# 1NC

### 1

#### Text: The Executive branch of the United States should release individuals in military detention who have won their habeas corpus hearings.

#### CP solves the aff

Posner 13

(Eric Posner, a professor at the University of Chicago Law School, is a co-author of The Executive Unbound: After the Madisonian Republic and Climate Change Justice, “President Obama Can Shut Guantanamo Whenever He Wants” May 2, 2013, <http://www.slate.com/articles/news_and_politics/view_from_chicago/2013/05/president_obama_can_shut_guantanamo_whenever_he_wants_to.html>, )

The NDAA does not, however, ban the president from releasing detainees. Section 1028 authorizes him to release them to foreign countries that will accept them—the problem is that most countries won’t, and others, like Yemen, where about 90 of the 166 detainees are from, can’t guarantee that they will maintain control over detainees, as required by the law.¶ There is another section of the NDAA, however, which has been overlooked. In section 1021(a), Congress “affirms” the authority of the U.S. armed forces under the AUMF to detain members of al-Qaida and affiliated groups “pending disposition under the law of war.” Section 1021(c)(1) further provides that “disposition under the law of war” includes “Detention under the law of war without trial until the end of the hostilities authorized by” the AUMF. Thus, when hostilities end, the detainees may be released.¶ The president has the power to end the hostilities with al-Qaida—simply by declaring their end. This is not a controversial sort of power. Numerous presidents have ended hostilities without any legislative action from Congress—this happened with the Vietnam War, the Korean War, World War II, and World War I. The Supreme Court has confirmed that the president has this authority.

### 2

#### Interpretation and violation

#### Restrictions are prohibitions --- the aff is distinct

Jean Schiedler-Brown 12, Attorney, Jean Schiedler-Brown & Associates, Appellant Brief of Randall Kinchloe v. States Dept of Health, Washington, The Court of Appeals of the State of Washington, Division 1, http://www.courts.wa.gov/content/Briefs/A01/686429%20Appellant%20Randall%20Kincheloe%27s.pdf

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation.

Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as;

A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment.

Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

#### Restrictions on authority are distinct from conditions

William Conner 78, former federal judge for the United States District Court for the Southern District of New York United States District Court, S. D. New York, CORPORACION VENEZOLANA de FOMENTO v. VINTERO SALES, http://www.leagle.com/decision/19781560452FSupp1108\_11379

Plaintiff next contends that Merban was charged with notice of the restrictions on the authority of plaintiff's officers to execute the guarantees. Properly interpreted, the "conditions" that had been imposed by plaintiff's Board of Directors and by the Venezuelan Cabinet were not "restrictions" or "limitations" upon the authority of plaintiff's agents but rather conditions precedent to the granting of authority. Essentially, then, plaintiff's argument is that Merban should have known that plaintiff's officers were not authorized to act except upon the fulfillment of the specified conditions.

#### Vote neg---

#### Neg ground---only prohibitions on particular authorities guarantee links to every core argument like flexibility and deference

#### Limits---there are an infinite number of small hoops they could require the president to jump through---overstretches our research burden

### 3

#### Obama’s push secures CIR

Lopez 1 -1 (Oscar, Brooklyn-based writer, Graduating from the University of Melbourne in 2011 with a BA (Honors) Oscar was awarded the Keith Macartney Scholarship for the Arts, the Louise Homfrey Award and the Hannah Barry Memorial Award, “New Year 2014: 4 Reasons Immigration Reform Will Pass In 2014,” <http://www.latintimes.com/new-year-2014-4-reasons-immigration-reform-will-pass-2014-141778>, CMR)

Immigration reform is set to be the key issue of 2014. Following Mitt Romney's dismal performance among Latino voters in the 2012 election, both sides of the Government woke up to the necessity for comprehensive reform on immigration. Indeed, in his State of the Union address in February, President Obama declared that “the time has come to pass comprehensive immigration reform.” Yet with the House divided over Obamacare and the budget crisis, the Government Shutdown let immigration reform die. 2014 will change that: and here are 4 Reasons Why. 1. Republican Support: A fundamental lack of support from the GOP has always been one of the major obstacles for passing comprehensive reform legislation, and indeed this seemed to be the case this year after the Bill passed by the Senate was struck down by Congress. However, more and more GOP members are realizing the significance of the Latino vote and understanding that passing comprehensive immigration reform is the most significant way of securing support from Latino voters. A July poll from Latino Decisions found that immigration reform was the most important issue facing the Latino community for 60 percent of those surveyed. The poll also found that 70 percent of those questioned were dissatisfied with the job Republicans were doing on the issue. The survey also found the 39 percent would be more likely to support a Republican congressional candidate if immigration reform was passed with Republican leadership. Republican candidates have become aware of the significance of immigration reform for the party. Even in traditionally conservative Republican strongholds like Texas, candidates are turning towards immigration reform. According to Republican strategist and CNN en Español commentator Juan Hernandez, "it also wouldn’t surprise me if after the primary, the candidates move to the center and support reform. For Republicans to stay in leadership in Texas, we must properly address immigration.” The March 2014 primaries will be a key moment in determining how reform progresses: Republican Strategist John Feehery suggests, “The timing on this is very important. What was stupid to do becomes smart to do a little bit later in the year.” Once the primaries are over, GOP members will have the chance to implement reform legislation without fear of challenges from the right. 2. Legalization Over Citizenship: While the Senate’s 2013 immigration reform bill was struck down by Congress, GOP party members have indicated that they will support legislation which favors legalization of undocumented immigrants over a path to citizenship. Meanwhile, a recent survey from Pew Research Hispanic Trends Project demonstrated that 55 percent of Hispanic adults believe that legalizing immigrants and removing the fear of deportation is more important than a pathway to citizenship (although citizenship is still important to 89 percent of Latinos surveyed.) As CBS suggests, “Numbers like these could give leverage to lawmakers who are interested in making some reforms to the legal immigration system, but not necessarily offering any kind of citizenship.” If House Republicans offered legalization legislation for the undocumented community, this could put pressure on the President to compromise. And while this kind of reform would not be as comprehensive as the Senate’s bill, a bipartisan agreement would be a significant achievement towards accomplishing reform. 3. Activism Steps Up: 2013 saw one of the biggest surges in grassroots activism from immigration supporters, and political leaders started to listen. The hunger strike outside the White House was a particularly significant demonstration and drew visits of solidarity from a number of leaders from both sides of Congress, including the President and First Lady. Immigration reform activists have promised "we will be back in 2014." Indeed, 2014 promises to be a year of even greater activism. Activist Eliseo Medina has pledged that immigrant advocacy groups would visit “as many congressional districts as possible” in 2014 to ensure further support. Protests, rallies and marchers are likely to increase in 2014, putting greater pressure on Congress to pass legislation. Such visual, vocal protests will be key in ensuring comprehensive reform. 4. Leadership: As immigration reform comes to the fore, party leaders will step up in 2014 to ensure change is achieved. While President Obama has made clear his support for comprehensive reform, House Speaker John Boehner previously stated that he had “no intention” of negotiating with the Senate on their comprehensive immigration bill. However, towards the end of 2013, it seemed that Representative Boehner was changing his tune. In November, President Obama revealed that “the good news is, just this past week Speaker Boehner said that he is “hopeful we can make progress” on immigration reform.” As if to prove the point, Boehner has recently hired top aide Rebecca Tallent to work on immigration reform. With bipartisan leadership firmly focused on immigration reform and party members on both sides realizing the political importance of the issue, comprehensive legislation is one thing we can be sure of in 2014.

#### **The plan *saps capital* and *causes defections***

Loomis 7 Dr. Andrew J. Loomis is a Visiting Fellow at the Center for a New American Security, and Department of Government at Georgetown University, “Leveraging legitimacy in the crafting of U.S. foreign policy”, March 2, 2007, pg 36-37, http://citation.allacademic.com//meta/p\_mla\_apa\_research\_citation/1/7/9/4/8/pages179487/p179487-36.php

Declining political authority encourages defection. American political analyst Norman Ornstein writes of the domestic context, In a system where a President has limited formal power, perception matters. The reputation for success—the belief by other political actors that even when he looks down, a president will find a way to pull out a victory—is the most valuable resource a chief executive can have. Conversely, the widespread belief that the Oval Office occupant is on the defensive, on the wane or without the ability to win under adversity can lead to disaster, as individual lawmakers calculate who will be on the winning side and negotiate accordingly. In simple terms, winners win and losers lose more often than not. Failure begets failure. In short, a president experiencing declining amounts of political capital has diminished capacity to advance his goals. As a result, political allies perceive a decreasing benefit in publicly tying themselves to the president, and an increasing benefit in allying with rising centers of authority. A president’s incapacity and his record of success are interlocked and reinforce each other. Incapacity leads to political failure, which reinforces perceptions of incapacity. This feedback loop accelerates decay both in leadership capacity and defection by key allies. The central point of this review of the presidential literature is that the sources of presidential influence—and thus their prospects for enjoying success in pursuing preferred foreign policies—go beyond the structural factors imbued by the Constitution. Presidential authority is affected by ideational resources in the form of public perceptions of legitimacy. The public offers and rescinds its support in accordance with normative trends and historical patterns, non-material sources of power that affects the character of U.S. policy, foreign and domestic.

#### Political capital is key

Orlando Sentinel 11-1-13 "What we think: It'll take both parties to clear immigration logjam" articles.orlandosentinel.com/2013-11-01/news/os-ed-immigration-reform-congress-20131031\_1\_immigration-reform-comprehensive-reform-house-republicans

For those who thought the end of the government shutdown would provide a break from the partisan bickering in Washington, think again. The battle over comprehensive immigration reform could be every bit as contentious. Polls show the popular momentum is there for comprehensive reform, which would include a path to citizenship for many of the nation's 11 million undocumented immigrants. But it'll take plenty of political capital from President Obama and leaders in both parties on Capitol Hill to make it happen. Immigration-reform activists, who have been pushing for reform for years, are understandably impatient. This week police arrested 15 who blocked traffic at a demonstration in Orlando. There are plenty of selling points for comprehensive immigration reform. An opportunity for millions of immigrants to get on the right side of the law. Stronger border security. The chance for law enforcement to focus limited resources on real threats to public safety, instead of nannies and fruit pickers. A more reliable work force to meet the needs of key industries. Reforms to let top talent from around the world stay here after studying in U.S. universities. The Senate passed its version of comprehensive immigration in June. It includes all of the benefits above. Its path to citizenship requires undocumented immigrants to pay fines, learn English, pass a criminal background check and wait more than a decade. So far, House Republicans have balked, taking a piecemeal rather than comprehensive approach. Many members fear being challenged from the right for supporting "amnesty." Yet polls show the public supports comprehensive reform. In June, a Gallup poll found 87 percent of Americans — including 86 percent of Republicans — support a pathway to citizenship like the one outlined in the Senate bill. Florida Republican Sen. Marco Rubio took flak from tea-party supporters for spearheading the comprehensive bill. Now, apparently aiming to mend fences, he says immigration should be handled piecemeal. He's politically savvy enough to know that's a dead end. But comprehensive reform won't have a chance without President Obama making full use of his bully pulpit to promote it, emphasizing in particular all that undocumented immigrants would need to do to earn citizenship. House Democratic leaders will have to underscore the president's message.

#### Impact is economic collapse

Milller 2013 – former two-term elected Kentucky State Treasurer, Miller held several other senior positions in state and federal government, including serving in Kentucky Governor Steve Beshear’s Cabinet as Secretary of Finance and Administration, as Deputy Chief of Staff of the U.S. Department of Energy, and as Legislative Director for Congressman Jim Cooper (Jonathon, “Why Our Economy Demands Immigration Reform”, <http://www.huffingtonpost.com/jonathanmiller/immigration-reform-economy_b_2639092.html>, CMR)

When it comes to restoring strong, long-term growth in our nation's economy, there are few solutions more practical, bi-partisan, and urgent than immigration reform.¶ Our current immigration system is rigid, outdated, and simply unable to keep up with demands of the new global marketplace. For our nation to thrive and transcend international competition in the 21st century economy, it is incumbent for us to build an immigration system that welcomes people who share our values, as well as the entrepreneurial spirit that has made our country great.¶ No one can doubt that we are a nation whose foundation was built by immigrants. But did you know that more than 40 percent of today's Fortune 500 companies were founded by an immigrant, or a child of an immigrant? Or that more than 75 percent of all the patents received by the top ten U.S. universities in 2011 had an immigrant inventor? While we celebrate our nation's first immigrants every Thanksgiving -- and while many of us cherish the stories shared by our own family members who made the pilgrimage to our shores -- we too often forget that today, and every day, recent immigrants continue to play a vital role in the American economy.¶ Unfortunately, far too often, our immigration policies drive too many foreign-born entrepreneurs and job creators away, even after we have trained them and given them degrees from American universities.¶ This is not simply a matter of compassion or human interest. This is about the very survival of our economy, way of life, and continued global leadership. We must make it easier for foreign-born, U.S.-educated students to get visas. We must create a startup visa program for entrepreneurs and innovators who want to come to our country to start businesses and hire American workers, especially when they already have U.S. investors to back their ideas. We must be doing everything we can to keep that capital in the U.S., rather than handing the next great idea over to our competitors.¶ Furthermore, with the enormous baby boomer generation set to retire, our current aging workforce simply cannot keep up with the demands. We need many more young workers, both in the high- and low-skilled areas of our economy. The U.S. government estimates that there are more than 3.5 million unfilled jobs in this country, even with high unemployment. Shortages are particularly high in industries with seasonal demands, like agriculture, landscaping, and hospitality. Many hotels and resorts across the country remain at half capacity, even during the busiest tourist seasons, simply because they cannot find enough workers to meet demands. We leave hundreds of millions of dollars in crops out in the fields because we can't hire enough workers to harvest them in time.¶ Unfortunately, our system is not structured in a way that accounts for the ebb and flow of our labor needs. We need a more flexible visa allotment system, and we need to expand the number of employment-based visas that are issued each year. Right now, only 7 percent of all green cards are distributed for employment based reasons, which is clearly far too low.¶ It is refreshing to see Congress take the initial steps to reform, and I applaud the bi-partisan Gang of Eight for taking a leadership role in these efforts and laying out sensible solutions. They have opened the door for a healthy debate. Now we need to make sure that Congress takes action and creates a more modern and reasonable immigration system for our country.¶ I will never forget the pride I felt when my wife -- the mother of our two incredible daughters -- was naturalized as a U.S. citizen. We must reform our system so that many more families can experience the joy she felt in becoming an American. And we must reform our system because their pride and joy results in a better economic climate and more job opportunity for all of our country.

#### Studies prove war happens

Royal 10 (Jedediah Royal, Director of Cooperative Threat Reduction at the U.S. Department of Defense, 2010, Economic Integration, Economic Signaling and the Problem of Economic Crises,? in Economics of War and Peace: Economic, Legal and Political Perspectives, ed. Goldsmith and Brauer, p. 213-215)

Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent states. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level, Pollins (2008) advances Modelski and Thompson's (1996) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (see also Gilpin, 1981) that leads to uncertainty about power balances, increasing the risk of miscalculation (Fearon, 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner, 1999). Separately, Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level, Copeland's (1996, 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Blomberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write, The linkages between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict tends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other. (Blomberg & Hess, 2002, p. 89) Economic decline has also been linked with an increase in the likelihood of terrorism (Blomberg, Hess, & Weerapana, 2004), which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. 'Diversionary theory' suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DeRouen (1995), and Blomberg, Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force are at least indirectly correlated. Gelpi (1997), Miller (1999), and Kisangani and Pickering (2009) suggest that the tendency towards diversionary tactics are greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked to an increase in the use of force. In summary, recent economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict at systemic, dyadic and national levels.5 This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention. This observation is not contradictory to other perspectives that link economic interdependence with a decrease in the likelihood of external conflict, such as those mentioned in the first paragraph of this chapter. Those studies tend to focus on dyadic interdependence instead of global interdependence and do not specifically consider the occurrence of and conditions created by economic crises. As such, the view presented here should be considered ancillary to those views.

### 4

#### Debates about war authority mask underlying causes of militarism – ensures a military mindset

Cady 10 (Duane L., prof of phil @ hamline university, From Warism to Pacifism: A Moral Continuum, pp. 22-23)

The widespread, unquestioning acceptance of warism and the corresponding reluctance to consider pacifism as a legitimate option make it difficult to propose a genuine consideration of pacifist alternatives. Warism may be held implicitly or explicitly. Held in its implicit form, it does not occur to the warist to challenge the view that war is morally justified; war is taken to be natural and normal. No other way of understanding large-scale human conflict even comes to mind. In this sense warism is like racism, sexism, and homophobia: a prejudicial bias built into conceptions and judgments without the awareness of those assuming it. In its explicit form, warism is openly accepted, articulated, and deliberately chosen as a value judgment on nations in conflict. War may be defended as essential for justice, needed for national security, as “the only thing the enemy understands,” and so on. In both forms warism misguides judgments and institutions by reinforcing the necessity and inevitability of war and precluding alternatives. Whether held implicitly or explicitly, warism obstructs questioning the conceptual framework of the culture. If we assume (without realizing it) that war itself is morally justifiable, our moral considerations of war will be focused on whether a particular war is justified or whether particular acts within a given war are morally acceptable. These are important concerns, but addressing them does not get at the fundamental issue raised by the pacifist: the morality of war as such. In Just and Unjust Wars Michael Walzer explains that “war is always judged twice, first with reference to the reasons states have for fighting, secondly with reference to the means they adopt.”8 The pacifist suggestion is that there is a third judgment of war that must be made prior to the other two: might war, by its very nature, be morally wrong? This issue is considered by Walzer only as an afterthought in an appendix, where it is dismissed as naïve. Perhaps Walzer should not be faulted for this omission, since he defines his task as describing the conventional morality of war and, as has been argued above, conventional morality does take warism for granted. To this extent Walzer is correct. And this is just the point: our warist conceptual frameworks— our warist normative lenses— blind us to the root question. The concern of pacifists is to expose the hidden warist bias and not merely describe cultural values. Pacifists seek to examine cultural values and recommend what they ought to be. This is why the pacifist insists on judging war in itself, a judgment more fundamental than the more limited assessments of the morality of a given war or the morality of specific acts within a particular war.

#### This mindset is important – our consciousness of war guarantees endless violence that ensures planetary destruction and structural violence

* Another impact: freeing ourselves from war = more resources for peace

Lawrence 9 (Grant, “Military Industrial "War" Consciousness Responsible for Economic and Social Collapse,” OEN—OpEdNews, March 27)

As a presidential candidate, [Barack Obama](http://obama.senate.gov/) called [Afghanistan](http://en.wikipedia.org/wiki/War_in_Afghanistan_%282001%E2%80%93present%29) ''the war we must win.'' He was absolutely right. Now it is time to win it... Senators [John McCain](http://www.imdb.com/name/nm0564587/) and Joseph Lieberman [calling](http://www.miamiherald.com/opinion/inbox/story/960269.html) for an expanded war in Afghanistan "How true it is that war can destroy everything of value." Pope Benedict XVI [decrying](http://www.google.com/hostednews/afp/article/ALeqM5iuue8kE-e0lYZVFpt4RlbX4M_IEw) the suffering of Africa Where troops have been quartered, brambles and thorns spring up. In the track of great armies there must follow lean years. Lao Tzu on [War](http://www.sacred-texts.com/tao/salt/salt09.htm) As Americans we are raised on the utility of war to conquer every problem. We have a drug problem so we wage war on it. We have a cancer problem so we wage war on it. We have a crime problem so we wage war on it. Poverty cannot be dealt with but it has to be warred against. Terror is another problem that must be warred against. In the [United States](http://maps.google.com/maps?ll=38.8833333333,-77.0166666667&spn=10.0,10.0&q=38.8833333333,-77.0166666667%20%28United%20States%29&t=h), solutions can only be found in terms of wars. In a society that functions to support a massive military industrial war machine and empire, it is important that the terms promoted support the conditioning of its citizens. We are conditioned to see war as the solution to major social ills and major political disagreements. That way when we see so much of our resources devoted to war then we don't question the utility of it. The term "war" excites mind and body and creates a fear mentality that looks at life in terms of attack. In war, there has to be an attack and a must win attitude to carry us to victory. But is this war mentality working for us? In an age when nearly half of our tax money goes to support the war machine and a good deal of the rest is going to support the elite that control the war machine, we can see that our present war mentality is not working. Our values have been so perverted by our war mentality that we see sex as sinful but killing as entertainment. Our society is dripping violence. The violence is fed by poverty, social injustice, the break down of family and community that also arises from economic injustice, and by the managed media. The cycle of violence that exists in our society exists because it is useful to those that control society. It is easier to sell the war machine when your population is conditioned to violence. Our military industrial consciousness may not be working for nearly all of the life of the planet but it does work for the very few that are the master manipulators of our values and our consciousness. Rupert Murdoch, the media monopoly man that runs the "Fair and Balanced" [Fox Network](http://www.fox.com/), Sky Television, and [News Corp](http://www.newscorp.com/) just to name a few, [had](http://en.wikipedia.org/wiki/Rupert_Murdoch) all of his 175 newspapers editorialize in favor of the [Iraq war](http://en.wikipedia.org/wiki/Iraq_War). Murdoch snickers when [he says](http://www.newscorpse.com/ncWP/?p=341) "we tried" to manipulate public opinion." The Iraq war was a good war to Murdoch [because,](http://www.americanprogress.org/issues/2004/07/b122948.html) "The death toll, certainly of Americans there, by the terms of any previous war are quite minute." But, to the media manipulators, the phony politicos, the military industrial elite, a million dead Iraqis are not to be considered. War is big business and it is supported by a war consciousness that allows it to prosper. That is why more war in Afghanistan, the war on Palestinians, and the other wars around the planet in which the [military industrial complex](http://en.wikipedia.org/wiki/Military-industrial_complex) builds massive wealth and power will continue. The military industrial war mentality is not only killing, maiming, and destroying but it is also contributing to the present social and economic collapse. As mentioned previously, the massive wealth transfer that occurs when the American people give half of their money to support death and destruction is money that could have gone to support a just society. It is no accident that after years of war and preparing for war, our society is crumbling. Science and technological resources along with economic and natural resources have been squandered in the never-ending pursuit of enemies. All of that energy could have been utilized for the good of humanity, ¶ instead of maintaining the power positions of the very few super wealthy. So the suffering that we give is ultimately the suffering we get. Humans want to believe that they can escape the consciousness that they live in. But that consciousness determines what we experience and how we live. As long as we choose to live in "War" in our minds then we will continue to get "War" in our lives. When humanity chooses to wage peace on the world then there will be a flowering of life. But until then we will be forced to live the life our present war consciousness is creating.

#### Vote negative to free ourselves of the presumption towards war and advocate for peace and social justice to stop militarism

Demenchonok 9 – Worked as a senior researcher at the Institute of Philosophy of the Russian Academy of Sciences, Moscow, and is currently a Professor of Foreign Languages and Philosophy at Fort Valley State University in Georgia, listed in 2000 Outstanding Scholars of the 21st Century and is a recipient of the Twenty-First Century Award for Achievement in Philosophy from the International Biographical Centre --Edward, Philosophy After Hiroshima: From Power Politics to the Ethics of Nonviolence and Co-Responsibility, February, American Journal of Economics and Sociology, Volume 68, Issue 1, Pages 9-49

Where, then, does the future lie? Unilateralism, hegemonic political anarchy, mass immiseration, ecocide, and global violence—a Hobbesian bellum omnium contra omnes? Or international cooperation, social justice, and genuine collective—political and human—security? Down which path lies cowering, fragile hope?¶ Humanistic thinkers approach these problems from the perspective of their concern about the situation of individuals and the long-range interests of humanity. They examine in depth the root causes of these problems, warning about the consequences of escalation and, at the same time, indicating the prospect of their possible solutions through nonviolent means and a growing global consciousness. Today's world is in desperate need of realistic alternatives to violent conflict. Nonviolent action—properly planned and executed—is a powerful and effective force for political and social change. The ideas of peace and nonviolence, as expressed by Immanuel Kant, Leo Tolstoy, Mahatma Gandhi, Martin Luther King, and many contemporary philosophers—supported by peace and civil rights movements—counter the paralyzing fear with hope and offer a realistic alternative: a rational approach to the solutions to the problems, encouraging people to be the masters of their own destiny.¶ Fortunately, the memory of the tragedies of war and the growing realization of this new existential situation of humanity has awakened the global conscience and generated protest movements demanding necessary changes. During the four decades of the Cold War, which polarized the world, power politics was challenged by the common perspective of humanity, of the supreme value of human life, and the ethics of peace. Thus, in Europe, which suffered from both world wars and totalitarianism, spiritual-intellectual efforts to find solutions to these problems generated ideas of "new thinking," aiming for peace, freedom, and democracy. Today, philosophers, intellectuals, progressive political leaders, and peace-movement activists continue to promote a peaceful alternative. In the asymmetry of power, despite being frustrated by war-prone politics, peaceful projects emerge each time, like a phoenix arising from the ashes, as the only viable alternative for the survival of humanity. The new thinking in philosophy affirms the supreme value of human and nonhuman life, freedom, justice, and the future of human civilization. It asserts that the transcendental task of the survival of humankind and the rest of the biotic community must have an unquestionable primacy in comparison to particular interests of nations, social classes, and so forth. In applying these principles to the nuclear age, it considers a just and lasting peace as a categorical imperative for the survival of humankind, and thus proposes a world free from nuclear weapons and from war and organized violence.44 In tune with the Charter of the United Nations, it calls for the democratization of international relations and for dialogue and cooperation in order to secure peace, human rights, and solutions to global problems. It further calls for the transition toward a cosmopolitan order.¶ The escalating global problems are symptoms of what might be termed a contemporary civilizational disease, developed over the course of centuries, in which techno-economic progress is achieved at the cost of depersonalization and dehumanization. Therefore, the possibility of an effective "treatment" today depends on whether or not humankind will be able to regain its humanity, thus establishing new relations of the individual with himself or herself, with others, and with nature. Hence the need for a new philosophy of humanity and an ethics of nonviolence and planetary co-responsibility to help us make sense not only of our past historical events, but also of the extent, quality, and urgency of our present choices.

### Credibility

#### heg is unsustainable

Christopher Layne, Professor, National Security, Texas A&M University, “This Time It’s Real: The End of Unipolarity and *Pax Americana,*”INTERNATIONAL STUDIES QUARTERLY, 2012 http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2478.2011.00704.x/full,

Before the Great Recession’s foreshocks in fall 2007, most American security studies scholars believed that unipolarity—and perforce American hegemony—would be enduring features of international politics far into the future. However, in the Great Recession’s aftermath, it is apparent that much has changed since 2007. Predictions of continuing unipolarity have been superseded by premonitions of American decline and geopolitical transformation. The Great Recession has had a two-fold impact. First, it highlighted the shift of global wealth—and power—from West to East, a trend illustrated by China’s breathtakingly rapid rise to great power status. Second, it has raised doubts about the robustness of US primacy’s economic and financial underpinnings. This article argues that the unipolar moment is over, and the Pax Americana—the era of American ascendancy in international politics that began in 1945—is fast winding down. This article challenges the conventional wisdom among International Relations/Security Studies scholars on three counts. First, it shows that contrary to the claims of unipolar stability theorists, the distribution of power in the international system no longer is unipolar. Second, this article revisits the 1980s’ debate about American decline and demonstrates that the Great Recession has vindicated the so-called declinists of that decade. Finally, this article takes on the institutional lock-in argument, which holds that by strengthening the Pax Americana’s legacy institutions, the United States can perpetuate the essential elements of the international order it constructed following World War II even as the material foundations of American primacy erode.

#### Regionalism coming now – best model, no big war – locally activates the aff warrants for cooperation solving warming

Krishnan Srinivasan, "International Conflict and Cooperation in the 21st Century," THE ROUND TABLE v. 98 n. 400, 2--09, pp. 37-47.

The new world order of the ﬁrst half of the present century will be one of peaceful mutual accommodation between the big powers located in the East and West, North and South. The priority for these powers will be for economic progress and regional order, with defence expenditure being used to build technological capacity for deterrence against the other big powers and as an enabler for their self-appointed but globally recognized role as regional enforcers. In this neo-Hobbesian world system, the lesser states will come to their own bilateral arrangements with the local regional hegemon upon whom they will be dependent not only for their security but for economic, technical and trading facilitation. Some of these lesser entities will enjoy economic prosperity, depending on their ability to maintain internal cohesion, to turn globalization to their advantage, and to control the socio-economic consequences of climate change, but they will not be able to mount a challenge to the hierarchical nature of international society. They will have far greater recourse to the United Nations than the major powers, who will prefer to apply unilateral methods with the connivance and consent of their peers. The debate between Westphalian national sovereignty and the right to intervene to breach the sovereignty of other states on the grounds of preventing threats to international peace and security will not be resolved. Political and economic inequality between nations will be drawn in ever sharper focus. Regional institutions will be dominated by the local big power. Reform of the United Nations will be incomplete and unappealing to the vast majority of member states. The world’s hegemonic powers will lose faith in the Security Council as an effective mechanism to deliberate issues of peace and security. World bodies will be used for discussion of global issues such as the environment and climate change, pandemic disease, energy and food supplies, and development, but resulting action will primarily devolve on the big powers in the affected regions. This will particularly be the case in the realm of peace and security in which only the regional hegemon will have the means, the will and the obligation, for the sake of its own status and security, to ensure resolution or retribution as each case may demand. Even in a globalized world, regional and local action will be the prime necessity and such action will be left to the power best equipped to understand the particular circumstances, select the appropriate remedy and execute the action required to administer it. Conﬂict will be contained and localized. There will be no menace of war on a world-wide scale and little fear of international terrorism. Private-enterprise terrorist actions will continue to manifest political, social and economic frustrations, but they will be parochial, ineffective and not state-sponsored. There will be far less invocation of human rights in international politics, since these will be identiﬁed with a western agenda and western civilization: there will be an equal recognition of community rights and societal values associated with Eastern and other traditions. Chinese artists, Indian entrepreneurs, Russian actors, Iranian chefs, South African song-writers and Brazilian designers will be household names; models on the fashion cat-walk and sporting teams from all major countries will be distinctly multi-racial, reﬂecting the immigration to, but also the purchasing power of, the new major powers. National populations will show evidence of mixed race more than ever before in history. Climate change will be an acknowledged global challenge and all countries, led by the regional hegemons, will undertake binding restraints on carbon emissions. The world will become acutely conscious of the essentiality of access to fresh water. The pace of technological innovation will accelerate at dizzying speed, further accentuating inequalities. There will be very rapid steps taken to develop alternative sources of energy in the face of dwindling and costly oil supplies. Western industrialized nations, to remain competitive, will vacate vast areas of traditional manufacturing in favour of new technologies and green engineering. The world will be a safer and stable place until one of the hegemons eventually develops an obvious ascendancy ﬁrst regionally, then continentally and ﬁnally globally over all the others.

#### Warming causes extinction through environmental breakdown

Ronnie Cummins and Will Allen, Organic Consumers Association, "Climate Catastrophe: Surviving the 21st Century," 2--14--10, http://www.commondreams.org/view/2010/02/14-6

The hour is late. Leading climate scientists such as James Hansen are literally shouting at the top of their lungs that the world needs to reduce emissions by 20-40% as soon as possible, and 80-90% by the year 2050, if we are to avoid climate chaos, crop failures, endless wars, melting of the polar icecaps, and a disastrous rise in ocean levels. Either we radically reduce CO2 and carbon dioxide equivalent (CO2e, which includes all GHGs, not just CO2) pollutants (currently at 390 parts per million and rising 2 ppm per year) to 350 ppm, including agriculture-derived methane and nitrous oxide pollution, or else survival for the present and future generations is in jeopardy. As scientists warned at Copenhagen, business as usual and a corresponding 7-8.6 degree Fahrenheit rise in global temperatures means that the carrying capacity of the Earth in 2100 will be reduced to one billion people. Under this hellish scenario,billions will die of thirst, cold, heat, disease, war, and starvation.

#### Effective diplomacy and legitimacy are PARALLEL – U.S. legitimacy failure preserves the trend toward regionalism – plan can’t create functional diplomacy, America just gets soft-balanced

Michael J. Mazarr, Professor, National Security Strategy, U.S. National War College, "The Risks of Ignoring Strategic Insolvency," WASHINGTON QUARTERLY v. 35 n. 4, Fall 2012, p. 14-15.

Diplomacy increasingly fails. A parallel risk has to do with the ebbing force of U.S. diplomacy and influence. International power is grounded in legitimacy, and in many ways it is precisely the legitimacy of the leading power’s global posture that is under assault as its posture comes into question. Historically, rising challengers gradually stop respecting the hegemon’s right to lead, and they begin to make choices on behalf of the international community, in part due to strategies consciously designed to frustrate the leading power’s designs. Germany, under Bismarck and after, is one example: It aspired to unification and to its ‘‘rightful place’’ as a leading European power as its power and influence accumulated, its willingness to accept the inherent legitimacy of the existing order as defined by other states, and the validity and force of their security paradigms, declined proportionately. At nearly all points in this trajectory, German leaders did not seek to depose the international system, but to crowd into its leadership ranks, to mute the voices of others relative to its own influence, and to modify rather than abolish rules.¶ We begin to see this pattern today with regard to many emerging powers, but especially of course, China’s posture toward the United States.31 As was predicted and expected in the post-Cold War context of growing regional power centers, the legitimacy of a system dominated by the United States is coming under increasing challenge. More states (and, increasingly, non-state actors) want to share in setting rules and norms and dictating outcomes.¶ The obvious and inevitable result has been to reduce the effectiveness of U.S. diplomacy. While measuring the relative success of a major power’s diplomacy over time is a chancy business (and while Washington continues to have success on many fronts), the current trajectory is producing a global system much less subject to the power of U.S. diplomacy and other forms of influence. Harvard’s Stephen Walt catalogues the enormous strengths of the U.S. position during and after the Cold War, and compares that to recent evidence of the emerging limits of U.S. power. Such evidence includes Turkey’s unwillingness to support U.S. deployments in Iraq, the failure to impose U.S. will or order in Iraq or Afghanistan, failures of nonproliferation in North Korea and Iran, the Arab Spring’s challenges to long-standing U.S. client rulers, and more.32 As emerging powers become more focused on their own interests and goals, their domestic dynamics will become ever more self-directed and less subject to manipulation from Washington, a trend evident in a number of major recent elections.¶ Washington will still enjoy substantial influence, and many states will welcome (openly or grudgingly) a U.S. leadership role. But without revising the U.S. posture, the gap between U.S. ambitions and capabilities will only grow. Continually trying to do too much will create more risk of demands unmet, requests unfulfilled, and a growing sense of the absurdity of the U.S. posture. Such a course risks crisis and conflict. Similarly, doubt in the threats and promises underpinning an unviable U.S. security posture risks conflict: U.S. officials will press into situations assuming that their diplomacy will be capable of achieving certain outcomes and will make demands and lay out ultimatums on that basis only to find that their influence cannot achieve the desired goals, and they must escalate to harsher measures. The alternative is to shift to a lesser role with more limited ambitions and more sustainable legitimacy.

#### Gridlock makes multilat impossible – can’t solve global problems

Held 13, David Professor of Politics and International Relations, at the University of Durham AND Thomas Hale, Postdoctoral Research Fellow at the Blavatnik School of Government, Oxford University AND Kevin Young, Assistant Professor in the Department of Political Science at the University of Massachusetts Amherst, 5/24/13, “Gridlock: the growing breakdown of global cooperation,” <http://www.opendemocracy.net/thomas-hale-david-held-kevin-young/gridlock-growing-breakdown-of-global-cooperation>, CMR

The Doha round of trade negotiations is deadlocked, despite eight successful multilateral trade rounds before it. Climate negotiators have met for two decades without finding a way to stem global emissions. The UN is paralyzed in the face of growing insecurities across the world, the latest dramatic example being Syria. Each of these phenomena could be treated as if it was independent, and an explanation sought for the peculiarities of its causes. Yet, such a perspective would fail to show what they, along with numerous other instances of breakdown in international negotiations, have in common.¶ Global cooperation is gridlocked across a range of issue areas. The reasons for this are not the result of any single underlying causal structure, but rather of several underlying dynamics that work together. Global cooperation today is failing not simply because it is very difficult to solve many global problems---indeed it is---but because previous phases of global cooperation have been incredibly successful, producing unintended consequences that have overwhelmed the problem-solving capacities of the very institutions that created them. It is hard to see how this situation can be unravelled, given failures of contemporary global leadership, the weaknesses of NGOs in converting popular campaigns into institutional change and reform, and the domestic political landscapes of the most powerful countries.

#### Decline key to preventing a war with Russia

Stephen F. Cohen, Professor, Russian and Slavic Studies, NYU, "The New American Cold War," THE NATION, 7--10--06, www.thenation.com/doc/20060710/cohen

If American policy and Russia's predictable countermeasures continue to develop into a full-scale cold war, several new factors could make it even more dangerous than was its predecessor. Above all, the growing presence of Western bases and US-backed governments in the former Soviet republics has moved the "front lines" of the conflict, in the alarmed words of a Moscow newspaper, from Germany to Russia's "near abroad." As a "hostile ring tightens around the Motherland," in the view of former Prime Minister Evgeny Primakov, many different Russians see a mortal threat. Putin's chief political deputy, Vladislav Surkov, for example, sees the "enemy...at the gates," and the novelist and Soviet-era dissident Aleksandr Solzhenitsyn sees the "complete encirclement of Russia and then the loss of its sovereignty." The risks of direct military conflict could therefore be greater than ever. Protesting overflights by NATO aircraft, a Russian general has already warned, "If they violate our borders, they should be shot down." Worsening the geopolitical factor are radically different American and Russian self-perceptions. By the mid-1960s the US-Soviet cold war relationship had acquired a significant degree of stability because the two superpowers, perceiving a stalemate, began to settle for political and military "parity." Today, however, the United States, the self-proclaimed "only superpower," has a far more expansive view of its international entitlements and possibilities. Moscow, on the other hand, feels weaker and more vulnerable than it did before 1991. And in that asymmetry lies the potential for a less predictable cold war relationship between the two still fully armed nuclear states. There is also a new psychological factor. Because the unfolding cold war is undeclared, it is already laden with feelings of betrayal and mistrust on both sides. Having welcomed Putin as Yeltsin's chosen successor and offered him its conception of "partnership and friendship," Washington now feels deceived by Putin's policies. According to two characteristic commentaries in the Washington Post, Bush had a "well-intentioned Russian policy," but "a Russian autocrat...betrayed the American's faith." Putin's Kremlin, however, has been reacting largely to a decade of broken US promises and Yeltsin's boozy compliance. Thus Putin's declaration four years ago, paraphrased on Russian radio: "The era of Russian geopolitical concessions [is] coming to an end." (Looking back, he remarked bitterly that Russia has been "constantly deceived.")

#### Largest nuclear war and extinction

BOSTROM 3 / 8 / 02 Dr. & Professor of Philosophy and Global Studies at YALE – [Dr. Nick, “Existential Risks: Analyzing Human Extinction Scenarios and Related Hazards,” <http://www.transhumanist.com/volume9/risks.html>]

With the exception of a species-destroying comet or asteroid impact (an extremely rare occurrence), there were probably no significant existential risks in human history until the mid-twentieth century, and certainly none that it was within our power to do something about. The first manmade existential risk was the inaugural detonation of an atomic bomb. At the time, there was some concern that the explosion might start a runaway chain-reaction by “igniting” the atmosphere. Although we now know that such an outcome was physically impossible, it qualifies as an existential risk that was present at the time. For there to be a risk, given the knowledge and understanding available, it suffices that there is some subjective probability of an adverse outcome, even if it later turns out that objectively there was no chance of something bad happening. If we don’t know whether something is objectively risky or not, then it is risky in the subjective sense. The subjective sense is of course what we must base our decisions on.At any given time we must use our best current subjective estimate of what the objective risk factors are. A much greater existential risk emerged with the build-up of nuclear arsenals in the US and the USSR. An all-out nuclear war was a possibility with both a substantial probability and with consequences that might have been persistent enough to qualify as global and terminal. There was a real worry among those best acquainted with the information available at the time that a nuclear Armageddon would occur and that it might annihilate our species or permanently destroy human civilization. Russia and the US retain large nuclear arsenals that could be used in a future confrontation, either accidentally or deliberately. There is also a risk that other states may one day build up large nuclear arsenals. Note however that a smaller nuclear exchange, between India and Pakistan for instance, is not an existential risk, since it would not destroy or thwart humankind’s potential permanently. Such a war might however be a local terminal risk for the cities most likely to be targeted. Unfortunately, we shall see that nuclear Armageddon and comet or asteroid strikes are mere preludes to the existential risks that we will encounter in the 21st century.

#### Hegemony fails at resolving conflicts.

Maher 11—PhD candidate in Political Science @ Brown

Richard, Ph.D. candidate in the Political Science department at Brown University, The Paradox of American Unipolarity: Why the United States Will Be Better Off in a Post-Unipolar World, 11/12/2010 Orbis, ScienceDirect

And yet, despite this material preeminence, the United States sees its political and strategic influence diminishing around the world. It is involved in two costly and destructive wars, in Iraq and Afghanistan, where success has been elusive and the end remains out of sight. China has adopted a new assertiveness recently, on everything from U.S. arms sales to Taiwan, currency convertibility, and America's growing debt (which China largely finances). Pakistan, one of America's closest strategic allies, is facing the threat of social and political collapse. Russia is using its vast energy resources to reassert its dominance in what it views as its historical sphere of influence. Negotiations with North Korea and Iran have gone nowhere in dismantling their nuclear programs. Brazil's growing economic and political influence offer another option for partnership and investment for countries in the Western Hemisphere. And relations with Japan, following the election that brought the opposition Democratic Party into power, are at their frostiest in decades. To many observers, it seems that America's vast power is not translating into America's preferred outcomes. As the United States has come to learn, raw power does not automatically translate into the realization of one's preferences, nor is it necessarily easy to maintain one's predominant position in world politics. There are many costs that come with predominance – material, political, and reputational. Vast imbalances of power create apprehension and anxiety in others, in one's friends just as much as in one's rivals. In this view, it is not necessarily *American* predominance that produces unease but rather American *predominance*. Predominance also makes one a tempting target, and a scapegoat for other countries’ own problems and unrealized ambitions. Many a Third World autocrat has blamed his country's economic and social woes on an ostensible U.S. conspiracy to keep the country fractured, underdeveloped, and subservient to America's own interests. Predominant power likewise breeds envy, resentment, and alienation. How is it possible for one country to be so rich and powerful when so many others are weak, divided, and poor? Legitimacy—the perception that one's role and purpose is acceptable and one's power is used justly—is indispensable for maintaining power and influence in world politics. As we witness the emergence (or re-emergence) of great powers in other parts of the world, we realize that American predominance cannot last forever. It is inevitable that the distribution of power and influence will become more balanced in the future, and that the United States will necessarily see its relative power decline. While the United States naturally should avoid hastening the end of this current period of American predominance, it should not look upon the next period of global politics and international history with dread or foreboding. It certainly should not seek to maintain its predominance at any cost, devoting unlimited ambition, resources, and prestige to the cause. In fact, contrary to what many have argued about the importance of maintaining its predominance, America's position in the world—both at home and internationally—could very well be strengthened once its era of preeminence is over. It is, therefore, necessary for the United States to start thinking about how best to position itself in the “post-unipolar” world.

### Brazil

#### No modeling

**Law & Versteeg 12**—Professor of Comparative Constitutional Law @ Washington University & Professor of Comparative Constitutional Law @ University of Virginia [David S. Law & Mila Versteeg, “The Declining Influence of the United States Constitution,” New York University Law Review, Vol. 87, 2012

The appeal of American constitutionalism as a model for other countries appears to be waning in more ways than one. Scholarly attention has thus far focused on global judicial practice: There is a growing sense, backed by more than purely anecdotal observation, that foreign courts cite the constitutional jurisprudence of the U.S. Supreme Court less frequently than before.267 But the behavior of those who draft and revise actual constitutions exhibits a similar pattern. Our empirical analysis shows that the content of the U.S. Constitution is¶ becoming increasingly atypical by global standards. Over the last three decades, other countries have become less likely to model the rights-related provisions of¶ their own constitutions upon those found in the Constitution. Meanwhile, global adoption of key structural features of the Constitution, such as federalism, presidentialism, and a decentralized model of judicial review, is at best stable and at worst declining. In sum, rather than leading the way for global¶ constitutionalism, the U.S. Constitution appears instead to be losing its appeal as¶ a model for constitutional drafters elsewhere. The idea of adopting a constitution may still trace its inspiration to the United States, but the manner in which constitutions are written increasingly does not. If the U.S. Constitution is indeed losing popularity as a model for other countries, what—or who—is to blame? At this point, one can only speculate as to the actual causes of this decline, but four possible hypotheses suggest themselves: (1) the advent of a superior or more attractive competitor; (2) a general decline in American hegemony; (3) judicial parochialism; (4) constitutional obsolescence; and (5) a creed of American exceptionalism. With respect to the first hypothesis, there is little indication that the U.S. Constitution has been displaced by any specific competitor. Instead, the notion that a particular constitution can serve as a dominant model for other countries may itself be obsolete. There is an increasingly clear and broad consensus on the types of rights that a constitution should include, to the point that one can articulate the content of a generic bill of rights with considerable precision.269 Yet it is difficult to pinpoint a specific constitution—or regional or international human rights instrument—that is clearly the driving force behind this emerging paradigm. We find only limited evidence that global constitutionalism is following the lead of either newer national constitutions that are often cited as influential, such as those of Canada and South Africa, or leading international and regional human rights instruments such as the Universal Declaration of Human Rights and the European Convention on Human Rights. Although Canada in particular does appear to exercise a quantifiable degree of constitutional influence or leadership, that influence is not uniform and global but more likely reflects the emergence and evolution of a shared practice of constitutionalism among common law countries.270 Our findings suggest instead that the development of global constitutionalism is a polycentric and multipolar¶ process that is not dominated by any particular country.271 The result might be likened to a global language of constitutional rights, but one that has been collectively forged rather than modeled upon a specific constitution. Another possibility is that America’s capacity for constitutional leadership is at least partly a function of American “soft power” more generally.272 It is reasonable to suspect that the overall influence and appeal of the United States and its institutions have a powerful spillover effect into the constitutional arena. The popularity of American culture, the prestige of American universities, and the efficacy of American diplomacy can all be expected to affect the appeal of American constitutionalism, and vice versa. All are elements of an overall American brand, and the strength of that brand helps to determine the strength of each of its elements. Thus, any erosion of the American brand may also diminish the appeal of the Constitution for reasons that have little or nothing to do with the Constitution itself. Likewise, a decline in American constitutional influence of the type documented in this Article is potentially indicative of a broader decline in American soft power. There are also factors specific to American constitutionalism that may be¶ reducing its appeal to foreign audiences. Critics suggest that the Supreme Court has undermined the global appeal of its own jurisprudence by failing to acknowledge the relevant intellectual contributions of foreign courts on questions of common concern,273 and by pursuing interpretive approaches that lack acceptance elsewhere.274 On this view, the Court may bear some responsibility for the declining influence of not only its own jurisprudence, but also the actual U.S. Constitution: one might argue that the Court’s approach to constitutional issues has undermined the appeal of American constitutionalism more generally, to the point that other countries have become unwilling to look either to American constitutional jurisprudence or to the U.S. Constitution itself for inspiration.275 It is equally plausible, however, that responsibility for the declining appeal of American constitutionalism lies with the idiosyncrasies of the Constitution itself rather than the proclivities of the Supreme Court. As the oldest formal constitution still in force, and one of the most rarely amended constitutions in the world,276 the U.S. Constitution contains relatively few of the rights that have become popular in recent decades,277 while some of the provisions that it does contain may appear increasingly problematic, unnecessary, or even undesirable with the benefit of two hundred years of hindsight.278 It should therefore come as little surprise if the U.S. Constitution¶ strikes those in other countries–or, indeed, members of the U.S. Supreme Court279–as out of date and out of line with global practice.280 Moreover, even if the Court were committed to interpreting the Constitution in tune with global fashion, it would still lack the power to update the actual text of the document. Indeed, efforts by the Court to update the Constitution via interpretation may actually reduce the likelihood of formal amendment by rendering such amendment unnecessary as a practical matter.281 As a result, there is only so much that the U.S. Supreme Court can do to make the U.S. Constitution an¶ attractive formal template for other countries. The obsolescence of the Constitution, in turn, may undermine the appeal of American constitutional jurisprudence: foreign courts have little reason to follow the Supreme Court’s lead on constitutional issues if the Supreme Court is saddled with the interpretation of an unusual and obsolete constitution.282 No amount of ingenuity or solicitude for foreign law on the part of the Court can entirely divert attention from the fact that the Constitution itself is an increasingly atypical document. One way to put a more positive spin upon the U.S. Constitution’s status as a global outlier is to emphasize its role in articulating and defining what is unique about American national identity. Many scholars have opined that formal constitutions serve an expressive function as statements of national identity.283 This view finds little support in our own empirical findings, which suggest instead that constitutions tend to contain relatively standardized packages of rights.284 Nevertheless, to the extent that constitutions do serve such a function, the distinctiveness of the U.S. Constitution may simply reflect the uniqueness of America’s national identity. In this vein, various scholars have argued that the U.S. Constitution lies at the very heart of an “American creed of exceptionalism,” which combines a belief that the United States occupies a unique position in the world with a commitment to the qualities that set the United States apart from other countries.285 From this perspective, the Supreme Court’s reluctance to make use of foreign and international law in constitutional cases amounts not to parochialism, but rather to respect for the exceptional character of the nation and its constitution.286 Unfortunately, it is clear that the reasons for the declining influence of American constitutionalism cannot be reduced to anything as simple or attractive as a longstanding American creed of exceptionalism. Historically, American exceptionalism has not prevented other countries from following the example set by American constitutionalism. The global turn away from the American model is a relatively recent development that postdates the Cold War. If the U.S. Constitution does in fact capture something profoundly unique about the United States, it has surely been doing so for longer than the last thirty years. A complete explanation of the declining influence of American constitutionalism in other countries must instead be sought in more recent history, such as the wave of constitution-making that followed the end of the Cold War.287 During this period, America’s newfound position as lone superpower might have been expected to create opportunities for the spread of American constitutionalism. But this did not come to pass. Once global constitutionalism is understood as the product of a polycentric evolutionary process, it is not difficult to see why the U.S. Constitution is playing an increasingly peripheral role in that process. No evolutionary process favors a specimen that is frozen in time. At least some of the responsibility for the declining global appeal of American constitutionalism lies not with the Supreme Court, or with a broader penchant for exceptionalism, but rather with the static character of the Constitution itself. If the United States were to revise the Bill of Rights today—with the benefit of over two centuries of experience, and in a manner that addresses contemporary challenges while remaining faithful to the nation’s best traditions—there is no guarantee that other countries would follow its lead. But the world

#### Their entire article is also about nuclear SUBS, not WEAPONS – they’re already being built

Ghoshal 2013

[Debalina, fellow @ the Centre for Air Power Studies,

8/20, http://www.gatestoneinstitute.org/3941/nuclear-brazil]

Brazil, a party to the Non Proliferation Treaty, is reportedly planning to develop indigenously a nuclear-propulsion system: the nation's first submarine is expected to be operational by 2017; its first nuclear submarine by 2023.[1] If Brazil develops a nuclear submarine, it would be South America's first,[2] and enable Brazil to project itself as a "developed country with sophisticated industry capable of absorbing, mastering and using advanced technologies."[3]

#### Brazil’s neighbors cannot afford an arms race

Jordan Seng (University of Chicago) June, 1998 “Strategy for Pandora’s Children: Stable Nuclear Proliferation Among Minor States” online

Potential costs of arms are likely to strongly encourage Third World states to avoid arms races, all the more so because arms buildups are not likely to have significant security payoffs. In chapter two we discussed the primary cost constraints on Third World proliferators in terms of unilateral nuclear arsenal buildup. I concluded that financial costs can be a significant factor in constraining arsenal size and that they will definitely restrict the rate at which arsenals can grow. Whereas primary costs of even unilateral buildup are prohibitively large, financial outlays could be expected to skyrocket in a nuclear arms race, and therefore potential costs would be all the more prohibitive. Discussion of arms race expenses has peppered nuclear competition in both Argentina-Brazil and Pakistan-India, and may indeed have influenced prohibitive cost calculations in those places.24

#### No Asian military conflict – nations won’t choose force, economic interdependence

Alagappa, ‘8 **[**Muthia, Distinguished Senior Fellow at the East-West Center, “The Long Shadow”]

Despite this, the role of force in Asian international politics is **becoming** more **limited** due to a number of developments. First, the traditional need for force to protect the territorial integrity of states has **declined** in importance. With few exceptions (Taiwan, North Korea, and South Korea) state survival is not problematic. The Asian political map is for the most part internationally accepted, although some boundaries are still in dispute. Such disputes are being settled through negotiations or shelved in the interest of promoting better bilateral relations (Wang 2003). Second, the political, diplomatic, strategic, military, and economic cost of using force has **increased dramatically.** Over the past several decades, a normative framework has developed in Asia that delegitimizes the use of force to invade and occupy another country or to annex territory that is internationally recognized as belonging to another state. The use of force to invade and occupy another country or to annex territory will incur high costs. For example, if China were to invade Taiwan without serious provocation, it can expect civil and military resistance in Taiwan, U.S. military intervention, international condemnation, and a setback to its image as a responsible power. Such action would also incur huge economic costs resulting from international and domestic disruptions. Unless military action were swift and surgical, it would also result in substantial physical damage that would only increase as Asian countries continued to modernize and urbanize. Further, military action that is not successful can have negative domestic political consequences as well. Third, most Asian countries benefit from participation in the regional and global capitalist marketplace. The 1997-98 financial crisis sensitized Asian countries to the vagaries and negative consequences of globalization but did not turn them away from liberalization and participation in the global economy. Preserving international stability has become a key goal of major powers. Economic growth, modernization, and growing economic interdependence have increased the cost of the force option and restrained the behavior of states even when major political issues are at stake, as for example in cross-Strait relations. Economic interdependence does not close the force option in all cases, but the **high costs of economic disruption** can **restrain military action**. Further, force is no longer relevant for the attainment of economic goals such as access to resources, labor, and markets. Energy security, for example, is sought through the market, national stockpiling, and sourciriK arrangements Finally, resolution of existing disputes through the use of force is not practical. Except for the United States, none of the Asian states can marshal the necessary military power to impose a settlement by force. The experience in Iraq and Afghanistan suggests that even the United States suffers limitations and that the use of force carries much risk. These considerations explain the reluctance of the United States to undertake preventive action against North Korea, the reluctance of China to carry out its threat of using force to unify Taiwan with the PRC, and the continuing stalemate in the India-Pakistan conflict over Kashmir. Force may still be used in these cases, but the attendant strategic, political, diplomatic, and economic costs and risks are high.

#### --Asian war is unlikely --- all potential conflicts are solved by regional stability initiatives throughout the region

Bitzinger & Desker, 8 – senior fellow and dean of S. Rajaratnam School of International Studies respectively (Richard A. Bitzinger, Barry Desker, “Why East Asian War is Unlikely,” Survival, December 2008, http://pdfserve.informaworld.com-/678328\_731200556\_906256449.pdf)

The Asia-Pacific region can be regarded as a zone of both relative insecurity and strategic stability. It contains some of the world’s most significant flashpoints – the Korean peninsula, the Taiwan Strait, the Siachen Glacier – where tensions between nations could escalate to the point of major war. It is replete with unresolved border issues; is a breeding ground for transnationa terrorism and the site of many terrorist activities (the Bali bombings, the Manila superferry bombing); and contains overlapping claims for maritime territories (the Spratly Islands, the Senkaku/Diaoyu Islands) with considerable actual or potential wealth in resources such as oil, gas and fisheries. Finally, the Asia-Pacific is an area of strategic significance with many key sea lines of communication and important chokepoints. Yet despite all these potential crucibles of conflict, the Asia-Pacific, if not an area of serenity and calm, is certainly more stable than one might expect. To be sure, there are separatist movements and internal struggles, particularly with insurgencies, as in Thailand, the Philippines and Tibet. Since the resolution of the East Timor crisis, however, the region has been relatively free of open armed warfare. Separatism remains a challenge, but the break-up of states is unlikely. Terrorism is a nuisance, but its impact is contained. The North Korean nuclear issue, while not fully resolved, is at least moving toward a conclusion with the likely denuclearisation of the peninsula. Tensions between China and Taiwan, while always just beneath the surface, seem unlikely to erupt in open conflict any time soon, especially given recent Kuomintang Party victories in Taiwan and efforts by Taiwan and China to re-open informal channels of consultation as well as institutional relationships between organisations responsible for cross-strait relations. And while in Asia there is no strong supranational political entity like the European Union, there are many multilateral organisations and international initiatives dedicated to enhancing peace and stability, including the Asia-Pacific Economic Cooperation (APEC) forum, the Proliferation Security Initiative and the Shanghai Co-operation Organisation. In Southeast Asia, countries are united in a common eopolitical and economic organisation – the Association of Southeast Asian Nations (ASEAN) – which is dedicated to peaceful economic, social and cultural development, and to the promotion of regional peace and stability. ASEAN has played a key role in conceiving and establishing broader regional institutions such as the East Asian Summit, ASEAN+3 (China, Japan and South Korea) and the ASEAN Regional Forum. All this suggests that war in Asia – while not inconceivable – is unlikely.

#### No scenario for war in Asia­—definitely wouldn’t go nuclear

**SAAG 2012** (SAAG is the South Asia Analysis Group, a non-profit, non-commercial think tank. The objective of SAAG is to advance strategic analysis and contribute to the expansion of knowledge of Indian and International security and promote public understanding, "An India-China Military Conflict? – Analysis," 2-10-12, www.eurasiareview.com/10022012-an-india-china-military-conflict-analysis/, accessed 2-12-12, CMR)

Today, the scenario is different. The PLA is not prepared to fight a revolutionary war where giving up one’s life for the communist party was a matter of pride. It has not fought a battle for more than 30 years. Even the PLA’s fight against terrorism against small bands of Uighur separatists in Xinjiang does not show any special expertise. At the same time there is the PLA’s significant advancement in the areas of armaments, information supported warfare, and tri-services coordination. India’s military planners have been assessing these developments. A nuclear warfare in a limited confrontation is not in the calculations of military planning. That is a separate aspect. Despite China’s naval projection in the Indian Ocean and offer from Seychelles to open a naval base (obviously as a repayment to Chinese aid), an India-China confrontation on the high seas is a **distant speculation**. This, unless China perceives India’s Look East policy is conflicting seriously with China’s territorial claims in the South China Sea.

#### No Asia War

**Vannarith 10**—Executive Director of the Cambodian Institute for Cooperation and Peace. PhD in Asia Pacific Studies, Ritsumeikan Asia Pacific U (Chheang, Asia Pacific Security Issues: Challenges and Adaptive Mechanism, <http://www.cicp.org.kh/download/CICP%20Policy%20brief/CICP%20Policy%20brief%20No%203.pdf>, AMiles)

Some people look to China for economic and strategic interests while others still stick to the US. Since, as a human nature, change is not widely acceptable due to the high level of uncertainty. It is therefore logical to say that most of the regional leaders prefer to see the status quo of security architecture in the Asia Pacific Region in which US is the hub of security provision. But it is impossible to preserve the status quo since China needs to strategically outreach to the wider region in order to get necessary resources especially energy and raw materials to maintain her economic growth in the home country. It is understandable that China needs to have stable high economic growth of about 8 percent GDP growth per year for her own economic and political survival. Widening development gap and employment are the two main issues facing China. Without China, the world will not enjoy peace, stability, and development. China is the locomotive of global and regional economic development and contributes to global and regional peace and stability. It is understandable that China is struggling to break the so-called containment strategy imposed by the US since the post Cold War. Whether this tendency can lead to the greater strategic division is still unknown. Nevertheless, many observers agree that whatever changes may take place, a multi-polar world and multilateralism prevail. The reasons or logics supporting multilateralism are mainly based on the fact that no one country can really address the security issues embedded with international dimension, no one country has the capacity to adapt and adopt to new changes alone, and it needs cooperation and coordination among the nation states and relevant stakeholders including the private sector and civil societies. Large scale interstate war or armed conflict is **unthinkable** in the region due to the high level of interdependency and democratization. It is believed that economic interdependency can reduce conflicts and prevent war. Democracy can lead to more transparency, accountability, and participation that can reduce collective fears and create more confidence and trust among the people in the region. In addition, globalism and regionalism are taking the center stage of national and foreign policy of many governments in the region except North Korea. The combination of those elements of peace is necessary for peace and stability in the region and those elements are **present and being improved in this region.**

# 2NC

## CP

### Avoids CP

#### Institutional change avoids politics

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

Before getting into the substance of the proposals, it is worth taking up a criticism that might be present off the bat. Aren't all proposals for bureaucratic reform bedeviled by the very forces that promote legislative inertia? If Congress can't be motivated to regulate any particular aspect of the legal war on terror, then how can it be expected to regulate anything more far-reaching? The answer lies in the fact that sometimes broad design choices are easier to impose by fiat than are specific policies.23 ¶ Any given policy proposal can get mired in a competition of special interests; indeed, that danger leads many to prefer executive action. Institutional design changes differ from these specific policy proposals because they cut across a plethora of interest groups and because the effects on constituencies are harder to assess due to the multiplicity of changes. The benefits of faction that Madison discussed in The Federalist No. 51 therefore arise; multitudes of interest groups find things to embrace in the system change. It is therefore not surprising that at the same time that Congress dropped the ball overseeing the legal war on terror it enacted the most sweeping set of changes to the executive branch in a half-century in the form of the Homeland Security Act of 2002.4 Indeed, as we shall see, that Act provides an object lesson: Design matters. And by altering bureaucratic arrangements, stronger internal checks can emerge

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

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

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

## Modeling

### No Impact Brazil

#### No impact to LA conflict

**Perez-Linan, prof @ Pitt, 7** [Aníbal Pérez-Liñán is associate professor of political science at the University of Pittsburgh, “Presidential Impeachment and the New Political Instability in Latin America,” http://www.cup.cam.ac.uk/us/catalogue/catalogue.asp?isbn=9780521178495&ss=fro]

The 1990s were an era of great hopes for Latin America. After the demise of authoritarian regimes in the 1980s and the early 1990s, major economic reforms were undertaken in most Latin American countries in order to reduce chronic inflation and promote sustained growth. For many contemporary observers, the confluence of democracy and free markets signaled a break with the past, the dawn of a new era of civil liberties, prosperity, and political stability. More than a decade later, it is hard to look back at this period without a mixture of nostalgia and sarcasm. The legacies of the 1990s varied from country to country, but they can be generally described as notable achievements overshadowed by missed opportunities. In the economic realm, hyperinflation was eventually defeated, but economic growth remained elusive and poverty resilient. In the political arena, the military eventually withdrew from politics (not a minor feat), but elected governments, surprisingly, continued to collapse. Starting in the early 1990s, presidents were removed from office in Brazil, Venezuela, Guatemala, Ecuador, Paraguay, Peru, Argentina, and Bolivia – in some countries recurrently. This outcome frequently represented the triumph of an indignant society over a corrupt or abusive executive, but it seldom prevented the occurrence of new abuses in later administrations. By the early years of the twenty-first century, it was clear that the particular circumstances of each crisis represented only parts of a broader puzzle – a new pattern of political instability emerging in the region. This book explores the origins and the consequences of this novel pattern of instability, emphasizing the critical events that defined the new trend between 1992 and 2004. During this period, civilian elites realized that traditional military coups had become for the most part unfeasible and experimented with the use of constitutional instruments to remove unpopular presidents from office. Presidential impeachment thus became a distinctive mark of the new political landscape in Latin America. The recurrence of presidential crises without democratic breakdown **challenged many dominant views among political scientists**. Latin American democracies proved to be **simultaneously enduring and unstable**, willing to punish presidential corruption but unable to prevent it, and responsive to popular demands only in the context of massive protests and widespread frustration. My attempts to understand these facts initially relied on well-delimited theoretical perspectives that proved rather disappointing, and I was forced to embark on a long exploration across the disciplinary boundaries of political sociology, communication, political behavior, institutional analysis, democratization, and the study of social movements. Others who have studied these topics more thoroughly than I may be reluctant to recognize their subject in the chapters that follow, but I hope that they will forgive my intrusion. In the course of this exploration I have wandered through the academic fields of many colleagues and collected a large number of intellectual debts along the way.

## Cred

### 2NC soft-balancing – concession of “hard power inevitable”

#### 2AC uniqueness concessions disable the aff’s offense – we’re making a strategic choice based on the constructives, protect us from new rebuttal spin

#### American hard power is a durable alt-cause – overshadows aff’s benevolent signal

Christopher Layne (Associate Professor in the Bush School of Government and Public Service at Texas A&M University) 2007 “American Empire: A Debate” p 68

Doubtless, American primacy has its dimension of benevolence, but a state as powerful as the United States can never be benevolent enough to offset the fear that other states have of its unchecked power. In international politics, benevolent hegemons are like unicorns—there is no such animal. Hegemons love themselves, but others mistrust and fear them—and for good reason. In today's world, others dread both the overconcentration of geopolitical weight in America's favor and the purposes for which it may be used. After all,"Nogreat power has a monopoly on virtue and, although some may have a greatdeal more virtue than others, virtue imposed on others is not seen as such bythem. All great powers are capable of exercising a measure of self-restraint, butthey are tempted not to and the choice to practice restraint is made easier by theexistence of countervailing power and the possibility of it being exercised." While Washington's self-proclaimed benevolence is inherently ephemeral, the hard fist of American power is tangible. Others must worry constantly that ifU.S. intentions change, bad things may happen to them. In a one-superpower world, the overconcentration of power in America's hands is an omnipresent challenge to other states's ecurity, and Washington's ability to reassure others of its benevolence is limited by the very enormity of its power.

#### Self-restrictions can’t change the minds of allies

Christopher Layne (Associate Professor in the Bush School of Government and Public Service at Texas A&M University) 2006 “The Peace of Illusions” p 142

Finally, just because the United States is a democracy doesn't mean that others won't fear its hegemonic power. When important geopolitical interests are on the line, realpolitik, not regime type, determines great power policies. The fact that U.S. power is unbalanced—and that Washington is so little constrained—means that, whenever it believes its interests dictate, the United States can throw the purported constrictures of democratic benevolence out the window and act as hegemon typically have acted. Indeed, since the end of the cold war, the nature, and scope, of America's hegemonic ambitions have become increasingly apparent even to its liberal democratic allies. The post cold war policies of the United States have caused other states to have second thoughts about whether it really is a status quo power. And the fact that the United States is a democratic hegemon does nothing to cause nondemocratic states (either second-tier major powers or lesser-ranking regional powers) to regard the United States as a benevolent hegemon.

### 2NC region’zm – warming

#### U.S.-led warming push fails – trades off with regional solutions without creating a sustainable market

Michael Levi, Senior Fellow, Energy and Envirronment et al., "Globalizing the Energy Revolution," FOREIGN AFFAIRS, November/December 2010, ASP.

The success of other nations in clean energy does not imply U.S. failure. The United States can benefit greatly from clean-energy innovation around the world, so long as it also pursues its own robust efforts at home. Each major economy has its own natural advantages when it comes to energy technology innovation and development. An enlightened U.S. strategy should aim to create a global innovation environment that weaves together those distinct strengths in pursuit of common energy goals. Not everyone will like every part of the package. Some U.S. firms will chafe at efforts that might help competitors in the developing world. Some emerging economies will resist opening up their markets to those same U.S. firms. Only by enlarging clean-energy markets can everyone enjoy a bigger piece of the pie. The alternative is not a world in which the United States dominates the clean-energy field alone, or even one in which another country solves the United States' problems for it. It is more likely to be one in which the cost of clean energy does not drop as quickly as needed, particularly in the developing world, and in which massive markets for clean-energy technologies do not materialize. In that case, the United States and the world will both lose.

### AT: Multilat---2NC---Fails

#### Failure inevitable, regardless of their internal link

Barma et al., 13 (Naazneen, assistant professor of national-security affairs at the Naval Postgraduate School; Ely Ratner, a fellow at the Center for a New American Security; and Steven Weber, professor of political science and at the School of Information at the University of California, Berkeley, March/April 2013, “The Mythical Liberal Order,” The National Interest, <http://nationalinterest.org/print/article/the-mythical-liberal-order-8146>)

Assessed against its ability to solve global problems, the current system is falling progressively further behind on the most important challenges, including financial stability, the “responsibility to protect,” and coordinated action on climate change, nuclear proliferation, cyberwarfare and maritime security. The authority, legitimacy and capacity of multilateral institutions dissolve when the going gets tough—when member countries have meaningfully different interests (as in currency manipulations), when the distribution of costs is large enough to matter (as in humanitarian crises in sub-Saharan Africa) or when the shadow of future uncertainties looms large (as in carbon reduction). Like a sports team that perfects exquisite plays during practice but fails to execute against an actual opponent, global-governance institutions have sputtered precisely when their supposed skills and multilateral capital are needed most. ¶ WHY HAS this happened? The hopeful liberal notion that these failures of global governance are merely reflections of organizational dysfunction that can be fixed by reforming or “reengineering” the institutions themselves, as if this were a job for management consultants fiddling with organization charts, is a costly distraction from the real challenge. A decade-long effort to revive the dead-on-arrival Doha Development Round in international trade is the sharpest example of the cost of such a tinkering-around-the-edges approach and its ultimate futility. Equally distracting and wrong is the notion held by neoconservatives and others that global governance is inherently a bad idea and that its institutions are ineffective and undesirable simply by virtue of being supranational. ¶ The root cause of stalled global governance is simpler and more straightforward. “Multipolarization” has come faster and more forcefully than expected. Relatively authoritarian and postcolonial emerging powers have become leading voices that undermine anything approaching international consensus and, with that, multilateral institutions. It’s not just the reasonable demand for more seats at the table. That might have caused something of a decline in effectiveness but also an increase in legitimacy that on balance could have rendered it a net positive.¶ Instead, global governance has gotten the worst of both worlds: a decline in both effectiveness and legitimacy. The problem is not one of a few rogue states acting badly in an otherwise coherent system. There has been no real breakdown per se. There just wasn’t all that much liberal world order to break down in the first place. The new voices are more than just numerous and powerful. They are truly distinct from the voices of an old era, and they approach the global system in a meaningfully different way.¶

### No War 2nc

#### No heg impact – interdependence checks - alarmist predictions empirically inaccurate and only make conflict more likely

Cox 12 – Prof Emeritus @ London School of Economics

Michael, “Power Shifts, Economic Change and the Decline of the West?”, International Relations 2012 26: 369, CMR

I draw two other very important conclusions from the foregoing analysis. The first ¶ concerns the lessons we should be drawing from the past. Here, the Cold War looms ¶ large in my thinking. I am not naïve enough to think that it would have been easy to have ¶ avoided some form of competition between the United States and the USSR after World ¶ War II. But **there is little doubt** either **that Western** worst case thinking **based on** exaggerated fears **of a rising Soviet Union did make** the **conflict far more intense and long lasting** ¶ than it might have been otherwise. In the same way, though in a very different context ¶ involving a very different kind of state, **there is a very real danger** today that **if** the **policymakers** and analysts **begin to talk up Chinese strengths without recognizing** its very real ¶ **limits**, **they could** easily **end up creating** yet **a**nother **security dilemma**.107¶ This brings me in turn to the future. As I earlier suggested, **too much of what has** ¶ **become the new mantra predicting a**n almost inevitable **revolution in world politics, with** ¶ **one part of world declining and another rising, is based on the altogether questionable** ¶ **notion** that **we can easily know what the world** and the world economy **is going to look** ¶ **like in 5, 10, 15 or** nearly **50 years** time. **We need to be** a bit **more circumspect**. After all, ¶ only a few years **before the end of the Cold War, it was predicted** that **the USSR would** ¶ **remain the same** – and it did not. **It was then predicted** that **Japan would become ‘number** ¶ **one’ in the world** – and **its financial system collapsed**. And **in 2005, the then head of the** ¶ **Federal Reserve** in the United States **told policy-makers** in the United States **that the** ¶ **market could never fail** – and **it did**, rather dramatically only **3 years later**. The conclusion ¶ to be drawn is obvious: why should we be any more confident today when economists ¶ and pundits tell us that the rise of the BRICs is a foregone conclusion and that it is only ¶ matter of time before China (like Japan before it) becomes number one?¶ Finally, I want to make a plea here for a far more subtle theory of the modern international system. **Too many writers** over the past few years **have talked of the world as if it** ¶ **were like a series of billiard balls** banging up against each other **in some zero-like contest** ¶ **in which states and regions in one part of the world rise, while others in other parts of the** ¶ **world fall.** **This** might make perfect sense to some realists.108 However, it **ignores** just ¶ about everything else, including **the** fairly **self-evident fact** that **the modern international** ¶ **economy is now so interdependent** that **even if we accepted** the perfectly reasonable idea ¶ that **certain states can make relative gains** here at the expense of other states there, in the ¶ end, **most states** – including most obviously the United States and China – **have become** ¶ **entirely dependent on each other for** their **prosperity and security**. To this degree, **we no** ¶ **longer live in a world composed of** clearly specified **friends and** well-defined **enemies**, ¶ **but rather in one where partnership has become a necessity**. Once upon a time, this way ¶ of looking at the world was branded by its critics as liberal idealism. In the twenty-first ¶ century, it has, in my view, become the highest form of realism.

### Indict – Brooks et al. 13

#### Brooks, Wohlforth, and Ikenberry wrong – bad scholarship, lack of causation, balancing, and nukes check

Walt ’13 – Robert and Renée Belfer professor of international relations at Harvard University (Stephen, “More or less: The debate on U.S. grand strategy”, <http://walt.foreignpolicy.com/posts/2013/01/02/more_or_less_the_debate_on_us_grand_strategy>, CMR)

If you'd like to start 2013 by sinking your teeth into the debate on U.S. grand strategy, I recommend you start with two pieces in the latest issue of Foreign Affairs. Both are by good friends of mine, and together they nicely limn the contours of a useful debate on America's global role. It's also worth noting that there are realists on both sides of this particular exchange, which reminds us that agreement on fundamental principles doesn't necessarily yield agreement on policy conclusions.¶ The first piece is Barry Posen's "Pull Back: The Case for a Less Activist Foreign Policy," and the second is Stephen Brooks, John Ikenberry, and William Wohlforth's "Lean Forward: In Defense of American Engagement." (A longer version of the B, I & W argument can be found in the latest issue of International Security; Posen's argument is outlined at length in a forthcoming book.)¶ Dedicated readers of this blog know that I am largely in agreement with Posen's position, so I'm going to focus today on what I find lacking in B, I & W. Like all of their work, it's vigorously argued and the longer version is richly documented. But all those footnotes cannot save it from some serious weaknesses.¶ First, B, I, & W straw-man their target by lumping together a group of strategic thinkers whose differences are at least as significant as their points of agreement. The "proponents of retrenchment" that they criticize range from libertarian isolationists who want to bring virtually all US forces home to "offshore balancers" like Posen who support a robust but less extravagant defense budget and favor not isolationism but merely more limited forms of international engagement. Needless to say, there is a world of difference in these views (even if both are broadly in favor of doing less), and so many of B, I & W's broad-brush charges miss their mark.¶ Second, there is something deeply puzzling about B, I & W's devotion to what Ikenberry used to called "liberal hegemony," and what he and his co-authors now prefer to call "deep engagement." B, I & W argue that deep engagement has been America's grand strategy since World War II and they believe it was the optimal strategy for the bipolar Cold War, when the United States faced a global threat from a major great-power rival. Not only was the USSR a formidable military power, but it was also an ideological rival whose Marxist-Leninist principles once commanded millions of loyal followers around the world.¶ Here's the puzzle: the Soviet Union disappeared in 1992, and no rival of equal capacity has yet emerged. Yet somehow "deep engagement" is still the optimal strategy in these radically different geopolitical circumstances. It's possible that U.S. leaders in the late 1940s hit on the ideal grand strategy for any and all structural conditions, but it is surely odd that an event as significant as the Soviet collapse can have so few implications for how America deals with the other 190-plus countries around the globe.¶ Third, B, I, & W give "deep engagement" full credit for nearly all the good things that have occurred internationally since 1945 (great power peace, globalization, non-proliferation, expansion of trade, etc.), even though the direct connection between the strategy and these developments remains contested. More importantly, they absolve the strategy from most if not all of the negative developments that also took place during this period. They recognize the events like the Indochina War and the 2003 war in Iraq were costly blunders, but they regard them as deviations from "deep engagement" rather than as a likely consequence of a strategy that sees the entire world as of critical importance and the remaking of other societies along liberal lines as highly desirable if not strategically essential.¶ The problem, of course, is that U.S. leaders can only sell deep engagement by convincing Americans that the nation's security will be fatally compromised if they do not get busy managing the entire globe. Because the United States is in fact quite secure from direct attack and/or conquest, the only way to do that is by ceaseless threat-mongering, as has been done in the United States ever since the Truman Doctrine, the first Committee on the Present Danger and the alarmist rhetoric of NSC-68. Unfortunately, threat-mongering requires people in the national security establishment to exaggerate U.S. interests more-or-less constantly and to conjure up half-baked ideas like the domino theory to keep people nervous. And once a country has talked itself into a properly paranoid frame of mind, it inevitably stumbles into various quagmires, as the United States did in Vietnam, Iraq, and Afghanistan. Again, such debacles are not deviations from "deep engagement"; they are a nearly inevitable consequence of it.¶ Fourth, B, I, & W largely ignore the issue of opportunity cost. Advocates of restraint like Posen (and myself) are not saying that the United States cannot afford to intervene in lots of overseas venues, they are saying that the United States would be better off with a smaller set of commitments and a more equitable division of labor between itself and its principal allies. If the United States were not spending more than more of the world combined on "deep engagement," it could invest more in infrastructure here at home, lower taxes, balance budgets more easily, provide more generous health or welfare benefits, or do whatever combination of the above the public embraced.¶ Fifth, B, I, & W argue that deep engagement works because hardly anybody is actively trying to balance American power. In their view, most of the world likes this strategy, and is eager for Washington to continue along the same path. On the one hand, this isn't that surprising: why shouldn't NATO countries or Japan prefer a world where they can spend 1-2% of GDP on defense while Uncle Sucker shoulders the main burden? More importantly, advocates of restraint believe doing somewhat less would encourage present allies to bear a fairer share of the burden, and also discourage some of them from adventurist behavior encouraged by excessive confidence in U.S. protection (which Posen terms "reckless driving"). If the U.S. played hard-to-get on occasion, it would discover that some of its allies would do more both to secure their own interests and to remain eligible for future U.S. help. Instead of bending over backwards to convince the rest of the world that the United States is 100 percent reliable, U.S. leaders should be encouraging other states to bend over backwards to convince us that they are worth supporting.¶ Moreover, even if most of the world isn't balancing U.S. power, the parts that are remain troublesome. For instance, "deep engagement" in the Middle East has produced some pretty vigorous balancing behavior, in the form of Iraq and Iran's nuclear programs, Tehran's support for groups such as Hezbollah, and the virulent anti-Americanism of Al Qaeda. Indeed, the more deeply engaged we became in the region (especially with the onset of "dual containment" following the first Gulf War), the more local resistance we faced. Ditto our "deep engagement" in Iraq and Afghanistan. And given that those two wars may have cost upwards of $3 trillion, it seems clear that at least a few people have "balanced" against the United States with a certain amount of success.¶ Sixth, reading B, I, & W, one would hardly know that the nuclear revolution had even occurred. Nuclear weapons are not very useful as instruments of coercion, but they do make their possessors largely unconquerable and thus reduce overall security requirements considerably. Because the United States has a second-strike capability sufficient to devastate any country foolish enough to attack us, the core security of the United States is not in serious question. The presence of nuclear weapons in the hands of eight other countries also makes a conventional great power war like World War I or World War II exceedingly unlikely. Yet despite this fundamental shift in the global strategic environment, B, I & W believe the United States must remain "deeply engaged" in Europe, Asia, and elsewhere in order to prevent a replay of the first half of the 20th century.¶ To repeat: most of the strategists who reject "deep engagement/liberal hegemony" do not call for isolationism, a retreat to Fortress America, or a slash-and-burn approach to defense spending. On the contrary: they favor continued U.S. engagement, albeit in a more restrained, highly selective, and strategically sustainable way. They believe the United States should seek to maintain favorable balances of power in key regions, but that it does not need to provide all the military muscle itself and certainly should not try to dictate or control the political evolution of these areas with military force. They believe this approach would preserve core U.S. interests at an acceptable cost, and would be far better suited to the current distribution of global power.¶ "Deep engagement" might have been a good strategy for the Cold War, though even that proposition is debatable. But as you may have noticed, the Cold War is now over. Isn't it about time that U.S. grand strategy caught up with that fact?

# 1NR

### O/V

#### Even if diversionary theory is wrong, decline acts as a conflict magnifier and turns every impact

Harris and Burrows 9 Mathew, PhD European History @ Cambridge, counselor of the U.S. National Intelligence Council (NIC) and Jennifer Burrows, member of the NIC’s Long Range Analysis Unit “Revisiting the Future: Geopolitical Effects of the Financial Crisis” http://www.ciaonet.org/journals/twq/v32i2/f\_0016178\_13952.pdf

Of course, the report encompasses more than economics and indeed believes the future is likely to be the result of a number of intersecting and interlocking forces. With so many possible permutations of outcomes, each with ample Revisiting the Future opportunity for unintended consequences, there is a growing sense of insecurity. Even so, history may be more instructive than ever. While we continue to believe that the Great Depression is not likely to be repeated, the lessons to be drawn from that period include the harmful effects on fledgling democracies and multiethnic societies (think Central Europe in 1920s and 1930s) and on the sustainability of multilateral institutions (think League of Nations in the same period). There is no reason to think that this would not be true in the twenty-first as much as in the twentieth century. For that reason, the ways in which the potential for greater conflict could grow would seem to be even more apt in a constantly volatile economic environment as they would be if change would be steadier. In surveying those risks, the report stressed the likelihood that terrorism and nonproliferation will remain priorities even as resource issues move up on the international agenda. Terrorism’s appeal will decline if economic growth continues in the Middle East and youth unemployment is reduced. For those terrorist groups that remain active in 2025, however, the diffusion of technologies and scientific knowledge will place some of the world’s most dangerous capabilities within their reach. Terrorist groups in 2025 will likely be a combination of descendants of long established groups\_inheriting organizational structures, command and control processes, and training procedures necessary to conduct sophisticated attacks and newly emergent collections of the angry and disenfranchised that become self-radicalized, particularly in the absence of economic outlets that would become narrower in an economic downturn. The most dangerous casualty of any economically-induced drawdown of U.S. military presence would almost certainly be the Middle East. Although Iran’s acquisition of nuclear weapons is not inevitable, worries about a nuclear-armed Iran could lead states in the region to develop new security arrangements with external powers, acquire additional weapons, and consider pursuing their own nuclear ambitions. It is not clear that the type of stable deterrent relationship that existed between the great powers for most of the Cold War would emerge naturally in the Middle East with a nuclear Iran. Episodes of low intensity conflict and terrorism taking place under a nuclear umbrella could lead to an unintended escalation and broader conflict if clear red lines between those states involved are not well established. The close proximity of potential nuclear rivals combined with underdeveloped surveillance capabilities and mobile dual-capable Iranian missile systems also will produce inherent difficulties in achieving reliable indications and warning of an impending nuclear attack. The lack of strategic depth in neighboring states like Israel, short warning and missile flight times, and uncertainty of Iranian intentions may place more focus on preemption rather than defense, potentially leading to escalating crises. 36 Types of conflict that the world continues to experience, such as over resources, could reemerge, particularly if protectionism grows and there is a resort to neo-mercantilist practices. Perceptions of renewed energy scarcity will drive countries to take actions to assure their future access to energy supplies. In the worst case, this could result in interstate conflicts if government leaders deem assured access to energy resources, for example, to be essential for maintaining domestic stability and the survival of their regime. Even actions short of war, however, will have important geopolitical implications. Maritime security concerns are providing a rationale for naval buildups and modernization efforts, such as China’s and India’s development of blue water naval capabilities. If the fiscal stimulus focus for these countries indeed turns inward, one of the most obvious funding targets may be military. Buildup of regional naval capabilities could lead to increased tensions, rivalries, and counterbalancing moves, but it also will create opportunities for multinational cooperation in protecting critical sea lanes. With water also becoming scarcer in Asia and the Middle East, cooperation to manage changing water resources is likely to be increasingly difficult both within and between states in a more dog-eat-dog world.

#### Economic crises collapse global democracy – turns modelling

Larry Diamond, senior fellow @ Hoover Institution “Supporting Democracy”, March 09, <http://csis.org/files/media/csis/pubs/090310_lennon_democracy_web.pdf>,

Second, there is the new fact of a global economic crisis of potentially catastrophic scope, depth, and duration. In thinking about grand strategy, this has to be considered a potential game changer. We cannot rule out the possibility that what is now a recession could turn into a global depression. And even if it is "just" a recession, it will be the most severe in decades. Economic crisis stresses regimes of all kinds, and the last global depression coincided with a retrenchment of democracy so sweeping that Samuel Huntington identified it as the "first reverse wave" of democratic breakdowns

### Thumpers

#### Immigration top priority

Fox 12 – 27 (“President Obama Eyes Immigration Reform As A Top Priority For 2014,” <http://latino.foxnews.com/latino/politics/2013/12/27/president-obama-eyes-immigration-reform-as-top-priority-for-2014/>, CMR)

The last vestiges of 2013's political wrangling officially behind him, President Barack Obama is setting his sights on the coming year, when a number of unfinished tasks will increasingly compete for attention with the 2014 midterm elections. High on the agenda for the start of the year is a renewed push on immigration. Bipartisan consensus about the need for action on immigration in the wake of the 2012 presidential election gave way in 2013 to opposition from conservative House Republicans. U.S. House Speaker John Boehner, R-Ohio, has started offering subtle signs he'll put more weight behind the issue despite continued resistance from the tea party.

#### One thing that passes

Boyer 12-31 (Dave, “Obama’s liberal wish list for Congress likely to stall in election year,” <http://www.washingtontimes.com/news/2013/dec/31/obamas-wish-list-likely-to-stall-in-election-year/#ixzz2pAw27Mo8>, CMR)

Meeting of the minds? One of the few prospects for bipartisan achievement in 2014 could be immigration reform. Although Speaker John A. Boehner, Ohio Republican, has said the House won’t pass the Senate’s comprehensive plan, some Republicans believe the House will approve at least some portions of the Senate bill. “Anything that gets done on the legislative front will get done because Republicans want it, and I would put immigration in that category,” Mr. Feehery said.

### Econ Agenda

#### Watt will implement Obama’s econ agenda through housing policy

Darren Samuelsohn & Manu Raju, “Obama Appointees Eye ’14 Poilcy Blitz,” POLITICO, 12—21—13, LN.

Obama's housing agenda also gets a fresh look with Mel Watt, the first regulator of Fannie Mae and Freddie Mac confirmed by Congress since August 2009. As head of the Federal Housing Finance Agency, Watt will be dealing with lawmakers trying to take the two companies off the government's hand. He also has to decide whether to establish a debt forgiveness program for struggling homeowners.¶ After his Senate confirmation, Obama called Watt "the right person to protect Americans who work hard and play by the rules every day, and he'll be the right regulator to make sure the kind of crisis we just went through never happens again."¶ In October, Republicans blocked Watt's confirmation, arguing that Obama was picking a politician over a housing expert to lead the agency. But after the change in filibuster rules, Democrats pushed the 11-term North Carolina congressman's confirmation through on a mostly party-line vote in December.¶ "The change in filibuster rules has in my opinion a huge impact on the ability of the president to essentially move forward on his nominees --and to insulate the nominees from political pressure from the Senate with regard to how they will conduct themselves on future policies," said Sen. Mike Crapo (R-Idaho), top Republican on the Banking Committee, speaking of the Watt nomination.¶ But supporters counter that Watt's arrival will be critical in putting Obama's economic policies into place. "This bodes well for low-income people in the U.S. who are having housing issues," said Sheila Crowley, President and CEO of the National Low Income Housing Coalition.¶ "I think Mel Watt will have not only more confidence, but with the confirmation, the legitimacy to make more critical decisions," added Sen. Jack Reed (D-R.I.), a senior member of the Banking Committee.

### HC

#### Won’t Thump – Focus

The Root 1/3/14 [David Swerdlick, associate editor, “Obama’s Last Year Wasn’t as Bad as They Say”, <http://www.theroot.com/articles/politics/2014/01/five_things_obama_got_right_last_year.html>]

Unless you opted for your own news blackout during the holiday season, by now you’ve probably read one of the many year-end recaps that described 2013 as President Barack Obama’s worst year. If not, just read here, here, here, here and here.¶ Reviews were bad, with even Chris Matthews—of “thrill going up my leg when Obama speaks” fame—lamenting that last year “feels like the seventh or eighth year of a presidency,” not the fifth.¶ The overall gist, of course, is that between Edward Snowden’s National Security Agency leaks, the administration’s clumsy messaging on Syria, Congress’ inability to enact background-check legislation and the lousy rollout of Obamacare—including PolitiFact’s naming “If you like your health care plan, you can keep it” as its lie of the year—the president heads into 2014 digging himself out of a hole.¶ Indeed, the last 12 months were far from stellar.¶ The president and his key surrogates have failed to capitalize on an improving economic picture, with their seeming inability to proactively communicate to the American electorate where they’re trying to take it from day to day and year to year. And as my The Root colleague Keli Goff explains, he’s still battling persistently high unemployment, particularly among African Americans.¶ But the first year of his second term wasn’t quite as bad as everyone says. Background-check legislation didn’t happen, but that wasn’t on Obama’s agenda until the Sandy Hook massacre in Newtown, Conn. Immigration reform only got through the Senate, but it’s not completely dead in the House. His approval numbers took a hit, but in last week's Gallup poll, they made a modest five-point rebound.¶ He deserves criticism, sure, but also some credit. Here are five good moves he made last year:¶ Syria¶ It wasn’t pretty watching Obama send Secretary of State John Kerry out to make a full-throated case for military action in Syria, only to pull back days later and call for Congress to weigh in—we’re used to seeing commanders in chief go to war without reservation. But you could argue that one of the main reasons Obama was elected in the first place was that Americans wanted a president who was willing to pull back from the brink if that was what circumstances called for.¶ The Government Shutdown¶ There’ll be more fights ahead between the White House and Congress, but the president scored a win (later squandered) when he forced House Republicans to blink first in the standoff that led to the government shutdown, and got—temporarily, at least—Washington’s political fever to break. When the dust settled, the path cleared for Sen. Patty Murray (D-Wash.) and Rep. Paul Ryan (R-Wis.)—budget chairs in their respective legislative chambers—to come to terms on a deal.¶ Janet Yellen¶ The same president who tripled the number of women on the Supreme Court went on to nominate respected economist and current Federal Reserve Vice Chair Janet Yellen as the Fed’s first female chair, and she's expected to be confirmed by the Senate this month.¶ Civil Rights¶ He hasn’t really done much that’s new on gay civil rights, but over the course of his tenure repealing “Don’t ask, don’t tell,” and Obama's public support of same-sex marriage helped make the high court’s decisions to strike down provisions of the so-called Defense of Marriage Act and not to reinstate California’s Proposition 8 seem inevitable.¶ Obamacare (Seriously)¶ And, OK, for now, keep Obamacare in the fail column. For reasons that can’t adequately be explained, team Obama—including Sec. Kathleen Sebelius and the president himself—kept their eye off the ball for four years while overpaid contractors botched a rollout that The Root’s development team could have handled in their sleep with one hand tied behind their keyboards.¶ Policywise, the Affordable Care Act works—and premiums come down—only if enough healthy enrollees sign up to offset the cost of covering those who already need care. That hasn’t happened yet, and we won’t know if it does for a year. ¶ Without cost savings to individuals, or a bending of the infamous “cost curve,” the law is a loser. ¶ On the politics, though, Obama is playing a longer game. As of this week, more than 6 million people have signed up for Medicaid or for coverage on the ACA exchanges—nowhere near the planned enrollment goals, but not the fiasco of two months ago. To the degree that he’s failing, he’s doing it while trying to bring health care to the uninsured. In time, politically, that might wind up being a win.

### Bipart

#### War power loss places Obama on the defensive

Samples 11 (John, director of the Center for Representative Government at the Cato Institute, “Congress Surrenders the War Powers Libya, the United Nations, and the Constitution”, Oct 27, <http://www.cato.org/sites/cato.org/files/pubs/pdf/pa687.pdf>)

But political representation has other facets. It has given voice to public dissatisfaction ¶ about wars proper and limited wars. Congress “has historically been actively engaged ¶ in debates over the proper conduct of major ¶ military initiatives. It has proposed, publicly ¶ debated, and voted on various legislative ¶ initiatives to authorize or curtail the use of ¶ force.” Congress has also held hearings about ¶ the conduct of limited and proper wars.215¶ Many believe that such legislative actions ¶ have little effect on the president. Yet such actions can affect the cost-benefit calculations ¶ of the president in pursuing or failing to pursue a limited war. Congress can raise the costs ¶ of a policy by shaping and mobilizing public ¶ opinion against a war, thereby increasing the ¶ cost in political capital a president must pay ¶ to sustain a policy. Congressional actions also ¶ signal disunity (or unity) to foreign actors, ¶ who in turn act on their expectations, thereby ¶ raising the costs of a limited war. Congressional actions also affect presidential expectations about how the conduct of a war will ¶ be received in the legislature; Congress can ¶ thus influence presidential policies without ¶ directly overturning them.216 Systematic evidence indicates that since 1945 Congress has ¶ been able to influence presidential policies ¶ through these means.217 Although short of ¶ constitutional propriety, congressional voice ¶ can matter in war-making.

### Winners Win

#### Obama believes the link

Robert **Kuttner**, senior fellow, Demos, “Obama Has Amassed Enormous Political Capital, But He Doesn’t Know What to Do with It,” Alternet, 4—28—**09**, www.alternet.org/economy/138641/obama\_has\_amassed\_enormous\_political\_capital,\_but\_he\_doesn%27t\_know\_what\_to\_do\_with\_it/

We got a small taste of what a more radical break might feel like when Obama briefly signaled with the release of Bush's torture memos that he might be open to further investigation of the Bush's torture policy, but then backtracked and quickly asked the Democratic leadership to shut the idea down. Evidently, Obama's political self wrestled with his constitutional conscience, and won. Civil libertarians felt a huge letdown, but protest was surprisingly muted.Thus the most important obstacle for seizing the moment to achieve enduring change: Barack Obama's conception of what it means to promote national unity. Obama repeatedly declared during the campaign that he would govern as a consensus builder. He wasn't lying. However, there are two ways of achieving consensus. One is to split the difference with your political enemies and the forces obstructing reform. The other is to use presidential leadership to transform the political center and alter the political dynamics. In his first hundred days, Obama has done a little of both, but he defaults to the politics of accommodation.

#### Wins only build long-term capital

**Purdum 10**, Columnist for Vanity Fair, (Todd, “Obama Is Suffering Because of His Achievements, Not Despite Them,” 12-20 www.vanityfair.com/online/daily/2010/12/obama-is-suffering-because-of-his-achievements-not-despite-them.html)

With this weekend’s decisive Senate repeal of the military’s “Don’t Ask, Don’t Tell” policy for gay service members, can anyone seriously doubt Barack Obama’s patient willingness to play the long game? Or his remarkable success in doing so? In less than two years in office—often against the odds and the smart money’s predictions at any given moment—Obama has managed to achieve a landmark overhaul of the nation’s health insurance system; the most sweeping change in the financial regulatory system since the Great Depression; the stabilization of the domestic auto industry; and the repeal of a once well-intended policy that even the military itself had come to see as unnecessary and unfair. So why isn’t his political standing higher? Precisely because of the raft of legislative victories he’s achieved. Obama has pushed through large and complicated new government initiatives at a time of record-low public trust in government (and in institutions of any sort, for that matter), and he has suffered not because he hasn’t “done” anything but because he’s done so much—way, way too much in the eyes of his most conservative critics. With each victory, Obama’s opponents grow more frustrated, filling the airwaves and what passes for political discourse with fulminations about some supposed sin or another. Is it any wonder the guy is bleeding a bit? For his part, Obama resists the pugilistic impulse. To him, the merit of all these programs has been self-evident, and he has been the first to acknowledge that he has not always done all he could to explain them, sensibly and simply, to the American public. But Obama is nowhere near so politically maladroit as his frustrated liberal supporters—or implacable right-wing opponents—like to claim. He proved as much, if nothing else, with his embrace of the one policy choice he surely loathed: his agreement to extend the Bush-era income tax cuts for wealthy people who don’t need and don’t deserve them. That broke one of the president’s signature campaign promises and enraged the Democratic base and many members of his own party in Congress. But it was a cool-eyed reflection of political reality: The midterm election results guaranteed that negotiations would only get tougher next month, and a delay in resolving the issue would have forced tax increases for virtually everyone on January 1—creating nothing but uncertainty for taxpayers and accountants alike. Obama saw no point in trying to score political debating points in an argument he knew he had no chance of winning. Moreover, as The Washington Post’s conservative columnist Charles Krauthammer bitterly noted, Obama’s agreement to the tax deal amounted to a second economic stimulus measure—one that he could never otherwise have persuaded Congressional Republicans to support. Krauthammer denounced it as the “swindle of the year,” and suggested that only Democrats could possibly be self-defeating enough to reject it. In the end, of course, they did not. Obama knows better than most people that politics is the art of the possible (it’s no accident that he became the first black president after less than a single term in the Senate), and an endless cycle of two steps forward, one step back. So he just keeps putting one foot in front of the other, confident that he can get where he wants to go, eventually. The short-term resultsare often messy and confusing. Just months ago, gay rights advocates were distraught because Obama wasn’t pressing harder to repeal “Don’t Ask, Don’t Tell.” Now he is apparently paying a price for his victory because some Republican Senators who’d promised to support ratification of the START arms-reduction treaty—identified by Obama as a signal priority for this lame-duck session of Congress—are balking because Obama pressed ahead with repealing DADT against their wishes. There is a price for everything in politics, and Obama knows that, too.

### No Fight

**Congressional confrontation of the president costs PC and trades off with the agenda**

**Berman 10** (Emily Berman is Counsel in the Liberty and National Security Project at the Brennan Center for Justice at NYU School of Law, 2010 3 Alb. Gov’t L. Rev. 741, CMR)

First, all extract a significant toll in political capital, sometimes more than Congress possesses, ¶ or more than it is able to spend.87 **The cost in political capital can be especially high in** the ¶ **national security** arena, **where the Executive has argued**—spuriously but successfully—that **it**¶ **ought to have a monopoly on policy**, and where the rewards for legislative diligence are weak. The ¶ President’s detention and interrogations policies present one example. When the Supreme Court ¶ invalidated the President’s initial military-commissions scheme,88 Congress could have refused ¶ to enact any law authorizing military commissions until the President disclosed to Congress ¶ the memoranda justifying “enhanced interrogation tactics.” Instead, Congress simply passed the ¶ Military Commissions Act, providing congressional approval for the President’s desired military ¶ commissions. This may have simply reflected Congress’s reasoned policy judgment. But **seeming to** ¶ **oppose needed national security measures**—even if that opposition is merely a temporary effort to ¶ secure relevant information—**exacts a political toll**.¶ Second, **to exercise its powers, Congress must overcome** the **significant challenges to collective** ¶ **action that plague all legislative decision-making**.89 Given the drastic nature of some of Congress’s ¶ tools, **those challenges prove insurmountable** in all but the most extreme cases. ¶ Third, the disclosure or nondisclosure of some information can dramatically change the very political ¶ environment upon which the current system relies to resolve disputes.90 When Congress most ¶ needs information—because it knows little or nothing about secret activity within the executive ¶ branch for which there have been no public signals of any problem—is precisely when Congress ¶ most lacks both political capital and incentive to compel disclosure. Yet if the information would ¶ reveal malfeasance, public support for Congress’s active pursuit of an investigation might become ¶ considerably more intense. Until that information becomes public, Congress may lack sufficient ¶ support to maintain the political will necessary to employ the tools at its disposal.91 ¶ To make this problem concrete, consider that before the New York Times broke the story of the ¶ NSA’s domestic warrantless surveillance activities,92 Congress would have had little basis for ¶ intrusive inquiry into what the NSA was doing, or the related question of what surveillance Justice ¶ Department lawyers had authorized. It was only when the press published its initial information ¶ about the controversial program that legislators gained sufficient leverage and the political capital to ¶ hold hearings and demand additional information. An executive branch successful in maintaining ¶ confidentiality is thus also successful in maintaining a political environment that facilitates ¶ nondisclosure. ¶ If these problems were not enough, executives since the mid 1980s have unilaterally disabled some ¶ of Congress’s most effective tools for obtaining information from executive officials—contempt of ¶ Congress resolutions, Congress’s inherent contempt powers, and civil enforcement actions.¶ Historically, contempt-of-Congress resolutions have proved important to extracting information ¶ from the Executive. Contempt citations, or threats of contempt citations, have succeeded in ¶ securing congressional access to disputed information, for example, from then-Secretary of State ¶ Henry Kissinger on CIA covert actions;93 from President Reagan’s Secretary of the Interior James ¶ Watt on Canada’s treatment of U.S. mineral investors;94 from President Clinton’s White House ¶ Counsel Jack Quinn on the firings of several White House Travel Office employees.95 But to have¶ more than symbolic effect, a contempt citation requires executive branch enforcement, with a ¶ congressional contempt vote triggering a grand jury investigation into possible indictment.96 Since ¶ 1984, the Justice Department’s Office of Legal Counsel (OLC)97 has taken the position that “a ¶ United States Attorney is not required to refer a congressional contempt citation to a grand jury ¶ or otherwise to prosecute an Executive Branch official who carries out the President’s instruction ¶ to invoke the President’s claim of executive privilege before . . . Congress.”98 Because the Justice ¶ Department will not proceed with a contempt prosecution in these circumstances—and indeed ¶ refused to proceed against Miers and Bolten when they were held in contempt in early 2008 ¶ as well as against then-EPA chief Anne Gorsuch when she was held in contempt for failing to ¶ comply with a congressional subpoena in 198299—¶ contempt citations lack the force they once had to ¶ resolve information disputes between Congress and ¶ the Executive.100 Unless a contempt citation prompts a ¶ compromise resolution of its own force—which might ¶ happen, for example, if it generates sufficient public ¶ pressure for disclosure—it is an empty gesture.¶ Congress also has inherent contempt power to try a ¶ witness for contempt in the House or Senate, and—if ¶ found guilty—to imprison that witness in the Capitol’s ¶ jail.101 But use of this power is as problematic as ¶ Congress’s other tools.102 A contemnor can be held only ¶ until the end of the current session of Congress.103 And ¶ OLC has opined that inherent contempt suffers the same constitutional infirmities as the criminal ¶ contempt statute if used against executive officials claiming executive privilege at the President’s ¶ instruction.104 Thus any use of inherent contempt powers against executive officials likely will give ¶ rise to protracted litigation over the constitutionality of such actions. Most importantly, inherent ¶ **contempt is unseemly, cumbersome, disruptive of Congress’s ability to carry out its other pressing ¶ duties,**105 **and requires an inordinate expenditure of political capital**.106 A system of oversight that ¶ depends on the legislative sergeant-at-arms hauling off Washington bureaucrats into the well of ¶ the Capitol until they repent their taciturn ways is simply no way to run a government. Because ¶ of these drawbacks, the inherent contempt power has fallen into disuse—it was last invoked in ¶ 1935107—and remains unwieldy.

### PC Key

#### Complexity – PC forges a final compromise

Kuhnhenn 10-19 Jim Kuhnhenn - Associated Press 10-19-2013 http://hutchnews.com/Todaystop/BC-US--Obama-Shrinking-Agenda-2nd-Ld-Write-20131019-17-04-58

Regrouping after a feud with Congress stalled his agenda, President Barack Obama is laying down a three-item to-do list for Congress that seems meager when compared with the bold, progressive agenda he envisioned at the start of his second term. But given the capital's partisanship, the complexities of the issues and the limited time left, even those items - immigration, farm legislation and a budget - amount to ambitious goals that will take political muscle, skill and ever-elusive compromise to execute. "Those are three specific things that would make a huge difference in our economy right now," Obama said. "And we could get them done by the end of the year if our focus is on what's good for the American people."

#### Momentum

Reid Epstein 10/17/13, writer at Politico, “Obama’s latest push features a familiar strategy,” http://www.politico.com/story/2013/10/barack-obama-latest-push-features-familiar-strategy-98512.html

President Barack Obama made his plans for his newly won political capital official — he’s going to hammer House Republicans on immigration.¶ And it’s evident from his public and private statements that Obama’s latest immigration push is, in at least one respect, similar to his fiscal showdown strategy: yet again, the goal is to boost public pressure on House Republican leadership to call a vote on a Senate-passed measure.¶ “The majority of Americans think this is the right thing to do,” Obama said Thursday at the White House. “And it’s sitting there waiting for the House to pass it. Now, if the House has ideas on how to improve the Senate bill, let’s hear them. Let’s start the negotiations. But let’s not leave this problem to keep festering for another year, or two years, or three years. This can and should get done by the end of this year.”¶ (WATCH: Assessing the government shutdown's damage)¶ And yet Obama spent the bulk of his 20-minute address taking whack after whack at the same House Republicans he’ll need to pass that agenda, culminating in a jab at the GOP over the results of the 2012 election — and a dare to do better next time.¶ “You don’t like a particular policy or a particular president? Then argue for your position,” Obama said. “Go out there and win an election. Push to change it. But don’t break it. Don’t break what our predecessors spent over two centuries building. That’s not being faithful to what this country’s about.”¶ Before the shutdown, the White House had planned a major immigration push for the first week in October. But with the shutdown and looming debt default dominating the discussion during the last month, immigration reform received little attention on the Hill.¶ (PHOTOS: Immigration reform rally on the National Mall)¶ Immigration reform allies, including Obama’s political arm, Organizing for Action, conducted a series of events for the weekend of Oct. 5, most of which received little attention in Washington due to the the shutdown drama. But activists remained engaged, with Dream Act supporters staging a march up Constitution Avenue, past the Capitol to the Supreme Court Tuesday, to little notice of the Congress inside.¶ Obama first personally signaled his intention to re-emerge in the immigration debate during an interview Tuesday with the Los Angeles Univision affiliate, conducted four hours before his meeting that day with House Democrats.¶ Speaking of the week’s fiscal landmines, Obama said: “Once that’s done, you know, the day after, I’m going to be pushing to say, call a vote on immigration reform.”¶ (Also on POLITICO: GOP blame game: Who lost the government shutdown?)¶ When he met that afternoon in the Oval Office with the House Democratic leadership, Obama said that he planned to be personally engaged in selling the reform package he first introduced in a Las Vegas speech in January.¶ Still, during that meeting, Obama knew so little about immigration reform’s status in the House that he had to ask Rep. Xavier Becerra (D-Calif.) how many members of his own party would back a comprehensive reform bill, according to a senior Democrat who attended.¶ The White House doesn’t have plans yet for Obama to participate in any new immigration reform events or rallies — that sort of advance work has been hamstrung by the 16-day government shutdown.¶ But the president emerged on Thursday to tout a “broad coalition across America” that supports immigration reform. He also invited House Republicans to add their input specifically to the Senate bill — an approach diametrically different than the House GOP’s announced strategy of breaking the reform into several smaller bills.¶ White House press secretary Jay Carney echoed Obama’s remarks Thursday, again using for the same language on immigration the White House used to press Republicans on the budget during the shutdown standoff: the claim that there are enough votes in the House to pass the Senate’s bill now, if only it could come to a vote.¶ “When it comes to immigration reform … we’re confident that if that bill that passed the Senate were put on the floor of the House today, it would win a majority of the House,” Carney said. “And I think that it would win significant Republican votes.”

#### Citizenship

Las Cruces Sun-News 1 -2 (“Editorial: Still hope for immigration bill this year,” <http://www.lcsun-news.com/las_cruces-opinion/ci_24825449/imm>, CMR)

The Republican-controlled House almost certainly won't pass anything along the lines of the Senate bill from 2013. But there might be opportunities for important incremental steps. "The challenge for the GOP will be to pass a package of bills out of the House," Jacoby said. "The challenge for Democrats, in Congress and the White House, will be coming together for a deal on legal status rather than citizenship for most unauthorized immigrants." The immigration reform options in 2014 are narrow, but not impossible.

#### Corrals Democrats

Hohmann 1 – 1 (James, “As D.C. turns: 14 dates to watch in 2014,” <http://www.politico.com/story/2014/01/2014-14-dates-to-watch-101627.html#ixzz2pGFE5U9W>, CMR)

The president said in his most recent news conference that “2014 needs to be a year of action.” He will flesh out what that means during his State of the Union speech. Obama becomes more of a lame duck with each annual update to Congress, and, faced with strong Republican opposition, it’s likely many of the priorities he outlines will go nowhere. Still, the State of the Union is an important platform for any president, and this is a chance for Obama to convey how much of his diminishing political capital he will invest in pursuing immigration reform, making the health care law work and other priorities. Whatever he says will be the Democratic rallying cry for the months ahead.