# Open Source UK Round 2

# 1NC

### 1NC

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

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

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

#### Topical restriction requires a statutory change

Neil Kinkopf, Associate Professor, Georgia State University College of Law, 2005, “The Statutory Commander in Chief,” Indiana Law Journal, Fall, pp. LN.

This symposium asks us to consider the scope and limits of presidential power in the context of war and terrorism. This question strongly suggests a constitutional focus. [n1](http://www.lexisnexis.com.proxy.lib.wayne.edu/lnacui2api/frame.do?reloadEntirePage=true&rand=1365110483507&returnToKey=20_T17087561416&parent=docview&target=results_DocumentContent&tokenKey=rsh-23.113675.46701765596" \l "n1) Because the Constitution establishes the presidential office and sets forth its powers and duties, it is the appropriate starting point for considering this question. The Constitution alone, however, does not get us very far. A wide range of statutes bear on the President's power in this realm and serve to define the extent and limits of his power. As a practical matter, then, the question of presidential power in the context of war and terrorism is one of statutory interpretation. Recognizing the centrality of statutory interpretation in this crucial area, a number of scholars have turned their attention to this question. From their writings, a consensus appears to be emerging on some important foundational points. First, these scholars claim that the President is entitled to deference. Second, where assertions of presidential power implicate individual constitutional rights, these scholars claim that the President's assertion must be founded on a statute that includes a clear statement of authority.

#### Vote negative-

#### Limits- there are infinite ways Congress could implement oversight policies over the areas of the topic-

#### Bidirectionality- allowing oversight affs allows actual increases in executive action in topical areas- they say they make current practice and flexibility of intervention more legitimate by requiring authorization

### 1NC

#### 1:30

#### The President of the United States should commit the Solicitor General & White House Counsel’s Office to advance consultation with the Office of Legal Counsel and require written publication of Office of Legal Counsel opinions over current law regarding Congressional authorization prior to initiating offensive use of military force. The President should publicly pledge to act consistent with these opinions.

#### The Office of Legal Counsel should opine that the best interpretation of current law requires Congressional authorization prior to initiating offensive use of military force.

#### CP competes on ‘authority’ but solves – OLC rulings are binding as settled law, but crafting reduces links to net benefits

Trevor W. Morrison, October 2010 Columbia Law Professor

“STARE DECISIS IN THE OFFICE OF LEGAL COUNSEL,” Columbia Law Review, 110 Colum. L. Rev. 1448.

On the other hand, an OLC that says "yes" too often is not in the client's long-run interest. n49 Virtually all of OLC's clients have their own legal staffs, including the White House Counsel's Office in the White House and the general counsel's offices in other departments and agencies. Those offices are capable of answering many of the day-to-day issues that arise in those components. They typically turn to OLC when the issue is sufficiently controversial or complex (especially on constitutional questions) that some external validation holds special value. n50 For example, when a department confronts a difficult or delicate constitutional question in the course of preparing to embark upon a new program or course of action that raises difficult or politically sensitive legal questions, it has an interest in being able to point to a credible source affirming the [\*1462] legality of its actions. n51 The in-house legal advice of the agency's general counsel is unlikely to carry the same weight. n52 Thus, even though those offices might possess the expertise necessary to answer at least many of the questions they currently send to OLC, in some contexts they will not take that course because a "yes" from the in-house legal staff is not as valuable as a "yes" from OLC. But that value depends on OLC maintaining its reputation for serious, evenhanded analysis, not mere advocacy. n53 The risk, however, is that OLC's clients will not internalize the long-run costs of taxing OLC's integrity. This is in part because the full measure of those costs will be spread across all of OLC's clients, not just the client agency now before it. The program whose legality the client wants OLC to review, in contrast, is likely to be something in which the client has an immediate and palpable stake. Moreover, the very fact that the agency has come to OLC for legal advice will often mean it thinks there is [\*1463] at least a plausible argument that the program is lawful. In that circumstance, the agency is unlikely to see any problem in a "yes" from OLC. Still, it would be an overstatement to say that OLC risks losing its client base every time it contemplates saying "no." One reason is custom. In some areas, there is a longstanding tradition - rising to the level of an expectation - that certain executive actions or decisions will not be taken without seeking OLC's advice. One example is OLC's bill comment practice, in which it reviews legislation pending in Congress for potential constitutional concerns. If it finds any serious problems, it writes them up and forwards them to the Office of Management and Budget, which combines OLC's comments with other offices' policy reactions to the legislation and generates a coordinated administration position on the legislation. n54 That position is then typically communicated to Congress, either formally or informally. While no statute or regulation mandates OLC's part in this process, it is a deeply entrenched, broadly accepted practice. Thus, although some within the Executive Branch might find it frustrating when OLC raises constitutional concerns in bills the administration wants to support as a policy matter, and although the precise terms in which OLC's constitutional concerns are passed along to Congress are not entirely in OLC's control, there is no realistic prospect that OLC would ever be cut out of the bill comment process entirely. Entrenched practice, then, provides OLC with some measure of protection from the pressure to please its clients. But there are limits to that protection. Most formal OLC opinions do not arise out of its bill comment practice, which means most are the product of a more truly voluntary choice by the client to seek OLC's advice. And as suggested above, although the Executive Branch at large has an interest in OLC's credibility and integrity, the preservation of those virtues generally falls to OLC itself. OLC's nonlitigating function makes this all the more true. Whereas, for example, the Solicitor General's aim of prevailing before the Supreme Court limits the extent to which she can profitably pursue an extreme agenda inconsistent with current doctrine, OLC faces no such immediate constraint. Whether OLC honors its oft-asserted commitment to legal advice based on its best view of the law depends largely on its own self-restraint. 2. Formal Requests, Binding Answers, and Lawful Alternatives. - Over time, OLC has developed practices and policies that help maintain its independence and credibility. First, before it provides a written opinion, n55 OLC typically requires that the request be in writing from the head or general counsel of the requesting agency, that the request be as specific and concrete as possible, and that the agency provide its own written [\*1464] views on the issue as part of its request. n56 These requirements help constrain the requesting agency. Asking a high-ranking member of the agency to commit the agency's views to writing, and to present legal arguments in favor of those views, makes it more difficult for the agency to press extreme positions. Second, as noted in the Introduction, n57 OLC's legal advice is treated as binding within the Executive Branch until withdrawn or overruled. n58 As a formal matter, the bindingness of the Attorney General's (or, in the modern era, OLC's) legal advice has long been uncertain. n59 The issue has never required formal resolution, however, because by longstanding tradition the advice is treated as binding. n60 OLC protects that tradition today by generally refusing to provide advice if there is any doubt about whether the requesting entity will follow it. n61 This guards against "advice-shopping by entities willing to abide only by advice they like." n62 More broadly, it helps ensure that OLC's answers matter. An agency displeased with OLC's advice cannot simply ignore the advice. The agency might [\*1465] construe any ambiguity in OLC's advice to its liking, and in some cases might even ask OLC to reconsider its advice. n63 But the settled practice of treating OLC's advice as binding ensures it is not simply ignored. In theory, the very bindingness of OLC's opinions creates a risk that agencies will avoid going to OLC in the first place, relying either on their general counsels or even other executive branch offices to the extent they are perceived as more likely to provide welcome answers. This is only a modest risk in practice, however. As noted above, legal advice obtained from an office other than OLC - especially an agency's own general counsel - is unlikely to command the same respect as OLC advice. n64 Indeed, because OLC is widely viewed as "the executive branch's chief legal advisor," n65 an agency's decision not to seek OLC's advice is likely to be viewed by outside observers with skepticism, especially if the in-house advice approves a program or initiative of doubtful legality. OLC has also developed certain practices to soften the blow of legal advice not to a client's liking. Most significantly, after concluding that a client's proposed course of action is unlawful, OLC frequently works with the client to find a lawful way to pursue its desired ends. n66 As the OLC Guidelines put it, "when OLC concludes that an administration proposal is impermissible, it is appropriate for OLC to go on to suggest modifications that would cure the defect, and OLC should stand ready to work with the administration to craft lawful alternatives." n67 This is a critical component of OLC's work, and distinguishes it sharply from the courts. In addition to "providing a means by which the executive branch lawyer can contribute to the ability of the popularly-elected President and his administration to achieve important policy goals," n68 in more instrumental terms the practice can also reduce the risk of gaming by OLC's clients. And that, in turn, helps preserve the bindingness of OLC's opinions. n69 [\*1466] To be sure, OLC's opinions are treated as binding only to the extent they are not displaced by a higher authority. A subsequent judicial decision directly on point will generally be taken to supersede OLC's work, and always if it is from the Supreme Court. OLC's opinions are also subject to "reversal" by the President or the Attorney General. n70 Such reversals are rare, however. As a formal matter, Dawn Johnsen has argued that "the President or attorney general could lawfully override OLC only pursuant to a good faith determination that OLC erred in its legal analysis. The President would violate his constitutional obligation if he were to reject OLC's advice solely on policy grounds." n71 Solely is a key word here, especially for the President. Although his oath of office obliges him to uphold the Constitution, n72 it is not obvious he would violate that oath by pursuing policies that he thinks are plausibly constitutional even if he has not concluded they fit his best view of the law. It is not clear, in other words, that the President's oath commits him to seeking and adhering to a single best view of the law, as opposed to any reasonable or plausible view held in good faith. Yet even assuming the President has some space here, it is hard to see how his oath permits him to reject OLC's advice solely on policy grounds if he concludes that doing so is indefensible as a legal matter. n73 So the President needs at least a plausible legal basis for [\*1467] disagreeing with OLC's advice, which itself would likely require some other source of legal advice for him to rely upon. The White House Counsel's Office might seem like an obvious candidate. But despite recent speculation that the size of that office during the Obama Administration might reflect an intention to use it in this fashion, n74 it continues to be virtually unheard of for the White House to reverse OLC's legal analysis. For one thing, even a deeply staffed White House Counsel's Office typically does not have the time to perform the kind of research and analysis necessary to produce a credible basis for reversing an OLC opinion. n75 For another, as with attempts to rely in the first place on in-house advice in lieu of OLC, any reversal of OLC by the White House Counsel is likely to be viewed with great skepticism by outside observers. If, for example, a congressional committee demands to know why the Executive Branch thinks a particular program is lawful, a response that relies on the conclusions of the White House Counsel is unlikely to suffice if the committee knows that OLC had earlier concluded otherwise. Rightly or wrongly, the White House Counsel's analysis is likely to be treated as an exercise of political will, not dispassionate legal analysis. Put another way, the same reasons that lead the White House to seek OLC's legal advice in the first place - its reputation for [\*1468] providing candid, independent legal advice based on its best view of the law - make an outright reversal highly unlikely. n76 Of course, the White House Counsel's Office may well be in frequent contact with OLC on an issue OLC has been asked to analyze, and in many cases is likely to make it abundantly clear what outcome the White House prefers. n77 But that is a matter of presenting arguments to OLC in support of a particular position, not discarding OLC's conclusion when it comes out the other way. n78The White House is not just any other client, and so the nature of - and risks posed by - communications between it and OLC on issues OLC is analyzing deserve special attention. I take that up in Part III. n79 My point at this stage is simply that the prospect of literal reversal by the White House is remote and does not meaningfully threaten the effective bindingness of OLC's decisions.

#### OLC can resolve WPA questions quickly and effectively

Cornelia Pillard Feb 2005 Supreme Court Inst, G-town U Law, former DOJ Deputy Asst Att Gen

<http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1190&context=facpub>

Michigan Law Review, 103.4, “The Unfulfilled Promise of the Constitution in Executive Hands”, 103 Mich. L. Rev. 676-758

Just as the SG is the federal government's chief litigator, the head of the Office of Legal Counsel is the executive branch's chief legal advisor. The Attorney General has formally delegated the legal-advice-giving part of his statutory responsibility to OLC.104 OLC has no enforcement or litigation responsibilities, and is devoted exclusively to giving legal advice. OLC's role within the executive branch has evolved over the years, with tasks calling for legal and, especially, constitutional judgment migrating to OLC, while more politicized tasks, like OLC's short involvement in vetting potential judicial nominees, being reassigned elsewhere.105 OLC's core work is to provide written and oral legal opinions to others within the executive branch, including the president, the Attorney General, and heads of other departments. In practice, the White House and the Attorney General are by far the most frequent requesters, often asking complex, momentous questions, frequently on short notice. OLC clients may seek opinions on matters such as the sustainability of a claim of executive privilege, or the lawfulness in a particular circumstance of a quarantine, detention, or use of military force. OLC has been consulted when troops have been sent abroad and when international criminals were arrested overseas.106 Much of OLC's work is more quotidian, including topics such as the constitutionality under the Appointments Clause of various boards and commissions, or the scope of an agency's statutory authority to alter a regulation or settle a case in a particular way. Its opinions "involve domestic problems, international issues, pet plans of bureaucrats, the application of the Constitution and the laws to administrative policies and procedures, the powers and jurisdictions of departments and agencies, the advisability of contemplated actions, [and various mundane and] momentous matters." 107 OLC traditionally requires that requests for advice come from the head or general counsel of the requesting agency, that advice-seekers submit their own view of the question to OLC, and that independent agencies (not already presumptively bound) agree in advance to abide by the advice - even oral advice - that OLC delivers.108 The agreement to be bound forestalls opportunistic advice-shopping by entities willing to abide only by advice they like, and it preserves the resources and authority of OLC against being treated merely as an extra source of legal research on issues that other lawyers or officials will ultimately resolve for themselves.109

### 1NC

#### 2:00

#### Obama’s pressuring the GOP with a strong display of Presidential strength and staying on message – the GOP will cave

**Dovere, 10/1/13** (Edward, Politico, “Government shutdown: President Obama holds the line”

<http://www.politico.com/story/2013/10/government-shutdown-president-obama-holds-the-line-97646.html?hp=f3>)

President Barack Obama started September in an agonizing, extended display of how little sway he had in Congress. He ended the month with a display of resolve and strength that could redefine his presidency. All it took was a government shutdown. This was less a White House strategy than simply staying in the corner the House GOP had painted them into — to the White House’s surprise, Obama was forced to do what he so rarely has as president: he said no, and he didn’t stop saying no. For two weeks ahead of Monday night’s deadline, Obama and aides rebuffed the efforts to kill Obamacare with the kind of firm, narrow sales pitch they struggled with in three years of trying to convince people the law should exist in the first place. There was no litany of doomsday scenarios that didn’t quite come true, like in the run-up to the fiscal cliff and the sequester. No leaked plans or musings in front of the cameras about Democratic priorities he might sacrifice to score a deal. After five years of what’s often seen as Obama’s desperation to negotiate — to the fury of his liberal base and the frustration of party leaders who argue that he negotiates against himself. Even his signature health care law came with significant compromises in Congress. Instead, over and over and over again, Obama delivered the simple line: Republicans want to repeal a law that was passed and upheld by the Supreme Court — to give people health insurance — or they’ll do something that everyone outside the GOP caucus meetings, including Wall Street bankers, seems to agree would be a ridiculous risk. “If we lock these Americans out of affordable health care for one more year,” Obama said Monday afternoon as he listed examples of people who would enjoy better treatment under Obamacare, “if we sacrifice the health care of millions of Americans — then they’ll fund the government for a couple more months. Does anybody truly believe that we won’t have this fight again in a couple more months? Even at Christmas?” The president and his advisers weren’t expecting this level of Republican melee, a White House official said. Only during Sen. Ted Cruz’s (R-Texas) 21-hour floor speech last week did the realization roll through the West Wing that they wouldn’t be negotiating because they couldn’t figure out anymore whom to negotiate with. And even then, they didn’t believe the shutdown was really going to happen until Saturday night, when the House voted again to strip Obamacare funding. This wasn’t a credible position, Obama said again Monday afternoon, but rather, bowing to “extraneous and controversial demands” which are “all to save face after making some impossible promises to the extreme right wing of their political party.” Obama and aides have said repeatedly that they’re not thinking about the shutdown in terms of political gain, but the situation’s is taking shape for them. Congress’s approval on dealing with the shutdown was at 10 percent even before the shutters started coming down on Monday according to a new CNN/ORC poll, with 69 percent of people saying the House Republicans are acting like “spoiled children.” “The Republicans are making themselves so radioactive that the president and Democrats can win this debate in the court of public opinion” by waiting them out, said Jim Manley, a Democratic strategist and former aide to Senate Majority Leader Harry Reid who has previously been critical of Obama’s tactics. Democratic pollster Stan Greenberg said the Obama White House learned from the 2011 debt ceiling standoff, when it demoralized fellow Democrats, deflated Obama’s approval ratings and got nothing substantive from the negotiations. “They didn’t gain anything from that approach,” Greenberg said. “I think that there’s a lot they learned from what happened the last time they ran up against the debt ceiling.” While the Republicans have been at war with each other, the White House has proceeded calmly — a breakthrough phone call with Iranian President Hassan Rouhani Friday that showed him getting things done (with the conveniently implied juxtaposition that Tehran is easier to negotiate with than the GOP conference), his regular golf game Saturday and a cordial meeting Monday with his old sparring partner Israeli Prime Minister Benjamin Netanyahu. White House press secretary Jay Carney said Monday that the shutdown wasn’t really affecting much of anything. “It’s busy, but it’s always busy here,” Carney said. “It’s busy for most of you covering this White House, any White House. We’re very much focused on making sure that the implementation of the Affordable Care Act continues.” Obama called all four congressional leaders Monday evening — including Boehner, whose staff spent Friday needling reporters to point out that the president hadn’t called for a week. According to both the White House and Boehner’s office, the call was an exchange of well-worn talking points, and changed nothing. Manley advised Obama to make sure people continue to see Boehner and the House Republicans as the problem and not rush into any more negotiations until public outrage forces them to bend. “He may want to do a little outreach, but not until the House drives the country over the cliff,” Manley said Monday, before the shutdown. “Once the House has driven the country over the cliff and failed to fund the government, then it might be time to make a move.” The White House believes Obama will take less than half the blame for a shutdown – with the rest heaped on congressional Republicans. The divide is clear in a Gallup poll also out Monday: over 70 percent of self-identifying Republicans and Democrats each say their guys are the ones acting responsibly, while just 9 percent for both say the other side is. If Obama is able to turn public opinion against Republicans, the GOP won’t be able to turn the blame back on Obama, Greenberg said. “Things only get worse once things begin to move in a particular direction,” he said. “They don’t suddenly start going the other way as people rethink this.”

#### Having to defend authority derails the current agenda

Kriner 10 Douglas L. Kriner (assistant professor of political science at Boston University) “After the Rubicon: Congress, Presidents, and the Politics of Waging War”, University of Chicago Press, Dec 1, 2010, page 68-69.

While congressional support leaves the president’s reserve of political capital intact, congressional criticism saps energy from other initiatives on the home front by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president’s foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president’s political clout may have immediate ramifications for his reelection prospects, as well as indirect consequences for congressional races.59 Indeed, Democratic efforts to tie congressional Republican incumbents to President George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War. 60 In addition to boding ill for the president’s perceived political capital and reputation, such partisan losses in Congress only further imperil his programmatic agenda, both international and domestic. Scholars have long noted that President Lyndon Johnson’s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush’s highest second-term domestic proprieties, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq.61 When making their cost-benefit calculations, presidents surely consider these wider political costs of congressional opposition to their military policies. If congressional opposition in the military arena stands to derail other elements of his agenda, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

#### That takes Obama off-message – it undermines his constant pressure on the GOP

**Milbank, 9/27/13** – Washington Post Opinion Writer (Dana, “Obama should pivot to Dubya’s playbook” Washington Post, <http://www.washingtonpost.com/opinions/dana-milbank-obama-should-try-pivoting-to-george-bushs-playbook/2013/09/27/c72469f0-278a-11e3-ad0d-b7c8d2a594b9_story.html>)

If President Obama can stick to his guns, he will win his October standoff with Republicans. That’s an awfully big “if.” This president has been consistently inconsistent, predictably unpredictable and reliably erratic. Consider the events of Thursday morning: Obama gave a rousing speech in suburban Washington, in defense of Obamacare, on the eve of its implementation. “We’re now only five days away from finishing the job,” he told the crowd. But before he had even left the room, his administration let slip that it was delaying by a month the sign-up for the health-care exchanges for small businesses. It wasn’t a huge deal, but it was enough to trample on the message the president had just delivered. Throughout his presidency, Obama has had great difficulty delivering a consistent message. Supporters plead for him to take a position — any position — and stick with it. His shifting policy on confronting Syria was the most prominent of his vacillations, but his allies have seen a similar approach to the Guantanamo Bay prison, counterterrorism and climate change. Even on issues such as gun control and immigration where his views have been consistent, Obama has been inconsistent in promoting his message. Allies are reluctant to take risky stands, because they fear that Obama will change his mind and leave them standing alone. Now come the budget showdowns, which could define the rest of his presidency. Republican leaders are trying to shift the party’s emphasis from the fight over a government shutdown to the fight over the debt-limit increase, where they have more support. A new Bloomberg poll found that Americans, by a 2-to-1 margin, disagree with Obama’s view that Congress should raise the debt limit without any conditions. But Obama has a path to victory. That poll also found that Americans think lawmakers should stop trying to repeal Obamacare. And that was before House Republicans dramatically overplayed their hand by suggesting that they’ll allow the nation to default if Obama doesn’t agree to their laundry list of demands, including suspending Obamacare, repealing banking reforms, building a new oil pipeline, easing environmental regulations, limiting malpractice lawsuits and restricting access to Medicare. To beat the Republicans, Obama might follow the example of a Republican, George W. Bush. Whatever you think of what he did, he knew how to get it done: by simplifying his message and repeating it, ad nauseam, until he got the result he was after. Obama instead tends to give a speech and move along to the next topic. This is why he is forever making “pivots” back to the economy, or to health care. But the way to pressure Congress is to be President One Note. In the debt-limit fight, Obama already has his note: He will not negotiate over the full faith and credit of the United States. That’s as good a theme as any; it matters less what the message is than that he delivers it consistently. The idea, White House officials explained to me, is to avoid getting into a back-and-forth over taxes, spending and entitlement programs. “We’re right on the merits, but I don’t think we want to argue on the merits,” one said. “Our argument is not that our argument is better than theirs; it’s that theirs is stupid.” This is a clean message: Republicans are threatening to tank the economy — through a shutdown or, more likely, through a default on the debt — and Obama isn’t going to negotiate with these hostage-takers. Happily for Obama, Republicans are helping him to make the case by being publicly belligerent. After this week’s 21-hour speech on the Senate floor by Sen. Ted Cruz (R-Tex.), the publicity-seeking Texan and Sen. Mike Lee (R-Utah) objected to a bipartisan request to move a vote from Friday to Thursday to give House Republicans more time to craft legislation avoiding a shutdown. On the Senate floor, Sen. Bob Corker (R-Tenn.) accused them of objecting because they had sent out e-mails encouraging their supporters to tune in to the vote on Friday. The Post’s Ed O’Keefe caught Cruz “appearing to snicker” as his colleague spoke — more smug teenager than legislator. Even if his opponents are making things easier for him, Obama still needs to stick to his message. As in Syria, the president has drawn a “red line” by saying he won’t negotiate with those who would put the United States into default. If he retreats, he will embolden his opponents and demoralize his supporters.

#### All of his political capital key to dem unity and debt ceiling

**Lillis, 9/7/13** (Mike, The Hill, “Fears of wounding Obama weigh heavily on Democrats ahead of vote”

Read more: http://thehill.com/homenews/house/320829-fears-of-wounding-obama-weigh-heavily-on-democrats#ixzz2gWiT9H8u

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. But if the request for authorization for Syria military strikes is rebuffed, some fear it could limit Obama's power in those high-stakes fights. That has left Democrats with an agonizing decision: vote "no" on Syria and possibly encourage more chemical attacks while weakening their president, or vote "yes" and risk another war in the Middle East. “I’m sure a lot of people are focused on the political ramifications,” a House Democratic aide said. Rep. Jim Moran (D-Va.), a veteran appropriator, said the failure of the Syria resolution would diminish Obama's leverage in the fiscal battles. "It doesn't help him," Moran said Friday by phone. "We need a maximally strong president to get us through this fiscal thicket. These are going to be very difficult votes."

#### Failure to quickly raise the debt ceiling ensures collapse of the global economy, U.S. 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.

### 1NC

#### 1:15

#### **Their security reps are inaccurate and cause action-reaction cycles. Such cycles are the root of violence and make extinction inevitable.**

Der Derian 98 (James, Professor of Political Science – University of Massachusetts, On Security, Ed. Lipschutz, p. 24-25)

No other concept in international relations packs the metaphysical punch, nor commands the disciplinary power of "security." In its name, peoples have alienated their fears, rights and powers to gods, emperors, and most recently, sovereign states, all to protect themselves from the vicissitudes of nature--as well as from other gods, emperors, and sovereign states. In its name, weapons of mass destruction have been developed which have transfigured national interest into a security dilemma based on a suicide pact. And, less often noted in international relations, in its name billions have been made and millions killed while scientific knowledge has been furthered and intellectual dissent muted. We have inherited an ontotheology of security, that is, an a priori  argument that proves the existence and necessity of only one form of security because there currently happens to be a widespread, metaphysical belief in it. Indeed, within the concept of security lurks the entire history of western metaphysics, which was best described by Derrida "as a series of substitutions of center for center" in a perpetual search for the "transcendental signified." Continues... [7](http://libcat1.cc.emory.edu:32888/20050307122932441313c0%3Dwww.ciaonet.org%3A80/book/lipschutz/lipschutz12.html#note7) In this case, Walt cites IR scholar Robert Keohane on the hazards of "reflectivism," to warn off anyone who by inclination or error might wander into the foreign camp: "As Robert Keohane has noted, until these writers `have delineated . . . a research program and shown . . . that it can illuminate important issues in world politics, they will remain on the margins of the field.' " [8](http://libcat1.cc.emory.edu:32888/20050307122932441313c0%3Dwww.ciaonet.org%3A80/book/lipschutz/lipschutz12.html%22%20%5Cl%20%22note8) By the end of the essay, one is left with the suspicion that the rapid changes in world politics have triggered a "security crisis" in security studies that requires extensive theoretical damage control. What if we leave the desire for mastery to the insecure and instead imagine a new dialogue of security, not in the pursuit of a utopian end but in recognition of the world as it is, other than us ? What might such a dialogue sound like? Any attempt at an answer requires a genealogy: to understand the discursive power of the concept, to remember its forgotten meanings, to assess its economy of use in the present, to reinterpret--and possibly construct through the reinterpretation--a late modern security comfortable with a plurality of centers, multiple meanings, and fluid identities. The steps I take here in this direction are tentative and preliminary. I first undertake a brief history of the concept itself. Second, I present the "originary" form of security that has so dominated our conception of international relations, the Hobbesian episteme of realism. Third, I consider the impact of two major challenges to the Hobbesian episteme, that of Marx and Nietzsche. And finally, I suggest that Baudrillard provides the best, if most nullifying, analysis of security in late modernity. In short, I retell the story of realism as an historic encounter of fear and danger with power and order that produced four realist forms of security: epistemic, social, interpretive, and hyperreal. To preempt a predictable criticism, I wish to make it clear that I am not in search of an "alternative security." An easy defense is to invoke Heidegger, who declared that "questioning is the piety of thought." Foucault, however, gives the more powerful reason for a genealogy of security: I am not looking for an alternative; you can't find the solution of a problem in the solution of another problem raised at another moment by other people. You see, what I want to do is not the history of solutions, and that's the reason why I don't accept the word alternative. My point is not that everything is bad, but that everything is dangerous, then we always have something to do. The hope is that in the interpretation of the most pressing dangers of late modernity we might be able to construct a form of security based on the appreciation and articulation rather than the normalization or extirpation of difference. Nietzsche transvalues both Hobbes's and Marx's interpretations of security through a genealogy of modes of being. His method is not to uncover some deep meaning or value for security, but to destabilize the intolerable fictional identities of the past which have been created out of fear, and to affirm the creative differences which might yield new values for the future. Originating in the paradoxical relationship of a contingent life and a certain death, the history of security reads for Nietzsche as an abnegation, a resentment and, finally, a transcendence of this paradox. In brief, the history is one of individuals seeking an impossible security from the most radical "other" of life, the terror of death which, once generalized and nationalized, triggers a futile cycle of collective identities seeking security from alien others--who are seeking similarly impossible guarantees. It is a story of differences taking on the otherness of death, and identities calcifying into a fearful sameness.

#### Reject the Aff’s security discourse – abandoning the attempt to eradicate insecurity is a prerequisite to meaningful political engagement.

Neocleous 8 [Mark, Professor of the Critique of Political Economy at Brunel University, Critique of Security, p. 185-186]

The only way out of such a dilemma, to escape the fetish, is perhaps to eschew the logic of security altogether – to reject it as so ideologically loaded in favour of the state that any real political thought other than the authoritarian and reactionary should be pressed to give it up. That is clearly something that can not be achieved within the limits of bourgeois thought and thus could never even begin to be imagined by the security intellectual. It is also something that the constant iteration of the refrain ‘this is an insecure world’ and reiteration of one fear, anxiety and insecurity after another will also make it hard to do. But it is something that the critique of security suggests we may have to consider if we want a political way out of the impasse of security.¶ This impasse exists because security has now become so all-encompassing that it marginalises all else, most notably the constructive conflicts, debates and discussions that animate political life. The constant prioritising of a mythical security as a political end – as the political end – constitutes a rejection of politics in any meaningful sense of the term. That is, as a mode of action in which differences can be articulated, in which the conflicts and struggles that arise from such differences can be fought for and negotiated, in which people might come to believe that another world is possible – that they might transform the world and in turn be transformed. Security politics simply removes this; worse, it removes it while purportedly addressing it. In so doing it suppresses all issues of power and turns political questions into debates about the most efficient way to achieve ‘security’, despite the fact that we are never quite told – never could be told – what might count as having achieved it. Security politics is, in this sense, an anti-politics,141 dominating political discourse in much the same manner as the security state tries to dominate human beings, reinforcing security fetishism and the monopolistic character of security on the political imagination. We therefore need to get beyond security politics, not add yet more ‘sectors’ to it in a way that simply expands the scope of the state and legitimises state intervention in yet more and more areas of our lives.¶ Simon Dalby reports a personal communication with Michael Williams, co-editor of the important text Critical Security Studies, in which the latter asks: if you take away security, what do you put in the hole that’s left behind? But I’m inclined to agree with Dalby: maybe there is no hole.142 The mistake has been to think that there is a hole and that this hole needs to be filled with a new vision or revision of security in which it is re-mapped or civilised or gendered or humanised or expanded or whatever. All of these ultimately remain within the statist political imaginary, and consequently end up re-affirming the state as the terrain of modern politics, the grounds of security. The real task is not to fill the supposed hole with yet another vision of security, but to fight for an alternative political language which takes us beyond the narrow horizon of bourgeois security and which therefore does not constantly throw us into the arms of the state. That’s the point of critical politics: to develop a new political language more adequate to the kind of society we want. Thus while much of what I have said here has been of a negative order, part of the tradition of critical theory is that the negative may be as significant as the positive in setting thought on new paths.¶ For if security really is the supreme concept of bourgeois society and the fundamental thematic of liberalism, then to keep harping on about insecurity and to keep demanding ‘more security’ (while meekly hoping that this increased security doesn’t damage our liberty) is to blind ourselves to the possibility of building real alternatives to the authoritarian tendencies in contemporary politics. To situate ourselves against security politics would allow us to circumvent the debilitating effect achieved through the constant securitising of social and political issues, debilitating in the sense that ‘security’ helps consolidate the power of the existing forms of social domination and justifies the short-circuiting of even the most democratic forms. It would also allow us to forge another kind of politics centred on a different conception of the good. We need a new way of thinking and talking about social being and politics that moves us beyond security. This would perhaps be emancipatory in the true sense of the word. What this might mean, precisely, must be open to debate. But it certainly requires recognising that security is an illusion that has forgotten it is an illusion; it requires recognising that security is not the same as solidarity; it requires accepting that insecurity is part of the human condition, and thus giving up the search for the certainty of security and instead learning to tolerate the uncertainties, ambiguities and ‘insecurities’ that come with being human; it requires accepting that ‘securitizing’ an issue does not mean dealing with it politically, but bracketing it out and handing it to the state; it requires us to be brave enough to return the gift.143

## Case

### Intervention

1:15

#### No more mindless interventions

Mandelbaum 11 (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) <http://www.cfr.org/publication/23828/cfr_90th_anniversary_series_on_renewing_america.html?cid=rss-fullfeed-cfr_90th_anniversary_series_on-011811&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed:+cfr_main+(CFR.org+-+Main+Site+Feed>

MANDELBAUM: I think it is, Richard. And I think that **this period really goes back two decades**. **I think the wars or the interventions in Somali**a, 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**.

#### 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 ha**s 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 detonationhave **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 ofany 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**.

#### The military doesn’t randomly counternuke terrorist countries

Schmitt and Shanker ’11 ( BY ERIC SCHMITT, THOMAS SHANKER | SEPTEMBER 6, 2011 Eric Schmitt is a terrorism and national security correspondent for the New York Times. Thomas Shanker is a Pentagon and national security correspondent for the Times.

 3. The Threat to Bomb Mecca **As fears of a second attack mounted following the 9/11 strikes, U.S. government planners frantically cast about for strategies to protect the country. Even the most far-fetched ideas had a hearing, however briefly. In one case, some government planners proposed that if al Qaeda appeared ready to attack America again, the United States should publicly threaten to bomb the city of Mecca in Saudi Arabia, the holiest site in all of Islam, in retaliation. "Just nuts!" one Pentagon aide wrote to himself when he heard the proposal. The idea was quickly and permanently shelved.**

#### No Korean war---laundry list---(rational regime, empirics, military inferiority, and it’s all just domestic propaganda)

Fisher 13 Max, Foreign Policy Writer @ Washington Post & Former Editor at the Atlantic, “Why North Korea loves to threaten World War III (but probably won’t follow through)” http://www.washingtonpost.com/blogs/worldviews/wp/2013/03/12/why-north-korea-loves-to-threaten-world-war-iii-but-probably-wont-follow-through/

**North Korea is indeed a dangerous rogue state that has, in the recent past, staged small-scale but deadly attacks** on South Korea without provocation. In March 2010, a South Korean navy ship was attacked by a ship of unknown origin, killing 46 on board; though North Korea denied responsibility, an investigation concluded it was likely responsible. A few months later, North Korea fired over 100 artillery shells at Yeonpyeong Island, killing two civilians and wounding 19.¶ **But is North Korea really an irrational nation on the brink of launching “all-out war,**” a mad dog of East Asia? **Is Pyongyang ready to sacrifice it all? Probably not. The North Korean regime**, for all its cruelty, **has also shown itself to be shrewd, calculating, and single-mindedly obsessed with its own self-preservation**. **The regime’s past behavior suggests pretty strongly that these threats are empty**. But they still matter.¶ **For years, North Korea has threatened the worst and, despite all of its apparent readiness, never gone through with it**. So why does it keep going through these macabre performances? We can’t read Kim Jong Eun’s mind, but **the most plausible explanation has to do with internal North Korean politics**, with trying to set the tone for regional politics, and with forcing other countries (including the United States) to bear the costs of preventing its outbursts from sparking an unwanted war.¶ **Starting World War III or a second Korean War would not serve any of Pyongyang’s interests.** Whether or not it deploys its small but legitimately scary nuclear arsenal, North Korea could indeed cause substantial mayhem in the South, whose capital is mere miles from the border. **But the North Korean military is antiquated and inferior; it wouldn’t last long against a U.S.-led counterattack. No matter how badly such a war would go for South Korea or the United States, it would almost certainly end with the regime’s total destruction**.¶ Still, provocations and threats do serve Pyongyang’s interests, even if no one takes those threats very seriously. It helps to rally North Koreans, particularly the all-important military, behind the leader who has done so much to impoverish them. It also helps Pyongyang to control the regional politics that should otherwise be so hostile to its interests. Howard French, a former New York Times bureau chief for Northeast Asia whom I had the pleasure of editing at The Atlantic, explained on Kim Jong Il’s death that Kim had made up for North Korea’s weakness with canny belligerence:¶ The shtick of apparent madness flowed from his country’s fundamental weakness as he, like a master poker player, resolved to bluff and bluff big. **Kim adopted a game of brinkmanship with the South, threatening repeatedly to turn Seoul into a “sea of flames.”** And while this may have sharply raised the threat of war, for the North, it steadily won concessions: fuel oil deliveries, food aid, nuclear reactor construction, hard cash-earning tourist enclaves and investment zones.¶ **At the risk of insulting Kim Jong Eun, it helps to think of North Korea’s provocations as somewhat akin to a child throwing a temper tantrum. He might do lots of shouting, make some over-the-top declarations** (“I hate my sister,” “I’m never going back to school again”) and even throw a punch or two. Still, **you give the child the attention he craves and maybe even a toy, not because you think the threats are real or because he deserves it, but because you want the tantrum to stop.**

#### Multiple checks prevent Executive overreach --- their impact is a myth

John Yoo 9, Emanuel S. Heller Professor of Law @ UC-Berkeley Law, visiting scholar @ the American Enterprise Institute, former Fulbright Distinguished Chair in Law @ the University of Trento, served as a deputy assistant attorney general in the Office of Legal Council at the U.S. Department of Justice between 2001 and 2003, received his J.D. from Yale and his undergraduate degree from Harvard, “Crisis and Command,” E-Book

A second lesson of this book is that the notion of an unchecked executive, wielding dictatorial powers to plunge the nation into disaster, is a myth born of Vietnam and Watergate. Congresses have always possessed ample ability to stalemate and check an executive run amok. Congress regularly ignores executive proposals for legislation, rejects nominees, and overrides vetoes. It can use its power over legislation, funding, and oversight to exercise significant control over the administrative state. There would be no agencies, no delegated powers, and no rule-making without Congress's basic decisions to create the federal bureaucracy. It can use these authorities even at the zenith of presidential power: foreign affairs. Congress can cut off war funding, shrink the military, stop economic aid, and block treaties. It used its sole control of the purse to limit the Mexican-American War and to end the Vietnam conflict, for example.

### Warfighting

1:15

#### None of this is key – we’re going to dominate anyway

Kagan 12(Robert Kagan, senior fellow in foreign policy at the Brookings Institution and a columnist for The Washington Post, “Not Fade Away,” 1/11/12) <http://www.tnr.com/article/politics/magazine/99521/america-world-power-declinism?passthru=ZDkyNzQzZTk3YWY3YzE0OWM5MGRiZmIwNGQwNDBiZmI&utm_source=Editors+and+Bloggers&utm_campaign=cbaee91d9d-Edit_and_Blogs&utm_medium=email>

Less than a decade ago, most observers spoke not of America’s decline but of its enduring primacy. In 2002, the historian Paul Kennedy, who in the late 1980s had written a much-discussed book on “the rise and fall of the great powers,” America included, declared that never in history had there been such a great “disparity of power” as between the United States and the rest of the world. Ikenberry agreed that “no other great power” had held “such formidable advantages in military, economic, technological, cultural, or political capabilities.... The preeminence of American power” was “unprecedented.” In 2004, the pundit Fareed Zakaria described the United States as enjoying a “comprehensive uni-polarity” unlike anything seen since Rome. But a mere four years later Zakaria was writing about the “post-American world” and “the rise of the rest,” and Kennedy was discoursing again upon the inevitability of American decline. Did the fundamentals of America’s relative power shift so dramatically in just a few short years? The answer is no. Let’s start with the basic indicators. In economic terms, and even despite the current years of recession and slow growth, America’s position in the world has not changed. Its share of the world’s GDP has held remarkably steady, not only over the past decade but over the past four decades. In 1969, the United States produced roughly a quarter of the world’s economic output. Today it still produces roughly a quarter, and it remains not only the largest but also the richest economy in the world. People are rightly mesmerized by the rise of China, India, and other Asian nations whose share of the global economy has been climbing steadily, but this has so far come almost entirely at the expense of Europe and Japan, which have had a declining share of the global economy. Optimists about China’s development predict that it will overtake the United States as the largest economy in the world sometime in the next two decades. This could mean that the United States will face an increasing challenge to its economic position in the future. But the sheer size of an economy is not by itself a good measure of overall power within the international system. If it were, then early nineteenth-century China, with what was then the world’s largest economy, would have been the predominant power instead of the prostrate victim of smaller European nations. Even if China does reach this pinnacle again—and Chinese leaders face significant obstacles to sustaining the country’s growth indefinitely—it will still remain far behind both the United States and Europe in terms of per capita GDP. Military capacity matters, too, as early nineteenth-century China learned and Chinese leaders know today. As Yan Xuetong recently noted, “military strength underpins hegemony.” Here the United States remains unmatched. It is far and away the most powerful nation the world has ever known, and there has been no decline in America’s relative military capacity—at least not yet. Americans currently spend less than $600 billion a year on defense, more than the rest of the other great powers combined. (This figure does not include the deployment in Iraq, which is ending, or the combat forces in Afghanistan, which are likely to diminish steadily over the next couple of years.) They do so, moreover, while consuming a little less than 4 percent of GDP annually—a higher percentage than the other great powers, but in historical terms lower than the 10 percent of GDP that the United States spent on defense in the mid-1950s and the 7 percent it spent in the late 1980s. The superior expenditures underestimate America’s actual superiority in military capability. American land and air forces are equipped with the most advanced weaponry, and are the most experienced in actual combat. They would defeat any competitor in a head-to-head battle. American naval power remains predominant in every region of the world. By these military and economic measures, at least, the United States today is not remotely like Britain circa 1900, when that empire’s relative decline began to become apparent. It is more like Britain circa 1870, when the empire was at the height of its power. It is possible to imagine a time when this might no longer be the case, but that moment has not yet arrived.

#### No challengers to heg – legitimacy is irrelevant

Kaplan ’11 - senior fellow – Center for a New American Security, and Kaplan, frmr. vice chairman – National Intelligence Council (Robert D and Stephen S, “America Primed,” The National Interest, March/April)

But in spite of the seemingly inevitable and rapid diminution of U.S. eminence, to write America’s great-power obituary is beyond premature. The United States remains a highly capable power. Iraq and Afghanistan, as horrendous as they have proved to be—in a broad historical sense—are still relatively minor events that America can easily overcome. The eventual demise of empires like those of Ming China and late-medieval Venice was brought about by far more pivotal blunders. Think of the Indian Mutiny against the British in 1857 and 1858. Iraq in particular—ever so frequently touted as our turning point on the road to destruction—looks to some extent eerily similar. At the time, orientalists and other pragmatists in the British power structure (who wanted to leave traditional India as it was) lost some sway to evangelical and utilitarian reformers (who wanted to modernize and Christianize India—to make it more like England). But the attempt to bring the fruits of Western civilization to the Asian subcontinent was met with a violent revolt against imperial authority. Delhi, Lucknow and other Indian cities were besieged and captured before being retaken by colonial forces. Yet, the debacle did not signal the end of the British Empire at all, which continued on and even expanded for another century. Instead, it signaled the transition from more of an ad hoc imperium fired by a proselytizing lust to impose its values on others to a calmer and more pragmatic empire built on international trade and technology.1 There is no reason to believe that the fate of America need follow a more doomed course. Yes, the mistakes made in Iraq and Afghanistan have been the United States’ own, but, though destructive, they are not fatal. If we withdraw sooner rather than later, the cost to American power can be stemmed. Leaving a stable Afghanistan behind of course requires a helpful Pakistan, but with more pressure Washington might increase Islamabad’s cooperation in relatively short order. In terms of acute threats, Iran is the only state that has exported terrorism and insurgency toward a strategic purpose, yet the country is economically fragile and politically unstable, with behind-the-scenes infighting that would make Washington partisans blanch. Even assuming Iran acquires a few nuclear devices—of uncertain quality with uncertain delivery systems—the long-term outlook for the clerical regime is itself unclear. The administration must only avoid a war with the Islamic Republic. To be sure, America may be in decline in relative terms compared to some other powers, as well as to many countries of the former third world, but in *absolute terms*, particularly military ones, the United States can easily be the first among equals for decades hence. China, India and Russia are the only major Eurasian states prepared to wield military power of consequence on their peripheries. And each, in turn, faces its own obstacles on the road to some degree of dominance. The Chinese will have a great navy (assuming their economy does not implode) and that will enforce a certain level of bipolarity in the world system. But Beijing will lack the alliance network Washington has, even as China and Russia will always be—because of geography—inherently distrustful of one another. China has much influence, but no credible military allies beyond possibly North Korea, and its authoritarian regime lives in fear of internal disruption if its economic growth rate falters. Furthermore, Chinese naval planners look out from their coastline and see South Korea and a string of islands—Japan, Taiwan and Australia—that are American allies, as are, to a lesser degree, the Philippines, Vietnam and Thailand. To balance a rising China, Washington must only preserve its naval and air assets at their current levels. India, which has its own internal insurgency, is bedeviled by semifailed states on its borders that critically sap energy and attention from its security establishment, and especially from its land forces; in any case, India has become a de facto ally of the United States whose very rise, in and of itself, helps to balance China. Russia will be occupied for years regaining influence in its post-Soviet near abroad, particularly in Ukraine, whose feisty independence constitutes a fundamental challenge to the very idea of the Russian state. China checks Russia in Central Asia, as do Turkey, Iran and the West in the Caucasus. This is to say nothing of Russia’s diminishing population and overwhelming reliance on energy exports. Given the problems of these other states, America remains fortunate indeed. The United States is poised to tread the path of postmutiny Britain. America might not be an empire in the formal sense, but its obligations and constellation of military bases worldwide put it in an imperial-like situation, particularly because its air and naval deployments will continue in a post-Iraq and post-Afghanistan world. No country is in such an enviable position to keep the relative peace in Eurasia as is the United States—especially if it can recover the level of enduring competence in national-security policy last seen during the administration of George H. W. Bush. This is no small point. America has strategic advantages and can enhance its power while extricating itself from war. But this requires leadership—not great and inspiring leadership which comes along rarely even in the healthiest of societies—but plodding competence, occasionally steely nerved and always free of illusion.

#### Ikenberry is wrong- there is no liberal order- this card assumes all their args

Etzioni 3/21/12 (Amitai Etzioni served as a senior advisor to the Carter White House; taught at Columbia University, Harvard, and The University of California at Berkeley; and is a university professor and professor of international relations at The George Washington University. “The World America Didn't Make,” http://nationalinterest.org/commentary/world-america-didn%27t-make-6668)

Robert **Kagan’s book**, The World America Made, **is refocusing the debate on whether the United States is declining as a global power**—and speculation about whether other powers will step in to assume the responsibility for sustaining a liberal, rule-based international order. Kagan is known as a brilliant conservative observer, and even President Obama is reported to be reading this tour de force of U.S. foreign policy. **Most of the debate** about the book **is centered on the question of whether the United States is indeed declining and if China is ready to buy into the liberal order. But more attention should be dedicated to the question of whether there is such an order in the first place. Much of the discussion simply assumes that there is a liberal order and that the United States formed it and is nurturing it**. Actually, **this view reflects a rather romantic, self-congratulatory perception of our foreign policy and global role**. **It is one more sign of what might be called a Multiple Realism Deficiency Disorder (MRDD), which reflects a mixture of idealism and hubris. The disorder makes us think that we know what is good for the world and can remake it in our image. But a simple reality check shows that we live in a much darker world—a world we have never been able to align with our designs.** **One of the major elements of the liberal order is said to be the spread of democracy and human rights**. Indeed, after the collapse of the Soviet Union, it did seem—for a few years—as if all nations were rushing to embrace our kind of government. Recently, the Arab Spring seemed to provide new evidence that this was truly where the world is heading. The reality is not as bright. China has become more authoritarian, when one compares the last five years to the previous five. Russia’s regime is definitely sliding back. The record in **Latin America is rather mixed**. **Most Arab states remain authoritarian. And for every Burma, an authoritarian regime giving way to more open government, there is a Venezuela, Cuba, North Korea and Iran**. **Even the democratic ideal itself is tarnished; the governments of Europe and the United States are seen by many in the Third World as gridlocked while China is heralded as a new model for strong economic growth, effective political management and stability. Free trade is another key element of the liberal order**. I leave it for another day to ask whether less managed trade (nobody ever had or came close to having free trade) has all the virtues claimed for it by those who write economics textbooks. It suffices to note that in the world in which we live, **China is manipulating its currency, is still allowing many violations of intellectual property and imposing numerous limits on those who seek to do business in China. The United States used public funds to bail out the car industry and banks, subsidizes the exporting farm sector and provides tax incentives to corporations that bring jobs home from overseas. All the other governments are engaged** in one form or another (actually, **in multiple forms) of trade management**. **A realistic narrative would ask under what conditions these trade limitations could be curtailed rather than pretending treaties such as those Washington just formed with South Korea, Colombia and Panama create “free-trade” zones. Even such a simple matter as free passage on the high seas, which is a particular matter of pride to the United States, is not as simple as is often assumed.** **Most seas are wide open—because few nations see any benefit or reason to close their shipping lanes or** confront other nations’ vessels. In March 2010, however, North Korea sank a South Korean ship, killing forty-six crew members. Later that same year, North Korea fired on South Korea’s Yeonpyeong Island. In the wake of this attack, which hit both military and civilian targets and killed four South Koreans, Admiral Michael **Mullen**, then chairman of the Joint Chiefs, **counseled moderation**. This was **wise counsel but one that hardly bespoke of a global power, let alone a hegemony of the seas**. Indeed, **when confronted with a bunch of barefooted youth**—traveling in primitive skiffs and armed with a few guns and grenade launchers—who terrorize the ships of many nations, kidnap scores upon scores of travelers and hold them for ransom for years, **our navy has been unable to stop the marauders**. Our warships are said to be ready for attacks by swarms of speed boats belonging to Iran’s Revolutionary Guards, as well as Iranian anti-ship missiles (which disabled a major Israeli ship during Israel’s last incursion into Lebanon), but this bravado remains to be tested. **Before thinkers like Kagan can ask who the custodian for the global liberal order** **is**, who is challenging it and who may next be ready to shore it up**, they must develop a much more realistic perception of what the world is really like—and accept our limited ability to order it. Without this realism, the United States will continue to squander the limited capital for change that it does command.**

#### Alliances resilient

William C. Wohlforth 2012 “How Not to Evaluate Theories” International Studies Quarterly (2012) 56, 219–222

For nearly 20 years, Layne, Kenneth Waltz, and other balance-of-power realists have proclaimed multipolarity’s imminent return. They have been crystal clear in identifying balancing as the chief causal mechanism that would produce this outcome. Their argument attracted so much attention in large part because it was simple and appeared to flow logically from their theory: ‘‘overwhelming power repels and leads others to try to balance against it’’ (Waltz 2000:28). As Layne (1993:92) stressed, ‘‘balancing has especially strong explanatory power in accounting for the [fact] that unipolarity tends to be short-lived …’’ He predicted that ‘‘Unipolarity will stimulate the emergence of eligible states as great powers, [and will] cause other states to balance against the United States’’ (Layne 1993:51). Waltz (1997:915) agreed: ‘‘Some of the weaker states in the system will … act to restore a balance and move the system back to bi- or multipolarity.’’ In all of the many papers they wrote on the subject, Layne and Waltz consistently claimed to see balancing processes already under way. ‘‘Multipolarity is developing before our eyes,’’ Waltz (1997:915) wrote. ‘‘To all but the myopic, it can already be seen on the horizon. Moreover, it is emerging in according with the balancing imperative’’ (Waltz 1997:915). In my 1999 article, I argued that Layne, Waltz, and other realists were using a theory whose scope conditions did not obtain (Wohlforth 1999). Their theory predicts reactions to a rising power that might attain preponderance, not responses to a state whose preponderance is already firmly established. Even if one accepted the veracity of the whole Waltzian project, I argued, a properly specified theory predicted that unipolarity would be peaceful and durable: peaceful because two key causes for great-power war—systemic balancing and counterhegemonic rivalry—were absent (cf. Monteiro 2012) and durable because the speedy route to equilibrium— balancing—was for all practical purposes not in the cards. My arguments for why balancing was so unlikely came straight from standard realist theory. In a nutshell, the size and comprehensiveness of the capabilities gap meant contenders had a long way to go, and unipolarity’s geography (America’s offshore location, the contenders for peer status all clustered in or around Eurasia) meant that local balancing was likely to impede internal or external efforts to restore systemic equilibrium. Now Layne claims that events verify his arguments. But his essay provides no evidence that balancing has played any causal role, for good reason. As Stephen Brooks and I have shown in detail (Brooks and Wohlforth 2005, 2008), there simply is no such evidence. It is not just that we see no real balancing: military spending by great powers is at historical lows as a percentage of GDP, and the main alliance formation since 1991 has been the expansion and tightening of US alliances, while China has continued to have only one reliable ally over this entire period: North Korea. Digging deeply into the strategic interactions of contemporary major powers, we found no evidence of more subtle observable implications of balancing dynamics and strong evidence that an important cause of their absence was indeed the high costs of balancing in a unipolar system. What happened? This debate started out being tractable empirically because we all specified observable causal mechanisms, not just predicted outcomes. With time, however, the balance-of-power realists have placed decreasing emphasis on balancing as a cause of structural change to the point that it practically disappears, as in Layne’s current essay. The claim then appears to be that any shift toward a less concentrated distribution of capabilities, whatever the cause, validates the theory.

### SOP

1:00

#### US won’t get involved over Taiwan

Eland 09 Senior Fellow and Director of the Center on Peace and Liberty at The Independent Institute (“China’s Threat to the U.S. Is Exaggerated” April 13, lexis)

Right now **it is doubtful that China could conduct a successful amphibious invasion against Taiwan,** which is an island. Island nations are easier to defend than other countries, because amphibious landings are one of the most difficult military operations to undertake. In **Taiwan**’s case, it **has a very good air force that could probably sink any Chinese amphibious force, because Chinese ships are deficient in good air defenses**. The greatest threat to Taiwan would be Chinese intimidation or actual attack with a growing number of short-range ballistic missiles. But the real question is whether Taiwan is strategic militarily to the United States. The small island nation is not, and the United States shouldn’t risk escalation with a nuclear-armed China to defend it. Even as the Chinese military gets stronger, the rich Taiwanese can use a porcupine strategy. They don’t have to be able to win a war with China; they just need to be able to inflict enough damage to dissuade China from invading or attacking.

#### Interdependence prevents Indo-pak war

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

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

#### No risk of Georgia war – Russia stabilizing now

Bradley 11(Jason Bradley is in national security and has remained in the field since separating from the military after eight years of service. He is a political science major with strong interests in American politics, history, economics, and foreign policy. 3/5/2011, “Russia Will Not and Cannot Challenge US Hegemony,” http://bigpeace.com/jbradley/2011/03/05/russia-will-not-and-cannot-challenge-us-hegemony/)

Fellow contributor here, Jim Hanson, beat me to the punch on Russia’s military buildup. While true they are making **efforts to modernize their military, mostly comprised of old Soviet era equipment**, they still have a lot of making up to do. **Even under the most optimistic of circumstances, Russian military clout would still leave a lot to be desired,** at least **compared to the US**. What is clear, at least for the foreseeable future, is **a resurgent Russia set to challenge US hegemony just isn’t in its future**. The Russian Federation’s ascension from the Cold War has operated paradoxically. It is not a nation state (in the European sense) but has strong currents of nationalism running through the mainstream of life, entertainment, politics, and education. It projects itself as modern, democratic, and Western but distinctly Russian therefore often putting it at odds with the Western nations. Yet it has steadily veered towards reimperialization, struggles with implementing a market economy, shown no use for political pluralism, and autocratic control from the Kremlin increases each year, with each passing election. **Relations between the US and Russia have reached different points of and hot and cold over the years since the Cold War ended**. They seemed to have worsened in the last months of George W Bush’s presidency. Some have tried to make it easy to speculate that an extension of the Cold War resumed when the US placed American missiles in the Czech Republic and Poland. Likewise, they made easy to entertain the Cold War entered a re-icing stage when Russia invaded Georgia. **The Russian-Georgia war could be viewed as a turn for the worse in the US-Russian confrontation**. And the Russian victory plus the will to use military force in its region, tipped the balance to Russia. **This is fanciful thinking. Russia does not possess the superpower qualities needed in order to align the world back in a bipolar arrangement,** as was the case during the Cold War. **Nor is it able to operate and deploy globally to such an extent as to significantly undermine America’s long-term interests or force it to reallocate resources away from fighting terrorism in the Middle East**. Instead, Russia exists on the periphery of Europe with a few basic goals: Sovereignty, reclaiming some of its geopolitical clout, oil production, nuclear non-proliferation, and counter-terrorism. As is always dominant in international relations, **Russia has sought domestic strength and stability through its oil supply and used its leverage in natural resources as a political weapon**. Between 1998 and 2006, the price of oil rose from $15 to $70 per barrel creating huge cash surpluses. When the price of oil plummeted, the vulnerabilities of Russia’s economy were apparent. While it is true that Russia is the main oil and natural gas supplier in Europe, with some future estimates predicting it could possibly export 70 percent to the region, it appears these estimates could be flawed. Partly the reason why Russia is exporting so much oil in recent years is because it started at the bottom after the Soviet collapsed. In other words, Russia climbed so high because of how far it had fallen. Since then, however, **it has discovered no new oil, relies on old wells, and allows little foreign investment for industry growth. As a result, oil exports have declined since 2008.** Russia’s oil exports seem to have peaked at least for the time being. Even more troubling perhaps is Russia’s demographic crisis. **Russia’s population has lost 7 million people since 1992; death rates outnumber birth rates by a quarter million.** “In the last 40 years the death rate for men between 15 and 64 years of age has jumped by an average of 50 percent” (J. McHugh, 2008). Conclusion **These are not the qualities of a robust nation destined to challenge US hegemony**. Instead, **Russia resents the US policy** of full spectrum dominance and nuclear supremacy, **because of which Russia finds iself unable to compete.** All the old Cold War relics simply add theater to a very basic international relations scenario. **A stronger power is preventing a weaker one from doing what it wants**. Nonetheless, there is real apprehension on the part of Russia from perceived **encirclement by NATO, a growing number of American military bases throughout the world, and American missiles.** The simple truth is that **the Cold War did indeed end with the collapse of the Soviet Empire** and Russia is not likely to fill the role as new Cold War nemesis. Neither though does it have to be a partner with the US or the West. “Until recently, Russia saw itself as Pluto in the Western Solar system, very far from the center but still fundamentally a part of it. Now it has left that orbit entirely: Russia’s leaders have given up on becoming part of the West and have started creating their own Moscow-centered system” (D. Trenin, 2007). In the eyes of Russia, the missile shield project is about America establishing nuclear primacy. **With American missiles in the region, American military armaments going to Georgia, and high tech experimental missile defense satellites into space, Russia has lost the capability to counter a nuclear first strike. Russia finds its considerable nuclear arsenal vulnerable if not obsolete**. **By greatly reducing Russia’s threat of nuclear strike, the US has essentially eliminated “mutually assured destruction (MAD**). MAD of course was viewed as the ultimate equilibrium in the nuclear standoff during the Cold War. American nuclear primacy, however, swung the equilibrium decidedly in the favor of America leaving Russia out in the cold. It is no mystery as to why Russia feels exposed to possible hostility from the U.S. and NATO over its expansion. In view of this, **Russia can become more aggressive, obstruct international cooperation, and exert its influence in places that are possible. It can even increase its military posture** and become more Moscow-centric. For example, Russia announced this year it will continue its military modernization and buildup that started in 2008. Reportedly, Russia is willing to spend an estimated $600 to 700 billion over ten years to move away from its Soviet era weaponry**. This equates to roughly 5 percent of Russia’s estimated g**ross **d**omestic **p**roduct. **In comparison, the US** on the other hand **makes up roughly 47 percent of the world’s total military spending**! At such a reduced state and under an insurmountable disadvantage, militarily and economically speaking, today’s Russia and the world it finds itself in pales in comparison to yesterday’s Soviet Union and the bygone Cold War era. Therefore, **at no time in the foreseeable future can Russia rise to the status of the former Soviet Union, realign the world back into a bipolar arrangement, and hope to challenge the US across the globe.**

# 2NC

## K

### Framework

#### Our interpretation is the judge is a critical scholar The role of the ballot is to accept or reject the securitized speech act of the 1AC- it is only securitized if you accept their speech act.

#### **Framing Comes First**

Jourde, 06 – Ph.D. Political Science, University of Wisconsin-Madison, Madison, 2002 \* M.A., Political Science, University of Wisconsin-Madison, Madison, 1996 \* B.Sc., Political Science, Université de Montréal, Montréal (Cedric, 1995 Hegemony or Empire?: The redefinition of US Power under George W Bush Ed. David and Grondin p. 182-3 2006)

Relations between states are, at least in part, constructed upon representations. Representations are interpretative prisms through which decision-makers make sense of a political reality, through which they define and assign a subjective value to the other states and non-state actors of the international system, and through which they determine what are significant international political issues.2 For instance, officials of a given state will represent other states as 'allies', 'rivals', or simply 'insignificant', thus assigning a subjective value to these states. Such subjective categorizations often derive from representations of these states' domestic politics, which can for instance be perceived as 'unstable\*, 'prosperous', or 'ethnically divided'. It must be clear that representations are not objective or truthful depictions of reality; rather they are subjective and political ways of seeing the world, making certain things 'seen' by and significant for an actor while making other things 'unseen' and 'insignificant'.3 In other words, they are founded on each actor's and group of actors' cognitive, cultural-social, and emotional standpoints. Being fundamentally political, representations are the object of tense struggles and tensions, as some actors or groups of actors can impose on others their own representations of the world, of what they consider to be appropriate political orders, or appropriate economic relations, while others may in turn accept, subvert or contest these representations. Representations of a foreign political reality influence how decision-making actors will act upon that reality. In other words, as subjective and politically infused interpretations of reality, representations constrain and enable the policies that decision-makers will adopt vis-a-vis other states; they limit the courses of action that are politically thinkable and imaginable, making certain policies conceivable while relegating other policies to the realm of the unthinkable.4 Accordingly, identifying how a state represents another state or non-state actor helps to understand how and why certain foreign policies have been adopted while other policies have been excluded. To take a now famous example, if a transnational organization is represented as a group of 'freedom fighters', such as the multi-national mujahideen in Afghanistan in the 1980s, then military cooperation is conceivable with that organization; if on the other hand the same organization is represented as a 'terrorist network', such as Al-Qaida, then military cooperation as a policy is simply not an option. In sum. the way in which one sees, interprets and imagines the 'other\* delineates the course of action one will adopt in order to deal with this 'other'.

#### Discourse shapes reality-they must prove justify their discourse before you can evaluate the aff-at worst vote neg on presumption

Grondin 4—master of in pol sci andPHD of political studies @ U of Ottowa (David, “(Re)Writing the “National Security State”: How and Why Realists (Re)Built the(ir) Cold War,” <http://www.er.uqam.ca/nobel/ieim/IMG/pdf/rewriting_national_security_state.pdf>,)

In this light, poststructural practices are used critically to investigate how the subject of international relations is constituted in and through the discourses and texts of global politics. Treating theory as discourse opens up the possibility of historicizing it. It is a myth that theory can be abstracted from its socio-historical context, from reality, so to speak, as neorealists and neoclassical realists believe. It is a political practice which needs to be contextualized and stripped of its purportedly neutral status. It must be understood with respect to its role in preserving and reproducing the structures and power relations present in all language forms. Dominant theories are, in this view, dominant discourses that shape our view of the world (the “subject”) and our ways of understanding it. Given my poststructuralist inclinations, I do not subscribe to the positivistic social scientific enterprise which aspires to test hypotheses against the “real world”. I therefore reject epistemological empiricism. Since epistemology is closely intertwined with methodology, especially with positivism, I eschew naturalism as a methodology. I study discourses and discursive practices that take shape in texts. This does not mean that there is no material world as such, only that it must be understood as mediated by language, which in the end means that it is always interpreted once framed by discourse (through the spoken word or in written form).2 “A discourse, then, is not a way of learning ‘about’ something out there in the ‘real world’; it is rather a way of producing that some- thing as real, as identifiable, classifiable, knowable, and therefore, meaningful. Discourse creates the conditions of knowing” (Klein quoted in George, 1994: 30). We consider “real” what we consider significant: a discourse is always an interpretation, a narrative of multiple realities inscribed in a specific social or symbolic order. Discursive representation is therefore not neutral; individuals in power are those who are “authorized” to produce “reality”, and therefore, knowledge. In this context, power is knowledge and the ability to produce that which is considered “true”. A realist discourse will produce the socio- linguistic conditions that will allow it to correspond, in theory as in practice, to “reality”. Evidently, this “reality” will be nothing but the “realist discourse” that one has constituted oneself. This is why, from a poststructuralist perspective, discourse may be considered as ontology3.

#### Reasons to prefer:

#### Critical education – they exclude all critical theory, our inteprt forces debates about mainy highlight educational philosophies.

#### Ground – Ks are core negative ground – need to test the plan from all areas

#### Predictable – Ks, specifically the security K are run every round.

#### Neg flex – Ks are key to having a flexible negative strategy.

#### Reciprocal – the aff picks their plan and the impacts they should be forced to defend their method.

#### And we control your role play / plan focus good args

#### Real world education – most of us won’t become congressman, but we will be policy analysts or professors – we will be forced to evaluate the plans methodology.

### Overview

#### There is no status quo- the 1AC advantages are just random factoids politically constructed to make the plan appear to be a good idea. They merely take a snapshot of a dynamic status quo and attempt to portray it as a static universality. The impact is that solvency is a rigged game- construction of the advantages presupposes the necessity of the plan

Dillon and Reid, 2000 [Michael, Julian, Global Governance, Liberal Peace, and Complex Emergency. By: Dillon, Michael, Reid, Julian, Alternatives: Global, Local, Political, 03043754, Jan-Mar, Vol. 25, Issue 1 ]

More specifically, where there is a policy problematic there is expertise, and where there is expertise there, too, a policy problematic will emerge. Such problematics are detailed and elaborated in terms of discrete forms of knowledge as well as interlocking policy domains. Policy domains reify the problematization of life in certain ways by turning these epistemically and politically contestable orderings of life into "problems" that require the continuous attention of policy science and the continuous resolutions of policymakers. Policy "actors" develop and compete on the basis of the expertise that grows up around such problems or clusters of problems and their client populations. Here, too, we may also discover what might be called "epistemic entrepreneurs." Albeit the market for discourse is prescribed and policed in ways that Foucault indicated, bidding to formulate novel problematizations they seek to "sell" these, or otherwise have them officially adopted. In principle, there is no limit to the ways in which the management of population may be problematized. All aspects of human conduct, any encounter with life, is problematizable. Any problematization is capable of becoming a policy problem. Governmentality thereby creates a market for policy, for science and for policy science, in which problematizations go looking for policy sponsors while policy sponsors fiercely compete on behalf of their favored problematizations. Reproblematization of problems is constrained by the institutional and ideological investments surrounding accepted "problems," and by the sheer difficulty of challenging the inescapable ontological and epistemological assumptions that go into their very formation. There is nothing so fiercely contested as an epistemological or ontological assumption. And there is nothing so fiercely ridiculed as the suggestion that the real problem with problematizations exists precisely at the level of such assumptions. Such "paralysis of analysis" is precisely what policymakers seek to avoid since they are compelled constantly to respond to circumstances over which they ordinarily have in fact both more and less control than they proclaim. What they do not have is precisely the control that they want. Yet serial policy failure--the fate and the fuel of all policy--compels them into a continuous search for the new analysis that will extract them from the aporias in which they constantly find themselves enmeshed.[ 35] Serial policy failure is no simple shortcoming that science and policy--and policy science--will ultimately overcome. Serial policy failure is rooted in the ontological and epistemological assumptions that fashion the ways in which global governance encounters and problematizes life as a process of emergence through fitness landscapes that constantly adaptive and changing ensembles have continuously to negotiate. As a particular kind of intervention into life, global governance promotes the very changes and unintended outcomes that it then serially reproblematizes in terms of policy failure. Thus, global liberal governance is not a linear problem-solving process committed to the resolution of objective policy problems simply by bringing better information and knowledge to bear upon them. A nonlinear economy of power/knowledge, it deliberately installs socially specific and radically inequitable distributions of wealth, opportunity, and mortal danger both locally and globally through the very detailed ways in which life is variously (policy) problematized by it.

### A2 Kaufman/Epistemology Bad

#### Kaufman goes neg---image of the enemy causes violence

**Kaufman 9** Stuart J, Prof Poli Sci and IR – U Delaware, “Narratives and Symbols in Violent Mobilization: The Palestinian-Israeli Case,” *Security Studies* 18:3, p. 433

There are no heroes in this story. Before Camp David, both sides undermined the fundamental premises of the Oslo process, land for peace, with the Israelis grabbing land and the Palestinians withholding peace. At Camp David, the Israelis’ opening position was absurdly stingy on substance, while the Palestinians seemed to reject not just Israeli proposals but Israel itself. After Camp David, those in charge of the guns on both sides—the Israeli mil- itary and Fatah—decided to resort to violence to try to force the other side’s hand. The two sides’ hard-line policies were the result of national identity narratives that created explosive symbolic issues and allowed too little room for either to acknowledge the legitimacy of the other’s concerns, while pre-disposing both sides to believe violence would be effective. As a result, the compromises necessary for a negotiated peace were not politically possible or even well understood by negotiators on either side, while violence was a popular alternative for both.¶ In sum, narratives of national identity justifying hostility, fears of extinction, and a symbolic politics of extremist mobilization were what drove the escalation of conflict. Arafat was constrained in his negotiations by the symbolic power of the refugee and Jerusalem issues—the former being the centerpiece of the Charter narrative and the latter being the pivotal issue in the Islamist and Declaration narratives. The resulting Palestinian rejection of Israeli symbolic claims on the Temple Mount and indifference to Israeli demographic concerns about a large-scale return of Palestinian refugees convinced Israelis that Palestinians did not accept real peace or Israel’s right to exist.

#### Not true – the idea that apocalypse will result absent the plan causes it –

Peter Coviello, Asst Prof of English – Bowdoin, 2001(Queer Frontiers, ed. Boone, author’s italics)

Perhaps. But to claim that American culture is at present decisively postnuclear is not to say that the world we inhabit is in any way post-apocalyptic. Apocalypse, as I began by saying, changed – it did not go away. And here I want to hazard my second assertion: if, in the nuclear age of yesteryear, apocalypse signified an event threatening everyone and everything with (in Jacques Derrida’s suitably menacing phrase) “remainderless and a-symbolic destruction,”6 then in the postnuclear world apocalypse is an affair whose parameters are definitively local in shape and in substance, apocalypse is defined now by the affliction it brings somewhere else, always to an “other” people whose very presence might then be written as a kind of dangerous contagion, threatening the safety and the prosperity of a cherished “general population.” This fact seems to me to stand behind Susan Sontag’s incisive observation, from 1989, that, “Apocalypse is now a long-running serial: not ‘Apocalypse Now’ but ‘Apocalypse from Now On.’”7 The decisive point here in the perpetuation of the threat of apocalypse (the point Sontag goes on, at length, to miss) is that apocalypse is ever present because, as an element in a vast economy of power, it is ever useful. That is, through the perpetual threat of destruction – through the constant reproduction of the figure of apocalypse – agencies of power ensure their authority to act on and through the bodies of a particular population. No one turns this point more persuasively than Michel Foucault, who in the final chapter of his first volume of The History of Sexuality addresses himself to the problem of a power that is less repressive than productive, less life-threatening than, in his words, “life-administering.” Power, he contends, “exerts a positive influence on life … [and] endeavors to administer, optimize, and multiply it, subjecting it to precise controls and comprehensive regulations.” In his brief comments on what he calls “the atomic situation,” however, Foucault insists as well that the productiveness of modern power must not be mistaken for a uniform repudiation of violent or even lethal means. For as “managers of life and survival, of bodies and the race,” agencies of modern power presume to act “on the behalf of the existence of everyone.” Whatsoever might be construed as a threat to life and survival serves to authorize any expression of force, no matter how invasive or, indeed, potentially annihilating. “If genocide is indeed the dream of modern power,” Foucault writes, “this is not because of a recent return to the ancient right to kill; it is because power is situated and exercised at the level of life, the species, the race, and the large-scale phenomena of population.”8 For a state that would arm itself not with the power to kill its population, but with a more comprehensive power over the patterns and functioning of its collective life, the threat of an apocalyptic demise, nuclear or otherwise, seems a civic initiative that can scarcely be done without.

### A2 Permutation

#### The permutation fails—the affirmative’s 1AC poisons the possibility of an alternative imaginary

Burke 2007 (Senior lecturer in Intl Politics @ University of Wales, p. 13-14 Anthony, “What Security Makes Possible: Some Thoughts on Critical Security Studies)

Waever's claim here sets up a strange tension with his argument that security is a 'speech act' that 'does not refer to something more real; the utterance is the act. '41 In turn he argues, after Jeff Huysmans, that successful securitisation only occurs when an audience accepts it as such.42 In this formulation, security's meaning is contingent, contested and subject to the play of power: 'something is a security problem when elites declare it to be SO'.43 And, in a somewhat Foucauldian vein, he argues that 'the way to study securitisation is to study discourse and political constellations. The relevant question is: When does an argument with this pat1iclliar rhetorical and semiotic structure achieve a sufficient effect'744 This contradiction may explain Booth's characterisation of the Copenhagen School as 'a curious combination of liberal, post-structural and neorealist approaches' which 'pile(s] up ... a bundle of conceptual problems and political issues' .45 My own hunch is that Wrever and his colleagues baulk at the implications of their de-ontologising move: rather than pursuing its implications and h)'ing to direct that into the service of a normatively better (if still discursively situated) understanding of security, they offer a choice of whether to securitise some issues, but, once that occurs, anchor the process in a deeply essentialist and problematic Schmittian matrix where security is about existential threat, abnormal politics, elite decision, and legal and nonnative rule-breaking. The nation-state remains the ultimate referent and ontological ground for security, even if there is a caution about the dangers involved in securitising some issues.46

### Alternative

#### The affs constant search for security forces us to live life in a seatbelt – action is discouraged because of fear of the unknown – only the alternative allows for action

Der Derian 98 (James, Prof of PoliSci at the U of Massachusetts, "The Value of Security: Hobbes, Marx, Nietzsche, and Baudrillard," Cianet, http://www.ciaonet.org/book/lipschutz/lipschutz12.html, AD: 7/7/09)

The fear of the unknown and the desire for certainty combine to produce a domesticated life, in which causality and rationality become the highest sign of a sovereign self, the surest protection against contingent forces. The fear of fate assures a belief that everything reasonable is true, and everything true, reasonable. In short, the security imperative produces, and is sustained by, the strategies of knowledge which seek to explain it. Nietzsche elucidates the nature of this generative relationship in The Twilight of the Idols : The causal instinct is thus conditional upon, and excited by, the feeling of fear. The "why?" shall, if at all possible, not give the cause for its own sake so much as for a particular kind of cause --a cause that is comforting, liberating and relieving. . . . That which is new and strange and has not been experienced before, is excluded as a cause. Thus one not only searches for some kind of explanation, to serve as a cause, but for a particularly selected and preferred kind of explanation--that which most quickly and frequently abolished the feeling of the strange, new and hitherto unexperienced: the most habitual  explanations. [38](http://www.ciaonet.org/book/lipschutz/lipschutz12.html#note38) A safe life requires safe truths. The strange and the alien remain unexamined, the unknown becomes identified as evil, and evil provokes hostility--recycling the desire for security. The "influence of timidity," as Nietzsche puts it, creates a people who are willing to subordinate affirmative values to the "necessities" of security: "they fear change, transitoriness: this expresses a straitened soul, full of mistrust and evil experiences." [39](http://www.ciaonet.org/book/lipschutz/lipschutz12.html#note39) The unknowable which cannot be contained by force or explained by reason is relegated to the off-world. "Trust," the "good," and other common values come to rely upon an "artificial strength": "the feeling of security  such as the Christian possesses; he feels strong in being able to trust, to be patient and composed: he owes this artificial strength to the illusion of being protected by a god." [40](http://www.ciaonet.org/book/lipschutz/lipschutz12.html#note40) For Nietzsche, of course, only a false sense of security can come from false gods: "Morality and religion belong altogether to the psychology of error : in every single case, cause and effect are confused; or truth is confused with the effects of believing  something to be true; or a state of consciousness is confused with its causes." [41](http://www.ciaonet.org/book/lipschutz/lipschutz12.html#note41)

## SOP

### Taiwan

Bad answers to defense – threat con – just extend big impacts

#### US doesn’t care about Taiwan – 0 strategic relevancy means no reason for us to get involved – 1NC Eland – no internal link to their global war impact.

#### No solvency – construction of Taiwan war only continues the western imperialism that makes conflict possible

JULIUS D. A. REYNOLDS, A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE DEGREE MASTER OF ARTS IN INTERNATIONAL RELATIONS AND EUROPEAN STUDIES INTERNATIONAL RELATIONS AND EUROPEAN STUDIES DEPARTMENT , SUPERVISOR: PROF. MATTEO FUMAGALLI , BUDAPEST, HUNGARY , 4 JUNE 2009 , “An Empirical Application of Regional Security Complex Theory: The Securitization Discourse in China's Relations with Central Asia and Russia”, <http://www.etd.ceu.hu/2009/reynolds_julius.pdf> , KENTUCKY

Notwithstanding this multi-lateral involvement, China is deemed to be a pole of the “East Asian” RSC, which is bi-polar due to Japan’s status as a great power.65 Securitization in Chinese foreign policy discourse has traditionally concerned the issue of Taiwan and the historical enmity and rivalry with Tokyo.66 The post-cold war merger of the North-east Asian and South–east Asian sub-complexes into a single East Asian RSC has occurred primarily to the waning of Russian and Japanese influences and decreasing involvement of the USA.67 Defense and military issues remain the primary security concerns in China’s relation with its Asian neighbors.68 Moreover, China being a great power, a greater level of security “spillover” is expected into neighboring regions and RSCs.69 These inter-regional dynamics may therefore merge RSCs into larger regional security “super-complex” containing a larger number of greater powers, in the specific case China, Japan (East Asian RSC) and Russia (post-soviet RSC).70 As the thesis aims to show how this RSC has emerged, the methodological and empirical application of RSCT must be explained. 1.6 - The empirical application of RSCT RSCs emerge where actors (primarily states) have inter-subjectively constructed issues in a geographic area as security threats.71 Securitization within an RSC may be asymmetrical, as a security threat may not be subject to counter-securitization by another actor or viewed as a threat in the first place.72 A social constructivist approach to understanding the process by which issues become securitized can reveal where such complexes have emerged.73 The study of discourse and political constellations further therefore permits the analysis of the securitization processes that are occurring.74 The framework can be considered to significantly include realist conceptions of how security interaction occurs among states. For this reason the relevant structural factors (evolution of economic interdependence, trade, demographic changes and the like) will be included to highlight the emerging “structure” of security relations, which will add to the “agency” factors identified through discourse analysis. As patterns of security construction are the primary elements defining an RSC, it is necessary to detail more precisely what the securitization of threats signifies and how it occurs. 1.7 - The characteristics of “Securitization” and its empirical application When defining how and when something becomes a security issue, a divergence of views between realist and constructivist approaches emerges. While the first takes it as a given empirical fact, the second considers it the result of a politically motivated social construction, whereby a security threat becomes such if it is labeled accordingly.75 The latter is referred to as the “Copenhagen school” approach, originating in the early 90s with research undertaken by academics Ole Waever and Barry Buzan at the Copenhagen Peace Research Institute. The fundamental mechanism of securitization is the speech act, meaning that “by labeling something a security issue it becomes one”.76 Asecuritizing actor by stating that a particular referent object is threatened in its existence claims a right to extraordinary measures to ensure the referent objects survival.77 The issue is then moved out of the sphere of normal politics into the realm of emergency politics, where it can be dealt with swiftly and without the normal rules and regulations of policy making.78 Securitizing actors, those who perform the “speech act” are generally political leaders, lobbies, pressure groups and governments.79 Ascertaining who the securitizing actor is necessitates the understanding of whether the action is logical from an organizational point of view, namely if the actor is reputed to be responsible for securitizing.80 Referent objectsare considered to be those which are “existentially threatened and that have a legitimate claim to survival.” The traditional referent object is the state; nevertheless a very large range of entities (the nation, mankind, the environment etc.) may also be constructed as such. To be considered as successful a securitization move necessitates the acceptance of an audience, namely a social group that believes in the urgency and credibility of the identified threat.82Once this acceptance has occurred, the relevant state-actors will implement extraordinary measures to counter the threat. Securitization “has to be understood as essentially an inter-subjective process”.83 It is furthermore “a political choice to securitize or accept securitization”.84 Although it may occur on a case-by-case basis, it can be institutionalized in cases of persistent or recurrent threats.85 The ontological and methodological tenets of the “Copenhagen school” approach have been criticized in various forms. Buzan et al. contend that the identification of relevant securitizing actors is often difficult to ascertain.86 Because of its genesis in democratic and politically pluralistic discourse the approach has been labeled “Eurocentric” and “culturally specific”, in addition to containing a variety of possible shortcomings when channeled towards empirical study.87 First of all, the tenuous dichotomy between what constitutes “normal” politics and what instead enters the realm of “extraordinary” politics, which is where acts of securitization occur.88 Successful securitizations instances occur by “breaking free” from democratic procedure inresponse to perceived threats.89 In the case of non-democratic environments, such as those present in Eurasia, the dichotomy is therefore more nebulous.90 The focus on “societal security”, based on a European model of borderless states within the EU, is less applicable to the strongly securitized borders of the Central Asian region.91 Emphasizing “existential threats” is a legacy of the traditional military focus of realism, but one that can hinder the broadening of the security research agenda.92 Security threats may in fact not necessarily be existential in nature, but rather occupy a spectrum of importance where non- existential risks may also be securitized.93 Moreover, Van Munster contends that “central focus of security is no longer focused on existential threats alone, but also on potential threats or risks”.94 The nature of an “existential threat” also varies according to the sector in question.95 Audiences, which by believing the “speech act” ensure a successful securitization, are furthermore put in question when dealing with non-democratic regimes. The parameters of measuring acceptance of a securitization attempt by an audience also remain undefined.96 Stritzel further contends that it is unclear when audiences are relevant, what audiences are relevant and above all how to gauge whether an audience has been effectively persuaded by the securitizing actor.97

### IndoPak War

#### No nuclear use—expert consensus

Enders, 2002 – quoting lots of professors (David, Daily News Editor for the Michigan Daily, “Experts say nuclear war still unlikely,” http://media.www.michigandaily.com/media/storage/paper851/news/2002/01/30/News/Experts.Say.Nuclear.War.Still.Unlikely-1404620.shtml)

University political science Prof. Ashutosh Varshney becomes animated when asked about the likelihood of nuclear war between India and Pakistan. "**Odds are close to zero**," Varshney said forcefully, standing up to pace a little bit in his office. "**The assumption** that **India and Pakistan cannot manage their** nuclear **arsenals** as well as the U.S.S.R. and U.S. or Russia and China **concedes less** to the intellect of leaders in both India and Pakistan **than would be warranted**." The world"s two youngest nuclear powers first tested weapons in 1998, sparking fear of subcontinental nuclear war a fear Varshney finds ridiculous. **"The decision makers are aware of what nuclear weapons are, even if the masses are not,"** he said. "Watching the evening news, CNN, I think **they have vastly overstated the threat of nuclear war**," political science Prof. Paul Huth said. Varshney added that **there are numerous factors working against the possibility of nuclear war. "India is committed to a no-first-strike policy**," Varshney said. **"It is virtually impossible for Pakistan to go for a first strike, because the retaliation would be gravely dangerous**." Political science Prof. Kenneth Lieberthal, a former special assistant to President Clinton at the National Security Council, agreed. "Usually a country that is in the position that Pakistan is in would not shift to a level that would ensure their total destruction," Lieberthal said, making note of India"s considerably larger nuclear arsenal. "**American intervention is another reason not to expect nuclear war**," Varshney said. "If anything has happened since September 11, it is that the command control system has strengthened. **The trigger is in very safe hands**." But the low probability of nuclear war does not mean tensions between the two countries who have fought three wars since they were created in 1947 will not erupt. "The possibility of conventional war between the two is higher. Both sides are looking for ways out of the current tension," Lieberthal said.

### A2 Modelling

#### 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.

## Warfighting

### Soft Power

#### Soft power theory is an imperialistic form of knowledge production and perpetuates unending militant violence we cause everyday-the impact is unending violence

Penny Von Eschen, Associate Prof of History @ UMich, 2005 (“Enduring Public Diplomacy.” American Quarterly 57.2 pg. 335-343. Muse)

Yet while public diplomacy has historically operated as a mystifying smoke screen, for all its absurdities and contradictions, we cannot wish the term away. As Kennedy and Lucas demonstrate, public diplomacy is emerging as "a crucial theater of strategic operations for the renewal of American hegemony within a transformed global order," arguably as prominent as it was during the cold war. If the resonances between the cold war and present-day public diplomacy are readily apparent, the differences are also striking. During the cold war, the government's official disseminators of overseas propaganda, the United States Information Agency and the Voice of America, were for export only; it was illegal to distribute and broadcast their programs and bulletins within the United States. Yet today, Kennedy and Lucas argue, global media and technology have made public diplomacy an open communication forum. Any consideration of public diplomacy must take into accou3

nt the greater difficulty of the U.S. government to separate the domestic public from overseas audiences for American propaganda. Moreover, if the state and civil society lines of cold war public diplomacy were often deliberately blurry, through technologies of the Internet and expanded corporate power, public diplomacy has taken on unprecedented shape-shifting characteristics. Halliburton, CNN, and Microsoft all circulate as "America" with more authority than state agencies. While the "fake news" of the Bush administration recently revealed by the New York Times has plenty of cold war precedents, such "public diplomacy," as the authors contend, is rendered at once "more global by communications technology but also more local by interventions in selected conflicts." For Kennedy and Lucas, these current efforts in public diplomacy, even more unaccountable and amorphous than their cold war predecessors, not only trace the contours of the new imperium, but they shape the conditions of knowledge production and the terrain on which American studies circulates. [End Page 337] The urgency of the authors' questions about "the conditions of knowledge-formation and critical thinking…in the expanding networks of international and transnational political cultures" was impressed upon me when I recently spoke to a group of deans and directors of international study abroad programs. Most had worked in the field for nearly two decades. Many worked at underfunded institutions. As they contended with the retrenchment and possible collapse of their programs, two possible paths of salvation were presented to them. The first was partnership with countries entering the "competition" for the George W. Bush administration's Millennium Challenge Corporation. The program, administered by the State Department, was established in 2003 ostensibly as a poverty reduction program through funding growth and development initiatives. Its funding priorities, as its critics have noted, are closely tied to U.S. security interests and do not favor the programs that would promote sustainability. Particularly jarring was the language of assessment used in the competitive application process. If "transparency" seems an ironic request from the secretive Bush administration, the standard of former adherence to World Bank and IMF dictates as a criterion of eligibility seemed an especially harsh case of tough love. The second possibility for funding dangled before the audience appeared even more sinister. The real money, a fund-raising expert told the gathering, is in the Gulf states. Don't believe a thing you hear in the media, the educators were instructed, about how negatively people in the Middle East perceive Americans. Rest assured, the speaker continued, the moneyed elite from the Gulf states keenly desire degrees from American universities, and they can afford your tuition. At a moment when journalists and scholars are denied visas and entry into the country, making it impossible for many Middle Eastern scholars to attend the American Studies Association meeting (as occurred in 2004 to name just one example), knowledge production is indeed proceeding apace, as Kennedy and Lucas suggest, "by the new configurations of U.S. imperialism." Hence, one critical task for American studies scholars is to engage with the legacies of the institutional relationships between public diplomacy and American studies as a field, and the contemporary reshaping of these relationships in conditions not of our choosing. Kennedy and Lucas's sobering portrait of the challenges faced by practitioners of American studies make all the more urgent their invocation of John Carlos Rowe's call for the international field of American studies to devote its attention to the critical study of the circulation of America. Invoking Rowe, Kennedy and Lucas propose collaborations with related disciplines in a critical American studies. Such collaborations are crucial in the foregrounding and tracking of processes of U.S. empire, and offer an important alternative to [End Page 338] attempts to "internationalize" American studies that manifest themselves as a "distorted mirror of neoliberal enlargement." Following Kennedy and Lucas's call for collaboration with other fields, I want to return to the story of Duke Ellington in Iraq as a means of decentering the "American" in critical American studies. I first want to emphasize the difficulty of constructing even the most rudimentary context for the story of Ellington in Iraq. Despite the fine work of such scholars as Douglas Little and Melani McAlister on the United States and the Middle East, along with excellent work by Iraqi specialists, it is an understatement to say that the story of Iraq has been very much on the periphery for Americanists interested in the global dimensions of U.S. power.6 Yet, when the Duke Ellington orchestra visited Iraq, the United States was already deeply implicated in the unfolding events in Iraq and the region. Not only had the Ellington band stumbled into the 1963 Iraqi crisis, but the experience reprised that of Dave Brubeck and his quartet, who had been in Iraq on the eve of the coup in 1958 that had brought Abd al-Karim Qassim to power. With surprising frequency, the State Department sent jazz musicians to tense situations in countries and regions that have been neglected by historians yet were constantly in the news as the U.S. went to war with Iraq in 2003. To mention only the examples from the Middle Eastern and adjoining states, in addition to Brubeck's and Ellington's Iraqi performances, Dizzy Gillespie toured Afghanistan and Pakistan in 1956; Dave Brubeck toured Afghanistan, Pakistan, and Iran in 1958; and Duke Ellington visited those same countries in 1963. The tumultuous history of U.S.–Iraqi relations simply vanishes in the still-dominant bipolar emphasis on U.S.–Soviet conflict. It drops out, as well, within the more neglected frame of anticolonialism. As Rashid Khalidi has pointed out, "there had never been a state, empire, or nation of Iraq before British statesmen created it in the wake of World War I."7 Yet if Iraq, along with other Gulf states, lacks the same history of colonization and decolonization shared by Asia and Africa, it remains a central terrain for contemporary struggles over who controls the resources of the formerly colonized world. If we, as Americanists, examine public diplomacy in this context of the consolidation of U.S. hegemony in its quest for control over resources, the work of specialists on Asia, Africa, and the Middle East, and Latin America as well, where U.S. imperialism had long beleaguered formally independent states, will be crucial for such an endeavor. An account of U.S. public diplomacy and empire in Iraq can be constructed only through engaging fields outside the sphere of American studies. Political scientist Mahmood Mamdani locates the roots of the current global crisis in [End Page 339] U.S. cold war policies. Focusing on the proxy wars of the later cold war that led to CIA support of Osama Bin Laden and drew Iraq and Saddam Hussein into the U.S. orbit as allies against the Iranians, Mamdani also reminds us of disrupted democratic projects and of the arming and destabilization of Africa and the Middle East by the superpowers, reaching back to the 1953 CIA-backed coup ousting Mussadeq in Iran and the tyrannical rule of Idi Amin in Uganda. For Mamdani, the roots of contemporary terrorism must be located in politics, not the "culture" of Islam. Along with the work of Tariq Ali and Rashid Khalidi, Mamdani's account of the post–1945 world takes us through those places where U.S. policy has supported and armed military dictatorships, as in Pakistan and Iraq, or intervened clandestinely, from Iraq and throughout the Middle East to Afghanistan and the Congo. For these scholars, these events belong at the center of twentieth-century history, rather than on the periphery, with interventions and coups portrayed as unfortunate anomalies. These scholars provide a critical history for what otherwise is posed as an "Islamic threat," placing the current prominence of Pakistan in the context of its longtime support from the United States as a countervailing force against India.8 Stretching across multiple regions, but just as crucial for reading U.S. military practices in Iraq, Yoko Fukumura and Martha Matsuoka's "Redefining Security: Okinawa Women's Resistance to U.S. Militarism" reveals the human and environmental destruction wrought by U.S. military bases in Asia through the living archive of activists who are demanding redress of the toxic contamination and violence against women endemic to base communities.9 Attention to the development of exploitative and violent sex industries allows us to place such recent horrors as the abuse, torture, and debasement at Abu Ghraib prison in Iraq in a history of military practices.10 Taken together, these works are exemplary, inviting us to revisit the imposition of U.S. power in East and South Asia, the Middle East, and Africa, regions where the instrumental role of U.S. power in the creation of undemocratic military regimes has often been overlooked. That none of these works has been produced by scholars who were trained in American studies is perhaps not accidental, but rather symptomatic of a field still shaped by insularity despite increasing and trenchant critiques of this insularity by such American studies scholars as Amy Kaplan and John Carlos Rowe.11 In recommending that American studies scholars collaborate with those in other fields and areas of study and by articulating warnings about how easily attempts to "internationalize" can hurtle down the slippery slope of neoliberal expansion, Kennedy and Lucas join such scholars in furthering the project of viewing U.S. hegemony from the outside in. They [End Page 340] expose the insularity that has been an abiding feature of U.S. politics and public discourse.

### Heg

#### No risk of conflict—discards paranoid threat predictions.

Bandow 11—Doug Bandow, senior fellow at the Cato Institute, former special assistant to Ronald Reagan, author of *Foreign Follies: America's New Global Empire* (Xulon) [January 31, 2011, “Solving the Debt Crisis: A Military Budget for a Republic,” http://www.cato.org/pub\_display.php?pub\_id=12746]

More than two decades after the Cold War dramatically ended, the U.S. maintains a Cold War military. America has a couple score allies, dozens of security commitments, hundreds of overseas bases, and hundreds of thousands of troops overseas. Yet international hegemonic communism has disappeared, the Soviet Union has collapsed, Maoist China has been transformed, and pro-communist Third World dictatorships have been discarded in history's dustbin. The European Union has a larger economy and population than America does. Japan spent decades with the world's second largest economy. South Korea has 40 times the GDP and twice the population of North Korea. As Colin Powell exclaimed in 1991, "I'm running out of demons. I'm running out of enemies. I'm down to Castro and Kim Il-sung." Yet America accounts for roughly half of the globe's military outlays. In real terms the U.S. government spends more on the military today than at any time during the Cold War, Korean War, or Vietnam War. It is difficult for even a paranoid to concoct a traditional threat to the American homeland. Terrorism is no replacement for the threat of nuclear holocaust. Commentator Philip Klein worries about "gutting" the military and argued that military cuts at the end of the Cold War "came back to haunt us when Sept. 11 happened." Yet the reductions, which still left America by far the world's most dominant power, neither allowed the attacks nor prevented Washington from responding with two wars. And responding with two wars turned out to be a catastrophic mistake. Evil terrorism is a threat, but existential threat it is not. Moreover, the best response is not invasions and occupations — as the U.S. has learned at high cost in both Afghanistan and Iraq. Rather, the most effective tools are improved intelligence, Special Forces, international cooperation, and restrained intervention. Attempts at nation-building are perhaps even more misguided than subsidizing wealthy industrialized states. America's record isn't pretty. The U.S. wasn't able to anoint its preferred Somali warlord as leader of that fractured nation. Washington's allies in the still unofficial and unstable nation of Kosovo committed grievous crimes against Serb, Roma, and other minorities. Haiti remains a failed state after constant U.S. intervention. The invasion of Iraq unleashed mass violence, destroyed the indigenous Christian community, and empowered Iran; despite elections, a liberal society remains unlikely. After nine years most Afghans dislike and distrust the corrupt government created by the U.S. and sustained only by allied arms. The last resort of those who want America to do everything everywhere is to claim that the world will collapse into various circles of fiery hell without a ubiquitous and vast U.S. military presence. Yet there is no reason to believe that scores of wars are waiting to break out. And America's prosperous and populous allies are capable of promoting peace and stability in their own regions. Indeed, U.S. security guarantees are profoundly dangerous. Intended to deter by making American involvement automatic, they ensure American participation if deterrence fails. Moreover, Washington's defense promises discourage friendly states from defending themselves while encouraging them to take more provocative positions against their potential adversaries. Yet analysts keep coming up with bizarre new duties for the U.S. government. John Guardiano, for one, thinks it is America's responsibility to prepare "to occupy and rebuild North Korea when it implodes." Actually, that should be South Korea's job.

### Ikenberry

Etzioni – misrepresent global order

**romantic, self-congratulatory perception of our foreign policy and global role**

**disorder makes us think that we know what is good for the world and can remake it in our image**

2 reasons

Democracy

**Latin America**

**Middle East**

**Venezuela, Cuba, North Korea and Iran**

Trade

**few nations see any benefit or reason to close their shipping lanes**

**China is manipulating its currency**

**Intellectual property theft**

**US auto bailout**

## Intervention

### Miscalc

#### Zero risk of escalation even if a couple bombs are dropped

Quinlan 2009 (Michael Quinlan, former top official in the British Ministry of Defence, 2009, “Thinking About Nuclear Weapons: Principles, Problems, Prospects,”pg 63-64)

There are good reasons for fearing escalation. These include the confusion of war; its stresses, anger, hatred, and the desire for revenge; reluctance to accept the humiliation of backing down; the desire to get further blows in first. Given all this, the risks of escalation are grave in any conflict between advanced powers, and Western leaders during the cold war were rightly wont to emphasize them in the interests of deterrence. But this is not to say that they are virtually certain, or even necessarily odds-on; still less that they are so for all the assorted circumstances in which the situation might arise, in a nuclear world to which past experience is only a limited guide. It is entirely possible, for example, that the initial use of nuclear weapons, breaching a barrier that has held since 1945, might so horrify both sides in a conflict that they recognized an overwhelming common interest in composing their differences. The human pressures in that direction would be very great.¶ Even if initial nuclear use did not quickly end the fighting, the supposition of inexorable momentum in a developing exchange, with each side rushing to overreaction amid confusion and uncertainty, is implausible. It fails to consider what the situation of the decision- makers would really be. Neither side could want escalation. Both would be appalled at what was going on. Both would be desperately looking for signs that the other was ready to call a halt. Both, given the capacity for evasion or concealment which modern delivery platforms and vehicles can possess, could have in reserve significant forces invulnerable enough not to entail use-or-lose pressures. (It may be more open to question, as noted earlier, whether newer nuclear- weapon possessors can be immediately in that position; but it is within reach of any substantial state with advanced technological capabilities, and attaining it is certain to be a high priority in the development of forces.) As a result, neither side can have any predisposition to suppose, in an ambiguous situation of fearful risk, that the right course when in doubt is to go on copiously launching weapons. And none of this analysis rests on any presumption of highly subtle or pre-concerted rationality. The rationality required is plain.¶ The argument is reinforced if we consider the possible reasoning of an aggressor at a more dispassionate level. Any substantial nuclear armoury can inflict destruction outweighing any possible prize that aggression could hope to seize. A state attacking the possessor of such an armoury must therefore be doing so (once given that it cannot count upon destroying the armoury pre-emptively) on a judgement that the possessor would be found lacking in the will to use it. If the attacked possessor used nuclear weapons, whether first or in response to the aggressor’s own first use, this judgement would begin to look dangerously precarious. There must be at least a substantial possibility of the aggressor leaders’ concluding that their initial judgement had been mistaken—that the risks were after all greater than whatever prize they had been seeking, and that for their own country’s survival they must call off the aggression. Deterrence planning such as that of NATO was directed in the first place to preventing the initial misjudgement and in the second, if it were nevertheless made, to compelling such a reappraisal. The former aim had to have primacy, because it could not be taken for granted that the latter was certain to work. But there was no ground for assuming in advance, for all possible scenarios, that the chance of its working must be negligible. An aggressor state would itself be at huge risk if nuclear war developed, as its leaders would know.

### Restraint

#### Structural factors prevent Executive overreach without constraining flexibility

Eric Posner 7, the Kirkland and Ellis Professor of Law @ U-Chicago, and Adrian Vermeule, the John H. Watson, Jr. Professor of Law @ Harvard, Jan 4, “Terror in the Balance: Security, Liberty, and the Courts,” Book, p. 53

\*gender modified

Four points are critical, and they suggest that the concern is either greatly overblown or does not support civil libertarian prescriptions, or both: presidential or executive preferences need not systematically favor increased executive power during emergencies; political constraints will rule out abuses that the politically engaged public does not favor; even if increased executive power in emergencies creates abuses, the security gains may be greater still; and in any event civil libertarian judicial review is a feeble bulwark against a truly imperial executive. ¶ First, the executive-despotism concern supposes that executive officials desire, above all, to maximize their power. As Daryl Levinson has emphasized, both for officials generally and for executive officials in particular, it is hardly obvious that this is so, at least in any systematic way. Lower—level executive officials and administrative agencies have many other possible goals or maximands, including the desire to enjoy leisure or to advance programmatic or ideological goals—goals which will usually be orthogonal to the tradeoff between security and liberty and which might even include the protection of civil liberties. The same is true for presidents: some have been power maximizers; some have not. Moreover, even with respect to power-maximizing presidents, critics fail to distinguish the [person] man from the office. Presidents as individuals do not internalize all of the gains from expanding the power of the presidency as an institution, because those gains are shared with future presidents and senior executive officials. Conversely, presidents as individuals do not fully internalize harms to the institution and may thus acquiesce its limitations on executive power for partisan or personal advantage. The latter point may be more pronounced in emergencies than in normal times, because emergencies shorten the relevant time horizon: policymaking for the short run looms larger than in normal times. (We bracket for now the question of whether this is bad, an issue taken up in chapter 2.) Emergencies thus increase the divergence between the utility of individual officeholders and the institutional power of their offices, which extends into the remote future, beyond the horizon of the emergency.¶ Second, whatever the intrinsic preferences of presidents and executive officials, politics sharply constrains their opportunities for aggrandizement, especially in times of emergency. The president is elected from a national constituency (ignoring the low probability that the Electoral College will make a difference). A first—term president who seeks reelection to a second term, or even a second—term president who seeks to leave a legacy, will try to appeal to the median voter, or at least to some politically engaged constituency that is unlikely to be extremist in either direction. If the national median or the political center favors increased executive authority during emergencies, them the president will push the bounds of his power, but if it does not, then he will not: there is no general reason to think that national politics will always push executive authority as far as possible, even during emergencies.¶ Of course, during emergencies, the public will often favor increased executive power, and this may be fully sensible, given the executive’s relative decisiveness, secrecy, centralization, and other advantages over Congress and other institutions. Note, in this connection, the important finding that political constraints on the executive are associated with increased terrorism; shackling the executive has real security costs. The critics of executive power typically assume that executive power not only expands during emergencies, but expands too far. However, the critics supply no general reason to think this is so; they systematically conflate increases in executive power with “aggrandizement,” a normatively loaded concept which connotes an unjustified increase. We return to this point shortly. Here, the point is just that the expansion of presidential power during emergencies may reflect nothing more than the demands of the politically effective public, rather than intrinsic opportunism.¶ The political constraints on the executive branch and the president are partisan as well as institutional. The president is the leader of a political party but is also beholden to it. The party constrains the president in various ways, and it is not necessarily in the interest of a single party to enhance the power of the executive during emergencies. For one thing, the president’s party may not win the next presidential election; for another, his party may have many other bases of power, including Congress, the judiciary, and local institutions. Expanding the president’s personal or institutional power need not be in the interest of partisan politicians who govern behind the scenes. Opposition parties, of course, have powerful incentives to criticize the expansion of presidential power during emergencies, portraying small adjustments to the legal rules as omens of a putsch. In emergencies, partisan criticism can make the political constraints on presidents even tighter than during normal times, a point we emphasize in chapter 5. Governmental decisionmaking is often more visible during emergencies than during normal times; emergency policymaking is more centralized, even within the executive branch, and more closely associated with the president; the resulting polices often present a larger target for political attack. ¶ Third, the critics of executive power in emergencies are usually unclear about their normative premises. Suppose that executive power increases during emergencies and that this results in abuses. In terms of the tradeoff thesis, however, such abuses are just a cost to be measured against the benefits of increased security, given the finding, reported above, that a constrained executive is associated with higher levels terrorism. If the gains on the security margin exceed the costs, then the expansion of executive power improves social welfare overall, and no special opprobrium should attach to the executive’s behavior, although it would be nice to also prevent the abuses if possible. The critics treat executive abuses of civil liberties as something to be minimized, down to zero. But this is quixotic, and even if it were feasible, it would not be desirable. Some rate of abuse is inevitable once an executive branch is created, and an increase in abuses is inevitable when executive discretion expands during emergencies but both shifts may be worth it; the critics fail to account for the gains side of the ledger. Granting the executive extensive powers during emergencies has many benefits, about which the critics are often silent.¶ Concerns about increasing executive power often rest on an implicit status quo bias, or naturalistic fallacy. The assumption is that the scope or level of executive power before the emergency was optimal. But this need not be so, and there is no general reason to think it will be so; consider the finding that the 7/7 attacks in London went unprevented because the United Kingdom’s intelligence services, who knew something about the plotters, had too few resources to investigate them adequately. Emergencies may release the polity from a sclerotic equilibrium in which executive power was too feeble to meet new challenges, as we illustrate in Chapter 4. One interpretation of history is that emergencies allow presidents to obtain powers that are necessary to cope with new problems. Our original constitutional structure, with a relatively weak presidency, reflects the concerns of the eighteenth century and is not well adapted to current conditions.¶ Finally, to the extent that the critics of executive power envision judicial review as the solution, they are whistling in the wind, especially during times of emergency. The critics envision an imperial executive, who is either backed by a sustained national majority or else has slipped the political leash, and who enjoys so much agency slack as to be heedless of the public’s preferences. Its either case, it is not obvious what the critics suppose the judges will or can do about it. As we will recount in more detail in later chapters, the judges proved largely powerless to stem the tide of the New Deal, in conditions of economic emergency, or to stop Japanese internment during World War II, or to block aggressive punishment and harassment of communists during the Cold War. What is more, many of the judges had no desire to block these programs. Judges are people too and share in national political sentiments: they are also part of the political elite and will rally ‘round the flag in times of emergency just as much as others do.¶ Critics of executive power implicitly appeal to a slippery—slope argument: once executive power is increased to meet an emergency in a manner that is necessary and reasonable, it will unavoidably expand beyond what is necessary and reasonable. As we emphasize in chapters 4 and 5, the problem with this argument is that there is no evidence for it and no mechanism that generates such a slope. The critics focus obsessively on pathological polities like Weimar, ignoring that current well-functioning liberal democracies do not present the same conditions that led to dictatorship in 1933. More recent work in comparative politics suggests that grants of emergency powers or of decree authority to executives do no systematically end in dictatorship.

### Korea

### Korea

#### Major powers will deescalate—proves no conflict and no draw-in

Zhijiang ’12(Kim Jong-un’s regime: facing up to domestic challenges, China and the US January 26th, 2012 Author: Wei Zhijiang, Sun Yat-sen University Wei Zhijiang is Professor and Director of the Institute of South Korea Studies at the School of Asia-Pacific Studies, Sun Yat-sen University.

With regard to the role of outside powers, **China and US share common strategic interests in avoiding chaos and maintaining peace and stability** on the Korean Peninsula. **After the death of Kim Jong-il, ROK-US summit telephone talks declared that the US has no intention to interfere** in the succession process. **This indicates that the US** **will not put pressure on North Korea** **to promote its collapse and** **hopes to avoid conflict on the peninsula and to achieve peace and stability. The US Assistant Secretary of State** for East Asian and Pacific Affairs, Kurt Campbell, **visited China recently in order to further exchange views with China concerning the situation in the DPRK** **and to coordinate policies** toward North Korea. **China’s strategy has been to maintain peace and stability on the peninsula, and to build a harmonious and stable strategic environment** in Northeast Asia conducive to national development. **Kim’s death has not changed the basic strategy of China toward the Korean Peninsula**. The main basis of China’s Korean Peninsula policy is to comprehensively strengthen and support Kim Jong-un’s new North Korean regime. The main purpose of the US’ ‘return to Asia’ strategy is to strengthen its strategic influence in the Asia Pacific region, including the Korean Peninsula. It also includes preventing military provocation or possible war in the East Asia region through the strengthening of US-ROK, US-Japan and US-Australia military alliances, both bilaterally and multilaterally. Therefore, **China and the US have common strategic interests on the Korean Peninsula issue. They do not want chaos in the North Korean situation, the collapse of the regime, or a large-scale military conflict** between the North and South. **In resolving the North Korean nuclear crisis, the missile crisis and other issues, there is a wide range of cooperative space** that China and the US can utilise. The two parties should strengthen their strategic coordination and communication with the DPRK in order to cope with any future crises and deal with the current challenges concerning the Korean Peninsula, and act to safeguard the peace and stability of the Korean Peninsula.

### Intervention

#### 1NC -Mandelbaum – Syria proves – no reckless interventions – bad economy and high public support for isolationism check another Iraq – these outweigh the link scenarios – worst that will happen is airstrikes like in Lybia – we just barely avoided a government shutdown, invading is not on the agenda

K is an impact turn

# 1NR

### Obj fiat good

#### Logic—intuitively answers the premise of the aff;

#### Res basis: tests “statutory/judicial” as well as “substantial”—limits out small/margin-of-the-lit affs which cannot answer it

#### Lit basis: our solvency ev proves congress and the courts massively defer to the executive on war powers—expertise and flexibility are real-world constraints

#### Topic depth: internal administrative decision-making is the legal-process core of the topic—countless Obama signing statements and speeches without congressional authorization or immediately pursuant judicial review as well as massive Bush-Yoo OLC justifications prove

#### Role of the judge: effective Policymaking requires presumptive inaction when it is proven net-beneficial

### Economic collapse kills soft power

Nye, Gov Professor at Harvard, ‘6 (Joseph, “Think again: soft power” Yale Global)

No. In a recent article on options for dealing with Iran, Peter Brookes of the Heritage Foundation refers to “soft power options such as economic sanctions.” But there is nothing soft about sanctions if you are on the receiving end. They are clearly intended to coerce and are thus a form of hard power. Economic strength can be converted into hard or soft power: You can coerce countries with sanctions or woo them with wealth. As Walter Russell Mead has argued, “economic power is sticky power; it seduces as much as it compels.” There’s no doubt that a successful economy is an important source of attraction. Sometimes in real-world situations, it is difficult to distinguish what part of an economic relationship is comprised of hard and soft power. European leaders describe other countries’ desire to accede to the European Union (EU) as a sign of Europe’s soft power. Turkey today is making changes in its human rights policies and domestic law to adjust to EU standards. How much of this change is driven by the economic inducement of market access, and how much by the attractiveness of Europe’s successful economic and political system? It’s clear that some Turks are replying more to the hard power of inducement, whereas others are attracted to the European model of human rights and economic freedom.

### Economic decline collapses Pakistan

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

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

## UQ

#### Obama strong in debt ceiling fight - can overcome Republican threats

Stephanie Condon / CBS News Story Created: Oct 4, 2013 at 7:17 AM AKDT <http://www.ktva.com/news/local/Debt-limit-fight-looms-large-amid-shutdown-stalemate-226463381.html?strypg=3>

Portions of the federal government have been shut down for three full days, and lawmakers remain stalemated over government spending. The White House, however, has bigger concerns. "It's something called raising the debt ceiling," President Obama said Thursday while visiting a small business in Rockville, Md. The debt limit is the nation's statutory borrowing limit, and as the president explained, "It sounds like we're raising our debt, but that's not what this is about." Congress decides through separate spending bills how much debt to rack up; the debt limit is simply the amount that the U.S. Treasury is allowed to pay back. "You don't save money by not paying your bills," Mr. Obama said, likening the scenario to eating a pricey meal and then refusing to pay the tab. "You don't reduce your debt by not paying your bills. All you're doing is making yourself unreliable and hurting your credit rating... Well, the same is true for countries." Currently, the debt limit stands at $16.69 trillion. The Treasury actually hit that limit in May and has been using "extraordinary measures" since then to avoid defaulting on the nation's debts. Treasury Secretary Jack Lew has said those extraordinary measures will be exhausted on Oct. 17, and at that point, if Congress doesn't raise the debt limit, the U.S. would have to use cash balances on hand to fund the nearly $4 trillion in operations of the government. Doing so would put at risk the nation's financial obligations to programs like Social Security and Medicare. "What I can tell you is that in the absence of action, we're looking at a very real deadline that we will not have the ability to borrow money after Oct. 17th. And we will run down our cash very quickly," Lew said on Fox Business Network on Thursday. The Treasury Department on Thursday released a report on the potential economic impact of debt ceiling brinksmanship, noting that a default could freeze credit markets, sink the value of the dollar and send interest rates skyrocketing. In 2011, when Congress merely flirted with the prospect of letting the nation default on its loans, the Dow Jones Industrial Average dropped over 2,000 points and Standard and Poor's downgraded the United States' credit rating. Mr. Obama warned Thursday that for all of the negative consequences of a government shutdown, "an economic shutdown that results from default would be dramatically worse." "In a government shutdown, Social Security checks still go out on time. In an economic shutdown, if we don't raise the debt ceiling, they don't," he said. "In an economic shutdown, falling pensions and home values and rising interest rates... all those things risk putting us back into a bad recession." He reiterated that he will not negotiate over the debt limit. "There will be no negotiations over this," he said. "The American people are not pawns in some political game. You don't get to demand some ransom in exchange for keeping the government running... for keeping the economy running." However, with little progress over the spending bill (referred to as a continuing resolution, or CR) that would re-open the government, House Republican leaders have said they'll attempt to use the debt limit as a bargaining chip in economic negotiations. On Thursday, the New York Times reported that Boehner has told members of his caucus that he will not let the nation default on its debt and will be willing to put a bill on the House floor to raise the debt ceiling, even if it doesn't have the support of a majority of House Republicans. Still, the White House on Thursday sounded skeptical. "Even the story that you cite," White House spokesman Jay Carney said in response to the Times' report, "which reports that the Speaker said something privately to Republican members, one of his spokesmen was on the record basically reiterating the same list of demands associated with raising the debt ceiling that we've seen in the past." Carney added, "We are very concerned about the possibility that Republicans in the House will employee the same unfortunate tactics when it comes to the fundamental responsibility to raise the debt ceiling, and make sure that the United States doesn't default, as they have employed in shutting down the government."

#### Debt ceiling will be raised now-shutdown increase pressure on the GOP

**Klein, Washington Post, 9-28-13**

(Ezra, “The House GOP’s shutdown plan is great news”, <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/09/28/the-house-gops-shutdown-plan-is-great-news/>, ldg)

House Republicans plan to attach a one-year delay of Obamacare to the continuing resolution. That sharply increases the chances of a government shutdown beginning Monday night. Good. Speaker Boehner's original plan was to pass a clean bill to fund the government and then attach the one-year delay of Obamacare to the debt-ceiling bill. It was a strategy that would minimize the chances of a shutdown but maximize the chances of a default. Boehner wanted that strategy because he thought Republicans had more leverage on the debt limit than they do on the shutdown. A shutdown, after all, is just bad for the economy. A default is catastrophic for it. You'd have to be insanely reckless to permit the federal government to default on its debts. And Boehner believes that House Republicans are insanely reckless and that President Obama isn't. But that strategy failed. Boehner's members refused to wait for the debt ceiling. They want their showdown now. And that's all for the better. Moving the one-year delay of Obamacare to the CR maximizes the chances of a shutdown but makes a default at least somewhat less likely. If a shutdown begins Monday night, Republicans and Democrats will have more than two weeks to resolve it before hitting the debt ceiling. As Alec Phillips put it in a research note for Goldman Sachs, "If a shutdown is avoided, it is likely to be because congressional Republicans have opted to wait and push for policy concessions on the debt limit instead. By contrast, if a shutdown occurs, we would be surprised if congressional Republicans would want to risk another difficult situation only a couple of weeks later. The upshot is that while a shutdown would be unnecessarily disruptive, it might actually ease passage of a debt limit increase." One way a shutdown makes the passage of a debt limit increase easier is that it can persuade outside actors to come off the sidelines and begin pressuring the Republican Party to cut a deal. One problem in the politics of the fiscal fight so far is that business leaders, Wall Street, voters and even many pundits have been assuming that Republicans and Democrats will argue and carp and complain but work all this out before the government closes down or defaults. A shutdown will prove that comforting notion wrong, and those groups will begin exerting real political pressure to force a resolution before a default happens.

#### None of their warrants assumes Obama has PC and is pushing – he’s not giving an inch now – that’s key the budget.

Parnes, The Hill, 9-30-13 Amie, “Not giving an inch is seen as best strategy for win at White House,” http://thehill.com/homenews/administration/325663-not-giving-an-inch-is-seen-as-best-strategy-for-win-at-white-house

There was no shadow of doubt at the White House as the clocked ticked down to midnight Monday. Officials suggested that a refusal to negotiate over funding the government was the winning strategy. White House officials expressed confidence they wouldn’t have to back down in the slightest, while aides close to Obama, former administration officials and top Democratic strategists who confer with the White House say the chances of them negotiating with Republicans are slim to none. Sources said the White House believes GOP divisions, and polls showing more people would blame Republicans in Congress for a shutdown, mean Obama — who has been blamed for giving in too much in previous bargaining sessions — won’t have to give an inch. White House officials were even more emboldened by support from Senate Republicans, including Sen. Susan Collins of Maine, who said publicly that she disagreed with the House Republican strategy of linking the Affordable Care Act with “the continuing functioning of government.” Some Republicans in the House on Monday also expressed public support for moving a clean funding measure, something the White House will see as giving it more leverage. Those close to the White House say Republicans have backed themselves into a corner with few options remaining. “This is truly [Speaker] John Boehner’s [R-Ohio] worst nightmare,” one former senior administration official said. “This is Republican on Republican violence right now. This has absolutely nothing to do with Democrats or the president. So all Obama has to do now is sit back.” The battle isn’t about “lack of engagement,” the former official added. “The president could go to the Capitol and give the speech of his life on why we shouldn’t shut down the government. But you have this Tea Party base that will never be placated, and they’re itching for a fight. But I have news for them: They won’t win it,” the official said. Another former administration official added, “The question isn’t, should he negotiate. It’s who does he negotiate with. Who up there is actually empowered to cut a deal. It’s not clear. They can’t make up their minds amongst themselves, so who can he negotiate with to reach a deal that sticks?” White House senior adviser Dan Pfeiffer backed that sentiment in an interview on CNN. “What the Republicans want is to extract some ideological concession in order to save face for the Tea Party that funds the government for two months,” Pfeiffer said. “What happens two months from now? What are they going to want then? Full repeal of ObamaCare? Overturn of Roe v. Wade? An installment of [Mitt] Romney as president? At some point, we have to bring this cycle of hostage taking and brinksmanship to an end.” In the lead-up to the shutdown, Obama sent strong signals that he felt he was on the right side of the fight. On Saturday, with the House in session and voting on legislation to avoid the shutdown, the president played a round of golf. Likewise, Senate Majority Leader Harry Reid (D-Nev.) — who has been coordinating closely with the White House — was in no rush to convene the upper chamber on Sunday. The first former senior administration official credited Reid with stepping up his role in the fight. “Harry Reid is basically saying, ‘No way, not again,’ ” the former official said. Some Republicans accused the White House of over-confidence Monday and said Obama risked getting plenty of blame for a shutdown by not negotiating with Republicans. “If we’re unable to avoid a crisis in the next few weeks, the president will have to explain why he sat at home and did nothing to help find a solution,” said Brendan Buck, a spokesman for Boehner. “Obama is the president, and his job is to lead,” said Kirsten Kukowski, a spokeswoman at the Republican National Committee. “The longer he refuses to come to the table, the more Americans will realize he’s the typical politician he promised he wouldn’t be.” With cable news networks displaying countdown clocks until the deadline Monday, Obama did telegraph a willingness to at least talk to congressional leaders. “I suspect I will be speaking to the leaders today, tomorrow and the next day,” Obama told reporters earlier in the day. Later in the day, however, he signaled a tougher line, stating that “one faction of one party in one house of Congress in one branch of government doesn’t get to shut down the entire government just to refight an election.” “You don’t get to extract a ransom for doing your job,” Obama said. Those close to the White House predicted that a deal would eventually be reached, even after the deadline. But they reaffirmed the confidence that it would be Republicans who would suffer the consequences. In the meantime, as the debt-ceiling fight heats up, they said Obama would ramp up the rhetoric and use the bully pulpit to drive home that point. In addition, one former senior official said Obama has to get the business community and Wall Street to say, “What the f--- is happening here?” “As people realize what this will do to the stock market, they’ll ask Boehner and the Tea Party, ‘Is this what you really want?’” the official added. “The more he can remain a bit above the fray and say, ‘I’m not going to get on your level’, the better. ”

## Link

Any modification to the WPR is a lightning rod

**CCR 9** (Center for Constitutional Rights, “Restore. Protect. Expand. Amend the War Powers Resolution”, <http://ccrjustice.org/files/CCR_White_WarPowers.pdf>, ZBurdette)

Secondly, the War Powers Resolution correctly recognized that even congressional silence, inaction or even implicit approval does not allow the president to engage in warfare – but it failed to provide an adequate enforcement mechanism if the president did so. Under the resolution, wars launched by the executive were supposed to be automatically terminated after 60 or 90 days if not affirmatively authorized by Congress – but this provision proved unenforceable. Presidents simply ignored it, Congress had an insufficient interest in enforcing it and the courts responded by effectually saying: if Congress did nothing, why should we?

Reforming the War Powers Resolution is a project that will require leadership from the President and the political will of Congress, working together in the service and preservation of the Constitution. In light of the abuses that have taken place under the Bush administration, it is the responsibility of a new administration to insist on transparency in the drafting of new legislation.

There is a long history of attempts to revise the War Powers Resolution. As new legislation is drafted, though, it will be important to focus on the central constitutional issues. Much time has been spent in debating how to address contingencies. It will be impossible to write into law any comprehensive formula for every conceivable situation, though; much more important will be establishing the fundamental principles of reform:

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

Beckman 10 – Professor of Political Science

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

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

#### Syria problems are a distant memory - strength in the current fight gives him a major political edge

**O’Brien, 10/1/13 –** Political Reporter for NBC News (Michael, “Winners and losers of the government shutdown” <http://nbcpolitics.nbcnews.com/_news/2013/10/01/20763839-winners-and-losers-of-the-government-shutdown?lite>)

Nonetheless, after two-and-a-half years of standoffs and gridlock, the fact that a shutdown has finally come to pass — 17 days before Congress must also raise the debt ceiling, no less — could upend politics with unforeseen consequences for many of this fight's key players. Here is a look at some of the shutdown's winners and losers. Winners: President Barack Obama At the end of the day, Obama's signature domestic achievement — the Affordable Care Act — survived this fight intact. What's more, the president didn't have to offer any concessions in exchange for leaving his namesake "Obamacare" law alone. Unlike the 2011 debt-ceiling fight, when the administration agreed to the automatic spending cuts that would eventually form the basis of the sequester, this time the administration held the line and didn't yield much ground to Republicans. The developments mark a somewhat stunning turnaround for Obama's political fortunes over the last month. Just a few week's ago, the administration was struggling badly to win congressional approval for intervention in Syria — an initiative which had no less than Obama's second-term relevance riding on it. Now, Obama has dispensed with the Syria issue (for now) through diplomacy, and scored a major win over Republicans -- a rare victory, given the waning prospects for immigration reform or major gun control legislation during his presidency.

#### 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.

#### Current set of losses aren’t enough to sink his agenda – but another high profile loss will end it

**Lawrence, 9/17/13 -** national correspondent at National Journal.(Jill, “Obama Says He’s Not Worried About Style Points. He Should Be.” National Journal, <http://www.nationaljournal.com/whitehouse/obama-says-he-s-not-worried-about-style-points-he-should-be-20130917>)

In some ways Obama's fifth year is typical of fifth years, when reelected presidents aim high and often fail. But in some ways it is atypical, notably in the number of failures, setbacks, and incompletes Obama has piled up. Gun control and immigration reform are stalled. Two Obama favorites withdrew their names as potential nominees in the face of congressional opposition – Susan Rice, once a frontrunner for secretary of state, followed by Larry Summers, a top candidate to head the Federal Reserve. Secretary of State John Kerry's possibly offhand remark about Assad giving up his chemical weapons, and Putin's jump into the arena with a diplomatic proposal, saved him from almost certain defeat on Capitol Hill. Edward Snowden set the national security establishment on its heels, then won temporary refuge from … Putin. It's far from clear how that will be resolved. And that's as true for the budget and debt-limit showdowns ahead. Some of Obama's troubles are due to the intransigence of House conservatives, and some may be inevitable in a world far less black and white than the one Reagan faced. But the impression of ineffectiveness is the same. "People don't like it when circumstances are dictating the way in which a president behaves. They want him to be the one in charge," says Dallek, who has written books about nine presidents, including Reagan and Franklin Roosevelt. "It's unfair… On the other hand, that's what goes with the territory. People expect presidents to be in command, and they can't always be in command, and the public is not forgiving." Obama's job approval numbers remain in the mid-40s. The farther they fall below 50 percent, history suggests, the worse he can expect Democrats to do in the midterm House and Senate elections next year. Obama would likely be in worse trouble with the public, at least in the short term, if he had pushed forward with a military strike in Syria. In fact, a new Pew Research Center poll shows 67 percent approve of Obama's switch to diplomacy. But his journey to that point made him look weak and indecisive. Indeed, the year's setbacks are accumulating and that is dangerous for Obama. "At some point people make a collective decision and they don't listen to the president anymore. That's what happened to both Jimmy Carter and George W. Bush," Cannon says. "I don't think Obama has quite gone off the diving board yet in the way that Carter or Bush did … but he's close to the edge. He needs to have some successes and perceptions of success."

#### Replenishment takes too long.

Lashof 10 Director of the Climate Center at NRDC (Dan, “Coulda, Shoulda, Woulda: Lessons from Senate Climate Fail”, http://switchboard.nrdc.org/blogs/dlashof/coulda\_shoulda\_woulda\_lessons.html)

Lesson 2: Political capital is **not** necessarily a renewable resource.

Perhaps the most fateful decision the Obama administration made early on was to move healthcare reform before energy and climate legislation. I’m sure this seemed like a good idea at the time. Healthcare reform was popular, was seen as an issue that the public cared about on a personal level, and was expected to unite Democrats from all regions. White House officials and Congressional leaders reassured environmentalists with their theory that success breeds success. A quick victory on healthcare reform would renew Obama’s political capital, some of which had to be spent early on to push the economic stimulus bill through Congress with no Republican help. Healthcare reform was eventually enacted, but only after an exhausting battle that eroded public support, drained political capital and created the Tea Party movement. Public support for healthcare reform is slowly rebounding as some of the early benefits kick in and people realize that the forecasted Armageddon is not happening. But this is occurring **too slowly to rebuild** Obama’s political capital in time to help push climate legislation across the finish line.

## PC K

#### 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.”

#### PC key to quick debt ceiling resolution

JULIE PACE — AP White House Correspondent Syria debate on hold, Obama refocuses on agenda

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WASHINGTON — With a military strike against Syria on hold, President Barack Obama tried Thursday to reignite momentum for his second-term domestic agenda. But his progress could hinge on the strength of his standing on Capitol Hill after what even allies acknowledge were missteps in the latest foreign crisis. "It is still important to recognize that we have a lot of things left to do here in this government," Obama told his Cabinet, starting a sustained White House push to refocus the nation on matters at home as key benchmarks on the budget and health care rapidly approach. "The American people are still interested in making sure that our kids are getting the kind of education they deserve, that we are putting people back to work," Obama said. The White House plans to use next week's five-year anniversary of the 2008 financial collapse to warn Republicans that shutting down the government or failing to raise the debt limit could drag down the still-fragile economy. With Hispanic Heritage Month to begin Monday, Obama is also expected to press for a stalled immigration overhaul and urge minorities to sign up for health care exchanges beginning Oct. 1. Among the events planned for next week is a White House ceremony highlighting Americans working on immigrant and citizenship issues. Administration officials will also promote overhaul efforts at naturalization ceremonies across the country. On Sept. 21, Obama will speak at the Congressional Blac Caucus Gala, where he'll trumpet what the administration says are benefits of the president's health care law for African-Americans and other minorities. Two major factors are driving Obama's push to get back on track with domestic issues after three weeks of Syria dominating the political debate. Polls show the economy, jobs and health care remain Americans' top concerns. And Obama has a limited window to make progress on those matters in a second term, when lame-duck status can quickly creep up on presidents, particularly if they start losing public support. Obama already is grappling with some of the lowest approval ratings of his presidency. A Pew Research Center/USA Today poll out this week put his approval at 44 percent. That's down from 55 percent at the end of 2012. Potential military intervention in Syria also is deeply unpopular with many Americans, with a Pew survey finding that 63 percent opposing the idea. And the president's publicly shifting positions on how to respond to a deadly chemical weapons attack in Syria also have confused many Americans and congressional lawmakers. "In times of crisis, the more clarity the better," said Sen. Lindsey Graham, R-S.C., a strong supporter of U.S. intervention in Syria. "This has been confusing. For those who are inclined to support the president, it's been pretty hard to nail down what the purpose of a military strike is." For a time, the Obama administration appeared to be barreling toward an imminent strike in retaliation for the Aug. 21 chemical weapons attack. But Obama made a sudden reversal and instead decided to seek congressional approval for military action. Even after administration officials briefed hundreds of lawmakers on classified intelligence, there appeared to be limited backing for a use-of-force resolution on Capitol Hill. Rather than face defeat, Obama asked lawmakers this week to postpone any votes while the U.S. explores the viability of a deal to secure Syria's chemical weapons stockpiles. That pause comes as a relief to Obama and many Democrats eager to return to issues more in line with the public's concerns. The most pressing matters are a Sept. 30 deadline to approve funding to keep the government open — the new fiscal year begins Oct. 1 — and the start of sign-ups for health care exchanges, a crucial element of the health care overhaul. On Wednesday, a revolt by tea party conservatives forced House Republican leaders to delay a vote on a temporary spending bill written to head off a government shutdown. Several dozen staunch conservatives are seeking to couple the spending bill with a provision to derail implementation of the health care law. The White House also may face a fight with Republicans over raising the nation's debt ceiling this fall. While Obama has insisted he won't negotiate over the debt limit, House Speaker John Boehner on Thursday said the GOP will insist on curbing spending. "You can't talk about increasing the debt limit unless you're willing to make changes and reforms that begin to solve the spending problem that Washington has," the Ohio Republican said.

#### Political capital is key to avoid making concessions on the debt ceiling

**Garnham, 9/17/13** (Peter, “Summers not over for dollar strength” Euromoney,

Full article: <http://www.euromoney.com/Article/3255829/Category/16/ChannelPage/0/Summers-not-over-for-dollar-strength.html?single=true&copyrightInfo=true>)

That is because seeking his confirmation in the US Senate could have cost Obama valuable political capital. As Geoffrey Yu, strategist at UBS, points out, that could have meant that reaching an agreement on raising the debt ceiling afterwards would have therefore required even greater concessions from Obama and created additional fiscal drag on the US economy. Overall, it would seem the ripple effects from Summers’ withdrawal from the race to become Fed chairman and the negative impact on the dollar could disappear quickly.

#### Concessions will split the Democratic base and make a deal impossible

**Cook, 9/17**/13 - Economic and Fiscal Policy Correspondent at National Journal (Nancy, “How Dangerous Is the Rift Among Democrats?” National Journal, <http://www.nationaljournal.com/congress/how-dangerous-is-the-rift-among-democrats-20130917>)

Remember that split among congressional Republicans on fiscal strategy? Well, now it seems the Democrats have the makings of a similar problem.

In recent weeks, congressional D's have been uncharacteristically independent, breaking with their leadership and the Obama administration. First they opposed military action in Syria, warning the president they would deny his request to strike. And then came Larry Summers, who was brought down by a handful of Senate Democrats who let the White House know they would not confirm him as Fed chief.

All this bodes quite poorly for President Obama (and Harry Reid and Nancy Pelosi) as the spending and debt fights approach.

If Obama's advisers take anything away from the Syria and Summers episodes, Capitol Hill aides and lawmakers suggest it should be the message that Democrats are not going to get in line with a budget deal that compromises their liberal positions. No longer should the White House feel free, as it has in the past, to consider tweaks to programs like Medicare or Social Security, for instance (unless, of course, Republicans agree to extract more money from taxpayers).

Reid and one of his primary deputies, Sen. Patty Murray, continue to oppose the "chained CPI" proposal that would change the way government benefits are calculated and make them less generous—one of the ideas the president offered up in past budget negotiations. House Democrats largely are not in favor of one of the president's other previous budget offers—to cut Medicare by $400 billion.

These concessions would be an incredibly hard sell to Democrats during a year where the country's annual deficit continues to fall, says a House Democratic leadership aide.

"A lot of our members were concerned about the drift of the negotiations during the fiscal cliff," the aide said. "Our sense is that any deal this fall would not be as large so there is not as much of a necessity to offer up those items."

The White House hasn't ruled those items out though; it's not really even engaging in the discussion at all yet. If lawmakers start to draw lines in the sand, the president will have fewer tools to use and fewer levers to pull to score a deal that keeps the government running and the United States current on its debt.