# 1NC

### 1

#### The aff is not topical --- introducing armed forces only refers to human troops, not weapons systems which are included in the plan

Lorber 13 – Eric Lorber, J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University Department of Political Science. January 2013, "Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?" University of Pennsylvania Journal of Contsitutional Law, 15 U. Pa. J. Const. L. 961, lexis nexis

As is **evident from a** textual analysis, n177 an examination of the legislative history, n178 and **the broad** policy purposes behind the creation of the Act, n179 [\*990] "armed forces" refers to U.S. soldiers and members of the armed forces, not weapon systems or capabilities such as offensive cyber weapons. Section 1547 does not specifically define "armed forces," but it states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government." n180 While this definition pertains to the broader phrase "introduction of armed forces," the clear implication is that **only members of the armed forces count for the purposes of the definition under the WPR.** Though not dispositive, **the term "member" connotes a human individual who is part of an organization.** n181 Thus, it appears that the term "armed forces" means human members of the United States armed forces. However, there exist two potential complications with this reading. First, the language of the statute states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces." n182 By using inclusionary - as opposed to exclusionary - language, one might argue that the term "armed forces" could include more than members. This argument is unconvincing however, given that a core principle of statutory interpretation, expressio unius, suggests that **expression of one thing (i.e., members) implies the exclusion of others (**such as non-members **constituting armed forces)**. n183 Second, the term "member" does not explicitly reference "humans," and so could arguably refer to individual units and beings that are part of a larger whole (e.g., wolves can be members of a pack). As a result, though a textual analysis suggests that "armed forces" refers to human members of the armed forces, such a conclusion is not determinative.¶ **An examination of the legislative history also suggests that Congress clearly conceptualized "armed forces" as human members of the armed forces**. For example, disputes over the term "armed forces" revolved around who could be considered members of the armed forces, not what constituted a member. Senator Thomas Eagleton, one of the Resolution's architects, proposed an amendment during the process providing that the Resolution cover military officers on loan to a civilian agency (such as the Central [\*991] Intelligence Agency). n184 This amendment was dropped after encountering pushback, n185 but the debate revolved around whether those military individuals on loan to the civilian agency were still members of the armed forces for the purposes of the WPR, suggesting that Congress considered the term to apply only to soldiers in the armed forces. Further, during the congressional hearings, the question of deployment of "armed forces" centered primarily on past U.S. deployment of troops to combat zones, n186 suggesting that **Congress conceptualized "armed forces" to mean U.S. combat troops.**¶ **The broad purpose of the Resolution aimed to prevent the large-scale but unauthorized deployments of U.S. troops into hostilities**. n187 While examining the broad purpose of a legislative act is increasingly relied upon only after examining the text and legislative history, here it provides further support for those two alternate interpretive sources. n188 As one scholar has noted, "the War Powers Resolution, for example, is concerned with sending U.S. troops into harm's way." n189 The historical context of the War Powers Resolution is also important in determining its broad purpose; as the resolutions submitted during the Vietnam War and in the lead-up to the passage of the WPR suggest, Congress was concerned about its ability to effectively regulate the President's deployments of large numbers of U.S. troops to Southeast Asia, n190 as well as prevent the President from authorizing troop incursions into countries in that region. n191 The WPR was a reaction to the President's continued deployments of these troops into combat zones, and as such suggests that Congress's broad purpose was to prevent the unconstrained deployment of U.S. personnel, not weapons, into hostilities.¶ This analysis suggests that, when defining the term "armed forces," Congress meant members of the armed forces who would be placed in [\*992] harm's way (i.e., into hostilities or imminent hostilities). **Applied to offensive cyber operations, such a definition leads to the conclusion that the** W**ar** P**owers** R**esolution likely does not cover such activities**. Worms, viruses, and kill switches are clearly not U.S. troops. Therefore, the key question regarding whether the WPR can govern cyber operations is not whether the operation is conducted independently or as part of a kinetic military operation. Rather, the key question is the delivery mechanism. For example, if military forces were deployed to launch the cyberattack, such an activity, if it were related to imminent hostilities with a foreign country, could trigger the WPR. This seems unlikely, however, for two reasons. First, it is unclear whether small-scale deployments where the soldiers are not participating or under threat of harm constitute the introduction of armed forces into hostilities under the War Powers Resolution. n192 Thus, **individual operators deployed to plant viruses in particular enemy systems may not constitute armed forces introduced into hostilities or imminent hostilities.** Second, such a tactical approach seems unlikely. If the target system is remote access, the military can attack it without placing personnel in harm's way. n193 If it is close access, there exist many other effective ways to target such systems. n194 As a result, unless U.S. troops are introduced into hostilities or imminent hostilities while deploying offensive cyber capabilities - which is highly unlikely - such operations will not trigger the War Powers Resolution.

#### Vote negative for predictable limits --- aff ostensibly limits deployment of all weapons systems--- explodes the caselist to include any weapons system--- requires research into a whole separate literature base --- undermines preparedness for all debates

### 2

#### 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.”

#### Plan guts capital--- link turns the aff

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.

### 3

#### The United States Congress should engage in prior and binding consultation with the Executive over requiring Congressional authorization prior to initiating offensive use of military force and implement the results of that consultation.

#### Consultation crucial to effective implementation of the plan – also dodges interbranch conflict and politics – their internal link author

**Frye 2** – Alton Frye, Presidential Senior Fellow Emeritus and Director of the Program on Congress and Foreign Policy at the Council on Foreign Relations, and#34;Applying the War Powers Resolution to the War on Terrorismand#34;, Testimony Before the Senate Judiciary Committee, 4-17, http://www.cfr.org/terrorism/applying-war-powers-resolution-war-terrorism/p4514)

First, if not carefully and regularly reconsidered in the context of future phases of the war on terrorism, the broad authority conveyed to the President by Senate Joint Resolution 23, even after refinement in the Senate, could lead to considerable friction between the branches over interpretation. Second, unless there is continuing consultation in good faith between Congress and the Executive, the unity that marks the beginning of the campaign against terrorism could degenerate into the profound disunity that scarred American politics thirty years ago. One doubts that meaningful consultation can be mandated; it must flow from mutual sensitivity between leaders in both branches. Nevertheless, the incentives for such consultation would certainly be enhanced by a firm assertion of congressional prerogatives, not as a challenge to the President but as a commitment by the House and Senate to perform their own constitutional duties. These considerations lend urgency to the subcommittee’s inquiry into the relevance of the War Powers Resolution to the manifold operations likely to arise in the war against terrorism. If the inquiry is to be fruitful, however, I believe it must simultaneously understand the long-running legislative-executive arguments over war powers and strive to move beyond them to invent some fresh approaches. The modern debate over war powers is an exceedingly cluttered one, far different from the clarity that marked early constitutional history. Amid the clutter, in the public debates and the scholarly literature, one will find insight and wisdom, but no ready foundation for a viable policy. If the Congress and the Executive are to restore a healthy balance to managing the war powers they share under the Constitution, they must rise above the clutter that litters the political landscape of the last thirty years. Both branches are going to have to avoid rigid postures and rhetorical poses.

#### Interbranch conflict over the plan undermines wartime decisionmaking – turns the Aff

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

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

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

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

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

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

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

### Intervention Adv

#### Groupthink theory is wrong

Anthony Hempell 4, User Experience Consulting Senior Information Architect, “Groupthink: An introduction to Janis' theory of concurrence-seeking tendencies in group work., <http://www.anthonyhempell.com/papers/groupthink/>, March 3

In the thirty years since Janis first proposed the groupthink model, there is still little agreement as to the validity of the model in assessing decision-making behaviour (Park, 2000). Janis' theory is often criticized because it does not present a framework that is suitable for empirical testing; instead, the evidence for groupthink comes from largely qualitative, historical or archival methods (Sunstein, 2003). Some critics go so far as to say that Janis's work relies on "anecdote, casual observation, and intuitive appeal rather than rigorous research" (Esser, 1998, cited in Sunstein, 2003, p.142). While some studies have shown support for the groupthink model, the support tends to be mixed or conditional (Esser, 1998); some studies have revealed that a closed leadership style and external threats (in particular, time pressure) promote groupthink and defective decision making (Neck & Moorhead, 1995, cited by Choi & Kim, 1999); the effect of group cohesiveness is still inconclusive (Mullen, Anthony, Salas & Driskel, 1994, cited by Choi & Kim, 1999). Janis's model tends to be supported by studies that employ a qualitative case-study approach as opposed to experimental research, which tends to either partially support or not support Janis's thesis (Park, 2000). The lack of success in experimental validation of groupthink may be due to difficulties in operationalizing and conceptualizing it as a testable variable (Hogg & Hains, 1998; Park, 2000). Some researchers have criticized Janis for categorically denouncing groupthink as a negative phenomenon (Longley & Pruitt, 1980, cited in Choi & Kim, 1999). Sniezek (1992) argues that there are instances where concurrence-seeking may promote group performance. When used to explain behaviour in a practical setting, groupthink has been frames as a detrimental group process; the result of this has been that many corporate training programs have created strategies for avoiding groupthink in the workplace (Quinn, Faerman, Thompson & McGrath, 1990, cited in Choi & Kim, 1999). Another criticism of groupthink is that Janis overestimates the link between the decision-making process and the outcome (McCauley, 1989; Tetlock, Peterson, McGuire, Chang & Feld, 1992; cited in Choi & Kim, 1999). Tetlock et al argue that there are many other factors between the decision process and the outcome. The outcome of any decision-making process, they argue, will only have a certain probability of success due to various environmental factors (such as luck). A large-scale study researching decision-making in seven major American corporations concluded that decision-making worked best when following a sound information processing method; however these groups also showed signs of groupthink, in that they had strong leadership which attempted to persuade others in the group that they were right (Peterson et al, 1998, cited in Sunstein, 2003). Esser (1998) found that groupthink characteristics were correlated with failures; however cohesiveness did not appear to be a factor: groups consisting of strangers, friends, or various levels of previous experience together did not appear to effect decision-making ability. Janis' claims of insulation of groups and groups led by autocratic leaders did show that these attributes were indicative of groupthink symptoms. Moorhead & Montanari conducted a study where they concluded that groupthink symptoms had no significant effect on group performance, and that "the relationship between groupthink-induced decision defects and outcomes were not as strong as Janis suggests" (Moorhead & Montanari, 1986, p. 399; cited by Choi & Kim, 1999).

#### No mindless intervention

Mandelbaum 2011 (Michael Mandelbaum, A. Herter Professor of American Foreign Policy, the Paul H. Nitze School of Advanced International Studies, Johns Hopkins University, Washington DC; and Director, Project on East-West Relations, Council on Foreign Relations, “CFR 90th Anniversary Series on Renewing America: American Power and Profligacy,” Jan 2011)

I think it is, Richard. And I think that this period really goes back two decades. I think the wars or the interventions in Somalia, in Bosnia, in Kosovo, in Haiti belong with the interventions in Afghanistan and Iraq, although they were undertaken by different administrations for different reasons, and had different costs. But all of them ended up in the protracted, unexpected, unwanted and expensive task of nation building. Nation building has never been popular. The country has never liked it. It likes it even less now. And I think we're not going to do it again. We're not going to do it because there won't be enough money. We're not going to do it because there will be other demands on the public purse. We won't do it because we'll be busy enough doing the things that I think ought to be done in foreign policy. And we won't do it because it will be clear to politicians that the range of legitimate choices that they have in foreign policy will have narrowed and will exclude interventions of that kind. So I believe and I say in the book that the last -- the first two post-Cold War decades can be seen as a single unit. And that unit has come to an end.

**Groupthink dangers exaggerated- Obama is not their examples**

**Pillar, 13** -- Brookings Foreign Policy Senior Fellow

[Paul, "The Danger of Groupthink," The National Interest, 2-26-13, webcache.googleusercontent.com/search?q=cache:6rnyjYlVKY0J:www.brookings.edu/research/opinions/2013/02/26-danger-groupthink-pillar+&cd=3&hl=en&ct=clnk&gl=us, accessed9-21-13, mss]

David Ignatius has an interesting take on national security decision-making in the Obama administration in the wake of the reshuffle of senior positions taking place during these early weeks of the president's second term. Ignatius perceives certain patterns that he believes reinforce each other in what could be a worrying way. One is that the new team does not have as much “independent power” as such first-term figures as Clinton, Gates, Panetta and Petraeus. Another is that the administration has “centralized national security policy to an unusual extent” in the White House. With a corps of Obama loyalists, the substantive thinking may, Ignatius fears, run too uniformly in the same direction. He concludes his column by stating that “by assembling a team where all the top players are going in the same direction, he [Obama] is perilously close to groupthink.” We are dealing here with tendencies to which the executive branch of the U.S. government is more vulnerable than many other advanced democracies, where leading political figures with a standing independent of the head of government are more likely to wind up in a cabinet. This is especially true of, but not limited to, coalition governments. Single-party governments in Britain have varied in the degree to which the prime minister exercises control, but generally room is made in the cabinet for those the British call “big beasts”: leading figures in different wings or tendencies in the governing party who are not beholden to the prime minister for the power and standing they have attained. Ignatius overstates his case in a couple of respects. Although he acknowledges that Obama is “better than most” in handling open debate, he could have gone farther and noted that there have been egregious examples in the past of administrations enforcing a national security orthodoxy, and that the Obama administration does not even come close to these examples. There was Lyndon Johnson in the time of the Vietnam War, when policy was made around the president's Tuesday lunch table and even someone with the stature of the indefatigable Robert McNamara was ejected when he strayed from orthodoxy. Then there was, as the most extreme case, the George W. Bush administration, in which there was no policy process and no internal debate at all in deciding to launch a war in Iraq and in which those who strayed from orthodoxy, ranging from Lawrence Lindsey to Eric Shinseki, were treated mercilessly. Obama's prolonged—to the point of inviting charges of dithering—internal debates on the Afghanistan War were the **polar opposite** of this. Ignatius also probably underestimates the contributions that will be made to internal debate by the two most important cabinet members in national security: the secretaries of state and defense. He says John Kerry “has the heft of a former presidential candidate, but he has been a loyal and discreet emissary for Obama and is likely to remain so.” The heft matters, and Kerry certainly qualifies as a big beast. Moreover, the discreet way in which a member of Congress would carry any of the administration's water, as Kerry sometimes did when still a senator, is not necessarily a good indication of the role he will assume in internal debates as secretary of state. As for Chuck Hagel, Ignatius states “he has been damaged by the confirmation process and will need White House cover.” But now that Hagel's nomination finally has been confirmed, what other “cover” will he need? It's not as if he ever will face another confirmation vote in the Senate. It was Hagel's very inclination to flout orthod

**We wont start wars just because we can**

**Brooks 12**, Stephen, Associate Professor of Government at Dartmouth College, John Ikenberry is the Albert G. Milbank Professor of Politics and International Affairs at Princeton University in the Department of Politics and the Woodrow Wilson School of Public and International Affairs, William C. Wohlforth is the Daniel Webster Professor in the Department of Government at Dartmouth College “Don’t Come Home America: The Case Against Retrenchment,” International Security, Vol. 37, No. 3 (Winter 2012/13), pp. 7–51

temptation. For many advocates of retrenchment, the mere possession of peerless, globe-girdling military capabilities leads inexorably to a dangerous expansion of U.S. definitions of national interest that then drag the country into expensive wars. 64 For example, sustaining ramified, long-standing alliances such as NATO leads to mission creep: the search for new roles to keep the alliance alive. Hence, critics allege that NATO’s need to “go out of area or out of business” led to reckless expansion that alienated Russia and then to a heedless broadening of interests to encompass interventions such as those in Bosnia, Kosovo, and Libya. In addition, peerless military power creates the temptation to seek total, non-Clausewitzian solutions to security problems, as allegedly occurred in Iraq and Afghanistan. 65 Only a country in possession of such awesome military power and facing no serious geopolitical rival would fail to be satisfied with partial solutions such as containment and instead embark on wild schemes of democracy building in such unlikely places. In addition, critics contend, the United States’ outsized military creates a sense of obligation to use it if it might do good, even in cases where no U.S. interests are engaged. As Madeleine Albright famously asked Colin Powell, “What’s the point of having this superb military you’re always talking about, if we can’t use it?” Undoubtedly, possessing global military intervention capacity expands opportunities to use force. If it were truly to “come home,” the United States would be tying itself to the mast like Ulysses, rendering itself incapable of succumbing to temptation. Any defense of deep engagement must acknowledge that it increases the opportunity and thus the logical probability of U.S. use of force compared to a grand strategy of true strategic disengagement. Of course, if the alternative to deep engagement is an over-the-horizon intervention stance, then the temptation risk would persist after retrenchment. The main problem with the interest expansion argument, however, is that it essentially boils down to one case: Iraq. Sixty-seven percent of all the casualties and 64 percent of all the budget costs of all the wars the United States has fought since 1990 were caused by that war. Twenty-seven percent of the causalities and 26 percent of the costs were related to Operation Enduring Freedom in Afghanistan. All the other interventions—the 1990–91 Persian Gulf War, the subsequent airstrike campaigns in Iraq, Somalia, Bosnia, Haiti, Kosovo, Libya, and so on—account for 3 percent of the casualties and 10 percent of the costs. 66 **Iraq is the outlier** not only in terms of its human and material cost, but also in terms of the degree to which the overall burden was shouldered by the United States alone. As Beckley has shown, in the other interventions allies either spent more than the United States, suffered greater relative casualties, or both. In the 1990–91 Persian Gulf War, for example, the United States ranked fourth in overall casualties (measured relative to population size) and fourth in total expenditures (relative to GDP). In Bosnia, European Union (EU) budget outlays and personnel deployments ultimately swamped those of the United States as the Europeans took over postconflict peacebuilding operations. In Kosovo, the United States suffered one combat fatality, the sole loss in the whole operation, and it ranked sixth in relative monetary contribution. In Afghanistan, the United States is the number one financial contributor (it achieved that status only after the 2010 surge), but its relative combat losses rank fifth. 67 In short, the interest expansion argument would look much different without Iraq in the picture. There would be no evidence for the United States shouldering a disproportionate share of the burden, and the overall pattern of intervention would look “unrestrained” only in terms of frequency, not cost, with the debate hinging on whether the surge in Afghanistan was recklessly unrestrained. 68 How emblematic of the deep engagement strategy is the U.S. experience in Iraq? The strategy’s supporters insist that Iraq was a Bush/neoconservative aberration; certainly, there are many supporters of deep engagement who strongly opposed the war, most notably Barack Obama. Against this view, opponents claim that it or something close to it was inevitable given the grand strategy. Regardless, the more important question is whether continuing the current grand strategy condemns the United States to more such wars. **The Cold War experience suggests a negative answer**. After the United States suffered a major disaster in Indochina (to be sure, dwarfing Iraq in its human toll), it responded by waging the rest of the Cold War using proxies and highly limited interventions. Nothing changed in the basic structure of the international system, and U.S. military power recovered by the 1980s, yet the United States never again undertook a large expeditionary operation until after the Cold War had ended. All indications are that Iraq has generated a similar effect for the post–Cold War era. If there is an Obama doctrine, Dominic Tierney argues, it can be reduced to “No More Iraqs.” 69 Moreover, the president’s thinking is reflected in the Defense Department’s current strategic guidance, which asserts that “U.S. forces will no longer be sized to conduct large-scale, prolonged stability operations.” 70 Those developments in Washington are also part of a **wider rejection of the Iraq experience** across the American body politic, which political scientist John Mueller dubbed the “Iraq Syndrome.” 71 Retrenchment advocates would need to present much more argumentation and evidence to support their pessimism on this subject.

#### Imperial presidency isn’t unprecedented- no escalation now

Keating 2013 [Joshua Keating associate editor at Foreign Policy and editor of the War of Ideas blog. He has worked as a researcher, editorial assistant, and deputy Web editor since joining the FP staff in 2007. May 9, 2013 Foreign Policy “Actually, U.S. presidents have been going to war without Congress since the beginning” http://ideas.foreignpolicy.com/posts/2013/05/09/actually\_us\_presidents\_have\_been\_going\_to\_war\_without\_congress\_since\_the\_beginning]

In the modern era, it's become increasingly common for presidents to send troops into battle without authorization from Congress -- a practice many argue is unconstitutional. During the 2011 intervention in Libya for intance, Yale law professor Bruce Ackerman wrote that "Barack Obama's administration is breaking new ground in its construction of an imperial presidency -- an executive who increasingly acts independently of Congress at home and abroad." It may be unconstitutional, but how unprecedented is it?¶ There's a general consensus that the imperial presidency model of warfighting began with Theodore Roosevelt and expanded dramatically after World War II -- the last time Congress formally declared war. The War Powers Resolution of 1973 was meant to check the president's ability to do this, but several administration's have skirted it. A paper by William D. Adler in Presidential Studies Quarterly analyzes the "small wars" of early U.S. history and found that the tradition of the president acting as "generalissimo of the nation" as the pseudonymous "Cato" put it in the Anti-Federalist Papers, goes back much further than we think. ¶ America's two largest pre-civil war conflicts -- the War of 1812 and the Mexican American War -- were both organized by Congress, though James Polk played a major hand in instigating the second one. But there were dozens of other conflicts, sometimes involving thousands of combatants. These included at least 10 major conflicts with Indian tribes between the 1790s and 1850s as well as " the Quasi-War with France during the late 1790s; the conflict with the Barbary pirates during the 1800s (which had been an ongoing problem since Washington's presidency); General Andrew Jackson's repeated invasions of Spanish Florida; naval skirmishes in Sumatra during the 1830s; the so-called Patriot War from 1839 through 1841 on the northern border; "bleeding Kansas" during the 1850s; and the Mormon war in Utah later that decade."¶ Adler argues that in all these conflicts, Congress -- if involved at all -- generally simply delegated warmaking powers to the executive branch and only excercised oversight after the fact. This was particularly this case in conflicts with Indian tribes, which were generally overseen by the War Department in cooperation with state governments without Congressional deliberations. ¶ In a scenario familiar from the Iraq War era, Congress often didn't realize quite how much power it was granting to the president. Adler recounts what happened in 1792 when Congress agreed to George Washington's request for 5,000 additional troops to fight Indian tribes in the Ohio Territory: ¶ During the conflict, Congress does not seem to have comprehended just how much power ¶ it had delegated to the executive branch. As Richard Kohn explains, when St. Clair asked for permission to call up the militia, Congress authorized it, but "only later, after Washington cited the amendment as authorization for Harmar's campaign, did Congress understand fully that it had given the President permission to wage war on his own authority." Similarly, when Congress appropriated $1 million to fund the ongoing operations, this was taken by the administration as an implicit authorization to continue the fighting; at no time did anyone think of asking for a formal resolution allowing the war to progress.¶ Early American presidents also had a habit of going to war first and asking permission later, such as when James Madison authorized the Army to seize territory in West Florida in 1810. As a general, Andrew Jackson invaded Florida three different times without asking permission from the president -- not to mention Congress. As president, Jackson continued to follow the imperial model, interpreting the Indian Removal Act of 1830 as carte blanche to use military force against Indian tribes who refused to relocate, an event now known as the Trail of Tears. This included the forced removal of the Florida Seminoles, which the largest U.S. military engagement since the War of 1812, with nearly 9,000 soldiers involved.

### Warfighting Adv

#### 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. 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. 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.

#### Signaling effects and cred don’t matter in modern war

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]

The non-cooperative bargaining model of international conflict assumes ¶ that the actors of concern are rational, self-interested nation-states. Recent ¶ developments in the international system may require that we relax this ¶ assumption. Taking rogue states or international terrorist organizations such ¶ as al Qaeda into account may distinguish cases in which the benefits of ¶ signaling do not outweigh the benefits of executive speed, secrecy, and ¶ flexibility. Threats to American national security now come not only from the ¶ hostile intentions of other nation-states, but from three other sources: the easy ¶ availability of the knowledge and technology to create weapons of mass ¶ destruction; the emergence of rogue nations; and the rise of international terrorism of the kind practiced by the al Qaeda terrorist organization.¶ 55¶ The al ¶ Qaeda terrorist network and similar organizations may pose a threat that does ¶ not lend itself to resolution through bargaining.¶ 56¶ In particular, signaling may ¶ prove ineffective when applied against these nations or groups because they are ¶ unlikely to have the proper incentives to respond to the information conveyed ¶ by such signals. ¶ Significantly, the informational value of the signaling mechanism among ¶ democracies depends heavily on the existence of transparency and domestic ¶ political accountability, both of which are usually lacking in terrorist ¶ organizations and rogue states. In a sense, the very logic of the signaling ¶ mechanism assumes that because democracies are aware that other democracies ¶ are less likely to back down in an escalating international crisis, democracies ¶ will be less reluctant to get involved in wars against each other in the first ¶ place.¶ 57¶ On the other hand, because rogue states and terrorist organizations face ¶ little or no political accountability for their foreign policy failures, they can ¶ afford to ignore their domestic audiences and take more aggressive stances in ¶ initiating international conflicts.¶ 58¶ Conversely, once they enter into an ¶ escalating international crisis, rogue states can more easily afford to back out of ¶ the crisis without paying a political price for seeming inconsistent or weak. In ¶ sum, the crisis bargaining model suggests that rogue states are neither likely to ¶ signal credible commitments of their resolve in an international crisis, nor ¶ likely to appreciate costly signals made by other states. ¶ The existing empirical evidence largely supports the view that rogue or ¶ autocratic states are much more willing to discount the risks of military failure ¶ than democracies. For instance, Bruce Bueno de Mesquita and Randolph ¶ Siverson have shown that democratic regimes tend to initiate conflicts of lower risk than nondemocracies,¶ 59¶ and other studies have shown that they also tend ¶ to suffer fewer battle deaths and fight much shorter wars.¶ 60¶ In sum, these ¶ studies strongly suggest that democracies tend to be much more cautious in the ¶ kinds of wars they fight; an obvious corollary is that democracies are more ¶ likely to be sensitive to signals that relay information about the willingness of a ¶ foreign adversary to engage in a high-risk conflict. ¶ A related argument is that because democracies tend to benefit from a more ¶ robust marketplace of ideas and information than nondemocracies,¶ 61¶ they are ¶ better able to understand the institutional context in which the President and ¶ Congress interact on war powers issues. Even if terrorist organizations or ¶ rogue states did understand the meaning of legislative signals, however, ¶ common ground that could produce a bargain might still be absent. Al Qaeda § Marked 14:56 § ¶ demanded, for example, that the United States withdraw from the Middle East ¶ and cease its support of moderate Arab regimes and of Israel, and that a ¶ fundamentalist Islamic caliphate replace those regimes.¶ 62¶ Assuming that the ¶ United States will not alter its foreign policy in such a dramatic fashion, there ¶ is no possibility of a bargain. ¶ The declining value of costly signals is counterbalanced by the benefit of ¶ using preemptive force against terrorists and rogue states. As September 11 ¶ showed, terrorist attacks can occur without warning because their ¶ unconventional nature allows their preparation to be concealed within the ¶ normal activities of civilian life. Terrorists have no territory or regular armed ¶ forces from which to detect signs of an impending attack. To defend itself from ¶ such an enemy, the United States might need to use force earlier and more ¶ often than was the norm during a time when nation-states generated the ¶ primary threats to American national security.¶ 63 As with terrorism, the threat posed by rogue nations may again require the ¶ United States to use force earlier and more often than it would like.¶ 64¶ Rogue ¶ nations may very well be immune to pressure short of force designed to stop ¶ their quest for WMD or their threat to the United States. Rogue nations, for ¶ example, have isolated themselves from the international system, are less ¶ integrated into the international political economy, and repress their own ¶ populations. This makes them less susceptible to diplomatic or other means of ¶ resolving disputes short of force, such as economic sanctions. Lack of concern ¶ for their own civilian populations renders the dictatorships that often govern ¶ rogue nations more resistant to deterrence. North Korea, for example, appears ¶ to have continued its development of nuclear weapons despite years of ¶ diplomatic measures to change its course.¶ 65¶ ¶ These new threats to American national security change the way we think ¶ about the relationship between the process and substance of the warmaking ¶ system. The international system as it existed at the end of the Cold War ¶ allowed the United States to choose a warmaking system that could have ¶ placed a premium on deliberation and the approval of multiple institutions, ¶ whether for purposes of political consensus (and hence institutional constraints ¶ that lower the expected value of war) or for purposes of signaling private ¶ information in the interests of reaching a peaceful bargain. If, however, the ¶ nature of threats has changed and the level of threats has increased, and ¶ military force is the most effective means for responding to those threats, then ¶ it may make more sense for the United States to use force preemptively. Given ¶ the threats posed by WMD proliferation, rogue nations, and international ¶ terrorism, at the very least it seems clear that we should not adopt a warmaking ¶ process that contains a built-in presumption against using force abroad or that ¶ requires long and deliberate procedures. ¶ These developments in the international system may demand that the ¶ United States have the ability to use force earlier and more quickly than in the ¶ past. In order to forestall a WMD attack, or to take advantage of a window of ¶ opportunity to strike at a terrorist cell, the executive branch needs the flexibility ¶ to act quickly, possibly in situations in which congressional consent cannot be ¶ obtained in time to act on the intelligence.

#### Speed of decisionmaking is key to 4GW- executive power is essential

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]

By now it should be clear just how different this conflict against the extremist terrorists is from the type of warfare that occupied the minds of the Framers at the time of the Founding. Rather than maintaining the geographical and political isolation desired by the Framers for the new country, today's United States is an international power targeted by individuals and groups that will not rest until seeing her demise. The Global War on Terrorism is not truly a war within the Framers' eighteenth-century conception of the term, and the normal constitutional provisions regulating the division of war powers between Congress and the President do not apply. Instead, this "war" is a struggle for survival and dominance against forces that threaten to destroy the United States and her allies, and the fourth-generational nature of the conflict, highlighted by an indiscernible distinction between wartime and peacetime, necessitates an evolution of America's traditional constitutional warmaking scheme.¶ As first illustrated by the military strategist Colonel John Boyd, constitutional decision-making in the realm of war powers in the fourth generation should [\*399] consider the implications of the OODA Loop: Observe, Orient, Decide, and Act. 144 In the era of fourth-generational warfare, quick reactions, proceeding through the OODA Loop rapidly, and disrupting the enemy's OODA loop are the keys to victory. "In order to win," Colonel Boyd suggested, "we should operate at a faster tempo or rhythm than our adversaries." 145 In the words of Professor Creveld, "[b]oth organizationally and in terms of the equipment at their disposal, the armed forces of the world will have to adjust themselves to this situation by changing their doctrine, doing away with much of their heavy equipment and becoming more like police." 146 Unfortunately, the existing constitutional understanding, which diffuses war power between two branches of government, necessarily (by the Framers' design) slows down decision-making. [\*400] In circumstances where war is undesirable (which is, admittedly, most of the time, especially against other nation-states), the deliberativeness of the existing decision-making process is a positive attribute.¶ In America's current situation, however, in the midst of the conflict with al-Qaeda and other international terrorist organizations, the existing process of constitutional decision-making in warfare may prove a fatal hindrance to achieving the initiative necessary for victory. As a slow-acting, deliberative body, Congress does not have the ability to adequately deal with fast-emerging situations in fourth-generational warfare. Thus, in order to combat transnational threats such as al-Qaeda, the executive branch must have the ability to operate by taking offensive military action even without congressional authorization, because only the executive branch is capable of the swift decision-making and action necessary to prevail in fourth-generational conflicts against fourth-generational opponents.

#### Doesn’t solve “better wars”

Jide Nzelibe 6, Asst. Profesor of Law @ Northwestern, and John Yoo, Emanuel S. Heller Professor of Law @ UC-Berkeley Law, “Rational War and Constitutional Design,” Yale Law Journal, Vol. 115, SSRN

But before accepting this attractive vision, we should ask whether the Congress first system produces these results. In other words, has requiring congressional ex ante approval for foreign wars produced less war, better decision making, or greater consensus? Students of American foreign policy generally acknowledge that comprehensive empirical studies of American wars are impractical, due to the small number of armed conflicts. Instead, they tend to focus on case studies. A cursory review of previous American wars does not suggest that congressional participation in war necessarily produces better decision making. We can certainly identify wars, such as the Mexican-American War or the Spanish-American War, in which a declaration of war did not result from extensive deliberation nor necessarily result in good policy.14 Both wars benefited the United States by expanding the nation’s territory and enhanced its presence on the world stage,15 but it seems that these are not the wars that supporters of Congress’s Declare War power would want the nation to enter – i.e., offensive wars of conquest. Nor is it clear that congressional participation has resulted in greater consensus and better decision making. Congress approved the Vietnam War, in the Tonkin Gulf resolution, and the Iraq war, both of which have produced sharp division in American domestic politics and proven to be mistakes.

The other side of the coin here usually goes little noticed, but is just as important for evaluating the substantive performance of the Congress-first system. To a significant extent, much of the war powers literature focuses on situations in which the United States might erroneously enter a war where the costs outweigh the expected benefits. Statisticians usually label such errors of commission as Type I errors. Scholars rarely, if ever, ask whether requiring congressional ex ante approval for foreign wars could increase Type II errors. Type II errors occur when the United States does not enter a conflict where the expected benefits to the nation outweigh the costs, and this could occur today when the President refuses to launch a preemptive strike against a nation harboring a hostile terrorist group, for example, out of concerns over congressional opposition. It may be the case that legislative participation in warmaking could prevent the United States from entering, or delaying entry, into wars that would benefit its foreign policy or national security. The clearest example is World War II. During the inter-war period, Congress enacted several statutes designed to prevent the United States from entering into the wars in Europe and Asia. In 1940 and 1941, President Franklin D. Roosevelt recognized that America’s security would be threatened by German control of Europe, and he and his advisers gradually attempted to bring the United States to the assistance of Great Britain and the Soviet Union.16 Nonetheless, congressional resistance prevented Roosevelt from doing anything more than supplying arms and loans to the Allies, although he arguably stretched his authority to cooperate closely with Great Britain in protecting convoys in the North Atlantic, among other things. It is likely that if American pressure on Japan to withdraw from China had not helped triggered the Pacific War, American entry into World War II might have been delayed by at least another year, if not longer.17 Knowing what we now know, most would agree that America’s earlier entry into World War II would have been much to the benefit of the United States and to the world. A more recent example might be American policy in the Balkans during the middle and late 1990s.

**No impact - Other nations will still cooperate with the U.S. even if it’s unpopular**

**Kagan 2006** (Robert, The Washington Post, 1/15, http://www.carnegieendowment.org/publications/index.cfm?fa=view&id=17894&prog=zgp&proj=zusr

The striking thing about the present international situation is the degree to which America remains what Bill Clinton once called "the indispensable nation." Despite global opinion polls registering broad hostility to George W. Bush's United States, **the behavior of governments and political leaders suggests America's position in the world is not all that different from what it was before** Sept. 11 and **the Iraq war. The** much-anticipated global **effort to balance** against **American hegemony** -- which the realists have been anticipating for more than 15 years now -- **has simply not occurred.** On the contrary, **in Europe the idea has** all but **vanished**. European Union defense budgets continue their steady decline, and even the project of creating a common foreign and defense policy has slowed if not stalled. Both trends are primarily the result of internal European politics. But if they really feared American power, Europeans would be taking more urgent steps to strengthen the European Union's hand to check it. Nor are Europeans refusing to cooperate, even with an administration they allegedly despise. Western Europe will not be a strategic partner as it was during the Cold War, because Western Europeans no longer feel threatened and therefore do not seek American protection. Nevertheless, **the current trend is toward closer cooperation.** Germany's new government, while still dissenting from U.S. policy in Iraq, is working hard and ostentatiously to improve relations

#### International system resilient – no conflict

Christopher Preble (director of foreign policy studies at the Cato Institute) August 2010 “U.S. Military Power: Preeminence for What Purpose?” http://www.cato-at-liberty.org/u-s-military-power-preeminence-for-what-purpose/

Most in Washington still embraces the notion that America is, and forever will be, the world’s indispensable nation. Some scholars, however, questioned the logic of hegemonic stability theory from the very beginning. A number continue to do so today. They advance arguments diametrically at odds with the primacist consensus. Trade routes need not be policed by a single dominant power; the international economy is complex and resilient. Supply disruptions are likely to be temporary, and the costs of mitigating their effects should be borne by those who stand to lose — or gain — the most. Islamic extremists are scary, but hardly comparable to the threat posed by a globe-straddling Soviet Union armed with thousands of nuclear weapons. It is frankly absurd that we spend more today to fight Osama bin Laden and his tiny band of murderous thugs than we spent to face down Joseph Stalin and Chairman Mao. Many factors have contributed to the dramatic decline in the number of wars between nation-states; it is unrealistic to expect that a new spasm of global conflict would erupt if the United States were to modestly refocus its efforts, draw down its military power, and call on other countries to play a larger role in their own defense, and in the security of their respective regions. But while there are credible alternatives to the United States serving in its current dual role as world policeman / armed social worker, the foreign policy establishment in Washington has no interest in exploring them. The people here have grown accustomed to living at the center of the earth, and indeed, of the universe. The tangible benefits of all this military spending flow disproportionately to this tiny corner of the United States while the schlubs in fly-over country pick up the tab.

### SOP Adv

**Social science proves no modeling- US signals are dismissed**

**Zenko ‘13** [Micah, Council on Foreign Relations Center for Preventive Action Douglas Dillon fellow, "The Signal and the Noise," Foreign Policy, 2-2-13, www.foreignpolicy.com/articles/2013/02/20/the\_signal\_and\_the\_noise, accessed 6-12-13, mss]

Later, Gen. Austin observed of cutting forces from the Middle East: "Once you reduce the presence in the region, you could very well signal the wrong things to our adversaries." Sen. Kelly Ayotte echoed his observation, claiming that President Obama's plan to withdraw 34,000 thousand U.S. troops from Afghanistan within one year "leaves us dangerously low on military personnel...it's going to send a clear signal that America's commitment to Afghanistan is going wobbly." Similarly, during a separate House Armed Services Committee hearing, Deputy Secretary of Defense Ashton Carter ominously warned of the possibility of sequestration: "Perhaps most important, the world is watching. Our friends and allies are watching, potential foes -- all over the world." These routine and unchallenged assertions highlight what is perhaps the most widely agreed-upon conventional wisdom in U.S. foreign and national security policymaking: the inherent power of signaling. This psychological capability rests on two core assumptions: All relevant international audiences can or will accurately interpret the signals conveyed, and upon correctly comprehending this signal, these audiences will act as intended by U.S. policymakers. Many policymakers and pundits fundamentally believe that the Pentagon is an omni-directional radar that uniformly transmits signals via presidential declarations, defense spending levels, visits with defense ministers, or troop deployments to receptive antennas. A bit of digging, however, exposes cracks in the premises underlying signaling theories. There is a half-century of social science research demonstrating the cultural and cognitive biases that make communication difficult between two humans. Why would this be any different between two states, or between a state and non-state actor? Unlike foreign policy signaling in the context of disputes or escalating crises -- of which there is an extensive body of research into types and effectiveness -- policymakers' claims about signaling are merely made in a peacetime vacuum. These signals are never articulated with a precision that could be tested or falsified, and thus policymakers cannot be judged misleading or wrong. Paired with the faith in signaling is the assumption that policymakers can read the minds of potential or actual friends and adversaries. During the cycle of congressional hearings this spring, you can rest assured that elected representatives and expert witnesses will claim to know what the Iranian supreme leader thinks, how "the Taliban" perceives White House pronouncements about Afghanistan, or how allies in East Asia will react to sequestration. This self-assuredness is referred to as the illusion of transparency by psychologists, or how "people overestimate others' ability to know them, and...also overestimate their ability to know others." Policymakers also conceive of signaling as a one-way transmission: something that the United States does and others absorb. You rarely read or hear critical thinking from U.S. policymakers about how to interpret the signals from others states. Moreover, since U.S. officials correctly downplay the attention-seeking actions of adversaries -- such as Iran's near-weekly pronouncement of inventing a new drone or missile -- wouldn't it be safer to assume that **the majority of U.S. signals are** similarly **dismissed**? During my encounters with foreign officials, few take U.S. government pronouncements seriously, and instead assume they are made to appease domestic audiences.

#### Modeling fails – different cultures and resources

Jeremy Rabkin 13, Professor of Law at the George Mason School of Law. Model, Resource, or Outlier? What Effect Has the U.S. Constitution Had on the Recently Adopted Constitutions of Other Nations?, 29 May 2013, www.heritage.org/research/lecture/2013/05/model-resource-or-outlier-what-effect-has-the-us-constitution-had-on-the-recently-adopted-constitutions-of-other-nations

Even when people are not ambivalent in their desire to embrace American practices, they may not have the wherewithal to do so, given their own resources. That is true even for constitutional arrangements. You might think it is enviable to have an old, well-established constitution, but that doesn’t mean you can just grab it off the shelf and enjoy it in your new democracy. You might think it is enviable to have a broad respect for free debate and tolerance of difference, but that doesn’t mean you can wave a wand and supply it to your own population. We can’t think of most constitutional practices as techniques or technologies which can be imported into different cultures as easily as cell phones or Internet connections.

#### The US can no longer effectively use human rights leadership—world is now more critical of America’s own violations

Mark **Weisbrot** is co-director of the Centre for Economic and Policy Research, in Washington, DC, “Who is America to judge?” Guardian, March 11, **2009**, http://www.guardian.co.uk/commentisfree/cifamerica/2009/mar/11/state-department-human-rights

Although President Barack Obama has pledged to close down the prison at Guantánamo and outlaw torture by US officials, he has so far decided not to abolish the practice of "extraordinary rendition", and is escalating the war in Afghanistan. But this tipping point may go beyond any differences – and they are quite significant – between the current administration and its predecessor. In the past, Washington was able to position itself as an important judge of human rights practices despite being complicit or directly participating in some of the worst, large-scale human rights atrocities of the post-second world war era – in Vietnam, Indonesia, Central America and other places. This makes no sense from a strictly logical point of view, but it could persist primarily because the United States was judged not on how it treated persons outside its borders but within them. Internally, the United States has had a relatively well-developed system of the rule of law, trial by jury, an independent judiciary and other constitutional guarantees (although these did not extend to African-Americans in most of the southern United States prior to the 1960s civil rights reforms). Washington was able to contrast these conditions with those of its main adversary during the cold war – the Soviet Union. The powerful influence of the United States over the international media helped ensure that this was the primary framework under which human rights were presented to most of the world. The Bush administration's shredding of the constitution at home and overt support for human rights abuses abroad has fostered not only a change in image, but perhaps the standards by which "the judge" will henceforth be judged. One example may help illustrate the point: China has for several years responded to the state department's human rights report by publishing its own report on the United States. It includes a catalogue of social ills in the United States, including crime, prison and police abuse, racial and gender discrimination, poverty and inequality. But the last section is titled "On the violation of human rights in other nations". The argument is that the abuse of people in other countries – including the more than one million people who have been killed as a result of America's illegal invasion and occupation of Iraq – must now be taken into account when evaluating the human rights record of the United States. With this criterion included, a country such as China – which does not have a free press, democratic elections or other guarantees that western democracies treasure – can claim that it is as qualified to judge the United States on human rights as vice versa. US-based human rights organisations will undoubtedly see the erosion of Washington's credibility on these issues as a loss – and understandably so, since the United States is still a powerful country, and they hope to use this power to pressure other countries on human rights issues. But they too should be careful to avoid the kind of politicisation that has earned notoriety for the state department's annual report – which clearly discriminates between allies and adversary countries in its evaluations.

#### U.S. can’t use HR cred effectively—Yields leadership to the UN

Colum **Lynch**, Washington Post Staff Writer, September 22, **2009**, “U.S. Faces Doubts About Leadership on Human Rights,” Washington Post, http://www.washingtonpost.com/wp-dyn/content/article/2009/09/21/AR2009092103670.html

From the beginning, the Obama administration has unabashedly embraced the United Nations, pursuing a diplomatic strategy that reflects a belief that the world's sole superpower can no longer afford to go it alone. But, as the U.N. General Assembly gets underway this week, human rights activists and political analysts say the new approach has undercut U.S. leadership on human rights issues. Rights advocates have been frustrated by several episodes. They say U.S. diplomats have sent mixed messages about their intention to reward -- or punish -- the Sudanese government for its alleged role in genocide in Darfur. The United States rejected a U.N. proposal to compel Israel and Hamas to conduct credible investigations into war crimes in the Gaza Strip. And the administration has pursued a low-profile approach to Sri Lanka, where a military offensive against rebels is believed to have killed thousands of civilians. The administration continues to assert that "the United States is not going to preach its values and not going to impose its values," said Kenneth Roth, executive director of Human Rights Watch. "The problem is they are not American values -- they are international values."

# 2NC

# SOP

#### Modeling fails – different cultures and resources

Jeremy Rabkin 13, Professor of Law at the George Mason School of Law. Model, Resource, or Outlier? What Effect Has the U.S. Constitution Had on the Recently Adopted Constitutions of Other Nations?, 29 May 2013, www.heritage.org/research/lecture/2013/05/model-resource-or-outlier-what-effect-has-the-us-constitution-had-on-the-recently-adopted-constitutions-of-other-nations

Even when people are not ambivalent in their desire to embrace American practices, they may not have the wherewithal to do so, given their own resources. That is true even for constitutional arrangements. You might think it is enviable to have an old, well-established constitution, but that doesn’t mean you can just grab it off the shelf and enjoy it in your new democracy. You might think it is enviable to have a broad respect for free debate and tolerance of difference, but that doesn’t mean you can wave a wand and supply it to your own population. We can’t think of most constitutional practices as techniques or technologies which can be imported into different cultures as easily as cell phones or Internet connections.

# Intervention

### No Accidents

#### Zero risk of accidents or miscalc

**Quinlan 9** (Sir Michael Quinlan, Former Permanent Under-Secretary of State UK Ministry of Defense, Thinking About Nuclear Weapons: Principles, Problems, Prospects, p. 63-69, The book reflects the author's experience across more than forty years in assessing and forming policy about nuclear weapons, mostly at senior levels close to the centre both of British governmental decision-making and of NATO's development of plans and deployments, with much interaction also with comparable levels of United States activity in the Pentagon and the State department)

There have certainly been, across the decades **since** 19**45, many known accidents** involving nuclear weapons, from transporters skidding off roads to bomber aircraft crashing with or accidentally dropping the weapons they carried (in past days when such carriage was a frequent feature of readiness arrangements it no longer is). A few of these accidents may have released into the nearby environment highly toxic material. **None** however has entailed a nuclear detonation. Some commentators suggest that this reflects bizarrely good fortune amid such massive activity and deployment over so many years. A more rational deduction from the facts of this long experience would however be that the probability of any accident triggering a nuclear explosion is extremely low. It might be further nested that the mechanisms needed to set of such an explosion are technically demanding, and that in a large number of ways the past sixty years have seen extensive improvements in safety arrangements for both the design and the handling of weapons. It is undoubtedly possible to see respects in which, after the cold war, some of the factors bearing upon risk may be new or more adverse; but some are now plainly less so. The years which the world has come through entirely without accidental or unauthorized detonation have included early decades in **which knowledge was sketchier, precautions** were **less developed, and** weapon **designs were less ultra-safe** than they later became, as well as substantial periods in which weapon numbers were larger, deployments immure widespread arid diverse, movements more frequent, and several aspects of doctrine and readiness arrangements more tense. Similar considerations apply to the hypothesis of nuclear war being mistakenly triggered by false alarm. Critics again point to the fact, as it is understood, of numerous occasions when initial steps in alert sequences for US nuclear forces were embarked upon, or at least called for, by indicators mistaken or misconstrued. In none of these instances, it is accepted, did matters get at all near to nuclear launch—extraordinary good fortune again, critics have suggested. But the rival and more **logical inference** from **hundreds of events** stretching over **sixty years** of experience presents itself once more: that the probability of initial misinterpretation leading far towards mistaken launch **is remote**. Precisely because any nuclear weapon processor recognizes the vast gravity of any launch, release sequences have **many steps**, and human decision is **repeatedly interposed** as well as capping the sequences. To convey that because a first step was prompted the world somehow came close to accidental nuclear war is wild hyperbole, rather like asserting, when a tennis champion has lost his opening service game, that he was nearly beaten in straight sets. **History** anyway **scarcely offers any** ready **example** of major war started by accident **even before the nuclear revolution imposed an order-of-magnitude increase of caution**. In was occasion conjectured that nuclear war might be triggered by the real but accidental or unauthorized launch of a strategic nuclear-weapon delivery system in the direction of a potential adversary. No such launch is known to have occurred in over sixty years. The probability of it is therefore very low. But even if it did happen, the further hypothesis of it initiating a general nuclear exchange is far-fetched. It fails to consider the real situation of decision-makers, as pages 63-4 have brought out. The notion that cosmic holocaust might be mistakenly precipitated in this way **belongs to science fiction**.

### A2: Oversight Leads to Better Conflict Selection

#### No it does not

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]

But before accepting this seemingly attractive vision, we should ask¶ whether the Congress-first system lives up to its promises. In other words, has¶ requiring congressional ex ante approval for foreign wars produced less war,¶ better decision-making, or greater consensus? A cursory review of previous¶ American wars does not suggest that requiring congressional authorization¶ before the use of force invariably produces better decision-making. For¶ example, the declarations of war initiating the Mexican-American and SpanishAmerican Wars did not result from extensive deliberation or necessarily result¶ in good policy.¶ 3 ¶ Although both wars benefited the United States by expanding¶ the nation's territory and enhancing its presence on the world stage,¶ 14 ¶ they¶ remained offensive wars of conquest. Nor is it clear that congressional¶ participation has resulted in greater consensus. Congress approved both the¶ Vietnam and the 2003 Iraq Wars, but both have produced sharp divisions in¶ American domestic politics.¶

# Warfighting

### Heg D

**No credible state based threats**

Doug **Bandow** (senior fellow at the Cato Institute. He is a former special assistant to President Reagan) January **2010** “Military Spending — For What?” http://www.cato.org/pub\_display.php?pub\_id=11143

**The United States dominates the globe militarily. The threats facing America pale compared to its capabilities**. Why, then, is Washington spending so much on the military? In 2010 the U.S. will spend roughly $700 billion on the military. This is an increase of 2 percent (after inflation) from the Obama administration's original nonwar defense budget of $534 billion. Despite initial plans for zero growth in defense spending in coming years, there are rumors that the Department of Defense will receive a 2 percent increase in real outlays through 2015. Still, some conservatives want to enshrine a military buildup in a law mandating fixed outlays at 4, 5 or even 6 percent of gross domestic product. Hawks focus on the percentage of GDP going to the military — currently about 4.4 percent — since that figure has fallen over the years. America spends more inflation- adjusted dollars on the military today than at any time since the end of World War II. Figured in 2000 dollars, the U.S. devoted $774.6 billion to the military in 1945, the final year of World War II. In 1953, the final year of the Korean War, military outlay ran to $416.1 billion. Expenditure during the Vietnam War peaked at $421.3 billion in 1968. By contrast, in 2010 — even before the Afghan surge and other unplanned expenditure — the administration expected to spend $517.8 billion. That's more than during the lengthy, but often warm, Cold War. Expenditure as a percentage of GDP has fallen because the U.S. economy has grown. GDP in 2010 (in 2000 dollars) will run to about $11.7 trillion. That is almost twice as much as in 1986, more than three times as much as in 1968, and nearly six times as much as in 1953. **Military outlay should be tied to threats, not economic growth**. Can anyone credibly claim the military threat facing America is two, three, or six times as great today as during those years? **Today the U.S. does not face a significant military threat**. As Colin Powell famously declared in 1991 when chairman of the Joint Chiefs of Staff: "I'm running out of enemies. I'm down to Castro and Kim Il Sung." **The U.S. has no great power enemies. Relations with China and Russia are at times uneasy, but not confrontational, let alone warlike. Washington is allied with every other industrialized state. America possesses the most sophisticated nuclear arsenal and the most powerful conventional force**. Washington's reach exceeds that of Rome and Britain at their respective peaks. Other nations, most notably China, are stirring, but it will take years before they match, let alone overtake, the U.S. Even subtracting the costs of the Afghanistan and Iraq wars leaves American military outlay around five times that of China and 10 times that of Russia. **Combine a gaggle of adversaries, enemies and rogues** — Burma, Cuba, Iran, North Korea, Syria — **and the U.S. spends perhaps 25 times as much**. The United States is not alone. The European Union has 10 times the GDP and three times the population of Russia. Military outlay by the U.S. plus its NATO allies accounts for about 70 percent of world military spending. **Add in America's other allies and friends**, such as South Korea, **and the total share of global military outlay hits 80 percent**. In short, Washington spends what it spends not to defend America but to maintain the ability to overpower other nations. But it will become increasingly expensive for America to preserve the ability to attack countries like China. Terrorism remains a pressing security threat. However, terrorist attacks, though horrid, do not pose an existential danger. Al-Qaida is no replacement for Nazism and Communism, nuclear-topped ICBMs and armored divisions. Nor is traditional military force the best way to combat terrorism. Indeed, foreign intervention often promotes terrorism, like swatting a hornet's nest. America's military spending is determined by its foreign policy. America's commitments are a matter of choice. They don't make sense today. Engagement is good, but military force is not the only form of engagement. And any international involvement must balance costs and benefits. Adjusting commitments would allow a vastly different, and less expensive, force structure. The U.S. could make significant cuts and still maintain the globe's strongest and most sophisticated military — one well able to defend Americans.

### 4GW Accurate

#### Our impact is more probable- state on state war is largely obsolete

Hooker 12 [Colonel Richard D. Hooker, Jr., commands the XVIII Airborne Corps Combat ¶ Support Brigade (“Dragon Brigade”) now deployed to Iraq. He commanded an infantry battalion in the 82d Airborne Division and has served as Special Assistant to the ¶ Chairman of the Joint Chiefs, with the Office of the Chief of Staff of the Army, as Aide ¶ de Camp to the Secretary of the Army, and with the National Security Council. Colonel ¶ Hooker holds an M.S. in national security studies from the National Defense University ¶ and M.A. and Ph.D. degrees from the University of Virginia in international relations Winter 2011-12 “Beyond Vom Kriege: The Character and Conduct of Modern War” Strategic Studies Institute http://strategicstudiesinstitute.army.mil/pubs/parameters/Articles/2011winter/Hooker2.pdf]

Modern war, at least as practiced in the West, trades on American and ¶ European technology and wealth, not on manpower and ideology. Western militaries are typically small, professional organizations officered by the middle ¶ class and filled by working-class volunteers. Their wars are universally “out ¶ of area”—that is, not fought in direct defense of national borders—placing a ¶ premium on short, sharp campaigns won with relatively few casualties. Although ¶ land forces remain indispensable, whenever possible Western militaries fight ¶ at a distance using standoff precision weapons, whose accuracy and lethality make it difficult or impossible for less-sophisticated adversaries to fight ¶ conventionally with any chance of success. Increasingly, the West’s advantage ¶ in rapid data transmission on the battlefield is changing how American and ¶ European militaries wage war, as control and use of information assumes decisive importance. ¶ The qualitative gap between the armed forces of the West and their ¶ likely opponents is not likely to narrow for the foreseeable future. In this sense ¶ the West’s absolute military advantage, arguably in force since the Battle of ¶ Lepanto in 1571, is likely to persist for generations. Although challengers may ¶ pursue niche technologies like anti-ship weapons, theater ballistic or cruise ¶ missiles, or computer attack systems, their inability to match the capital expenditures and technological sophistication of the United States and its NATO ¶ allies will make military parity highly doubtful, even when they act in coalitions. Nor will nuclear weapons change this calculus. While the small nuclear ¶ arsenals of potential adversary states may yield some deterrent benefits, their ¶ offensive use as weapons of war (as distinct from their use in terrorism) is ¶ doubtful given the vastly more capable nuclear forces belonging to the United ¶ States, Britain, and France. ¶ This gap in economic and technological capacity suggests other ¶ approaches for weaker adversaries. Here there is real danger. A quick look at ¶ the protracted insurgencies of the past one hundred years is not encouraging. In ¶ China, Vietnam, and Algeria, the West or its surrogates struggled for decades ¶ and lost. Russia is experiencing the same agony in Chechnya. Even Western ¶ “successes” in Nicaragua, El Salvador, Malaysia, and Aden proved painful and ¶ debilitating.¶ 14¶ The ability of Western democracies to sustain major military ¶ ventures over time, particularly in the face of casualties suffered for less than ¶ truly vital stakes, represents a real vulnerability. The sheer cost of maintaining ¶ large fighting forces in action at great distances from the homeland is a liability ¶ that can be exploited by opponents able to tie down Western forces in extended ¶ conflicts. ¶ The costs of waging long, drawn-out conflicts will be counted in more ¶ than dollars and lives. By a curious logic, the loss of many Americans in a single ¶ event or short campaign is less harmful to our political and military institutions ¶ than the steady drain of casualties over time. By necessity, the military adapts ¶ to the narrower exigencies of the moment, focusing on the immediate fight, ¶ at some cost to the future investment, professional growth, and broader warfighting competencies which can be vital in other potential conflicts of greater ¶ import. A subsidiary effect is loss of confidence in the military as an institution ¶ when it is engaged in protracted operations involving mounting losses without ¶ apparent progress. It is too soon to tell if ongoing military operations in Iraq ¶ and Afghanistan will yield timely and fruitful results. But if they do not, the ¶ long-term effect on the health of the American military could and probably will ¶ be damaging. ¶ The experience of the Vietnam conflict, while not an exact fit, suggests ¶ that very long and enervating campaigns, fought for less than truly vital objectives, delay necessary modernization, absorb military resources earmarked for ¶ other, more dangerous contingencies, drive long-service professionals out of ¶ the force, and make it harder to recruit qualified personnel. These direct effects ¶ may then be mirrored more indirectly in declining popular support, more ¶ strident domestic political conflict, damage to alliances and mutual security ¶ arrangements, and economic dislocation. These factors will fall more heavily ¶ on ground forces, since air and naval forces typically spend less time deployed ¶ in the combat theater between rotations, suffer fewer losses, and retain career ¶ personnel in higher numbers. ¶ Viewed as a case study in the application of Clausewitzian thought, ¶ current military operations offer a vivid contrast to the wars fought in ¶ Afghanistan in 2001-02 and in Iraq in the spring of 2003. There, coalition ¶ military power could be directed against organized military forces operating ¶ under the control of regularly constituted political entities. Political objectives ¶ could be readily translated into military tasks directed against functioning ¶ state structures (“destroy the Taliban and deny al Qaeda refuge in Afghanistan; ¶ destroy the Iraqi military and topple Saddam’s regime”). ¶ In the aftermath, the focus shifted to nation-building, a more amorphous and ambiguous undertaking with fuzzier military tasks. In Iraq, for ¶ example, there is no central locus of decisionmaking power against which ¶ military force can be applied. Large-scale combat operations are rare, and military force, while a key supporting effort, is focused on stabilizing conditions ¶ so that the main effort of political reconciliation and economic reconstruction ¶ can proceed. Resistance appears to be local and fragmented, directed by a loose ¶ collection of Sunni Baathist remnants, Shia religious zealots, foreign jihadists, ¶ and, increasingly, local tribal fighters seeking revenge for the incidental deaths ¶ of family and tribal members. Access to military supplies and to new recruits is ¶ enabled both by neighboring powers like Iran and Syria and by local religious ¶ and cultural sentiment. ¶ In many ways the military problem in Iraq is harder today than it was ¶ during major combat operations. Only rarely can we expect to know in advance ¶ our enemy’s intentions, location, and methods. In this sense, seizing and maintaining the initiative, at least tactically, is a difficult challenge. ¶ Clausewitz was well aware of this environment, which he called ¶ “people’s war.” We can be confident that he would be uncomfor table with openended and hard-to-define strategic objectives. However much we may scoff ¶ at classical notions of strategy, with their “unsophisticated” and “unnuanced” ¶ focus on destroying enemy armies, seizing enemy capitals, installing more ¶ pliable regimes, and cowing hostile populations, ignoring them has led to poor ¶ historical results. A close reading of Vom Kriege shows that Clausewitz did ¶ not neglect the nature of the problem so much as he cautioned against ventures ¶ which could not be thoroughly rationalized. Put another way, he recognized ¶ there are limits to the power of any state and that those limits must be carefully ¶ calculated before, and not after, the decision to go to war. ¶ In Iraq, it may well be that American and coalition forces will destroy ¶ a critical mass of insurgents sufficient to collapse large-scale organized resistance, an outcome devoutly to be wished for. But if so, we are in a race against ¶ time. For the American Army and Marine Corps, and for our British and other ¶ coalition partners, the current level of commitment probably does not represent ¶ a sustainable steady state unless the forces available are considerably increased. ¶ If the security situation does not improve to permit major reductions in troop ¶ strength, eventually the strain will tell. At that point, the voting publics of ¶ the coalition partners and their governments may face difficult choices about ¶ whether and how to proceed.¶ 15¶ These choices will be tempered by the knowledge that the homeland ¶ itself has now become a battleground. Open societies with heterogeneous populations make Western states particularly vulnerable to terrorist attack, always ¶ an option open to hostile states or the terrorist groups they harbor. And however ¶ professional, the armies of the West are not driven by religious or ideological zeal. That too can be a weapon—as the Americans and French learned in ¶ Indochina and as we see today in the Middle East. ¶ The foregoing suggests that in future wars the United States and its ¶ Western allies will attempt to fight short, sharp campaigns with superior technology and overwhelming firepower delivered at standoff ranges, hoping to ¶ achieve a decisive military result quickly with few casualties. In contrast to the ¶ industrial or attrition-based strategies of the past, in future wars we will seek ¶ to destroy discrete targets leading to the collapse of key centers of gravity and ¶ overall system failure, rather than annihilating an opponent’s military forces in ¶ the field. Our likely opponents have two options: to inflict high losses early in ¶ a conflict (most probably with weapons of mass destruction, perhaps delivered ¶ unconventionally) in an attempt to turn public opinion against the war; or to ¶ avoid direct military confrontation and draw the conflict out over time, perhaps ¶ in conjunction with terrorist attacks delivered against the homeland, to drain ¶ away American and European resolve. ¶ In either case our enemies will not attempt to mirror our strengths and ¶ capabilities. Our airplanes and warships will not fight like systems, as in the ¶ past, but instead will serve as weapon platforms, either manned or unmanned, ¶ to deliver precision strikes against land targets. Those targets will increasingly ¶ be found under ground or in large urban areas, intermixed with civilian populations and cultural sites that hinder the use of standoff weapons.

#### Massive insurgent conflicts are coming now

Barno 2011 [Lt. Gen. (ret.) David W. Barno is a senior adviser and senior fellow at the Center for a New American Security in Washington, D.C. From 2003 to 2005, he served as overall U.S. commander in Afghanistan, leading more than 20,000 U.S. and coalition troops. A 1976 West Point graduate with an M.A. in National Security Studies from Georgetown University, Lt. Gen. Barno served for many of his early years of active duty in Army Ranger battalions, including in combat operations in the Panama and Grenada invasions. 22 Mar 2011 World Politics Review “Military Power in a Disorderly World” http://www.worldpoliticsreview.com/articles/8259/military-power-in-a-disorderly-world]

Demographic and natural resource trends signal that violent upheaval and the threat of instability will menace ever greater parts of the world, especially in the Middle East, Africa and Central and South Asia. U.S. vital interests in these regions are less threatened by interstate war than by the risks of internal extremism, instability and terrorism. Stabilizing the most important of these regions is an essential new task, and one that will require the combined talents of State and Defense. ¶ None of this suggests the deployment of Army divisions to the Maghreb or Marine landings on the Nigerian coast -- quite the opposite. Nor does it suggest the U.S. military abandon war fighting to take on a global nation-building role in lieu of its traditional combat responsibilities. But the nation's large investment in the military argues for a greater return on investment in response to an increasingly disorderly world. ¶ That said, the lead for any expanded engagement by U.S. military forces overseas must remain the U.S. ambassador as chief of mission in any country with a U.S. presence. But in zones of potential conflict, the military can provide the ambassador with planners and strategists, logisticians and analysts, technicians and foreign area officers -- and, often, defense dollars. The U.S. military can also deliver core capabilities to help train and professionalize less-capable militaries in these regions around the world, modeling U.S. values and norms that are the global standard of military excellence. The restraint and responsibility exercised by the U.S.-trained Egyptian military in responding to the popular protests and managing the ongoing transition of power in Egypt is the best recent example of the power of this influence. ¶ The Era of the Disorderly World has already dawned. The importance of conventional militaries in this world has changed, but it has not gone away. Hard military power remains potent, and U.S. military power remains the dominant hard power force in the world -- and will remain so even in an era of U.S. fiscal austerity. But in order to prepare to confront the most dangerous conventional and unconventional threats to the nation, more is demanded. The U.S. military must add to its strategic portfolio a new mission: conflict prevention. Too many scarce resources are vested in the military to simply preserve it for the next war. These costly investments should be leveraged to make that war much less likely -- particularly in the highest-priority regions for U.S. vital interests around the world. Confronting this dangerous and disorderly world will require all of the diverse sources of talent that the United States can muster.

### Preeption Good

#### Preemption is key to rapid action- that’s most important for assymetric threats

Royal 2011 (John Paul Royal, Institute of World Politics, “War Powers and the Age of Terrorism,” Center for the Study of the Presidency & Congress The Fellows Review, http://www.thepresidency.org/storage/Fellows2011/Royal-\_Final\_Paper.pdf)

The international system itself and national security challenges to the United ¶ States in particular, underwent rapid and significant change in the first decade of the ¶ twenty-first century. War can no longer be thought about strictly in the terms of ¶ the system and tradition created by the Treaty of Westphalia over three and a half ¶ centuries ago. Non-state actors now possess a level of destructiveness formerly ¶ enjoyed only by nation states. Global terrorism, coupled with the threat of weapons ¶ of mass destruction developed organically or obtained from rogue regimes, presents ¶ new challenges to U.S. national security and place innovative demands on the ¶ Constitution’s system of making war. ¶ In the past, as summarized in the 9/11 Commission Report, threats emerged ¶ due to hostile actions taken by enemy states and their ability to muster large enough ¶ forces to wage war: “Threats emerged slowly, often visibly, as weapons were ¶ forged, armies conscripted, and units trained and moved into place. Because large ¶ states were more powerful, they also had more to lose. They could be deterred" ¶ (National Commission 2004, 362). This mindset assumed that peace was the ¶ default state for American national security. ¶ Today however, we know that threats can emerge quickly. Terrorist ¶ organizations half-way around the world are able to wield weapons of unparalleled ¶ destructive power. These attacks are more difficult to detect and deter due to their ¶ unconventional and asymmetrical nature. In light of these new asymmetric threats ¶ and the resultant changes to the international system, peace can no longer be ¶ considered the default state of American national security.¶ Many have argued that the Constitution permits the president to use ¶ unilateral action only in response to an imminent direct attack on the United States. ¶ In the emerging security environment described above, pre-emptive action taken by ¶ the executive branch may be needed more often than when nation-states were the ¶ principal threat to American national interests. Here again, the 9/11 Commission ¶ Report is instructive as it considers the possibility of pre-emptive force utilized over ¶ large geographic areas due to the diffuse nature of terrorist networks: ¶ In this sense, 9/11 has taught us that terrorism against American interests ¶ “over there” should be regarded just as we regard terrorism against America “over here.” In this sense, the American homeland is the planet ¶ (National Commission 2004, 362). ¶ Furthermore, the report explicitly describes the global nature of the threat ¶ and the global mission that must take place to address it. Its first strategic policy ¶ recommendation against terrorism states that the: ¶ U.S. government must identify and prioritize actual or potential terrorist ¶ sanctuaries. For each, it should have a realistic strategy to keep possible ¶ terrorists insecure and on the run, using all elements of national power ¶ (National Commission 2004, 367). ¶ Thus, fighting continues against terrorists in Afghanistan, Yemen, Iraq, Pakistan, ¶ the Philippines, and beyond, as we approach the tenth anniversary of the September ¶ 11, 2001 attacks. ¶ Proliferation of weapons of mass destruction (WMD), especially nuclear ¶ weapons, into the hands of these terrorists is the most dangerous threat to the ¶ United States. We know from the 9/11 Commission Report that Al Qaeda has ¶ attempted to make and obtain nuclear weapons for at least the past fifteen years. Al ¶ Qaeda considers the acquisition of weapons of mass destruction to be a religious ¶ obligation while “more than two dozen other terrorist groups are pursing CBRN ¶ [chemical, biological, radiological, and nuclear] materials” (National Commission ¶ 2004, 397). Considering these statements, rogue regimes that are openly hostile to ¶ the United States and have or seek to develop nuclear weapons capability such as ¶ North Korea and Iran, or extremely unstable nuclear countries such as Pakistan, ¶ pose a special threat to American national security interests. These nations were ¶ not necessarily a direct threat to the United States in the past. Now, however, due ¶ to proliferation of nuclear weapons and missile technology, they can inflict damage ¶ at considerably higher levels and magnitudes than in the past. In addition, these ¶ regimes may pursue proliferation of nuclear weapons and missile technology to ¶ other nations and to allied terrorist organizations. ¶ The United States must pursue condign punishment and appropriate, rapid ¶ action against hostile terrorist organizations, rogue nation states, and nuclear ¶ weapons proliferation threats in order to protect American interests both at home ¶ and abroad. Combating these threats are the “top national security priority for the ¶ United States…with the full support of Congress, both major political parties, the ¶ media, and the American people” (National Commission 2004, 361). Operations ¶ may take the form of pre-emptive and sustained action against those who have ¶ expressed hostility or declared war on the United States. Only the executive branch ¶ can effectively execute this mission, authorized by the 2001 AUMF. If the national ¶ consensus or the nature of the threat changes, Congress possesses the intrinsic ¶ power to rescind and limit these powers.

### A2: Cred

**No impact — allies won’t abandon us and adversaries can’t exploit it**

Stephen M. **Walt 11**, the Robert and Renée Belfer professor of international relations at Harvard University, December 5, 2011, “Does the U.S. still need to reassure its allies?,” online: <http://walt.foreignpolicy.com/posts/2011/12/05/us_credibility_is_not_our_problem>

A **perennial preoccupation** of U.S. diplomacy has been the **perceived** need to reassure allies of our reliability. Throughout the Cold War, U.S. leaders worried that **any loss of credibility** might cause dominoes to fall, lead key allies to "bandwagon" with the Soviet Union, or result in some form of "Finlandization." Such concerns justified fighting so-called "**credibility wars**" (including Vietnam), where the main concern was not the direct stakes of the contest but rather the need to retain a reputation for resolve and capability. Similar fears also led the United States to deploy thousands of nuclear weapons in Europe, as a supposed counter to Soviet missiles targeted against our NATO allies. The possibility that key allies would abandon us was almost **always exaggerated**, but U.S. leaders remain overly sensitive to the possibility. So Vice President Joe Biden has been out on the road this past week, telling various U.S. allies that "the United States isn't going anywhere." (He wasn't suggesting we're stuck in a rut, of course, but saying that the imminent withdrawal from Iraq doesn't mean a retreat to isolationism or anything like that.) There's nothing really wrong with offering up this sort of comforting rhetoric, but I've never really understood why U.S. leaders were so worried about the credibility of our commitments to others. For starters, given our **remarkably secure geopolitical position,** whether U.S. pledges are credible is first and foremost **a problem for those who are dependent on U.S. help**. We should therefore take our allies' occasional hints about realignment or neutrality with some **skepticism**; they have **every incentive** to **try to make us worry** about it, but in most cases **little incentive to** actually **do it**.

### Soft Power D

#### Policies cannot solve- its all cultural

Reesha Namasivayam, M.A. Candidate, Conflict Analysis, Carleton University, “Soft Power at the United Nations,” 2001, http://www.cda-cdai.ca/pdf/namasivayampaper.pdf, accessed 10/15/2002

Even the ‘father’ of soft power, Joseph Nye, cautioned that although ‘Canada has always been good at punching above its weight in world politics…. to keep doing so in the global information age requires not just good ideas in speeches but also an extraordinary degree of political and diplomatic coordination. Nonetheless, it is important to note that during a speech in Boston on May 2, 2000, Nye asserted, “the US is not the only country with soft power—think of the moral authority of the Vatican, or of Canada on human rights issues.” However despite this disclaimer, the extent to which Canada could impel soft power in the Security Council remained questionable. Nye and Keohane assert that “more often soft power is an inadvertent byproduct,” as opposed to a reflection of deliberate policies.

### A2: Institutions

#### International institutions cant constrain state behavior

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.

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### Turns 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 Power Projection

#### Power projection

Burrows and Harris 2009 Mathew J. Burrows counselor in the National Intelligence Council and Jennifer Harris a member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” The Washington Quarterly 32:2 https://csis.org/files/publication/twq09aprilburrowsharris.pdf

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

### Turns Intervention

#### Turns heg and intervention--- power redistribution and diversionary wars

Royal 2010 (Jedediah Royal, Director of Cooperative Threat Reduction at the U.S. Department of Defense, 2010, “Economic Integration, Economic Signaling and the Problem of Economic Crises,” in Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-214)

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent states. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level, Pollins (2008) advances Modelski and Thompson’s (1996) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of pre-eminent power and the often bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (see also Gilpin, 10981) that leads to uncertainty about power balances, increasing the risk of miscalculation (Fearon, 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner, 1999). Seperately, Polllins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium, and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level, Copeland’s (1996,2000) theory of trade expectations suggests that ‘future expectation of trade’ is a significant variable in understanding economic conditions and security behavior of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectation of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases , as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states. Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write, The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other. (Blomberg & Hess, 2002, p.89). Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg, Hess, & Weerapana, 2004), which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. ‘Diversionary theory’ suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to create a ‘rally round the flag’ effect. Wang (1996), DeRouen (1995), and Blomberg, Hess and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997) Miller (1999) and Kisanganie and Pickering (2009) suggest that the tendency towards diversionary tactics are greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak presidential popularity, are statistically linked to an increase in the use of force.

### Turns Democracy

#### Turns our entire democratic model

**Tilford 2008** – PhD in history from George Washington University, served for 32 years as a military officer and analyst with the Air Force and Army (Earl, “Critical mass: economic leadership or dictatorship”, Cedartown Standard, lexis)

Could it happen again? Bourgeois democracy requires a vibrant capitalist system. Without it, the role of the individual shrinks as government expands. At the very least, the dimensions of the U.S. government economic intervention will foster a growth in bureaucracy to administer the multi-faceted programs necessary for implementation. Bureaucracies, once established, inevitably become self-serving and self-perpetuating. Will this lead to “socialism” as some conservative economic prognosticators suggest? Perhaps. But so is the possibility of dictatorship. If the American economy collapses, especially in wartime, there remains that possibility. And if that happens the American democratic era may be over. If the world economies collapse, totalitarianism will almost certainly return to Russia, which already is well along that path in any event. Fragile democracies in South America and Eastern Europe could crumble. A global economic collapse will also increase the chance of global conflict. As economic systems shut down, so will the distribution systems for resources like petroleum and food. It is certainly within the realm of possibility that nations perceiving themselves in peril will, if they have the military capability, use force, just as Japan and Nazi Germany did in the mid-to-late 1930s. Every nation in the world needs access to food and water. Industrial nations—the world powers of North America, Europe, and Asia—need access to energy. When the world economy runs smoothly, reciprocal trade meets these needs. If the world economy collapses, the use of military force becomes a more likely alternative. And given the increasingly rapid rate at which world affairs move; the world could devolve to that point very quickly.

### A2 Econ Resil

#### 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.

### 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.

### PC high + key

#### 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.

**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.

### A2 No Internal Link

#### Even if a deal is eventually reached to prevent hitting the ceiling a protracted fight is economic sabotage – collapse growth, markets and confidence.

Dave Johnson, Campaign for America's Future | Op-Ed Fresh Hell When Congress Returns

September 4 2013 11:25

<http://truth-out.org/opinion/item/18597-fresh-hell-when-congress-returns>

There are two different levels of economic damage from a debt-ceiling fight. First there is the cost of the fight itself, as the world worries over whether Republicans would actually pull the trigger. The fact that they would talk about this at all causes considerable damage to growth and confidence.¶ But the other level of damage – far more serious – comes if they actually do it. If the U.S. defaulted, the consequences to the country’s and world’s economic system are literally unimaginable.¶ In January, The Washington Post looked at reports of the economic damage caused by the last debt-ceiling fight – the one that led to the economic damage of the “sequester.” The Post report summarized:¶ The protracted, unsettling nature of the negotiations between the White House and Republicans dramatically slowed the recovery, economists conclude, looking back at the episode. Consumer confidence collapsed, reaching its worst level since the depths of the financial crisis. Hiring stalled, with the private sector creating jobs at its slowest pace since the economy exited the recession. The stock market plunged, sending the Standard & Poor’s 500-stock index down more than 10 percent.¶ In the last debt-ceiling hostage battle, the government spent an extra $1.3 billion to borrow because of lender uncertainty over whether they would be paid back, according to the Government Accounting Office (GAO). Following the battle the Standard & Poor’s credit agency “downgraded” the U.S. credit rating, saying that any country that would even discuss default does not deserve the top rating.¶ On top of that, the 10-year cost of higher interest rates from that fight is $18.9 billion. The unemployment rate increased as job growth was cut in half by the fight. Consumer confidence plunged “more than it did following the collapse of Lehman Brothers Holdings Inc. in 2008.”¶ The consequences of actually letting the country default would begin with a panic in the stock market. And there would likely be a “run” on money markets, because the safety of the U.S. dollar is the foundation of the entire financial system.¶ Next, many of the things the U.S. government must pay for would not be paid for. Because raising the debt ceiling is about allowing the government to get the money to pay for the things Congress has already spent money on, existing invoices would not be paid. So the government would default on paying for contracts, hospitals and doctors who had already performed services, fuel purchases, everything right up to payments to Social Security recipients and people trying to redeem their government bonds. The government would have to prioritize who to pay based on what is coming in from tax receipts, fees and market transactions, which would all drop dramatically as the world’s economy exploded. In any event, the government doesn’t have the computer systems in place to prioritize payments, and wouldn’t have the time or funds to get those running.¶ There would be a dramatic rise in interest rates for borrowing. The United States would no longer be a “safe” borrower, so the price of loans – the interest rate – would go up. That would ripple out to the price of a loan to a business, a mortgage, a car loan and everything else that Americans finance.¶ No matter how fast a default of the country was resolved, the shock to the confidence of the entire economic system would not go away. If the United States was no longer a “safe haven,” then a restructuring of the world’s core understanding of debt and repayment would follow.¶ With the effect of the last fight now understood, any new fight has to be seen for what it is: “economic sabotage.”

### A2 Thumper

#### Top of the agenda

LoGiurato, Business Insider, 9-18-13 (Brett, “Republicans Officially Have Their New Playbook For The Government Shutdown And Debt Ceiling Fights,” http://www.businessinsider.com/government-shutdown-debt-ceiling-obamacare-fights-gop-plan-2013-9)

Republicans have officially announced their plans on the coming budget battles over bills to keep the government funded and raise the debt ceiling. House Speaker John Boehner said in a press conference that the House will pass a continuing-resolution bill Friday that keeps spending at sequestration levels and strips funding for the Affordable Care Act, giving into demands from the conservative wing of the caucus. It will go to the Senate, where it will be dead on arrival. Rep. John Fleming (R-La.) told reporters Wednesday that if the Senate kicks back the continuing-resolution bill, the back up plan is to pass a "clean" continuing-resolution and then trade a year's delay in Obamacare for a a one-year hike in the debt ceiling. Boehner said that a vote on the debt ceiling could come as "soon as next week." The debt ceiling legislation will also include such items as instructions for tax reform and urging the construction of the Keystone XL pipeline, according to Politico. Though Boehner said there should be "no conversation" about shutting the government down, the reaction from the other side was swift.

### A2: Intrinsicness

#### Politics is intrinsic – inherent barriers and links prove the disad is intrinsic cost of action

#### Our interpretation is that the judge is a policy analyst deciding whether or not the plan is a good idea or not based on the current political climate

#### Intrinsicness is bad -

#### Infinitely regressive - no disad is intrinsic- cuts off all stable negative link ground- there is no logical limit to intrinsicness tests

#### Politics education is good – allows us to learn about political climate which is a prerequisite to political activism.

### Link

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

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

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

### A2 Horse Trading

#### Horsetrading will kill Obama’s chance for success – willingness to make deals will make him look weak.

Edward **Harrison** Credit Writedowns August 18**, 2009** HEADLINE: Obama: knowing when to be an asshole

Put bluntly, Obama needs to be an asshole. Right now it looks like he is willing to compromise on any and every issue. Yes, compromise is an integral part of leadership and governance. But, there is a time for compromise and atime to fight.For which specific issues is Obama really willing to fight and lose? He is notsaying, oeGive me Liberty, or give me Death! Americans still have no clue whathis core beliefs are. And, they are losing respect. That gives demagogues anopening and is the main reason Obamas grass roots support has evaporated when heneeds it most.Look, if the economy regains solid footing by mid-2010, these issues will goaway and Obamas political party will benefit in the mid-term elections. He mighteven get the Roosevelt treatment for bringing us out of a deep economiccontraction. However, if the economy remains fragile, as I believe it will, thislack of fight will become a true liability for the President.

**Horsetrading won’t work – plan will be pocketed as a concession and risk Obama’s capital**

Robert **Parry** 11-11-**2008** (former writer for the Associated Press and Newsweek), Baltimore Chronicle, http://baltimorechronicle.com/2008/111108Parry.shtml

Barack Obama seeks a new era of bipartisanship, but he should take heed of what happened to the last Democrat in the White House – Bill Clinton – in 1993 when he sought to appease Republicans by shelving pending investigations into Reagan-Bush-I-era wrongdoing and hoped for some reciprocity. Instead the Republicans pocketed the Democratic concessions and pressed ahead with possibly the most partisan assault ever directed against a sitting President. The war on Clinton included attacks on his past life in Arkansas, on his wife Hillary, on personnel decisions at the White House, and on key members of his administration. The Republicans also took the offensive against Clinton’s reformist agenda, denying him even one GOP vote for his first budget and then sabotaging Hillary Clinton’s plan for universal health insurance.