# 1NC

### Off

#### Restrictions impose limits on action- regulations merely manage practices associated

Schackleford 17 J. is a justice of the Supreme Court of Florida. “Atlantic Coast Line Railroad Company, a corporation, et al., Plaintiff in Error, v. The State of Florida, Defendant in Error,” 73 Fla. 609; 74 So. 595; 1917 Fla., Lexis

There would seem to be no occasion to discuss whether or not the Railroad Commissioners had the power and authority to make the order, requiring the three specified railroads running into the City of Tampa to erect a union passenger station in such city, which is set out in the declaration in the instant case and which we have copied above. [\*\*\*29] It is sufficient to say that under the reasoning and the authorities cited in State v. Atlantic Coast Line R. Co., 67 Fla. 441, 458, 63 South. Rep. 729, 65 South. Rep. 654, and State v. Jacksonville Terminal [\*631] Co., supra, it would seem that HN14the Commissioners had power and authority. The point which we are required to determine is whether or not the Commissioners were given the authority to impose the fine or penalty upon the three railroads for the recovery of which this action is brought. In order to decide this question we must examine Section 2908 of the General Statutes of 1906, which we have copied above, in the light of the authorities which we have cited and from some of which we have quoted. It will be observed that the declaration alleges that the penalty imposed upon the three railroads was for the violation of what is designated as "Order No. 282," which is set out and which required such railroads to erect and complete a union depot at Tampa within a certain specified time. If the Commissioners had the authority to make such order, it necessarily follows that they could enforce a compliance with the same by appropriate proceedings in the courts, but [\*\*\*30] it does not necessarily follow that they had the power and authority to penalize the roads for a failure to comply therewith. That is a different matter. HN15Section 2908 of the General Statutes of 1906, which originally formed Section 12 of Chapter 4700 of the Laws of Florida, (Acts of 1899, p. 86), expressly authorizes the imposition of a penalty by the Commissioners upon "any railroad, railroad company or other common carrier doing business in this State," for "a violation or disregard of any rate, schedule, rule or regulation, provided or prescribed by said commission," or for failure "to make any report required to be made under the provisions of this Chapter," or for the violation of "any provision of this Chapter." It will be observed that the word "Order" is not mentioned in such section. Are the other words used therein sufficiently comprehensive to embrace an order made by the Commissioners, such as the one now under consideration? [\*632] It could not successfully be contended, nor is such contention attempted, that this order is covered by or embraced within the words "rate," "schedule" or "any report,' therefore we may dismiss these terms from our consideration and [\*\*\*31] direct our attention to the words "rule or regulation." As is frankly stated in the brief filed by the defendant in error: "It is admitted that an order for the erection of a depot is not a 'rate' or 'schedule' and if it is not a 'rule' or 'regulation' then there is no power in the Commissioners to enforce it by the imposition of a penalty." It is earnestly insisted that the words "rule or regulation" are sufficiently comprehensive to embrace such an order and to authorize the penalty imposed, and in support of this contention the following authorities are cited: Black's Law Dictionary, defining regulation and order; Rapalje & Lawrence's Law Dictionary, defining rule; Abbott's Law Dictionary, defining rule; Bouvier's Law Dictionary, defining order and rule [\*\*602] of court; Webster's New International Dictionary, defining regulation; Curry v. Marvin, 2 Fla. 411, text 515; In re Leasing of State Lands, 18 Colo. 359, 32 Pac. Rep. 986; Betts v. Commissioners of the Land Office, 27 Okl. 64, 110 Pac. Rep. 766; Carter V. Louisiana Purchase Exposition Co., 124 Mo. App. 530, 102 S.W. Rep. 6, text 9; 34 Cyc. 1031. We have examined all of these authorities, as well as those cited by the [\*\*\*32] plaintiffs in error and a number of others, but shall not undertake an analysis and discussion of all of them. While it is undoubtedly true that the words, rule, regulation and order are frequently used as synonyms, as the dictionaries, both English and law, and the dictionaries of synonyms, such as Soule's show, it does not follow that these words always mean the same thing or are interchangeable at will. It is well known that the same word used in different contexts may mean a different thing by virtue of the coloring which the word [\*633] takes on both from what precedes it in the context and what follows after. Thus in discussing the proper constructions to be placed upon the words "restrictions and regulations" as used in the Constitution of this State, then in force, Chap. 4, Sec. 2, No. 1, of Thompson's Digest, page 50, this court in Curry v. Marvin, 2 Fla. 411, text 415, which case is cited to us and relied upon by both the parties litigant, makes the following statement: "The word restriction is defined by the best lexicographers to mean limitation, confinement within bounds, and would seem, as used in the constitution, to apply to the amount and to the time [\*\*\*33] within which an appeal might to be taken, or a writ of error sued out. The word regulation has a different signification -- it means method, and is defined by Webster in his Dictionary, folio 31, page 929, to be 'a rule or order prescribed by a superior for the management of some business, or for the government of a company or society.' This more properly perhaps applies to the mode and form of proceeding in taking and prosecuting appeals and writs of error. By the use of both of those terms, we think that something more was intended than merely regulating the mode and form of proceedings in such cases." Thus, in Carter v. Louisiana Purchase Exposition Co., 124 Mo. App. 530, text 538, 102 S.W. Rep. 6, text 9, it is said, "The definition of a rule or order, which are synonymous terms, include commands to lower courts or court officials to do ministerial acts." In support of this proposition is cited 24 Amer. & Eng. Ency. of Law 1016, which is evidently an erroneous citation, whether the first or second edition is meant. See the definition of regulate and rule, 24 amer. & Eng. Ency. of Law (2nd Ed.) pages 243 to 246 and 1010, and it will be seen that the two words are not always [\*\*\*34] synonymous, much necessarily depending upon the context and the sense in which the words are used. Also see the discussion [\*634] of the word regulation in 34 Cyc. 1031. We would call especial attention to Morris v. Board of Pilot Commissioners, 7 Del. chan. 136, 30 Atl. Rep. 667, text 669, wherein the following statement is made by the court: "These words 'rule' and the 'order,' when used in a statute, have a definite signification. They are different in their nature and extent. A rule, to be valid, must be general in its scope, and undiscriminating in its application; an order is specific and not limited in its application. The function of an order relates more particularly to the execution or enforcement of a rule previously made." Also see 7 Words & Phrases 6271 and 6272, and 4 Words & Phrases (2nd Ser.) 419, 420. As we held in City of Los Angeles v. Gager, 10 Cal. App. 378, 102 Pac. Rep. 17, "The meaning of the word 'rules' is of wide and varied significance, depending upon the context; in a legal sense it is synonymous with 'laws.'" If Section 2908 had contained the word order, or had authorized the Commissioners to impose a penalty for the violation of any order [\*\*\*35] made by them, there would be no room for construction. The Georgia statute, Acts of 1905, p. 120, generally known as the "Steed Bill," entitled "An act to further extend the powers of the Railroad Commission of this State, and to confer upon the commission the power to regulate the time and manner within which the several railroads in this State shall receive, receipt for, forward and deliver to its destination all freight of every character, which may be tendered or received by them for transportation; to provide a penalty for non-compliance with any and all reasonable rules, regulations and orders prescribed by the said commission in the execution of these powers, and for other purposes," expressly authorized the Railroad Commissioners "to provide a penalty for non-compliance with any and all reasonable rules, regulations and orders prescribed by the said Commision." [\*635] See Pennington v. Douglas, A. & G. Ry. Co., 3 Ga. App. 665, 60 S.E. Rep. 485, which we cited with approval in State v. Atlantic Coast Line R. Co., 56 fla. 617, text 651, 47 South. Rep. 969, 32 L.R.A. (N.S.) 639. Under the reasoning in the cited authorities, especially State v. Atlantic Coast Line R. Co., [\*\*\*36] supra, and Morris v. Board of Pilot Commissioners, we are constrained to hold that the fourth and eighth grounds of the demurrer are well founded and that HN16the Railroad Commissioners were not empowered or authorized to impose a penalty upon the three railroads for failure to comply with the order for the erection of a union depot.

#### Vote negative-

#### Limits- there are infinite ways the Congress could implement oversight policies over the areas of the topic- the permutations of the composition of the drone court etc are enormous and prevent negative preparation

#### Bidirectionality- allowing oversight affs allows actual increases in executive action in topical areas- for example the aff could argue that the drone court actually would increase the number of acceptable targets for targeted killing

#### Precision-Lexicography is key to understanding the resolution

Dash No Date [Nilardi Sekhar Dash Linguistic Research Unit, Indian Statistical Institute, worked in the area of corpus linguistics and language technology for more than 15 years No Date “Linguistics- The Art of Lexicography” Encyclopedia of Life Support Systems http://www.eolss.net/Sample-Chapters/C04/E6-91-16.pdf]

Lexicography also studies lexicon but from a different angle. While lexicology concentrate on the general properties and features that can be viewed as systematic, lexicography typically deals with the individuality of each lexical unit (Zgusta 1973: 14). Lexicography is thus defined as the art of writing a dictionary or the science of compiling a dictionary. While lexicology studies words as elements of a system, lexicography approaches words as individual units with respect to their meaning and usage. We use a dictionary in order to learn about words in the process of language learning, comprehending a text in a better way or checking correct spellings and pronunciations of words, etc.

### Off

#### The President of the United States should not indefinitely detain without Third Geneva Conventions Article Five rights.

#### Counterplan solves – Aff cant – constraints aren’t effective – just risk the net benefit link

**Pildes 12** (Richard H, Sudler¶ Family¶ Professor¶ of¶ Constitutional¶ Law¶ ,¶ NYU¶ School¶ of¶ Law¶ and¶ Co-Director¶ ,¶ NYU¶ Center¶ on¶ Law¶ and¶ Security, Harvard Law Review, Book Reviews, Law and the President)

The general outlines of this history are familiar. But in a bracing new book. The Executive Unbound, Professors Eric Posner and Adrian Vermeule want to take this story to a different quantum level. Posner and Vermeule insist not just that presidential powers have expanded dramatically in recent decades but that these powers are not effectively constrained by law. The stark reality of presidential power , as they put it, is that "law does little to constrain the modern executive " (p . 15) . This is true , they assert , not just in exceptional circumstances , such as times of crisis or emergency , but in general in the modern state . This unconstrained power allegedly exists not just with respect to limited substantive arenas , such as foreign affairs or military matters , but across the board , with respect to domestic matters as well.' « Thus, while some have long argued that inter arma enim silent leges (in times of war , the laws are silent),'' ' Posner and Vermeule argue that the laws are always silent , in effect , when it comes to presidential power . Finally , they contend that this proposition is not just true with respect to some sources of potential legal constraint , such as the Constitution ; it is central to their argument that statute s that purport to regulate presidential conduct are also largely ineffective . As they say , "the basic aspiration o f liberal legalism to constrain the executive through statutory law has largely failed " (p . 112) . Thus , when Congress does impose legislative constraints , Posner and Vermeule assert , the laws are typically vague , leaving ample room for executive discretion . Statutes "have a Potemkin quality : they stand about in the landscape , providing an impressive facade of legal con -strain t o n the executive , but actually blocking very little action that presidents care about " (p . 88) . Thos e legal constraint s that do exist , whether constitutional or statutory , are not aggressively enforced by court s — first, because American courts stay out of many controversies concerning presidential power , and second , because when courts do play a role , they defer substantially to executive action and interpretation (pp . 52-58) . Indeed , presidents can act directly in the face of even clear law and can force other institutions , such as Congress and the courts , to try to stop them . Much of the time , these other institution s will be unable o r unwilling t o d o so . The Executive Unbound thus invites a general inquiry into the relationship between law an d presidential power , rather than the more traditional , narrowly focused debate s about presidential power during "emergencies, " o r presidential control over military an d foreign af - fairs . 2 ° A s a mor e genera l matter , Posner and Vermeule insist we should abandon as naive , self-deluded , an d anachronistic the image an d rhetoric of a President bound by law — an image they cal l that of "liberal legalism " or the "Madisonian framework " (p . 15) . The imperial presidency , they suggest , is simply a fact : we need to become mature enough to accept it . And we should be clear about what the imperial presidency entails : presidential action that law does not meaningfully constrain.

### Off

#### Obama’s strength will allow a debt deal without complicated battle and additional spending cuts

JONATHAN ALLEN | 9/19/13 6:42 PM EDT Read more: http://www.politico.com/story/2013/09/republicans-budget-obama-97093.html#ixzz2fRhWaU12

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. The basic storyline, well under way over the summer, was to have the president point to parts of his agenda, including reducing the costs of college and housing, designed to strengthen the middle class; use them to make the case that he not only saved the country from economic disaster but is fighting to bolster the nation’s finances on both the macro and household level; and then argue that Republicans’ desire to lock in the sequester and leverage a debt-ceiling increase for Obamacare cuts would reverse progress made. The president is on firm ground, White House officials say, because he stands with the public in believing that the government shouldn’t shut down and that the country should pay its bills. ”It would not be good for the middle class of this country or for our general economy to see a lapse in the funding of essential government operations,” White House press secretary Jay Carney said Thursday. Republican leaders say it’s Obama who is out of touch. “Americans don’t support Obamacare, and they don’t support increasing the debt limit without any measures to reduce the deficit itself,” said Brendan Buck, spokesman for House Speaker John Boehner. “The president has put himself in the position of defending two things that put him on the wrong side of public opinion.” Democrats say their Syria fight looked like Yalta compared to the GOP’s “civil war” over Obamacare, the continuing resolution and the debt limit. Still, Obama spent the first weeks of September making the case for a military strike that was unpopular not just with the public but with his own Democratic allies in Congress. At worst, it was a demonstration that he has lost influence on Capitol Hill and within his own party. At best, it was a major message distraction. Carney alluded to the lost Syria weeks on Monday when he said “time is short” for the president to make his case before the deadline for extending government funding. Now, the White House has seemingly pushed its message machine back on track — and it’s getting an extra boost from congressional Democrats who want to take the fight to the GOP. Some House Democrats privately express the view — to reporters and to the White House — that it might be better to let the government shut down rather than extend sequester-level spending for a few months. Such a destabilizing event could do enough damage to the GOP brand to shatter Republicans’ lock on a House majority in next year’s election, they hope, without seriously harming the economy. The White House would clearly prefer to simply keep the government funded and raise the debt ceiling without a crisis — after all, Obama risks collateral damage even if Republicans are hurt by a shutdown.“It is not our policy and not our view that a shutdown would be anything but bad,” Carney said.

Still, aides to the president and Boehner have said there’s no back-channeling going on between the two leaders, and White House officials say that while they expect Obama to talk with congressional leaders soon, there’s nothing on the schedule at the moment.

There’s also reason to think that the GOP establishment is afraid the brinksmen among House Democrats are right about who will win the political aftermath of a government shutdown or a default. Republican strategists outside the crowded conservative corners of the House Republican Conference are reacting along a spectrum that ranges from scratching their heads to tearing their hair out. Nicolle Wallace, a former communications aide to President George W. Bush, had told MSNBC’s “Morning Joe” on Wednesday that Obama erred by giving a partisan speech on the budget fights on the heels of a massacre in Washington. “It really speaks to me about a White House with no more controls. There are no internal controls anymore. There’s no process by which that staff can get to him and make something stop,” she said. “Once a train has been pushed out of the station, no matter how ill-advised its course, nothing and no one can stop it.” By Thursday, the transportation metaphors cut in the other direction. “We are going to let our party run into moving traffic against a red light,” she said on the same program. “It’s idiotic.” The Wall Street Journal editorial page and Karl Rove, Bush’s chief strategist, have also taken fellow Republicans to task in recent days for letting Obama get the upper hand with their obsessive — and sure to fail — effort to kill Obamacare at any potential political cost. There are potential pitfalls for Democrats, too. They risk getting caught up in a blame game if there’s a shutdown and they vote against a GOP-written bill that would extend government funding while blocking Obamacare funds. Even without the Obamacare provision — which could, conceivably, be stripped out by the Senate — many of them don’t want to lock in current spending levels because they say the sequestration deal struck at the end of a similar showdown in August 2011 has robbed their communities of needed funding. That makes it hard to swallow a so-called clean extension of government funding for a few months. Democratic Rep. Gerry Connolly, who represents thousands of government workers and contractors in northern Virginia, is against both a shutdown and the maintenance of current spending levels. He would vote for a clean CR to keep the government funded rather than letting it shut down but would prefer to see the president strike a deal that increases funding for some priorities. In any event, he said, he won’t vote for legislation that defunds Obamacare — like the version of the CR that the House is set to vote on Friday. But Connolly and other Democrats seem willing to follow Obama, who is vowing not to cut Obamacare or negotiate over whether to raise the debt limit next month, all without getting into the details of a possible deal. At least for now. “He has not really given much away,” Connolly said. “I think his Sphinx-like position with respect to the Republicans makes it harder for them to exact unacceptable concessions, and therefore it’s probably a wise posture at this time.”

#### Court action causes Congress to backlash against Obama

Calabresi 2008(Massimo Calabresi, June 26, 2008, “Obama's Supreme Move to the Center Washington” TIME Magazine, http://www.time.com/time/politics/article/0,8599,1818334,00.html)

When the Supreme Court issues rulings on hot-button issues like gun control and the death penalty in the middle of a presidential campaign, Republicans could be excused for thinking they'll have the perfect opportunity to paint their Democratic opponent as an out-of-touch social liberal. But while Barack Obama may be ranked as one of the Senate's most liberal members, his reactions to this week's controversial court decisions showed yet again how he is carefully moving to the center ahead of the fall campaign. On Wednesday, after the Supreme Court ruled that the death penalty was unconstitutional in cases of child rape, Obama surprised some observers by siding with the hardline minority of Justices Scalia, Thomas, Roberts and Alito. At a press conference after the decision, Obama said, "I think that the rape of a small child, six or eight years old, is a heinous crime and if a state makes a decision that under narrow, limited, well-defined circumstances the death penalty is at least potentially applicable, that that does not violate our Constitution." Then Thursday, after Justice Scalia released his majority opinion knocking down the city of Washington's ban on handguns, Obama said in a statement, "I have always believed that the Second Amendment protects the right of individuals to bear arms, but I also identify with the need for crime-ravaged communities to save their children from the violence that plagues our streets through common-sense, effective safety measures. The Supreme Court has now endorsed that view." John McCain's camp wasted no time in attacking, with one surrogate, conservative Senator Sam Brownback of Kansas, calling Obama's gun control statement "incredible flip-flopping." McCain advisor Randy Scheunemann was even tougher in a conference call Thursday. "What's becoming clear in this campaign," Scheunemann said, is "that for Senator Obama the most important issue in the election is the political fortunes of Senator Obama. He has demonstrated that there really is no position he holds that isn't negotiable or isn't subject to change depending on how he calculates it will affect his political fortunes." Politicians are always happy to get a chance to accuse opponents of flip-flopping, but McCain's team may be more afraid of Obama's shift to the center than their words betray. Obama has some centrist positions to highlight in the general election campaign on foreign policy and national security, social issues and economics. His position on the child rape death penalty case, for example, is in line with his record in Illinois of supporting the death penalty. He is on less solid ground on the gun ban as his campaign said during the primary that he believed the D.C. law was constitutional. A top legal adviser to Obama says both cases are consistent with his previous positions. "I don't see him as moving in his statements on the death penalty or the gun case," says Cass Sunstein, a former colleague of Obama's at the University of Chicago. Sunstein says Obama is "not easily characterized" on social issues, and says the Senator's support for allowing government use of the Ten Commandments in public, in some cases, is another example of his unpredictability on such issues. On the issue of gun control, he says Obama has always expressed a belief that the Second Amendment guarantees a private right to bear arms, as the court found Thursday. But Obama's sudden social centrism would sound more convincing in a different context. Since he wrapped up the primary earlier this month and began to concentrate on the independent and moderate swing voters so key in a general election, Obama has consistently moved to the middle. He hired centrist economist Jason Furman, known for defending the benefits of globalization and private Social Security accounts, to the displeasure of liberal economists. On Father's Day, Obama gave a speech about the problem of absentee fathers and the negative effects it has on society, in particular scolding some fathers for failing to "realize that what makes you a man is not the ability to have a child — it's the courage to raise one." Last week, after the House passed a compromise bill on domestic spying that enraged liberals and civil libertarians, Obama announced that though he was against other eavesdropping compromises in the past, this time he was going to vote for it. Whether Obama's new centrist sheen is the result of flip-flopping or reemphasizing moderate positions, the Supreme Court decisions have focused attention again on the role of the court in the campaign season. McCain himself is vulnerable to charges of using the Supreme Court for political purposes. Earlier this month, when the court granted habeas corpus rights to accused terrorist prisoners at Guantanamo Bay, McCain attacked the opinion in particularly harsh language, though advisers say closing the prison there is high on his list of actions to rehabilitate America's image around the world. Liberals are hoping that despite Obama's moderate response to the Supreme Court decisions, the issues alone will rally supporters to him. "What both of these decisions say to me is that the Supreme Court really is an election-year issue," says Kathryn Kolbert, president of People For the American Way. "We're still only one justice away from a range of really negative decisions that would take away rights that most Americans take for granted," she says. And Obama's run to the center surely won't stop conservatives from using the specter of a Democratic-appointed Supreme Court to try to rally support. "Its pretty clear that if he's elected and Justice Scalia or Kennedy retires that he's going to appoint someone who's very likely to reverse [the gun control decision]," says Eugene Volokh, a professor at the UCLA School of Law. Given how Obama has been responding to the recent Supreme Court decisions, however, you're not likely to hear him talking about appointing liberal justices much between now and November.

#### Congressional restrictions of WPA guts Obama political credibility

Douglas L., Kriner 2010 Assistant Prof - PoliSci Boston U.

“After the Rubicon: Congress, Presidents, and the Politics of Waging War”, University of Chicago Press, Dec 1, pages 68-72, googlebooks

While congressional support leaves the president's reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president's foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president's political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in stales, districts, and counties that had suffered the highest casualty rates in the Iraq War."" In addition to boding ill for the president's perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson's dream of a Great Society also perished in the rice paddies of Vietnam. Lacking both the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision. Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush's highest second-term domestic priorities, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.61 When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena. Congress and the Military Costs of the Use of Force A growing game-theoretic literature within international relations suggests that these very same congressional actions can, however unintentionally, also raise or lower the military costs for the president of pursuing his preferred policy course. High-profile congressional support for or opposition to the presidents military policies does more than shape real and anticipated public opinion and affect the presidents levels of political capital in Washington. It also sends important signals of American resolve or disunity to foreign actors. Target state leaders conduct their own cost-benefit analyses when plotting their military policy courses, and they may incorporate congressional signals into these calculations. An extensive literature in international relations examines the importance of signal credibility for interstate crisis bargaining and the initiation of military action.43 In the international system, states are constantly sending signals about their expectations of and intentions toward other stale actors. When challenged by another country, a state’s leaders not only must weigh the costs and benefits of complying with their adversary's demand: but, perhaps even more critically, they must also evaluate the opposing slate's willingness to follow through on its threat to use force if necessary to achieve its objective. The decision of Congress to back or oppose the president's threat thus conveys important information about American resolve to the target state. Moreover, when the president decides whether or not to threaten a target state with military action, he may anticipate the effect of likely congressional reactions to his decision on the credibility of the signal he will send to the target. Thus, because they can affect signal credibility\* even anticipated congressional support or opposition can affect the cost-benefit calculations of both the president and the leader of the target state at the conflict initiation phase.\*\* Signals or American resolve or disunity may also affect the target slate's calculations and. in turn, the military costs to the president of staying the course throughout the conflict conduct phase. 64 Public displays of legislative support for the president’s conduct of military operations enhance the credibility of executive commitments to stay the course, and may deter the target state from escalating its resistance in the hope of outlasting American political will.65 Conversely, as presidents throughout American history have admonished would-be opponents in Congress, open legislative opposition to the president's military course sends visible signals of American ambivalence, which may steel the target state's resolve to continue to resist once a conflict has begun. For example, Vice President Dick Cheney was particularly aggressive in leveling this charge against Democratic opponents of the war in Iraq. In response to congressional efforts to set a timetable for phased withdrawal from Iraq in early 2007, Cheney minced few words: "When members of Congress pursue an antiwar strategy that's been called 'slow Bleeding. They are not supporting the troops, they are undermining them." Vocal opposition in Congress, he charged, was a prescription for certain defeat as it was tantamount to "telling the enemy simply to watch the clock and wait us out "66 A number of congressional Republicans echoed Cheney's rhetoric: for example. South Carolina Senator Jim Dc\* Mint asserted in 2007 that responsibility for American deaths in Iraq belonged not to President Bush, but to Democratic opponents of the war in Congress. "Al-Qaida knows that we've got a lot of wimps in Congress." DeMint said. "I believe a lot of the casualties can be laid at the feet of all the talk in Congress about how we've got to get out, we've got to cut and run."67 While such scathing rhetoric is obviously calculated to score political points, internal administration memoranda from the Reagan era show that, even far from the public eye, many in the executive branch fervently believe that the signals Congress sends through its actions can have real consequences on the ground. CIA and National Security Council evaluations of the situation in Lebanon in 1983 held that it deteriorated in large part because Syria believed that congressional opposition to the Marine mission was evidence that the United States had "short breath" and was unwilling to pay the costs of staying the course in Beirut.4\* The signals sent by congressional opposition increased the perceived military costs of continuing the Marine mission in Lebanon. Ultimately, this helped tilt the administration's cost-benefit calculation toward ending the venture. Theoretical Expectations Through these three mechanisms, the theory argues that real or anticipated congressional support or opposition can affect the cost-benefit calculations of the president and the target state's leader as well as, ultimately, both the initiation and conduct of major military ventures. Empirical testing of the theory proceeds in two stages. First, because assessing Congress's influence on actual policy outcomes is most amenable to large-n, empirical analysis, the models in the following two chapters test a series of hypotheses that arc derived from the theory and developed below. However, the posited theoretical mechanisms that link congressional actions with changes in policy outcomes are difficult to test statistically. For example, large-n analyses of hundreds of uses of force may show the predicted correlations between public congressional opposition to the president's policies and decreased conflict duration; however, such models offer little insight into the mechanisms linking cause and effect. Accordingly, to test the proposed theoretical mechanisms described previously more directly, the analysis continues in chapter 5 with a historical case study that draws on extensive archival evidence to trace the causal processes by which actions in Congress produced tangible changes in the conduct of American military policy. For the remainder of this chapter, however, the emphasis is on the ultimate consequences of congressional actions for policy outcomes.

#### Failure to quickly raise the debt ceiling ensures collapse of the global economy, U.S. economic leadership, and free trade

Davidson 9/10

Adam, co-founder of NPR’s “Planet Money,” a podcast and blog, “Our Debt to Society”, <http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all&_r=0>, MCR

**If the debt ceiling isn’t lifted** again this fall, some **serious financial decisions will have to be made**. Perhaps the government can skimp on its foreign aid or furlough all of NASA, but eventually **the big-ticket items**, like **Social Security and Medicare, will have to be cut**. At some point, **the government won’t be able to pay interest on its bonds and will enter** what’s known as **sovereign default**, the ultimate national financial disaster achieved by countries like Zimbabwe, Ecuador and Argentina (and now Greece). **In the case of the U**nited **S**tates, though, **it won’t be** an **isolated** national crisis. **If the American government can’t stand behind the dollar, the world’s benchmark currency**, then **the global financial system will** very likely **enter a new era in which there is much less trade and** much less **economic growth. It would be**, by most accounts, **the largest self-imposed financial disaster in history**.¶ **Nearly everyone** involved **predicts** that **someone will blink before this disaster occurs. Yet a small number of House Republicans** (one political analyst told me it’s no more than 20) **appear willing to see what happens if the debt ceiling isn’t raised** — at least for a bit. This could be used as leverage to force Democrats to drastically cut government spending and eliminate President Obama’s signature health-care-reform plan. In fact, Representative Tom Price, a Georgia Republican, told me that the whole problem could be avoided if the president agreed to drastically cut spending and lower taxes. Still, it is hard to put this act of game theory into historic context. Plenty of countries — and some cities, like Detroit — have defaulted on their financial obligations, but only because their governments ran out of money to pay their bills. No wealthy country has ever voluntarily decided — in the middle of an economic recovery, no less — to default. And there’s certainly no record of that happening to the country that controls the global reserve currency.¶ Like many, I assumed a self-imposed U.S. debt crisis might unfold like most involuntary ones. If the debt ceiling isn’t raised by X-Day, I figured, **the world’s investors would begin to see America as an unstable investment and rush to sell their Treasury bonds**. **The U.S. government, desperate to hold on to investment, would then raise interest rates far higher, hurtling up rates on credit cards, student loans, mortgages and corporate borrowing** — **which would effectively put a clamp on all trade and spending. The U.S. economy would collapse** far worse **than anything we’ve seen in the past several years**.¶ Instead, Robert Auwaerter, head of bond investing for Vanguard, the world’s largest mutual-fund company, told me that the collapse might be more insidious. “You know what happens when the market gets upset?” he said. “There’s a flight to quality. Investors buy Treasury bonds. It’s a bit perverse.” In other words, if the U.S. comes within shouting distance of a default (which Auwaerter is confident won’t happen), the world’s investors — absent a safer alternative, given the recent fates of the euro and the yen — might actually buy even more Treasury bonds. Indeed, interest rates would fall and the bond markets would soar.¶ While this possibility might not sound so bad, it’s really far more damaging than the apocalyptic one I imagined. Rather than resulting in a sudden crisis, failure to raise the debt ceiling would lead to a slow bleed. Scott Mather, head of the global portfolio at Pimco, the world’s largest private bond fund, explained that **while governments and institutions might go on a U.S.-bond buying frenzy in the wake of a debt-ceiling panic, they would eventually recognize that the U.S. government was not going through an odd, temporary bit of insanity. They would eventually conclude that it had become permanently less reliable**. Mather imagines institutional investors and governments turning to a basket of currencies, putting their savings in a mix of U.S., European, Canadian, Australian and Japanese bonds. Over the course of decades, **the U.S. would lose its unique role in the global economy**.¶ The U.S. benefits enormously from its status as global reserve currency and safe haven. Our interest and mortgage rates are lower; companies are able to borrow money to finance their new products more cheaply. As a result, there is much more economic activity and more wealth in America than there would be otherwise. If that status erodes, **the U.S. economy’s peaks will be lower and recessions deeper; future generations will have fewer job opportunities and suffer more when the economy falters**. And, Mather points out, no other country would benefit from America’s diminished status. When you make the base risk-free asset more risky, **the entire global economy becomes riskier and costlier**.

#### Econ collapse = extinction

Kemp 10 Geoffrey Kemp, Director of Regional Strategic Programs at The Nixon Center, served in the White House under Ronald Reagan, special assistant to the president for national security affairs and senior director for Near East and South Asian affairs on the National Security Council Staff, Former Director, Middle East Arms Control Project at the Carnegie Endowment for International Peace, 2010, The East Moves West: India, China, and Asia’s Growing Presence in the Middle East, p. 233-4

The second scenario, called Mayhem and Chaos, is the opposite of the first scenario; everything that can go wrong does go wrong. The world economic situation weakens rather than strengthens, and India, China, and Japan suffer a major reduction in their growth rates, further weakening the global economy. As a result, energy demand falls and the price of fossil fuels plummets, leading to a financial crisis for the energy-producing states, which are forced to cut back dramatically on expansion programs and social welfare. That in turn leads to political unrest: and nurtures different radical groups, including, but not limited to, Islamic extremists. The internal stability of some countries is challenged, and there are more “failed states.” Most serious is the collapse of the democratic government in Pakistan and its takeover by Muslim extremists, who then take possession of a large number of nuclear weapons. The danger of war between India and Pakistan increases significantly. Iran, always worried about an extremist Pakistan, expands and weaponizes its nuclear program. That further enhances nuclear proliferation in the Middle East, with Saudi Arabia, Turkey, and Egypt joining Israel and Iran as nuclear states. Under these circumstances, the potential for nuclear terrorism increases, and the possibility of a nuclear terrorist attack in either the Western world or in the oil-producing states may lead to a further devastating collapse of the world economic market, with a tsunami-like impact on stability. In this scenario, major disruptions can be expected, with dire consequences for two-thirds of the planet’s population.

### Off

#### 4GW is the most accurate description of modern war- escalation is likely if uncontained- executive authority is key to counter these threats

Li 2009 [Zheyoa Li Winter, 2009 The Georgetown Journal of Law Public Policy 7 Geo. J.L. & Pub. Pol'y 373 “War Powers for the Fourth Generation: Constitutional Interpretation in the Age of Asymmetric Warfare” lexis]

Even as the quantity of nation-states in the world has increased dramatically since the end of World War II, the institution of the nation-state has been in decline over the past few decades. Much of this decline is the direct result of the waning of major interstate war, which primarily resulted from the introduction of nuclear weapons. 122 The proliferation of nuclear weapons, and their immense capacity for absolute destruction, has ensured that conventional wars remain limited in scope and duration. Hence, "both the size of the armed forces and the quantity of weapons at their disposal has declined quite sharply" since 1945. 123 At the same time, concurrent with the decline of the nation-state in the second half of the twentieth century, non-state actors have increasingly been willing and able to use force to advance their causes. In contrast to nation-states, who adhere to the Clausewitzian distinction between the ends of policy and the means of war to achieve those ends, non-state actors do not necessarily fight as a mere means of advancing any coherent policy. Rather, they see their fight as a life-and-death struggle, wherein the ordinary terminology of war as an instrument of policy breaks down because of this blending of means and ends. § Marked 07:22 § 124¶ It is the existential nature of this struggle and the disappearance of the Clausewitzian distinction between war and policy that has given rise to a new generation of warfare. The concept of fourth-generational warfare was first articulated in an influential article in the Marine Corps Gazette in 1989, which has proven highly prescient. In describing what they saw as the modern trend toward a new phase of warfighting, the authors argued that:¶ [\*395] In broad terms, fourth generation warfare seems likely to be widely dispersed and largely undefined; the distinction between war and peace will be blurred to the vanishing point. It will be nonlinear, possibly to the point of having no definable battlefields or fronts. The distinction between "civilian" and "military" may disappear. Actions will occur concurrently throughout all participants' depth, including their society as a cultural, not just a physical, entity. Major military facilities, such as airfields, fixed communications sites, and large headquarters will become rarities because of their vulnerability; the same may be true of civilian equivalents, such as seats of government, power plants, and industrial sites (including knowledge as well as manufacturing industries). 125 It is precisely this blurring of peace and war and the demise of traditionally definable battlefields that provides the impetus for the formulation of a new theory of war powers. As evidenced by Part III, supra, the constitutional allocation of war powers, and the Framers' commitment of the war power to two co-equal branches, was not designed to cope with the current international system, one that is characterized by the persistent machinations of international terrorist organizations, the rise of multilateral alliances, the emergence of rogue states, and the potentially wide proliferation of easily deployable weapons of mass destruction, nuclear and otherwise.

#### Most likely nuclear escalation

Richards 2005 (Dr. Chet Richards, J. Addams & Partners July 12, 2005, “Dear Mr. & Ms. 1RP: Welcome to the 21st Century” http://www.zmetro.com/pdf/2005/07/welcome\_21st\_century\_v4.pdf)

Beginning with Mao Tse-Tung, and continuing to the present day, insurgency and other forms of non-state warfare have become more potent and much more dangerous in at least two ways: Groups other than states – that is, multinational organizations ranging from alQa’ida to the narcotrafficking cartels – are beginning to acquire high levels of sophistication in organization and in the information technologies that allow them to plan and conduct operations while widely dispersed.4 These same groups increasingly have the financial wherewithal to acquire virtually any type of weapon, from small arms to chemical and biological to nuclear, that they need to carry out operations. The only exceptions are conventional weapons such as tanks, combat aircraft, and fighting ships that require large facilities to support them, but are primarily of use only against other military forces armed with the same types of weapons. They are using their new capabilities not only to fight local governments, as was the case with traditional insurgencies, but to attack distant superpowers as well. Because they can’t field sizable amounts of conventional military hardware, fourth generation (4GW) forces will never try to achieve victory by defeating the military forces of a state in stand-up battles. Instead, they will try to convince their state opponent that it is simply not worth it to continue the fight. Successful 4GWcampaigns in modern times would include those against the French in Algeria, the US in Vietnam and the Soviet Union in Afghanistan, where the insurgents never defeated the foreign armies in any major battle, but eventually persuaded the governments back home to withdraw them. In a well run 4GW campaign, everything the 4GW forces do – including fighting and usually losing the occasional major battle – will support this goal. Persuading governments to withdraw forces, rather than defeating them on the battlefield, is an “information age” goal.6 To achieve the necessary level of persuasion, practitioners of 4GWwill use every information tool they can find to spread their messages to the enemy population and decision makers: Our cause is just and no threat to you There’s nothing here worth your effort and sacrifice Your troops are becoming brutal and your tactics ineffective If you keep it up, you’re going to bleed for a very long time So why not just leave now? As we enter the 21st Century, 4GWorganizations are becoming adept at spreading such messages through new channels, such as global news services (CNN, Al Jazeerah) and of course, web sites, blogs, and mass e-mailings. What you may not be aware of is that 4GWorganizations are also using the latest information tools to communicate with each other and to share information, particularly about what is and is not working (what the military calls “lessons learned.”)7Messages may be encrypted, or sent using code phrases, or even hidden in web site images, a practice called steganography. As with so many information age techniques, instructions for encryption and steganography are floating all over the Internet. Information age techniques are ideal for loose networks of highly motivated individuals, which is a typical form of organization for 4GW groups. Modern information warfare places a higher premium on creativity and innovation than it does on things 4GW organizations typically don’t have, like massive forces, volumes of regulations, and expensive hardware.8 By emphasizing speed and innovation, 4GWgroups can often invent new techniques faster than more structured and bureaucratic organizations such as the Pentagon.9 First responder organizations themselves may be targets of information warfare operations. The information systems of 1RP organizations, including operational systems as well as payroll and administrative, might make attractive targets in coordination with a physical attack. This is a real threat: Many members of al-Qa’ida and affiliated groups are from the educated classes in their countries, were technically trained (Osama bin Laden is a civil engineer), studied and lived in the West, and are capable of conceiving and managing such attacks. There are other advantages to the non-state player from operating in a loose social network. Obviously a social network is harder to find than an organization that requires a fixed infrastructure and wears uniforms. But perhaps most significant in wars of the weak against the strong, networks are highly resilient, so killing their leaders and destroying portions of the network can leave the rest to regenerate under new leadership in different locations.1112 So long as enough of the network survives to pass along the ideology and culture, along with lessons learned, the new network will likely be more dangerous and more resilient than its predecessor, much like the more resistant forms of bacteria that can emerge as a result of mis-use of antibiotics. In fact, the European resistance movements during World War II exhibited just this kind of toughness and survivability. In addition to its networked structure, there are other attributes of 4GW that should concern the 1RP (editor’s note: First Responder) community. The first is its transnational nature. An operation can be approved in Afghanistan, planned in Germany, funded in the Middle East, and carried out in the United States, as was the 9/11 attack. There is no one state we can retaliate against, nor one nationality we can profile against. Further, because it is transnational, it can involve networks of networks, such as alQa’ida attempting to cooperate with narco-trafficking organizations in Latin America to trade access to potential base areas and help in infiltrating the US for assistance in distributing narcotics.13 The upshot is that the lack of identifiable 4GW activity may not be an indication that an attack is not in the works, if the su4rveillance is being conducted by someone else. One of the more unpleasant aspects of insurgencies that will likely carry over to 4GWis their use of disguise, camouflage, and the other tools of deception. Because they are militarily weak, 4GW groups survive not by confronting superior firepower but by staying out of its sights. Those that have survived have become masters of concealment and deception, making it even more difficult to pick up early warning signals. This is why simple ethnic or national profiling will not work – 4GWteams will go to great lengths not to be identified as members of the groups in question. Skin color, eye color, and hair color are trivially easy to change, and the criminal infrastructure that already exists in most developed countries makes it simple to get drivers licenses or other means of identification (as any victim of identity theft can attest.) In a pinch, one can always recruit a member of a non-targeted group, such as the “shoe bomber,” Richard Reid, and it would be a mistake to assume the next batch will be as poorly trained. If we’re going to let Icelanders (or grandmothers or parents with toddlers, or whoever) through with less security screening than Saudis or Pakistanis or Jordanians, see if you can guess what the next aircraft hijacker will look like. Another unpleasant fact of 4GW is that like insurgency from whence it sprang, 4GW will be a protracted struggle.14 As Henry Kissinger once noted, if the guerillas don’t lose, they win, so they have all the motivation they need to keep going for as long as they think it will take.15 First responders should not draw comfort from what seems like a pause in attacks – operational cycles can stretch over several years, and a fourth generation war can span decades.16 But the most unpleasant fact of 4GW is that in it, we have finally reached the level of total war.17 In the eyes of the 4GW attacker, there are no civilians and no noncombatants.

§ Marked 07:23 § A concern for public relations offers the only reason for limiting the scope or violence of the attacks. What seems like “terrorism” to us, or senseless, random violence, may appear to the 4GW network as a legitimate way to persuade the foreign state government to withdraw, that is to stop the war. Such a strategy is nothing new. It was what Sherman had in mind during his marches through the South after the fall of Vicksburg (July 1863).18 In its local areas, the 4GW organization will spread the message that the foreign state has killed many civilians, which in a war of an advanced state versus a Third World country will often be true and will always be believed. What this means is that when a 4GW group decides to directly attack the United States or another state involved in “their” struggle, no level of violence, even nuclear, is ruled out. They may calculate that the message they are sending to the state government, to the state’s population, to undecided elements in other parts of the world, and to their own members is worth any backlash from the scenes of horror and brutality that ensue.

### Human Rights

#### International law doesn’t prevent conflict

Cassese 2001 Antonio Cassese, Professor at the University of Florence and member of I'Institut de droit international, 2001 (International Law) pg. 348

Over the years the 'authorization regime' has evolved along three main lines. First with regard to the purpose of the use of force authorized by the SC, this body has increasingly defined in a clearer manner the objectives States were to pursue when using force. It is necessary only to think, in contrast, of the broad purpose of the use of force set out in resolution 678 (1990) concerning Iraq. The SC decided that States had to use all the means necessary 'to uphold and implement resolution 660 (1990) and al subsequent resolutions and to restore international peace and security in the area'. This sweeping mandate enabled some States (in particular the USA and the UK) to argue that the air raids against Iraq designed to ensure respect for the subsequent SC resolutions were authorized by resolution 678 (1990). Clearer and more specific objectives were set fourth in resolution 1511 (2003) and, even more, in resolution 1546 (2004) (see for instance 9-14), both on Iraq.

#### International law has no force at all

Paulsen 2009 Michael Stokes Paulsen, Distinguished University Chair and Professor of Law, The University of St.Thomas School of Law [Yale Law Journal – The Constitutional Power to Interpret International Law] June 2009

To summarize the argument so far: the Constitution mandates as a matter of U.S. domestic law the supremacy of the Constitution over international law in all respects. No norm, rule, principle, or command of the legal regime of "international law" in conflict with the Constitution's vesting of U.S. powers or recognition of individual or group rights can be given effect, as a matter of U.S. law. And even where international law is not in conflict with the Constitution, but actually embraced within the Constitution's terms, the Constitution's provisions maintain the supremacy of U.S. law over international law. The Constitution's assignment of powers makes every aspect of international law subject to being overridden by Congress, the President, or the courts. The force of international law is thus largely an illusion. Once the fog has lifted, international law as it concerns the United States - treaties of the United States, executive agreements, customary international law norms and practices - can be seen as largely a matter of international politics and policy, not binding "law," at least not in the sense in which law is usually understood. It is international relations or international politics dressed up as law. It may be highly relevant in that sense - that is, as a rhetorical, political trope - but it is essentially irrelevant as law. To misquote Clausewitz once again, international law is simply the continuation of international politics by other means.

#### I-Law kills democracy and human rights

McGinnis 2009—John O. McGinnis, Stanford Clinton, Sr. Professor of Law, Northwestern University School of Law and Ilya Somin, Assistant Professor of Law, George Mason University School of Law, [84 Notre Dame L. Rev. 1739] 2009

Our analysis rests on both theory and example. As a matter of theory we show how domestic democratic processes are likely to generate human rights norms superior to those embodied in international law. International law is often enacted through the influence of nondemocratic governments and unaccountable, unrepresentative elites from democratic states. Even the assent of democratic governments to international human rights norms is often "cheap talk," because that assent does not reflect a willingness to have these norms directly enforced. We also show that many specific international human rights norms are at best debatable and at worse potentially harmful. One of the key structural problems is that the institutions interpreting such norms are not democratic, but bureaucratic and oligarchic and, thus, often hostile to basic economic and personal liberties. We do not argue against the use of international human rights law to replace democratic decisionmaking because democracy produces perfect results. We merely contend that even a flawed democratic process is likely to produce better legal rules than the international lawmaking system. The democratic process to some degree reflects the decisions of the people either directly or, more often, through their representatives. The international law system, by contrast, reflects the views of national governments, whether democratic  [\*1742]  or not, and unelected publicists, who are accountable to no one. There is no good reason to believe that such a process will better choose appropriate human rights, including minority rights, than a democracy will. This is particularly clear if one includes the constitution-making processes of complex, modern democracies as part of the domestic lawmaking system.

#### i-law crushes military power and deterrence—multilateralism is irrelevant

Persaud 2004—Associate Professor of International Relations, American University, School of International Service (Randolph, Shades of American Hegemony: The Primitive, the Enlightened, and the Benevolent, 19 Conn. J. Int'l L. 263)

The third key characteristic of primitive hegemony is the reliance on the threat and/or use of coercion, and more specifically military force, to achieve goals. In military terms, the U.S. has, for all practical purposes, achieved 'Full Spectrum Dominance,' and has a stated goal of unchallengeable military supremacy. David Mosler and Bob Catley note that: U.S. conventional forces . . . have the capacity to fight and win wars in most regions of the world and at all levels of intensity. Because of their size and quality, they are superior to any other national forces. Since U.S. forces have the capacity to win MTWs [major-theatre wars], the United States can use force in order to achieve decisive victories and achieve its other objectives. n3 [\*265] Full Spectrum Dominance is the overarching vision of U.S. military preparedness. n4 The Joint Vision 2020 report defines it as "the ability of US forces, operating unilaterally or in combination with multinational and interagency partners, to defeat any adversary and control any situation across the full range of military operations." n5 Full spectrum dominance is in part tied to the ever expanding economic interests of the United States in the wider world. Joint Vision 2020 specifically notes that "transportation, communications, and information technology will continue to evolve and foster expanded economic ties." n6 The global economic interests of the United States then is one element of the "strategic context" informing Full Spectrum Dominance. The fourth characteristic of primitive hegemony is that multilateralism, international law, and more broadly, international institutions are generally seen as obstacles to American global objectives, except in those circumstances where the United States is able to have effective veto power over what transpires. The military aspect of this position is clearly articulated in the Joint Vision 2020 report. Thus it states that: The complexity of future operations also requires that, in addition to operating jointly, our forces have the capability to participate effectively as one element of a unified national effort. This integrated approach brings to bear all the tools of statecraft to achieve our national objectives unilaterally when necessary, while making optimum use of the skills and resources provided by multinational military forces, regional and international organizations, non-governmental organizations, and private voluntary organizations ... n7 The American (and British) invasion and occupation of Iraq seems to be a textbook case for the Joint Vision strategy as described above. The U.S. carried out the invasion without U.N. Security Council authorization. It has since been attempting to make use of "the skills and resources provided by multinational military forces." In an extraordinarily candid expression of primitive hegemony, Richard Perle, then Chair of the Defense Policy Board, triumphantly pronounced the United Nations dead, and thanked God for that. n8 The fifth feature of primitive hegemony is actually more of a principle. The principle is that strength is more important than legitimacy, and by implication that when strength is applied in the form of coercion, there will be followers, or at a minimum the will of adversaries may be broken. In geostrategic terms this is based on the notion of positional advantage. n9 Positional advantage, in part, is a strategic [\*266] concept that advocates the diffusion of United States military capability all over the world. In addition to the obvious advantage of being able to rapidly respond to actual conflict theatres world wide, positional advantage is also intended to forge compliant behavior on account of the proximity and preponderance of American military power. Here is what the Joint Vision 2020 report says on that subject: In a conflict, this ability to attain positional advantage allows the commander to employ decisive combat power that will compel an adversary to react from a position of disadvantage, or quit. In other situations, it allows the force to occupy key positions to shape the course of events and minimize hostilities or react decisively if hostilities erupt. And in peacetime, it constitutes a credible capability that influences potential adversaries while reassuring friends and allies. Beyond the actual physical presence of the force, dominant maneuver creates an impact in the minds of opponents and others in the operational area. n10 The geostrategic implications of the United States invasion and occupation of Iraq may be usefully understood in this broader framework of dominant maneuver and positional advantage. Thus, there is a very high likelihood that the United States may use Iraq as a new strategic base from which to operationalize the core principles consistent with these geostrategic and geopolitical concepts. I am inclined to believe that Syria, Iran, and Saudi Arabia among others, will soon feel the weight of positional advantage. The implications for the Palestinian/Israeli conflict should not be ruled out. Finally, I think positional advantage will also be brought to bear on the general economic architecture of that region. Apart from imposing U.S. style free market capitalism on the region, (a 15% flat tax in Iraq being a good indicator of that policy) O.P.E.C. may very well be a target. This would be entirely consistent with primitive hegemony, since it would have enormous implications for the United States economy, and the U.S. energy industry in particular.

#### Decline causes numerous nuclear wars

Brzezinski 2012 Zbigniew K. Brzezinski (CSIS counselor and trustee and cochairs the CSIS Advisory Board. He is also the Robert E. Osgood Professor of American Foreign Policy at the School of Advanced International Studies, Johns Hopkins University, in Washington, D.C. He is cochair of the American Committee for Peace in the Caucasus and a member of the International Advisory Board of the Atlantic Council. He is a former chairman of the American-Ukrainian Advisory Committee. He was a member of the Policy Planning Council of the Department of State from 1966 to 1968; chairman of the Humphrey Foreign Policy Task Force in the 1968 presidential campaign; director of the Trilateral Commission from 1973 to 1976; and principal foreign policy adviser to Jimmy Carter in the 1976 presidential campaign. From 1977 to 1981, Dr. Brzezinski was national security adviser to President Jimmy Carter. In 1981, he was awarded the Presidential Medal of Freedom for his role in the normalization of U.S.-China relations and for his contributions to the human rights and national security policies of the United States. He was also a member of the President’s Chemical Warfare Commission (1985), the National Security Council–Defense Department Commission on Integrated Long-Term Strategy (1987–1988), and the President’s Foreign Intelligence Advisory Board (1987–1989). In 1988, he was cochairman of the Bush National Security Advisory Task Force, and in 2004, he was cochairman of a Council on Foreign Relations task force that issued the report Iran: Time for a New Approach. Dr. Brzezinski received a B.A. and M.A. from McGill University (1949, 1950) and Ph.D. from Harvard University (1953). He was a member of the faculties of Columbia University (1960–1989) and Harvard University (1953–1960). Dr. Brzezinski holds honorary degrees from Georgetown University, Williams College, Fordham University, College of the Holy Cross, Alliance College, the Catholic University of Lublin, Warsaw University, and Vilnius University. He is the recipient of numerous honors and awards) February 2012 “After America” http://www.foreignpolicy.com/articles/2012/01/03/after\_america?page=0,0

For if America falters, the world is unlikely to be dominated by a single preeminent successor -- not even China. International uncertainty, increased tension among global competitors, and even outright chaos would be far more likely outcomes. While a sudden, massive crisis of the American system -- for instance, another financial crisis -- would produce a fast-moving chain reaction leading to global political and economic disorder, a steady drift by America into increasingly pervasive decay or endlessly widening warfare with Islam would be unlikely to produce, even by 2025, an effective global successor. No single power will be ready by then to exercise the role that the world, upon the fall of the Soviet Union in 1991, expected the United States to play: the leader of a new, globally cooperative world order. More probable would be a protracted phase of rather inconclusive realignments of both global and regional power, with no grand winners and many more losers, in a setting of international uncertainty and even of potentially fatal risks to global well-being. Rather than a world where dreams of democracy flourish, a Hobbesian world of enhanced national security based on varying fusions of authoritarianism, nationalism, and religion could ensue. RELATED 8 Geopolitically Endangered Species The leaders of the world's second-rank powers, among them India, Japan, Russia, and some European countries, are already assessing the potential impact of U.S. decline on their respective national interests. The Japanese, fearful of an assertive China dominating the Asian mainland, may be thinking of closer links with Europe. Leaders in India and Japan may be considering closer political and even military cooperation in case America falters and China rises. Russia, while perhaps engaging in wishful thinking (even schadenfreude) about America's uncertain prospects, will almost certainly have its eye on the independent states of the former Soviet Union. Europe, not yet cohesive, would likely be pulled in several directions: Germany and Italy toward Russia because of commercial interests, France and insecure Central Europe in favor of a politically tighter European Union, and Britain toward manipulating a balance within the EU while preserving its special relationship with a declining United States. Others may move more rapidly to carve out their own regional spheres: Turkey in the area of the old Ottoman Empire, Brazil in the Southern Hemisphere, and so forth. None of these countries, however, will have the requisite combination of economic, financial, technological, and military power even to consider inheriting America's leading role. China, invariably mentioned as America's prospective successor, has an impressive imperial lineage and a strategic tradition of carefully calibrated patience, both of which have been critical to its overwhelmingly successful, several-thousand-year-long history. China thus prudently accepts the existing international system, even if it does not view the prevailing hierarchy as permanent. It recognizes that success depends not on the system's dramatic collapse but on its evolution toward a gradual redistribution of power. Moreover, the basic reality is that China is not yet ready to assume in full America's role in the world. Beijing's leaders themselves have repeatedly emphasized that on every important measure of development, wealth, and power, China will still be a modernizing and developing state several decades from now, significantly behind not only the United States but also Europe and Japan in the major per capita indices of modernity and national power. Accordingly, Chinese leaders have been restrained in laying any overt claims to global leadership. At some stage, however, a more assertive Chinese nationalism could arise and damage China's international interests. A swaggering, nationalistic Beijing would unintentionally mobilize a powerful regional coalition against itself. None of China's key neighbors -- India, Japan, and Russia -- is ready to acknowledge China's entitlement to America's place on the global totem pole. They might even seek support from a waning America to offset an overly assertive China. The resulting regional scramble could become intense, especially given the similar nationalistic tendencies among China's neighbors. A phase of acute international tension in Asia could ensue. Asia of the 21st century could then begin to resemble Europe of the 20th century -- violent and bloodthirsty. At the same time, the security of a number of weaker states located geographically next to major regional powers also depends on the international status quo reinforced by America's global preeminence -- and would be made significantly more vulnerable in proportion to America's decline. The states in that exposed position -- including Georgia, Taiwan, South Korea, Belarus, Ukraine, Afghanistan, Pakistan, Israel, and the greater Middle East -- are today's geopolitical equivalents of nature's most endangered species. Their fates are closely tied to the nature of the international environment left behind by a waning America, be it ordered and restrained or, much more likely, self-serving and expansionist. A faltering United States could also find its strategic partnership with Mexico in jeopardy. America's economic resilience and political stability have so far mitigated many of the challenges posed by such sensitive neighborhood issues as economic dependence, immigration, and the narcotics trade. A decline in American power, however, would likely undermine the health and good judgment of the U.S. economic and political systems. A waning United States would likely be more nationalistic, more defensive about its national identity, more paranoid about its homeland security, and less willing to sacrifice resources for the sake of others' development. The worsening of relations between a declining America and an internally troubled Mexico could even give rise to a particularly ominous phenomenon: the emergence, as a major issue in nationalistically aroused Mexican politics, of territorial claims justified by history and ignited by cross-border incidents. Another consequence of American decline could be a corrosion of the generally cooperative management of the global commons -- shared interests such as sea lanes, space, cyberspace, and the environment, whose protection is imperative to the long-term growth of the global economy and the continuation of basic geopolitical stability. In almost every case, the potential absence of a constructive and influential U.S. role would fatally undermine the essential communality of the global commons because the superiority and ubiquity of American power creates order where there would normally be conflict. None of this will necessarily come to pass. Nor is the concern that America's decline would generate global insecurity, endanger some vulnerable states, and produce a more troubled North American neighborhood an argument for U.S. global supremacy. In fact, the strategic complexities of the world in the 21st century make such supremacy unattainable. But those dreaming today of America's collapse would probably come to regret it. And as the world after America would be increasingly complicated and chaotic, it is imperative that the United States pursue a new, timely strategic vision for its foreign policy -- or start bracing itself for a dangerous slide into global turmoil.

#### Adoption of CIL would eliminate nuclear weapons-collapses primacy

Ken Berry et al, Patricia Lewis, Benoît Pélopidas, Nikolai Sokov and Ward Wilson Delegitimizing Nuclear Weapons: Examining the Validity of Nuclear Deterrence The James Martin Center for Nonproliferation Studies Monterey Institute of International Studies May 2010 http://cns.miis.edu/opapers/pdfs/delegitimizing\_nuclear\_weapons\_may\_2010.pdf

It can be argued that nuclear weapons and their use are already illegal under existing International Humanitarian Law and under customary international law (note that customary international law has the same force as treaty law 83 – and indeed in some cases might be stronger where it is erga omnes [a statutory right, binding on all states]; whereas treaties for the most part only bind the parties to them – unless they come to be considered as reflecting such a fundamental principle that they are regarded as embodying that principle in customary law and erga omnes). Some of the rules derived from the UN Charter and the Geneva Conventions, for example, require that the use of any weapon: • must be proportional to the initial attack, • must be necessary for effective self-defense, • must not be directed at civilians or civilian objects, • must be used in a manner that makes it possible to discriminate between military targets and civilian non-targets, • must not cause unnecessary or aggravated suffering to combatants, • must not affect states that are not parties to the conflict, and • must not cause severe, widespread or long-term damage to the environment. Nuclear weapons violate every one of these rules.

#### International agreements aren’t goin Inevitable conventional conflicts are coming with nuclear armed adversaries- nuclear primacy is key to contain those conflicts

Lieber and Press 2013 [Keir A. Lieber¶ ¶ Associate Professor, Edmund A. Walsh School¶ ¶ of Foreign Service, Georgetown University¶ ¶ Daryl G. Press¶ ¶ Associate Professor of Government, Dartmouth College¶ ¶ Coordinator of War and Peace Studies at the John Sloan ¶ ¶ Dickey Center Spring 2013 Strategic Studies Quarterly “The New Era of Nuclear Weapons, Deterrence, and Conflict” http://www.au.af.mil/au/ssq/digital/pdf/spring\_13/lieber.pdf]

A second set of arguments stems from the problem of nuclear escalation and the future of the US nuclear arsenal. Our main claim is that deterring nuclear conflict will be much more difficult in the coming decades ¶ than many analysts realize. As nuclear weapons proliferate, it becomes ¶ increasingly likely that the United States will find itself in conventional conflicts with nuclear-armed adversaries. Those adversaries understand ¶ the consequences of losing a war to the United States—prison or death ¶ typically awaits enemy leaders.¶ 7¶ Coercive nuclear escalation as a means ¶ of creating stalemate and remaining in power is one of the only trump ¶ cards available to countries fighting the United States.¶ Some analysts might scoff at the notion that a rational leader would ¶ use nuclear weapons against a superpower like the United States. But ¶ that retort conflates the logic of peacetime deterrence with the logic ¶ of war, and it ignores history. During peacetime, almost any course of ¶ action is better than starting a nuclear war against a superpower. But ¶ during war—when that superpower’s planes are bombing command and ¶ leadership sites, and when its tanks are seizing territory—the greatest ¶ danger may be to refrain from escalation and let the war run its course. ¶ Leaders of weaker states—those unlikely to prevail on the conventional ¶ battlefield—face life-and-death pressures to compel a stalemate. And ¶ nuclear weapons provide a better means of coercive escalation than § Marked 07:19 § ¶ virtually any other.¶ The notion of countries escalating conflict to avoid conventional defeat may sound far-fetched, but it is well grounded in history. When ¶ nuclear-armed states face overwhelming conventional threats—or worry ¶ about the possibility of catastrophic conventional defeat—they often ¶ adopt coercive escalatory doctrines to deter war or stalemate a conflict ¶ that erupts. Pakistan openly intends to use nuclear weapons to counter ¶ an overwhelming conventional Indian invasion. Russia claims it needs ¶ theater nuclear weapons to counter NATO’s conventional advantages. ¶ Israel expects to win its conventional wars but retains the capability for ¶ nuclear escalation to prevent conquest in case its conventional forces ¶ suffer a catastrophic defeat. ¶ The discussion of coercive nuclear escalation should sound familiar ¶ to Western analysts, as it was NATO’s strategy for three decades. From ¶ the mid 1960s until the end of the Cold War, NATO planned to deter ¶ war, and stalemate it if necessary, through coercive nuclear escalation. ¶ NATO understood that—by the mid 1960s—it could no longer win a ¶ nuclear war against the Soviet Union, but it still based its national security ¶ strategy on coercive escalation because it believed Warsaw Pact conventional forces were overwhelming.¶ In short, the escalatory dynamics that existed during the Cold War exist ¶ today—and they are just as powerful. States still face the same critical ¶ national security problem they faced during the Cold War and throughout history: namely, how to prevent stronger countries from conquering them. The high-stakes poker game of international politics has not ¶ ended; the players and the cards dealt have merely changed. Those who ¶ were weak during the Cold War are now strong, and another set of ¶ militarily “weak” countries—such as North Korea, Iran, Pakistan, and ¶ even China and Russia—now clutch or seek nuclear weapons to defend ¶ themselves from overwhelming military might, just as NATO once did.¶ What can the United States do to mitigate the problem of escalation? ¶ Ideally, it should avoid wars against nuclear-armed enemies. But that ¶ option may not be possible given current US foreign policy and alliances. War may erupt on the Korean Peninsula, ensnaring the United ¶ States in a battle against a desperate nuclear-armed foe. In the future, ¶ Washington may fight a nuclear-armed Iran over sea lanes in the Persian ¶ Gulf. And the United States could someday be dragged into war by a ¶ clash between Chinese and Japanese naval forces near disputed islands. ¶ Alternatively, the United States could seek to develop conventional ¶ war plans designed to wage limited war without triggering enemy escalation. Development of alternative plans is sensible, but history shows ¶ that wars are difficult to contain, and modern conventional warfare is ¶ inherently escalatory. ¶ A third option to mitigate these dangers is to retain, and improve, ¶ US nuclear and nonnuclear counterforce capabilities. Fielding powerful ¶ counterforce weapons may help deter adversary escalation during war—¶ by convincing enemy leaders to choose a “golden parachute” rather than ¶ escalation—and would give US leaders better response options if deterrence failed. In particular, the United States should retain and develop ¶ nuclear weapons that bring together three key characteristics of counterforce: high accuracy, flexible yield, and prompt delivery.¶ To be clear, sharpening US counterforce capabilities is not a “solution” ¶ to the problem of adversary nuclear weapons. Although, ceteris paribus, ¶ it would be better to have excellent counterforce capabilities than to lack ¶ them, given enough time and motivation, many countries could greatly ¶ increase the survivability of their forces. But given the plausible prospect ¶ that the United States will find itself waging war against nuclear-armed ¶ states, and given the powerful incentives of US adversaries to brandish ¶ or use nuclear weapons, it would be reckless to proceed without a full ¶ suite of modern nuclear and nonnuclear counterforce capabilities.

#### g to solve warming

Walsh 2011 [Bryan Walsh Nov. 29, 2011 “Another Year, Another U.N. Climate-Change Summit: Expect Big Talk in Durban, and Few Results” http://content.time.com/time/health/article/0,8599,2100430,00.html]

But here's one prediction I can make without leaving my office: there will be no comprehensive international climate deal hammered out at Durban, just as there wasn't one at Cancún last year or Copenhagen the year before. And there almost certainly won't be one by 2015 — a goal the Europeans have set — or maybe by 2020, as the U.S. has grudgingly targeted. The dream of a single global climate deal is likely to remain unfulfilled — and the sooner we accept that fact, the sooner we can start focusing our energy on more effective ways to fight climate change.¶ The reality is that international climate negotiations have remained stuck on the same issues for over 15 years, going back to the original negotiations over the Kyoto Protocol, which was supposed to reduce carbon output by signatory countries by an average of 5.2% below 1990 levels. Back then — to sketch out the different sides broadly — Europeans were pushing hard for comprehensive carbon cuts, major developing countries mostly just wanted to ensure that they wouldn't be required to do anything, and the U.S. was skeptical about the whole process. In the end — thank in part to some last-minute negotiations by then Vice President Al Gore — the Kyoto Protocol was signed, mandating carbon cuts by 2012 among developed nations while setting up climate aid for developing ones.

#### Assign warming zero percent probability – flawed models and predictions

Craig D. Idso (founder and chairman of the board of the Center for the Study of Carbon Dioxide and Global Change) and Sherwood B. Idso (president of the Center for the Study of Carbon Dioxide and Global Change) February 2011 “Carbon Dioxide and Earth’s Future Pursuing the Prudent Path” http://www.co2science.org/education/reports/prudentpath/prudentpath.pdf

As presently constituted, earth’s atmosphere contains just slightly less than 400 ppm of the colorless and odorless gas we call carbon dioxide or CO2. That’s only four-hundredths of one percent. Consequently, even if the air's CO2 concentration was tripled, carbon dioxide would still comprise only a little over one tenth of one percent of the air we breathe, which is far less than what wafted through earth’s atmosphere eons ago, when the planet was a virtual garden place. Nevertheless, a small increase in this minuscule amount of CO2 is frequently predicted to produce a suite of dire environmental consequences, including dangerous global warming, catastrophic sea level rise, reduced agricultural output, and the destruction of many natural ecosystems, as well as dramatic increases in extreme weather phenomena, such as droughts, floods and hurricanes. As strange as it may seem, these frightening future scenarios are derived from a single source of information: the ever-evolving computer-driven climate models that presume to reduce the important physical, chemical and biological processes that combine to determine the state of earth’s climate into a set of mathematical equations out of which their forecasts are produced. But do we really know what all of those complex and interacting processes are? And even if we did -- which we don't -- could we correctly reduce them into manageable computer code so as to produce reliable forecasts 50 or 100 years into the future? Some people answer these questions in the affirmative. However, as may be seen in the body of this report, real-world observations fail to confirm essentially all of the alarming predictions of significant increases in the frequency and severity of droughts, floods and hurricanes that climate models suggest should occur in response to a global warming of the magnitude that was experienced by the earth over the past two centuries as it gradually recovered from the much-lower-than-present temperatures characteristic of the depths of the Little Ice Age. And other observations have shown that the rising atmospheric CO2 concentrations associated with the development of the Industrial Revolution have actually been good for the planet, as they have significantly enhanced the plant productivity and vegetative water use efficiency of earth's natural and agro-ecosystems, leading to a significant "greening of the earth." In the pages that follow, we present this oft-neglected evidence via a review of the pertinent scientific literature. In the case of the biospheric benefits of atmospheric CO2 enrichment, we find that with more CO2 in the air, plants grow bigger and better in almost every conceivable way, and that they do it more efficiently, with respect to their utilization of valuable natural resources, and more effectively, in the face of environmental constraints. And when plants benefit, so do all of the animals and people that depend upon them for their sustenance. Likewise, in the case of climate model inadequacies, we reveal their many shortcomings via a comparison of their "doom and gloom" predictions with real-world observations. And this exercise reveals that even though the world has warmed substantially § Marked 07:20 § over the past century or more -- at a rate that is claimed by many to have been unprecedented over the past one to two millennia -- this report demonstrates that none of the environmental catastrophes that are predicted by climate alarmists to be produced by such a warming has ever come to pass. And this fact -- that there have been no significant increases in either the frequency or severity of droughts, floods or hurricanes over the past two centuries or more of global warming -- poses an important question. What should be easier to predict: the effects of global warming on extreme weather events or the effects of elevated atmospheric CO2 concentrations on global temperature? The first part of this question should, in principle, be answerable; for it is well defined in terms of the small number of known factors likely to play a role in linking the independent variable (global warming) with the specified weather phenomena (droughts, floods and hurricanes). The latter part of the question, on the other hand, is ill-defined and possibly even unanswerable; for there are many factors -- physical, chemical and biological -- that could well be involved in linking CO2 (or causing it not to be linked) to global temperature. If, then, today's climate models cannot correctly predict what should be relatively easy for them to correctly predict (the effect of global warming on extreme weather events), why should we believe what they say about something infinitely more complex (the effect of a rise in the air’s CO2 content on mean global air temperature)? Clearly, we should pay the models no heed in the matter of future climate -- especially in terms of predictions based on the behavior of a non-meteorological parameter (CO2) -- until they can reproduce the climate of the past, based on the behavior of one of the most basic of all true meteorological parameters (temperature). And even if the models eventually solve this part of the problem, we should still reserve judgment on their forecasts of global warming; for there will yet be a vast gulf between where they will be at that time and where they will have to go to be able to meet the much greater challenge to which they aspire

#### Extinction impossible

Gregg Easterbrook (a senior fellow at The New Republic) July 2003 “We're All Gonna Die!” http://www.wired.com/wired/archive/11.07/doomsday.html?pg=1&topic=&topic\_set=

Germ warfare!Like chemical agents, biological weapons have never lived up to their billing in popular culture. Consider the 1995 medical thriller Outbreak, in which a highly contagious virus takes out entire towns. The reality is quite different. Weaponized smallpox escaped from a Soviet laboratory in Aralsk, Kazakhstan, in 1971; three people died, no epidemic followed. In 1979, weapons-grade anthrax got out of a Soviet facility in Sverdlovsk (now called Ekaterinburg); 68 died, no epidemic. The loss of life was tragic, but no greater than could have been caused by a single conventional bomb. In 1989, workers at a US government facility near Washington were accidentally exposed to Ebola virus. They walked around the community and hung out with family and friends for several days before the mistake was discovered. No one died. The fact is, evolution has spent millions of years conditioning mammals to resist germs. Consider the Black Plague. It was the worst known pathogen in history, loose in a Middle Ages society of poor public health, awful sanitation, and no antibiotics. Yet it didn't kill off humanity. Most people who were caught in the epidemic survived. Any superbug introduced into today's Western world would encounter top-notch public health, excellent sanitation, and an array of medicines specifically engineered to kill bioagents. Perhaps one day some aspiring Dr. Evil will invent a bug that bypasses the immune system. Because it is possible some novel superdisease could be invented, or that existing pathogens like smallpox could be genetically altered to make them more virulent (two-thirds of those who contract natural smallpox survive), biological agents are a legitimate concern. They may turn increasingly troublesome as time passes and knowledge of biotechnology becomes harder to control, allowing individuals or small groups to cook up nasty germs as readily as they can buy guns today. But no superplague has ever come close to wiping out humanity before, and it seems unlikely to happen in the future.

### ROL

#### FATA stable now--- over 25% year-to-year decreases in violence

Rehman 2013 (Yasir Rehman, January 29, 2013, “Pakistani terrorist attacks in 2012 dropped, report says,” Central Asia Online, http://centralasiaonline.com/en\_GB/articles/caii/features/pakistan/main/2013/01/29/feature-01)

Pakistani counter-insurgency measures reaped a 27% decline in the number of suicide bombings carried out by terrorist groups nationwide in 2012, according to a new study by the Pak Institute for Peace Studies (PIPS).¶ Thirty-three suicide attacks occurred in 2012, compared to 45 the previous year. That resulted in the number of civilians killed and injured in such attacks last year across the country falling by 25% and 7%, respectively, in comparison with 2011, said the institute's Pakistan Security Report 2012, which came out January 7.¶ Fewer suicide bombings also translated into a 16% and 38% reduction, respectively, in the numbers of Pakistani security personnel killed and injured as a result, the report noted. It attributed the bulk of 2012's terror attacks to the Tehreek-e-Taliban Pakistan (TTP).¶ "Due to various security measures of the government – including security forces operational attacks and clashes with militants, targeted strikes, search and hunt operations and terrorist arrests and different political and administrative measures to maintain law and order and reduce insecurity – incidents of violence reduced in 2012," Amir Rana, head of PIPS and author of the report, told Central Asia Online January 25.¶ Punjab especially benefitted from an increase in the surveillance of banned groups, he said. Rana said some clarity was achieved in terms of how to deal with terrorism.¶ "The fact that the security establishment, which had been reluctant to acknowledge the growing influence of extremists in the country, had formally recognised it as a threat, and the Army Chief's speech on Independence Day was very encouraging as he stressed clarity on the issue of extremism and terrorism," he said.¶ Rana also mentioned that the judiciary, formerly under criticism for acquitting detained terrorists, has shown the resolve to prioritise the issue.¶ And the passage of the Fair Trial Bill by the National Assembly and approval of the draft National Counter-Terrorism Authority Bill 2012 show the government's commitment to containing terrorism.¶ Although about 54% of all suicide attacks in Pakistan during 2012 occurred in Khyber Pakhtunkhwa (KP), the number of terrorist attacks in KP dropped by 11%. Meanwhile, the number of attacks reported in Balochistan, the Federally Administered Tribal Areas (FATA) and Punjab dipped even more sharply in 2012 – by 26%, 42% and 43%, respectively, compared to 2011, the report said.¶ The number of cross-border attacks and clashes along the Afghan-Pakistani border decreased from 84 in 2011 to 79 in 2012, but the lesser number of incidents caused 25% more casualties, the study concluded.

#### Despite tensions – The U.S. and Russia are not enemies and Russia will work to avoid provoking it.

Simes 2007 (Dimitri K. Simes, President of the Nixon Center and Publisher of The National Interest, "Losing War." Foreign Affairs." NOv/DEc. 2007. Lexis)

These numerous disagreements do not mean that Russia is an enemy. After all, Russia has not supported al Qaeda or any other terrorist group at war with the United States and no longer promotes a rival ideology with the goal of world domination. Nor has it invaded or threatened to invade its neighbors. Finally, Russia has opted not to foment separatism in Ukraine, despite the existence there of a large and vocal Russian minority population. Putin and his advisers accept that the United States is the most powerful nation in the world and that provoking it needlessly makes little sense.

#### Deterrence prevents India/Pakistan conflict

Tepperman 2009 (Jonathan Tepperman, Deputy Editor at Newsweek Magazine and former Deputy Managing Editor of Foreign Affairs, September 14, 2009, Newsweek, September 14, 2009, Lexis Academic)

The record since then shows the same pattern repeating: nuclear-armed enemies slide toward war, then pull back, always for the same reasons. The best recent example is India and Pakistan, which fought three bloody wars after independence before acquiring their own nukes in 1998. Getting their hands on weapons of mass destruction didn't do anything to lessen their animosity. But it did dramatically mellow their behavior. Since acquiring atomic weapons, the two sides have never fought another war, despite severe provocations (like Pakistani-based terrorist attacks on India in 2001 and 2008). They have skirmished once. But during that flare-up, in Kashmir in 1999, both countries were careful to keep the fighting limited and to avoid threatening the other's vital interests. Sumit Ganguly, an Indiana University professor and coauthor of the forthcoming India, Pakistan, and the Bomb, has found that on both sides, officials' thinking was strikingly similar to that of the Russians and Americans in 1962. The prospect of war brought Delhi and Islamabad face to face with a nuclear holocaust, and leaders in each country did what they had to do to avoid it.

# 2NC

# I-law

### I-Law No Solve

#### Realism means I-law doesn’t matter

William Bradford Associate Professor of Law Indiana University School of Law Arizona State Law Journal Winter, 2004 “In the Minds of Men\*: A Theory of Compliance with the Laws of War” 36 Ariz. St. L.J. 1243 lexis

Realism assumes that the international system is immutably anarchic, that states will always be the sole relevant actors, and that a perpetual struggle for power obligates states, if they wish to preserve their territory and their existence, to maximize their relative power. 44 Realists assert that international cooperation is possible only inasmuch as it reinforces the interests of states in maximizing their power and prospects for survival. 45 Because state behavior is determined solely by structural factors - i.e., the relative balance of power - states will not pursue cooperation on the basis of normative commitments. The role of norms is, therefore, much abridged in an account that purports to explain all state behaviors as caused by transformation in the relative power distribution, and many realist scholars treat norms as entirely epiphenomenal. Neither the role of the individuals that exercise command of the foreign policy apparatus of states nor their unique psychologies are of any theoretical interest to realism: even if they were not unknowable, motives and preferences would exert no causal influence on the behavior of decisionmakers who are presumed rational calculators of the relationship between state decisions and national power and committed to the singular [\*1252] pursuit of the latter. 46 Moreover, regardless of their idiosyncrasies, all decisionmakers choose identically, or nearly so, in response to external stimuli, and changes in the international system account for variations in foreign policy decisionmaking. 47 Predictably, the role of international law is narrowly circumscribed in realist accounts of international relations. Although states may create international law as a pretext for decisions that in actuality serve their relentless pursuit of power 48 or the subordination of weaker states, 49 there are no norms capable of inducing states to voluntarily abridge their sovereign prerogatives, and those legal agreements into which states enter will be carefully and purposefully limited to peripheral matters that do not implicate their power or meaningfully limit their autonomy. 50 Moreover, for realists, compliance with international law is to a large degree a function of power: the more powerful a state, the less likely it will suffer punishment from other states for its legal transgressions and the less likely it is, therefore, to comply with law or to agree in the first instance to be bound. Furthermore, because state survival is the superordinate value in the international system, realism predicts that compliance will correlate inversely with the degree to which the substantive rules place the territorial integrity, and thus the survival, of states at risk. 51 Finally, realism maintains that should state self-interest ever militate in favor of breaching legal obligations - in other words, should state self-interest ever cease to coincide with governing norms - states, which, as realists remind us, are nothing [\*1253] more than "legally sovereign units in a tenuous net of breakable obligations," 52 will invariably violate the law. For realists, the strength of the general proposition that law exerts no independent causal influence on international relations 53 is at a zenith in the context of IHL. Realism predicts that states will voluntarily accept only those constraints on their freedom to employ force that either enhance their relative power or that they intend to violate deliberately to their advantage. 54 IHL is inimical to self-preservation to the extent that it imposes restrictions on the methods and means states may employ in prosecuting their interests, particularly when rules distribute burdens asymmetrically or deny certain weapons or tactics that are likely to ensure survival, and to the degree that it limits the lawfulness of the resort to force in the first instance, especially when only the resort to force is likely to prevent political extinction at the hand of a stronger state. 55 In sum, for realists it is axiomatic that armed conflict is a decidedly unfruitful arena in which to foster normative cooperation, and IHL cannot surmount the fact that it is an aspirational regime tangential at best to explanations of state behavior. Strong states do what they can, and weak states accept what they must. If law has a role in regulating armed conflict, it is through the extension of the domestic law of a powerful state, and this act itself is the assertion of power rather than of the power of a universal norm.

## Heg Links

#### International law will be manipulated to crush hegemony

Rivkin 2000—partner in the law firm of Baker & Hostetler, LLP, and was Deputy Director, Office of Policy Development, U.S. Department of Justice, and served in the White House Counsel’s Office. (David and Lee A. Casey—served in the Office of Legal Counsel in the U.S. Department of Justice, The Rocky Shoals of International Law, Winter 2000, http://findarticles.com/p/articles/mi\_m2751/is\_2000\_Winter/ai\_68547471/,

Second, as a practical matter, the new international law has the potential to undermine American leadership in the post-Cold War global system. Even more fundamentally, international law may well make the world safe for aggression, by imposing undue constraints on those countries that are willing to use force to deter and punish it. Although, as noted above, the new international law has a number of manifestations, those elements dealing with the use of military force, and the potential consequences for individual American officials who order or implement its use, are the most advanced and pernicious. As the world's pre-eminent military power, with global interests and responsibilities, the United States should be very concerned about any effort to create international judicial institutions capable of prosecuting individual soldiers, officers and elected officials in the chain of command. The international criminal "norms" applied in these courts, both in the ad hoc criminal courts for the former Yugoslavia and Rwanda and in the International Criminal Court, are ambiguous in their meaning and remarkably fluid in their application. For example, one of the "war crimes prosecutable in the ICC is defined as [i]ntentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated. Whether any particular attack causes "excessive" civilian injuries or environmental damage is very much a matter of opinion. This is, in fact, a crime that can be tailored to fit almost any circumstances, as was all but openly acknowledged by the prosecutor's office of the Yugoslav tribunal during its investigation of alleged NATO war crimes. This investigation was undertaken after a number of NGOs complained that NATO's 1999 air campaign against Serbia resulted in too many civilian deaths. As candidly noted in the report to the prosecutor, [t]he answers to these questions [regarding allegedly excessive civilian casualties] are not simple. It may be necessary to resolve them on a case by case basis, and the answers may differ depending on the background and values of the decision-maker. It is unlikely that a human rights lawyer and an experienced combat commander would assign the same relative values to military advantage and to injury to noncombatants. Further, it is unlikely that military commanders with different doctrinal backgrounds and differing degrees of combat experience or national military histories would always agree in close cases. [4] The key underlying problem here is that injuries to noncombatants and their property--so-called "collateral damage"--are an endemic consequence of combat. As a result, the traditional law of war, jus in hello, although proscribing certain hostile actions toward civilians, eschewed overly rigid rules on collateral damage. Unfortunately, instead of continuing to rely on the broad, traditional jus in hello principles of proportionality and discrimination, the new norms have come to resemble American domestic regulatory law. These rules are overly prescriptive and proscriptive, to such an extent that ensuring full compliance has become almost impossible. This is particularly the case because the new international law seems to suggest that zero civilian casualties and no collateral damage are not only attainable outcomes in modern combat, but that these should be the norm. The combination of the unrealistic norms and unaccountable judicial bodies that would apply them is particularly problematic. The American military is particularly vulnerable here. This is because U.S. military doctrine has always been attrition-oriented, emphasizing the intensive application of firepower and the use of "decisive force." It is inevitable that damage to civilian sites, and civilian casualties, will result. This is all the more likely given the growing American aversion to combat casualties, which forces our military commanders to rely more and more on air strikes and missile attacks. This raises the real possibility that American soldiers and officials will be considered subject to prosecution, even in situations where the intervention has been "humanitarian" in character, as with the air campaign against Serbia. Significantly, while no prosecutions against NATO officials are currently planned, even the relatively tame Yugoslav tribunal did not give the alliance a clean bill of health. Indeed, the prosecutor's office declined to bring indictments, not because it concluded that no crimes were committed by NATO, but because "[i]n all cases, either the law is not sufficiently clear or investigations are unlikely to result in the acquisition of sufficient evidence to substantiate charges against high level accused or against lower accused for particularly heinous offenses." Future outcomes in the permanent ICC, a court that will be less dependent upon U.S. and NATO largesse than is the Yugoslav tribunal, may be very different. And the fact that the United States has not signed, and would not ratify, the ICC treaty will not prevent the ICC from pursuing Americans. The court claims to exercise a form of "universal jurisdiction" that will allow it to prosecute American citizens when their actions, or the effects of their ac tions, take place on the territory of a state that has signed the ICC treaty. Moreover, the danger here is not limited to the potential actions of the ICC. Based on the "universal jurisdiction" theory--which suggests that any state can prosecute international humanitarian violations wherever they occur, whether or not that state's own citizens are involved--any state, or even a low-level foreign magistrate, can begin a prosecution against American military or civilian officials. This was, of course, the case with the former Chilean dictator, Augusto Pinochet, who traveled to England for medical treatment in 1998, and was very nearly extradited to Spain to stand trial for his actions during his rule in Chile. Overall, there is no doubt that, insofar as they can successfully claim the right to prosecute military and civilian leaders for violations of the laws of war and international humanitarian norms, international judicial bodies and interested states will be able effectively to shape American policy. An American president would be far less likely to use force if there were a genuine possibility that U.S. soldiers or officials, including himself, would face future prosecution in a foreign court. Both our allies and our adversaries fully understand the importance of molding the new international law to fit their needs, and its power as an effective weapon against the United States. Examples of this phenomenon are not difficult to find. Human rights activists, of course, have frequently made exaggerated claims that pre-existing international humanitarian norms require fundamental changes in U.S. foreign and domestic policy. States are also increasingly using the language of law as a means of shaping U.S. policy. In one of the most boldly cynical examples of this phenomenon, the People's Republic of China--desperate to prevent American deployment of even a limited anti-ballistic missile defense--has asserted that the 1972 Anti-Ballistic Missile Treaty between the United States and the Soviet Union remains in force (even though the Soviet Union disappeared a decade ago), and that it cannot be terminated by the United States because that treaty has assumed the status of "customary" international law.

#### And, Flexibility outweighs—it’s the biggest internal link to maintenance of hegemony

CJCS 2000— (Chairman of the Joint Chiefs of Staff, Joint Vision 2020, http://permanent.access.gpo.gov/LPS5598/jv2020.pdf,

The complexities of the future security environment demand that the United States be prepared to face a wide range of threats of varying levels of intensity. Success in countering these threats will require the skillful integration of the core competencies of the Services into a joint force tailored to the specific situation and objectives. Commanders must be afforded the opportunity to achieve the level of effectiveness and synergy necessary to conduct decisive operations across the entire range of military operations. When combat operations are required, they must have an overwhelming array of capabilities available to conduct offensive and defensive operations and against which an enemy must defend. Other complex contingencies such as humanitarian relief or peace operations will require a rapid, flexible response to achieve national objectives in the required timeframe. Some situations may require the capabilities of only one Service, but in most cases, a joint force comprised of both Active and Reserve Components will be employed. The complexity of future operations also requires that, in addition to operating jointly, our forces have the capability to participate effectively as one element of a unified national effort. This integrated approach brings to bear all the tools of statecraft to achieve our national objectives unilaterally when necessary, while making optimum use of the skills and resources provided by multinational military forces, regional and international organizations, non-governmental organizations, and private voluntary organizations when possible. Participation by the joint force in operations supporting civil authorities will also likely increase in importance due to emerging threats to the US homeland such as terrorism and weapons of mass destruction.

### Resource Wars D

#### No resource wars

Idean Salehyan (Professor of Political Science at the University of North Texas) May 2008 “From Climate Change to Conflict? No Consensus Yet\*” Journal of Peace Research, vol. 45, no. 3 http://emergingsustainability.org/files/resolver%20climate%20change%20and%20conflict.pdf

First, the deterministic view has poor predictive power as to where and when conflicts will break out. For every potential example of an environmental catastrophe or resource shortfall that leads to violence, there are many more counter-examples in which conflict never occurs. But popular accounts typically do not look at the dogs that do not bark. Darfur is frequently cited as a case where desertification led to food scarcity, water scarcity, and famine, in turn leading to civil war and ethnic cleansing.5 Yet, food scarcity and hunger are problems endemic to many countries – particularly in sub-Saharan Africa – but similar problems elsewhere have not led to large-scale violence. According to the Food and Agriculture Organization of the United Nations, food shortages and malnutrition affect more than a third of the population in Malawi, Zambia, the Comoros, North Korea, and Tanzania,6 although none of these countries have experienced fullblown civil war and state failure. Hurricanes, coastal flooding, and droughts – which are all likely to intensify as the climate warms – are frequent occurrences which rarely lead to violence. The Asian Tsunami of 2004, although caused by an oceanic earthquake, led to severe loss of life and property, flooding, population displacement, and resource scarcity, but it did not trigger new wars in Southeast Asia. Large-scale migration has the potential to provoke conflict in receiving areas (see Reuveny, 2007; Salehyan & Gleditsch, 2006), yet most migration flows do not lead to conflict, and, in this regard, social integration and citizenship policies are particularly important (Gleditsch, Nordås & Salehyan, 2007). In short, resource scarcity, natural disasters, and long-term climatic shifts are ubiquitous, while armed conflict is rare; therefore, environmental conditions, by themselves, cannot predict violent outbreaks. Second, even if local skirmishes over access to resources arise, these do not always escalate to open warfare and state collapse. While interpersonal violence is more or less common and may intensify under resource pressures, sustained armed conflict on a massive scale is difficult to conduct. Meier, Bond & Bond (2007) show that, under certain circumstances, environmental conditions have led to cattle raiding among pastoralists in East Africa, but these conflicts rarely escalate to sustained violence. Martin (2005) presents evidence from Ethiopia that, while a large refugee influx and population pressures led to localized conflict over natural resources, effective resource management regimes were able to ameliorate these tensions. Both of these studies emphasize the role of local dispute-resolution regimes and institutions – not just the response of central governments – in preventing resource conflicts from spinning out of control. Martin’s analysis also points to the importance of international organizations, notably the UN High Commissioner for Refugees, in implementing effective policies governing refugee camps. Therefore, local hostilities need not escalate to serious armed conflict and can be managed if there is the political will to do so. Third, states often bear responsibility for environmental degradation and resource shortfalls, either through their own projects and initiatives or through neglect of the environment. Clearly, climate change itself is an exogenous stressor beyond the control of individual governments. However, government policies and neglect can compound the effects of climate change. Nobel Prizewinning economist Amartya Sen finds that, even in the face of acute environmental scarcities, countries with democratic institutions and press freedoms work to prevent famine because such states are accountable to their citizens (Sen, 1999). Others have similarly shown a strong relationship between democracy and protection of the environment (Li & Reuveny, 2006). Faced with global warming, some states will take the necessary steps to conserve water and land, redistribute resources to those who need them most, and develop disaster-warning and -response systems. Others will do little to respond to this threat. While a state’s level of income and technological capacity are certainly important, democracy – or, more precisely, the accountability of political leaders to their publics – is likely to be a critical determinant of how states respond to the challenge. Fourth, violent conflict is an inefficient and sub-optimal reaction to changes in the environment and resource scarcities. As environmental conditions change, several possible responses are available, although many journalists and policymakers have focused on the potential for warfare. Individuals can migrate internally or across borders, or they can invest in technological improvements, develop conservation strategies, and shift to less climate-sensitive livelihoods, among other adaptation mechanisms. Engaging in armed rebellion is quite costly and risky and requires large-scale collective action. Individuals and households are more likely to engage in simpler, personal, or smallscale coping strategies. Thus, organized violence is inefficient at the individual level. But, more importantly, armed violence against the state is used as a means to gain leverage over governments so as to gain some form of accommodation, namely, the redistribution of economic resources and political power. Organized armed violence rarely (if ever) arises spontaneously but is usually pursued when people perceive their government to be unwilling to listen to peaceful petitions. As mentioned above, rebellion does not distribute resources by itself, and protracted civil wars can have devastating effects on the economy and the natural environment, leaving fewer resources to bargain over. Thus, organized violence is inefficient at the collective level. Responsive, accountable political leaders – at all levels of government – are more likely to listen to citizen demands for greater access to resources and the means to secure their livelihoods. Political sensitivity to peaceful action can immunize states from armed insurrection.

#### Their research is based on dated data – cooperation is more likely

Simon Dalby (Dept. Of Geography, Carleton University) 2006 "Security and environment linkages revisited" in Globalisation and Environmental Challenges: Reconceptualising Security in the 21st Century, www.ntu.edu.sg/idss/publications/SSIS/SSIS001.pdf)

In parallel with the focus on human security as a necessity in the face of both natural and artificial forms of vulnerability, recent literature has emphasised the opportunities that environmental management presents for political cooperation between states and other political actors, on both largescale infrastructure projects as well as more traditional matters of wildlife and new concerns with biodiversity preservation (Matthew/Halle/Switzer 2002). Simultaneously, the discussion on water wars, and in particular the key finding the shared resources frequently stimulate cooperation rather than conflict, shifted focus from conflict to the possibilities of environmental action as a mode of peacemaking. Both at the international level in terms of environmental diplomacy and institution building, there is considerable evidence of cooperative action on the part of many states (Conca/Dabelko 2002). Case studies from many parts of the world suggest that cooperation and diplomatic arrangements can facilitate peaceful responses to the environmental difficulties in contrast to the pessimism of the 1990’s where the focus was on the potential for conflicts. One recent example of the attempts to resolve difficulties in the case of Lake Victoria suggests a dramatic alternative to the resource war scenarios. The need to curtail over-fishing in the lake and the importance of remediation has encouraged cooperation; scarcities leading to conflict arguments have not been common in the region, and they have not influenced policy prescriptions (Canter/Ndegwa 2002). Many conflicts over the allocations of water use rights continue around the world but most of them are within states and international disputes simply do not have a history of leading to wars.

### Heg Solves War

#### Violence is decreasing due to US hegemony- it’s a DA to the alt as well

Daniel W. Drezner Associate Professor of International Politics at the Fletcher School of Law and Diplomacy at Tufts University May 25, 2005 “Gregg Easterbrook, war, and the dangers of extrapolation” http://www.danieldrezner.com/archives/002087.html

The University of Maryland studies find the number of wars and armed conflicts worldwide peaked in 1991 at 51, which may represent the most wars happening simultaneously at any point in history. Since 1991, the number has fallen steadily. There were 26 armed conflicts in 2000 and 25 in 2002, even after the Al Qaeda attack on the United States and the U.S. counterattack against Afghanistan. By 2004, Marshall and Gurr's latest study shows, the number of armed conflicts in the world had declined to 20, even after the invasion of Iraq. All told, there were less than half as many wars in 2004 as there were in 1991. Marshall and Gurr also have a second ranking, gauging the magnitude of fighting. This section of the report is more subjective. Everyone agrees that the worst moment for human conflict was World War II; but how to rank, say, the current separatist fighting in Indonesia versus, say, the Algerian war of independence is more speculative. Nevertheless, the Peace and Conflict studies name 1991 as the peak post-World War II year for totality of global fighting, giving that year a ranking of 179 on a scale that rates the extent and destructiveness of combat. By 2000, in spite of war in the Balkans and genocide in Rwanda, the number had fallen to 97; by 2002 to 81; and, at the end of 2004, it stood at 65. This suggests the extent and intensity of global combat is now less than half what it was 15 years ago. Easterbrook spends the rest of the essay postulating the causes of this -- the decline in great power war, the spread of democracies, the growth of economic interdependence, and even the peacekeeping capabilities of the United Nations. Easterbrook makes a lot of good points -- most people are genuinely shocked when they are told that even in a post-9/11 climate, there has been a steady and persistent decline in wars and deaths from wars. That said, what bothers me in the piece is what Easterbrook leaves out. First, he neglects to mention the biggest reason for why war is on the decline -- there's a global hegemon called the United States right now. Easterbrook acknowledges that "the most powerful factor must be the end of the cold war" but he doesn't understand why it's the most powerful factor. Elsewhere in the piece he talks about the growing comity among the great powers, without discussing the elephant in the room: the reason the "great powers" get along is that the United States is much, much more powerful than anyone else. If you quantify power only by relative military capabilities, the U.S. is a great power, there are maybe ten or so middle powers, and then there are a lot of mosquitoes. [If the U.S. is so powerful, why can't it subdue the Iraqi insurgency?--ed. Power is a relative measure -- the U.S. might be having difficulties, but no other country in the world would have fewer problems.] Joshua Goldstein, who knows a thing or two about this phenomenon, made this clear in a Christian Science Monitor op-ed three years ago: We probably owe this lull to the end of the cold war, and to a unipolar world order with a single superpower to impose its will in places like Kuwait, Serbia, and Afghanistan. The emerging world order is not exactly benign – Sept. 11 comes to mind – and Pax Americana delivers neither justice nor harmony to the corners of the earth. But a unipolar world is inherently more peaceful than the bipolar one where two superpowers fueled rival armies around the world. The long-delayed "peace dividend" has arrived, like a tax refund check long lost in the mail. The difference in language between Goldstein and Easterbrook highlights my second problem with "The End of War?" Goldstein rightly refers to the past fifteen years as a "lull" -- a temporary reduction in war and war-related death. The flip side of U.S. hegemony being responsible for the reduction of armed conflict is what would happen if U.S. hegemony were to ever fade away. Easterbrook focuses on the trends that suggest an ever-decreasing amount of armed conflict -- and I hope he's right. But I'm enough of a realist to know that if the U.S. should find its primacy challenged by, say, a really populous non-democratic country on the other side of the Pacific Ocean, all best about the utility of economic interdependence, U.N. peacekeeping, and the spread of democracy are right out the window.

### Nuke Primacy Impact

#### Escalation tensions are inevitable only escalation control by the US solves

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Such escalatory strategies are rational. Losing a conventional war to the United States would be a disastrous outcome for any leader, and it would be worth taking great risks to force a cease-fire and avert total defeat. The fate of recent U.S. adversaries is revealing. The ex-dictator of Panama, Manuel Noriega, remains in a Miami prison. The former Bosnian Serb leader, Radovan Karadzic, awaits trial in The Hague, where Yugoslav President Slobodan Milosevic died in detention three years ago. Saddam Husseins punishment for losing the 2003 war was total: his government was toppled, his sons were killed, and he was hanged on a dimly lit gallows, surrounded by enemies. Even those leaders who have eluded the United States--such as the Somali warlord Muhammad Farah Aidid and Osama bin Laden--have done so despite intense U.S. efforts to capture or kill them. The United States' overseas conflicts are limited wars only from the U.S. perspective; to adversaries, they are existential. It should not be surprising if they use every weapon at their disposal to stave off total defeat. Coercive nuclear escalation may sound like a far-fetched strategy, but it was NATO'S policy during much of the Cold War. The Western allies felt that they were hopelessly outgunned in Europe at the conventional level by the Warsaw Pact. Even though NATO harbored little hope of prevailing in a nuclear war, it planned to initiate a series of escalating nuclear operations at the outbreak of war--alerts, tactical nuclear strikes, and wider nuclear attacks--to force the Soviets to accept a cease-fire. The United States' future adversaries face the same basic problem today: vast conventional military inferiority. They may adopt the same solution. Leaders in Beijing may choose gradual, coercive escalation if they face imminent military defeat in the Taiwan Strait--a loss that could weaken the Chinese Communist Party's grip on power. And if U.S. military forces were advancing toward Pyongyang, there is no reason to expect that North Korean leaders would keep their nuclear weapons on the sidelines. Layered on top of these challenges are two additional ones. First, U.S. conventional military doctrine is inherently escalatory. The new American way of war involves launching simultaneous air and ground attacks throughout the theater to blind, confuse, and overwhelm the enemy. Even if the United States decided to leave the adversary's leaders in power (stopping short of regime change so as to prevent the confrontation from escalating), how would Washington credibly convey the assurance that it was not seeking regime change once its adversary was blinded by attacks on its radar and communication systems and command bunkers? A central strategic puzzle of modern war is that the tactics best suited to dominating the conventional battlefield are the same ones most likely to trigger nuclear escalation. Furthermore, managing complex military operations to prevent escalation is always difficult. In 1991, in the lead-up to the Persian Gulf War, U.S. Secretary of State James Baker assured Iraq's foreign minister, Tariq Aziz, that the United States would leave Saddam's regime in power as long as Iraq did not use its chemical or biological weapons. But despite Baker's assurance, the U.S. military unleashed a major bombing campaign targeting Iraq's leaders, which on at least one occasion nearly killed Saddam. The political intent to control escalation was not reflected in the military operations, which nearly achieved a regime change. In future confrontations with nuclear-armed adversaries, the United States will undoubtedly want to prevent nuclear escalation. But the leaders of U.S. adversaries will face life-and-death incentives to use their nuclear arsenals to force a cease-fire and remain in power.

#### Allows wars to stay at the conventional level even if they start

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Third, the growth of U.S. nuclear counterforce capabilities may give U.S. leaders valuable coercive leverage during future crises and wars, including conflicts with China. The United States strongly prefers that its future wars be waged exclusively with conventional weapons; in fact, one of the great quandaries currently confronting U.S. strategists is how to fight conventional wars against nuclear-armed adversaries without triggering escalation. Nuclear primacy may provide one solution: allowing Washington to credibly warn adversaries not to alert their nuclear forces or issue nuclear threats during a conflict. In other words, U.S. nuclear primacy may allow the United States to force its enemies to keep their nuclear forces on the sideline and keep their conflicts with the United States at the conventional level.

## Warming

#### Local solutions solve better than international agreements

Walsh 2011 [Bryan Walsh Nov. 29, 2011 “Another Year, Another U.N. Climate-Change Summit: Expect Big Talk in Durban, and Few Results” http://content.time.com/time/health/article/0,8599,2100430,00.html]

So if not the U.N. system, then what should we do? More of what's actually been working: climate action from the bottom up. From California's recent move to establish its own cap-and-trade system to China's generous investments in renewable energy, individual states, regions and countries have been busy taking their own steps on climate change. In the face of intense domestic opposition, Australia recently passed a carbon tax, while Germany has kept its support of renewable energy going in the face of financial crisis. Last year, global investment in renewable energy hit $187 billion, passing investment in fossil fuels — $157 billion — for the first time ever. The world isn't standing still on climate and energy, even as international negotiations flounder.

#### International agreements have to be watered down to be accepted

Bakalar 2005 [Nicholas Bakalar for National Geographic News September 15, 2005 “Global Treaties Ineffective Against Warming, Experts Say” http://news.nationalgeographic.com/news/2005/09/0915\_050915\_warming.html]

Wide-ranging international treaties like the Kyoto Protocol may not be the best ways to battle global warming, according to three California scientists. Arguing that global treaties are only as effective as their least willing signatories, the team says that climate change is better fought from the bottom up.¶ Countries, regional partnerships, U.S. states, and even individual private firms, the scientists believe, can establish various controls to limit climate-changing activities—and many already have.¶ There are hundreds of independent policies at work now contributing to the effort to limit carbon dioxide emissions, the main cause of climate change.¶ The European Union, for example, limits emissions from about 12,000 industrial plants. And the United Kingdom and World Bank have established emissions-credit trading systems. Under these plans plants that exceed emissions limits may buy emissions "credits" from plants that emit relatively little greenhouse gas.¶ The United States government famously rejects greenhouse gas limitations. The U.S. nevertheless has at least two dozen firms that have imposed their own limits. And the rejection of binding limitations at the federal level has not stopped nine northeastern U.S. states from collaborating on their own plan to cap carbon dioxide emissions from power plants.¶ Lowest Common Denominator¶ The authors of the new article, which will be published tomorrow in the journal Science, point out that international treaties tend toward the mildest binding measures, since such measures are always the easiest for everyone to agree upon.¶

### Disease D

#### Even if deliberately selected for lethality – disease wont cause extinction

Mark Leney 1996 (Professor of Biological Anthropology University of Cambridge) http://www.indiana.edu/~diatom/plextinc.dis

I think that epidemics are a most unlikely expalnation for continent wide extinctions. An extinction of this type is the same sort of event in evolutionary terms as the megaherbiovres undergoing population expansion, eating all the grass and starving themselves to extinction. Who would credit such a scenario? Biological systems rarely run like this, the componens of these systems adapt either genotypically in the evolutionary sense or in the immediate ontogenetic sense. As pathogens probably have a greater potential for evolutionary change than their hosts it is the 'experience' of the pathogens that counts in the long run not the immunological naivity of the large animal populations. Whilst super-virulent pathogens can cause local catastrophe, they tend to evolve towards intermediate levels of pathogenicity in the medium term as this maximises their reproductive success. Even when pathogens such as myxamatosis are deliberately selected for virulence and then introduced to a naive wild population, extinction only occurs locally with the pathogen rapidly evolving towards lowered virulence as it squeezes through population bottlenecks. The myth of the exterminator pathogen is just that. Consider the evolutionary achievements of viruses with different levels of virulence AIDS vs Ebola. AIDS is not a wipeout virus it has propagated itself widely. Ebola never gets going in the human population as it kills all the hosts before enough transmissions take place to achieve any growth. The disease model just doesn't wash for the whole continent.

#### Your impacts are media exaggeration.

Michael Lind (policy director of the New America Foundation's Economic Growth Program) February 2011 “So Long, Chicken Little;” published in Foreign Policy, March/April 2011; http://www.foreignpolicy.com/articles/2011/02/22/so\_long\_chicken\_little?page=0,8; Jay]

There's nothing like a good plague to get journalists and pundits in a frenzy. Although the threat of global pandemics is real, it's all too often exaggerated. In the last few years, the world has experienced two such pandemics, the avian flu (H5N1) and swine flu (H1N1). Both fell far short of the apocalyptic vision of a new Black Death cutting huge swaths of mortality with its remorseless scythe. Out of a global population of more than 6 billion people, 8,768 are estimated to have died from swine flu, 306 from avian flu. And yet it was not just the BBC ominously informing us that "the deadly swine flu … cannot be contained." Like warnings about the proliferation of nuclear weapons, the good done by mobilizing people to address the problem must be weighed against the danger of apocalypse fatigue on the part of a public subjected to endless Chicken Little scares.

## Rule of Law

### Indo Pak

#### Neither will strike first

Eric Vas (retired Lieutenant general) 2007 “Can India Avoid a Military conflict with Pakistan?” http://inpad.org/res45.html

Many urge India to stand down in order to decrease the tension between the two countries. As long as freedom remains a distant dream in Pakistan and its official media continues to preach hatred against India, our security forces must continue to remain alert. India's responses to Pakistan's current moves on the five fronts are on the right lines. India has declared that it will not be the first to use nuclear weapons, but that it is prepared to give a befitting response to any Pakistani nuclear threat. India has stressed that it is prepared to discuss any issue, including J&K with Pakistan, but only when it stops its support of cross border terrorism. Meanwhile our security forces continue to intercept intruders and deal with armed terrorists within the State, while the government attempts to improve the administration and encourage dissidents to join the political system. J&K State elections are due in September. These will be fair and open elections, which may be witnessed by foreign observers in their individual capacities. Dissidents have been invited to take part in the elections to prove that they have public support. However, official Pakistani media continues its barrage of virulent anti-India propaganda. There are no visible signs that steps are being taken to stop and undo the damage being done by these tactics. Thus, to answer the question posed at the head of this article, while the Indo-Pak cold war continues, the military front is unlikely to escalate into a nuclear exchange or a full-fledged military conflict. It would be imprudent for Pakistan to do this, and it would not be cost effective for India to initiate an all out war. If cross border infiltration and terrorist attacks against innocent citizens continue the Government may order the armed forces to take appropriate action against terrorist bases within POK. The danger of an Indian raid across the LOC against a terrorist camp escalating into a major battle cannot be overruled.

#### Interdependence

Mamoon and Murshed 2010 (Dawood Mamoon, and Mansoob Murshed, Economics of Governance, 2010, Vol. 11 Issue 2, p145-167, 23p, Political Science Complete)

Conflict between India and Pakistan, which spans over most of last 60 years since their independence from British rule, has significantly hampered bilateral trade between the two nations. However, we also find that the converse is also true; more trade between India and Pakistan decreases conflict and any measures to improve the bilateral trade share is a considerable confidence building measure. A regional trade agreement along the lines of a South Asian Free Trade Agreement (SAFTA) has a high potential for the improvement of relations between India and Pakistan on a long-term basis. Pakistan and India’s general degree of openness to world (and not bilateral) trade is, however, the dominant economic factor in conflict resolution. It would be interesting to see whether India and Pakistan will be able sustain their recent impressive growth, and consequently continue with peace talks confirming the liberal peace arguments. In an ideal world increased dyadic democracy between pairs of nation should reduce inter-state hostility according to the democratic peace hypothesis; this relationship in our case is present but weak. Peace initiatives, it should be remembered, are not the sole prerogative of democracies; they can also be made by countries which are less than perfectly democratic out of economic self- interest. Pakistan, at present, is making unilateral concessions on many disputed issues with India. Our findings, however, veer towards the liberal peace hypothesis. Economic progress and poverty reduction combined with greater openness to international trade in general are more significant drivers of peace between nations like India and Pakistan, rather than the independent contribution of a common democratic polity. So it is more economic interdependence rather than politics which is likely to contribute towards peaceful relations between India and Pakistan in the near future. In many ways, our results for an individual dyad echo Polcahek’s (1997) work across several dyads, where it is argued that democracies cooperate not because they have common political systems, but because their economies are intricately and intensively interdependent. As pointed by Hegre (2000), it is at these higher stages of economic development that the contribution of common democratic values to peace becomes more salient. Meaningful democracy cannot truly function where poverty is acute and endemic, even in ostensible democracies such as India. In the final analysis, it may be that democracy itself is an endogenous by-product of increased general prosperity, as suggested nearly half a century ago by Lipset (1960). Then and only then, will nations be able to fully appreciate Angell-Lanes’ (1910) arguments regarding the futility of inter-state conflict.

## 4GW

#### Judicial interpretation that gives rights to detainees harms warfighting

Chertoff 2011 [Michael Chertoff Secretary, Department of Homeland Security (2005-2009); Judge, Court of ¶ Appeals for the Third Circuit (2003-2005); Assistant Attorney General, Criminal ¶ Division, U.S. Department of Justice (2001-2003); U.S. Attorney for the District of New ¶ Jersey (1990-1994).¶ February 3, 2011 “THE DECLINE OF JUDICIAL DEFERENCE ON NATIONAL SECURITY” Rutgers Law Review http://www.rutgerslawreview.com/wp-content/uploads/archive/vol63/Issue4/Chertoff\_Speech\_PDF.pdf]

But here, we are dealing with people who are not Americans; ¶ they were not apprehended on American soil. It is true that they are ¶ in Guantánamo, and there is a lot of discussion about how to ¶ distinguish Guantánamo from the Philippines. But remember, in ¶ Hamdi, we were told that it is an immaterial point because if all we ¶ are doing is resolving Guantánamo, then why take the case?36 We are ¶ never going to see anybody brought into Guantánamo because they ¶ are going to be back at Bagram, Afghanistan, or someplace else, and ¶ this question would never be resolved.37 In many ways, it is the core ¶ and most interesting, fundamental question of the whole litigation: What is the right of the enemy combatant? Someone who is not an ¶ American, who is on the field of battle overseas, what rights do they ¶ have with respect to being detained anywhere in the world? Do they ¶ have any constitutional rights? The tradition is that non-Americans ¶ overseas do not have constitutional rights. If you are going to change ¶ that, at a minimum, you expect to have a very lengthy discussion ¶ about that topic, but you do not really find it in the opinion. So you ¶ are left with the feeling that there is a process that has been created, ¶ but the substance to go through the process has not been identified.38¶ In many ways, from the standpoint of deference to the Executive, ¶ this is the most striking element because if you are going to intrude ¶ into the area of battlefield operations—I will explain in a minute ¶ where that becomes a critical part of this—you have to have a clear ¶ idea of what it is you are vindicating. If it is just—it is not enough of ¶ a basis to hold someone—you have to be able to answer the question: ¶ Not enough under what standard? And just to put things in context ¶ again, in a war, we do not just detain, we kill people. In World War ¶ II, we carpet bombed Dresden. That was not collateral damage; that ¶ was the absolute intent of the war fighter—to break the back of the ¶ Germans and to force them to surrender. In Japan, we dropped ¶ nuclear bombs. So it has to raise the question: If foreigners have ¶ rights not to be detained, do they have rights not to be killed? That ¶ kind of undercuts the whole notion of warfighting. And again, at a ¶ minimum, we would like to have some discussion on this, but we do ¶ not really see it.

### Judiciary Links

#### Judicial review prevents effective signaling- forces us to bluff which dilutes value of signaling

Nzelibe and Yoo 2006 [Jide Nzelibe is Assistant Professor of Law, Northwestern University Law School. ¶ John Yoo is Professor of Law, University of California at Berkeley School of Law (Boalt Hall), ¶ and Visiting Scholar, American Enterprise Institute 2006 Yale Law Journal “Rational War and Constitutional Design” http://www.yalelawjournal.org/pdf/115-9/Nzelibe.pdf]

First, under our model of international crisis bargaining, judicial review ¶ would likely undermine the value of signals sent by the President when he ¶ seeks legislative authorization to go to war. In other words, it is the fact that ¶ the signal is both costly and discretionary that often makes it valuable. Once ¶ one understands that regime characteristics can influence the informational ¶ value of signaling,¶ 67¶ it makes sense that the President should have the ¶ maximum flexibility to choose less costly signals when dealing with rogue ¶ states or terrorist organizations. The alternative—a judicial rule that mandates ¶ costly signals in all circumstances, even when such signals have little or no ¶ informational value to the foreign adversary—would dilute the overall value of ¶ such signals.

### Exec Auth

#### Amendment vote in Congress reaffirmed executive authority over indefinite detention

Sattler 2013 [Jason Sattler 6-14-2013 “House Votes To Continue Indefinite Detention On A Mostly Party-Line Vote” National Memo http://www.nationalmemo.com/house-votes-to-continue-indefinite-detention-on-a-mostly-party-line-vote/]

An amendment that ends the indefinite detention of American citizens without a trial, which was written into the National Defense Authorization Act (NDAA) two years ago, was defeated Thursday by a vote of 200-226, with 19 Republicans joining 181 Democrats in supporting the legislation.¶ “It is a dangerous step toward executive and military power to allow things like indefinite detention under military control within the U.S.,” said Rep. Adam Smith (D-WA), who offered the amendment. “That’s the heart and essence of this issue.”

#### Strong executive authority on indefinite detention now- its part of the AUMF

Kelley 2012 [Michael Kelley October 24, 2012 “Why Losing Indefinite Detention Powers Would Be A Disaster For Obama” Business Insider http://www.businessinsider.com/why-losing-indefinite-detention-powers-would-be-a-disaster-for-obama-2012-10]

There's a big story by Greg Miller in the Washington Post on how the Obama administration has expanded its powers in the War on Terror.¶ Miller notes that the legal foundation for U.S. counterterrorism strategy is partially based on "the Congressional authorization to use military force" (AUMF) that was passed after 9/11.¶ Specifically it seems to be based on an interpretation of the AUMF that was "reaffirmed" by the indefinite detention clause of the National Defense Authorization Act (NDAA). ¶ This explains why Obama is fighting so hard to keep the indefinite detention clause in effect.¶ In court the government argued that the indefinite detention clause is simply a "reaffirmation" of the Authorization Use Of Military Force (AUMF), which gives the president authority "to use all necessary and appropriate force against those ... [who] aided the terrorist attacks that occurred on September 11, 2001 or harbored such organizations or persons." In the NDAA lawsuit, the government argued that the NDAA §1021 is simply an "affirmation" or "reaffirmation" of the AUMF.

# 1NR

#### SOP fails- can’t contain presidential power

Mansfield ‘11

[Harvey Mansfield is a professor of government at Harvard and a senior fellow at the Hoover Institution at Stanford. <http://www.nytimes.com/2011/03/13/books/review/book-review-the-executive-unbound-by-eric-a-posner-and-adrian-vermeule.html?pagewanted=all> ETB]

\*Eric Andrew Posner is Kirkland and Ellis Professor of Law at the University of Chicago Law School

\*\* Adrian Vermeule, John H. Watson, Jr. Professor of Law @ Harvard

According to Posner and Vermeule, we now live under an administrative state providing welfare and national security through a gradual accretion of power in executive agencies to the point of dominance. This has happened regardless of the separation of powers. The Constitution, they insist, no longer corresponds to “reality.” Congress has assumed a secondary role to the executive, and the Supreme Court is “a marginal player.” In all “constitutional showdowns,” as they put it, the powers that make and judge law have to defer to the power that administers the law.

### A2: Econ D (Resilient/ No War)

#### Double-dip now causes depression - overwhelms their D

Isidore 11 (Financial Correspondent-CNN Money, 8/10, http://money.cnn.com/2011/08/10/news/economy/double\_dip\_recession\_economy/index.htm

Another recession could be even worse than the last one for a few reasons. For starters, the economy is more vulnerable than it was in 2007 when the Great Recession began. In fact, the economy would enter the new recession much weaker than the start of any other downturn since the end of World War II. Unemployment currently stands at 9.1%. In November 2007, the month before the start of the Great Recession, it was just 4.7%. And the large number of Americans who have stopped looking for work in the last few years has left the percentage of the population with a job at a 28-year low. Various parts of the economy also have yet to recover from the last recession and would be at serious risk of lasting damage in a new downturn. Home values continue to lose ground and are projected to continue their fall. While manufacturing has had a nice rebound in the last two years, industrial production is still 18% below pre-recession levels. There are nearly 900 banks on the FDIC's list of troubled institutions, the highest number since 1993. Only 76 banks were at risk as the Great Recession took hold. But what has economists particularly worried is that the tools generally used to try to jumpstart an economy teetering on the edge of recession aren't available this time around. "The reason we didn't go into a depression three years ago is the policy response by Congress and the Fed," said Dan Seiver, a finance professor at San Diego State University. "We won't see that this time." Three times between 2008 and 2010, Congress approved massive spending or temporary tax cuts to try to stimulate the economy. But fresh from the bruising debt ceiling battle and credit rating downgrade, and with elections looming, the federal government has shown little inclination to move in that direction. So this new recession would likely have virtually no policy effort to counteract it.

### Turns case : Soft power

#### Econ decline collapses diplomatic credibility

Steven Myers, 10-4-2012, “Budget crisis forcing cuts in foreign aid,” NYT, google

The U.S. budget crisis at home is forcing the first significant cuts in overseas aid in nearly two decades, a retrenchment that officials and advocates say reflects the country's diminishing ability to influence the world. As lawmakers scramble to trim the swelling national debt, both the Republican-controlled House and the Democrat-controlled Senate have proposed slashing financing for the State Department and its related aid agencies at a time of desperate humanitarian crises and uncertain political developments. The proposals have raised the specter of deep cuts in food and medicine for Africa, in relief for disaster-affected places such as Pakistan and Japan, in political and economic assistance for new democracies in the Middle East and even for the Peace Corps. The financial crunch threatens to undermine a foreign policy described as "smart power" by President Barack Obama and Secretary of State Hillary Rodham Clinton, one that emphasizes diplomacy and development as a complement to U.S. military power. It also would begin to reverse the foreign aid increase President George W. Bush supported after the attacks of Sept. 11, 2001, as part of an effort to combat the roots of extremism and anti-American sentiment, especially in the most troubled countries. Given the relatively small foreign aid budget -- it accounts for 1 percent of federal spending overall -- the effect of the cuts could be disproportional. The State Department already has scaled back plans to open more consulates in Iraq, for example.

### Turns case: Environment

#### Statistical models prove growth solves for the environment

Tierney 9 (John, science columnist for the New York Times, journalism degree from Yale U, cites Nobel Prize winning economist Simon Kuznets, Ph.D from Columbia U, Apr 20, [tierneylab.blogs.nytimes.com/2009/04/20/the-richer-is-greener-curve/] AD: 6-21-11, jm)

In my Findings column, I explain how researchers have discovered that, over the long term, being richer often translates into being greener. Many environmental problems get worse as a country first industrializes, but once it reaches a certain level of income, the trend often reverses, producing a curve shaped like an upside-down U. It’s called a Kuznets curve (in honor of the economist Simon Kuznets, who detected this pattern in trends of income inequality). As promised in the column, here are some graphic examples of Kuznets curves for sulphur dioxide pollution, as measured in an assortment of rich and poor countries, and also as measured over time in the United States. Each line is an environmental Kuznets curve for a group of countries during the 1980s. The levels of sulphur dioxide pollution (the vertical axis) rise as countries becomes more affluent (the horizontal axis). But then, once countries reach an economic turning point (a gross domestic product close to $8,000 per capita), the trend reverses and air pollution declines as countries get richer. In this analysis by Xiang Dong Qin of Clemson University, the green line shows countries with strong protections for property rights; the red curve shows countries with weaker protections. I’m not trying to argue that all environmental problems fit these curves, or that these improvements happen automatically. How fast the environment improves depends not just on money but on whether a country has an effective government, educated citizens, healthy institutions and the right laws. (For discussions of the variability of these curves and the factors that affect them, see this PERC report by a group led by Bruce Yandle of Clemson University and this article in Environment, Development and Sustainability by Kuheli Dutt of Northeastern University.) But rising incomes can make it more likely that improvements will come, and these Kuznets curves give more reason for optimism than the old idea that economic growth endangered the planet. In the 1970s, rich countries were urged to “de-develop” by Paul Ehrlich and John P. Holdren, now the White House science adviser. I welcome your thoughts on what can be learned from Kuznets curves — and whether people at opposite ends of the curves can find common ground. As America got richer in the the 20th century, emissions of sulphur dioxide rose. But thanks to new technologies, new laws and new desires for cleaner air, the trend reversed, and sulphur-dioxide pollution declined even though population and wealth kept rising.

### Turns case: Pakistan stability

**Economic decline collapses Pakistan**

**Warrick, Washington Post, ‘8 (Joby, November 15, “Experts See Security Risks in Downturn, http://www.washingtonpost.com/wp-dyn/content/article/2008/11/14/AR2008111403864.html)**

Intelligence officials are warning that the deepening global financial crisis could weaken fragile governments in the world's most dangerous areas and undermine the ability of the United States and its allies to respond to a new wave of security threats. U.S. government officials and private analysts say the economic turmoil has heightened the short-term risk of a terrorist attack, as radical groups probe for weakening border protections and new gaps in defenses. A protracted financial crisis could threaten the survival of friendly regimes from Pakistan to the Middle East while forcing Western nations to cut spending on defense, intelligence and foreign aid, the sources said. The crisis could also accelerate the shift to a more Asia-centric globe, as rising powers such as China gain more leverage over international financial institutions and greater influence in world capitals. Some of the more troubling and immediate scenarios analysts are weighing involve nuclear-armed Pakistan, which already was being battered by inflation and unemployment before the global financial tsunami hit. Since September, Pakistan has seen its national currency devalued and its hard-currency reserves nearly wiped out. Analysts also worry about the impact of plummeting crude prices on oil-dependent nations such as Yemen, which has a large population of unemployed youths and a history of support for militant Islamic groups. The underlying problems and trends -- especially regional instability and the waning influence of the West -- were already well established, but they are now "being accelerated by the current global financial crisis," the nation's top intelligence official, Director of National Intelligence Mike McConnell, said in a recent speech. McConnell is among several top U.S. intelligence officials warning that deep cuts in military and intelligence budgets could undermine the country's ability to anticipate and defend against new threats.

### EU Add-On

#### This add-on makes 0 sense--- we’ve been indefinitely detaining for over 10 years, if the EU was going to abandon us they would have already--- they need a card that says the 2008 financial crisis and the Eurozone collapse were caused by Guantanamo

#### EU relations resilient -

US-EU Relations.com. "2004 Apolitical Overview of US-EU Relations." 2004. http://www.useurelations.com/index2.html

Despite centuries of transatlantic disputes, Americans and Europeans have not been torn apart by any subject, including Iraq in 2002 and 2003. US-European relations were not at risk of being severed even at the worst moments of animosity between Americans and Europeans during the US – “Old Europe” War-of-Words over Iraq. Both the US and the EU are children of the same 18th Century Enlightenment and, like siblings, define themselves in part by the values and actions of the other. But unlike siblings that may walk away from each other producing descendants that never meet, each successive generation of Americans and Europeans rediscovers the other side of the Atlantic and its inhabitants with a youthful excitement and interest.

#### The link goes the other way--- economic decline hurts relations--- Economic interdependence relations collapse impossible

Kristin Archick. "The United States and Europe: Possible Options for U.S. policy." CRS Report for Congress. 28 Dec. 2004. http://fpc.state.gov/documents/organization/41324.pdf

As noted above, the United States and the EU share a huge and mutually beneficial economic relationship that is increasingly interdependent. Reports indicate that the transatlantic economy employs 12 to 14 million workers, and that most U.S. and European investments flow to each other rather than to lower-wage developing nations. Europe remains the most important foreign source of global profits for U.S. companies, accounting for over half of U.S. firms’ total annual foreign profits. Similarly, the United States is the most important market in terms of earnings for many European multinationals. Between 1990 and 2000, for example, U.S. affiliate income of European companies increased from $4.4 billion to nearly $26 billion. Although transatlantic mergers and acquisitions have slowed since the 2001 economic downturn, the boom of the late 1990s has left European firms more engaged in the U.S. economy than ever before.4 This economic interdependency, some argue, is a key reason a transatlantic divorce would be impossible.

### Courts Shield

#### Their evidence is bad--- says that Obama will try to blame the court, doesn’t speak to effectiveness--- Our Hersch evidence is three years newer and talking about actual Obama court decisions like DOMA and the ACA

#### Links to politics

Canon and Johnson 1999 (Bradley Canon- professor of political science at the University of Kentucky and Charles Johnson- dept. head of political science at Texas A&M, judicial policies: implementation and impact)

More than any other public agency, Congress tends to be the focal point for public reaction to judicial policies. As a political body, Congress cannot ignore any sizable or prominent group of constituents. Some groups become especially agitated when they are unhappy with some judicial decision or doctrine, and they make their dissatisfaction known to members of Congress. If the pressure is great enough and is not counterbalanced by pressure from groups that support the judicial policy, Congress will, if feasible, take action. At the very least, numerous members of Congress will score political points by showing righteous indignation on behalf of the disaffected groups. Clashes between Congress and the courts are virtually as old as the two branches. Marbury v. Madison (1803) was a political finesse of a hostile Congress by the Supreme Court. Constitutional crises have been provoked by such decisions as Dred Scott (Scott v Sandford, 1857) and several anti-New Deal decisions in the 1930s. Strained relationships just short of crises have developed from numerous other decisions. Of course, not all differences between the courts and Congress are emotionally charged. Many of the differences arise over mundane issues such as pension or admiralty law. Either way, almost every year, Congress reacts to judicial decisions.

### Uniqueness

**Obama’s strength will overcome Republican threat and debt ceiling will be raised without additional posturing**.

Business Spectator 9-20 <http://www.businessspectator.com.au/article/2013/9/20/usa/obamas-debt-stand-getting-tense>

It is a situation that US President Barack Obama says he won’t accept this time around. “What I haven’t been willing to negotiate, and I will not negotiate, is on the debt ceiling,” he said on Sunday. "If we continue to set a precedent in which a president is in a situation in which, each time the United States is called upon to pay its bills, the other party can simply sit there and say, 'Well, we're not going to … pay the bills unless you give us what we want' – that changes the constitutional structure of this government entirely.” House Speaker John Boehner has argued that Obama must negotiate before the debt ceiling is raised. "For decades, the White House and Congress have used the debt limit to find bipartisan solutions on the deficit and the debt," Boehner said at a news conference this week. "These types of changes were signed into law by President Reagan, Bush, Clinton and President Obama himself two years ago. So President Obama is going to have to deal with this as well." Steve Bell, economic policy director at the Bipartisan Policy Centre, said the non-profit’s analysis confirms that the Obama Administration will only have about $50 billion of cash on hand by mid-October. “I think there is a casualness about what a delay in paying the government’s bills will mean,” he told Business Spectator. “Only 18 per cent of the House and about a third of the Senate were around in 1995 when the Clinton Administration was shutdown so there aren’t a lot of people there who really know the consequences.” It isn’t just markets and money-makers that suffer. During the Clinton shutdown 1.1 million federal workers were made to take leave without pay, another 500,000 were forced to work without pay, clinical trials were halted, health care hotlines were shut down, passport applications went unprocessed along with visa applications for foreigners. “From a political point of view it wasn’t Clinton who got the blame, he went on to record a landslide election victory. It was the Republicans who suffered and I think Boehner is mindful of that,” Bell said. House Majority Leader Eric Cantor has laid out the Republicans' legislative grab bag of wishes that they want attached to the bill to lift the debt ceiling, including a delay of the 'Obamacare' health law, an overhaul of the tax code and the approval of an energy pipeline running from Canada to the gulf coast. Obama said overnight that he would veto any Republican legislation that sought to defund his health care law. Despite all the bluff and bluster it is unlikely that the Republicans will allow the government to shutdown, if for no other reason than the fact that it would hurt them politically.

#### Debt deal happening now but PC is key to prevent Republican hardline stance on spending cuts and a complicated battle

Kapur 9/9 Sahil Kapur, TPM's senior congressional reporter and Supreme Court correspondent, his articles covering politics and public policy have been published in The Huffington Post, The Guardian and The New Republic, “{Is House GOP Backing Down In Debt Limit Fight?”, Talking Points Memo, Seotember 9th, 2013, http://tpmdc.talkingpointsmemo.com/2013/09/house-gop-cantor-memo-debt-ceiling-cr-sequester-immigration.php?ref=fpb

House Republicans are taming members’ expectations ahead of the debt limit showdown, signaling that they may not be able to extract significant concessions from Democrats.¶ A Friday memo to GOP members by Majority Leader Eric Cantor (R-VA) says “the House will act to prevent a default on our obligations before” the mid-October deadline the Obama administration has established. “House Republicans,” he says, “will demand fiscal reforms and pro-growth policies which put us on a path to balance in ten years in exchange for another increase in the debt limit.”¶ The language is vague — intentionally so, in order to maintain wiggle room for Republicans to avert a disastrous debt default. President Barack Obama has vowed not to pay a ransom to ensure the U.S. can meet its obligations.¶ If and when they do cave, Republicans will be hard-pressed to show their base they got something in return for raising the debt ceiling. In January, they got Senate Democrats to agree to pass a non-binding budget resolution. This time around, the possibilities for symbolic concessions range from a doomed Senate vote to delay or defund Obamacare or instructions to initiate the process of tax reform.¶ There are a number of demands rank-and-file Republicans have urged leaders to make which could genuinely complicate the battle, such as dollar-for-dollar spending cuts or unwinding Obamacare. Cantor’s memo mentioned neither. GOP members have also called on leadership not to bring up any debt limit bill that lacks the support of half the conference. Boehner hasn’t committed to this and Cantor didn’t mention it in his memo.¶ There are several reasons Republicans will have a hard time extracting concessions. Back in January, when Obama held firm and refused to negotiate on the debt limit, Republicans folded and agreed to suspend the debt ceiling without substantial concessions but rather symbolic ones. And due to deep divisions within the conference, House Republicans will face enormous challenges in rounding up 218 votes to pass any conceivable debt limit hike.

#### Obama will be able to hold the line on Republic threats to fight debt ceiling compromise now.

REID J. EPSTEIN | 9/18/13 11:28 AM EDT Updated: 9/18/13 1:08 PM EDT Read more: http://www.politico.com/story/2013/09/obama-business-roundtable-96987.html#ixzz2fPGj9aJd

President Barack Obama said Wednesday that House Republicans are trying “to extort” him into defunding his signature health care law. “You have never seen in the history of the United States, the debt ceiling, or the threat of not raising the debt ceiling, being used to extort a president or a governing party and trying to force issues that have nothing to do with the budget and have nothing to do with the debt,” Obama said. Obama’s remarks mark his second attempt this week to focus attention on Republican threats to shut down the government and threaten default. The first came Monday as most eyes were trained on Washington’s Navy Yard, where the death toll from the mass shooting there was still rising when Obama delivered his economic broadside. During the open press portion of Wednesday’s session, Obama made his pitch directly to a business community he hopes will aid him in pressuring congressional Republicans to drop their demands to defund the president’s health care law as a condition of keeping the government open or raising the debt ceiling. Obama said he refused to set a precedent in which the debt ceiling set up periodic fights that tanked the economy. “We’re not going to set up a situation where the full, faith and credit of the United States is put on the table every year or every year and a half and we go through some terrifying financial brinksmanship,” Obama said. “It would fundamentally change how American government functions.” Obama said he would negotiate with Republicans over what should be in his budget, but reiterated his vow not to make deals on Obamacare or the debt ceiling less than an hour after House Republicans met to settle on a strategy of offering a one-year increase in the debt limit in exchange for delaying the health care law’s implementation one year. The House GOP will hold a vote Friday.

### A2 Syria Thumper

#### Their ev is speculative, ours is post-pivot to Debt ceiling

#### Obama’s pivot away from Syria preserves his political capital for debt ceiling resolution

Bohan, 9/11 (Caren, 9/11/2013, “Delay in Syria vote frees Obama to shift to hefty domestic agenda,” <http://www.reuters.com/article/2013/09/11/usa-obama-agenda-idUSL2N0H716N20130911>))

WASHINGTON, Sept 11 (Reuters) - Putting off a decision on military strikes on Syria allows President Barack Obama to shift his attention back to a weighty domestic agenda for the fall that includes budget fights, immigration and selecting a new chairman of the Federal Reserve. Obama and his aides have immersed themselves for a week and a half in an intensive effort to win support in Congress for U.S. military action in Syria after a suspected chemical weapons attack last month killed more than 1,400 people. But the effort, which included meetings by Obama on Capitol Hill on Tuesday followed by his televised speech to Americans, seemed headed for an embarrassing defeat, with large numbers of both Democrats and Republicans expressing opposition. **The push** for a vote **on Syria** - which has now been delayed - **had threatened to crowd out the busy legislative agenda for the final three months of 2013 and drain Obama's political clout, making it harder for him to press his priorities.** But analysts said a proposal floated by Russia, which the Obama administration is now exploring, to place Syria's weapons under international control may allow Obama to emerge from a difficult dilemma with minimal political damage. "He dodges a tough political situation this way," said John Pitney, professor of politics at Claremont McKenna College in California. Pitney said the delay in the Syria vote removes a big burden for Obama, given that Americans, who overwhelmingly opposed military intervention in Syria, will now be able to shift their attention to other matters. He said Obama could suffer some weakening of his leverage with Congress. The administration's "full court press" to try to persuade lawmakers to approve military force on Syria was heavily criticized and did not yield much success. "He probably has suffered some damage in Congress because there are probably many people on (Capitol Hill) who have increasing doubts about the basic competence of the administration and that's a disadvantage in any kind of negotiation," Pitney said. BUDGET BATTLES Among Obama's most immediate challenges are two looming budget fights. By Sept. 30, Congress and the president must agree on legislation to keep federal agencies funded or face a government shutdown. Two weeks later, **Congress must raise the limit on the country's ability to borrow or risk a possible debt default that could cause chaos in financial markets.** On the first budget showdown, Obama may be at a strategic advantage because of divisions among opposition Republicans about whether to use the spending bill to provoke a fight over Obama's signature health care law, known as Obamacare. House Republican leaders are trying to rally the party around a temporary spending measure that would keep the government funded until Dec. 15 but are facing resistance within their own caucus from some conservatives who want to cut off funding for Obamacare, even if it means a government shutdown. **The debt limit fight could end up going down to the wire and unnerving financial markets. Republicans want to use that standoff to extract concessions from the Democratic president, such as spending cuts and a delay in the health law. But Obama has said he has no intention of negotiating over the borrowing limit.** Another challenge for Obama will be reviving momentum for immigration reform. Sweeping legislation that would grant a path to citizenship for 11 million undocumented immigrants has passed the Democratic-led Senate but has been stalled in the Republican-controlled House of Representatives. Over the past week and half, lobbyists and other supporters of immigration reform have become worried that the Syria issue could doom the legislation in the House by limiting the amount of time lawmakers have to consider it. But lobbyists are not ready to give up and have continued meeting with lawmakers to press the issue. Some activists believe Obama could create pressure on Republicans to act by making greater use of the bully pulpit. The White House has sought to strike a balance between calling for action and giving Congress space to consider the issue. Another pressing domestic matter will be picking a candidate to succeed Fed Chairman Ben Bernanke, whose term expires in January. Obama has been leaning toward Lawrence Summers, a former top White House aide and Treasury secretary, who is controversial within his own Democratic Party. Any candidate for Fed chairman will require confirmation by the U.S. Senate. On issues like the budget battles in which Obama will go toe-to-toe with Republicans, the Syria push will have little fallout for Obama, predicted Matt Bennett, senior vice president at Third Way, a center-left think tank. Republicans showed a huge resistance to Obama's agenda well before the administration's effort to win congressional backing on Syria began to falter, Bennett noted. He said the time focused on Syria over the last week and half did nothing to change that dynamic. "I certainly don't think the situation he's in today is markedly different from the one he faced a few weeks ago," Bennett said.

#### Syria won’t hurt Obama on other issues

Lerer, 9/12 (Lisa, “Obama Syria Reversal Sets Stage for Fights With Congress,” <http://www.bloomberg.com/news/2013-09-12/obama-syria-reversal-sets-stage-for-fights-with-congress.html>))

No Effect

The White House and its allies argue that the debate over Syria won’t hurt Obama on other issues, simply because the fight didn’t break along traditional party lines and is unlikely to resonate in the 2014 congressional elections. A coalition of small-government Republicans wary of U.S. involvement overseas and Democrats who warned of the risk of entering another Middle Eastern war lined up against Obama’s Syria plan, likely killing its chances of passage if there had been a vote in the House.

Those Democrats, Obama supporters say, will stick with the president on economic issues, while many of those Republicans will always be lined up against him.

### PC high

#### Yes PC – multiple reasons

Kornblum 9/11

John, Former U.S. ambassador to Germany, Judy Asks: Is Obama a Lame-Duck President?, 9/11/13, http://carnegieeurope.eu/strategiceurope/?fa=52932&lang=en

U.S. President Barack Obama is far from a lame-duck president.¶ Such charges often arise when a politician is facing difficulties, and it is true that Obama has not been as adroit as he might have been on issues such as Syria. But if Syrian stocks of poison gas are put under international control, as was proposed this week, he will in fact gain in both influence and reputation.¶ And the reality is that the U.S. economy is improving, the nation’s overseas military involvements are being cut back, and the Republicans continue to self-destruct.¶ There is rough sledding ahead, but the president has more than enough political capital to deal with the problems he faces.

### A2: PC Theory False

#### Their evidence is about Obama getting agenda items through--- PC is uniquely key in this instance because Obama has to HOLD OFF the opposition

**PC key – Debt ceiling budget battles**

**Lillis and Wasson 9/7**

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

**The prospect of wounding** President **Obama is weighing heavily on Democratic lawmakers** as they decide their votes on Syria.¶ **Obama needs all the political capital he can muster heading into bruising battles with the GOP over fiscal spending and the debt ceiling.¶ Democrats want Obama to use his popularity to reverse automatic spending cuts already in effect and pay for new economic stimulus measures** through higher taxes on the wealthy and on multinational companies.

#### Political capital theory is true – newest data proves that presidents have significant legislative influence

Beckman 10 – Professor of Political Science

(Matthew N. Beckman, Professor of Political Science @ UC-Irvine, 2010, “Pushing the Agenda: Presidential Leadership in U.S. Lawmaking, 1953-2004,” pg. 2-3)

Developing presidential coalition building as a generalizable class of strategies is itself instructive, a way of bringing clarity to presidential– congressional dynamics that have previously appeared idiosyncratic, if not irrational. However, the study’s biggest payoff comes not from identifying presidents’ legislative strategies but rather from discerning their substantive effects. In realizing how presidents target congressional processes upstream (how bills get to the ﬂoor, if they do) to inﬂuence downstream policy outcomes (what passes or does not), we see that standard tests of presidential inﬂuence have missed most of it. Using original data and new analyses that account for the interrelationship between prevoting and voting stages of the legislative process, I ﬁnd that presidents’ legislative inﬂuence is real, often substantial, and, to date, greatly underestimated.