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#### Congress likely to pass a CR and avoid shutdown now - Boehner's tactics are merely to placate conservatives down the road

Yglesias 9/18/13 (Matthew, business/economics correspondent @ Slate, "The Odds of a Government Shutdown Are Falling, Not Rising," http://www.slate.com/blogs/moneybox/2013/09/18/government\_shutdown\_odds\_falling\_not\_rising.html)

But read on to the second graf of the piece and you'll see that the odds are not rising at all. What's happening is that John Boehner is preparing to pass an appropriations bill that also defunds Obamacare that he knows perfectly well stands no chance of passing, and he's hoping that doing this will placate the right wing of the his caucus for when he surrenders.¶ Here they explain:¶ House leaders are hoping the vote on the defunding measure will placate conservatives once the Democratically controlled Senate rejects it. The House, they are betting, would then pass a stopgap spending measure unencumbered by such policy baggage and shift the argument to the debt ceiling, which must be raised by mid-October if the government is to avoid an economically debilitating default.¶ The key thing to remember here is that the House, as a discretionary decision, operates by the "Hastert Rule" in which only bills that are supported by a majority of GOP members can be brought to the floor for a vote. There is no Hastert-compliant appropriations bill that can pass the Senate. But there very likely is majority support in the House for the kind of "clean" funding bill that can also pass the Senate. All that has to happen is for John Boehner to violate the Hastert Rule. And the Hastert Rule isn't actually a rule, it's something Boehner has put aside many times. But it's also a rule he can't flagrantly ignore, lest his caucus get too grumpy and depose him. The operating theory here is that if Boehner has the whole House GOP indulge the maximalist faction by all passing a defuding bill, that creates enough room to move to later violate the Hastert Rule and pass a continuing resolution.¶ If anything is happening to the odds of a shutdown, in other words, they're falling, not rising.

#### Obama fights the plan – strongly supports war powers

Rana 11 (Aziz – Assistant Professor of Law, Cornell Law School, “TEN QUESTIONS: RESPONSES TO THE TEN QUESTIONS”, 2011, 37 Wm. Mitchell L. Rev. 5099, lexis)

Thus, for many legal critics of executive power, the election of Barack Obama as President appeared to herald a new approach to security concerns and even the possibility of a fundamental break from Bush-era policies. These hopes were immediately stoked by Obama's decision before taking office to close the Guantanamo Bay prison. n4 Over two years later, however, not only does Guantanamo remain open, but through a recent executive order Obama has formalized a system of indefinite detention for those held there and also has stated that new military commission trials will begin for Guantanamo detainees. n5 More important, in ways small and large, the new administration remains committed to core elements of the previous constitutional vision of national security. Just as their predecessors, Obama officials continue to defend expansive executive detention and war powers and to promote the centrality of state secrecy to national security.

#### Capital key

Dumain 9/18/13 (Emma, Roll Call, "Will House Democrats Balk at Sequester-Level CR?," http://blogs.rollcall.com/218/will-house-democrats-balk-at-sequester-level-cr/)

What would be helpful for the duration of the political battle over the CR between now and the end of the month, however, is if Obama more frequently took to the “bully pulpit” to blast Republicans and bolster Democrats, the aide said.¶ “The more the better,” he said.

#### Shutdown wrecks the economy

Wu 8/27/13 (Yi, “Government Shutdown 2013: Still a Terrible Idea,” PolicyMic, <http://www.policymic.com/articles/60837/government-shutdown-2013-still-a-terrible-idea>)

Around a third of House Republicans, many Tea Party-backed, sent a letter last week calling on Speaker John Boehner to reject any spending bills that include implementation of the Affordable Care Act, otherwise known as Obamacare. Some Senate Republicans echo their House colleagues in pondering this extreme tactic, which is nothing other than a threat of government shutdown as neither congressional Democrats nor President Obama would ever agree on a budget that abolishes the new health care law. Unleashing this threat would amount to holding a large number of of the federal government's functions, including processing Social Security checks and running the Centers for Disease Control, hostage in order to score partisan points. It would be an irresponsible move inflicting enormous damage to the U.S. economy while providing no benefit whatsoever for the country, and Boehner is rightly disinclined to pursue it. Government shutdowns are deleterious to the economy. Two years ago in February 2011, a similar government shutdown was looming due to a budget impasse, and a research firm estimated that quater's GDP growth would be reduced by 0.2 percentage points if the shutdown lasted a week. After the budget is restored from the hypothetical shutdown, growth would only be "partially recouped," and a longer shutdown would result in deeper slowdowns. Further, the uncertainties resulting from a shutdown would also discourage business. A shutdown was avoided last-minute that year, unlike in 1995 during the Clinton administration where it actually took place for four weeks and resulted in a 0.5 percentage-point dent in GDP growth. Billions of dollars were cut from the budget, but neither Boehner nor the Republicans at the time were reckless enough to demand cancellation of the entire health care reform enacted a year before.

#### Global nuclear war

Harris & Burrows 9 (Mathew, PhD European History @ Cambridge, counselor of the U.S. National Intelligence Council (NIC) and Jennifer, member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” <http://www.ciaonet.org/journals/twq/v32i2/f_0016178_13952.pdf>)

Increased Potential for Global Conflict Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the harmful effects on fledgling democracies and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which the potential for greater conflict could grow would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises. Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in interstate conflicts if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

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#### Text: The President of the United States should issue an executive order, via the appropriate administrative agencies, statutorily clarifying that its authorization to use force is for zones of active hostilities.

#### Executive orders concerning war powers are common, have the same effect as the plan, and withstand judicial scrutiny

Duncan 10 (John C. – Associate Professor of Law, College of Law, Florida A & M University; Ph.D., Stanford University; J.D., Yale Law School, “A CRITICAL CONSIDERATION OF EXECUTIVE ORDERS: GLIMMERINGS OF AUTOPOIESIS IN THE EXECUTIVE ROLE”, Vermont Law Review, 35 Vt. L. Rev. 333, lexis)

Executive orders make "legally binding pronouncements" in fields of authority generally conceded to the President. n92 A prominent example of this use is in the area of security classifications. n93 President Franklin Roosevelt issued an executive order to establish the system of security classification in use today. n94 Subsequent administrations followed the President's lead, issuing their own executive orders on the subject. n95 In 1994, Congress specifically required "presidential issuance of an executive order on classification," by way of an "amendment to the National Security Act of 1947 . . . ." n96 The other areas in which Congress concedes broad power to the President "include ongoing governance of civil servants, foreign service and consular activities, operation and discipline in the military, controls on government contracting, and, until recently, the management and control of public lands." n97 Although there are also statutes that address these areas, most basic policy comes from executive orders. n98 Executive orders commonly address matters "concerning military personnel" n99 and foreign policy. n100 "[D]uring periods of heightened national security activity," executive orders regularly authorize the transfer of responsibilities, personnel, or resources from selected parts of the government to the military or vice versa. n101 Many executive orders have also guided the management of public lands, such as orders creating, expanding, or decommissioning military installations, and creating reservations for sovereign Native American communities. n102 [\*347] Executive orders serve to implement both regulations and congressional regulatory programs. n103 Regulatory orders may target specific businesses and people, or may be designed for general applicability. n104 Many executive orders have constituted "delegations of authority originally conferred on the president by statute" and concerning specific agencies or executive-branch officers. n105 Congress may confer to the President, within the statutory language, broad delegatory authority to subordinate officials, while nevertheless expecting the President to "retain[] ultimate responsibility for the manner in which ." n106 "[I]t is common today for [the President] to cite this provision of law . . . as the authority to support an order." n107 Many presidents, especially after World War II, used executive orders-with or without congressional approval-to create new agencies, eliminate existing organizations, and reorganize others. n108 Orders in this category include President Kennedy's creation of the Peace Corps, n109 and President Nixon's establishment of the Cabinet Committee on Environmental Quality, the Council on Environmental Policy, and reorganization of the Office of the President. n110 At the core of this reorganization was the creation of the Office of Management and Budget. n111 President Clinton continued the practice of creating agencies, including the National Economic Council, with the issuance of his second executive order. n112 President Clinton also used an executive order "to cut one hundred thousand positions from the federal service" a decision which would have merited no congressional review, despite its impact. n113 President George W. Bush created the Office of Homeland Security as his key organizational reaction to the terrorist attacks of September 11, 2001, despite the fact that [\*348] Congress at the time appeared willing to enact whatever legislation he sought. n114 President Obama created several positions of Special Advisor to the President on specific issues of concern, for which there is often already a cabinet or agency position. n115 Other executive orders have served "to alter pay grades, address regulation of the behavior of civil servants, outline disciplinary actions for conduct on and off the job, and establish days off, as in the closing of federal offices." n116 Executive orders have often served "to exempt named individuals from mandatory retirement, to create individual exceptions to policies governing pay grades and classifications, and to provide for temporary reassignment of personnel in times of war or national emergency." n117 Orders can authorize "exceptions from normal operations" or announce temporary or permanent appointments. n118 Many orders have also addressed the management of public lands, although the affected lands are frequently parts of military reservations. n119 The fact that an executive order has the effect of a statute makes it a law of the land in the same manner as congressional legislation or a judicial decision. n120 In fact, an executive order that establishes the precise rules and regulations for governing the execution of a federal statute has the same effect as if those details had formed a part of the original act itself. n121 However, if there is no constitutional or congressional authorization, an executive order may have no legal effect. n122 Importantly, executive orders designed to carry a statute into effect are invalid if they are inconsistent [\*349] with the statute itself, for any other construction would permit the executive branch to overturn congressional legislation capriciously. n123 The application of this rule allows the President to create an order under the presumption that it is within the power of the executive branch to do so. Indeed, a contestant carries the burden of proving that an executive action exceeds the President's authority. n124 That is, as a practical matter, the burden of persuasion with respect to an executive order's invalidity is firmly upon anyone who tries to question it. n125 The President thus has great discretion in issuing regulations. n126 An executive order, with proper congressional authorization enjoys a strong presumption of validity, and the judiciary is likely to interpret it broadly. n127 If Congress appropriates funds for a President to carry out a directive, this constitutes congressional ratification thereof. n128 Alternatively, Congress may simply refer to a presidential directive in later legislation and thereby retroactively shield it from any future challenge. n1

#### Obama’s war powers maintain his presidential power

**Rozell, 12** [Mark Rozell is Professor of Public Policy, George Mason University, and is the author of Executive Privilege: Presidential Power, Secrecy and Accountability, From Idealism to Power: The Presidency in the Age of Obama, 2012,, <http://www.libertylawsite.org/book-review/from-idealism-to-power-the-presidency-in-the-age-of-obama/>]

And yet, as Jack Goldsmith accurately details in his latest book, President Barack Obama not only has not altered the course of controversial Bush-era practices, he has continued and expanded upon many of them. On initiating war, as a candidate for the presidency in 2007, Obama said that “the president doesn’t have the power under the Constitution to unilaterally authorize a military attack,” yet that is exactly what he did in exercising the war power in Libya. He has also said that he will exercise the power to act on his own to initiate military action in Syria if it’s leader ever crosses the “red line” (i.e., use of chemical weapons). He has issued a number of signing statements that directly violate congressional intent. He has vastly expanded, far beyond Bush’s actions, the use of unconfirmed and unaccountable executive branch czars to coordinate policies and to make regulatory and spending decisions. The president has made expanded use of executive privilege in circumstances where there is no legal merit to making such a claim and he has abused the principle of the state secrets privilege. His use of the recess appointment power on many occasions has been nothing more than a blatant effort to make an end-run around the Senate confirmation process. He has continued, and expanded upon, the practice of militarily detaining persons without trial or pressing charges (on the condition that the detention is not “indefinite”). In a complete reversal of his past campaign rhetoric, the president on a number of occasions has declared his intention to act unilaterally on a variety of fronts, and to avoid having to go to Congress whenever he can do so. There are varied explanations for the president’s total reversals. The hard-core cynics of course simply resort to the “they all lie” explanation. Politicians of all stripes say things to get elected but don’t mean much of it. Recently I saw a political bumper sticker announcing “BUSH 2.0” with a picture of Obama. Many who enthusiastically supported Obama are profoundly disappointed with his full-on embrace of Bush-like unilateralism and this administration’s continuation of many of his predecessor’s policies. Goldsmith, a law professor who led the Department of Justice’s (DOJ) Office of Legal Counsel from October 2003 to June 2004, during George W. Bush’s first term, says that there were powerful forces at work in the U.S. governmental system that ensured that the president would continue many of the policies and practices of his predecessor. The president reads the daily terrorism threat reports, which has forced him to understand that things really do look differently from the inside. From this standpoint, Obama likely determined that many of Bush’s policies actually were correct and needed to be continued. “The personal responsibility of the president for national security, combined with the continuing reality of a frightening and difficult-to-detect threat, unsurprisingly led Obama, like Bush, to use the full arsenal of presidential tools,” writes Goldsmith. He further argues that Obama lacked leeway to change course in part because many of Bush’s policies “were irreversibly woven into the fabric of the national security architecture.” For example, former president Bush’s decision to use the Guantanamo detention facility created an issue for Obama that he otherwise never would have confronted. And the use of coercion on suspects made it too complicated to then employ civilian courts to try them. In perhaps the most telling example of the limits of effecting change, Obama could not end what Bush had started, even though the president issued an executive order (never carried out) to close the detention center. Here Goldsmith somewhat overstates his case. Obama was not necessarily consigned to following Bush’s policies and practices, although undoubtedly his options may have been constrained by past decisions. But consider the decision whether the government should have investigated and then taken action against illegal and unconstitutional acts by officials in the Bush Administration, particularly in the DOJ, NSA, and CIA. President Obama said it was time to look forward, not backward, thus sweeping all under the rug. Nothing “irreversibly woven” there, but rather the new president made a choice that he absolutely did not have to make. Finally, Goldsmith adds that Obama, like most of his predecessors, assumed the executive branch’s institutional perspective once he became president. If it is true about Washington that where you stand on executive powers depends on where you sit, then should it be any surprise that President Obama’s understanding differs fundamentally from Senator Obama’s? Honestly, I find that quite sad. Do the Constitution and principles of separation of powers and checks & balances mean so little that we excuse such a fundamental shift in thinking as entirely justified by switching offices? Goldsmith’s analysis becomes especially controversial when he turns to his argument that, contrary to the critiques of presidential power run amok, the contemporary chief executive is more hampered in his ability to act in the national interest than ever before. In 2002, Vice President Richard Cheney expressed the view that in his more than three decades of service in both the executive and legislative branches, he had witnessed a withering of presidential powers and prerogatives at the hands of an overly intrusive and aggressive Congress. At a time when most observers had declared a continuing shift toward presidential unilateralism and legislative fecklessness, Cheney said that something quite opposite had been taking place. Goldsmith is far more in the Cheney camp on this issue than of the critics of modern exercises of presidential powers. Goldsmith goes beyond the usual emphasis on formal institutional constraints on presidential powers to claim that a variety of additional forces also are weighing down and hampering the ability of the chief executive to act. As he explains, “the other two branches of government, aided by the press and civil society, pushed back against the Chief Executive like never before in our nation’s history”. Defenders of former president Bush decry what they now perceive as a double standard: critics who lambasted his over expansive exercises of powers don’t seem so critical of President Obama doing the same. Goldsmith makes the persuasive case that in part the answer is that Bush was rarely mindful of the need to explain his actions as necessities rather than allow critics to fuel suspicions that he acted opportunistically in crisis situations to aggrandize power, whereas Obama has given similar actions a “prettier wrapping”. Further, Obama, to be fair, on several fronts early in his first term “developed a reputation for restraint and commitment to the rule of law”, thus giving him some political leeway later on. A substantial portion of Goldsmith’s book presents in detail his case that various forces outside of government, and some within, are responsible for hamstringing the president in unprecedented fashion: Aggressive, often intrusive, journalism, that at times endangers national security; human rights and other advocacy groups, some domestic and other cross-national, teamed with big resources and talented, aggressive lawyers, using every legal category and technicality possible to complicate executive action; courts thrust into the mix, having to decide critical national security law controversies, even when the judges themselves have little direct knowledge or expertise on the topics brought before them; attorneys within the executive branch itself advising against actions based on often narrow legal interpretations and with little understanding of the broader implications of tying down the president with legalisms. Just as he describes how a seemingly once idealistic candidate for president as Barack Obama could see things differently from inside government, so too was Goldsmith at one time on the inside, and thus perhaps it is no surprise that he would perceive more strongly than other academic observers the forces that he believes are constantly hamstringing the executive. But he is no apologist for unfettered executive power and he takes to task those in the Bush years who boldly extolled theories of the unitary executive and thereby gave credibility to critics of the former president who said that his objective was not merely to protect the country from attack, but to empower himself and the executive branch. Goldsmith praises institutional and outside-of-government constraints on the executive as necessary and beneficial to the Republic. In the end, he sees the balance shifting in a different direction than many leading scholars of separation of powers. And unlike a good many presidency scholars and observers, he is not a cheerleader for a vastly powerful chief executive. Goldsmith’s work too is one of careful and fair-minded research and analysis. He gives substantial due to those who present a counter-view to his own, and who devote their skills and resources to battling what they perceive as abuses of executive power. Whereas they see dangers to an unfettered executive, Goldsmith wants us to feel safe that there are procedural safeguards against presidential overreaching, although he also wants us to be uncomfortable with what he believes now are intrusive constraints on the chief executive’s ability to protect the country. Goldsmith may be correct that there are more actors than ever involved in trying to trip up the president’s plans, but that does not mean that our chief executives are losing power and control due to these forces. Whether it is war and anti-terrorism powers, czars, recess appointments, state secrets privilege, executive privilege, signing statements, or any of a number of other vehicles of presidential power, our chief executives are using more and more means of overriding institutional and external checks on their powers. And by any measure, they are succeeding much more than the countervailing forces are limiting them.

#### Congressional statutes restricting executive war powers destroy broader presidential powers

**Freeman, 07** -- JD @ Yale Law School (Daniel J., 11/1/2007, "The Canons of War," Yale Law Journal 117(280), EBSCO)

Outside the confines of partisan absolutism, determining the scope of executive war power is a delicate balancing act. Contrasting constitutional prerogatives must be evaluated while integrating framework statutes, executive orders, and quasi-constitutional custom. The Supreme Court’s preferred abacus is the elegant three-part framework described by Justice Jackson in his concurrence to Youngstown Sheet & Tube Co. v. Sawyer.9 When the President and Congress act in concert, the action harnesses the power of both branches and is unlikely to violate the principle of separation of powers. When Congress has failed either to authorize or to deny authority, the action lurks in a “zone of twilight” of questionable power. When the President and Congress act in opposition, the President’s power is “at its lowest ebb,” and the action raises conspicuous concerns over the separation of powers.10 Therein lies the rub. Justice Jackson wrote soon after the tremendous growth of the executive during the New Deal and World War II, but the scope of legislation expanded dramatically in subsequent decades. Congress waged a counteroffensive in the campaign over interbranch supremacy by legislating extensively in the fields of foreign relations and war powers. Particularly in the post-Watergate era, Congress filled nearly every shadowy corner of the zone of twilight with its own imprimatur.11 That is not to say that Congress placed a relentless series of checks on the executive. Rather, Congress strove to establish ground rules, providing a limiting framework such as the War Powers Resolution12 for each effusive authorization like the Patriot Act.13 This leaves Jackson’s second category essentially a dead letter.14 The most sensitive questions concerning the effective distribution of governmental powers and the range of permissible executive action are therefore problems of statutory interpretation. The question becomes more complicated still when successive Congresses act in apparent opposition. While recent executives have consistently pushed to expand their authority,15 shifting patterns of political allegiance between Congress and the President yield a hodgepodge of mandates and restraints.16 Whether an action falls into Jackson’s first or third category requires one to parse the complete legislative scheme. This question is most pointed in connection with the execution of authorized war powers. Presidential power in this area is simultaneously subject to enormously broad delegations and exacting statutory limitations, torn between clashing constitutional values regarding the proper balance between branches. On one side lie authorizations for the use of military force (AUMFs), statutes empowering the President to “introduce United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated.”17 On the other side lie framework statutes, enactments defining the mechanisms and boundaries of the execution of those war powers. Nevertheless, when faced with a conflict between an authorization for the use of military force and a preexisting framework, the Supreme Court must determine the net authorization, synthesizing those statutes while effectuating the underlying constitutional, structural, and historical concerns.

#### Multiple scenarios for nuclear war

**Yoo, 06** [John, Law Professor at University of California, Berkeley and Visiting Scholar at the American Enterprise Institute Deputy Assistant U.S. Attorney General in the Office of Legal Counsel, Department of Justice (OLC), during the George W. Bush administration, Deputy Assistant U.S. Attorney General in the Office of Legal Counsel, Department of Justice (OLC), during the George W. Bush administration, Energy in the Executive: Re-examining Presidential Power in the Midst of the War on Terrorism, 8/24/06, <http://www.heritage.org/research/reports/2006/04/energy-in-the-executive-reexamining-presidential-power-in-the-midst-of-the-war-on-terrorism>]

Aside from bitter controversy over Vietnam, there appeared to be significant bipartisan consensus on the overall strategy of containment, as well as the overarching goal of defeating the Soviet Union. We did not win the four-decade Cold War by declarations of war. Rather, we prevailed through the steady presidential application of the strategy of containment, supported by congressional funding of the necessary military forces. On the other hand, congressional action has led to undesirable outcomes. Congress led us into two "bad" wars, the 1798 quasi-war with France and the War of 1812. Excessive congressional control can also prevent the U.S. from entering conflicts that are in the national interest. Most would agree that congressional isolationism before World War II harmed U.S. interests and that the United States and the world would have been far better off if President Franklin Roosevelt could have brought us into the conflict much earlier. Congressional participation does not automatically, or even consistently, produce desirable results in war decision-making. Critics of presidential war powers exaggerate the benefits of declarations or authorizations of war. What also often goes unexamined are the potential costs of congressional participation: delay, inflexibility, and lack of secrecy. Legislative deliberation may breed consensus in the best of cases, but it also may inhibit speed and decisiveness. In the post-Cold War era, the United States is confronting several major new threats to national security: the proliferation of WMD, the emergence of rogue nations, and the rise of international terrorism. Each of these threats may require pre-emptive action best undertaken by the President and approved by Congress only afterwards. Take the threat posed by the al-Qaeda terrorist organization. Terrorist attacks are more difficult to detect and prevent than those posed by conventional armed forces. Terrorists blend into civilian populations and use the channels of open societies to transport personnel, material, and money. Despite the fact that terrorists generally have no territory or regular armed forces from which to detect signs of an impending attack, weapons of mass destruction allow them to inflict devastation that once could have been achievable only by a nation-state. To defend itself from this threat, the United States may have to use force earlier and more often than was the norm during the time when nation-states generated the primary threats to American national security. In order to forestall a WMD attack, or to take advantage of a window of opportunity to strike at a terrorist cell, the executive branch needs flexibility to act quickly, possibly in situations where congressional consent cannot be obtained in time to act on the intelligence. By acting earlier, perhaps before WMD components have been fully assembled or before an al-Qaeda operative has left for the United States, the executive branch might also be able to engage in a more limited, more precisely targeted, use of force. Similarly, the least dangerous way to prevent rogue nations from acquiring weapons of mass destruction may depend on secret intelligence gathering and covert action rather than open military intervention. Delay for a congressional debate could render useless any time-critical intelligence or windows of opportunity.

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#### The aff doesn’t provide real reform – continued crisis discourse allows a re-expansion of executive authority

**Scheuerman, 12** -- Professor of Political Science and West European Studies at Indiana University (William E., Summer 2012, "Emergencies, Executive Power, and the Uncertain Future of US Presidential Democracy," Law & Social Inquiry 37(3), EBSCO)

IV. REFORMISM'S LIMITS Bruce Ackerman, one of our country's most observant analysts of its clunky constitutional machinery, is similarly impatient with the "comforting notion that our heroic ancestors" created an ideal constitutional and political system (2010, 10). He even agrees that the US model increasingly seems to overlap with Schmitt's dreary vision of executive-centered plebiscitarianism motored by endless crises and emergencies (2010, 82). In sharp contrast to Posner and Vermeule, however, he not only worries deeply about this trend, but he also discards the unrealistic possibility that it might be successfully countered without recourse to legal and constitutional devices. Although Madison's original tripartite separation of powers is ill-adjusted to the realities of the modern administrative state, we need to reinvigorate both liberal legalism and checks and balances. Unless we can succeed in doing so, US citizens are likely to experience a "quantum leap in the presidency's destructive capacities" in the new century (2010, 119). Despite its alarmist tenor, for which he has been—in my view—unfairly criticized,'' Ackerman's position is grounded in a blunt acknowledgment of the comparative disadvantages of the US constitutional system. More clearly than any of the other authors discussed in this article, he breaks cleanly with the intellectual and constitutional provincialism that continues to plague so much legal and political science research on the United States. In part because as "late developers" they learned from institutional mistakes in the United States and elsewhere, more recently designed liberal democracies often do a better job than our Model T version at guaranteeing both policy effectiveness and the rule of law (2010, 120-22). Following the path-breaking work of his colleague Juan Linz, Ackerman offers a critical assessment of our presidential version of liberal democracy, where an independently elected executive regularly finds itself facing off against a potentially obstructionist Congress, which very well may seek to bury "one major presidential initiative after another" (2010, 5; see also Linz 1994). In the context of either real or imagined crises, executives facing strict temporal restraints (i.e., an upcoming election), while claiming to be the people's best protector against so-called special interests, will typically face widespread calls for swift (as well as legally dubious) action. "Crisis talk," in part endogenously generated by a flawed political system prone to gridlock rather than effective policy making, "prepares the ground for a grudging acceptance of presidential unilateralism" (2010, 6). Executives everywhere have much to gain from crisis scenarios. Yet incentives for declaring and perpetuating emergencies may be especially pronounced in our presidential system. The combination of temporal rigidity (i.e., fixed elections and terms of office) and "dual democratic legitimacy" (with both Congress and the president claiming to speak for "we the people") poses severe challenges to law-based government (Linz 1994). Criticizing US scholarship for remaining imprisoned in the anachronistic binary contrast of "US presidentialism vs. Westminster parliamentarism," Ackerman recommends that we pay closer attention to recent innovations achieved by what he describes as "constrained parliamentarism," basically a modified parliamentary system that circumvents the worst design mistakes of both Westminster parliamentarism and US presidentialism. As he has argued previously in a lengthy Harvard Law Review article, constrained parliamentarism—as found, for example, in recent democracies like Germany and Spain—locates law making in a Westminster-style popular assembly. But in contrast to the UK model, "legislative output is constrained by a higher lawmaking process" (2000, 666). The German Eederal Republic, for example, rests on a written constitution (e.g., the Basic Law) and has a powerful constitutional court. In Ackerman's view, constrained parliamentarism lacks many of the institutional components driving the growth of executive-dominated emergency govemment. Not surprisingly, he posits, it suffers to a reduced degree from many of the institutional pathologies plaguing US-style presidentialism. Ackerman argues that, in contrast, US-style presidential models have regularly collapsed elsewhere (e.g., in Latin and South American countries, where US-style presidentialism has been widely imitated [Linz and Valenzuela 1994]), devolving on occasion into unabated authoritarianism (2000, 646). Ackerman now seems genuinely concerned that a similar fate might soon befall its original version. Even if his most recent book repeats some earlier worries, he has now identified additional perils that he thinks deserve immediate attention. Not surprisingly, perhaps, his anxiety level has noticeably increased. Even Schmitt's unattractive vision of presidential authoritarianism appears "a little old-fashioned," given some ominous recent trends (2010, 82). To an extent unfathomable in Schmitt's day, the executive can exploit quasi-scientific polling data in order to gauge the public pulse. Presidents now employ a small but growing army of media gurus and consultants who allow them to craft their messages in astonishingly well-skilled—and potentially manipulative—ways. Especially during crisis moments, an overheated political environment can quickly play into the hands of a "White House propaganda machine generating a stream of sound bites" (2010, 33). Pundits and opinion makers already tend to blur the crucial divide between polling "numbers" and actual votes, with polls in both elite and popular consciousness tending not only to supplement but increasingly displace election results.'^ The decline of the print media and serious joumalism—about which Ackerman is understandably distressed—means that even the most fantastic views are taken seriously. Thus far, the Internet has failed to pick up the slack; it tends to polarize public opinion. Meanwhile, our primary system favors candidates who successfully appeal to an energized partisan base, meaning that those best able to exploit public opinion polling and the mass media, but out of sync with the median voter, generally gain the party nomination. Linz earlier pointed out that presidentialism favors political outsiders; Ackerman worries that in our emerging presidential model, the outsiders will tend to be extremists. Polling and media-savvy, charismatic, and relatively extreme figures will colonize the White House. In addition, the president's control over the massive administrative apparatus provides the executive with a daunting array of institutional weapons, while the Office of Legal Counsel (OLC) and Office of Counsel to the President offer hyperpoliticized sites from which distinctly executive-centered legal and constitutional views now are rapidly disseminated. Ackerman raises some tough questions for those who deem the OLC and related executive organs fundamentally sound institutions that somehow went haywire under David Addington and John Yoo. In his view, their excesses represent a logical result of basic structural trends currently transforming both the executive and political system as whole. OLC's partisan and sometimes quasi-authoritarian legal pronouncements are now being eagerly studied by law students and cited by federal courts (2010, 93). Notwithstanding an admirable tradition of executive deference to the Supreme Court, presidents are better positioned than ever to claim higher political legitimacy and neutralize political rivals. Backed by eager partisan followers, adept at the media game, and well armed with clever legal arguments constructed by some of the best lawyers in the country, prospective presidents may conceivably stop deferring to the Court (2010, 89). Ackerman's most unsettling amendment to his previous views is probably his discussion of the increasingly politicized character of the military—an administrative realm, by the way, ignored by other writers here, despite its huge role in modern US politics. Here again, the basic enigma is that the traditional eighteenth-century tripartite separation of powers meshes poorly with twenty-first-century trends: powerful military leaders can now regularly play different branches of govemment against one another in ways that undermine meaningful civilian oversight. Top officers possess far-reaching opportunities "to become an independent political force—allowing them to tip the balance of political support in one direction, then another," as the competing branches struggle for power (2010, 49). For Ackerman, the emergence of nationally prominent and media-savvy figures such as Colin Powell and David Petraeus, who at crucial junctures have communicated controversial policy positions to a broader public,'^ suggests that this long-standing structural flaw has recently gotten worse. The Goldwater-Nichols Act of 1996, for example, transformed the chair of the Joint Chiefs of Staff from a mediator for the competing services into the military's principal—and hugely influential—spokesperson within the National Security Council (2010, 50). Not only does the military constitute a hugely significant segment of the administrative machinery, but it is now embodied—both in govemment and the public eye—in a single leader whose views carry tremendous weight. The fact that opinion surveys show that the officer corps is increasingly conservative in its partisan orientation, Ackerman notes, only adds to the dangers. Americans need not fear an imminent military putsch, along the lines that destroyed other presidential regimes elsewhere. Nonetheless, we would do well not to be "lulled into a false sense of security" (2010, 87). Having painted a foreboding portrait of institutional trends, Ackerman points to paths we might take to ward off the worst. In light of the obvious seriousness of the illness he has diagnosed, however, his antidotes tend to disappoint: he proposes that we treat cancer with some useful but limited home remedies. Like Shane, Ackerman wants to improve popular deliberation by reforming the mass media and institutionalizing "Deliberation Day" (2010, 125-40). Yet how such otherwise potentially appealing initiatives might counteract the symbiotic relationship between presidentialism and crisis government remains ambiguous. A modernized electoral college, for example, might simply engender executives better positioned to claim to stand in for "we the people" than their historical predecessors. Given Ackerman's own worries about plebiscitarianism, this reform might compound rather than alleviate our problems. More innovatively, Ackerman endorses the idea of a quasi-judicial check within the executive branch, a "Supreme Executive Tribunal" given the task of expeditiously determining the legality of proposed executive action, whose members would be appointed to staggered terms and subject to Senate confirmation. Forced to gain a seal of approval from jurists relatively insulated from sitting presidents, the executive tribunal would act more quickly than an ordinary court and thereby help put a "brake on the presidential dynamic before it can gather steam" (2010,143). Before the president could take the first political move and potentially alter the playing field, he or she might first have to clear the move with a body of legal experts, a requirement that presumably over time would work to undergird the executive branch's commitment to legality. The proposed tribunal could allow the president and Congress to resolve many of their standoffs more expeditiously than is typical today (2010, 146). Congressional representatives, for example, might rely on the tribunal to challenge executive signing statements. Existing exemptions for a significant number of major executive-level actors (e.g., the president's National Security Advisor) from Senate confirmation also need to be abandoned, while the military should promulgate a new Canon of Military Ethics, aimed at clarifying what civilian control means in contemporary real-life settings, in order to counteract its ongoing politicization. Goldwater-Nichols could be revised so as better to guarantee the subordination of military leaders to the Secretary of Defense (2010, 153-65). Ackerman also repeats his previous calls for creating an explicit legal framework for executive emergency action: Congress could temporarily grant the president broad discretionary emergency powers while maintaining effective authority to revoke them if the executive proved unable to gain ever more substantial support from the legislature (2010, 165-70; see also Ackerman 2006). Each of these suggestions demands more careful scrutiny than possible here. Nonetheless, even if many of them seem potentially useful, room for skepticism remains. Why, for example, would the proposed executive tribunal not become yet another site for potentially explosive standoffs between presidents and Congress? Might not highlevel political conflicts end up simply taking the forms of destructive (and misleadingly legalistic) duels? To the extent that one of the tribunal's goals is to decelerate executive decision making, its creation would perhaps leave our already sluggish and slow-moving political system even less able than at the present to deal with fast-paced challenges. Faced with time constraints and the need to gain popular support, executives might then feel even more pressed than at present to circumvent legality. As Ackerman knows, even as it presently operates, the Senate confirmation process is a mess. His proposal to extend its scope might simply end up reproducing at least some familiar problems. Last but not least, given the perils he so alarmingly describes, his proposed military reforms seem unsatisfying. Why not instead simply cut our bloated military apparatus and abandon US imperial pretensions? The obvious Achilles heel is that none of the proposals really deals head-on with what Ackerman himself conceives as the fundamental root of executive-centered government: an independently elected president strictly separated from legislative bodies with which he periodically clashes in potentially destructive ways. Despite Ackerman's ambition, his proposals do not provide structural reform: he concludes that US-based reformers should "take the independently elected presidency as a fixture" (2010, 124). Thus, presidential government is here to stay; reformers can also forget about significantly altering our flawed system of presidential primaries, activist government, and powerful military that intervenes frequently abroad (2010, 124). Given contemporary political developments, one can certainly appreciate why Ackerman is skeptical that the US system might finally be ripe for a productive institutional overhaul. Nonetheless, this just makes an already rather bleak book look even bleaker. His book's title. The Decline and Fall of the Arnerican Republic, is out of step with the somewhat upbeat reformist proposals detailed in its final chapters. Regretfully, the title better captures his core message. Only Ackerman's ultimately disturbing book both adeptly rejects the tendency among recent students of executive power to revert to constitutional nostalgia while forthrightly identifying the very real dangers posed by recent institutional trends. In an age of permanent or at least seemingly endless emergencies, where the very attempt to cleanly distinguish dire crises from "normal" political and social challenges becomes exceedingly difficult, the executive threatens to become an even more predominant— and potentially lawless—institutional player Unfortunately, US-style presidential democracy may be particularly vulnerable to this trend. Ackerman proves more successful than the other authors discussed here because he is best attuned to a rich body of comparative constitutional and political science scholarship that has raised legitimate doubts about the alleged virtues of US-style liberal democracy. Not surprisingly, some of his own reform ideas—for example, his proposed system of emergency law making—draw heavily on foreign examples, including Canada and new democracies such as South Africa. He convincingly argues that we might at least ameliorate the widespread tendency among presidents to manipulate crises for narrow partisan reasons, for example, by relying on the clever idea of a supermajoritarian escalator, which would require every legislative renewal of executive emergency authority to rest on ever more numerous supermajorities (2006). Ackerman is right to suggest that the United States needs to look abroad in order to improve our rather deficient system of emergency rule (Scheuerman 2006, 2008). Our system is broken; it is time to see what can be learned from others. Ackerman's latest book's overly cautious reformism thus seems especially peculiar in light of his own powerful and indeed enthusiastic defense of constrained parliamentarism, which he quite plausibly describes as potentially offering a superior approach to emergency government. The key point is not that we can be absolutely sure that the "grass is greener" in new democracies such as postwar Germany or post-Franco Spain; existing empirical evidence offers, frankly, a mixed picture. Contemporary Germany, for example, has certainly experienced its own fair share of emergency executive excesses (Frankenberg 2010). Scholars have criticized not only the empirical thesis that presidentialism and a strict separation of powers can help explain the substantial growth of executive discretion (Carolan 2009; Gross and Ni Aolain 2006), but also more farreaching assertions about their alleged structural disadvantages (Cheibub 2006). Still others argue that parliamentary regimes even of the "old type" (i.e., the UK Westminster model) have done relatively well in maintaining the rule of law during serious crises (Ewing and Gearty 2000; Bellamy 2007, 249-53). Unfortunately, we still lack wellconceived empirical studies comparing constrained parliamentarism with US-style presidentialism. Too much existing scholarship focuses on single countries, or relies on "foreign" cases but only in a highly selective and anecdotal fashion. Until we have more properly designed comparative studies, however, it seems inaccurate to assume a priori that core institutional features of US presidential democracy are well equipped to tackle the many challenges at hand. As I have tried to argue here, a great deal of initial evidence suggests that this simply is not the case. Admittedly, every variety of liberal democracy confronts structural tendencies favoring the augmentation of executive power: many of the social and economic roots (e.g., social acceleration) of executive-centered crisis govemment represent more-or-less universal phenomena, likely to rattle even well-designed constitutional systems. One can also easily imagine that in decades to come, extreme "natural" catastrophes— increasingly misnamed, because of their links to human-based climate change— justifying declarations of martial law or states of emergency will proliferate, providing novel possibilities for executives to expand their authority.^° So it would be naive to expect any easy constitutional or political-institutional fix. However, this sobering reality should not lead us to abandon creative institutional thinking. On the contrary, it arguably requires of us that we try to come up with new institutional models, distinct both from existing US-style presidentialism and parliamentarism, constrained or otherwise.

#### This quest for security in an inherently chaotic and insecure world guarantees extinction

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In this struggle with the lessons of Vietnam, revolutionary resistance, and rapid geopolitical transformation, we are witness to an enduring political and cultural theme: of a craving for order, control and certainty in the face of continual uncertainty. Closely related to this anxiety was the way that Kissinger's thinking -- and that of McNamara and earlier imperialists like the British Governor of Egypt Cromer -- was embedded in instrumental images of technology and the machine: the machine as both a tool of power and an image of social and political order. In his essay 'The Government of Subject Races' Cromer envisaged effective imperial rule -- over numerous societies and billions of human beings -- as best achieved by a central authority working 'to ensure the harmonious working of the different parts of the machine'.60 Kissinger analogously invoked the virtues of 'equilibrium', 'manageability' and 'stability' yet, writing some six decades later, was anxious that technological progress no longer brought untroubled control: the Westernising 'spread of technology and its associated rationality...does not inevitably produce a similar concept of reality'.61 We sense the rational policymaker's frustrated desire: the world is supposed to work like a machine, ordered by a form of power and governmental reason which deploys machines and whose desires and processes are meant to run along ordered, rational lines like a machine. Kissinger's desire was little different from that of Cromer who, wrote Edward Said:...envisions a seat of power in the West and radiating out from it towards the East a great embracing machine, sustaining the central authority yet commanded by it. What the machine's branches feed into it from the East -- human material, material wealth, knowledge, what have you -- is processed by the machine, then converted into more power...the immediate translation of mere Oriental matter into useful substance.62 This desire for order in the shadow of chaos and uncertainty -- the constant war with an intractable and volatile matter -- has deep roots in modern thought, and was a major impetus to the development of technological reason and its supporting theories of knowledge. As Kissinger's claims about the West's Newtonian desire for the 'accurate' gathering and classification of 'data' suggest, modern strategy, foreign policy and Realpolitik have been thrust deep into the apparently stable soil of natural science, in the hope of finding immovable and unchallengeable roots there. …continued…There is a breathtaking, world-creating hubris in this statement -- one that, in many ways, came to characterise western modernity itself, and which is easily recognisable in a generation of modern technocrats like Kissinger. The Fall of Adam was the Judeo-Christian West's primal creation myth, one that marked humankind as flawed and humbled before God, condemned to hardship and ambivalence. Bacon forecast here a return to Eden, but one of man's own making. This truly was the death of God, of putting man into God's place, and no pious appeals to the continuity or guidance of faith could disguise the awesome epistemological violence which now subordinated creation to man. Bacon indeed argued that inventions are 'new creations and imitations of divine works'. As such, there is nothing but good in science: 'the introduction of great inventions is the most distinguished of human actions...inventions are a blessing and a benefit without injuring or afflicting any'.70  And what would be [hu]mankind's 'bread', the rewards of its new 'empire over creation'? If the new method and invention brought modern medicine, social welfare, sanitation, communications, education and comfort, it also enabled the Armenian genocide, the Holocaust and two world wars; napalm, the B52, the hydrogen bomb, the Kalashnikov rifle and military strategy. Indeed some of the 20th Century's most far-reaching inventions -- radar, television, rocketry, computing, communications, jet aircraft, the Internet -- would be the product of drives for national security and militarisation. Even the inventions Bacon thought so marvellous and transformative -- printing, gunpowder and the compass -- brought in their wake upheaval and tragedy: printing, dogma and bureaucracy; gunpowder, the rifle and the artillery battery; navigation, slavery and the genocide of indigenous peoples. In short, the legacy of the new empirical science would be ambivalence as much as certainty; degradation as much as enlightenment; the destruction of nature as much as its utilisation. If Bacon could not reasonably be expected to foresee many of these developments, the idea that scientific and technological progress could be destructive did occur to him. However it was an anxiety he summarily dismissed:...let none be alarmed at the objection of the arts and sciences becoming depraved to malevolent or luxurious purposes and the like, for the same can be said of every worldly good; talent, courage, strength, beauty, riches, light itself...Only let mankind regain their rights over nature, assigned to them by the gift of God, and obtain that power, whose exercise will be governed by right reason and true religion.71   By the mid-Twentieth Century, after the destruction of Hiroshima and Nagasaki, such fears could no longer be so easily wished away, as the physicist and scientific director of the Manhattan Project, J. Robert Oppenheimer recognised. He said in a 1947 lecture: We felt a particularly intimate responsibility for suggesting, for supporting and in the end in large measure achieving the realization of atomic weapons...In some sort of crude sense which no vulgarity, no humor, no over-statement can quite extinguish, the physicists have known sin, and this is a knowledge they cannot lose.72Adam had fallen once more, but into a world which refused to acknowledge its renewed intimacy with contingency and evil. [Hu]man's empire over creation -- his [or her] discovery of the innermost secrets of matter and energy, of the fires that fuelled the stars -- had not 'enhanced human power and dignity' as Bacon claimed, but instead brought destruction and horror. Scientific powers that had been consciously applied in the defence of life and in the hope of its betterment now threatened its total and absolute destruction. This would not prevent a legion of scientists, soldiers and national security policymakers later attempting to apply Bacon's faith in invention and Descartes' faith in mathematics to make of the Bomb a rational weapon. Oppenheimer -- who resolutely opposed the development of the hydrogen bomb -- understood what the strategists could not: that the weapons resisted control, resisted utility, that 'with the release of atomic energy quite revolutionary changes had occurred in the techniques of warfare'.73 Yet Bacon's legacy, one deeply imprinted on the strategists, was his view that truth and utility are 'perfectly identical'.74 In 1947 Oppenheimer had clung to the hope that 'knowledge is good...it seems hard to live any other way than thinking it was better to know something than not to know it; and the more you know, the better'; by 1960 he felt that 'terror attaches to new knowledge. It has an unmooring quality; it finds men unprepared to deal with it.'75 Martin Heidegger questioned this mapping of natural science onto the social world in his essays on technology -- which, as 'machine', has been so crucial to modern strategic and geopolitical thought as an image of perfect function and order and a powerful tool of intervention. He commented that, given that modern technology 'employs exact physical science...the deceptive illusion arises that modern technology is applied physical science'.76 Yet as the essays and speeches of Oppenheimer attest, technology and its relation to science, society and war cannot be reduced to a noiseless series of translations of science for politics, knowledge for force, or force for good.  Instead, Oppenheimer saw a process frustrated by roadblocks and ruptured by irony; in his view there was no smooth, unproblematic translation of scientific truth into social truth, and technology was not its vehicle. Rather his comments raise profound and painful ethical questions that resonate with terror and uncertainty. Yet this has not prevented technology becoming a potent object of desire, not merely as an instrument of power but as a promise and conduit of certainty itself. In the minds of too many rational soldiers, strategists and policymakers, technology brings with it the truth of its enabling science and spreads it over the world. It turns epistemological certainty into political certainty; it turns control over 'facts' into control over the earth.  Heidegger's insights into this phenomena I find especially telling and disturbing -- because they underline the ontological force of the instrumental view of politics. In The Question Concerning Technology, Heidegger's striking argument was that in the modernising West technology is not merely a tool, a 'means to an end'. Rather technology has become a governing image of the modern universe, one that has come to order, limit and define human existence as a 'calculable coherence of forces' and a 'standing reserve' of energy. Heidegger wrote: 'the threat to man does not come in the first instance from the potentially lethal machines and apparatus of technology. The actual threat has already affected man in his essence.'77 This process Heidegger calls 'Enframing' and through it the scientific mind demands that 'nature reports itself in some way or other that is identifiable through calculation and remains orderable as a system of information'. Man is not a being who makes and uses machines as means, choosing and limiting their impact on the world for his ends; rather man has imagined the world as a machine and humanity everywhere becomes trapped within its logic. Man, he writes, 'comes to the very brink of a precipitous fall...where he himself will have to be taken as standing-reserve. Meanwhile Man, precisely as the one so threatened, exalts himself to the posture of lord of the earth.'78 Technological man not only becomes the name for a project of lordship and mastery over the earth, but incorporates humanity within this project as a calculable resource. In strategy, warfare and geopolitics human bodies, actions and aspirations are caught, transformed and perverted by such calculating, enframing reason: human lives are reduced to tools, obstacles, useful or obstinate matter. This tells us much about the enduring power of crude instrumental versions of strategic thought, which relate not merely to the actual use of force but to broader geopolitical strategies that see, as limited war theorists like Robert Osgood did, force as an 'instrument of policy short of war'. It was from within this strategic ontology that figures like the Nobel prize-winning economist Thomas Schelling theorised the strategic role of threats and coercive diplomacy, and spoke of strategy as 'the power to hurt'.79 In the 2006 Lebanon war we can see such thinking in the remark of a U.S. analyst, a former Ambassador to Israel and Syria, who speculated that by targeting civilians and infrastructure Israel aimed 'to create enough pain on the ground so there would be a local political reaction to Hezbollah's adventurism'.80 Similarly a retired Israeli army colonel told the Washington Post that 'Israel is attempting to create a rift between the Lebanese population and Hezbollah supporters by exacting a heavy price from the elite in Beirut. The message is: If you want your air conditioning to work and if you want to be able to fly to Paris for shopping, you must pull your head out of the sand and take action toward shutting down Hezbollah-land.'81Conclusion: Violent Ontologies or Peaceful Choices? I was motivated to begin the larger project from which this essay derives by a number of concerns. I felt that the available critical, interpretive or performative languages of war -- realist and liberal international relations theories, just war theories, and various Clausewitzian derivations of strategy -- failed us, because they either perform or refuse to place under suspicion the underlying political ontologies that I have sought to unmask and question here. Many realists have quite nuanced and critical attitudes to the use of force, but ultimately affirm strategic thought and remain embedded within the existential framework of the nation-state. Both liberal internationalist and just war doctrines seek mainly to improve the accountability of decision-making in security affairs and to limit some of the worst moral enormities of war, but (apart from the more radical versions of cosmopolitanism) they fail to question the ontological claims of political community or strategic theory.82 In the case of a theorist like Jean Bethke Elshtain, just war doctrine is in fact allied to a softer, liberalised form of the Hegelian-Schmittian ontology. She dismisses Kant's Perpetual Peace as 'a fantasy of at-oneness...a world in which differences have all been rubbed off' and in which 'politics, which is the way human beings have devised for dealing with their differences, gets eliminated.'83 She remains a committed liberal democrat and espouses a moral community that stretches beyond the nation-state, which strongly contrasts with Schmitt's hostility to liberalism and his claustrophobic distinction between friend and enemy. However her image of politics -- which at its limits, she implies, requires the resort to war as the only existentially satisfying way of resolving deep-seated conflicts -- reflects much of Schmitt's idea of the political and Hegel's ontology of a fundamentally alienated world of nation-states, in which war is a performance of being. She categorically states that any effort to dismantle security dilemmas 'also requires the dismantling of human beings as we know them'.84 Whilst this would not be true of all just war advocates, I suspect that even as they are so concerned with the ought, moral theories of violence grant too much unquestioned power to the is. The problem here lies with the confidence in being -- of 'human beings as we know them' -- which ultimately fails to escape a Schmittian architecture and thus eternally exacerbates (indeed reifies) antagonisms. Yet we know from the work of Deleuze and especially William Connolly that exchanging an ontology of being for one of becoming, where the boundaries and nature of the self contain new possibilities through agonistic relation to others, provides a less destructive and violent way of acknowledging and dealing with conflict and difference.85 My argument here, whilst normatively sympathetic to Kant's moral demand for the eventual abolition of war, militates against excessive optimism.86 Even as I am arguing that war is not an enduring historical or anthropological feature, or a neutral and rational instrument of policy -- that it is rather the product of hegemonic forms of knowledge about political action and community -- my analysis does suggest some sobering conclusions about its power as an idea and formation. Neither the progressive flow of history nor the pacific tendencies of an international society of republican states will save us. The violent ontologies I have described here in fact dominate the conceptual and policy frameworks of modern republican states and have come, against everything Kant hoped for, to stand in for progress, modernity and reason. Indeed what Heidegger argues, I think with some credibility, is that the enframing world view has come to stand in for being itself. Enframing, argues Heidegger, 'does not simply endanger man in his relationship to himself and to everything that is...it drives out every other possibility of revealing...the rule of Enframing threatens man with the possibility that it could be denied to him to enter into a more original revealing and hence to experience the call of a more primal truth.'87 What I take from Heidegger's argument -- one that I have sought to extend by analysing the militaristic power of modern ontologies of political existence and security -- is a view that the challenge is posed not merely by a few varieties of weapon, government, technology or policy, but by an overarching system of thinking and understanding that lays claim to our entire space of truth and existence. Many of the most destructive features of contemporary modernity -- militarism, repression, coercive diplomacy, covert intervention, geopolitics, economic exploitation and ecological destruction -- derive not merely from particular choices by policymakers based on their particular interests, but from calculative, 'empirical' discourses of scientific and political truth rooted in powerful enlightenment images of being. Confined within such an epistemological and cultural universe, policymakers' choices become necessities, their actions become inevitabilities, and humans suffer and die. Viewed in this light, 'rationality' is the name we give the chain of reasoning which builds one structure of truth on another until a course of action, however violent or dangerous, becomes preordained through that reasoning's very operation and existence. It creates both discursive constraints -- available choices may simply not be seen as credible or legitimate -- and material constraints that derive from the mutually reinforcing cascade of discourses and events which then preordain militarism and violence as necessary policy responses, however ineffective, dysfunctional or chaotic.

#### Vote neg to engage in a critical re-evaluation of securitization – this is the only way to re-engage in the political

**Cheeseman & Bruce, 96** (Graeme Cheeseman, Snr. Lecturer @ New South Wales, and Robert Bruce, 1996, Discourses of Danger & Dread Frontiers, p. 5-9)

This goal is pursued in ways which are still unconventional in the intellectual milieu of international relations in Australia, even though they are gaining influence worldwide as traditional modes of theory and practice are rendered inadequate by global trends that defy comprehension, let alone policy. The inability to give meaning to global changes reflects partly the enclosed, elitist world of profession security analysts and bureaucratic experts, where entry is gained by learning and accepting to speak a particular, exclusionary language. The contributors to this book are familiar with the discourse, but accord no privileged place to its ‘knowledge form as reality’ in debates on defense and security. Indeed, they believe that debate will be furthered only through a long overdue critical re-evaluating of elite perspectives. Pluralistic, democratically-oriented perspectives on Australia’s’ identity are both required and essential if Australia’s thinking on defense and security is to be invigorated. This is not a conventional policy book; nor should it be, in the sense of offering policy-makers and their academic counterparts sets of neat alternative solutions, in familiar language and format, to problems they pose. This expectation is itself a considerable part of the problem to be analyzed. It is, however, a book about policy, one that questions how problems are framed by policy-makers. It challenges the proposition that irreducible bodies of real knowledge on defense and security exist independently of their ‘context in the world’, and it demonstrates how security policy is articulated authoritatively by the elite keepers of that knowledge, experts trained to recognize enduring, universal wisdom. All others, from this perspective, must accept such wisdom to remain outside of the expert domain, tainted by their inability to comply with the ‘rightness’ of the official line. But it is precisely the official line, or at the least its image of the world, that needs to be problematised. If the critic responds directly to the demand for policy alternatives, without addressing this image, he or she is tacitly endorsing it. Before engaging in the policy debate the critics need to reframe the basic terms of reference tradition of democratic dialogue. More immediately, it ignores post-seventeenth century democratic traditions which insist that a good society must have within it some way of critically assessing its knowledge and the decisions based upon that knowledge which impact upon citizens of such a society. This is a tradition with a slightly different connotation in contemporary liberal democracies, which during the Cold War, were proclaimed different and superior to the totalitarian enemy precisely because they were institutional checks and balances upon power. In short, one of the major differences between ‘open societies’ and their (closed) counterparts behind the Iron Curtain was that the former encouraged the critical testing of the knowledge and decisions of the powerful and assessing them against liberal democratic principles. The latter tolerated criticism only on rare and limited occasions. For some, this represented the triumph of rational-scientific methods of inquiry and techniques of falsification. For others, especially since positivism and rationalism have lost much of their allure, it means that for society to become open and liberal, sectors of the population must be independent of the state and free to question its knowledge and power. One must be able to say ‘why’ to power and proclaim ‘no’ to power. Though we do not expect this position to be accepted by every reader, contributors to this book believe that critical dialogue is long overdue in Australia and needs to be listened to. For all its liberal democratic trappings, Australia’s security community continues to invoke closed monological narratives on defense and security. This book also questions the distinctions between policy practice and academic theory that informs conventional accounts of Australian security. One of its major concerns, particularly in chapters 1 and 2, is to illustrate how theory is integral to the practice of security analysis and policy prescription. The book also calls on policy-makers, academics and students of defense and security to think critically about what they are reading, writing and saying; to begin to ask, of their work and study, difficult and searching questions raised in other disciplines; to recognize, no matter how uncomfortable it feels, that what is involved in theory and practice is not the ability to identify a replacement for failed models, but a realization that terms and concepts – state sovereignty, balance of power, security, and so on – are contested and problematic, and that the world is indeterminate, always becoming what is written about it. Critical analysis which shows how particular kinds of theoretical presumptions can effectively exclude vital areas of political life from analysis has direct practical implications for policymakers, academics and citizens who face the daunting task of steering Australia through some potentially choppy international waters over the next few years. There is also much interest in the chapters for those struggling to give meaning to a world where so much that has long been taken for granted now demands imaginative, incisive reappraisal. The contributors, too, have struggled to find meaning, often despairing at the terrible human costs of international violence. This is why readers will find no single, fully formed panacea for the world’s ills in general, or Australia’s security in particular. There are none. Ever chapter, however in its own way, offers something more than is found in orthodox literature, often by exposing ritualistic Cold War defense and security mind-sets that are dressed up as new thinking. Chapters 7 and 9, for example, present alternative ways of engaging in security and defense practice. Others (chapters 3, 4, 5, 6, and 8) seek to alert policymakers, academics and students to alternative theoretical possibilities that might better serve an Australian community pursuing security and prosperity in an uncertain world. All chapters confront the policy community and its counterparts in the academy with a deep awareness of the intellectual and material constraints imposed by dominant traditions of realism, but they avoid dismissive and exclusionary terms which often in the past characterized exchanges between policy-makers and their critics. This is because, as noted earlier, attention needs to be paid to the words and the thought process of those being criticized. A close reading of this kind draws attention to underlying assumptions, showing they need to be recognized and questioned. A sense of doubt (in place of confident certainty) is a necessary prelude to a genuine search for alternative policies. First comes an awareness of the need for new perspectives, then specific polices may follow. As Jim George argues in the following chapter, we need to look not as much at contending policies as they are made for us but challenging ‘the discursive process which gives [favored interpretations of “reality”] their meaning and which direct [Australia’s] policy/analytical/ military responses’. This process is not restricted to the small, official defense and security establishment huddled around the US-Australian War Memorial in Canberra. It also encompasses much of Australia’s academic defense and security community located primarily though not exclusively within the Australian National University and the University College of the University of New South Wales. These discursive processes are examined in detail in subsequent chapters as authors attempt to make sense of a politics of exclusion and closure which exercises disciplinary power over Australia’s security community. They also question the discourse of ‘regional security’, ‘security cooperation’, ‘peacekeeping’ and ‘alliance politics’ that are central to Australia’s official and academic security agenda in the 1990s. This is seen as an important task especially when, as it revealed, the disciplines of International Relations and Strategic Studies are under challenge from critical and theoretical debates ranging across the social sciences and humanities; debates that are nowhere to be found in Australian defense and security studies. The chapters graphically illustrate how Australia’s public policies on defense and security are informed, underpinned, and. This book, then, reflects and underlines the importance of Antonio Gramsci and Edward Said’s ‘critical intellectuals’. The demand, tacit or otherwise, that the policy maker’s frame of reference be accepted as the only basis for discussion and analysis ignores a three thousand year old tradition commonly associated with Socrates and purportedly integral to the Western legitimized by a narrowly-based intellectual enterprise which draws strength from contested concepts of realism and liberalism, which in turn seek legitimacy through policy-making processes. Contributors ask whether Australia’s policy-makers and their academic advisers are unaware of broader intellectual debates. Or resistant to them, or choose not to understand them, and why? To summarize: a central concern of this book is to democratize the defense and security theory/practice process in Australia so that restrictions on debate can be understood and resisted. This is a crucial enterprise in an analytical/ policy environment dominated by particularly rigid variants of realism which have become so powerful and unreflective that they are no longer recognized simply as particular ways of constituting the world, but as descriptions of the real-as reality itself. The consequences of this (silenced) theory-as-practice may be viewed every day in the poignant, distressing monuments to analytical/policy metooism at the Australian (Imperial) War Memorial in Canberra and the many other monuments to young Australians in towns and cities around the country. These are the flesh and blood installments of an insurance policy strategy which, tragically, remains integral to Australian realism, despite claims of a new mature independent identity in the 1990s. This is what unfortunately, continues to be at stake in the potentially deadly debates over defense and security revealed in this book. For this reason alone, it should be regarded as a positive and constructive contribution to debate by those who are the targets of its criticisms.

### 1NC

#### Private military contractor use is decreasing

Schwartz 10 (Moshe – Specialist in Defense Acquisition, CRS Report, “The Department of Defense’s Use of Private Security Contractors in Iraq and Afghanistan: Background, Analysis, and Options for Congress”, 6/22, http://fpc.state.gov/documents/organization/145576.pdf)

According to DOD, from September 2007 to June 2009, the number of armed security contractors increased from 5,481 to a high of 13,232, an increase of 140%. However, from June 2009 to March 2010 the number of armed security contractors has decreased by 2,203, or 17% (see Figure 1 ). 24 DOD officials anticipate that the number of armed contractors in Iraq will continue to decrease, much as the overall number of contractors and troops in Iraq has also decreased.

#### Restricting armed forces results in a shift towards PMC use – circumvents regulation

Michaels 4 (Jon – Law Clerk to the Honorable Guido Calabresi, U.S. Court of Appeals for the Second Circuit; Law Clerk designate, the Honorable David H. Souter, U.S. Supreme Court; J.D., Yale Law School, “ARTICLE: BEYOND ACCOUNTABILITY: THE CONSTITUTIONAL, DEMOCRATIC, AND STRATEGIC PROBLEMS WITH PRIVATIZING WAR”, 2004, 82 Wash. U. L. Q. 1001, lexis)

[\*1008] Military privatization of combat duties, on the other hand, decidedly does. It has the potential to introduce a range of novel constitutional, democratic, and strategic harms that have few, if any, analogues in the context of domestic, commercial outsourcing. Military privatization can be, and perhaps already has been, used by government policymakers under Presidents Bill Clinton and George W. Bush to operate in the shadows of public attention, domestic and international laws, and even to circumvent congressional oversight. For a variety of political and legal reasons, the Executive may at times be constrained in deploying U.S. soldiers. The public's aversion to a military draft, the international community's disdain for American unilateralism, and Congress's reluctance to endorse an administration's hawkish foreign goals may each serve to inhibit, if not totally restrict, the president's ability to use U.S. troops in a given zone of conflict. In such scenarios, resorting to private contractors, dispatched to serve American interests without carrying the apparent symbolic or legal imprimatur of the United States, may be quite tempting. In those instances, it would not necessarily be the cheaper price tag or specialized expertise that makes private contractors desirable. Rather, it might be the status of the actors (as private, non-governmental agents) vis-a-vis public opinion, congressional scrutiny, and international law that entices policymakers to turn to contracting. Indeed, "tactical privatization," as I call it, is motivated at least in part by a desire to alter substantive policy: Private agents would be used to achieve public policy ends that would not otherwise be attainable, were the government confined to relying exclusively on members of the U.S. Armed Forces. Tactical privatization thus stands in contradistinction to what is widely understood to be the conventional privatization agenda, driven by economic goals, that strives for verisimilitude in replicating government responsibilities (only more efficiently). n19 To elude public debate, circumvent Congress's coordinate role in conducting military affairs, and evade Security Council dictates may help an administration achieve short-term, realpolitik ends; but in the process, the structural damage to the vibrancy and authenticity of public deliberation, to the integrity of America's constitutional architecture of separation of powers, and to the legitimacy of collective security may prove irreparable.

#### PMC’s breed resentment and alienate allies

Michaels 4 (Jon – Law Clerk to the Honorable Guido Calabresi, U.S. Court of Appeals for the Second Circuit; Law Clerk designate, the Honorable David H. Souter, U.S. Supreme Court; J.D., Yale Law School, “ARTICLE: BEYOND ACCOUNTABILITY: THE CONSTITUTIONAL, DEMOCRATIC, AND STRATEGIC PROBLEMS WITH PRIVATIZING WAR”, 2004, 82 Wash. U. L. Q. 1001, lexis)

A. Alienating Friends and Foes Alike Contracting out allows the U.S. government to purchase strategic outcomes at a much lower political cost than if the boys and girls of America's volunteer army were dispatched. Indeed, an overseas engagement involving contractors might, accordingly, produce neither an official body count nor much political opposition. n398 But, the security and flexibility the United States gains without expending domestic political capital and/or the lives of servicemen and women may, however, serve to validate the perception that the American agenda is driven by dollars rather than ideals; that decisions are made in private, smoke-filled backrooms rather than openly on the floors of Congress. It also invites concerns that the United States is represented in zones of hostilities by individuals who are not subject to the same standards of legal conduct and ethical restraint that this nation and the international community expects of the U.S. Armed Forces. 1. Allies Among America's allies, when the private cavalry is dispatched instead of the U.S. military, they may think that their particular crisis is outside of core American interests. This suspicion or sense of being slighted can [\*1112] breed resentment and a weakening of ties, a response not altogether lost on American leaders. Congressmen Tom Lantos and Henry Hyde had this precise concern in mind when they questioned the wisdom of contracting out President Karzai's security detail. In a joint statement, they noted: "The presence of commercial vendors [protecting Karzai] would send a message to the Afghan people and to President Karzai's adversaries that we are not serious enough about our commitment to Afghanistan to dispatch U.S. personnel." n399 Other allies too may be dissatisfied by the conduct of military engagements by private troops. No doubt the Bosnians would have preferred to receive the help of DynCorp contractors, without their extracurricular involvement in sex-trafficking operations. Moreover, perhaps pro-American leaders in the Middle East similarly feel betrayed, today, by the conduct of American privateers toward Iraqi prisoners. n400 Leaders who endorse American foreign policy aims, often at great domestic peril, n401 are then placed in an even more difficult situation at home when forced to defend their support in the face of American acts of brutality. n402 Of course, transgressions by American soldiers certainly do occur. But, at least those acts can be reported up the chain of command and, in turn, can be swiftly punished, thus demonstrating the U.S. government's commitment to justice and self-restraint; n403 as we have discussed, comparable firmness with contractors is much more difficult to achieve. n404 [\*1113] 2. Would-Be Allies Let us also not forget that American military personnel are, increasingly, serving as diplomats, humanitarian providers, political consultants, and "liberators." n405 Their conduct on such missions could leave as large of an impression on their hosts as would any tangible project or aid package they deliver. Therefore, if the United States is dispatching private actors, who are not comporting themselves well, the conduct of these privateers will inevitably be imputed to all soldiers, if not all Americans, and the goods and services they provide will be, in the long run, devalued. As P.W. Singer notes, a "key realization of contracting is that a firm becomes an extension of government policy and, when operating in foreign lands, its diplomat on the ground. As such, the firm's reputation can ... implicate the government['s] as well." n406 And, finally, America acts not just as an intervenor or liberator, but also as an occupier. While on the ground, in Kabul or Baghdad, the U.S. personnel must work to win the hearts and minds of the locals. n407 If American contractors were to act in an undignified, or offensive manner, it would only hamper the process of gaining the trust of the people. (Again, this assumes that because of the UCMJ and because of the military's ethos of honor, soldiers are less likely to act inappropriately.)

#### Alliances prevent nuclear war

**Ross, 99** Winter 1998/1999 (Douglas – professor of political science at Simon Fraser University, Canada’s functional isolationism and the future of weapons of mass destruction, International Journal, p. lexis)

Thus, an easily accessible tax base has long been available for spending much more on international security than recent governments have been willing to contemplate. Negotiating the landmines ban, discouraging trade in small arms, promoting the United Nations arms register are all worthwhile, popular activities that polish the national self-image. But they should all be supplements to, not substitutes for, a proportionately equitable commitment of resources to the management and prevention of international conflict – and thus the containment of the WMD threat. Future American governments will not ‘police the world’ alone. For almost fifty years the Soviet threat compelled disproportionate military expenditures and sacrifice by the United States. That world is gone. Only by enmeshing the capabilities of the United States and other leading powers in a co-operative security management regime where the burdens are widely shared does the world community have any plausible hope of avoiding warfare involving nuclear or other WMD.

### 1NC Law

#### Single instances of action do not change international perceptions of the United States.

**Fettweis**, **8** (Christopher – professor of political science at Tulane, Credibility and the War on Terror, Political Science Quarterly, Winter)

Since Vietnam, scholars have been generally unable to identify cases in which high credibility helped the United States achieve its goals. The shortterm aftermath of the Cuban Missile Crisis, for example, did not include a string of Soviet reversals, or the kind of benign bandwagoning with the West that deterrence theorists would have expected. In fact, the perceived reversal in Cuba seemed to harden Soviet resolve. As the crisis was drawing to a close, Soviet diplomat Vasily Kuznetsov angrily told his counterpart, "You Americans will never be able to do this to us again."37 Kissinger commented in his memoirs that "the Soviet Union thereupon launched itself on a determined, systematic, and long-term program of expanding all categories of its military power .... The 1962 Cuban crisis was thus a historic turning point-but not for the reason some Americans complacently supposed."38 The reassertion of the credibility of the United States, which was done at the brink of nuclear war, had few long-lasting benefits. The Soviets seemed to learn the wrong lesson. There is actually scant evidence that other states ever learn the right lessons. Cold War history contains little reason to believe that the credibility of the superpowers had very much effect on their ability to influence others. Over the last decade, a series of major scholarly studies have cast further doubt upon the fundamental assumption of interdependence across foreign policy actions. Employing methods borrowed from social psychology rather than the economics-based models commonly employed by deterrence theorists, Jonathan Mercer argued that threats are far more independent than is commonly believed and, therefore, that reputations are not likely to be formed on the basis of individual actions.39 While policymakers may feel that their decisions send messages about their basic dispositions to others, most of the evidence from social psychology suggests otherwise. Groups tend to interpret the actions of their rivals as situational, dependent upon the constraints of place and time. Therefore, they are not likely to form lasting impressions of irresolution from single, independent events. Mercer argued that the interdependence assumption had been accepted on faith, and rarely put to a coherent test; when it was, it almost inevitably failed.40

#### Capability outweighs credibility — US actions appear irrational, so countries don’t interpret our signals

Steve Chapman 9/5/13, columnist and editorial writer for the Chicago Tribune, “War in Syria: The Endless Quest for Credibility,” http://reason.com/archives/2013/09/05/war-in-syria-the-endless-quest-for-credi

The United States boasts the most powerful military on Earth. We have 1.4 million active-duty personnel, thousands of tanks, ships and planes, and 5,000 nuclear warheads. We spend more on defense than the next 13 countries combined. Yet we are told we have to bomb Syria to preserve our credibility in world affairs.¶ Really? You'd think it would be every other country that would need to confirm its seriousness. Since 1991, notes University of Chicago security scholar John Mearsheimer, the U.S. has been at war in two out of every three years. If we haven't secured our reputation by now, it's hard to imagine we ever could.¶ On the surface, American credibility resembles a mammoth fortress, impervious to anything an enemy could inflict. But to crusading internationalists, both liberal and conservative, it's a house of cards: The tiniest wrong move, and it collapses.¶ In a sense, though, they're right. The U.S. government doesn't have to impress the rest of the world with its willingness to defend against actual attacks or direct threats. But it does have to continually persuade everyone that we will lavish blood and treasure for purposes that are irrelevant to our security.¶ Syria illustrates the problem. Most governments don't fight unless they are attacked or have dreams of conquest and expansion. War is often expensive and debilitating even for the winners, and it's usually catastrophic for losers. Most leaders do their best to avoid it.¶ So even though the Syrian government is a vicious, repressive dictatorship with a serious grudge against Israel, it has mostly steered clear of military conflict. Not since 1982 has it dared to challenge Israel on the battlefield. When Israeli warplanes vaporized a Syrian nuclear reactor in 2007, Bashar al-Assad did nothing. The risks of responding were too dire.¶ But the U.S. never faces such sobering considerations. We are more secure than any country in the history of the world. What almost all of our recent military interventions have in common is that they involved countries that had not attacked us: Libya, Iraq, Serbia, Haiti, Somalia, Panama, Grenada and North Vietnam.¶ With the notable exception of the Afghanistan invasion, we don't fight wars of necessity. We fight wars of choice.¶ That's why we have such an insatiable hunger for credibility. In our case, it connotes an undisputed commitment to go into harm's way even when -- especially when -- we have no compelling need to do so. But it's a sale we can never quite close.¶ Using force in Iraq or Libya provides no guarantee we'll do the same in Syria or Iran or Lower Slobbovia. Because we always have the option of staying out, there's no way to make everyone totally believe we'll jump into the next crisis.¶ The parallel claim of Washington hawks is that we have to punish Assad for using nerve gas, because otherwise Iran will conclude it can acquire nuclear weapons. Again, our credibility is at stake. But how could the Tehran regime draw any certain conclusions based on what happens in Syria?¶ Two American presidents let a troublesome Saddam Hussein stay in power, but a third one decided to take him out. George W. Bush tolerated Moammar Gadhafi, but Barack Obama didn't. Ronald Reagan let us be chased out of Lebanon, only to turn around and invade Grenada. If you've seen one U.S. intervention, you've seen one.¶ What should be plain to Iran is that Washington sees nuclear proliferation as a unique threat to its security, which Syria's chemical weapons are not. Just because we might let Assad get away with gassing his people doesn't mean we will let Iran acquire weapons of mass destruction that would be used only against other countries. Heck, we not only let Saddam get away with using chemical weapons against Iran -- we took his side.¶ Figuring out the U.S. government's future impulses is hard even for Americans. There's no real rhyme or reason. But because we're so powerful, other governments can ill afford to be wrong. What foreigners have to keep in the front of their minds is not our inclination to act but our capacity to act -- which remains unparalleled whatever we do in Syria.¶ Credibility is overrated. Sure, it's possible for hostile governments to watch us squabble over Syria and conclude that they can safely do things we regard as dangerous. But there are graveyards full of people who made that bet.

#### Guantanamo Bay devastates credibility – outweighs the aff

Katulis, 9 (Brian, Senior Fellow at the Center for American Progress, “Democracy Promotion in the Middle East and the Obama Administration”, A Century Foundation Report, http://tcf.org/publications/pdfs/pb681/Katulis.pdf)

Actions speak louder than words. In addition to changing how it talks about democracy and freedom, the United States must take tangible steps to regain its credibility in a process that one analyst calls “decontamination” from the negative practices associated with the Bush administration’s approach. 10 To reshape perceptions in the Middle East, the United States—including not only the Obama administration, but also members of Congress and representatives of the justice system—should find a solution to the policy question of thousands of detainees and prisoners under U.S. military control in Iraq; it should also continue its work in closing the Guantanamo detention camp and secret prison facilities run by the CIA, as well as abandon the practice of remanding terror suspects to countries with poor human rights records. The detention of tens of thousands of individuals, many of whom are from the Middle East, outside a transparent international framework for the rule of law reduces American credibility on democratic reform and opens it up to charges of hypocrisy, with critics of U.S. policy pointing out human rights and rule of law abuses justified in the name of fighting the war on terror. As a matter of values and principles, the United States should work with other countries to develop a sustainable and viable justice system that deals with these detainees. More broadly, the United States should take steps to restore habeas corpus and bring wiretap surveillance efforts back into the framework of the rule of law in the United States. Sending the signal that the United States is cleaning up its act on these fronts is a necessary step for reviving U.S. credibility on democracy promotion in the Middle East. Without some progress on these measures, anything else that the new administration tries to do on democracy promotion—whether it is political party building or civil society support, or any of the other traditional programs in the U.S. toolbox—will likely yield few results because of the substantial credibility gap. The new administration needs to send a clear message that the United States intends to practice what it preaches by adhering to the legal obligations it assumed in the International Covenant on Civil and Political Rights, the Convention against Torture, and other human rights treaties. Strengthening the legal framework for rule of law will require not only action on the part of the Obama administration but also engagement by leaders in the U.S. Congress. How the United States reintroduces itself to the world—keeping its national security policy in line with the highest human rights standards—will set the framework for how U.S. actions on the democracy promotion front are perceived throughout the Middle East. In addition to taking these steps to restore America’s image and credibility in the region, the new administration should look to enhance existing partnerships and build new ones. Given views about the United States in the Middle East, rather than go it alone, Washington should seek to develop joint efforts with other countries working to advance democracy in the Middle East, such as members of the European Union and Japan, and with multilateral institutions, such as the United Nations Development Program and the World Bank. The United States is not the only outside actor working to advance decent governance and democracy in the Middle East, and developing more strongly coordinated approaches to advancing democracy in the region will be necessary to meet the daunting challenges. Limited partnerships and coordination already exist on some fronts, particularly between some U.S. and European nongovernmental organizations, but expanding these collaborative efforts will help reframe perceptions of U.S. efforts to advance democracy in the Middle East.

#### International law doesn’t solve their impacts

Walt, 12 – Robert and Renée Belfer professor of international affairs at Harvard University's Kennedy School of Government (Stephen M., 2/9. “Do I believe in international law?” http://walt.foreignpolicy.com/posts/2012/02/09/a\_response\_to\_david\_bosco)

In fact, Bosco's query betrays a common misconception about realism, as well as a misunderstanding of my original position. Of course realists "believe in" international law and institutions": they exist, and we'd have to be blind to deny that basic fact. Moreover, realists have long acknowledged that international law and international institutions can be useful tools of statecraft, which states can use to achieve their national interests. In particular, law and institutions can help states coordinate their behavior so as to reap greater gains or avoid various problems (think of the rules that regulate air traffic, some forms of pollution, or global communications), and they can also provide mechanisms to facilitate international trade and to resolve various disputes. Where realists part company with some (but not all) liberal idealists is in their emphasis on the limits of institutions: they cannot force powerful states to act against their own interests and they usually reflect the underlying balance of power in important ways. Thus, a realist like me isn't surprised when a powerful country like the United States ignores the fine details of a U.N. resolution, and proceeds to undertake unauthorized regime change. Nor are we surprised when the U.S. and some of its allies invaded Iraq without any U.N. authorization at all. It was a surprising decision because it was so stupid, but it was apparent by late 2002 that U.S. foreign policy was in the hands of serial blunderers. Sadly, there was nothing international law or the U.N. could do about that fact. The central point in my post, however, was not that Russia and China were necessarily upset by the fact that the U.S. and its allies had trod all over the text of Resolution 1973. Rather, they were upset because they didn't like the United States and its allies saying one thing and doing another, and they were upset by the precedent that the Libya case appeared to set. Put differently, they think they got snookered over Libya, and they weren't about to get snookered again. Realists understand that institutions are weak constraints on state behavior (which is why the U.S. could act as it did), but realists also understand that when you take advantage of others, they are going to take notice and make it harder for you to exploit them again. And that appears to be part of the tragic story that is unfolding in Syria. In short, the puzzle isn't why a realist might point out that we are now paying a price for our earlier high-handedness. The real puzzle is why advocates of intervention are so fond of invoking multilateralism, institutions, and the importance of international law, and then so quick to ignore it when it gets in the way of today's pet project. Realists aren't always right, but at least we're not hypocrites.

### 1NC Europe

**2. No warming, top scientists confirm. IPCC temperature records are unreliable.**

**Leake ‘10** – Science and Environment Editor for the Sunday Times (Jonathon, 2/14/10, “World may not be warming, say scientists”, http://www.timesonline.co.uk/tol/news/environment/article7026317.ece)

It warned that greenhouse gases had already heated the world by 0.7C and that there could be 5C-6C more warming by 2100, with devastating impacts on humanity and wildlife. However, new research, including work by British scientists, is casting doubt on such claims. Some even suggest the world may not be warming much at all. “The temperature records cannot be relied on as indicators of global change,” said John Christy, professor of atmospheric science at the University of Alabama in Huntsville, a former lead author on the IPCC. The doubts of Christy and a number of other researchers focus on the thousands of weather stations around the world, which have been used to collect temperature data over the past 150 years. These stations, they believe, have been seriously compromised by factors such as urbanisation, changes in land use and, in many cases, being moved from site to site. Christy has published research papers looking at these effects in three different regions: east Africa, and the American states of California and Alabama. “The story is the same for each one,” he said. “The popular data sets show a lot of warming but the apparent temperature rise was actually caused by local factors affecting the weather stations, such as land development.” The IPCC faces similar criticisms from Ross McKitrick, professor of economics at the University of Guelph, Canada, who was invited by the panel to review its last report. The experience turned him into a strong critic and he has since published a research paper questioning its methods. “We concluded, with overwhelming statistical significance, that the IPCC’s climate data are contaminated with surface effects from industrialisation and data quality problems. These add up to a large warming bias,” he said. Such warnings are supported by a study of US weather stations co-written by Anthony Watts, an American meteorologist and climate change sceptic. His study, which has not been peer reviewed, is illustrated with photographs of weather stations in locations where their readings are distorted by heat-generating equipment. Some are next to air- conditioning units or are on waste treatment plants. One of the most infamous shows a weather station next to a waste incinerator. Watts has also found examples overseas, such as the weather station at Rome airport, which catches the hot exhaust fumes emitted by taxiing jets. In Britain, a weather station at Manchester airport was built when the surrounding land was mainly fields but is now surrounded by heat-generating buildings. Terry Mills, professor of applied statistics and econometrics at Loughborough University, looked at the same data as the IPCC. He found that the warming trend it reported over the past 30 years or so was just as likely to be due to random fluctuations as to the impacts of greenhouse gases. Mills’s findings are to be published in Climatic Change, an environmental journal. “The earth has gone through warming spells like these at least twice before in the last 1,000 years,” he said.

**3. Worst case scenario warming will only be 1.5 degrees**

**de Freitas ‘2** (C. R., Associate Prof. in Geography and Enivonmental Science @ U. Aukland, Bulletin of Canadian Petroleum Geology, “Are observed changes in the concentration of carbon dioxide in the atmosphere really dangerous?” 50:2, GeoScienceWorld)

In any analysis of CO2 it is important to differentiate between three quantities: 1) CO2 emissions, 2) atmospheric CO2 concentrations, and 3) greenhouse gas radiative forcing due to atmospheric CO2. As for the first, between 1980 and 2000 global CO2 emissions increased from 5.5 Gt C to about 6.5 Gt C, which amounts to an average annual increase of just over 1%. As regards the second, between 1980 and 2000 atmospheric CO2 concentrations increased by about 0.4 per cent per year. Concerning the third, between 1980 and 2000 greenhouse gas forcing increase due to CO2 has been about 0.25 W m–2 per decade (Hansen, 2000). Because of the logarithmic relationship between CO2 concentration and greenhouse gas forcing, even an exponential increase of atmospheric CO2 concentration translates into linear forcing and temperature increase; or, as CO2 gets higher, a constant annual increase of say 1.5 ppm has less and less effect on radiative forcing, as shown in Figure 3. Leaving aside for the moment the satellite temperature data and using the surface data set, between 1980 and 2000 there has been this linear increase of both CO2 greenhouse gas forcing and temperature. If one extrapolates the rate of observed atmospheric CO2 increase into the future, the observed atmospheric CO2 increase would only lead to a concentration of about 560 ppm in 2100, about double the concentration of the late 1800’s. That assumes a continuing increase in the CO2 emission rate of about 1% per year, and a carbon cycle leading to atmospheric concentrations observed in the past. If one assumes, in addition, that the increase of surface temperatures in the last 20 years (about 0.3 °C) is entirely due to the increase in greenhouse gas forcing of all greenhouse gas, not just CO2, that would translate into a temperature increase of about 1.5 °C (or approximately 0.15 °C per decade). Using the satellite data, the temperature increase is correspondingly lower. Based on this, the temperature increase over the next 100 years might be less than 1.5 °C, as proposed in Figure 19.

**4. Their impacts are all empirically denied ---- past temperatures were substantially warmer than the present**

**Idso and Idso in ‘7** (Sherwood, Research Physicist @ US Water Conservation laboratory, and Craig, President of Center for the Study of Carbon Dioxide and Global change and PhD in Geography, “Carbon Dioxide and Global Change: Separating Scientific Fact from Personal Opinion”, 6-6, http://www.co2science.org/education/reports/hansen/HansenTestimonyCritique.pdf)

In an attempt to depict earth's current temperature as being extremely high and, therefore, extremely dangerous, Hansen focuses almost exclusively on a single point of the earth's surface in the Western Equatorial Pacific, for which he and others (Hansen et al., 2006) compared modern sea surface temperatures (SSTs) with paleo-SSTs that were derived by Medina-Elizade and Lea (2005) from the Mg/Ca ratios of shells of the surface-dwelling planktonic foraminifer Globigerinoides rubber that they obtained from an ocean sediment core. In doing so, they concluded that “this critical ocean region, and probably the planet as a whole [our italics], is approximately as warm now as at the Holocene maximum and within ~1°C of the maximum temperature of the past million years [our italics].” Is there any compelling reason to believe these claims of Hansen et al. about the entire planet? In a word, no, because there are a multitude of other single-point measurements that suggest something vastly different. Even in their own paper, Hansen et al. present data from the Indian Ocean that indicate, as best we can determine from their graph, that SSTs there were about 0.75°C warmer than they are currently some 125,000 years ago during the prior interglacial. Likewise, based on data obtained from the Vostok ice core in Antarctica, another of their graphs suggests that temperatures at that location some 125,000 years ago were about 1.8°C warmer than they are now; while data from two sites in the Eastern Equatorial Pacific indicate it was approximately 2.3 to 4.0°C warmer compared to the present at about that time. In fact, Petit et al.’s (1999) study of the Vostok ice core demonstrates that large periods of all four of the interglacials that preceded the Holocene were more than 2°C warmer than the peak warmth of the current interglacial. But we don’t have to go nearly so far back in time to demonstrate the non-uniqueness of current temperatures. Of the five SST records that Hansen et al. display, three of them indicate the mid-Holocene was also warmer than it is today. Indeed, it has been known for many years that the central portion of the current interglacial was much warmer than its latter stages have been. To cite just a few examples of pertinent work conducted in the 1970s and 80s – based on temperature reconstructions derived from studies of latitudinal displacements of terrestrial vegetation (Bernabo and Webb, 1977; Wijmstra, 1978; Davis et al., 1980; Ritchie et al., 1983; Overpeck, 1985) and vertical displacements of alpine plants (Kearney and Luckman, 1983) and mountain glaciers (Hope et al., 1976; Porter and Orombelli, 1985) – we note it was concluded by Webb et al. (1987) and the many COHMAP Members (1988) that mean annual temperatures in the Midwestern United States were about 2°C greater than those of the past few decades (Bartlein et al., 1984; Webb, 1985), that summer temperatures in Europe were 2°C warmer (Huntley and Prentice, 1988) – as they also were in New Guinea (Hope et al., 1976) – and that temperatures in the Alps were as much as 4°C warmer (Porter and Orombelli, 1985; Huntley and Prentice, 1988). Likewise, temperatures in the Russian Far East are reported to have been from 2°C (Velitchko and Klimanov, 1990) to as much as 4-6°C (Korotky et al., 1988) higher than they were in the 1970s and 80s; while the mean annual temperature of the Kuroshio Current between 22 and 35°N was 6°C warmer (Taira, 1975). Also, the southern boundary of the Pacific boreal region was positioned some 700 to 800 km north of its present location (Lutaenko, 1993). But we needn’t go back to even the mid-Holocene to encounter warmer-than-present temperatures, as the Medieval Warm Period, centered on about AD 1100, had lots of them. In fact, every single week since 1 Feb 2006, we have featured on our website (www.co2science.org) a different peer-reviewed scientific journal article that testifies to the existence of this several-centuries-long period of notable warmth, in a feature we call our Medieval Warm Period Record of the Week. Also, whenever it has been possible to make either a quantitative or qualitative comparison between the peak temperature of the Medieval Warm Period (MWP) and the peak temperature of the Current Warm Period (CWP), we have included those results in the appropriate quantitative or qualitative frequency distributions we have posted within this feature; and a quick perusal of these ever-growing databases (reproduced below as of 23 May 2007) indicates that, in the overwhelming majority of cases, the peak warmth of the Medieval Warm Period was significantly greater than the peak warmth of the Current Warm Period.

**5. Negative feedbacks check warming**

**DE FREITAS** **‘11** (Chris de Freitas is an associate professor in the school of environment at the University of Auckland, NZ Herald, http://www.nzherald.co.nz/nz/news/article.cfm?c\_id=1&objectid=10697845)

The degree of warming directly caused by the extra carbon dioxide is, by itself, relatively small. This is not controversial. What is controversial is whether this initial change will trigger further climate changes that would be large or damaging. Debate focuses on climate feedbacks that may or may not suppress, perpetuate or amplify an initial change caused by increasing concentrations of greenhouse gases. A doubling of carbon dioxide, by itself, adds only about one degree Celsius to greenhouse warming. Computer climate models project more warming because the modellers build in feedbacks from water vapour and clouds that amplify the initial change. These are the so called positive feedbacks. For example, higher temperature would mean more evaporation globally, which in turn means more heat-trapping water vapour is put into the atmosphere leading to even higher temperatures. On the other hand, **negative feedbacks might prevail**. For example, more water vapour in the atmosphere could lead to greater cloud cover. Clouds reflect the heat from the Sun and cool the Earth, offsetting the initial rise in global temperature. The role of negative feedback processes are played down by global warming alarmists, whereas sceptics point to the four-billion-year-old global climate record that shows **runaway global cooling or warming has never occurred because negative feedbacks regulate the global climate system**. It is important to consider the above in the proper context. Change is a constant feature of climate, even through recent human history. During the Medieval Warm Period, from 900 to 1200AD, the Vikings sailed in Arctic waters that by 1700 had turned to permanent sea ice, and farmed in Greenland soil in a climate that soon became too cold for agriculture. The Medieval Warm Period was followed by the Little Ice Age which ended around 1850. It in turn was followed by another warm period. The hottest year since 1850 was 1998. In the nine years since 2002 average annual global temperature has not risen. Most people are surprised to hear that no **one has uncovered any empirical real-world evidence that humans are causing dangerous global warming.** Finding this evidence is crucial, since scientific issues are resolved by observations that support a theory or hypothesis. They are not resolved by ballot.

**1NC US/EU Relations**

**US-EU ties resilient**

**Dennison 13** -- fellow at the London-based think tank, the European Council on Foreign Relations (Susi, 2/22/2013, "Kerry's first trip gives clues on EU-US relations," http://euobserver.com/opinion/119168)

When US leader Barack Obama first announced, in autumn 2011, that he was to intensify the US' role in the Asia-Pacific region, it prompted much hand-wringing in Europe. But it is unclear whether EU-US relations suffered as a result. The European Council on Foreign Relations' (ECFR) latest "scorecard," which tracks the effectiveness of European foreign policy year on year, found that in 2012 **EU-US ties were resilient**. We cited as evidence the success of the G8 summit at Camp David and the Nato summit in Chicago in May 2012, compared with the G20 summit in Los Cabos a month later, which delivered little and drew precious little attention. Whatever the intention may have been with regard to continuing or reducing US resources in MENA, throughout 2012, American attention kept being drawn to the region. From supporting Arab transitions, most notably in Egypt, to the ongoing conflict in Syria, to the Iranian nuclear programme and Israel's Operation Pillar of Defence in Gaza in autumn, the US remained watchful. In the majority of these dossiers **co-ordination with the EU has remained close**, on the E3+3 process on Iran, through the Friends of Syria Group and at the UN. As a result, the European External Action Service (EEAS) delegation in Washington is one of a select few EEAS missions which has begun to play a serious negotiation and co-ordination role in advancing EU policy.

**U.S.-E.U relations resilient – their security interests are aligned and they perceive interdependence**

**Leonard 05** (Mark, executive director of the European Council on Foreign Relations and former director of foreign policy at the Centre for European Reform, Feb 28th. “Why the U.S. Needs the E.U.” Time International, vol. 165 iss. 9, p. 31. Proquest.)

For the first time in 50 years, it is the U.S. that needs Europe's help, rather than the other way around. Americans realize that, without European diplomacy, money and soft power, freedom's march would be a lot more halting. In Kiev, Sarajevo, Ankara, Ramallah and even Tehran, the E.U. is having a more constructive impact than the U.S. Yet the E.U.'s transformative power is often confused with weakness. The E.U. doesn't change countries by threatening to invade them. Its biggest threat is not intervention but withdrawal of the hand of friendship and especially the prospect of membership. For countries like Bosnia, Turkey and Ukraine, the only thing worse than having to deal with the Brussels bureaucracy is not getting to deal with it at all. E.U. membership is such a powerful lure that countries will revamp their legal, judicial and political systems just to join. The E.U. and U.S. face similar threats--drug trafficking, large flows of migrants, networks of international criminals and terrorists--but their responses could not be more different. The U.S. has sent troops into neighboring countries more than 15 times over the past 50 years, but many of them--from Haiti to Colombia--have barely changed; they limp from crisis to crisis, often sucking U.S. troops back in. Sometimes, military force is the right--and only--solution. In the Balkans, for example, the U.S., with the backing of the U.N. Security Council, led NATO air strikes to protect the Muslim population while Europe fretted. But Europeans have learned the hard way that political and economic engagement can be a more powerful and permanent agent of change. These days in the Balkans, it's the prospect of E.U. membership that's driving political and social transformation. Beyond the 450 million citizens who are already living in the E.U., there are another 1.3 billion people in about 80 countries linked to the E.U. through trade, finance, foreign investment and aid. Nearly a third of the world's population lives in the Eurosphere, the E.U.'s zone of influence. The E.U.'s secret weapon is the law. The U.S. may have changed the regime in Afghanistan, but the E.U. is changing all of Polish society, from its economic policies to its property laws to its treatment of minorities. Each country that joins the E.U. must absorb 80,000 pages of new laws on everything from gay rights to food safety. Once drawn into the Eurosphere, countries are changed forever--and they never want to get out. The U.S. can impose its will almost anywhere in the world, but when its back is turned, its potency wanes. The elections in Iraq and Afghanistan were only possible because of American intervention, but the Administration's suspicion of international law and multilateral institutions mean that the democratic changes could be difficult to entrench. In the aftermath of the war in Iraq, the Administration has realized it can't change the world on its own. Similarly, the Europeans have learned that it sometimes takes good, old-fashioned U.S. might to get the attention of undemocratic regimes and so prepare the ground for reform. There is a lot the U.S. and the E.U. can do together to rein in the nuclear ambitions of North Korea and Iran, to further cement Turkey's relationship with the West, to combat the threat of terrorism.

**Fights inevitable and no impact**

**Ahearn, Archick, Belkin 07** Foreign Affairs, Defense, and Trade Division

[Raymond Ahearn, Kristin Archick, Paul Belkin “U.S.-European Union Relations and the 2007 Summit” may 14, 2007 http://ftp.fas.org/sgp/crs/row/RS22645.pdf/]

The U.S. Congress and successive U.S. administrations have supported the EU project since its inception as a way to foster a stable Europe, democratic states, and strong trading partners. The United States has welcomed EU efforts since the end of the Cold War to expand the political and economic benefits of membership to central and eastern Europe, and supports the EU aspirations of Turkey and the western Balkan states. The United States and the EU share a huge and mutually beneficial economic relationship. Two-way flows of goods, services, and foreign investment now exceed $1.0 trillion on an annual basis, and the total stock of two-way direct investment is over $1.9 trillion. Nevertheless, the U.S.-EU relationship has been challenged in recent years as numerous trade and foreign policy conflicts have emerged. The 2003 crisis over Iraq, which bitterly divided the EU and severely strained U.S.-EU relations, is most notable, but the list of disagreements has been wide and varied. Although Europeans are not monolithic in their views, many EU member states have objected to at least some elements of U.S. policy on issues ranging from the Israeli-Palestinian conflict to U.S. treatment of terrorist detainees to climate change and aircraft subsidies. Since 2003, however, both sides have made efforts to improve relations, and successive U.S.-EU summits have sought to emphasize areas of cooperation and partnership. At the same time, challenges and some tensions remain in the U.S.-EU relationship.

**-- No impact to US/EU relations**

**Daalder 3** (Ivo H., Senior Fellow in Foreign Policy Studies – Brookings Institution, Survival, 45(2), Summer, p. 147)

The main consequence of these changes in US and European policy priorities is to make the transatlantic relationship less pivotal to the foreign policy of both actors. For America, Europe is a useful source of support for American actions – a place to seek complementary capabilities and to build ad hoc coalitions of the willing and somewhat able. But Washington views Europe as less central to its main interests and preoccupations than it was during the Cold War. For European countries, America’s protective role has become essentially superfluous with the disappearance of the Soviet threat, while its pacifying presence is no longer warranted, given the advance of European integration. The task of integrating all of Europe into the zone of peace now falls squarely on Europe’s shoulders, with the United States playing at most a supporting role. Even the stabilisation of Europe’s periphery – from the Balkans in the south to Turkey, the Caucuses, and Ukraine in the East – is one where Europeans will increasingly have to take the lead.

**1. U.S.-European relations are strong now, resilient, and the problems described in their impacts are being solved now.**

Charles **Kupchan 08** Senior Fellow for Europe Studies, Council on Foreign Relations, March, “The Transatlantic Turnaround” http://www.cfr.org/publication/15622

The Atlantic alliance has made a remarkable recovery over the course of President George W. Bush’s second term. Relations between the United States and Europe hit rock bottom after the US-led invasion of Iraq in 2003, raising the prospect of an irreparable transatlantic rift. Although the war won grudging support from some European governments, it was staunchly opposed by many of the continent’s citizens. Acrimonyand recriminations engulfed diplomacy as well as public debate. The Atlantic community faced its most serious crisis since World War II. This crisis and the charged rhetoric that accompanied it have since abated. Over the past three years, the Bush administration and its European counterparts have worked hard to mend fences—with impressive results. And it is not only the atmospherics that have changed. The United States and its European partners are fighting together in Afghanistan. They are working jointly to rein in Iran’s nuclear program, negotiate peace between Israelis and Palestinians, and ease Kosovo toward formal independence. From the European perspective, the Bush administration continues to fall short of expectations on several fronts—especially curbing climate change. But even on this issue, which President Bush effectivelydismissed during his first term, Washington has now moved forward, agreeing to multilateral negotiations over a successor to the Kyoto Protocol and supporting measures to reduce consumption of fossil fuels. The improvement in Atlantic relations has been a matter of necessity, not choice. The Bush administration once thought the United States was strong enough to run the world on its own.  The debacle in Iraq proved otherwise. For their part, many Europeans initially welcomed a distancing from Washington. With the end of the cold war and with the European Union’s growing economic and political muscle, it was time—the argument went—for the EU to countenance life without its American guardian. But with the Atlantic link on the verge of being severed, the EU soon found itself adrift and deeply divided. Both Americans and Europeans, after getting a glimpse of what it would be like to go it alone, realized they remained each other’s best partners. Recognition of this strategic reality was reflected in—but also fostered by—changes in key leadership positions on both sides of the Atlantic. In Washington, though President Bush and Vice President Dick Cheney remained in charge, their top echelon of foreign advisers changed dramatically. Out were Paul Wolfowitz, John Bolton, Douglas Feith, Donald Rumsfeld, and others responsible for the ideological excesses of the first term. In were Condoleezza Rice, Robert Zoellick, Robert Kimmitt, Robert Gates, and others associated with a more pragmatic and centrist brand of internationalism.

**2. Individual policies can’t undermine relations – Mutual interests overwhelm.**

**Ayoob and Zierler 05** Mohammed Ayoob is a University Distinguished Professor of International Relations, and Matthew Zierler is a visiting Assistant Professor of International Relations at James Madison College, World Policy Journal, Spring, Volume 22, “The Unipolar Concert: The North-South Divide Trumps Transatlantic Differences”

Second, disagreements within the concert are often over policy choices, as opposed to fundamental rules of the system or basic objectives. Deterring and punishing “rogue” states and denying unconventional capabilities to those outside the club are shared objectives from which no member of the concert dissents. This was very clear in the runup to the invasion of Iraq in 2003. A reading of the U.N. Security Council debates on Iraq from 1991 to 2003 makes it obvious that there were hardly any differences among the club of powerful states on taking steps that would severely derogate Iraq’s sovereignty and eventually bring about a regime change. The imposition of no-flight zones and invasive inspections under U.N. auspices between 1991 and 2003 clearly demonstrated this unity of purpose. The differences were over the tactics to achieve these ends. The same applies to the concert’s objectives regarding Iran. The shared objective is to deny Iran nuclear weapons capabilities and to curb its regional influence; the debate is about how best to attain these goals. A similar situation prevails in the economic arena. While there may be differences over details and even intra-concert bickering about certain issues, for example, the American attempt to impose tariffs on European steel, there is a basic consensus about prying open world markets under the guise of free trade and liberal investment policies, thus making it easier for developed countries to market their high-value-added products and to invest in profitable ventures abroad. This is accompanied by imposing conditionalities, or structural adjustments, on Third World economies that would ostensibly help to reduce their fiscal deficits. It is clear that this can only be achieved through multilateral mechanisms, such as the World Bank, the IMF, and the World Trade Organization. The concert of industrialized states, working through the G-7 in particular, harmonizes its economic policy in such a fashion that it can effectively use these multilateral forums to promote its neoliberal agenda. We do not mean to suggest that the current multilateral arrangements and initiatives are set in stone. However, it is unlikely that the instrument will be jettisoned, if only because of the deep commitment on the part of the concert to maintain it. Moreover, multilateral institutions in the North are being strengthened as the states from Eastern Europe seek membership in the European Union and NATO. The deepening and broadening of multilateral institutions in the North have had the added effect of reinforcing the divide between those in the concert and those outside. In short, multilateralism has not proved to be antithetical to unipolarity. In fact, the two have worked in tandem to promote the interests of the North in both the economic and security spheres.

**3. U.S./E.U. fights are inevitable – And there’s no impact.**

**Ahearn, Archick, Belkin 07** Foreign Affairs, Defense, and Trade Division [Raymond Ahearn, Kristin Archick, Paul Belkin “U.S.-European Union Relations and the 2007 Summit” may 14, 2007 http://ftp.fas.org/sgp/crs/row/RS22645.pdf/]

The U.S. Congress and successive U.S. administrations have supported the EU project since its inception as a way to foster a stable Europe, democratic states, and strong trading partners. The United States has welcomed EU efforts since the end of the Cold War to expand the political and economic benefits of membership to central and eastern Europe, and supports the EU aspirations of Turkey and the western Balkan states. The United States and the EU share a huge and mutually beneficial economic relationship. Two-way flows of goods, services, and foreign investment now exceed $1.0 trillion on an annual basis, and the total stock of two-way direct investment is over $1.9 trillion. Nevertheless, the U.S.-EU relationship has been challenged in recent years as numerous trade and foreign policy conflicts have emerged. The 2003 crisis over Iraq, which bitterly divided the EU and severely strained U.S.-EU relations, is most notable, but the list of disagreements has been wide and varied. Although Europeans are not monolithic in their views, many EU member states have objected to at least some elements of U.S. policy on issues ranging from the Israeli-Palestinian conflict to U.S. treatment of terrorist detainees to climate change and aircraft subsidies. Since 2003, however, both sides have made efforts to improve relations, and successive U.S.-EU summits have sought to emphasize areas of cooperation and partnership. At the same time, challenges and some tensions remain in the U.S.-EU relationship.

**U.S. and the E.U. are the largest trade partners globally – This prevents relations collapse..**

**Press Releases Rapid** 6/10/08 Brussels press release in Belguim, “Globlal investment: EU-US trade and investment” http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/08/381&format=HTML&aged=0&language=EN&guiLanguage=en/] Kevin W. Prep ‘11

Largest trade partners: The EU and US form the largest bilateral trade partnership in the world if you look at goods and services combined. Goods trade alone in 2007 amounted to over €440 billion. A trade surplus: The EU enjoys a surplus of €80 billion in goods trade with the US, importing €181 billion while exporting €261 billion. While the US remains the first destination for EU goods, the EU now imports more from China. EU trade with the USA is dominated by manufactured goods. In 2007, more than two-fifths of trade with the USA were machinery and vehicles, with chemicals and other manufactured each accounting for more than a fifth of trade. Services trade: Trade in services continued to grow in both directions, with total trade estimated at more than €266 billion. Again the EU recorded a surplus (€11 billion). Largest investment partners: The European Union (EU) and United States are each other’s largest foreign investor. In 2006, the stock of EU direct investment in the United States reached $1.11 trillion, accounting for almost half of the total stock of foreign direct investment (FDI) in the United States. In 2007, EU investment represented 42 percent of global investment flows to the United States. The transatlantic investment relationship is also symmetrical: in 2006, the U.S. stock of FDI in the EU totaled $1.12 trillion. In 2007, over half of all private direct investment outflows from the United States were directed to the EU.

**No impact – relations are resilient and there are alternate causalities.**

**Ian Ward 05**, Prof. of Law at the Univ. of Newcastle, Spring 2005 [Tulane Journal of International and Comparative Law, 13 Tul. J. Int'l & Comp. L. 5, lexis]

The idea that the transatlantic alliance has "unravelled" has gained popularity. The two protagonists, according to Richard Sinkin, are "on very different political paths." [250](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n250" \t "_self) "Transatlantic relations," Christina Schweiss posits, "are arguably worse today than at any point since the Second World War." [251](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n251" \t "_self) Stanley Hoffmann agrees, suggesting that a wide  [\*38]  range of issues, from the Kyoto Protocol to the International Criminal Court and the role of the United Nations, sign these apparently divergent paths. [252](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n252" \t "_self) At present, he concludes, EU-U.S. relations are in "limbo," and the "days of relative harmony" have seemingly passed, at least for now. [253](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n253" \t "_self) Metaphorical recourse is common. Joseph Nye prefers to describe a bickering couple who "will remain partners rather than divorce and go their separate ways." [254](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n254" \t "_self) Deploying the same metaphor, Ivo Daalder suggests that whilst "divorce" is unlikely, further "drift" is not. [255](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n255" \t "_self) Moreover, he adds pointedly, this may not be to Europe's disadvantage. [256](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n256" \t "_self) According to Daalder, there is a stark disparity, in terms of global politics, between the multilateralism of Europe and the unilateralism of the United States. [257](http://www.lexis.com/research/retrieve?_m=596af5653d5afc78cc9ab20bf6147199&docnum=11&_fmtstr=FULL&_startdoc=1&wchp=dGLbVlb-zSkAV&_md5=15abbc0522f2ea771e2853f1f0717b6e&focBudTerms=transatlantic%20relations&focBudSel=all&taggedDocs=2Z2:" \l "n257" \t "_self)

**No impact – we are already becoming independent of each other and cooperation is unnecessary.**

**Daalder,** senior fellow in Foreign Policy Studies at Brookings, Summer 20**03** (Ivo H., Survival, vol. 45, no. 2, p.147)

The main consequence of these changes in US and European policy priorities is to make the transatlantic relationship less pivotal to the foreign policy of both actors. For America, Europe is a useful source of support for American actions – a place to seek complementary capabilities and to build ad hoc coalitions of the willing and somewhat able. But Washington views Europe as less central to its main interests and preoccupations than it was during the Cold War. For European countries, America’s protective role has become essentially superfluous with the disappearance of the Soviet threat, while its pacifying presence is no longer warranted, given the advance of European integration. The task of integrating all of Europe into the zone of peace now falls squarely on Europe’s shoulders, with the United States playing at most a supporting role. Even the stabilisation of Europe’s periphery – from the Balkans in the south to Turkey, the Caucuses, and Ukraine in the East – is one where Europeans will increasingly have to take the lead.

**Industrial and economic interest holds the two together..**

**Ayoob and Zierler 05** Mohammed Ayoob is a University Distinguished Professor of International Relations, and Matthew Zierler is a visiting Assistant Professor of International Relations at James Madison College, World Policy Journal, Spring, Volume 22, “The Unipolar Concert: The North-South Divide Trumps Transatlantic Differences”

An article in the New York Times on the eve of the 2004 U.S. presidential election began by asserting that the predominant view in Europe seemed to be that “no matter who wins... the consequences for American European relations will be bad” and that neither France nor Germany, the linchpins of the Continent’s transatlantic relationship, would be willing to come to the aid of the United States in Iraq regardless of the outcome. (1) Analyses such as this one tend to portray America’s relations with major European powers in one-dimensional terms. They assume everything hinges on Iraq and ignore the dense web of interlocking security and economic interests that bind industrialized Western Europe and America together. As Harvard’s Joseph S. Nye, Jr., has said in refuting the conservative political analyst Robert Kagan’s assertion that when it comes to their approach to major strategic and international questions Europeans and Americans are from two different planets: “In their relations with each other all advanced democracies are from Venus.” This commonality of interests was emphasized by Condoleezza Rice in her first trip abroad as secretary of state. Washington’s relations with France and Germany had been severely strained by the Bush administration’s decision to invade Iraq, and Rice was on a fence-mending mission. In a major foreign policy speech on February 8 in Paris, she declared, “History will surely judge us not by our old disagreements but by our new achievements.” This essay suggests that although substantial changes to the international system have occurred since the end of the Cold War, the relationship among the industrial, affluent, powerful countries of the North basically has not been altered. This is because these relationships were only partly driven by the Soviet threat. They were driven as much, if not more, by the need to protect the interests of Western industrialized states vis-à-vis the majority of other states. It was recognized even during the Cold War era that potentially serious threats to the economic and security interests of the powerful and affluent countries could arise elsewhere, especially from the more recalcitrant, radical states in the South.

**The US will never allow relations to collapse.**

**Powell, 2003** (Colin, former Secretary of State, US Department of State Office Transcript, 4/16, l/n)

And to all European Union members, old, new and aspiring, let me say that the United States sees it as crucial that Americans and Europeans maintain an open, vigorous dialogue. And I think we have demonstrated in recent months -- (laughter) -- that we can do that. We see debates between the United States and European countries, and among European nations themselves, as a healthy sign that our democracies and our relationships are robust and resilient. We remember what Europe used to look like when it had no debates within certain blocks of member countries with certain blocks. We are never going back to that. And democracies mean that you speak up freely, just as the ancient Athenians did and Athens is so fitting, therefore, as a site for today's accession and signature, signatures being offered.

# 2NC

## PMC

### 2NC Overview

#### Alliances solves nuke war – white

#### Turns warming – no coop

#### Turns euruope

#### More belligerent

#### Turns case – if the President wants to intervene in hostilities – he’ll dispatch PMC’s instead – triggers all your impacts and makes them inevitable

#### PMC reliance destroys military readiness

Singer 2 (P.W. – Director of the 21st Century Defense Initiative at the Brookings Institution, “Corporate Warriors: The Rise of the Privatized Military Industry and Its Ramifications for International Security”, International Security, Vol. 26, No. 3, Winter 2001/2002 http://www.brookings.edu/~/media/research/files/articles/2002/1/01us%20military%20singer/20020128.pdf)

INCOMPLETE INFORMATION AND MONI TORING DIFFICULTIES. Problems of incomplete information and monitoring generally accompany outsourcing. Yet these are intensified in the military realm because few clients have experience in contracting with security agents. In most cases, there is ei ther little oversight or a lack of clearly defined requirements, or both. Add in the fog of war, and proper mon itoring becomes extremely difficult. Moreover, PMFs are usually autonomous and thus require extraterritorial monitoring. And at times, the actual consumer may not be the contracting party: Some states, for example, pay PMFs to supply personnel on their behalf to international organizations. Another difficulty is the firms' focus on the bottom line: PMFs may be tempted to cut corners to increase their profits. No matter how powerful the client, this risk cannot be 23 completely eliminated. During the Balkans conflict, for example, Brown & Root is alleged to have failed to deliver or severely overcharged the U.S. Army on four out of seven of its contractual obligations. 43 A further manifestation of this monitoring difficulty is the danger that PMFs may not perform their missions to the fullest. PMFs have incentives not only to prolong their contracts but also to avoid taking undue risks that might endanger their own corporate assets. The result may be a protracted conflict, which perhaps could have been avoided if the client had built up its own military forces or more closely monitored its private agent. This was certainly true of mercenaries in the Biafra conflict in the 1970s, and many suspect that this was also the case with PMFs in the Ethiopia-Eritrea conflict in 1997ñ99. In the latter instance, the Ethiopians essentially leased a small but complete air force from the Russian aeronautics firm Sukhoió including a wing of Su-27 jet fighter planes, pilots, and ground staff. Some contend, though, that this private Russian force failed to prosecute the war fullyófor example, by rarely engaging Eritreaís air force, which itself was rumored to have hired Russian and Ukrainian pilots. 44 A CRITICAL LOSS OF CONTROL. As PMFs become increasingly popular, so too does the danger of their clients becoming overly dependent on their services. Reliance on a private firm means that an integral part of one’s strategic success is vulnerable to changes in market costs and incentives. This can result in two potential risks to the security of the client: (1) the agent (the firm) might leave its principal (the client) in the lurch, or (2) the agent might gain dominance over the principal. A PMF may have no compunction about suspending a contract if a situation becomes too risky, in either financial or physical terms. Because they are typically based elsewhere, and in the absence of applicable international laws to enforce compliance, PMFs face no real risk of 24 punishment if they or their employees defect from their contractual obligations. Industry advocates dismiss these claims by noting that firms failing to fulfill the terms of their contracts would sully their reputation, thus hurting their chances of obtaining future contracts. Nevertheless, there are a number of situations in which shorter-term c onsiderations could prevail over long-term market punishment. In game-theoretic terms, each interaction with a private actor is sui generis. Exchanges in the international security market take the form of one-shot games, rather than guaranteed repeated plays. 45 Sierra Leone faced such a situation in 1994, when the type 1 firm that it had hired (the Gurkha Security Guards, made up primarily of Nepalese soldie rs) lost its commander in a rebel ambush. Reports suggest that the commander was la ter cannibalized. The firm decided to break its contract, and its employees fled the country, leaving its client wi thout an effective military option until it was able to hire another firm. 46 The loss of direct control as a result of privatization carries risks even for strong states. For U.S. military commanders, an added worry of terrorist targeting or the potential use of weapons of mass destruction is that their forces are more reliant than ever on the surge capacity of type 3 support firms. The employees of these firms, however, cannot be forced to stay at their posts in the face of these or any other dangers. 47 Because entire functions, such as weapons maintenance and supply, have become completely privatized, the entire military machine would break down if even a modest number of PMF employees chose to leave. In addition to sometimes failing to fulfill thei r contractual obligations, type 1 firms may pose another risk. In weak or failed states, PMFs , which are often the most powerful force on the local scene, may take steps to protect their own interests. Thus early termination of a contract, dissatisfaction with the terms of payment, or di sagreements over specific orders could lead to unpleasant repercussions for a weak client. Ind eed the corporate term "hostile takeover" may 25 well take on new meaning when speaking of the privatized military industry. The precedent does existófrom the condottieri , who took over their client regime s in the Middle Ages to the 1969 Mercenary Revolt in Zaire. More recently, there is continued suspicion that in 1996 Executive Outcomes helped to oust the leader of Sierra Le one, who headed the very regime that had hired it, in favor of another local general with w hom the firmís executives had a better working relationship

#### Collapse of readiness causes global war

**Spencer 00** (Jack, Policy Analyst – Heritage Foundation, The Facts About Military Readiness, 9-15, <http://www.heritage.org/Research/MissileDefense/BG1394.cfm>)

The evidence indicates that the U.S. armed forces are not ready to support America's national security requirements. Moreover, regarding the broader capability to defeat groups of enemies, military readiness has been declining. The National Security Strategy, the U.S. official statement of national security objectives, 3 concludes that the United States "must have the capability to deter and, if deterrence fails, defeat large-scale, cross-border aggression in two distant theaters in overlapping time frames." 4 According to some of the military's highest-ranking officials, however, the United States cannot achieve this goal. Commandant of the Marine Corps General James Jones, former Chief of Naval Operations Admiral Jay Johnson, and Air Force Chief of Staff General Michael Ryan have all expressed serious concerns about their respective services' ability to carry out a two major theater war strategy. 5 Recently retired Generals Anthony Zinni of the U.S. Marine Corps and George Joulwan of the U.S. Army have even questioned America's ability to conduct one major theater war the size of the 1991 Gulf War. 6 Military readiness is vital because declines in America's military readiness signal to the rest of the world that the United States is not prepared to defend its interests. Therefore, potentially hostile nations will be more likely to lash out against American allies and interests, inevitably leading to U.S. involvement in combat. A high state of military readiness is more likely to deter potentially hostile nations from acting aggressively in regions of vital national interest, thereby preserving peace.

## Prez Powers

### 2NC Overview

#### DA outweighs and turns case – presidential powers are vital to prevent multiple scenarios for nuclear war – the only way to combat security threats is to be able to respond to them quickly and concretely

#### Yoo says a flexible executive is critical to solving prolif

#### extinction

**Utgoff, 02** – Deputy Director for Strategy, Forces and Resources at the Institute for Defense Analyses (Victor, “Proliferation, Missile Defense and American Ambitions”, Summer 2002, Survival, Vol. 44, No. 2, p. 87-90)

First, the dynamics of getting to a highly proliferated world could be very dangerous. Proliferating states will feel great pressures to obtain nuclear weapons and delivery systems before any potential opponent does. Those who succeed in outracing an opponent may consider preemptive nuclear war before the opponent becomes capable of nuclear retaliation. Those who lag behind might try to preempt their opponent's nuclear programme or defeat the opponent using conventional forces. And those who feel threatened but are incapable of building nuclear weapons may still be able to join in this arms race by building other types of weapons of mass destruction, such as biological weapons. Second, as the world approaches complete proliferation, the hazards posed by nuclear weapons today will be magnified many times over. Fifty or more nations capable of launching nuclear weapons means that the risk of nuclear accidents that could cause serious damage not only to their own populations and environments, but those of others, is hugely increased. The chances of such weapons falling into the hands of renegade military units or terrorists is far greater, as is the number of nations carrying out hazardous manufacturing and storage activities. Increased prospects for the occasional nuclear shootout Worse still, in a highly proliferated world there would be more frequent opportunities for the use of nuclear weapons. And more frequent opportunities means shorter expected times between conflicts in which nuclear weapons get used, unless the probability of use at any opportunity is actually zero. To be sure, some theorists on nuclear deterrence appear to think that in any confrontation between two states known to have reliable nuclear capabilities, the probability of nuclear weapons being used is zero. These theorists think that such states will be so fearful of escalation to nuclear war that they would always avoid or terminate confrontations between them, short of even conventional war. They believe this to be true even if the two states have different cultures or leaders with very eccentric personalities. History and human nature, however, suggest that they are almost surely wrong. History includes instances in which states known to possess nuclear weapons did engage in direct conventional conflict. China and Russia fought battles along their common border even after both had nuclear weapons. Moreover, logic suggests that if states with nuclear weapons always avoided conflict with one another, surely states without nuclear weapons would avoid conflict with states that had them. Again, history provides counter-examples. Egypt attacked Israel in 1973 even though it saw Israel as a nuclear power at the time. Argentina invaded the Falkland Islands and fought Britain's efforts to take them back, even though Britain had nuclear weapons. Those who claim that two states with reliable nuclear capabilities to devastate each other will not engage in conventional conflict risking nuclear war also assume that any leader from any culture would not choose suicide for his nation. But history provides unhappy examples of states whose leaders were ready to choose suicide for themselves and their fellow citizens. Hitler tried to impose a 'victory or destruction' policy on his people as Nazi Germany was going down to defeat.' And Japan's war minister, during debates on how to respond to the American atomic bombing, suggested 'Would it not be wondrous for the whole nation to be destroyed like a beautiful flower?" If leaders are willing to engage in conflict with nuclear-armed nations, use of nuclear weapons in any particular instance may not be likely, but its probability would still be dangerously significant. In particular, human nature suggests that the threat of retaliation with nuclear weapons is not a reliable guarantee against a disastrous first use of these weapons. While national leaders and their advisors everywhere are usually talented and experienced people, even their most important decisions cannot be counted on to be the product of well-informed and thorough assessments of all options from all relevant points of view. This is especially so when the stakes are so large as to defy assessment and there are substantial pressures to act quickly, as could be expected in intense and fast-moving crises between nuclear-armed states.6 Instead, like other human beings, national leaders can be seduced by wishful thinking. They can misinterpret the words or actions of opposing leaders. Their advisors may produce answers that they think the leader wants to hear, or coalesce around what they know is an inferior decision because the group urgently needs the confidence or the sharing of responsibility that results from settling on something. Moreover, leaders may not recognise clearly where their personal or party interests diverge from those of their citizens. Under great stress, human beings can lose their ability to think carefully. They can refuse to believe that the worst could really happen, oversimplify the problem at hand, think in terms of simplistic analogies and play hunches. The intuitive rules for how individuals should respond to insults or signs of weakness in an opponent may too readily suggest a rash course of action. Anger, fear, greed, ambition and pride can all lead to bad decisions. The desire for a decisive solution to the problem at hand may lead to an unnecessarily extreme course of action. We can almost hear the kinds of words that could flow from discussions in nuclear crises or war. 'These people are not willing to die for this interest'. 'No sane person would actually use such weapons'. 'Perhaps the opponent will back down if we show him we mean business by demonstrating a willingness to use nuclear weapons'. 'If I don't hit them back really hard, I am going to be driven from office, if not killed'. Whether right or wrong, in the stressful atmosphere of a nuclear crisis or war, such words from others, or silently from within, might resonate too readily with a harried leader. Thus, both history and human nature suggest that nuclear deterrence can be expected to fail from time to time, and we are fortunate it has not happened yet. But the threat of nuclear war is not just a matter of a few weapons being used. It could get much worse. Once a conflict reaches the point where nuclear weapons are employed, the stresses felt by the leaderships would rise enormously. These stresses can be expected to further degrade their decision-making. The pressures to force the enemy to stop fighting or to surrender could argue for more forceful and decisive military action, which might be the right thing to do in the circumstances, but maybe not. And the horrors of the carnage already suffered may be seen as justification for visiting the most devastating punishment possible on the enemy.' Again, history demonstrates how intense conflict can lead the combatants to escalate violence to the maximum possible levels. In the Second World War, early promises not to bomb cities soon gave way to essentially indiscriminate bombing of civilians. The war between Iran and Iraq during the 1980s led to the use of chemical weapons on both sides and exchanges of missiles against each other's cities. And more recently, violence in the Middle East escalated in a few months from rocks and small arms to heavy weapons on one side, and from police actions to air strikes and armoured attacks on the other. Escalation of violence is also basic human nature. Once the violence starts, retaliatory exchanges of violent acts can escalate to levels unimagined by the participants beforehand. Intense and blinding anger is a common response to fear or humiliation or abuse. And such anger can lead us to impose on our opponents whatever levels of violence are readily accessible. In sum, widespread proliferation is likely to lead to an occasional shoot-out with nuclear weapons, and that such shoot-outs will have a substantial probability of escalating to the maximum destruction possible with the weapons at hand. Unless nuclear proliferation is stopped, we are headed toward a world that will mirror the American Wild West of the late 1800s. With most, if not all, nations wearing nuclear 'six-shooters' on their hips, the world may even be a more polite place than it is today, but every once in a while we will all gather on a hill to bury the bodies of dead cities or even whole nations.

## Battlefield Advantage

### 2NC ILaw

#### Can’t solve – States don’t follow rules because self-interest comes first.

**Tsutsui and** Hafner **Burton 05** Emilie M. Hafner-Burton, Oxford University, and Kiyoteru Tsutsui, State University of New York, Stony Brook, “Human Rights in a Globalizing World: The Paradox of Empty Promises” http://www.princeton.edu/~ehafner/pdfs/paradox\_promises.pdf

For others, international legal regimes can influence state behavior in important ways: regimes facilitate cooperation among sovereign states by providing coordination and commitment mechanisms that identify state obligations and provide a means of enforcement. Nevertheless, states join and comply with regimes only when it is in their rational self-interest to do so (Keohane 1984; Downs et al. 1996). Thus, although the international human rights regime may encourage state cooperation and circumscribe government repression of human rights, the pool of states that commit to these institutions should be rather limited in the first place, and compliance will heavily depend on the design of the regime.

### 2NC

#### President will circumvent – Congress and Courts won’t hold him accountable

Newton 12 (Michael – Professor of the Practice of Law, Vanderbilt University Law School, “Presidential Powers and Foreign Affairs: The War Powers Resolution at 40: Still Controversial: Inadvertent Implications of the War Powers Resolution”, 2012, 45 Case W. Res. J. Int'l L. 173, lexis)

A. President as Litigator-in-Chief First, debates over the applicability of the War Powers Resolution have shifted the attention from the proper role of the president as the national leader to that of the national litigator-in-chief. The interpretation guidance to the War Powers Resolution states that the Resolution should not be "construed as granting any authority to the President with respect to the introduction of United States Armed Forces into hostilities or into situations wherein involvement in hostilities is clearly indicated by the circumstances." n50 But this assumes that the president already has such authority, and that the Resolution is not "intended to alter the constitutional authority of the . . . President." n51 Additionally, although the text makes plain that, even in the absence of specific authorization from Congress, the President may introduce armed forces into hostilities only in "a national emergency created by attack upon the United States, its territories or possessions, or its armed forces," every lucid observer concedes that this declaration, found in the Purpose and Policy section, either is incomplete or is not meant to be binding. n52 The War [\*186] Powers Resolution effectively marginalized the congressional role to carping from the sidelines as various presidents have launched an increasingly diverse range of military operations. After forty-years practice, there is a long line of precedent that has stretched the bounds of executive power in ways that could scarcely have been imagined by the framers. For example, the OLC opinion for the use of force in Somalia in 1992 reasoned that, "Attorneys General and this Office have concluded that the President has the power to commit United States troops abroad as well as to take military action, for the purpose of protecting important national interests," even without specific prior authorization from Congress. n53 Just two years later, the OLC echoed its' reasoning in the deployment of armed forces into Haiti. n54 The "pattern of executive conduct, made under claim of right, extended over many decades and engaged in by Presidents of both parties, 'evidences the existence of broad constitutional power.'" n55 The independent authority of the executive derives from the president's unique responsibility, as Commander-in-Chief and chief executive for foreign and military affairs as well as national security. n56 The OLC used similar reasoning once again in 1995 in relation to the proposed deployment into Bosnia. n57 It explained that the scope and limits of the congressional power to declare war is not well defined by constitutional text, case law, or statute, but rather, the relationship of Congress' power to declare war and the president's authority as Commander-in-Chief and chief executive has been clarified by two-hundred years of practice. n58 [\*187] This frame of reasoning is uniformly supported by the judiciary, including the Supreme Court. Chief Justice Rehnquist explained in Dames & Moore v. Regan: A systematic, unbroken, executive practice, long pursued to the knowledge of the Congress and never before questioned . . . may be treated as a gloss on "Executive Power" vested in the President by $ S 1 of Article II. Past practice does not, by itself, create power, but long-continued practice, known to and acquiesced in by Congress, would raise a presumption that the action had been taken in pursuance of its consent[.] n59 In Haig v. Agee, Chief Justice Burger further reasoned that the historical practice reflects the two political branches' practical understanding, developed since the founding of the republic, of their respective roles and responsibilities with respect to national defense. n60 Jack Goldsmith, who admirably delivered the keynote address earlier this morning, described this reasoning as simply a principle of constitutional law--"that a constitutional meaning may be liquidated by constitutional practice." n61 Professor Goldsmith argued that Congress had known about the pattern of presidential unilateralism for decades and done little in response. Congress has never seriously questioned the use of overseas military power without its authorization, much less impeached a president for authorizing such force. Instead, a succession of bipartisan legislatures has financed an enormous military force in the face of this continuing practice and has consistently refused to withhold funding for a wide array of deployments. The net effect of this practice has been to immunize the president from oversight. Hence, presidents of both parties are in an almost unassailably strong litigation posture vis-á-vis Congress, and they know it. The War Powers Resolution has therefore had the paradoxical effect of displacing good faith debate and dialogue between the branches with after-the-fact litigation. Presidents of both parties have felt confident that courts would support their executive prerogatives, and the War Powers Resolution has had the unfortunate effect of creating the perception that the constitutional authority is subject to distributive In bargaining between the executive and legislative branches. Thus, presidents have relied upon their inherent [\*188] constitutional authority, secure in the belief that the war-making function is not a zero sum game. the process, there has been a tendency to rely upon successful litigation strategies rather than a clearly presented framing of the national objectives at stake in a given deployment or a clear-eyed national discussion of the merits of such overseas action.

#### Lack of cooperation means the plan wouldn’t be successful

**Devins, 09** – Neal, Goodrich Professor of Law and Professor of Government at the College of William and Mary, “Presidential Unilateralism and Political Polarization: Why Today's Congress Lacks the Will and the Way to Stop Presidential Initiatives”, <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1025&context=facpubs>

In highlighting differences between the Watergate-era Congress and the modem Congress, Part III will examine the profound role that political polarization has played in defining today's Congress. Initially, I will call attention to how political polarization makes it impossible for Democrats and Republicans in Congress to work together. I will then extend that lesson to the highly partisan impeachment of President Clinton and, more importantly, to the ways in which modem day Presidents have assumed more and more power through unilateral action. Making matters worse (at least if you think Congress should stand as a check to presidential unilateralism), members of Congress see little personal gain in standing together to assert Congress's institutional prerogatives. On national security matters, today's Congress-unlike the post-1969 Viet Nam era Congress-sees little benefit in asserting legislative prerogatives. Put another way: Today's Congress, unlike the Watergate-era, has neither the will nor the way to check presidential initiatives.

#### President will refuse to comply – ignore the resolution

LeMar 3 (Andrew – J.D. Candidate, 2003, Indiana University School of Law-Bloomington; B.A., 2000, Indiana University, “War Powers: What Are They Good for?”, 2003, 78 Ind. L.J. 1045, lexis)

I. The History of War Powers The roles of Congress and the President with regard to war powers have been debated since America's Founding Fathers wrote our Constitution. Only in the past sixty years has the President asserted a seeming monopoly over war powers, n7 prompting Congress in 1973 to pass the War Powers Resolution n8 over President Nixon's veto. n9 Even though the War Powers Resolution was supposed to restore the balance of war powers between Congress and the President, n10 Presidents have skirted the Resolution since its passage, and even greater, some have completely ignored it. n1

## Europe

### 2NC Warming

#### No warming – Leake says new data is compromised by urbanization and industrialization – IPCC is biased and warming is actually random fluctuations that occur naturally

#### Warming will be small ---- temperature increases logarithmically with CO2 meaning each increment increases temperature less ---- the net result is a 1.5 degree increase at most. This takes out all their impacts ---- swings of 1.5 degrees happen all the time with no impact ---- and it magnifies all our adaptation arguments – that’s De Frietas

#### Domestic troubles = no solve warming

#### Can’t solve warming

**AP 9** (Associated Press, Six Degree Temperature Rise by 2100 is Inevitable: UNEP, September 24, <http://www.speedy-fit.co.uk/index2.php?option=com_content&do_pdf=1&id=168>)

Earth's **temperature is likely to jump six degrees** between now and the end of the century **even if every country cuts** greenhouse gas **emissions** as proposed, according to a United Nations update. **Scientists looked at emission plans** from 192 nations **and calculated what would happen** to global warming. The projections take into account 80 percent emission cuts from the U.S. and Europe by 2050, which are not sure things. The U.S. figure is based on a bill that passed the House of Representatives but is running into resistance in the Senate, where debate has been delayed by health care reform efforts. Carbon dioxide, mostly from the burning of fossil fuels such as coal and oil, is the main cause of global warming, trapping the sun's energy in the atmosphere. The world's average temperature has already risen 1.4 degrees since the 19th century. Much of projected rise in temperature is because of developing nations, which **aren't talking much about cutting their emissions**, scientists said at a United Nations press conference Thursday. China alone adds nearly **2 degrees** to the projections. "We are headed toward very serious changes in our planet," said Achim Steiner, head of the U.N.'s environment program, which issued the update on Thursday. The review looked at some 400 peer-reviewed papers on climate over the last three years. **Even if the developed world cuts** its emissions by **80 percent and the developing world cuts theirs in half** by 2050, as some experts propose, **the world is** still **facing a 3-degree increase** by the end of the century, said Robert Corell, a prominent U.S. climate scientist who helped oversee the update. Corell said the most likely agreement out of the international climate negotiations in Copenhagen in December still translates into a nearly 5-degree increase in world temperature by the end of the century. European leaders and the Obama White House have set a goal to limit warming to just a couple degrees. The U.N.'s environment program unveiled the update on peer-reviewed climate change science to tell diplomats how hot the planet is getting. The last big report from the Nobel Prize-winning Intergovernmental Panel on Climate Change came out more than two years ago and is based on science that is at least three to four years old, Steiner said. Global warming is speeding up, especially in the Arctic, and that means that some top-level science projections from 2007 are already out of date and overly optimistic. Corell, who headed an assessment of warming in the Arctic, said global warming "is accelerating in ways that we are not anticipating." Because Greenland and West Antarctic ice sheets are melting far faster than thought, it looks like the seas will rise twice as fast as projected just three years ago, Corell said. He said seas should rise about a foot every 20 to 25 years.

#### Their impacts are all empirically denied ---- past temperatures were substantially warmer than the present

**Idso and Idso in ‘7** (Sherwood, Research Physicist @ US Water Conservation laboratory, and Craig, President of Center for the Study of Carbon Dioxide and Global change and PhD in Geography, “Carbon Dioxide and Global Change: Separating Scientific Fact from Personal Opinion”, 6-6, http://www.co2science.org/education/reports/hansen/HansenTestimonyCritique.pdf)

**In an attempt to depict earth's current temperature a**s being extremely high and, therefore, **extremely dangerous, Hansen** focuses almost exclusively on a single point of the earth's surface in the Western Equatorial Pacific, for which he and others (Hansen et al., 2006) compared modern sea surface temperatures (SSTs) with paleo-SSTs that were derived by Medina-Elizade and Lea (2005) from the Mg/Ca ratios of shells of the surface-dwelling planktonic foraminifer Globigerinoides rubber that they obtained from an ocean sediment core. In doing so, they **concluded that** “this critical ocean region, and probably **the planet as a whole** [our italics], **is** approximately **as warm now as** at the Holocene maximum and within ~1°C of **the maximum** temperature **of the past million years** [our italics].” **Is there any compelling reason to believe these claims** of Hansen et al. about the entire planet? In a word, **no, because there are a multitude of other single-point measurements that suggest something vastly different**. Even in their own paper, Hansen et al. present data from the Indian Ocean that indicate, as best we can determine from their graph, that SSTs there were about 0.75°C warmer than they are currently some 125,000 years ago during the prior interglacial. Likewise, based on data obtained from the Vostok ice core in Antarctica, another of their graphs suggests that temperatures at that location some 125,000 years ago were about 1.8°C warmer than they are now; while data from two sites in the Eastern Equatorial Pacific indicate it was approximately 2.3 to 4.0°C warmer compared to the present at about that time. In fact, Petit et al.’s (1999) study of the Vostok ice core demonstrates that large periods of all four of the interglacials that preceded the Holocene were more than 2°C warmer than the peak warmth of the current interglacial. But **we don’t have to go nearly so far back in time to demonstrate the non-uniqueness of current temperatures. Of the five SST records that Hansen et al. display, three of them indicate the mid-Holocene was also warmer than it is today**. Indeed, it has been known for many years that the central portion of the current interglacial was much warmer than its latter stages have been. To cite just a few examples of pertinent work conducted in the 1970s and 80s – based on temperature reconstructions derived from studies of latitudinal displacements of terrestrial vegetation (Bernabo and Webb, 1977; Wijmstra, 1978; Davis et al., 1980; Ritchie et al., 1983; Overpeck, 1985) and vertical displacements of alpine plants (Kearney and Luckman, 1983) and mountain glaciers (Hope et al., 1976; Porter and Orombelli, 1985) – we note it was concluded by Webb et al. (1987) and the many COHMAP Members (1988) that mean annual temperatures in the Midwestern United States were about 2°C greater than those of the past few decades (Bartlein et al., 1984; Webb, 1985), that summer temperatures in Europe were 2°C warmer (Huntley and Prentice, 1988) – as they also were in New Guinea (Hope et al., 1976) – and that temperatures in the Alps were as much as 4°C warmer (Porter and Orombelli, 1985; Huntley and Prentice, 1988). Likewise, temperatures in the Russian Far East are reported to have been from 2°C (Velitchko and Klimanov, 1990) to as much as 4-6°C (Korotky et al., 1988) higher than they were in the 1970s and 80s; while the mean annual temperature of the Kuroshio Current between 22 and 35°N was 6°C warmer (Taira, 1975). Also, the southern boundary of the Pacific boreal region was positioned some 700 to 800 km north of its present location (Lutaenko, 1993). But we needn’t go back to even the mid-Holocene to encounter warmer-than-present temperatures, as **the Medieval Warm Period**, centered on about AD 1100, had lots of them. In fact, every single week since 1 Feb 2006, we have featured on our website (www.co2science.org) a different peer-reviewed scientific journal article that **testifies to the existence of this several-centuries-long period of notable warmth**, in a feature we call our Medieval Warm Period Record of the Week. Also, whenever it has been possible to make either a quantitative or qualitative comparison between the peak temperature of the Medieval Warm Period (MWP) and the peak temperature of the Current Warm Period (CWP), we have included those results in the appropriate quantitative or qualitative frequency distributions we have posted within this feature; and **a quick perusal of** these ever-growing **databases** (reproduced below as of 23 May 2007) **indicates that, in the overwhelming majority of cases, the peak warmth of the Medieval Warm Period was significantly greater than the** peak warmth of the **Current Warm Period**.

#### Negative feedbacks check warming

**DE FREITAS** **‘11** (Chris de Freitas is an associate professor in the school of environment at the University of Auckland, NZ Herald, http://www.nzherald.co.nz/nz/news/article.cfm?c\_id=1&objectid=10697845)

The degree of warming directly caused by the extra carbon dioxide is, by itself, relatively small. This is not controversial. What is controversial is whether this initial change will trigger further climate changes that would be large or damaging. Debate focuses on climate feedbacks that may or may not suppress, perpetuate or amplify an initial change caused by increasing concentrations of greenhouse gases. A doubling of carbon dioxide, by itself, adds only about one degree Celsius to greenhouse warming. Computer climate models project more warming because the modellers build in feedbacks from water vapour and clouds that amplify the initial change. These are the so called positive feedbacks. For example, higher temperature would mean more evaporation globally, which in turn means more heat-trapping water vapour is put into the atmosphere leading to even higher temperatures. On the other hand, **negative feedbacks might prevail**. For example, more water vapour in the atmosphere could lead to greater cloud cover. Clouds reflect the heat from the Sun and cool the Earth, offsetting the initial rise in global temperature. The role of negative feedback processes are played down by global warming alarmists, whereas sceptics point to the four-billion-year-old global climate record that shows **runaway global cooling or warming has never occurred because negative feedbacks regulate the global climate system**. It is important to consider the above in the proper context. Change is a constant feature of climate, even through recent human history. During the Medieval Warm Period, from 900 to 1200AD, the Vikings sailed in Arctic waters that by 1700 had turned to permanent sea ice, and farmed in Greenland soil in a climate that soon became too cold for agriculture. The Medieval Warm Period was followed by the Little Ice Age which ended around 1850. It in turn was followed by another warm period. The hottest year since 1850 was 1998. In the nine years since 2002 average annual global temperature has not risen. Most people are surprised to hear that no **one has uncovered any empirical real-world evidence that humans are causing dangerous global warming.** Finding this evidence is crucial, since scientific issues are resolved by observations that support a theory or hypothesis. They are not resolved by ballot.

### 2NC EU Ties Resilient

#### Fights inevitable and no impact

**Ahearn, Archick, Belkin 07** Foreign Affairs, Defense, and Trade Division

[Raymond Ahearn, Kristin Archick, Paul Belkin “U.S.-European Union Relations and the 2007 Summit” may 14, 2007 http://ftp.fas.org/sgp/crs/row/RS22645.pdf/]

The U.S. Congress and successive U.S. administrations have supported the EU project since its inception as a way to foster a stable Europe, democratic states, and strong trading partners. The United States has welcomed EU efforts since the end of the Cold War to expand the political and economic benefits of membership to central and eastern Europe, and supports the EU aspirations of Turkey and the western Balkan states. The United States and the EU share a huge and mutually beneficial economic relationship. Two-way flows of goods, services, and foreign investment now exceed $1.0 trillion on an annual basis, and the total stock of two-way direct investment is over $1.9 trillion. Nevertheless, the U.S.-EU relationship has been challenged in recent years as numerous trade and foreign policy conflicts have emerged. The 2003 crisis over Iraq, which bitterly divided the EU and severely strained U.S.-EU relations, is most notable, but the list of disagreements has been wide and varied. Although Europeans are not monolithic in their views, many EU member states have objected to at least some elements of U.S. policy on issues ranging from the Israeli-Palestinian conflict to U.S. treatment of terrorist detainees to climate change and aircraft subsidies. Since 2003, however, both sides have made efforts to improve relations, and successive U.S.-EU summits have sought to emphasize areas of cooperation and partnership. At the same time, challenges and some tensions remain in the U.S.-EU relationship.

#### -- No impact to US/EU relations

**Daalder 3** (Ivo H., Senior Fellow in Foreign Policy Studies – Brookings Institution, Survival, 45(2), Summer, p. 147)

The main consequence of these changes in US and European policy priorities is to make the transatlantic relationship less pivotal to the foreign policy of both actors. For America, Europe is a useful source of support for American actions – a place to seek complementary capabilities and to build ad hoc coalitions of the willing and somewhat able. But Washington views Europe as less central to its main interests and preoccupations than it was during the Cold War. For European countries, America’s protective role has become essentially superfluous with the disappearance of the Soviet threat, while its pacifying presence is no longer warranted, given the advance of European integration. The task of integrating all of Europe into the zone of peace now falls squarely on Europe’s shoulders, with the United States playing at most a supporting role. Even the stabilisation of Europe’s periphery – from the Balkans in the south to Turkey, the Caucuses, and Ukraine in the East – is one where Europeans will increasingly have to take the lead.

#### 2. Individual policies can’t undermine relations – Mutual interests overwhelm.

**Ayoob and Zierler 05** Mohammed Ayoob is a University Distinguished Professor of International Relations, and Matthew Zierler is a visiting Assistant Professor of International Relations at James Madison College, World Policy Journal, Spring, Volume 22, “The Unipolar Concert: The North-South Divide Trumps Transatlantic Differences”

Second, disagreements within the concert are often over policy choices, as opposed to fundamental rules of the system or basic objectives. Deterring and punishing “rogue” states and denying unconventional capabilities to those outside the club are shared objectives from which no member of the concert dissents. This was very clear in the runup to the invasion of Iraq in 2003. A reading of the U.N. Security Council debates on Iraq from 1991 to 2003 makes it obvious that there were hardly any differences among the club of powerful states on taking steps that would severely derogate Iraq’s sovereignty and eventually bring about a regime change. The imposition of no-flight zones and invasive inspections under U.N. auspices between 1991 and 2003 clearly demonstrated this unity of purpose. The differences were over the tactics to achieve these ends. The same applies to the concert’s objectives regarding Iran. The shared objective is to deny Iran nuclear weapons capabilities and to curb its regional influence; the debate is about how best to attain these goals. A similar situation prevails in the economic arena. While there may be differences over details and even intra-concert bickering about certain issues, for example, the American attempt to impose tariffs on European steel, there is a basic consensus about prying open world markets under the guise of free trade and liberal investment policies, thus making it easier for developed countries to market their high-value-added products and to invest in profitable ventures abroad. This is accompanied by imposing conditionalities, or structural adjustments, on Third World economies that would ostensibly help to reduce their fiscal deficits. It is clear that this can only be achieved through multilateral mechanisms, such as the World Bank, the IMF, and the World Trade Organization. The concert of industrialized states, working through the G-7 in particular, harmonizes its economic policy in such a fashion that it can effectively use these multilateral forums to promote its neoliberal agenda. We do not mean to suggest that the current multilateral arrangements and initiatives are set in stone. However, it is unlikely that the instrument will be jettisoned, if only because of the deep commitment on the part of the concert to maintain it. Moreover, multilateral institutions in the North are being strengthened as the states from Eastern Europe seek membership in the European Union and NATO. The deepening and broadening of multilateral institutions in the North have had the added effect of reinforcing the divide between those in the concert and those outside. In short, multilateralism has not proved to be antithetical to unipolarity. In fact, the two have worked in tandem to promote the interests of the North in both the economic and security spheres.

# 1NR

### Econ Outweighs – Probability

#### Probability -- conflict now is highly likely given other economic stressors

Mootry 9 (Primus, B.A. Northern Illinois University “Americans likely to face more difficult times” - The Herald Bulletin, http://www.theheraldbulletin.com/columns/local\_story\_282184703.html?keyword=secondarystory)

These are difficult times. The direct and indirect costs associated with the war on Iraq have nearly wrecked our economy. The recent $700 billion bailout, bank failures, and the failure of many small and large businesses across the nation will take years — perhaps decades — to surmount. Along with these rampant business failures, we have seen unemployment rates skyrocket, record numbers of home foreclosures, an explosion of uninsured Americans, and other economic woes that together have politicians now openly willing to mention the "D" word: Depression. These are difficult days. We have seen our international reputation sink to all time lows. We have seen great natural disasters such as hurricanes Ike and Katrina leaving hundreds of thousands of citizens stripped of all they own or permanently dislocated. In all my years, I have never seen a time such as this. To make matters worse, we are witnessing a resurgence of animosities between the United States and Russia, as well as the rapid growth of India and China. As to the growth of these two huge countries, the problem for us is that they are demanding more and more oil — millions of barrels more each week — and there is not much we can say or do about it. In the meantime, if America does not get the oil it needs, our entire economy will grind to a halt. In short, the challenges we face are complex and enormous. Incidentally, one of the factors that makes this time unlike any other in history is the potential for worldwide nuclear conflict. **There has never been a time in** the long **history** of man **when**, through his own technologies — and his arrogance — he can destroy the planet. Given the tensions around the world, **a mere spark could lead to global conflagration.**[This evidence has been gender paraphrased].

#### Econ collapse turns every impact – wars, trade, food, environment, militarism, indigenous rights

**Lopez 98** (Bernardo V., “Global Recession Phase Two: Catastrophic”, Business World, 9-10, Lexis)

Certainly, global recession will spawn wars of all kinds. Ethnic wars can easily escalate in the grapple for dwindling food stocks as in India-Pakistan-Afghanistan, Yugoslavia, Ethiopia-Eritrea, Indonesia. Regional conflicts in key flashpoints can easily erupt such as in the Middle East, Korea, and Taiwan. In the Philippines, as in some Latin American countries, splintered insurgency forces may take advantage of the economic drought to regroup and reemerge in the countryside. Unemployment worldwide will be in the billions. Famine can be triggered in key Third World nations with India, North Korea, Ethiopia and other African countries as first candidates. Food riots and the breakdown of law and order are possibilities. Global recession will see the deferment of globalization, the shrinking of international trade - especially of high-technology commodities such as in the computer, telecommunications, electronic and automotive industries. There will be a return to basics with food security being a prime concern of all governments, over industrialization and trade expansions. Protectionism will reemerge and trade liberalization will suffer a big setback. The WTO-GATT may have to redefine its provisions to adjust to the changing times. Even the World Bank-IMF consortium will experience continued crisis in dealing with financial hemorrhages. There will not be enough funds to rescue ailing economies. A few will get a windfall from the disaster with the erratic movement in world prices of basic goods. But the majority, especially the small and medium enterprises (SMEs), will suffer serious shrinkage. Mega-mergers and acquisitions will rock the corporate landscape. Capital markets will shrink and credit crisis and spiralling interest rates will spread internationally. And environmental advocacy will be shelved in the name of survival. Domestic markets will flourish but only on basic commodities. The focus of enterprise will shift into basic goods in the medium term. Agrarian economies are at an advantage since they are the food producers. Highly industrialized nations will be more affected by the recession. Technologies will concentrate on servicing domestic markets and the agrarian economy will be the first to regrow. The setback on research and development and high-end technologies will be compensated in its eventual focus on agrarian activity. A return to the rural areas will decongest the big cities and the ensuing real estate glut will send prices tumbling down. Tourism and travel will regress by a decade and airlines worldwide will need rescue. Among the indigenous communities and agrarian peasantry, many will shift back to prehistoric subsistence economy. But there will be a more crowded upland situation as lowlanders seek more lands for production. The current crisis for land of indigenous communities will worsen. Land conflicts will increase with the indigenous communities who have nowhere else to go either being massacred in armed conflicts or dying of starvation. Backyard gardens will be precious and home-based food production will flourish. As unemployment expands, labor will shift to self-reliant microenterprises if the little capital available can be sourced. In the past, the US could afford amnesty for millions of illegal migrants because of its resilient economy. But with unemployment increasing, the US will be forced to clamp down on a reemerging illegal migration which will increase rapidly. Unemployment in the US will be the hardest to cope with since it may have very little capability for subsistence economy and its agrarian base is automated and controlled by a few. The riots and looting of stores in New York City in the late '70s because of a state-wide brownout hint of the type of anarchy in the cities. Such looting in this most affluent nation is not impossible. The weapons industry may also grow rapidly because of the ensuing wars. Arms escalation will have primacy over food production if wars escalate. The US will depend increasingly on weapons exports to nurse its economy back to health. This will further induce wars and conflicts which will aggravate US recession rather than solve it. The US may depend more and more on the use of force and its superiority to get its ways internationally.

#### Econ turns everything – environment, prolif, disease, famine

Silk 93 (Leonard, Professor of Economics – Pace University, “Dangers of Slow Growth”, Foreign Affairs, 72(1), Winter, p. 173-174)

In the absence of such shifts of human and capital resources to expanding civilian industries, there are strong economic pressures on arms-producing nations to maintain high levels of military production and to sell weapons, both conventional and dual-use nuclear technology, wherever buyers can be found. Without a revival of national economies and the global economy, the production and proliferation of weapons will continue, creating more Iraqs, Yuugoslavias, Somalias and Cambodias - or worse. Like the Great Depression, the current economic slump has fanned the fires of nationalist, ethnic and religious hatred around the world. Economic hardship is not the only cause of these social and political pathologies, but it aggravates all of them, and in turn they feed back on economic development. They also undermine efforts to deal with such global problems as environmental pollution, the production and trafficking of drugs, crime, sickness, famine, AIDS and other plagues. Growth will not solve all those problems by itself But economic growth - and **growth alone** - creates the additional resources that make it possible to achieve such fundamental goals as higher living standards, national and collective security, a healthier environment, and

**AT: DA Not Intrinsic**

**-- Our disad is intrinsic – the link proves that the plan results in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.**

**-- Destroys all ground –**

**A) No disad is intrinsic – “make-up calls” can be crafted to solve any link or impact – even purely reaction-based DAs like Relations can be avoided by having the government cut the offended nation a big check**

**B) Fairness outweighs – logical debate is worthless if the Neg always loses. Fairness protects the forum that makes debate educational**

**-- Moving target – intrinsicness makes the plan conditional – destroys fairness because it's the locus of debate**

**-- Not logical: no single actor can do the plan and other actions. Even Congress is made up of many individual legislators.**

**-- Empirical intrinsicness checks – the Aff can read evidence that Congress will react to the plan by taking action – but not fiat that it occurs**

### Already pushing plan

### Uniq – Saving Capital for CR

#### Summers withdrawal means Obama saved political capital for the fight over the continuing resolution

Carmichael 9/16/13 (Kevin, Globe and Mail, "A fractious fall looms in Washington now Summers is out of the running," http://www.theglobeandmail.com/report-on-business/with-summers-out-of-running-a-fractious-fall-looms-in-washington/article14357991/)

Stocks rose around the world, as traders reasoned the transition to a new Fed chairman will be more predictable with Prof. Summers out of the race. Janet Yellen, the No. 2 at the Fed, re-emerged as the front-runner, a status she had lost to Prof. Summers in the uncommonly public contest to replace Ben Bernanke, whose four-year term ends in January.¶ “Larry was not my first choice for Federal Reserve chair,” said Elizabeth Warren, a Democratic member of the Senate banking committee who won in Massachusetts in 2012 in part because of her vocal criticism of Wall Street’s role in the financial crisis. “I’m a big fan of Janet Yellen,” Ms. Warren added in an interview with Bloomberg Television on Monday. “I think she’s terrific. She’s got the right experience and I think she’d make a terrific Federal Reserve chair.”¶ Ms. Warren was one of four Democrats on the banking committee who said they would vote against Prof. Summers. That meant the White House would have had to have sought Republican support to get Prof. Summers through the committee stage of the nomination process and onto the Senate floor. That’s more political capital than the President currently has to spend.¶ “Republicans would have wanted something in return,” Mr. Bosworth said. “It wasn’t worth it.”¶ More of the contentious fiscal showdowns that have characterized Mr. Obama’s relationship with the Republican-led House of Representatives are on the horizon.

#### Obama’s using all his political capital on the budget battle now – it’s his singular focus

Allen 9/19/13 (Jonathan, Politico, "GOP battles boost President Obama," http://dyn.politico.com/printstory.cfm?uuid=17961849-5BE5-43CA-B1BC-ED8A12A534EB)

There’s a simple reason President Barack Obama is using his bully pulpit to focus the nation’s attention on the battle over the budget: In this fight, he’s watching Republicans take swings at each other.¶ And that GOP fight is a lifeline for an administration that had been scrambling to gain control its message after battling congressional Democrats on the potential use of military force in Syria and the possible nomination of Larry Summers to run the Federal Reserve.¶ If House Republicans and Obama can’t cut even a short-term deal for a continuing resolution, the government’s authority to spend money will run out on Oct. 1. Within weeks, the nation will default on its debt if an agreement isn’t reached to raise the federal debt limit.¶ For some Republicans, those deadlines represent a leverage point that can be used to force Obama to slash his health care law. For others, they’re a zero hour at which the party will implode if it doesn’t cut a deal.¶ Meanwhile, “on the looming fiscal issues, Democrats — both liberal and conservative, executive and congressional — are virtually 100 percent united,” said Sen. Charles Schumer (D-N.Y.).¶ Just a few days ago, all that Obama and his aides could talk about were Syria and Summers. Now, they’re bringing their party together and shining a white hot light on Republican disunity over whether to shut down the government and plunge the nation into default in a vain effort to stop Obamacare from going into effect.¶ The squabbling among Republicans has gotten so vicious that a Twitter hashtag — #GOPvsGOPugliness — has become a thick virtual data file for tracking the intraparty insults. Moderates, and even some conservatives, are slamming Texas Sen. Ted Cruz, a tea party favorite, for ramping up grassroots expectations that the GOP will shut down the government if it can’t win concessions from the president to “defund” his signature health care law.¶ “I didn’t go to Harvard or Princeton, but I can count,” Sen. Bob Corker (R-Tenn.) tweeted, subtly mocking Cruz’s Ivy League education. “The defunding box canyon is a tactic that will fail and weaken our position.”¶ While it is well-timed for the White House to interrupt a bad slide, Obama’s singular focus on the budget battle is hardly a last-minute shift. Instead, it is a return to the narrative arc that the White House was working to build before the Syria crisis intervened.¶ And it’s so important to the president’s strategy that White House officials didn’t consider postponing Monday’s rollout of the most partisan and high-stakes phase even when a shooter murdered a dozen people at Washington’s Navy Yard that morning.

### A2 winners win

#### Going for the throat fails --- it will just undermine Obama’s agenda.

**Potter**, **2/13**/2013 (Ben, Speech is political skills test, Australian Financial Review, p. Lexis-Nexis)

But there are big risks with both approaches. The political capital of re-elected presidents is often more limited than they think. If the President is too combative, he risks squandering his capital by putting off independent voters and his more centrist supporters. The glaring omission from most of the previews is deficits. If Obama doesn't make an overture here, Republicans aren't likely to vote for other initiatives they find unappealing - such as new taxes in place of some automatic budget cuts. Most House Republicans, with comfortable majorities in partisan districts, aren't susceptible to the presidential bully pulpit. Republicans may be open to a deal on budgets, University of Akron political scientist John Green argues. But Obama will need to offer larger future spending cuts in exchange for, say, closing tax lurks and spending more money to try to boost jobs and growth now. For the President, there's the chance of a long-term debt-ceiling extension if he meets some of the Republicans' demands. That would be valuable. The Republicans took the debt ceiling off the table for a few months to allow more time for talks. But they can bring it back later if they don't like what they see in the coming weeks. Executive action is fine but limited and undemocratic if taken too far. It risks antagonising Republicans rather than bringing them to the table, and squandering the chance of big legislative gains for relatively small ones. Executive actions - say, directing the EPA to regulate carbon emissions - can be undone by the next president, who might be a Republican, Green notes. It's easy to understand why Obama wants to antagonise Republicans. But "at some point he needs co-operation if he is to have any significant impact", Green says.

fiat

**AT: Fiat Solves / Magic Wand**

**-- Voting issue –**

**Uneducational – details of enactment are important**

**Not real world – there’s no magic wand, nothing passes instantly**

**Crushes ground – politics DAs are core offense on a broad topic**

**-- Our interpretation: plan passes immediately via normal political processes**

**-- Links worse: rushed enactment amplifies opposition, backlash is greater because there’s no time for debate**

### Cap theory real

#### House GOP will cave and approve the continuing resolution in the coming weeks - Obama has the necessary leverage

Terbush 9/18/13 (Jon, Staff @ The Week, "A government shutdown is a high-stakes game the GOP can't win," http://theweek.com/article/index/249809/a-government-shutdown-is-a-high-stakes-game-the-gop-cant-win)

Boehner has shown before that when push comes to shove, he's willing to negotiate, even if that means going against the wishes of his party's most conservative members. To avoid a shutdown in 2011, he agreed to an 11th hour deal with lesser spending cuts than conservatives wanted.¶ This time, Obama may have even more leverage.¶ The president on Wednesday accused the GOP of trying to "extort" him. And polls show that the public would overwhelmingly blame Republicans in the event of a shutdown — a CNN survey last week found that 51 percent of Americans would blame the GOP, while only 33 percent would blame Obama.¶ Rep. Paul Ryan (R-Wis.), the GOP's budget guru, is privately taking a stand against the defund attempt for that very reason.¶ "We have to stay on the right side of public opinion," Ryan reportedly said during a GOP conference Wednesday morning, according to National Review's Robert Costa. "Shutting down the government puts us on the wrong side."¶ The dynamic ultimately comes down to this: If Republicans want to fund the government, they will at some point have to pass a spending bill that leaves ObamaCare funding intact. Anything else will die a swift death in the Senate.¶ "This doesn't fundamentally change our plans and it just delays the day when House Republicans will have to pass (or at least help pass) a CR," an aide to Senate Democratic leadership told the Washington Post's Greg Sargent. "If they don't, they will shut down the government. It's that simple. All procedural roads in the Senate lead to a clean CR. There is no scenario in which we pass anything that defunds or delays Obamacare."¶ In other words, Boehner will have to give in at some point in the next two weeks. Triggering a politically masochistic shutdown with no upside before doing is nothing less than a crazy proposition.

#### Political capital key to Obama's economic agenda

Indiviglio 9/19/13 (Daniel, Reuters Breakingviews columnist, "Activist would contest Obama’s capital allocation," http://blogs.reuters.com/breakingviews/2013/09/19/activist-would-contest-obamas-capital-allocation/)

The economy and jobs came in second, absorbing 16 percent of Obama’s output. Arguably these areas deserve significantly more capital – perhaps 25 percent or more of the president’s effort. Growth remains modest, and unemployment is too high at 7.3 percent. If he can get the economy cranking faster, it should make other things easier to tackle – like his third most significant talking point, education.¶ Social issues like immigration and gun control garnered nearly the same 15 percent portion of Obama’s rhetorical pie as education. But spending and deficits, where potential emergencies loom, accounted for only 6 percent. Poorly constructed budget cuts threaten the tepid recovery. And Congress looks poised to make raising the federal debt limit as painful as it did two years ago. The broad economic risks make this an area demanding far more presidential attention.

### Internal – Capital Finite

#### Obama's capital is finite - needs as much as possible for budget fights

Boesler 9/18/13 (Matthew, Business Insider, "BNP Analyst Blasts All This Chatter About Don Kohn Getting The Fed Job," http://www.businessinsider.com/analyst-says-don-kohn-fed-chair-chatter-misinformed-2013-9#ixzz2fMDmQYg4)

BNP Paribas economist Julia Coronado doesn't think there's much to all the chatter about Kohn, though:¶ On the chatter about Kohn – the decision will be made based on political capital. Obama lost on Summers because his political [capital] is low, it would cost him dearly to get Summers into the seat, and he needs as much as he can get for the upcoming budget fight. He lost on Summers, the campaign was as much pro-Yellen as it was anti-Summers; why spend more capital on this fight?

#### Every bit of political capital matters over budget fights

Lills and Wasson 9/7/13 (Mike and Erik, The Hill, "Fears of wounding Obama weigh heavily on Democrats ahead of vote," http://thehill.com/homenews/house/320829-fears-of-wounding-obama-weigh-heavily-on-democrats)

Obama needs all the political capital he can muster heading into bruising battles with the GOP over fiscal spending and the debt ceiling.

**AT: Vote No**

**-- Illogical – the status quo should always be an option – they create bad policy-making – destroying real-world education – voting issue**

**-- Not real world – we aren’t Congress – just citizen-advocates debating ideas – they confuse roles**

**-- Politics DAs are good – encourage timely research key to education and its core ground on a huge topic**

### Divide GOP

#### GOP will cave and vote for the CR – GOP aides concede

Sherman and Bresnahan 9/18/13 (Jake and John, Politico, "Shutdown sparring a warm-up for debt fight," http://dyn.politico.com/printstory.cfm?uuid=73BF536B-7628-4040-BF19-E247BD75BDC9)

House GOP aides expect between 150 and 180 Republicans to eventually support a CR that comes back from the Senate — just enough support to keep Boehner out of hot water.¶ The nation will be perilously close to a government shutdown, and Boehner and his leadership team — bolstered by a raft of polling — will make the case that a shutdown will cost Republicans their House majority.