.S. presidential campaign) for that sudden spike in an almost two-decade long struggle between Georgia and its two breakaway regions. Looking over the various databases, then, we see a most familiar picture: the usual mix of civil conflicts, insurgencies, and liberation-themed terrorist movements. Besides the recent Russia-Georgia dust-up, the only two potential state-on-state wars (North v. South Korea, Israel v. Iran) are both tied to one side acquiring a nuclear weapon capacity -- a process wholly unrelated to global economic trends. And with the United States effectively tied down by its two ongoing major interventions (Iraq and Afghanistan-bleeding-into-Pakistan), our involvement elsewhere around the planet has been quite modest, both leading up to and following the onset of the economic crisis: e.g., the usual counter-drug efforts in Latin America, the usual military exercises with allies across Asia, mixing it up with pirates off Somalia's coast). Everywhere else we find serious instability we pretty much let it burn, occasionally pressing the Chinese -- unsuccessfully -- to do something. Our new Africa Command, for example, hasn't led us to anything beyond advising and training local forces. So, to sum up: \* No significant uptick in mass violence or unrest (remember the smattering of urban riots last year in places like Greece, Moldova and Latvia?); \* The usual frequency maintained in civil conflicts (in all the usual places); \* Not a single state-on-state war directly caused (and no great-power-on-great-power crises even triggered); \* No great improvement or disruption in great-power cooperation regarding the emergence of new nuclear powers (despite all that diplomacy); \* A modest scaling back of international policing efforts by the system's acknowledged Leviathan power (inevitable given the strain); and \* No serious efforts by any rising great power to challenge that Leviathan or supplant its role. (The worst things we can cite are Moscow's occasional deployments of strategic assets to the Western hemisphere and its weak efforts to outbid the United States on basing rights in Kyrgyzstan; but the best include China and India stepping up their aid and investments in Afghanistan and Iraq.) Sure, we've finally seen global defense spending surpass the previous world record set in the late 1980s, but even that's likely to wane given the stress on public budgets created by all this unprecedented "stimulus" spending. If anything, the friendly cooperation on such stimulus packaging was the most notable great-power dynamic caused by the crisis. Can we say that the world has suffered a distinct shift to political radicalism as a result of the economic crisis? Indeed, no. The world's major economies remain governed by center-left or center-right political factions that remain decidedly friendly to both markets and trade. In the short run, there were attempts across the board to insulate economies from immediate damage (in effect, as much protectionism as allowed under current trade rules), but there was no great slide into "trade wars." Instead, the World Trade Organization is functioning as it was designed to function, and regional efforts toward free-trade agreements have not slowed. Can we say Islamic radicalism was inflamed by the economic crisis? If it was, that shift was clearly overwhelmed by the Islamic world's growing disenchantment with the brutality displayed by violent extremist groups such as al-Qaida. And looking forward, austere economic times are just as likely to breed connecting evangelicalism as disconnecting fundamentalism. At the end of the day, the economic crisis did not prove to be sufficiently frightening to provoke major economies into establishing global regulatory schemes, even as it has sparked a spirited -- and much needed, as I argued last week -- discussion of the continuing viability of the U.S. dollar as the world's primary reserve currency. Naturally, plenty of experts and pundits have attached great significance to this debate, seeing in it the beginning of "economic warfare" and the like between "fading" America and "rising" China. And yet, in a world of globally integrated production chains and interconnected financial markets, such "diverging interests" hardly constitute signposts for wars up ahead. Frankly, I don't welcome a world in which America's fiscal profligacy goes undisciplined, so bring it on -- please! Add it all up and it's fair to say that this global financial crisis has proven the great resilience of America's post-World War II international liberal trade order.

**WWII Doesn’t prove – their studies ignore other variables**

**Ferguson 6** (Niall Ferguson (Laurence A. Tisch Professor of History at Harvard University and a Senior Fellow at the Hoover Institution at Stanford University) 2006 Foreign Affairs, September/October, Vol. 85, Issue 5

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

# 1NR DA

**AND Extinction**

**Giribets 12** [Miguel Giribets, “If US Attacks Iran, Human Survival May Be at Risk (Part III),” Argen Press, 10 January 2012, pg. http://watchingamerica.com/News/141596/if-us-attacks-iran-human-survival-may-be-at-risk-part-iii/]

The dangers of global war are clear. On one side, hundreds of Russian technicians would die working on Iranian nuclear facilities, to which Russia could not stand idly by. According to Chossudovsky: "Were Iran to be the object of a "pre-emptive" aerial attack by allied forces, the entire region, from the Eastern Mediterranean to China's Western frontier with Afghanistan and Pakistan, would flare up, leading us potentially into a **World War III scenario**. The war would also extend into Lebanon and Syria. It is highly unlikely that the bombings, if they were to be implemented, would be circumscribed to Iran's nuclear facilities as claimed by US-NATO official statements. What is more probable is an all out air attack on both military and civilian infrastructure, transport systems, factories, public buildings.

"The issue of radioactive fallout and contamination, while casually dismissed by US-NATO military analysts, would be devastating, potentially affecting a large area of the broader Middle East (including Israel) and Central Asian region." As an example, a few years ago Burma moved its capital Rangoon to Pyinmana, because it believed that the effects of nuclear radiation caused by an attack on Iran would be less there. Radiation and **nuclear winter** could have uncontrollable consequences for humans. Put plainly, the **survival of the human race would be put at stake** if the U.S. attacks Iran

**Détente ends the Sunni-Shia war and solves regional stabiltiy**

**UPI 11/12/13** [United Press International, “Analysts: Accord with Iran could ease Sunni-Shiite bloodshed,” Nov. 12, 2013 at 2:23 PM, pg. http://www.upi.com/Top\_News/Special/2013/11/12/Analysts-Accord-with-Iran-could-ease-Sunni-Shiite-bloodshed/UPI-55331384284185/

BEIRUT, Lebanon, Nov. 12 (UPI) -- There's more riding on a U.S. reconciliation with Iran than just convincing Tehran to scale back its murky and widely feared nuclear program, analysts say.

An accord with Tehran could do a lot to ease the swelling conflict between the Muslim world's mainstream Sunni sect, led by Saudi Arabia, and the breakaway Shiites led by Iran, that's become the central issue in the bloodletting in Syria, Iraq and Lebanon and threatens the stability of the entire Middle East.

The religious rift dates back to the dynastic dispute triggered by the death of the Prophet Muhammad in 632 A.D.

Quiescent for centuries, it has flared into violence in recent years, particularly with the turbulent birth of the radical Islamic Republic of Iran in 1979.

This new confrontation in a dispute that goes back 14 centuries has come to define the modern-day rivalry between Saudi Arabia, which as the birthplace of Islam and guardian of its holiest shrines, considers itself the heart of the Islamic world, and the upstart Islamic Republic, for dominance of the region.

The growing sectarianism that now marks the 30-month-old civil war in Syria and the worsening slaughter in Iraq is spilling over into Lebanon, threatening to ignite a new civil war, this time between the Sunni extremists of al Qaida and the Shiite warriors of Lebanon's Hezbollah.

The Syrian war is the first conflict that has thrust al Qaida and Hezbollah, Iran's highly prized Arab ally Lebanese, into direct conflict.

At least one U.S. commentator has suggested these two religion- and ideology-driven protagonists be left alone to savage each other, allowing the Americans to get rid of two of its relentless tormentors.

Constraining Iran's nuclear ambitions is the declared primary objective of the negotiations between the Western powers and Iran, which is also the principal backer of Syria's embattled President Bashar Assad.

But as international affairs commentator David Gardner observes, "two other prizes such a deal could unlock are enlisting Iran's help in addressing the most unmanageable conflicts of the Middle East, and starting to turn back the tide of sectarian poison coursing through the region...

"Detente with Iran could eventually persuade Tehran to elbow aside the Assads -- now almost totally dependent for their survival on the Islamic Republic -- and unlock a transition out of Syria's misery.

"But getting Iran inside the diplomatic tent could also make it easier to manage, if not resolve, a host of other regional problems," such as the increasingly sectarian bloodletting in Iraq and Lebanon, observed the Beirut-based Gardner.

**It will engulf the Heartland of Eurasia – Pakistan, China & Russia will be impacted
Stone 3/8/12** – BA in American History @ Princeton University [Sean Stone, “Backing Into World War III?”, Huffington Post, Posted: 03/ 8/2012 4:55 pm, pg. http://www.huffingtonpost.com/sean-stone/backing-into-world-war-ii\_b\_1333104.html]

What I believe is currently being played out is an 'endgame' scenario, by failing West European and American economies, threatening to **explode** what has historically been referred to by British imperialists as the Heartland of Eurasia: stretching from the Horn of Africa (guarding the shipping lanes of the Gulf) to Afghanistan and Pakistan (in Russia and China's underbelly). The Russians know this 'Great Game' well, having played it with the British since at least the Crimean War of the mid-19th Century. So when Russia says it cannot accept the ongoing destruction of the Syrian government, or an attack on Iran, it is based on the understanding that such destabilization of this 'Heartland' could **ignite war between Shia and Sunni Muslims** across the region, even affecting the Muslim populations of southern Russia and western China.

**Turns paki military control and stability**

**Haleem 08** - Professor in the Department of Political Science @ Seton Hall University. [Irm Haleem, “1, 2, 3…Coup! Of Violence, Incursions on Sovereignty and Recourses in Pakistan,” Perspectives on Terrorism, Vol 2, No 12 (2008), pg. <http://www.terrorismanalysts.com/pt/index.php/pot/article/view/60/html>]

If American military incursions into Pakistan's FATA region continue, and if Pakistan's defense analysts continue to view such incursions as gross violations of Pakistani sovereignty in addition to viewing its current civilian leadership as contributing to this volatile situation and, further still, come to conclude that both the American military incursions as well as the Pakistani government's tacit acceptance of such incursions are only fueling more domestic extremism in Pakistan so that "if the present trends continue we may well eventually confront a civil war across the country" then my assessment of the impending military coup in Pakistan seem suddenly very viable.[17] Theories of civil-military relations point to a direct relationship between the imperative of government coercion for the maintenance of law and order and the likelihood of military coups.[18] So as law and order in a country deteriorates the military's perception of the necessity of a coup increases. This is not surprising since the military institution of any country is by definition known for its propensity toward coercive and draconian measures which, at a time of violence and instability, appear at once necessary and thus acceptable. Theoretically speaking, the political and social stability of any state may be disrupted due either to a corrupt and inept civilian governance leading subsequently to civilian-military estrangement, a garrison state mentality brought upon either by historically perceived threat of conventional war with neighboring states or the existence of sharp and contentious ethnic divides prone to violent outbursts.[19] In the case of Pakistan, sharp ethnic divides led to the partial fragmentation of the country and the subsequent creation of the new sovereign state of Bangladesh in 1971. But this is not where the story ends. In an article that appeared in Third World Quarterly in 2004 I had argued that in the case of Pakistan it is not only the existence of sharp ethnic (linguistic) divides that most effectively explains the Pakistani military interventions in governance but, even more critically, it is the existence of hate-ridden sectarian divides (Shia-Sunni divides).[20] However, if the violence unleashed by the ethnic and sectarian divides has increased the likelihood of military coups in Pakistan in the past, then the current mushrooming of Jihadi Taliban and Al-Qaeda-inspired terrorism on Pakistani soil will only multiply this effect.

**U**

They concede sanctions won’t pass now – recent senate meetings boosted momentum – the pro-diplomacy side is winning – tha”ts markey

**First – we don’t have to win that there will be a deal with Iran. We ONLY have to win that the sanctions being brought up are bad – it will crush diplomatic cred and cause awr**

**Deal will happen – delay post Geneva is good**

**MALONEY 11 – 13 – 13 senior fellow at the Brookings Institution's Saban Center for Middle East Policy**. [Suzanne Maloney, INSIGHT: US, Iran Find Nuclear Breakthrough Hard to Achieve, http://middleeastvoices.voanews.com/2013/11/insight-us-iran-find-nuclear-breakthrough-hard-to-achieve-26834/]

In the lead-up to last week’s negotiations on the Iranian nuclear issue, all signs seemed to herald the possibility of a historic breakthrough. Officials in both Washington and Tehran were careful to try to suppress irrational exuberance, but in private briefings and official media statements, they could not help but convey an air of anticipation.

After all, the talks were building upon a suddenly conducive context ushered in by the June election of a moderate Iranian president, Hassan Rouhani, who has made it his mission to resolve the standoff and halt the deterioration of his country’s economy and its standing in the world. Since his election, and particularly since his September visit to New York, when he exchanged unprecedented telephone greetings with U.S. President Barack Obama, the long-deadlocked negotiating process on the nuclear issue has taken on a feverish pace.

An opening round last month in Geneva produced hope of steady progress, with technical talks and new Iranian cooperation with the International Atomic Energy Agency. And the start to last week’s talks was serious enough to trigger travel by six foreign ministers - including U.S. Secretary of State John Kerry - who interrupted their agendas in order to hurry to Geneva to join Iran’s foreign minister and the European Union foreign policy chief in leading the talks on Friday and Saturday.

It seemed all that was left to do was to break out the celebratory champagne - non-alcoholic, of course, in deference to the Iranian theocratic sensitivities - and set up the podium for the signing ceremony. And then, just as suddenly, expectations deflated even more rapidly than they had risen, with the furious release of rumor and recriminations shared via Twitter by the pack of reporters and commentators jostling impatiently in a Geneva hotel lobby.

When the negotiations finally wound down in the early hours of a Swiss Sunday morning, the dignitaries emerged empty-handed. In the end, they came, they talked (and talked some more), but they could not conquer more than a dozen years of distrust that surrounds the issue and the decades of animosity that infects the U.S.-Iranian dynamic.

The good news

The failure should be kept in perspective. After all, the latest Geneva round still represents the most serious, sustained dialogue between leading American and Iranian officials since the revolution. And while surely the six foreign ministers who rushed to Geneva would have preferred a photo-op finish complete with a signing ceremony, the engagement of all these principals in the diplomatic grunt work of trying to hammer out mutually acceptable terms should have a salutary impact on their state’s investment **in an eventual outcome.**

Despite the doom-sayers, diplomacy will go on. The incentives that all parties see for achieving a negotiated agreement remain just as powerful as ever, and the disincentives surrounding any possible alternative course continue to loom large even for skeptics of the process.

“The passing of time will contract political space and this in turn may erode whatever combination of political capital and courage both sides were willing to invest in this deal.” – Suzanne Maloney, Brookings Saban Center

The time-out may be just what the embryonic process needs - a chance to buy time and space to work through the continuing contentious issues. The controversy among some of America’s allies over the terms proposed in the talks will help sell the deal within Iran, to the extent that it needs selling. And a protracted germination is a far more viable path to a sustainable solution than an agreement that is rushed to conclusion amidst a fragmenting political coalition.

**Deal likely – ignore dire warnings of deal failure**

**CBS NEWS 11 – 13** – 13 Lawmakers push new sanctions to aid Iran nuclear talks, <http://www.cbsnews.com/8301-250_162-57611679/lawmakers-push-new-sanctions-to-aid-iran-nuclear-talks/>

Despite some of the dour analyses that accompanied the breakdown of the talks in Geneva, others argued that the overall picture was more encouraging than headlines might suggest.

"I think any time that you are actually at the diplomatic table negotiating on a question that, just a year or so ago, would have been unfathomable - the idea that we could actually get Iran to back off its pursuit of nuclear weapons," said Rep. Debbie Wasserman-Schultz, D-Fla., also the chair of the Democratic National Committee, on CNN. "It demonstrates that the sanctions that we've imposed thus far have been extremely painful and effective and that President Obama's emphasis on trying to do all that we can to make sure that Iran cannot attain those nuclear weapons is working and we're going in the right direction."

"Of course," she added, any deal "has to be one that makes sense for the United States' security interests and also the interests of our allies in the region."

**Intrinsic**

**No pc**

**Ev is not awesome**

* Just rhetoric
* Not about iran

**Issue specific outweighs – Multiple members of Congress and key Senate committees are being convinced to hold off on sanctions THEY WANT because of the Administration.**

**AND this isn’t just a politics disad – it’s also just an executive credibility disad – Obama looks like a fool that has lost executive cred – means he’d lose on this deal – there doesn’t have to be an external trade off.**

**Obama’s capital will prevent congress from acting despite his loss of control**

**MATTHEW 11 – 13 – 13 Gulf News Editor at Large** [Francis Matthew, Nuclear deal with Iran is on right track, <http://gulfnews.com/opinions/columnists/nuclear-deal-with-iran-is-on-right-track-1.1254736>]

A nuclear deal with Iran is now a real possibility. All sides have recognised that they want to find a way forward and they all agree that diplomacy can work. This is a huge shift from the deliberately confrontational days of Iranian president Mahmoud Ahmadinejad and US president George W. Bush, when all sides wanted to maximise the drama of the confrontation for their own purposes.

But despite high hopes of a deal being announced in Geneva early this week, it failed due to last-minute problems and a dramatic refusal from the French to rubber stamp the six-month interim programme. However, in their final debrief, European Union Foreign Policy Chief Catherine Ashton, Iran’s Foreign Minister Mohammad Javad Zarif and US Secretary of State John Kerry all spoke of how much closer they were to an agreement than they have been in decades.

Nonetheless, the **devil is in the detail** and none more so when dealing with making Iran’s nuclear facilities open to the international community. The mechanics of ensuring full transparency at a large number of different kinds of nuclear facilities are both politically sensitive and technically difficult. They make it very easy to derail progress unless there is a clear political lead from the politicians that would encourage (or even allow) trust between the two sides.

Israeli Prime Minister Benjamin Netanyahu has unsurprisingly already criticised the deal as a complete sell-out to Iran. Saudi Arabia is leading a strand of Gulf Cooperation Council thought, which has deep reservations about bringing Shiite Iran back into the mainstream community of the region. In Tehran, the hardliners are already working on the Supreme Leader, who last week said that he does not trust the US.

There is also strong opposition to the agreement in Congress, where Congress has just passed a bill that will put even tougher sanctions on Iranian oil exports and Robert Menendez, the Democrat who chairs the Senate Foreign Affairs Committee, has refused pleas from Barack Obama’s administration to stop the bill in the Senate. He wants any agreement in Geneva to include a commitment for Iran to halt any enrichment of uranium.

However, diplomacy will continue. What became apparent in Geneva was that the full P5+1 (US, Russia, France, Britain, China and Germany) had been working on the framework of a final agreement, but the six-month interim deal getting Iran to slow down its activities in return for some sanctions relief, had been largely agreed bilaterally between Iran and the US. This was accepted by most of the P5+1, but infuriated the French who resented being presented with this fait accompli and they refused to be stampeded into agreement.

French Foreign Minister Laurent Fabius was concerned in particular about two things: Agreeing to Iran’s right to enrich uranium right at the start of the process and the continuing construction of a heavy-water plant near Arak, which is due to come on-steam next year and could produce plutonium, would enable it to be weaponised. The Arak plant has genuinely worried all western countries and Israel has been predictably vocal in reminding everyone involved in the talks that work at Arak should stop completely as part of any interim deal.

Despite the French, things are moving in the right direction on several tracks. While the diplomats were hammering away at each other over four days in Geneva, the International Atomic Energy Agency (IAEA) chief, Yukiya Amano, won IAEA access to Iran with an agreement that the IAEA will visit the Arak heavy-water production plant and a uranium mine at Gchine within three months. This may help allay French fears, which would improve the atmosphere at Geneva when the diplomats meet again in just over a week.

Nonetheless, there is not likely to be any rush to support the deal, since Iran has very few international friends. Therefore, it will take considerable political courage for Obama to go to Congress and the Senate to argue in favour of trusting Tehran, after decades of deep mistrust. It will be a particular challenge that any deal must involve some elements that ensure Iran’s self respect, which will be a red rag to anti-Iranians in Congress and to the Israelis who will mount a fierce counter attack.

**Obama will be asked to spend a large amount of his dwindling political capital** on getting the deal through, just at the time that he has lost control of Congress over the continuing brinkmanship to get the US government budget approved every few months, as well as over intervening in Syria.

The most important argument that Obama has to emphasise is that it will stop Iran being able to develop a nuclear weapon. This fundamental element of any deal should be enough to get even the dimmest Congressman on side and it should also be enough for the Israelis.

**Cir thump**

**They did not get to the relevant part of this card – I’m not reading a card here because it’s not a full arg in the 2AC**

**Fiat sovles**

Not arg

**Plan incr pc**

They can read U ev about negotations but they don’t have U about the senate bill so this isn’t offense

**2NC/1NR Link Wall**

**Congressional challenges to the war power Authority of the executive hurt the president’s success on other unrelated agenda items. The card is explicit—that’s Kriner.**

**Their ev says authorizing increases pc**

**AND—prefer Kriner—only comprehensive study.**

**FOWLER 10**—Professor of Government, Chair in Policy Studies at Dartmouth [Linda L. Fowler, After the Rubicon, CONGRESS, PRESIDENTS, AND THE POLITICS OF WAGING WAR, http://press.uchicago.edu/ucp/books/book/chicago/A/bo10156999.html]

Studies of war and research on Congress typically stand in isolation from each other. Kriner’s new book demonstrates big payoffs from examining the two in concert. He shows how the balance of party power in the legislature trumps conventional strategic variables in explaining the duration of U.S. military conflicts. Kriner also reveals how informal legislative actions, such as hearings, investigations, and resolutions, limit the president’s use of force. The book draws on a wide range of statistical and qualitative evidence and should cause even diehard realists to look more seriously at domestic constraints on U.S. actions abroad. In sum, Kriner’s work suggests that reports of Congress’s death as a participant in international relations are **greatly exaggerated**.

**Here’s another Kriner card—statistical and empirical support—the plan trades off with the agenda.**

**KRINER 10**—Assistant professor of political science at Boston University [Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, pg. 282-283]

The Costs of Congressional Wartime Opposition to the Bush Agenda

There is also considerable circumstantial evidence suggesting that the intense congressional opposition to Bush's Iraq War policies imposed an additional, significant political cost on the president: it brought action on virtually every other issue on his domestic and international agendas **to a grinding halt**. With an approval rating mired in the low thirties throughout his final year in office and with more than twice that figure disapproving of his job performance, Bush devoted every bit of his political capital to insuring continued funding for the war in Iraq.

Measuring the costs that congressional wartime opposition exacts on other presidential agenda items is perhaps even more difficult than conclusively showing its influence on public opinion. However, **on several metrics the data strongly suggests that Bush failed to achieve** almost all of his non-Iraq legislative priorities in his final two years in office. One commonly used measure of legislative productivity is Mayhew's class of "sweep one" significant enactments. In raw numerical terms, the emergence of sustained, significant congressional challenges to the war in Iraq did not dampen legislative productivity. The 110th Congress enacted thirteen pieces of landmark legislation, versus fourteen in the 109th Congress, although this total was boosted significantly by three bills responding to the financial crisis. However, a simple comparison of numbers obscures precisely whose agenda items comprised these lists of significant enactments. Landmark initiatives passed in the 109th Congress included a major reform of bankruptcy laws that favored lenders over consumers; the Class Action Fairness Act, which made it more difficult for individuals to bring such suits against businesses; billions of dollars of tax breaks to increase energy production; the Central American Free Trade Agreement; and the opening of more than eight million acres of the Gulf of Mexico to offshore drilling. These and most other items on the list clearly reflected Bush's legislative priorities. By contrast, many of the landmark initiatives enacted by the 110th Congress clearly reflected the priorities of the Democratic majority: an increase in the minimum wage; ethics and lobbying reform; an overhaul of the student loan program that cut subsidies to private lenders and increased federal aid to low-income families; an energy bill raising automobile gas mileage standards and encouraging conservation; and a bill requiring insurance companies to provide equal coverage for mental and physical illnesses.l9

All second-term presidents at some point grapple with the reality of becoming a lame duck, and all presidents in periods of divided government must grapple with legislatures possessing their own programmatic agendas. By almost any standard, however, **Bush succeeded in achieving even fewer of his legislative priorities** in the final two ears of his presidency than his immediate predecessors. The reasons for this are undoubtedly multifaceted. However, an important piece of the puzzle may well be that Bush, who in 2001 had been the most popular president in the history of the Gallup poll, was forced to expend **every remaining bit of political energy** in waging a rearguard action against Congress to preserve his policies in Iraq. The animus that his intransigence in Iraq had generated among the American people and many in Congress, even among some in his own party, left him stripped of the political capital needed to advance the remainder of his policy agenda.

**It trades off**

**KRINER 10 Assistant professor of political science at Boston University** [Douglas L. Kriner, “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, page 67-69]

Raising or Lowering Political Costs by Affecting Presidential Political Capital

Shaping both real and anticipated public opinion are two important ways in which Congress can raise or lower the political costs of a military action for the president. However, focusing exclusively on opinion dynamics threatens to obscure the much broader political consequences of domestic reaction — **particularly congressional opposition** — to presidential foreign policies. At least since Richard Neustadt’s seminal work Presidential Power, presidency scholars have warned that costly political battles in one policy arena frequently have significant ramifications for presidential power in other realms. Indeed, two of Neustadt’s three ‘cases of command’—Truman’s seizure of the steel mills and tiring of General Douglas MacArthur—explicitly discussed the broader political consequences of stiff domestic **resistance to presidential assertions of commander-in-chief powers.** In both cases, Truman emerged victorious in the case at hand—yet, Neustadt argues, each victory cost Truman dearly in terms of his future power prospects and leeway in other policy areas, many of which were more important to the president than achieving unconditional victory over North Korea. 58

While congressional support leaves the president’s reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president’s foreign policies is capital that is unavailable for his future policy initiatives . Moreover, any weakening in the president’s political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War. 60

In addition to boding ill for the president’s perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson’s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush’s highest second-term domestic proprieties, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.61

When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

**Deterrence solves**

**New sanctions would cause war – ends diplomacy, forces irans hand, emboldens hard-liners in Iran**

**CHANNEL NEWS ASIA 11 – 13 –** 13 New Iran sanctions would risk war: White House warns Congress, <http://www.channelnewsasia.com/news/world/new-iran-sanctions-would/884486.html>

The White House warned US lawmakers on Tuesday that tightening sanctions on Iran could box America **into a "march to war"** and derail a diplomatic push to limit Tehran's atomic program.

The warning marked a significant toughening of President Barack Obama's stance towards skeptical US lawmakers as he prepares to resume high-stakes nuclear diplomacy with Iran later this month.

"The American people do not want a march to war," White House spokesman Jay Carney told reporters.

Obama has vowed he will not allow Iran to develop a nuclear weapon, but last week's intense negotiations between Iran and six world powers failed to reach an interim deal to halt its program.

This setback fuelled skepticism in Congress about the administration's plans to freeze planned new economic sanctions.

Secretary of State John Kerry heads to Capitol Hill on Wednesday to make the case for continued diplomacy.

Meanwhile, the White House prepared the ground by warning that limiting Obama's scope to negotiate could leave him little option but a recourse to military force against Tehran's nuclear operations.

Key senators, some responding to Israel's denunciation of the proposed agreement, are framing plans to stiffen sanctions or to curtail Obama's power to ease current measures.

The White House implicitly warned that new sanctions could embolden hardliners in Tehran who oppose talks, and force Obama to begin preparations for military action.

Carney said Americans "justifiably and understandably prefer a peaceful solution that prevents Iran from obtaining a nuclear weapon, and this agreement, if it's achieved, has the potential to do that.

"The alternative is military action," Carney warned.

"It is important to understand that if pursuing a resolution diplomatically is disallowed or ruled out, what options then do we and our allies have to prevent Iran from acquiring a nuclear weapon?"

White House aides privately say that once war-weary Americans understand the alternative to a deal with Iran means another Middle East conflict, they will will warm to Obama's approach.

Officials have also warned a hardline stance by Congress would strengthen hardliners in Iran opposed to dialogue between new Iranian President Hassan Rouhani's envoys and Washington.

Kerry will take the administration's position directly to the Senate Banking Committee, which is mulling a new sanctions package.

"The secretary will be clear that putting new sanctions in place would be a mistake," State Department spokeswoman Jen Psaki said.

"What we are asking for right now is a pause, a temporary pause in sanctions," she told reporters. "We are not rolling them back."

The United States and other western nations believe Iran is covertly trying to develop nuclear weapons, a charge Tehran denies.

The House of Representatives has already passed a bill hardening up the sanctions, but the Senate agreed to delay further action to allow diplomacy a chance to succeed.

Both Republicans and Democrats have grown increasingly skeptical.

Senate Foreign Relations Committee chairman Robert Menendez said in a USA Today op-ed that new sanctions are a "necessary insurance policy" to ensure Iran negotiates in good faith.

"We cannot substitute wild-eyed hope for clear-eyed pragmatism given Iran's record of deception," he said.

And he branded it "incompatible" for Tehran to be pursue talks while installing centrifuges and developing a heavy-water reactor.

"Tougher sanctions will serve as an incentive for Iran to verifiably dismantle its nuclear weapons program. When Iran complies, sanctions can be unwound and economic relief will follow," he said.

An aide to Banking Committee chairman Tim Johnson said the senator "will not make a decision on additional sanctions until he has had a chance to consult with his colleagues following the briefing" by Kerry on Wednesday.

The committee's top Republican, Senator Mike Crapo, has said he wants to "move ahead expeditiously" with a new sanctions regime.

"I don't see how we should adjust our sanctions policy before there is any progress on the negotiation," he told Politico last week.

Colin Kahl, director of the Middle East Security Program at the Center for a New American Security, said Congress was warming to the idea that sanctions pressure got Iran to the negotiating table and "more pressure will get them over the goal line."

Kahl told reporters that "Congress should be mindful... of doing things that would arm hardliners with the argument that the West isn't serious" about engaging Iran diplomatically over its nuclear program.

Trita Parsi, president of the National Iranian American Council, agreed, saying new sanctions could seriously limit Rouhani's ability to maintain his "soft position" on the negotiations.

**"The hardliners are waiting to destroy him,"** Parsi said.

Negotiators "need to strike a deal before the Congress comes out and essentially closes the window of diplomacy."