# 1NC

## Offcase

### Iran DA

#### Momentum for sanctions on Iran is stalled because of Obama’s perceived strength

Gary Rosenblatt 2-5, columnist, The Jewish Week, 2/5/14, “Israel Lobby And The White House: Who’ll Blink First?,” http://www.thejewishweek.com/editorial-opinion/gary-rosenblatt/israel-lobby-and-white-house-wholl-blink-first

A month from now more than 14,000 people will gather in Washington for the annual AIPAC conference, the largest turnout by far for an American Jewish event. For the last several years the program’s main agenda has been Iran, and the need to prevent its militant Islamic leaders from achieving the capability of producing a nuclear bomb.

There is a particular sense of urgency to the issue this year because the six-month interim agreement is in place, and the clock is ticking. At the moment AIPAC, along with the American Jewish Committee and other Jewish groups on the center and right, appear headed for a direct confrontation with the White House.

These Jewish groups support the prospective Senate bill, calling for tighter sanctions on Iran that would go into effect only if the current talks fail. At a time of intense party rivalry, the bill has the co-sponsorship of 59 senators, including 16 Democrats, all of whom insist that it is “an insurance policy” aimed at holding the Iranians’ feet to the fire.

The administration strongly opposes the bill, fearful that passage would result in the Iranians making good on their threat to walk away from the talks. Obama said in his State of the Union speech that he would veto such legislation if it passes. “For the sake of our national security we must give diplomacy a chance to succeed,” he said. Some administration supporters have described those who back the legislation as “war mongers.”

While the mainstream media describes the legislation as “stalled,” Jewish organizational officials I’ve spoken with say they are in no hurry to press the issue now.

“Everyone has gone to the brink and now we’re all looking down and stepping back,” one said. “No one is backing off but no one is pushing for a confrontation, either. No one wants to test the president.”

The strategy is to quietly persuade at least eight more senators to sign on to the bill, which would give it 67 votes and make it veto-proof. Then offer some ideas for how the administration could “climb down” and accept the bill, which calls for the U.S. to back Israel if it decides to take military action against Iran.

“We’re encouraging the administration to take ownership of the legislation and work out a congressional deal,” one insider said. “But they don’t want to do it.”

#### It’s a war powers issue that Obama will win now---failure commits us to Israeli strikes

Merry 1/1Robert W., political editor of the National Interest, is the author of books on American history and foreign policy “Obama may buck the Israel lobby on Iran” Washington Times, http://www.washingtontimes.com/news/2013/dec/31/merry-obama-may-buck-the-israel-lobby-on-iran/

With the veto threat, Mr. Obama has announced that he is prepared to buck the Israel lobby — and may even welcome the opportunity. It isn’t fair to suggest that everyone who thinks Mr. Obama’s overtures to Iran are ill-conceived or counterproductive is simply following the Israeli lobby’s talking points, but Israel’s supporters in this country are a major reason for the viability of the sanctions legislation the president is threatening to veto.¶ It is nearly impossible to avoid the conclusion that the Senate legislation is designed to sabotage Mr. Obama’s delicate negotiations with Iran (with the involvement also of the five permanent members of the U.N. Security Council and Germany) over Iran’s nuclear program. The aim is to get Iran to forswear any acquisition of nuclear weapons in exchange for the reduction or elimination of current sanctions. Iran insists it has a right to enrich uranium at very small amounts, for peaceful purposes, and Mr. Obama seems willing to accept that Iranian position in the interest of a comprehensive agreement.¶ However, the Senate measure, sponsored by Sens. Robert Menendez, New Jersey Democrat; Charles E. Schumer, New York Democrat; and Mark Kirk, Illinois Republican, would impose potent new sanctions if the final agreement accords Iran the right of peaceful enrichment. That probably would destroy Mr. Obama’s ability to reach an agreement. Iranian President Hasan Rouhani already is under pressure from his country’s hard-liners to abandon his own willingness to seek a deal. The Menendez-Schumer-Kirk measure would undercut him and put the hard-liners back in control.¶ Further, the legislation contains language that would commit the United States to military action on behalf of Israel if Israel initiates action against Iran. This language is cleverly worded, suggesting U.S. action should be triggered only if Israel acted in its “legitimate self-defense” and acknowledging “the law of the United States and the constitutional responsibility of Congress to authorize the use of military force,” but the language is stunning in its brazenness and represents, in the view of Andrew Sullivan, the prominent blogger, “**an appalling new low in the Israeli government’s grip on the U.S. Congress**.”¶ While noting the language would seem to be nonbinding, Mr. Sullivan adds that “it’s basically endorsing the principle of handing over American foreign policy on a matter as grave as war and peace to a foreign government, acting against international law, thousands of miles away.”¶ That brings us back to Mr. Obama’s veto threat. The American people have made clear through polls and abundant expression (especially during Mr. Obama’s flirtation earlier this year with military action against Bashar Assad’s Syrian regime) that they are sick and weary of American military adventures in the Middle East. They don’t think the Iraq and Afghanistan wars have been worth the price, and they don’t want their country to engage in any other such wars.¶ That’s what the brewing confrontation between Mr. Obama and the Israel lobby comes down to — war and peace. Mr. Obama’s delicate negotiations with Iran, whatever their outcome, are designed to avert another U.S. war in the Middle East. The Menendez-Schumer-Kirk initiative is designed to kill that effort and cedes to Israel America’s war-making decision in matters involving Iran, which further increases the prospects for war. It’s not even an argument about whether the United States should come to Israel’s aid if our ally is under attack, but whether the decision to do so and when that might be necessary should be made in Jerusalem or Washington.

#### Obama fights the plan --- losers lose --- that drains political capital

Loomis 7 – Department of Government at Georgetown

(3/2/2007, Dr. Andrew J. Loomis is a Visiting Fellow at the Center for a New American Security, “Leveraging legitimacy in the crafting of U.S. foreign policy,” pg 35-36, <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.¶ This brief review of the literature suggests how legitimacy norms enhance presidential influence in ways that structural powers cannot explain. Correspondingly, increased executive power improves the prospects for policy success. As a variety of cases indicate—from Woodrow Wilson’s failure to generate domestic support for the League of Nations to public pressure that is changing the current course of U.S. involvement in Iraq—the effective execution of foreign policy depends on public support. Public support turns on perceptions of policy legitimacy. As a result, policymakers—starting with the president—pay close attention to the receptivity that U.S. policy has with the domestic public. In this way, normative influences infiltrate policy-making processes and affect the character of policy decisions.

#### Causes Israel strikes

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As 2013 draws to close, the negotiations over the Iranian nuclear program have entered a delicate stage. But in 2014, the tensions will escalate dramatically as a bipartisan group of Senators brings a new Iran sanctions bill to the floor for a vote. As many others have warned, that promise of new measures against Tehran will almost certainly blow up the interim deal reached by the Obama administration and its UN/EU partners in Geneva. But Congress' highly unusual intervention into the President's domain of foreign policy doesn't just make the prospect of an American conflict with Iran more likely. As it turns out, the Nuclear Weapon Free Iran Act essentially empowers Israel to decide whether the United States will go to war against Tehran.¶ On their own, the tough new sanctions imposed automatically if a final deal isn't completed in six months pose a daunting enough challenge for President Obama and Secretary of State Kerry. But it is the legislation's commitment to support an Israeli preventive strike against Iranian nuclear facilities that almost ensures the U.S. and Iran will come to blows. As Section 2b, part 5 of the draft mandates:¶ If the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapon program, the United States Government should stand with Israel and provide, in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.¶ Now, the legislation being pushed by Senators Mark Kirk (R-IL), Chuck Schumer (D-NY) and Robert Menendez (D-NJ) does not automatically give the President an authorization to use force should Israel attack the Iranians. (The draft language above explicitly states that the U.S. government must act "in accordance with the law of the United States and the constitutional responsibility of Congress to authorize the use of military force.") But there should be little doubt that an AUMF would be forthcoming from Congressmen on both sides of the aisle. As Lindsey Graham, who with Menendez co-sponsored a similar, non-binding "stand with Israel" resolution in March told a Christians United for Israel (CUFI) conference in July:¶ "If nothing changes in Iran, come September, October, I will present a resolution that will authorize the use of military force to prevent Iran from developing a nuclear bomb."¶ Graham would have plenty of company from the hardest of hard liners in his party. In August 2012, Romney national security adviser and pardoned Iran-Contra architect Elliott Abrams called for a war authorization in the pages of the Weekly Standard. And just two weeks ago, Norman Podhoretz used his Wall Street Journal op-ed to urge the Obama administration to "strike Iran now" to avoid "the nuclear war sure to come."¶ But at the end of the day, the lack of an explicit AUMF in the Nuclear Weapon Free Iran Act doesn't mean its supporters aren't giving Prime Minister Benjamin Netanyahu de facto carte blanche to hit Iranian nuclear facilities. The ensuing Iranian retaliation against to Israeli and American interests would almost certainly trigger the commitment of U.S. forces anyway.¶ Even if the Israelis alone launched a strike against Iran's atomic sites, Tehran will almost certainly hit back against U.S. targets in the Straits of Hormuz, in the region, possibly in Europe and even potentially in the American homeland. Israel would face certain retaliation from Hezbollah rockets launched from Lebanon and Hamas missiles raining down from Gaza.¶ That's why former Bush Defense Secretary Bob Gates and CIA head Michael Hayden raising the alarms about the "disastrous" impact of the supposedly surgical strikes against the Ayatollah's nuclear infrastructure. As the New York Times reported in March 2012, "A classified war simulation held this month to assess the repercussions of an Israeli attack on Iran forecasts that the strike would lead to a wider regional war, which could draw in the United States and leave hundreds of Americans dead, according to American officials." And that September, a bipartisan group of U.S. foreign policy leaders including Brent Scowcroft, retired Admiral William Fallon, former Republican Senator (now Obama Pentagon chief) Chuck Hagel, retired General Anthony Zinni and former Ambassador Thomas Pickering concluded that American attacks with the objective of "ensuring that Iran never acquires a nuclear bomb" would "need to conduct a significantly expanded air and sea war over a prolonged period of time, likely several years." (Accomplishing regime change, the authors noted, would mean an occupation of Iran requiring a "commitment of resources and personnel greater than what the U.S. has expended over the past 10 years in the Iraq and Afghanistan wars combined.") The anticipated blowback?¶ Serious costs to U.S. interests would also be felt over the longer term, we believe, with problematic consequences for global and regional stability, including economic stability. A dynamic of escalation, action, and counteraction could produce serious unintended consequences that would significantly increase all of these costs and lead, potentially, to all-out regional war.

#### Israeli strikes cause global great power war

Rafael Reuveny 10, PhD, Professor in the School of Public and Environmental Affairs at Indiana University, "Unilateral Strike on Iran could trigger world Depression", Op-ed distributed through McClatchy Newspaper Co, <http://www.indiana.edu/~spea/news/speaking_out/reuveny_on_unilateral_strike_Iran.shtml>

A unilateral Israeli strike on Iran’s nuclear facilities would likely have dire consequences, including a regional war, global economic collapse and a major power clash. For an Israeli campaign to succeed, it must be quick and decisive. This requires an attack that would be so overwhelming that Iran would not dare to respond in full force. Such an outcome is extremely unlikely since the locations of some of Iran’s nuclear facilities are not fully known and known facilities are buried deep underground. All of these widely spread facilities are shielded by elaborate air defense systems constructed not only by the Iranians, but also the Chinese and, likely, the Russians as well. By now, Iran has also built redundant command and control systems and nuclear facilities, developed early-warning systems, acquired ballistic and cruise missiles and upgraded and enlarged its armed forces. Because Iran is well-prepared, a single, conventional Israeli strike — or even numerous strikes — could not destroy all of its capabilities, giving Iran time to respond. A regional war Unlike Iraq, whose nuclear program Israel destroyed in 1981**,** Iran has a second-strike capability comprised of a coalition of Iranian, Syrian, Lebanese, Hezbollah, Hamas, and, perhaps, Turkish forces. Internal pressure might compel Jordan, Egypt, and the Palestinian Authority to join the assault, turning a bad situation into a regional war. During the 1973 Arab-Israeli War, at the apex of its power, Israel was saved from defeat by President Nixon’s shipment of weapons and planes. Today, Israel’s numerical inferiority is greater, and it faces more determined and better-equipped opponents. Despite Israel’s touted defense systems, Iranian coalition missiles, armed forces, and terrorist attacks would likely wreak havoc on its enemy, leading to a prolonged tit-for-tat. In the absence of massive U.S. assistance, Israel’s military resources may quickly dwindle, forcing it to use its alleged nuclear weapons, as it had reportedly almost done in 1973. An Israeli nuclear attack would likely destroy most of Iran’s capabilities, but a crippled Iran and its coalition could still attack neighboring oil facilities, unleash global terrorism, plant mines in the Persian Gulf and impair maritime trade in the Mediterranean, Red Sea and Indian Ocean. Middle Eastern oil shipments would likely slow to a trickle as production declines due to the war and insurance companies decide to drop their risky Middle Eastern clients. Iran and Venezuela would likely stop selling oil to the United States and Europe. The world economy would head into a tailspin; international acrimony would rise; and Iraqi and Afghani citizens might fully turn on the United States, immediately requiring the deployment of more American troops. Russia, China, Venezuela, and maybe Brazil and Turkey — all of which essentially support Iran — could be tempted to form an alliance and openly challenge the U.S. hegemony. Replaying Nixon’s nightmare Russia and China might rearm their injured Iranian protege overnight, just as Nixon rearmed Israel, and threaten to intervene, just as the U.S.S.R. threatened to join Egypt and Syria in 1973. President Obama’s response would likely put U.S. forces on nuclear alert, replaying Nixon’s nightmarish scenario. Iran may well feel duty-bound to respond to a unilateral attack by its Israeli archenemy, but it knows that it could not take on the United States head-to-head. In contrast, if the United States leads the attack, Iran’s response would likely be muted. If Iran chooses to absorb an American-led strike, its allies would likely protest and send weapons, but would probably not risk using force.

¶ While no one has a crystal ball, leaders should be risk-averse when choosing war as a foreign policy tool. If attacking Iran is deemed necessary, Israel must wait for an American green light. A unilateral Israeli strike could ultimately spark World War III.

### **Flex DA**

#### The plan’s precedent causes further constraint --- undermines overall war powers

Paul 8 Christopher, Senior Social Scientist; Professor, Pardee RAND Graduate School Pittsburgh Office Education Ph.D., M.A., and B.A. in sociology, University of California, Los Angeles, “US Presidential War Powers: Legacy Chains in Military Intervention Decisionmaking\* ,” Journal of Peace Research, Vol. 45, No. 5 (Sep., 2008), pp. 665-679

Legacy Chains

Finegold & Skocpol (1995: 222) describe policy legacies: Past and present policies are connected in at least three different ways. First, past policies give rise to analogies that affect how public officials think about contemporary policy issues. Second, past policies suggest lessons that help us to understand the processes by which contemporary policies are formulated and implemented and by which the conse quences of contemporary policies will be determined. Third, past policies impose limitations that reduce the range of policy choices available as responses to contemporary problems. All three of the ways in which they connect past policy to present policy can be viewed as changes in the institutional context in which policy is made. These legacies are institutionalized in two different ways: first, through changes in formal rules or procedures, and second, in the 'taken for granteds', 'schemas', and accepted wisdom of policy makers and ordinary citizens alike (Sewell, 1992: 1-29). While a policy or event can leave multiple legacies, it often leaves a single major legacy. For example, the War Powers Resolution for mally changed the relationship between the president and the congress with regard to war-making and the deployment of troops. Subsequent military interventions were influenced by this change and have, in turn, left their own legacy (legal scholars might call it precedent) as a link in that chain. Legacy chains can be modified, trans formed, or reinforced as they step through each 'link' in the chain. As another example, US involvement in Vietnam left a legacy in the sphere of press/military relations which affected the intervention in Grenada in 1983 (the press was completely excluded for the first 48 hours of the operation). The press legacy chain begun in Vietnam also affected the Panama invasion of 1989 (a press pool was activated, in country, but excluded from the action), but the legacy had been trans formed slightly by the Grenada invasion (the press pool system itself grew out of complaint regarding press exclusion in Grenada) (Paul & Kim, 2004). Because of the different ways in which policy legacies are institutionalized, some legacies have unintended institutional cons quences. The War Powers Resolution was intended to curtail presidential war-making powers and return some authority to the con gress. In practice, the joint resolution failed to force presidents to include congressional participation in their intervention decision making, but it had the unintended conse quence of forcing them to change the way they planned interventions to comply with the letter of the law (see the extended ex ample presented later in the article).1

#### Causes nuclear war and bioterror---exec flex is key to successful fourth-gen warfare

Zheyao Li 9, J.D. candidate, Georgetown University Law Center, 2009; B.A., political science and history, Yale University, 2006. This paper is the culmination of work begun in the "Constitutional Interpretation in the Legislative and Executive Branches" seminar, led by Judge Brett Kavanaugh, “War Powers for the Fourth Generation: Constitutional Interpretation in the Age of Asymmetric Warfare,” 7 Geo. J.L. & Pub. Pol'y 373 2009 WAR POWERS IN THE FOURTH GENERATION OF WARFARE

A. The Emergence of Non-State Actors

Even as the quantity of nation-states in the world has increased dramatically since the end of World War II, the institution of the nation-state has been in decline over the past few decades. Much of this decline is the direct result of the waning of major interstate war, which primarily resulted from the introduction of nuclear weapons.122 The proliferation of nuclear weapons, and their immense capacity for absolute destruction, has ensured that conventional wars remain limited in scope and duration. Hence, "both the size of the armed forces and the quantity of weapons at their disposal has declined quite sharply" since 1945.123 At the same time, concurrent with the decline of the nation-state in the second half of the twentieth century, non-state actors have increasingly been willing and able to use force to advance their causes. In contrast to nation-states, who adhere to the Clausewitzian distinction between the ends of policy and the means of war to achieve those ends, non-state actors do not necessarily fight as a mere means of advancing any coherent policy. Rather, they see their fight as a life-and-death struggle, wherein the ordinary terminology of war as an instrument of policy breaks down because of this blending of means and ends.124 It is the existential nature of this struggle and the disappearance of the Clausewitzian distinction between war and policy that has given rise to a new generation of warfare. The concept of fourth-generational warfare was first articulated in an influential article in the Marine Corps Gazette in 1989, which has proven highly prescient. In describing what they saw as the modem trend toward a new phase of warfighting, the authors argued that: In broad terms, fourth generation warfare seems likely to be widely dispersed and largely undefined; the distinction between war and peace will be blurred to the vanishing point. It will be nonlinear, possibly to the point of having no definable battlefields or fronts. The distinction between "civilian" and "military" may disappear. Actions will occur concurrently throughout all participants' depth, including their society as a cultural, not just a physical, entity. Major military facilities, such as airfields, fixed communications sites, and large headquarters will become rarities because of their vulnerability; the same may be true of civilian equivalents, such as seats of government, power plants, and industrial sites (including knowledge as well as manufacturing industries). 125 It is precisely this blurring of peace and war and the demise of traditionally definable battlefields that provides the impetus for the formulation of a new. theory of war powers. As evidenced by Part M, supra, the constitutional allocation of war powers, and the Framers' commitment of the war power to two co-equal branches, was not designed to cope with the current international system, one that is characterized by the persistent machinations of international terrorist organizations, the rise of multilateral alliances, the emergence of rogue states, and the potentially wide proliferation of easily deployable weapons of mass destruction, nuclear and otherwise. B. The Framers' World vs. Today's World The Framers crafted the Constitution, and the people ratified it, in a time when everyone understood that the state controlled both the raising of armies and their use. Today, however, the threat of terrorism is bringing an end to the era of the nation-state's legal monopoly on violence, and the kind of war that existed before-based on a clear division between government, armed forces, and the people-is on the decline. 126 As states are caught between their decreasing ability to fight each other due to the existence of nuclear weapons and the increasing threat from non-state actors, it is clear that the Westphalian system of nation-states that informed the Framers' allocation of war powers is no longer the order of the day. 127 As seen in Part III, supra, the rise of the modem nation-state occurred as a result of its military effectiveness and ability to defend its citizens. If nation-states such as the United States are unable to adapt to the changing circumstances of fourth-generational warfare-that is, if they are unable to adequately defend against low-intensity conflict conducted by non-state actors-"then clearly [the modem state] does not have a future in front of it.' 128 The challenge in formulating a new theory of war powers for fourthgenerational warfare that remains legally justifiable lies in the difficulty of adapting to changed circumstances while remaining faithful to the constitutional text and the original meaning. 29 To that end, it is crucial to remember that the Framers crafted the Constitution in the context of the Westphalian system of nation-states. The three centuries following the Peace of Westphalia of 1648 witnessed an international system characterized by wars, which, "through the efforts of governments, assumed a more regular, interconnected character."' 130 That period saw the rise of an independent military class and the stabilization of military institutions. Consequently, "warfare became more regular, better organized, and more attuned to the purpose of war-that is, to its political objective."' 1 3' That era is now over. Today, the stability of the long-existing Westphalian international order has been greatly eroded in recent years with the advent of international terrorist organizations, which care nothing for the traditional norms of the laws of war. This new global environment exposes the limitations inherent in the interpretational methods of originalism and textualism and necessitates the adoption of a new method of constitutional interpretation. While one must always be aware of the text of the Constitution and the original understanding of that text, that very awareness identifies the extent to which fourth-generational warfare epitomizes a phenomenon unforeseen by the Framers, a problem the constitutional resolution of which must rely on the good judgment of the present generation. 13 Now, to adapt the constitutional warmarking scheme to the new international order characterized by fourth-generational warfare, one must understand the threat it is being adapted to confront. C. The Jihadist Threat The erosion of the Westphalian and Clausewitzian model of warfare and the blurring of the distinction between the means of warfare and the ends of policy, which is one characteristic of fourth-generational warfare, apply to al-Qaeda and other adherents of jihadist ideology who view the United States as an enemy. An excellent analysis of jihadist ideology and its implications for the rest of the world are presented by Professor Mary Habeck. 133 Professor Habeck identifies the centrality of the Qur'an, specifically a particular reading of the Qur'an and hadith (traditions about the life of Muhammad), to the jihadist terrorists. 134 The jihadis believe that the scope of the Qur'an is universal, and "that their interpretation of Islam is also intended for the entire world, which must be brought to recognize this fact peacefully if possible and through violence if not."' 135 Along these lines, the jihadis view the United States and her allies as among the greatest enemies of Islam: they believe "that every element of modern Western liberalism is flawed, wrong, and evil" because the basis of liberalism is secularism. 136 The jihadis emphasize the superiority of Islam to all other religions, and they believe that "God does not want differing belief systems to coexist."' 37 For this reason, jihadist groups such as al-Qaeda "recognize that the West will not submit without a fight and believe in fact that the Christians, Jews, and liberals have united against Islam in a war that will end in the complete destruction of the unbelievers.' 138 Thus, the adherents of this jihadist ideology, be it al-Qaeda or other groups, will continue to target the United States until she is destroyed. Their ideology demands it. 139 To effectively combat terrorist groups such as al-Qaeda, it is necessary to understand not only how they think, but also how they operate. Al-Qaeda is a transnational organization capable of simultaneously managing multiple operations all over the world."14 It is both centralized and decentralized: al-Qaeda is centralized in the sense that Osama bin Laden is the unquestioned leader, but it is decentralized in that its operations are carried out locally, by distinct cells."4 AI-Qaeda benefits immensely from this arrangement because it can exercise direct control over high-probability operations, while maintaining a distance from low-probability attacks, only taking the credit for those that succeed. The local terrorist cells benefit by gaining access to al-Qaeda's "worldwide network of assets, people, and expertise."' 42 Post-September 11 events have highlighted al-Qaeda's resilience. Even as the United States and her allies fought back, inflicting heavy casualties on al-Qaeda in Afghanistan and destroying dozens of cells worldwide, "al-Qaeda's networked nature allowed it to absorb the damage and remain a threat." 14 3 This is a far cry from earlier generations of warfare, where the decimation of the enemy's military forces would generally bring an end to the conflict. D. The Need for Rapid Reaction and Expanded Presidential War Power By now it should be clear just how different this conflict against the extremist terrorists is from the type of warfare that occupied the minds of the Framers at the time of the Founding. Rather than maintaining the geographical and political isolation desired by the Framers for the new country, today's United States is an international power targeted by individuals and groups that will not rest until seeing her demise. The Global War on Terrorism is not truly a war within the Framers' eighteenth-century conception of the term, and the normal constitutional provisions regulating the division of war powers between Congress and the President do not apply. Instead, this "war" is a struggle for survival and dominance against forces that threaten to destroy the United States and her allies, and the fourth-generational nature of the conflict, highlighted by an indiscernible distinction between wartime and peacetime, necessitates an evolution of America's traditional constitutional warmaking scheme. As first illustrated by the military strategist Colonel John Boyd, constitutional decision-making in the realm of war powers in the fourth generation should consider the implications of the OODA Loop: Observe, Orient, Decide, and Act. 44 In the era of fourth-generational warfare, quick reactions, proceeding through the OODA Loop rapidly, and disrupting the enemy's OODA loop are the keys to victory. "In order to win," Colonel Boyd suggested, "we should operate at a faster tempo or rhythm than our adversaries." 145 In the words of Professor Creveld, "[b]oth organizationally and in terms of the equipment at their disposal, the armed forces of the world will have to adjust themselves to this situation by changing their doctrine, doing away with much of their heavy equipment and becoming more like police."1 46 Unfortunately, the existing constitutional understanding, which diffuses war power between two branches of government, necessarily (by the Framers' design) slows down decision- making. In circumstances where war is undesirable (which is, admittedly, most of the time, especially against other nation-states), the deliberativeness of the existing decision-making process is a positive attribute. In America's current situation, however, in the midst of the conflict with al-Qaeda and other international terrorist organizations, the existing process of constitutional decision-making in warfare may prove a fatal hindrance to achieving the initiative necessary for victory. As a slow-acting, deliberative body, Congress does not have the ability to adequately deal with fast-emerging situations in fourth-generational warfare. Thus, in order to combat transnational threats such as al-Qaeda, the executive branch must have the ability to operate by taking offensive military action even without congressional authorization, because only the executive branch is capable of the swift decision-making and action necessary to prevail in fourth-generational conflicts against fourthgenerational opponents.

### **Executive CP**

#### Text: The President of the United States should public declare that it considers itself legally prohibited from intervening in a conflict between China and Taiwan.

#### Counterplan solves cred and the case

Adrian Vermeule 7, Harvard law prof - AND - Eric Posner - U Chicago law, The Credible Executive, 74 U. Chi. L. Rev. 865

\*We do not endorse gendered language

The Madisonian system of oversight has not totally failed. Some- times legislators overcome the temptation to free ride; sometimes they invest in protecting the separation of powers or legislative preroga- tives. Sometimes judges review exercises of executive discretion, even during emergencies. But often enough, legislators and judges have no real alternative to letting executive officials exercise discretion un- checked. The Madisonian system is a partial failure; compensating mechanisms must be adopted to fill the area of slack, the institutional gap between executive discretion and the oversight capacities of other institutions. Again, the magnitude of this gap is unclear, but plausibly it is quite large; we will assume that it is. It is often assumed that this partial failure of the Madisonian sys- tem unshackles and therefore benefits ill-motivated executives. This is grievously incomplete. The failure of the Madisonian system harms the well-motivated executive as much as it benefits the ill-motivated one. Where Madisonian oversight fails, the well-motivated executive is a victim of his own power. Voters, legislators, and judges will be wary of granting further discretion to an executive whose motivations are un- certain and possibly nefarious. The partial failure of Madisonian over- sight thus threatens a form of inefficiency, a kind of contracting failure that makes potentially everyone, including the voters, worse off. Our central question, then, is what the well-motivated executive can do to solve or at least ameliorate the problem. The solution is for the executive to complement his (well-motivated) first-order policy goals with second-order mechanisms for demonstrating credibility to other actors. We thus do not address the different question of what voters, legislators, judges, and other actors should do about an executive who is ill motivated and known to be so. That project involves shoring up or replacing the Madisonian system to block executive dictatorship. Our project is the converse of this, and involves finding new mechanisms to help the well-motivated executive credibly distinguish himself as such. ¶ IV. EXECUTIVE SIGNALING: LAW AND MECHANISMS ¶ We suggest that the executive’s credibility problem can be solved by second-order mechanisms of executive signaling. In the general case, well-motivated executives send credible signals by taking actions that are more costly for ill-motivated actors than for well- motivated ones, thus distinguishing themselves from their ill- motivated mimics. Among the specific mechanisms we discuss, an important subset involves executive self-binding, whereby executives commit themselves to a course of action that would impose higher costs on ill-motivated actors. Commitments themselves have value as signals of benign motivations. ¶ This departs from the usual approach in legal scholarship. Legal theory has often discussed self-binding by “government” or govern- ment officials. In constitutional theory, it is often suggested that consti- tutions represent an attempt by “the people” to bind “themselves” against their own future decisionmaking pathologies, or relatedly, that constitutional prohibitions represent mechanisms by which govern- ments commit themselves not to expropriate investments or to exploit their populations.72 Whether or not this picture is coherent,73 it is not the question we examine here, although some of the relevant consid- erations are similar.74 We are not concerned with binding the president so that he cannot abuse his powers, but with how he might bind himself or take other actions that enhance his credibility, so that he can generate support from the public and other members of the government. ¶ Furthermore, our question is subconstitutional: it is whether a well-motivated executive, acting within an established set of constitu- tional and statutory rules, can use signaling mechanisms to generate public trust. Accordingly, we proceed by assuming that no constitutional amendments or new statutes will be enacted. Within these con- straints, what can a well-motivated executive do to bootstrap himself to credibility? The problem for the well-motivated executive is to credibly signal his benign motivations. In general, the solution is to engage in actions that are less costly for good types than for bad types. ¶ We begin with some relevant law, then examine a set of possible mechanisms—emphasizing both the conditions under which they might succeed and the conditions under which they might not—and conclude by examining the costs of credibility. ¶ A. A Preliminary Note on Law and Self-Binding ¶ Many of our mechanisms are unproblematic from a legal per- spective, as they involve presidential actions that are clearly lawful. But a few raise legal questions; in particular, those that involve self- binding.75 Can a president bind himself to respect particular first-order policies? With qualifications, the answer is yes, at least to the same extent that a legislature can. Formally, a duly promulgated executive rule or order binds even the executive unless and until it is validly abrogated, thereby establishing a new legal status quo.76 The legal authority to establish a new status quo allows a president to create inertia or political constraints that will affect his own future choices. In a practical sense, presidents, like legislatures, have great de facto power to adopt policies that shape the legal landscape for the future. A president might commit himself to a long-term project of defense pro- curement or infrastructure or foreign policy, narrowing his own future choices and generating new political coalitions that will act to defend the new rules or policies. More schematically, we may speak of formal and informal means of self-binding:

### TRA CP

#### The United States federal government should repeal the Taiwan Relations Act.

### CP

#### The President of the United States should execute a disarming strike utilizing low-yield airburst nuclear weapons on the Chinese nuclear arsenal in the event of a hostility between the People’s Repubic of China and Taiwan if and only if he believes he has the non-extra-Constitutional authority to do so.

#### it’s net-beneficial --- US-Sino war is inevitable --- it will escalate and go nuclear --- South China Seas, nuclear submarine accidents, and ambiguous red-lines

Avery Goldstein, October 2013, the David M. Knott Professor of Global Politics and IR and Director of the Center for the Study of Contemporary China @ the University of Pennsylvania, “China’s Real and Present Danger,” September/October 2013, Foreign Affairs, http://www.foreignaffairs.com/articles/139651/avery-goldstein/chinas-real-and-present-danger?cid=soc-twitter-in-essays-chinas\_clear\_and\_present\_danger-100713

Much of the debate about China’s rise in recent years has focused on the potential dangers China could pose as an eventual peer competitor to the United States bent on challenging the existing international order. But another issue is far more pressing. For at least the next decade, while China remains relatively weak compared to the United States, there is a real danger that Beijing and Washington will find themselves in a crisis that could quickly escalate to military conflict. Unlike a long-term great-power strategic rivalry that might or might not develop down the road, the danger of a crisis involving the two nuclear-armed countries is a tangible, near-term concern -- and the events of the past few years suggest the risk might be increasing.¶ Since the end of the Cold War, Beijing and Washington have managed to avoid perilous showdowns on several occasions: in 1995–96, when the United States responded to Chinese missile tests intended to warn Taiwanese voters about the danger of pushing for independence; in 1999, when U.S. warplanes accidentally bombed the Chinese embassy in Belgrade during the NATO air assault on Serbia; and in 2001, when a U.S. spy plane collided with a Chinese fighter jet, leading to the death of the Chinese pilot and Beijing’s detention of the U.S. plane and crew. But the lack of serious escalation during those episodes should not breed complacency. None of them met the definition of a genuine crisis: a confrontation that threatens vital interests on both sides and thus sharply increases the risk of war. If Beijing and Washington were to find themselves in that sort of showdown in the near future, they would both have strong incentives to resort to force. Moreover, the temptations and pressures to escalate would likely be highest in the early stages of the face-off, making it harder for diplomacy to prevent war.¶ THIN RED LINES¶ It might seem that the prospects for a crisis of this sort in U.S.-Chinese relations have diminished in recent years as tensions over Taiwan have cooled, defusing the powder keg that has driven much Chinese and U.S. military planning in East Asia since the mid-1990s. But other potential flash points have emerged. As China and its neighbors squabble over islands and maritime rights in the East China and South China seas, the United States has reiterated its treaty commitments to defend two of the countries that are contesting China’s claims (Japan and the Philippines) and has nurtured increasingly close ties with a third (Vietnam). Moreover, the Obama administration’s “pivot,” or “rebalancing,” to Asia, a diplomatic turn matched by planned military redeployments, has signaled that Washington is prepared to get involved in the event of a regional conflict.¶ China might be less cautious about triggering a crisis -- and less cautious about firing the first shot if a crisis ensued. ¶ Also, the United States insists that international law affords it freedom of navigation in international waters and airspace, defined as lying beyond a country’s 12-mile territorial limit. China, by contrast, asserts that other countries’ military vessels and aircraft are not free to enter its roughly 200-mile-wide “exclusive economic zone” without express permission -- a prohibition that, given Beijing’s territorial claims, could place much of the South China Sea and the airspace above it off-limits to U.S. military ships and planes. Disputes over freedom of navigation have already caused confrontations between China and the United States, and they remain a possible trigger for a serious crisis.¶ It is true that China and the United States are not currently adversaries -- certainly not in the way that the Soviet Union and the United States were during the Cold War. But the risk of a U.S.-Chinese crisis might actually be greater than it would be if Beijing and Washington were locked in a zero-sum, life-and-death struggle. As armed adversaries on hair-trigger alert, the Soviet Union and the United States understood that their fundamentally opposed interests might bring about a war. After going through several nerve-racking confrontations over Berlin and Cuba, they gained an understanding of each other’s vital interests -- not to be challenged without risking a crisis -- and developed mechanisms to avoid escalation. China and the United States have yet to reach a similar shared understanding about vital interests or to develop reliable means for crisis management.¶ Neither China nor the United States has clearly defined its vital interests across broad areas of the western Pacific. In recent years, China has issued various unofficial statements about its “core interests” that have sometimes gone beyond simply ensuring the territorial and political integrity of the mainland and its claim to sovereignty over Taiwan. Beijing has suggested, for example, that it might consider the disputed areas of the East China and South China seas to be core interests.¶ Washington has also been vague about what it sees as its vital interests in the region. The United States hedges on the question of whether Taiwan falls under a U.S. security umbrella. And the United States’ stance on the maritime disputes involving China and its neighbors is somewhat confusing: Washington has remained neutral on the rival sovereignty claims and insisted that the disputes be resolved peacefully but has also reaffirmed its commitment to stand by its allies in the event that a conflict erupts. Such Chinese and U.S. ambiguity about the “redlines” that cannot be crossed without risking conflict increases the chances that either side could take steps that it believes are safe but that turn out to be unexpectedly provocative.¶ MORE DANGEROUS THAN THE COLD WAR?¶ Uncertainty about what could lead either Beijing or Washington to risk war makes a crisis far more likely, since neither side knows when, where, or just how hard it can push without the other side pushing back. This situation bears some resemblance to that of the early Cold War, when it took a number of serious crises for the two sides to feel each other out and learn the rules of the road. But today’s environment might be even more dangerous.¶ The balance of nuclear and conventional military power between China and the United States, for example, is much more lopsided than the one that existed between the Soviet Union and the United States. Should Beijing and Washington find themselves in a conflict, the huge U.S. advantage in conventional forces would increase the temptation for Washington to threaten to or actually use force. Recognizing the temptation facing Washington, Beijing might in turn feel pressure to use its conventional forces before they are destroyed. Although China could not reverse the military imbalance, it might believe that quickly imposing high costs on the United States would be the best way to get it to back off.¶ The fact that both sides have nuclear arsenals would help keep the situation in check, because both sides would want to avoid actions that would invite nuclear retaliation. Indeed, if only nuclear considerations mattered, U.S.-Chinese crises would be very stable and not worth worrying about too much. But the two sides’ conventional forces complicate matters and undermine the stability provided by nuclear deterrence. During a crisis, either side might believe that using its conventional forces would confer bargaining leverage, manipulating the other side’s fear of escalation through what the economist Thomas Schelling calls a “competition in risk-taking.” In a crisis, China or the United States might believe that it valued what was at stake more than the other and would therefore be willing to tolerate a higher level of risk. But because using conventional forces would be only the first step in an unpredictable process subject to misperception, missteps, and miscalculation, there is no guarantee that brinkmanship would end before it led to an unanticipated nuclear catastrophe.¶ China, moreover, apparently believes that nuclear deterrence opens the door to the safe use of conventional force. Since both countries would fear a potential nuclear exchange, the Chinese seem to think that neither they nor the Americans would allow a military conflict to escalate too far. Soviet leaders, by contrast, indicated that they would use whatever military means were necessary if war came -- which is one reason why war never came. In addition, China’s official “no first use” nuclear policy, which guides the Chinese military’s preparation and training for conflict, might reinforce Beijing’s confidence that limited war with the United States would not mean courting nuclear escalation. As a result of its beliefs, Beijing might be less cautious about taking steps that would risk triggering a crisis. And if a crisis ensued, China might also be less cautious about firing the first shot.¶ Such beliefs are particularly worrisome given recent developments in technology that have dramatically improved the precision and effectiveness of conventional military capabilities. Their lethality might confer a dramatic advantage to the side that attacks first, something that was generally not true of conventional military operations in the main European theater of U.S.-Soviet confrontation. Moreover, because the sophisticated computer and satellite systems that guide contemporary weapons are highly vulnerable to conventional military strikes or cyberattacks, today’s more precise weapons might be effective only if they are used before an adversary has struck or adopted countermeasures. If peacetime restraint were to give way to a search for advantage in a crisis, neither China nor the United States could be confident about the durability of the systems managing its advanced conventional weapons.¶ Chinese analysts seem to overestimate how easy it is to send signals through military actions and underestimate the risks of miscommunication. ¶ Under such circumstances, both Beijing and Washington would have incentives to initiate an attack. China would feel particularly strong pressure, since its advanced conventional weapons are more fully dependent on vulnerable computer networks, fixed radar sites, and satellites. The effectiveness of U.S. advanced forces is less dependent on these most vulnerable systems. The advantage held by the United States, however, might increase its temptation to strike first, especially against China’s satellites, since it would be able to cope with Chinese retaliation in kind.¶ COMMUNICATION BREAKDOWN¶ A U.S.-Chinese crisis might also be more dangerous than Cold War showdowns because of the unreliability of the existing channels of communication between Beijing and Washington. After the Cuban missile crisis, the Soviet Union and the United States recognized the importance of direct communication between their top leaders and set up the Moscow–Washington hot line. In 1998, China and the United States also set up a hot line for direct communication between their presidents. But despite the hot line’s availability, the White House was not able to contact China’s top leaders in a timely fashion following the 1999 Belgrade embassy bombing or the 2001 spy-plane incident. China’s failure to use the hot line as intended might have reflected the reluctance of its leaders to respond until they had reached an internal consensus or until they had consulted widely with their military. The delay might also have reflected China’s difficulties in coordinating policy, since China lacks a dependable counterpart to the U.S. National Security Council. Whatever the reason, experience suggests that frustrating delays in direct communication are likely during what would be the crucial early moments of an unfolding U.S.-Chinese crisis.¶ Instead, communication between the two countries might initially be limited to either public statements or tacit signals sent through actions. But public statements are aimed at multiple audiences, and nationalist passions in either China or the United States, as well as pressure from allies, might force either side to take a more aggressive public stance than it actually felt was warranted. Absent direct and confidential communication, the two countries might be unable to discuss politically sensitive proposals. They might also be unable to share information that could help head off a disastrous escalation, such as classified details about military capabilities or military maneuvers already under way.¶ Communicating through actions is also problematic, with many possibilities for distortion in sending messages and for misinterpretation in receiving them. Chinese analysts seem to overestimate how easy it is to send signals through military actions and underestimate the risks of escalation resulting from miscommunication. For example, the analysts Andrew Erickson and David Yang have drawn attention to Chinese military writings that propose using China’s antiship ballistic missile system, designed for targeting U.S. aircraft carriers, to convey Beijing’s resolve during a crisis. Some Chinese military thinkers have suggested that China could send a signal by firing warning shots intended to land near a moving U.S. aircraft carrier or even by carefully aiming strikes at the command tower of the U.S. carrier while sparing the rest of the vessel. But as the political scientist Owen Coté has noted, even a very accurate antiship ballistic missile system will inevitably have some margin of error. Consequently, even the smallest salvo of this kind would entail a risk of inadvertent serious damage and thus unintended escalation.¶ A final important factor that could make a U.S.-Chinese crisis more dangerous than those during the Cold War is geography. The focus of Cold War confrontations was primarily on land, especially in central Europe, whereas a future confrontation between China and the United States would almost certainly begin at sea. This difference would shape a U.S.-Chinese crisis in a number of ways, especially by requiring both sides to make some fateful choices early on. China’s small fleet of nuclear-armed ballistic missile submarines (SSBNs) and its much larger fleet of conventionally armed attack submarines are most secure when they remain in the shallow waters near the Chinese mainland, where poor acoustics compromise the effectiveness of U.S. undersea antisubmarine operations. Their proximity to Chinese land-based aircraft and air defenses also limits Washington’s ability to rely on its airpower and surface ships to counter them. For China’s submarine forces to play a role in a showdown with the United States, however, they would have to move out of those safer waters.¶ The prospect of China’s submarines breaking out would dramatically increase the instability of a crisis. Although U.S. antisubmarine warfare technology would be more effective against China’s submarines operating in less noisy open waters (where the United States also enjoys air superiority), it would not be perfect: some U.S. naval assets that came within range of surviving Chinese submarines would be at risk. Early in a crisis, therefore, the United States would be tempted to minimize this risk by sinking Chinese attack submarines as they tried to leave their home waters. Especially because there are only a few narrow routes through which Chinese submarines can reach deeper waters, the United States would be tempted to strike early rather than accept an increased risk to U.S. naval forces. Regardless of the U.S. decision, any Chinese attack submarines that managed to reach distant deeper waters would face a “use them or lose them” dilemma, thanks to their greater vulnerability to U.S. antisubmarine forces -- one more potential trigger for escalation.¶ China’s nuclear-armed SSBNs present other risks. Under its no-first-use policy, China has clearly stated that any attack on its strategic nuclear forces would justify nuclear retaliation, making a U.S. strike against its SSBNs seem unlikely. Early in a crisis, therefore, Beijing would probably believe that it could safely deploy its SSBNs to distant, deeper waters, where they would be best positioned to execute their launch orders. Such a deep-water deployment, however, would introduce new dangers. One is the possibility that U.S. naval forces might mistake a Chinese SSBN for a conventional attack submarine and fire on it, inviting Chinese nuclear retaliation. Another is the danger that a Chinese SSBN could escalate the conflict without explicit orders from Beijing, owing to the limited communication such submarines maintain with the mainland in order to avoid detection.

#### U.S. first-strike is key to prevent and contain the impact to the inevitable US-Sino war

Lieber and Press 7 – Keir Lieber, Assistant Professor of Political Science at the University of Notre Dame, and Daryl Press, Associate Professor of Government at Dartmouth College, July/August 2007, “Superiority Complex,” The Atlantic, http://www.theatlantic.com/doc/200707/china-nukes

From a military perspective, this modernization has paid off: A U.S. nuclear first strike could quickly destroy China’s strategic nuclear arsenal. Whether launched in peacetime or during a crisis, a preemptive strike would likely leave China with no means of nuclear retaliation against American territory. And given the trends in both arsenals, China may live under the shadow of U.S. nuclear primacy for years to come.¶ This assessment is based on unclassified information, standard targeting principles, and formulas that defense analysts have used for decades. (And we systematically chose conservative estimates for key unknowns, meaning that our analysis understates U.S. counterforce capabilities.) The simplest version of an American preemptive strike would have nuclear-armed submarines in the Pacific launch Trident II missiles at the Chinese ICBM field in Henan province. The Navy keeps at least two of these submarines on “hard alert” in the Pacific at all times, meaning they’re ready to fire within 15 minutes of a launch order. Since each submarine carries 24 nuclear-tipped missiles with an average of six warheads per missile, commanders have almost 300 warheads ready for immediate use. This is more than enough to assign multiple warheads to each of the 18 Chinese silos. Chinese leaders would have little or no warning of the attack.¶ During the Cold War, U.S. submarines posed little danger to China’s silos, or to any other hardened targets. Each warhead on the Trident I missiles had little chance—roughly 12 percent—of success. Not only were those missiles inaccurate, their warheads had a relatively small yield. (Similarly, until the late 1980s, U.S. ICBMs lacked the accuracy to carry out a reliable disarming attack against China.) But the Navy’s new warheads and missiles are far more lethal. A Trident II missile is so accurate, and the newer W88 warhead so powerful, that if the warhead and missile function normally, the destruction of the silo is virtually assured (the likelihood is calculated as greater than 99 percent).¶ In reality, American planners could not assume such near-perfect results. Some missiles or warheads could malfunction: One missile’s rockets might fail to ignite; another’s guidance system might be defective. So a realistic counterforce plan might assign four warheads to each silo. The U.S. would “cross-target” the missiles, meaning that the warheads on each missile would each go to different silos, so that a silo would be spared only if many missiles malfunctioned. Even assuming that 20 percent of missiles malfunctioned—the standard, conservative assumption typically used by nuclear analysts—there is a 97 percent chance that every Chinese DF-5 silo would be destroyed in a 4-on-1 attack. (By comparison, a similar attack using Cold War–era Trident I missiles would have produced less than a 1 percent chance of success. The leap in American counterforce capabilities since the end of the Cold War is staggering.)¶ Beyond bolstering the ability to conduct a first strike, the improvements to U.S. counterforce weapons also allow war planners to design nuclear options that will make the weapons more “usable” during high-stakes crises. Nuclear planners face many choices when they consider striking a given target. First, they must choose a warhead yield. The American arsenal includes low-yield weapons such as the B-61 bomb, which can detonate with as little explosive force as 0.3 kilotons (one-fiftieth the power of the bomb that destroyed Hiroshima), and high-yield weapons such as the B-83 bomb, which can yield 1,200 kilotons (80 times the strength of the Hiroshima bomb). For a military planner, high-yield weapons are attractive because they’re very likely to destroy the target—even if the weapon misses by some distance. Low-yield warheads, on the other hand, can be more discriminating, if planners want to minimize civilian casualties.¶ A second key decision for war planners is whether to set the weapon to detonate at ground level or in the air above the target. A groundburst creates enormous overpressure and ground shock, ideal for destroying a hardened target. But groundbursts also create a lot of radioactive fallout. Dirt and other matter is sucked up into the mushroom cloud, mixes with radioactive material, and, after being carried by the wind, falls to earth in the hours after the blast, spreading lethal radiation.¶ Airbursts create smaller zones of extremely high overpressure, but they also generate very little fallout. If the detonation occurs above a threshold altitude (which depends on the weapon yield), virtually no heavy particles from the ground mix with the radioactive material in the fireball. The radioactive material rises into the high atmosphere and then falls to earth over the course of several weeks in a far less dangerous state and over a very wide area, greatly reducing the harm to civilians.¶ In the past, a nuclear attack on China’s arsenal would have had horrific humanitarian consequences. The weapons were less accurate, so an effective strike would have required multiple high-yield warheads, detonating on the ground, against each target. The Federation of American Scientists and the Natural Resources Defense Council modeled the consequences of such an attack—similar to the submarine attack described above—and published their findings in 2006. The results were sobering. Although China’s long-range missiles are deployed in a lightly populated region, lethal fallout from an attack would travel hundreds of miles and kill more than 3 million Chinese civilians. American leaders might have contemplated such a strike, but only in the most dire circumstances.¶ But things are changing radically. Improved accuracy now allows war planners to target hardened sites with low-yield warheads and even airbursts. And the United States is pushing its breakthroughs in accuracy even further. For example, for many years America has used global-positioning systems in conjunction with onboard inertial-guidance systems to improve the accuracy of its conventionally armed (that is, nonnuclear) cruise missiles. Although an adversary may jam the GPS signal near likely targets, the cruise missiles use GPS along their flight route and then—if they lose the signal—use their backup inertial-guidance system for the final few kilometers. This approach has dramatically improved a cruise missile’s accuracy and could be applied to nuclear-armed cruise missiles as well. The United States is deploying jam- resistant GPS receivers on other weapons, experimenting with GPS on its nuclear-armed ballistic missiles, and planning to deploy a new generation of GPS satellites—with higher-powered signals to complicate jamming.¶ The payoff for equipping cruise missiles (or nuclear bombs) with GPS is clear when one estimates the civilian casualties from a lower-yield, airburst attack. We asked Matthew McKinzie, a scientific consultant to the Natural Resources Defense Council and coauthor of the 2006 study, to rerun the analysis using low-yield detonations compatible with nuclear weapons currently in the U.S. arsenal. Using three warheads per target to increase the odds of destroying every silo, the model predicts fewer than 1,000 Chinese casualties from fallout. In some low-yield scenarios, fewer than 100 Chinese would be killed or injured from fallout. The model is better suited to predicting fallout casualties than to forecasting deaths from the blast and fire, but given the low population in the rural region where the silos are, Chinese fatalities would be fewer than 6,000 in even the most destructive scenario we modeled. And in the future, there may be reliable nonnuclear options for destroying Chinese silos. Freed from the burden of killing millions, a U.S. president staring at the threat of a Chinese nuclear attack on U.S. forces, allies, or territory might be more inclined to choose preemptive action. ¶ Strategic Implications of the Nuclear Imbalance¶ The most plausible flash point for a serious U.S.-China conflict is Taiwan. Suppose Taiwan declared independence. China has repeatedly warned that such a move would provoke an attack, probably a major air and naval campaign to shatter Taiwan’s defenses and leave the island vulnerable to conquest. If the United States decided to defend Taiwan, American forces would likely thwart China’s offensive, since aerial and naval warfare are strengths of the U.S. military. But looming defeat would place great pressure on China’s leaders. Losing the war might mean permanently losing Taiwan. This would undermine the domestic legitimacy of the Chinese Communist Party, which increasingly relies on the appeal of nationalism to justify its rule. A crippling defeat would also strain relations between political leaders in Beijing and the Chinese military. To stave off a regime-threatening disaster, the political leaders might decide to raise the stakes by placing part of the Chinese nuclear force on alert in hopes of coercing the United States into accepting a negotiated solution (for example, a return to Taiwan’s pre-declaration status).¶ By putting its nuclear forces on alert, however, China’s leaders would compel a U.S. president to make a very difficult decision: to accede to blackmail (by agreeing to a cease-fire and pressuring the Taiwanese to renounce independence), to assume that the threat is a bluff (a dangerous proposition, given that each Chinese ICBM carries a city-busting 4,000-kiloton warhead), or to strike the Chinese missiles before they could be launched.¶ How do America’s growing counterforce capabilities affect this scenario? First, American nuclear primacy may prevent such a war in the first place. China’s leaders understand that their military now has little hope of defeating U.S. air and naval forces. If they also recognize that their nuclear arsenal is vulnerable—and that placing it on alert might trigger a preemptive strike—the leaders may conclude that war is a no-win proposition.¶ Second, if a war over Taiwan started anyway, U.S. nuclear primacy might help contain the fighting at the conventional level. Early in the crisis, Washington could quietly convey to Beijing that the United States would act decisively if China put its vulnerable nuclear arsenal on alert.¶ Finally, if China threatened to launch nuclear attacks against America’s allies, its territory, or its forces in Asia, nuclear primacy would make a preemptive first strike more palatable to U.S. leaders. Any decision to attack China’s ICBM force, though, would be fraught with danger. A missile silo might have escaped detection. Furthermore, a strike on China’s 18 ICBMs would leave Beijing with roughly 60 shorter-range nuclear missiles with which to retaliate against U.S. forces and allies in the region. However, in the aftermath of a “clean” disarming strike—one that killed relatively few Chinese—American leaders could credibly warn that a Chinese nuclear response would trigger truly devastating consequences, meaning nuclear attacks against a broader target set, including military, government, and possibly even urban centers. In light of warnings from Chinese defense analysts and from within China’s military that it might use nuclear weapons to avoid losing Taiwan, an American president might feel compelled to strike first. In this terrible circumstance, he or she would reap the benefits of the past decade’s counterforce upgrades.

## Oncase

## Solvency

### Circumvention

#### Obama has motive and capability to circumvent the plan

Jeffrey Crouch 13, assistant professor of American politics at American University, Mark J. Rozell, acting dean and a professor of public policy at George Mason University, and Mitchel A. Sollenberger, associate professor of political science at the University of Michigan-Dearborn, December 2013, The Law: President Obama's Signing Statements and the Expansion of Executive Power, Presidential Studies Quarterly 43.4

Signing statements are a natural result of the vast growth in the exercise of unilateral presidential powers in the modern era. Presidents increasingly seek methods for governing by avoiding the traditional constraints provided by a system of separated powers. The rise of an increasingly powerful and virtually unchecked executive has been aided by various factors, including what Gene Healy (2008) calls a “cult of the presidency” in which power-seeking presidents are seen as the norm and even the ideal. It is hard to imagine a president today suggesting the need to give greater deference to the other branches of government.¶ Nonetheless, the Bush era witnessed a remarkably open and critical national debate over the limits of presidential powers. In 2007-08, presidential candidate Obama made no secret of his disagreement with President Bush's conception of executive powers. Through his pledges during the campaign, Senator Obama gave clear signals that he would not push the outer limits of executive power and that he would respect the system of checks and balances. Maybe he was not exactly promising to scale back the presidency, but he left the unmistakable impression that he would not continue the Bush era trend of runaway executive powers.¶ It is therefore appropriate to criticize President Obama for the actions we have described here because he had promised a higher standard of conduct than that practiced by his predecessors. Longtime observers of the modern presidency should not be surprised, though, as his actions fall into a customary pattern: when a new president sees the utility of a particular power established by his predecessors, he is not going to give that power away. On several occasions now, what President Obama has not been able to achieve through the normal ebb and flow of deliberations with the legislative branch, he has stipulated through the issuance of a signing statement. He has even made quips about how he looks for ways to govern without direct congressional involvement (Savage 2012).¶ The “Unitary Executive” Theory¶ During the George W. Bush presidency, there was substantial scholarly debate over what had been termed the “unitary executive” theory, defined by Stephen Skowronek as the claim “that the Constitution mandates an integrated and hierarchical administration—a unified executive branch—in which all officers performing executive business are subordinate to the President, accountable to his interpretations of their charge, and removable at his discretion” (2009, 2077). Skowronek's definition is drawn from four crucial constitutional provisions relating to presidential power. First, the “executive power” vested in the president by Article II is interpreted broadly by unitary executive theory proponents to justify vast authority over the rest of the executive branch. Second, the “vesting” clause of Article II, which does not contain the “herein granted” language of Article I, seems to imply greater executive power than the explicit words of the Constitution may suggest. Third, the president's oath of office is his responsibility to “preserve, protect and defend the Constitution.” Finally, the “take care” clause—the idea that the president has total control over his subordinates in the executive branch and is responsible to the entire nation for the implementation of the laws—rounds out the list (Skowronek 2009, 2076; see Kelley, forthcoming, 12-13).¶ For legal scholars Steven Calabresi and Christopher Yoo “all of our nation's presidents have believed in the theory of the unitary executive” (2008, 4). Along similar lines, although looking at the question from a political development perspective, Skowronek casts the unitary executive theory backers as the latest in a long line of insurgents. In the past progressives extolled the virtues of a strong presidency; more recently the rebels have been conservatives who see the unitary executive theory as a way to gather power and avoid accountability (Skowronek 2009).¶ The unitary executive theory—at least, in its current form—was essentially a creation of conservative attorneys in the Ronald Reagan Justice Department. As Christopher Kelley and Bryan Marshall note, presidents from Reagan onward have, to some degree, exhibited a belief in the unitary executive theory (2007, 144). After Watergate, the presidency faced unprecedented scrutiny from the public and the mass media, and Congress had passed a series of laws intended to check presidential power, including the Congressional Budget and Impoundment Control Act, the Ethics in Government Act, and the War Powers Resolution (Kelley 2010, 108; see Kelley 2003, 23; Rudalevige 2006). To fight back, lawyers in the Reagan OLC devised plans for the president to act unilaterally, even if against Congress's wishes (Kelley forthcoming, 6).¶ Their actions stimulated a debate over the constitutional powers of the presidency. One prominent critic, Cass Sunstein, writes, “It has become a pervasive view within the executive branch, and to a large degree within the courts, that the original vision of the Constitution put the President on top of a pyramid, with the administration below him. This vision, set out in numerous documents by the Department of Justice's Office of Legal Counsel, my former home, is not an accurate interpretation of the Constitution. It is basically a fabrication by people of good intentions who have spoken ahistorically” (Sunstein 1993-94, 300).¶ Similarly, it is obvious to Louis Fisher that the president does not have complete control over the executive branch. The Constitution assumes that others will share in the workload: “The Constitution does not empower the President to carry out the law. That would be an impossible assignment. It empowers the President to see that the law is faithfully carried out” (Fisher 2009-10, 591). In the separation of powers system, those executive branch agencies actually executing the laws necessarily have relationships with—and are responsible to—the other branches of government and to the laws passed by Congress, not just the president.¶ The “Decider” Model¶ Peter Shane argues that a different presidential model took hold during the Bush years. Shane contends that the traditional understanding of the president's role is that of the chief executive regarding himself as the “overseer” of the executive branch responsible for “general oversight” and able to “indirectly” influence his subordinates. In contrast, Bush believed more in the “decider” model, which gave him direct input into everything his subordinates might do, “without regard to any limitations Congress might try to impose on the President's power of command” (Shane 2009, 144-45). Shane concludes that the “decider” model is “profoundly undemocratic and deeply dangerous” (2009, 144). It is also contrary to law. Executive officials carry out numerous mandatory and adjudicatory duties pursuant to statutory policy. Presidents and White House aides may not intervene to change the outcomes of those decisions. Many attorneys general have advised presidents that they may not interfere with statutory duties assigned to particular executive officials (Fisher 2009-10, 576-79).¶ Signing statements comfortably fit the “decider” model of presidential power. Scholars identify signing statements as among the current litany of unilateral presidential powers (see Cooper 2002; Moe and Howell 1999), and some see no danger in the exercise of this practice (Ostrander and Sievert 2013a, 2013b). The trouble is that some presidents have used signing statements to revise legislative intent or even to alter the balance of power between the political branches and have thus undermined democratic controls on executive power (Pfiffner 2008, 196; see also Korzi 2011, 197; Fisher 2006, 1).

#### No chance of enforcement --- delegation, emergencies, info-deficits, and loopholes all prove

Eric Posner 11, the Kirkland and Ellis Professor of Law @ U-Chicago, and Adrian Vermeule, the John H. Watson, Jr. Professor of Law @ Harvard, “The Executive Unbound: After the Madisonian Republic,” Oxford U Press, Feb 16, p. 7-10

Having defined our terms as far as possible, our main critical thesis is that liberal legalism has proven unable to generate meaningful constraints on the executive. Two problems bedevil liberal legalism: delegation and emergencies. The first arises when legislatures enact statutes that grant the executive authority to regulate or otherwise determine policy, the second when external shocks require new policies to be adopted and executed with great speed. Both situations undermine the simplest version of liberal legalism, in which legislatures themselves create rules that the executive enforces, subject to review by the courts. Delegation suggests that the legislature has ceded lawmaking authority to the executive, de facto if not de jure,14 while in emergencies, only the executive can supply new policies and real-world action with sufficient speed to manage events. The two problems are related in practice. When emergencies occur, legislatures acting under real constraints of time, expertise, and institutional energy typically face the choice between doing nothing at all or delegating new powers to the executive to manage the crisis. As we will see, legislatures often manage to do both things; they stand aside passively while the executive handles the first wave of the crisis, and then come on the scene only later, to expand the executive's de jure powers, sometimes matching or even expanding the de facto powers the executive has already assumed. A great deal of liberal legal theory is devoted to squaring delegation and emergencies with liberal commitments to legislative governance. Well before World War I, the Madisonian framework of separated powers began to creak under the strain of the growing administrative state, typically thought to have been inaugurated by the creation of the Interstate Commerce Commission in 1887. For Madisonian theorists, delegation threatened the separation of powers by effectively combining lawmaking and law-execution in the same hands, and emergencies threatened legislative primacy by requiring the executive to take necessary measures without clear legal authorization, and in some cases in defiance of existing law. (We refer to the Madisonian tradition as it has developed over time and as it exists today, not to Madison himself, whose views before the founding were less legalistic than they would become during the Washington and Adams administrations.) As to both delegation and emergencies, Madisonian liberals have repeatedly attempted to compromise with the administrative state, retreating from one position to another and attempting at every step to limit the damage. In one prominent strand of liberal legal theory and doctrine, which has nominally governed since the early twentieth century, delegation is acceptable as long as the legislature supplies an "intelligible principle"15 to guide executive policymaking ex ante; this is the so-called "nondelegation doctrine." This verbal formulation, however, proved too spongy to contain the administrative state. During and after the New Deal, under strong pressure to allow executive policymaking in an increasingly complex economy, courts read the intelligible principle test so capaciously as to allow statutes delegating to the president and agencies the power to act in the "public interest," nowhere defined.'6 Before 1935, the U.S. Supreme Court mentioned nondelegation in dictum but never actually applied it to invalidate any statutes; in 1935, the Court invalidated two parts of the National Industrial Recovery Act on nondelegation grounds;" since then, the Court has upheld every challenged delegation. Subsequently, liberal legal theorists turned to the hope that legislatures could create administrative procedures and mechanisms of legislative and judicial oversight that would enforce legal constraints on the executive ex post, as a second-best substitute for the Madisonian ideal. In American administrative law, a standard account of the Administrative Procedure Act (APA), the framework statute for the administrative state, sees it as an attempt to translate liberal legalism into a world of large-scale delegation to the executive, substituting procedural controls and judicial review for legislative specification of policies. The APA applies to administrative action in a broad range of substantive areas, but does not apply to presidential action, so Congress has also enacted a group of framework statutes that attempt to constrain executive action in particular areas. Examples are the War Powers Resolution, which regulates the presidential commitment of armed forces abroad, the National Intelligence Act, which structures the intelligence agencies and attempts to require executive disclosure of certain intelligence matters to key congressional committees, and the Inspector General Act, which installs powerful inspectors general throughout the executive branch. As to emergencies, starting at least with John Locke's discussion of executive "prerogative," liberal political and constitutional theorists have struggled to reconcile executive primacy in crises with the separation of powers or the rule of law or both. Such questions have become all the more pressing in the twentieth and twenty-first centuries, when a series of wars, economic emergencies, and other crises have multiplied examples in which the executive proceeded with dubious legal authority or simply ignored the laws. Here too, the response has been a series of legal constraints, such as the APA's restrictions on emergency administrative action, and framework statutes such as the National Emergencies Act, which regulates the president's ability to invoke grants of emergency powers granted under other laws. One of our main claims is that these approaches are palliatives that have proven largely ineffective, and that fail to cure the underlying ills of liberal legalism. The same institutional and economic forces that produce the problems of delegation and emergencies also work to undermine legalistic constraints on the executive. The complexity of policy problems, especially in economic domains, the need for secrecy in many matters of security and foreign affairs, and the sheer speed of policy response necessary in crises combine to make meaningful legislative and judicial oversight of delegated authority difficult in the best of circumstances. In emergencies, the difficulties become insuperable—even under the most favorable constellation of political forces, in which the independently elected executive is from a different party than the majority of the Congress. Liberal legalism, in short, has proven unable to reconcile the administrative state with the Madisonian origins of American government. The constitutional framework and the separation-of-powers system generate only weak and defeasible constraints on executive action. Madisonian oversight has largely failed, and it has failed for institutional reasons. Both Congress and the judiciary labor under an informational deficit that oversight cannot remedy, especially in matters of national security and foreign policy, and both institutions experience problems of collective action and internal coordination that the relatively more hierarchical executive can better avoid. Moreover, political parties, uniting officeholders within different institutions, often hobble the institutional competition on which Madisonian theorizing relies.'8 Congressional oversight does sometimes serve purely political functions—legislators, particularly legislators from opposing parties, can thwart presidential initiatives that are unpopular—but as a legal mechanism for ensuring that the executive remains within the bounds of law, oversight is largely a failure. The same holds for statutory constraints on the executive—unsurprisingly, as these constraints are the product of the very Madisonian system whose failure is apparent at the constitutional level. In the terms of the legal theorist David Dyzenhaus, the APA creates a series of legal "black holes" and "grey holes" that either de jure or de facto exempt presidential and administrative action from ordinary legal requirements, and hence from (one conception of) the rule of law.19 The scope of these exemptions waxes and wanes with circumstances, expanding during emergencies and contracting during normal times, but it is never trivial, and the administrative state has never been brought wholly under the rule of law; periodically the shackles slip off altogether.

## Adv 1 --- China Relations

### 1NC---No Impact to Econ Decline

#### Even massive economic decline has zero chance of war

Robert Jervis 11, Professor in the Department of Political Science and School of International and Public Affairs at Columbia University, December 2011, “Force in Our Times,” Survival, Vol. 25, No. 4, p. 403-425

Even if war is still seen as evil, the security community could be dissolved if severe conflicts of interest were to arise. Could the more peaceful world generate new interests that would bring the members of the community into sharp disputes? 45 A zero-sum sense of status would be one example, perhaps linked to a steep rise in nationalism. More likely would be a worsening of the current economic difficulties, which could itself produce greater nationalism, undermine democracy and bring back old-fashioned beggar-my-neighbor economic policies. While these dangers are real, it is hard to believe that the conflicts could be great enough to lead the members of the community to contemplate fighting each other. It is not so much that economic interdependence has proceeded to the point where it could not be reversed – states that were more internally interdependent than anything seen internationally have fought bloody civil wars. Rather it is that even if the more extreme versions of free trade and economic liberalism become discredited, it is hard to see how without building on a preexisting high level of political conflict leaders and mass opinion would come to believe that their countries could prosper by impoverishing or even attacking others. Is it possible that problems will not only become severe, but that people will entertain the thought that they have to be solved by war? While a pessimist could note that this argument does not appear as outlandish as it did before the financial crisis, an optimist could reply (correctly, in my view) that the very fact that we have seen such a sharp economic down-turn without anyone suggesting that force of arms is the solution shows that even if bad times bring about greater economic conflict, it will not make war thinkable.

#### No chance of war from economic decline---best and most recent data

Daniel W. Drezner 12, Professor, The Fletcher School of Law and Diplomacy, Tufts University, October 2012, “The Irony of Global Economic Governance: The System Worked,” <http://www.globaleconomicgovernance.org/wp-content/uploads/IR-Colloquium-MT12-Week-5_The-Irony-of-Global-Economic-Governance.pdf>

The final outcome addresses a dog that hasn’t barked: the effect of the Great Recession on cross-border conflict and violence. During the initial stages of the crisis, multiple analysts asserted that the financial crisis would lead states to increase their use of force as a tool for staying in power.37 Whether through greater internal repression, diversionary wars, arms races, or a ratcheting up of great power conflict, there were genuine concerns that the global economic downturn would lead to an increase in conflict. Violence in the Middle East, border disputes in the South China Sea, and even the disruptions of the Occupy movement fuel impressions of surge in global public disorder.

The aggregate data suggests otherwise, however. The Institute for Economics and Peace has constructed a “Global Peace Index” annually since 2007. A key conclusion they draw from the 2012 report is that “The average level of peacefulness in 2012 is approximately the same as it was in 2007.”38 Interstate violence in particular has declined since the start of the financial crisis – as have military expenditures in most sampled countries. Other studies confirm that the Great Recession has not triggered any increase in violent conflict; the secular decline in violence that started with the end of the Cold War has not been reversed.39 Rogers Brubaker concludes, “the crisis has not to date generated the surge in protectionist nationalism or ethnic exclusion that might have been expected.”40

None of these data suggest that the global economy is operating swimmingly. Growth remains unbalanced and fragile, and has clearly slowed in 2012. Transnational capital flows remain depressed compared to pre-crisis levels, primarily due to a drying up of cross-border interbank lending in Europe. Currency volatility remains an ongoing concern. Compared to the aftermath of other postwar recessions, growth in output, investment, and employment in the developed world have all lagged behind. But the Great Recession is not like other postwar recessions in either scope or kind; expecting a standard “V”-shaped recovery was unreasonable. One financial analyst characterized the post-2008 global economy as in a state of “contained depression.”41 The key word is “contained,” however. Given the severity, reach and depth of the 2008 financial crisis, the proper comparison is with Great Depression. And by that standard, the outcome variables look impressive. As Carmen Reinhart and Kenneth Rogoff concluded in This Time is Different: “that its macroeconomic outcome has been only the most severe global recession since World War II – and not even worse – must be regarded as fortunate.”42

### 1NC---Unsustainable

#### Economic collapse inevitable --- now’s better than later

MacKenzie 8 [Debora, Are We Doomed, New Scientist, Vol. 197 Issue 2650, p32-35, 4p, 4 May 2005, EBSCO)

DOOMSDAY. The end of civilisation. Literature and film abound with tales of plague, famine and wars which ravage the planet, leaving a few survivors scratching out a primitive existence amid the ruins. Every civilisation in history has collapsed, after all. Why should ours be any different? Doomsday scenarios typically feature a knockout blow: a massive asteroid, all-out nuclear war or a catastrophic pandemic. Yet there is another chilling possibility: what if the very nature of civilisation means that ours, like all the others, is destined to collapse sooner or later? A few researchers have been making such claims for years. Disturbingly, recent insights from fields such as complexity theory suggest that they are right. It appears that once a society develops beyond a certain level of complexity it becomes increasingly fragile. Eventually, it reaches a point at which even a relatively minor disturbance can bring everything crashing down. Some say we have already reached this point, and that it is time to start thinking about how we might manage collapse. Others insist it is not yet too late, and that we can---we must---act now to keep disaster at bay. History is not on our side. Think of Sumeria, of ancient Egypt and of the Maya. In his 2005 best-seller, Jared Diamond of the University of California, Los Angeles, blamed environmental mismanagement for the fall of the Mayan civilisation and others, and warned that we might be heading the same way unless we choose to stop destroying our environmental support systems. Lester Brown of the Earth Policy Institute in Washington DC agrees. He has that governments must pay more attention to vital environmental resources. "It's not about saving the planet. It's about saving civilisation," he says. Others think our problems run deeper. From the moment our ancestors started to settle down and build cities, we have had to find solutions to the problems that success brings. "For the past 10,000 years, problem solving has produced increasing complexity in human societies," says Joseph Tainter, an archaeologist at the University of Utah, Salt Lake City, and author of the 1988 book The Collapse of Complex Societies. If crops fail because rain is patchy, build irrigation canals. When they silt up, organise dredging crews. When the bigger crop yields lead to a bigger population, build more canals. When there are too many for ad hoc repairs, install a management bureaucracy, and tax people to pay for it. When they complain, invent tax inspectors and a system to record the sums paid. That much the Sumerians knew. Diminishing returns There is, however, a price to be paid. Every extra layer of organisation imposes a cost in terms of energy, the common currency of all human efforts, from building canals to educating scribes. And increasing complexity, Tainter realised, produces diminishing returns. The extra food produced by each extra hour of labour---or joule of energy invested per farmed hectare---diminishes as that investment mounts. We see the same thing today in a declining number of patents per dollar invested in research as that research investment mounts. This law of diminishing returns appears everywhere, Tainter says. To keep growing, societies must keep solving problems as they arise. Yet each problem solved means more complexity. Success generates a larger population, more kinds of specialists, more resources to manage, more information to juggle---and, ultimately, less bang for your buck. Eventually, says Tainter, the point is reached when all the energy and resources available to a society are required just to maintain its existing level of complexity. Then when the climate changes or barbarians invade, overstretched institutions break down and civil order collapses. What emerges is a less complex society, which is organised on a smaller scale or has been taken over by another group. Tainter sees diminishing returns as the underlying reason for the collapse of all ancient civilisations, from the early Chinese dynasties to the Greek city state of Mycenae. These civilisations relied on the solar energy that could be harvested from food, fodder and wood, and from wind. When this had been stretched to its limit, things fell apart. Western industrial civilisation has become bigger and more complex than any before it by exploiting new sources of energy, notably coal and oil, but these are limited. There are increasing signs of diminishing returns: the energy required to get is mounting and although global is still increasing, constant innovation is needed to cope with environmental degradation and evolving---the yield boosts per unit of investment in innovation are shrinking. "Since problems are inevitable," Tainter warns, "this process is in part ineluctable." Is Tainter right? An analysis of complex systems has led Yaneer Bar-Yam, head of the New England Complex Systems Institute in Cambridge, Massachusetts, to the same conclusion that Tainter reached from studying history. Social organisations become steadily more complex as they are required to deal both with environmental problems and with challenges from neighbouring societies that are also becoming more complex, Bar-Yam says. This eventually leads to a fundamental shift in the way the society is organised. "To run a hierarchy, managers cannot be less complex than the system they are managing," Bar-Yam says. As complexity increases, societies add ever more layers of management but, ultimately in a hierarchy, one individual has to try and get their head around the whole thing, and this starts to become impossible. At that point, hierarchies give way to networks in which decision-making is distributed. We are at this point. This shift to decentralised networks has led to a widespread belief that modern society is more resilient than the old hierarchical systems. "I don't foresee a collapse in society because of increased complexity," says futurologist and industry consultant Ray Hammond. "Our strength is in our highly distributed decision making." This, he says, makes modern western societies more resilient than those like the old Soviet Union, in which decision making was centralised. Things are not that simple, says Thomas Homer-Dixon, a political scientist at the University of Toronto, Canada, and author of the 2006 book The Upside of Down. "Initially, increasing connectedness and diversity helps: if one village has a crop failure, it can get food from another village that didn't." As connections increase, though, networked systems become increasingly tightly coupled. This means the impacts of failures can propagate: the more closely those two villages come to depend on each other, the more both will suffer if either has a problem. "Complexity leads to higher vulnerability in some ways," says Bar-Yam. "This is not widely understood." The reason is that as networks become ever tighter, they start to transmit shocks rather than absorb them. "The intricate networks that tightly connect us together---and move people, materials, information, money and energy---amplify and transmit any shock," says Homer-Dixon. "A financial crisis, a terrorist attack or a disease outbreak has almost instant destabilising effects, from one side of the world to the other." For instance, in 2003 large areas of North America and Europe suffered when apparently insignificant nodes of their respective electricity grids failed. And this year China suffered a similar blackout after heavy snow hit power lines. Tightly coupled networks like these create the potential for propagating failure across many critical industries, says Charles Perrow of Yale University, a leading authority on industrial accidents and disasters. Credit crunch Perrow says interconnectedness in the global production system has now reached the point where "a breakdown anywhere increasingly means a breakdown everywhere". This is especially true of the world's financial systems, where the coupling is very tight. "Now we have a debt crisis with the biggest player, the US. The consequences could be enormous." "A networked society behaves like a multicellular organism," says Bar-Yam, "random damage is like lopping a chunk off a sheep." Whether or not the sheep survives depends on which chunk is lost. And while we are pretty sure which chunks a sheep needs, it isn't clear---it may not even be predictable---which chunks of our densely networked civilisation are critical, until it's too late. "When we do the analysis, almost any part is critical if you lose enough of it," says Bar-Yam. "Now that we can ask questions of such systems in more sophisticated ways, we are discovering that they can be very vulnerable. That means civilisation is very vulnerable." So what can we do? "The key issue is really whether we respond successfully in the face of the new vulnerabilities we have," Bar-Yam says. That means making sure our "global sheep" does not get injured in the first place---something that may be hard to guarantee as the climate shifts and the world's fuel and mineral resources dwindle. Scientists in other fields are also warning that complex systems are prone to collapse. Similar ideas have emerged from the study of natural cycles in ecosystems, based on the work of ecologist Buzz Holling, now at the University of Florida, Gainesville. Some ecosystems become steadily more complex over time: as a patch of new forest grows and matures, specialist species may replace more generalist species, biomass builds up and the trees, beetles and bacteria form an increasingly rigid and ever more tightly coupled system. "It becomes an extremely efficient system for remaining constant in the face of the normal range of conditions," says Homer-Dixon. But unusual conditions---an insect outbreak, fire or drought---can trigger dramatic changes as the impact cascades through the system. The end result may be the collapse of the old ecosystem and its replacement by a newer, simpler one. Globalisation is resulting in the same tight coupling and fine-tuning of our systems to a narrow range of conditions, he says. Redundancy is being systematically eliminated as companies maximise profits. Some products are produced by only one factory worldwide. Financially, it makes sense, as mass production maximises efficiency. Unfortunately, it also minimises resilience. "We need to be more selective about increasing the connectivity and speed of our critical systems," says Homer-Dixon. "Sometimes the costs outweigh the benefits." Is there an alternative? Could we heed these warnings and start carefully climbing back down the complexity ladder? Tainter knows of only one civilisation that managed to decline but not fall. "After the Byzantine empire lost most of its territory to the Arabs, they simplified their entire society. Cities mostly disappeared, literacy and numeracy declined, their economy became less monetised, and they switched from professional army to peasant militia." Pulling off the same trick will be harder for our more advanced society. Nevertheless, Homer-Dixon thinks we should be taking action now. "First, we need to encourage distributed and decentralised production of vital goods like energy and food," he says. "Second, we need to remember that slack isn't always waste. A manufacturing company with a large inventory may lose some money on warehousing, but it can keep running even if its suppliers are temporarily out of action." The electricity industry in the US has already started identifying hubs in the grid with no redundancy available and is putting some back in, Homer-Dixon points out. Governments could encourage other sectors to follow suit. The trouble is that in a world of fierce competition, private companies will always increase efficiency unless governments subsidise inefficiency in the public interest. Homer-Dixon doubts we can stave off collapse completely. He points to what he calls "tectonic" stresses that will shove our rigid, tightly coupled system outside the range of conditions it is becoming ever more finely tuned to. These include population growth, the growing divide between the world's rich and poor, financial instability, weapons proliferation, disappearing forests and fisheries, and climate change. In imposing new complex solutions we will run into the problem of diminishing returns---just as we are running out of cheap and plentiful energy. "This is the fundamental challenge humankind faces. We need to allow for the healthy breakdown in natural function in our societies in a way that doesn't produce catastrophic collapse, but instead leads to healthy renewal," Homer-Dixon says. This is what happens in forests, which are a patchy mix of old growth and newer areas created by disease or fire. If the ecosystem in one patch collapses, it is recolonised and renewed by younger forest elsewhere. We must allow partial breakdown here and there, followed by renewal, he says, rather than trying so hard to avert breakdown by increasing complexity that any resulting crisis is actually worse. Lester Brown thinks we are fast running out of time. "The world can no longer afford to waste a day. We need a Great Mobilisation, as we had in wartime," he says. "There has been tremendous progress in just the past few years. For the first time, I am starting to see how an alternative economy might emerge. But it's now a race between tipping points---which will come first, a switch to sustainable technology, or collapse?" Tainter is not convinced that even new technology will save civilisation in the long run. "I sometimes think of this as a 'faith-based' approach to the future," he says. Even a society reinvigorated by cheap new energy sources will eventually face the problem of diminishing returns once more. Innovation itself might be subject to diminishing returns, or perhaps absolute limits. Studies of the way by Luis Bettencourt of the Los Alamos National Laboratory, New Mexico, support this idea. His team's work suggests that an ever-faster rate of innovation is required to keep cities growing and prevent stagnation or collapse, and in the long run this cannot be sustainable.

### 1NC---Warming

#### Collapse of the economy now is key to prevent extinction through warming---causes a stable transition to peaceful society

Barry 8 – President and Founder of Ecological Internet, Ph.D. in Land Resources from U-Wisconsin-Madison

(Glen, “Economic Collapse And Global Ecology”, http://www.countercurrents.org/barry140108.htm)

Humanity and the Earth are faced with an enormous conundrum -- sufficient climate policies enjoy political support only in times of rapid economic growth. Yet this growth is the primary factor driving greenhouse gas emissions and other environmental ills. The growth machine has pushed the planet well beyond its ecological carrying capacity, and unless constrained, can only lead to human extinction and an end to complex life. With every economic downturn, like the one now looming in the United States, it becomes more difficult and less likely that policy sufficient to ensure global ecological sustainability will be embraced. This essay explores the possibility that from a biocentric viewpoint of needs for long-term global ecological, economic and social sustainability; it would be better for the economic collapse to come now rather than later. Economic growth is a deadly disease upon the Earth, with capitalism as its most virulent strain. Throw-away consumption and explosive population growth are made possible by using up fossil fuels and destroying ecosystems. Holiday shopping numbers are covered by media in the same breath as Arctic ice melt, ignoring their deep connection. Exponential economic growth destroys ecosystems and pushes the biosphere closer to failure. Humanity has proven itself unwilling and unable to address climate change and other environmental threats with necessary haste and ambition. Action on coal, forests, population, renewable energy and emission reductions could be taken now at net benefit to the economy. Yet, the losers -- primarily fossil fuel industries and their bought oligarchy -- successfully resist futures not dependent upon their deadly products. Perpetual economic growth, and necessary climate and other ecological policies, are fundamentally incompatible. Global ecological sustainability depends critically upon establishing a steady state economy, whereby production is right-sized to not diminish natural capital. Whole industries like coal and natural forest logging will be eliminated even as new opportunities emerge in solar energy and environmental restoration. This critical transition to both economic and ecological sustainability is simply not happening on any scale. The challenge is how to carry out necessary environmental policies even as economic growth ends and consumption plunges. The natural response is going to be liquidation of even more life-giving ecosystems, and jettisoning of climate policies, to vainly try to maintain high growth and personal consumption. We know that humanity must reduce greenhouse gas emissions by at least 80% over coming decades. How will this and other necessary climate mitigation strategies be maintained during years of economic downturns, resource wars, reasonable demands for equitable consumption, and frankly, the weather being more pleasant in some places? If efforts to reduce emissions and move to a steady state economy fail; the collapse of ecological, economic and social systems is assured. Bright greens take the continued existence of a habitable Earth with viable, sustainable populations of all species including humans as the ultimate truth and the meaning of life. Whether this is possible in a time of economic collapse is crucially dependent upon whether enough ecosystems and resources remain post collapse to allow humanity to recover and reconstitute sustainable, relocalized societies. It may be better for the Earth and humanity's future that economic collapse comes sooner rather than later, while more ecosystems and opportunities to return to nature's fold exist. Economic collapse will be deeply wrenching -- part Great Depression, part African famine. There will be starvation and civil strife, and a long period of suffering and turmoil. Many will be killed as balance returns to the Earth. Most people have forgotten how to grow food and that their identity is more than what they own. Yet there is some justice, in that those who have lived most lightly upon the land will have an easier time of it, even as those super-consumers living in massive cities finally learn where their food comes from and that ecology is the meaning of life. Economic collapse now means humanity and the Earth ultimately survive to prosper again. Human suffering -- already the norm for many, but hitting the currently materially affluent -- is inevitable given the degree to which the planet's carrying capacity has been exceeded. We are a couple decades at most away from societal strife of a much greater magnitude as the Earth's biosphere fails. Humanity can take the bitter medicine now, and recover while emerging better for it; or our total collapse can be a final, fatal death swoon. A successful revolutionary response to imminent global ecosystem collapse would focus upon bringing down the Earth's industrial economy now. As society continues to fail miserably to implement necessary changes to allow creation to continue, maybe the best strategy to achieve global ecological sustainability is economic sabotage to hasten the day. It is more fragile than it looks.

### 1NC---Biodiversity

#### Growth causes biodiversity loss --- ensures extinction --- prefer our impacts --- they’re irreversible

Chen 2kProfessor of Law and Vance K. Opperman Research Scholar, University of Minnesota Law School (Jim, Globalization and Its Losers, Winter 2000, 9 Minn. J. Global Trade 157, Lexis)

Globalization marks the end of an epoch. Not merely an epoch in the colloquial sense, but an epoch in the geological sense. The spread of Homo sapiens around the earth has brought about mass extinctions and related ecological changes on a scale not seen since the Cretaceous period. In its evolutionary impact, comprehensive human colonization of the planet easily outclasses an ice age, or even twenty. 1 The previous geological event of comparable magnitude ushered out the dinosaurs; the one before that, the mass extinction that closed out the Permian period, nearly ended the terrestrial tenure of what we arrogantly call "higher" life forms. 2 In the last 600 million years of geological history, only five previous extinction spasms have taken place. 3 We are living -- or perhaps more accurately, dying -- through the sixth. 4 "Half the world's species will be extinct or on the verge of extinction" by the end of the twenty-first century. 5 In environmental terms, globalization merely continues what humanity has been doing since the glaciers last retreated: subdue every niche within its reach. 6 [\*159] The spectacle of mass extinction gives rhetorical ammunition to all opponents of globalization -- not just environmentalists, but also those who resist free trade as a threat to labor standards, cultural independence, religious values, declining languages, agricultural self-sufficiency, and the like. Just as the global expansion of a single "Terminator" primate species has sparked the Holocene epoch's ecological holocaust, the emergence of a global society threatens a host of human institutions. Where a geological clock once marked the entrance and exit of species, an accelerated human stopwatch now tracks the rise and fall of regimes, religions, languages, and civilizations. Time and chance happen to them all. 7 The extinction metaphor describes not only a natural world in ecological cataclysm, but also a human society buffeted by changes of unprecedented scope and seemingly relentless acceleration. In this dual sense, globalization is nothing short of the end of the world. 8 So apocalyptic an assertion deserves nothing less than the most grandiose of intellectual frameworks. I will examine globalization through a Darwinian lens, in the hope that an application of natural evolution as "universal acid" will "eat[] through just about every traditional concept, and leave[] in its wake a revolutionized world-view, with most of the old landmarks still recognizable, but transformed in fundamental ways." 9 In economic, cultural, and environmental realms, globalization unleashes the same Darwinian dynamics of adaptation, natural selection, and extinction. But the natural world and human society do differ fundamentally. For natural species, extinction truly is forever. The ecosystems they inhabit will not recover in any time frame that humans can meaningfully contemplate. Human institutions, by contrast, are much more readily preserved and revived. To the extent that globalized society must choose, it should systematically favor the environment over jobs and even culture. One final observation bears notice. Received wisdom in American intellectual circles distrusts almost any extension of evolutionary metaphors and analogies outside the strictly biological [\*160] domain. 10 And not altogether without reason, for "social Darwinism" has a sorry history. 11 But I shall persist. If nothing else I hope that a creative infusion of Darwinian reasoning may foster more fruitful analysis of the interlocking economic, political, cultural, and environmental issues raised by globalization. Perhaps such a step "holds the seed of a new intellectual harvest, to be reaped in the next season of the human understanding." 12

### Relations Defense

#### No impact to U.S.-China cooperation---it’s impossible to sustain

Aaron L. Friedberg 12, Professor of Politics and International Affairs at the Woodrow Wilson School of Public and International Affairs at Princeton University, September/October 2012, “Bucking Beijing,” Foreign Affairs, Vol. 91, No. 5, p. 48-58

Recent events have raised serious doubts about both elements of this strategy. Decades of trade and talk have not hastened China's political liberalization. Indeed, the last few years have been marked by an intensified crackdown on domestic dissent. At the same time, the much-touted economic relationship between the two Pacific powers has become a major source of friction. And despite hopes for enhanced cooperation, Beijing has actually done very little to help Washington solve pressing international problems, such as North Korea's acquisition of nuclear weapons or Iran's attempts to develop them. Finally, far from accepting the status quo, China's leaders have become more forceful in attempting to control the waters and resources off their country's coasts. As for balancing, the continued buildup of China's military capabilities, coupled with impending cuts in U.S. defense spending, suggests that the regional distribution of power is set to shift sharply in Beijing's favor.

WHY WE CAN'T ALL JUST GET ALONG

TODAY, CHINA'S ruling elites are both arrogant and insecure. In their view, continued rule by the Chinese Communist Party (CCP) is essential to China's stability, prosperity, and prestige; it is also, not coincidentally, vital to their own safety and comfort. Although they have largely accepted some form of capitalism in the economic sphere, they remain committed to preserving their hold on political power.

The CCP'S determination to maintain control informs the regime's threat perceptions, goals, and policies. Anxious about their legitimacy, China's rulers are eager to portray themselves as defenders of the national honor. Although they believe China is on track to become a world power on par with the United States, they remain deeply fearful of encirclement and ideological subversion. And despite Washington's attempts to reassure them of its benign intentions, Chinese leaders are convinced that the United States aims to block China's rise and, ultimately, undermine its one-party system of government.¶ Like the United States, since the end of the Cold War, China has pursued an essentially constant approach toward its greatest external challenger. For the most part, Beijing has sought to avoid outright confrontation with the United States while pursuing economic growth and building up all the elements of its "comprehensive national power," a Chinese strategic concept that encompasses military strength, technological prowess, and diplomatic influence. Even as they remain on the defensive, however, Chinese officials have not been content to remain passive. They have sought incremental advances, slowly expanding China's sphere of influence and strengthening its position in Asia while working quietly to erode that of the United States. Although they are careful never to say so directly, they seek to have China displace the United States in the long run and to restore China to what they regard as its rightful place as the preponderant regional power. Chinese strategists do not believe that they can achieve this objective quickly or through a frontal assault. Instead, they seek to reassure their neighbors, relying on the attractive force of China's massive economy to counter nascent balancing efforts against it. Following the advice of the ancient military strategist Sun-tzu, Beijing aims to "win without fighting," gradually creating a situation in which overt resistance to its wishes will appear futile.

The failure to date to achieve a genuine entente between the United States and China is the result not of a lack of effort but of a fundamental divergence of interests. Although limited cooperation on specific issues might be possible, the ideological gap between the two nations is simply too great, and the level of trust between them too low, to permit a stable modus vivendi. What China's current leaders ultimately want -- regional hegemony -- is not something their counterparts in Washington are willing to give. That would run counter to an axiomatic goal of U.S. grand strategy, which has remained constant for decades: to prevent the domination of either end of the Eurasian landmass by one or more potentially hostile powers.

The reasons for this goal involve a mix of strategic, economic, and ideological considerations that will continue to be valid into the foreseeable future.

### North Korea

#### China won’t work with Kim Jong-un---relations are absolutely wrecked after the Jang execution

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What is intriguing with this dog-bites-man story, however, is that it started with Wen Wei Po. The paper richly deserves its low rating for reliability because of close ties to Beijing, often carrying reports the great and glorious Communist Party of China wants the world to hear. Much of this reporting, not surprisingly, is just not credible. Wen Wei Po would simply not run something counter to the Party’s interests, so the dog story is one hint that Beijing wants to defame the young Mr. Kim, the third of his family to rule the North. And just days after the sensational report appeared in the Hong Kong paper, state media began a campaign criticizing the North Koreans. The Wen Wei Po article contains a nugget that tells us why Beijing wanted to get back at the regime in Pyongyang. The paper reported that the departed Jang Song Thaek wanted to replace Kim Jong Un with his elder brother, Kim Jong Nam, on the throne. Kim Jong Nam, once designated the successor to Kim Jong Il, has been under the care and protection of Beijing for years, in Macau and now in an undisclosed location, perhaps protected so that he will be available to take over in Pyongyang to represent China’s interests. So the Chinese have a motive to go after Kim Jong Un now that he has eliminated their favorite North Korean, Jang Song Thaek. There are also other reasons for Chinese policymakers these days to put distance between themselves and North Korea, their only formal military ally. The surprise execution of Mr. Jang—however it was carried out—is a warning sign for China that its North Korea policies have failed. Jang was Beijing’s closest ally in the Kim regime, and now the Chinese find themselves branded an enemy in the North Korean capital because of their close dealings with him. Moreover, Beijing is undoubtedly concerned that Kim Jong Un’s regime, sure to be wracked by more purges, will prove to be unstable, and that a newly assertive military, emboldened by its success in eliminating Jang Song Thaek, will lash out. With Jang, a moderate, out of the way, generals and admirals are bound to proceed with a fourth nuclear detonation, a ballistic missile test, and more deadly attacks on South Korea. The last thing China’s policymakers want is to be held accountable for the actions of their bellicose—and now uncontrollable—Korean allies. So it is not hard to imagine that the Chinese, now with less than zero influence in Pyongyang, would tell the world that the North Koreans are crazy and not their responsibility. And there is no better way for Beijing propagandists to make their case than to leak the story of the world’s most horrible execution last year. Perhaps this is too conspiratorial for even the Chinese, but when horrible tales are propagated in established Chinese media channels about brutal North Koreans, we know something is not right in Pyongyang—and Beijing. Jang Song Thaek is dead, and perhaps as many as eight of his allies were executed in the last two months. No matter how they died, there is certainly turbulence ahead in North Korea—and the Chinese are running for cover.

### Climate Change Coop

#### Domestic issues block successful climate cooperation

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Intergovernmental efforts to limit the gases that cause climate change have all but failed. After the unsuccessful 2010 Copenhagen summit, and with little progress at the 2010 Cancun meeting, it is hard to see how major emitters will agree any time soon on mutual emissions reductions that are **sufficiently ambitious** to prevent a substantial (greater than two degree Celsius) increase in average global temperatures. It is not hard to see why. No deal excluding the United States and China, which together emit more than 40 percent of the world’s greenhouse gases (GHGs), is worth the paper it is written on. But **domestic politics in both countries effectively block ‘‘G-2’’ leadership on climate**. In the United States, the Obama administration has basically given up on national cap-and-trade legislation. Even the relatively modest Kerry-Lieberman-Graham energy bill remains dead in the Senate. The Chinese government, in turn, faces an even harsher constraint. Although the nation has adopted important energy efficiency goals, the Chinese Communist Party has staked its legitimacy and political survival on raising the living standard of average Chinese. **Accepting international commitments that stand even a small chance of reducing the country’s GDP** growth rate below a crucial threshold **poses an unacceptable risk to the stability of the regime**. Although the G-2 present the largest and most obvious barrier to a global treaty, **they also provide a convenient excuse for other governments to avoid aggressive action**. Therefore, the international community should not expect to negotiate a worthwhile successor to the Kyoto Protocol, at least not in the near future.

## Adv 2---Miscalc

#### Taiwan’s extremely stable

Olivia 10-6 – Olivia Dondonuwu, Reporter for the Agency Presse France, “China, Taiwan in 'Milestone' Talks at APEC”, Rappeler, 2013, http://www.rappler.com/world/regions/asia-pacific/40689-china-taiwan-xi-siew-meet-apec-sidelines

China said on Sunday, October 6, it was open to a visit by Taiwan's top cross-strait official as it called for a political settlement to prevent their differences being handed down "from generation to generation". Chinese President Xi Jinping met Vincent Siew, Taiwan's former vice president, on the sidelines of the Asia-Pacific Economic Cooperation (APEC) forum in Indonesia. They shook hands and smiled for the cameras. The first such China-Taiwan meeting at the APEC forum was in 2008 when tensions between the two started thawing after decades of hostility stemming from the two sides' separation at the end of the Chinese civil war in 1949. Xi emphasized that both sides should keep pushing for a political settlement to their longstanding division, and that they should see themselves as "one family", China's Xinhua news agency said. The Chinese communist supremo said "we cannot hand those problems down from generation to generation", it reported. Siew, the special envoy to APEC of Taiwan's business-friendly President Ma Ying-jeou, told reporters that he and Xi discussed mainly economic and trade issues during their 30-minute meeting. Ma, while pushing through a startling transformation in the business climate across the Taiwan Strait, has been more resistant to opening up a political front to the rapprochement. But Taiwan played up the symbolic import of a separate encounter in Bali between Wang Yuqi, its top official on mainland affairs, and his Beijing counterpart, Zhang Zhijun. The meeting was the first such political encounter between the heads of the respective cross-strait bodies, the island's government said. "I would consider it a milestone," Kuan Chung-ming, the head of Taiwan's Council for Economic Planning and Development, told reporters in Bali. Taiwan's Mainland Affairs Council described the meeting as "the good start of a normalized official interaction between the two sides", stressing that Zhang had referred to Wang by the Taiwan official's formal title of "chairman". "It showed that the two sides respect each other and have adopted a more pragmatical attitude," the Council said in a statement. According to Xinhua, China's Zhang said that he welcomed Wang "to visit the mainland at a proper time". It did not go into further detail. President Ma himself was not at APEC. Taiwan's leaders are barred from the grouping's summits due to objections from China, which claims sovereignty over the island, and are represented instead by senior economic advisers or business leaders such as Siew. China has always considered Taiwan part of its territory ever since the end of the civil war, when the communists emerged victorious on the mainland and the defeated nationalists fled to the island. But ties have improved markedly since Ma of the Kuomintang (nationalist) party took power in 2008 on a platform of promoting trade and reconciliation with the mainland. In June 2010 Taiwan and China signed the landmark Economic Cooperation Framework Agreement, a pact widely seen as the boldest step yet towards reconciliation.

#### No escalation

**Keck, 13** (Zachary – Assistant Editor of The Diplomat, 7/12, “Why China and the US (Probably) Won’t Go to War”, The Diplomat, <http://thediplomat.com/flashpoints-blog/2013/07/12/why-china-and-the-us-probably-wont-go-to-war/>)

But while trade cannot be relied upon to keep the peace, a U.S.-China war is **virtually unthinkable** because of two other factors: nuclear weapons and geography.

The fact that both the U.S. and China have nuclear weapons is the most obvious reasons why they won’t clash, **even if** they remain fiercely competitive. This is because war is the continuation of politics by other means, and nuclear weapons make war extremely bad politics. Put differently, war is fought in pursuit of policy ends, which cannot be achieved through a total war between nuclear-armed states.

This is not only because of nuclear weapons destructive power. As Thomas Schelling outlined brilliantly, nuclear weapons have not actually increased humans destructive capabilities. In fact, there is evidence to suggest that wars between nomads usually ended with the victors slaughtering all of the individuals on the losing side, because of the economics of holding slaves in nomadic “societies.”

What makes nuclear weapons different, then, is not just their destructive power but also the certainty and immediacy of it. While extremely ambitious or desperate leaders can delude themselves into believing they can prevail in a conventional conflict with a stronger adversary because of any number of factors—superior will, superior doctrine, the weather etc.— none of this matters in nuclear war. With nuclear weapons, countries don’t have to prevail on the battlefield or defeat an opposing army to destroy an entire country, and since there are no adequate defenses for a large-scale nuclear attack, every leader **can be absolute certain** that most of their country can be destroyed in short-order in the event of a total conflict.

Since no policy goal is worth this level of sacrifice, the only possible way for an all-out conflict to ensue is for a miscalculation of some sort to occur. Most of these can and should be dealt by Chinese and the U.S. leaders holding regularly senior level dialogues like the ones of the past month, in which frank and direct talk about redlines are discussed.

These can and should be supplemented with clear and open communication channels, which can be especially useful when unexpected crises arise, like an exchange of fire between low-level naval officers in the increasingly crowded waters in the region. While this possibility is real and frightening, it’s **hard to imagine** a **plausible scenario** where it leads to a nuclear exchange between China and the **U**nited **S**tates. After all, **at each stage** of the crisis leaders know that if it is not properly contained, a nuclear war could ensue, and the complete destruction of a leader’s country is a **more frightening** possibility than losing credibility among hawkish elements of society. In any case, measured means of retaliation would be available to the party wronged, and behind-the-scenes diplomacy could help facilitate the process of finding mutually acceptable retaliatory measures.

#### **No conflict- relations stable and improving**

Scott L. Kastner 8/15/13 PhD in Political Science and an Associate Professor, Department of Government and Politics, University of Maryland, College Park, 8/15/13, "A Relationship Transformed? Rethinking the prospects for conflict and peace in the Taiwan Strait," http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2300070**After long being viewed as** potential **flashpoint, relations across the Taiwan Strait have stabilized** tremendously in recent years, **reflecting moderation in the approaches** both **Beijing and Taipei have taken with regard to the** cross-Strait **sovereignty dispute.** This moderation has been most evident in Taiwan, where Ma Ying-jeou was elected president in 2008 (and reelected in 2012) after campaigning on an explicitly pro-status quo platform. But **Beijing also moderated its Taiwan policies in recent years, most notably by adopting a more flexible approach to the “one China” principle**, de-emphasizing the “one country, two systems” model for cross-Strait political integration (which was widely seen in Taiwan as being a non-starter), and consenting to the use of the “1992 consensus” as a basis for restarting quasi-official cross-Strait dialogue (which had been moribund for nearly a decade before 2008). **The result has been an unprecedented improvement in relations across the Taiwan Strait, reflected in frequent dialogue between officials** from the two sides**, numerous cooperative agreements** (including, most notably, the 2010 Economic Cooperation Framework Agreement), the **establishment of direct travel and commercial linkages across the Strait, and a** sharp **reduction in PRC threats of military force.** In this paper, I consider whether this new-found stability in the Taiwan Strait is likely to persist. To do so, I first discuss at some length how a conflict in the Taiwan Strait could occur. In particular, I consider several possible pathways to conflict that worried analysts of cross-Strait relations prior to the post-2008 détente. I then consider how fundamental trends in cross-Strait relations—such as rapidly growing Chinese military power and deepening cross-Strait economic exchange—are affecting the likelihood that any of these scenarios will emerge as future concerns. My (preliminary) analysis suggests that **the relationship across the Taiwan Strait is likely to be more stable in the years ahead than was the case in the years preceding 2008**; **this conclusion holds even if there is a change in ruling party in Taiwan.**

#### No US intervention

**Sollenberger 10**, student at the Johns Hopkins University, graduate Swarthmore and analyst, [Matthew, spring, “Challenging US Command of the Commons:Evolving Chinese defense technologies as a threat to American hegemony?”, <http://bcjournal.org/2010/challenging-us-command-of-the-commons/>]

The advancement of Chinese military capabilities in the areas of information warfare, anti-access measures, and strategic nuclear forces has substantially altered the strategic environment surrounding a US-China conflict, particularly in the Chinese littoral theaters. By hampering US intelligence gathering and communication assets and using anti-access measures, China could delay a US military response to a possible confrontation across the Taiwan Strait. Given the Chinese-Taiwanese balance of forces, which has tilted significantly against Taiwan in the last years, any delay in the US response to such a crisis could allow China to achieve its unification goals militarily and present the US with a fait accompli. Meanwhile, China’s enhanced capability to inflict substantial damage on US military and civilian assets at different levels of escalation has increased the costs of a potential military conflict between the US and China and thus, may reduce the readiness of US decision-makers to intervene in favor of Taiwan – particularly given China’s evolving ability to withstand US nuclear coercion and deny the US potential benefits from escalation. China has thus effectively challenged US command of the commons, contesting US military power in several key areas. By definition, this erodes one of the pillars of hegemony, namely unrivaled military prowess.

#### Even if China seeks reunification, they won’t use military force

Arthur S. Ding and Paul A. Huang 11, Research Fellow and Acting Director, Institute of International Relations (IIR) at National Chengchi University (NCCU), Taipei, Taiwan, AND Postdoctoral Research Fellow, IIR, NCCU, "Taiwan’s Paradoxical Perceptions of the Chinese Military," December, China Perspectives, Vol. 2011, No. 4, Academic Search Premier

The shift in China’s military approach towards Taiwan¶ As China’s policy towards Taiwan has changed from a tougher approach during the Jiang Zemin era to a more moderate approach under Hu Jintao today, the role of military force has been correspondingly downgraded in terms of prominence, although by no means abandoned. This change is largely tactical, since Beijing’s ultimate goal of eventual re-unification under the one China principle remains unchanged.¶ Reasons for the change in policy approach have never been formally disclosed by Beijing. Nevertheless, reasonable speculation is possible. On the one hand, military exercises in the 1995-96 Taiwan Strait crisis and the hawkish remarks made by Premier Zhu Rongji immediately before Taiwan’s 2000 Presidential election all backfired, and Taiwan people were alienated despite the fact that a trend for “Taiwan independence” did not come about. The backfiring of a forceful policy by Beijing could be seen as early as in the landslide victory of Lee Teng-hui in Taiwan’s 1996 Presidential election.¶ On the other hand, China’s diplomatic environment also suffered from its forceful approach to Taiwan in the late 1990s. The “China threat” theory emerged as a result of the hawkish behaviour exhibited by the PLA, and this served to isolate China by encouraging the US to develop closer security ties with Taiwan and to strengthen the US-Japan alliance. It was also detrimental to China’s goal of building better relations with its neighbouring countries, particularly those in Southeast Asia.¶ As such, the hardline policy had largely failed to achieve its aims, and had to be changed. This change coincided with the transition from Jiang Zemin to Hu Jintao. (18) As the leading figure of the fourth generation of CCP leaders, Hu took control over the party, state, and military step-by-step from Jiang between the years 2002 and 2005. During this period, Taiwan-China relations also embarked on a new trajectory with the revival of CCP-KMT cooperation marked by the visit of then-KMT chairman Lien Chan to China in 2005. (19) The completion of Beijing’s power transition and Lien’s visit China represented a milestone in terms of China’s military posture in its Taiwan policy, allowing China to move Taiwan policy from a hard to a soft approach, while still refusing to abandon the option of using military means against Taiwan in order to block Taiwan independence.¶ For instance, Hu’s keynote speech before the 17th Party Congress in 2007 greatly soft-pedalled the Taiwan issue, and did not mention the mantra of opposing Taiwan’s independence and two Chinas. (20) Again, in his Political Report at the 17th Party Congress, Hu offered Taiwan the opportunity to negotiate a peace accord. (21) The changes in China’s approach toward Taiwan under Hu laid the foundation for the later dramatic improved atmosphere in cross-Strait relations. There are several significant dimensions worth noting in the shift in China’s Taiwan policy since the Jiang-Hu transition of leadership.¶ Militarily, Beijing reduced its public emphasis on the potential use of force against Taiwan. Military tension flared up three times during the Jiang era in 1995, 1996, and 1999. By contrast, no such incidents have happened under Hu Jintao. Instead, Beijing has stressed non-military approaches to deal with Taiwan, and in a sense, Beijing has adjusted its means to influence Taiwan softly and comprehensively. For instance, the much-touted Dongshan Island military exercises previously held annually near the Taiwan Strait ceased in 2005, after having been scaled down in 2004. In response, Taipei announced the cancellation of the Han Kuang drill scheduled for 9 September 2004. (22) Further, PLA amphibious and airborne exercises perceived as simulated attacks on Taiwan have been held elsewhere, a step aimed at reducing the provocative nature of the drills.¶ This does not mean Beijing has given up the military approach, but rather that it prefers to stress softer approaches, even while still regarding the use of force as a last option. In 2007, Hu pointed out that the main mission of the PLA is to win a war with Taiwan, but also noted that attacking the island would cause several negative results, including damaging economic development along China’s southeast coast, impairing Beijing’s foreign relations, harming foreign investment in China, causing causalities, and pushing back the progress of China’s national modernisation. (23)¶ Although Hu proclaimed the tough-sounding “Anti-Secession Law” (ASL) (24) in 2005 to guard against the prospect of a declaration of Taiwan independence, and although the law was widely perceived as a step toward preparing the legal grounds for war against Taiwan, the law was actually meant more as a step to unshackle the hands of China’s Taiwan affairs experts to promote cross-Strait engagement free from hawkish internal opposition than as an attempt to intimidate Taiwan, even if Taiwan was further antagonised and alienated as a result. In other words, the ratification of the ASL served two goals: it sought to hold off any potential criticism of Hu’s new Taiwan policy on the one hand, while at the same time attempting to buy time for a new approach aimed at winning the hearts and minds of Taiwanese people for the ultimate goal of political re-unification.¶ Hu’s new Taiwan policy could also be demonstrated in his handling of Beijing-Washington-Taipei relations. The new approach has been to restrain Taiwan’s independence via Washington diplomatically, rather than to constrain Taipei directly and militarily. This was in sharp contrast to the Jiang Zemin era, during which Beijing’s sensitivity to Taiwan separatism led it to launch missile tests in the Taiwan Strait before the Taiwan presidential election in 1996. By contrast, Hu Jintao looked to Washington to rein in behaviour by Taiwan that it considered destabilising.¶ For instance, during the 2004 presidential election campaign, Beijing unexpectedly did not resort to military intimidation or even verbal attacks. Rather, as Chen stressed Taiwan independence and referendum issues on several occasions, Beijing encouraged Washington to admonish him while remaining silent itself. This change reflected the increased importance China has assigned to the US in its approach to constraining Taiwan. Beijing has changed its policy vis-à-vis Taipei from acting directly across the Strait to acting on Taipei indirectly through pressure exerted by Washington.¶ Hu Jintao’s changed approach toward Taiwan could be observed in other areas as well. In the white paper China’s National Defense in 2008 released on 20 January 2009, (25) more than six months after Taiwan President Ma Ying-jeou (馬英九) took office, Beijing stressed that the two sides of the Taiwan Strait have made progress in consultations under the common political framework of the “1992 Consensus.” (26) China took a further step in its 2010 defence white paper, which proposed that Taipei and Beijing initiate talks about a “military security trust mechanism.” (27)¶ Briefly, under Hu Jintao, China’s approach to Taiwan has become decidedly more patient and less aggressive in response to Taiwan’s de-emphasising of the independence issue. Beijing’s attitude nowadays is softer, more proactive, and more flexible in engaging Taiwan economically, socially, and culturally. This has greatly reduced Taiwanese analysts’ perceptions of threat from mainland China.

#### No external intervention and no nuclear escalation

**Cliff 7** [Roger Cliff, Ph.D. in international relations, Princeton, M.A. in history (Chinese studies), University of California, San Diego, Assistant for Strategy Development, Office of the Secretary of Defense, and David A. Shlapak, Ph.D., senior international policy analyst, RAND Project Air Force Report, 2007]

This situation would occur if China attempted to use force to achieve unification, the United States intervened, and China’s efforts were defeated, but Beijing refused to accept Taiwan’s independence.10 Analysis at RAND has found that a conflict between the United States and China over Taiwan would likely be confined to the use of conventional weapons, even though both the United States and China possess nuclear weapons, and that it would not likely escalate into a broader war between the United States and China. That is, the war would be contained in the area around Taiwan; the main combatants would probably be limited to the United States, China, and Japan; and active hostilities would probably end after a relatively short time. Nonetheless, such a war would probably result in a bitter relationship between the United States and China, comparable in some ways to that between the United States and the Soviet Union during the Cold War. China might well accelerate the buildup of its military capabilities with an eye toward waging a second, this time successful, campaign to claim Taiwan. This military competition would likely also be accompanied by a broader deterioration in Sino-U.S. relations, with mutual trade and investment falling dramatically or even ceasing, and each country demanding that its allies not cooperate with its rival. Countries in Asia might find themselves under pressure to choose between good relations with the United States and good relations with China. Nonetheless, even under these circumstances, the relationship between the United States and China after an inconclusive war over Taiwan would have important differences from the one between the United States and the Soviet Union during the Cold War. Unlike the Soviet Union, China is closely integrated into the world economy. With the exception of Japan, most countries in Asia would likely regard the importance of maintaining good relations with Beijing as outweighing any concerns about China having used force against Taiwan. They would resist U.S. pressure to choose between Washington and Beijing, preferring to maintain good relations with both. This logic would apply even more strongly to countries outside the region, which would be even less concerned about China’s use of force.

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## Flexibility DA

### Impact – Li

#### Legitimacy concerns lock in a culture of restrictions on Executive war power

Paul 8 Christopher, Senior Social Scientist; Professor, Pardee RAND Graduate School Pittsburgh Office Education Ph.D., M.A., and B.A. in sociology, University of California, Los Angeles, “US Presidential War Powers: Legacy Chains in Military Intervention Decisionmaking\* ,” Journal of Peace Research, Vol. 45, No. 5 (Sep., 2008), pp. 665-679

The Institutional Context 'Institution' is used quite inclusively in this article. Following Nee & Ingram (1998: 19), 'An institution is a web of interrelated norms ? formal and informal ? governing social relationships' (emphasis in original).For military intervention decisions, these institutions include not only the formal organizations and departments of the gov ernment, but also the basic building blocks of the policy formation process: the laws gov erning who participates in the policy process and the procedures that must be followed. More subtle factors in policy formation are also institutionalized: the relationships between different policy participants (for ex ample, the congress and the White House, or the press and the military), taken for granted normative categories such as isolationism vs. interventionism, and the range of policies that are considered 'legitimate' by the elec torate and by other nations. The **preferences, capabilities, and basic self-identities** of indi viduals are conditioned by these institutional structures; if these individuals are part of the policymaking process, they can affect policy (Haney, 1997: 17). All actors are constrained by existing political institutions (Mann, 1993: 52). These institutions create and constitute the context (writ large) in which policy is made. The changes in the institutional contexts that constitute policy legacies tend to be of two different types. The first type of in stitutional legacy is a formal change in rules, structure, organization, or procedure. The second type is an informal institutional change, perhaps a change in the broad taken-for-granted logics that inform decision making. This could include changes in institu tionalized preferences, perceptions, informal rules, and 'sch?mas' (Sewell, 1992: 1-29). The most important difference between the two has to do with how the legacy comes about. Changes in taken-for-granted logics and schemas involve subtle shifts in perceptions based on demonstrated challenges to previously held assumptions or beliefs. These changes may or may not be undertaken consciously and reflexively, but they are certainly not something that is discussed and decided on; rather, they are a product of collective logic, sense, and unspoken consensus. For example, prior to President Truman's commitment of US forces to combat in Korea without congressional permission or a declaration of war, the division of powers laid down in the Constitution was assumed to be a sufficient protection of the various branches of the government s prerogatives with regarding to war-making. After Korea, such protections were less taken for granted and more contested, ultimately resulting in a formal institutional change: the War Powers Resolution of 1973. Such formal organizational institutional legacies, on the other hand, are the product of active decisionmaking and are codified in rule or law. As the product of a decision making process, these are 'intended' changes, and, if the language formalizing the change is not precisely aligned with its intentions, unintended institutional consequences can result. A case in point: the War Powers Re solution has not so much retilted the balance of power over war-making toward congress as placed artificial institutional constraints (time limits, reporting requirements) on how presidents plan and launch military interventions.

#### The aff turns the tide in war powers authority --- prevents continued expansion of executive power

FCNL 8, Friends Committee on National Legislation, the 501(c)(4) lobbying organization of the Religion Society of Friends (Quakers), October, “Reclaiming the Balance of Power: An Agenda for the 111th Congress,” Washington Newsletter No. 731, http://fcnl.org/assets/pubs/newsletter/2008/October.pdf

Pendulums swing by their nature, but sometimes they swing too far in one direction and need a push to return to balance. For several decades, the pendulum of power in the federal government has been swinging toward the president; in the past eight years, the president’s powers have reached unprecedented heights. The last two presidents have taken more power for themselves, but Congress has also ceded significant power to the executive branch. The 111th Congress has the opportunity to restore the balance. When members take their seats in January, reclaiming their constitutionally granted power to check the executive should be at the top of the agenda. Power Balanced by Design The framers of the Constitution had balance of power on their minds when they designed the U.S. government. They had recently rebelled against a monarchy with near total power over the people. Based on this experience, the framers limited specific government powers, such as compelling citizens to house soldiers in their homes, searching and seizing private property, and imposing taxes without a democratic process. The framers also structured the U.S. government to catch and prevent these kinds of abuses. They gave independent powers to the three branches of government — executive, legislative, and judicial — but they instituted mechanisms allowing the other branches to limit and balance these powers. In the first three words of the Constitution, “We the People,” the framers recognized a fourth branch of government to check the other three: the civil society. Unlike monarchs, U.S. presidents cannot act alone to commit their countries to war, empty their national treasuries, and impose new taxes on the citizenry to finance military adventures. Presidents can make treaties with other nations, and in time of war a president serves as commander in chief of the armed forces. Constitutionally, only Congress can formally declare war, “raise and support armies,” and increase taxes or otherwise fund a war. Maintaining these divisions is not easy. In the past 200 years, presidents have committed troops to military combat dozens of times without a formal declaration of war, and Congress has voted to cut off funding for war on only a few occasions. In the past eight years, Congress has failed to exercise adequate oversight of executive actions and uphold the Constitution in several areas. Most recently, President George W. Bush has defended the torture of prisoners held by the United States, denied prisoners the right to appeal their detention, and permitted spying on people in the United States without a warrant. Congress has turned a blind eye or acquiesced to the president’s requests to legalize his administration’s actions. The 111th Congress should reclaim its power on our behalf. In the mid-1970s, Congress passed laws to correct a pendulum of power that had swung too far toward the executive. The Congress that takes office in 2009 should do the same.

### UQ---AT: Syria Pounder

#### No Syria pounder --- wasn’t an abdication of any authority and won’t set a precedent --- prefer more qualified evidence

- Obama *chose* to ask, he wasn’t forced

- Doesn’t set a precedent because each crisis is different

- Doesn’t apply to the DA because Syria wasn’t a direct threat to US security

- Future presidents will ignore

- The AUMF expands his authority

Jack M. Balkin 9/3/13, is Knight Professor of Constitutional Law and the First Amendment @ Yale Law School, and the founder and director of Yale's Information Society Project, an interdisciplinary center that studies law and new information technologies, “What Congressional Approval Won't Do: Trim Obama's Power or Make War Legal,” 2013, The Atlantic, http://www.theatlantic.com/politics/archive/2013/09/what-congressional-approval-wont-do-trim-obamas-power-or-make-war-legal/279298/

One of the most misleading metaphors in the discussion of President Obama’s Syria policy is that the president has “boxed himself in” or has “painted himself into a corner.” These metaphors treat a president’s available actions as if they were physical spaces and limits on action as if they were physical walls. Such metaphors would make sense only if we also stipulated that Obama has the power to snap his fingers and create a door or window wherever he likes. The Syria crisis has not created a new precedent for limiting presidential power. To the contrary, it has offered multiple opportunities for increasing it.¶ If Congress says no to Obama, it will not significantly restrain future presidents from using military force. At best, it will preserve current understandings about presidential power. If Congress says yes, it may bestow significant new powers on future presidents -- and it will also commit the United States to violating international law. For Obama plans to violate the United Nations Charter, and he wants Congress to give him its blessing.¶ People who believe Obama has painted himself into a corner or boxed himself in might not remember that the president always has the option to ask Congress to authorize any military action he proposes, thus sharing the responsibility for decision if the enterprise goes sour. If Congress refuses, Obama can easily back away from any threats he has made against Syria, pointing to the fact that Congress would not go along. There is no corner. There is no box.¶ Wouldn’t congressional refusal make the United States look weak, as critics including Senator John McCain warn loudly? Hardly. The next dictator who acts rashly will face a different situation and a different calculus. The UN Security Council or NATO may feel differently about the need to act. There may be a new threat to American interests that lets Obama or the next president offer a different justification for acting. It just won’t matter very much what Obama said about red lines in the past. World leaders say provocative things all the time and then ignore them. Their motto is: That was then, and this is now.¶ If Congress turns him down, won’t Obama be undermined at home, as other critics claim? In what sense? It is hard to see how the Republicans could be less cooperative than they already are. And it’s not in the interest of Democrats to fault a president of their own party for acceding to what Congress wants instead of acting unilaterally. ¶ Some commentators argue (or hope) that whatever happens, Obama’s request for military authorization will be an important precedent that will begin to restore the constitutional balance between the president and Congress in the area of war powers. Don’t bet on it. By asking for congressional authorization in this case, Obama has not ceded any authority that he ­or any other president ­ has previously asserted in war powers. ¶ Syria presents a case in which previous precedents did not apply. There is no direct threat to American security, American personnel, or American interests. There is no Security Council resolution to enforce. And there is no claim that America needs to shore up the credibility of NATO or another important security alliance. Nor does Obama have even the feeble justification that the Clinton Administration offered in Kosovo­: that congressional appropriations midway through the operation offered tacit and retroactive approval for the bombings. ¶ It is naive to think that the next time a president wants to send forces abroad without congressional approval, he or she will be deterred by the fact that Barack Obama once sought congressional permission to bomb Syria. If a president can plausibly assert that any of the previous justifications apply -- ­including those offered in the Libya intervention -- the case of Syria is easily distinguishable. ¶ Perhaps more to the point, Congress still cannot go to the courts to stop the president, given existing legal precedents. Congress may respond by refusing to appropriate funds, but that is a remedy that they have always had -- and have rarely had the political will to exercise. ¶ The most important limit on presidential adventurism is political, not legal. It will turn less on the precedent of Syria than on whether the last adventure turned out well or badly. ¶ In fact, the Syria episode offers Obama­ and future presidents­ new opportunities for increasing presidential power. Obama has submitted a fairly broad authorization for the use of military force (AUMF) proposal to Congress. It is not limited either temporally or geographically; it does not specifically exclude the use of ground troops; and it requires only that the president determine that there is a plausible connection between his use of force and the use of weapons of mass destruction in the Syrian civil war. If Congress adopts this proposal, President Obama ­and every future president ­can simply add it to the existing body of AUMFs and congressional authorizations. ¶ In the American system, presidents often gain the most power not by acting unilaterally or in defiance of congressional statutes but by relying on previous congressional authorizations and interpreting them generously to expand their authority­ -- sometimes in ways that Congress never dreamed of. A case in point is the 2001 AUMF against al-Qaeda, which has no time limit. It has served as the justification for a wide range of executive actions by Presidents George W. Bush and Obama, and it will probably to continue to do so well into the future. That is a good reason to amend Obama’s proposal for a new AUMF to include a sunset clause, a geographical restriction, and a limit on what kinds of forces can be used.

## CP

**Congress will override the executive—overturning the TRA is key**

**Goldstein and Schriver 01** (Steven, Professor of Government, Smith College, and Randall, ne of five founding partners of Armitage International LLC, a consulting firm that specializes in international business development, “An Uncertain Relationship: The United States, Taiwan and the Taiwan Relations Act” The China Quarterly) http://cm.olemiss.edu/courses/pol324/goldschr.pdf

#### Whenzow and Carpenter --- TRA is key

Glaser --- just says move away

Chan --- says repeal solves the ambiguity

### AT: SPACE

**No space pearl harbor:**

**a) Obama solves**

Zhang 11 - Associate Professor of PoliSci and Director of the Center for Asia Pacific Studies @ Lingnan University (Baohui, “The Security Dilemma in the U.S.-China Military Space Relationship,” March/April, Asian Survey Vol 51 No 2, JSTOR, EMM)

As Kevin Narizny points out in his study of grand strategy, political turnover in the executive office often leads to dramatic shifts in state behavior. In particular, changes in control of government from one party to another can lead states to redefine their strategic goals and the means of promoting them.40 The profound and ongoing strategic adjustment by the Obama administration has indeed borne out this argument. The much-maligned grand strategy of primacy and unilateralism has given way to a new stance that emphasizes strategic restraint and multilateral diplomacy. Smart power, rather than military preponderance, is now seen by many as the best way to pursue U.S. interests in the world. The current strategic adjustment by the U.S. has significantly lowered China’s traditional concern about the threat posed by a hegemonic America. China’s foreign policy analysts have reached a consensus that the U.S. has suffered a significant relative decline and is in the process of strategic retreat.41 As a result, the old hegemonic system is believed to have disintegrated. This new perception of the U.S. position in the world has also led the PLA to reassess the likelihood of war between the two countries. Some Chinese military strategists now believe that the relative decline of the U.S. has critically affected the ability and will of the American military to engage in major foreign wars. Lei Sihai, a strategist with a PLA background, claims that “the military capability of the U.S. has declined significantly and it is no longer capable of launching major wars.”42 Major General Jin Yinan, a strategist at the PLA National Defense University, has suggested that the rise of China and the relative decline of the U.S. have made a war scenario between them very unlikely.43 Thus, the strategic landscape between China and the U.S., as seen by Chinese experts from both civilian and military backgrounds, has shifted because of changes in American grand strategy and military strategy. This change in perception has relaxed Chinese concerns about national security. It marks a significant turnaround from China’s view of the American threat from the mid-1990s to the U.S. invasion of Iraq in 2003, when the American pursuit of hegemony was seen as the greatest threat in China’s strategic environment. After U.S. Secretary of Defense Robert Gates announced major changes in the Pentagon’s 2010 budget, including cancelling the procurement of F-22 fighters and key missile defense programs, one PLA strategist characterized these adjustments as “a comprehensive rethinking about U.S. geopolitical strategies.” As the analysis emphasizes, “Gates’s and Obama’s thinking no longer shows aggressiveness. Instead, they seek a new security framework through accommodation. These significant adjustments in U.S. military strategies, especially the decisions to cut missile defense and stop procurement of F-22 fighters, which are directed mainly against China and Russia, should be welcomed. They are conducive for relaxing relations among great powers and reducing their strategic misunderstanding.”44 Moreover, Chinese experts have taken keen notice of the new space policy of the Obama administration, which opposes deployment of weapons in space and is willing to explore international agreements on the issue. As observed by a recent PLA analysis, “Obama’s willingness to reach an international treaty banning space-based weapons and to establish a global cooperative mechanism will have positive impacts on the world’s efforts for space arms control and prevention of an arms race.”

**b) Conventional US deterrence and desires for peaceful space commerce check**

**Hagt 8** ­-- Director of the China Program @ the World Security Institute (Eric, " Mirror-imaging and Worst-case Scenarios," February, Part of Survival 50:1, http://www.carnegieendowment.org/files/SurvivalTellis.pdf, EMM)

The United States has overwhelming military superiority over China. Besides vastly outnumbering China’s conventional and nuclear forces, other key elements include the dramatic advantage the United States has accrued in the past decade in precision-strike conventional weapons. These may even be capable of taking out even hardened nuclear silos in certain circumstances, thus comprising a new threat to China’s nuclear deterrence. There is also the developing US multi-layered missile defence system with boost-phase components based in space that threaten China’s missile force. Even considering space alone, US capabilities and programmes far exceed those of China: for example micro- or nanosatellites, such as the XSS-10, XSS-11, DART, MiTex, Orbital Express and the new DARPA TICS and F6 programmes. There are also laser weapons: MIRACL, the ABL and its COIL, various solid-state HEL and FEL programmes, and the Starfire adaptive optics range, all of which have powerful ASAT capabilities. All this means that **even if the U**nited **S**tates **is currently vulnerable in space**, China would have little incentive to attack American space assets because the risk of escalation to generalised conflict -- a conflict China would have no chance of winning -- is far too great, as Tellis admits. Failing to incorporate this into China’s strategic calculus leads to **a narrow reading of what China is capable of, to say nothing of what its intentions may be**. China’s own investment and interests in commercial and civilian space are also rapidly increasing, serving as a further check on any bellicose use of space.

## China Relations

### 2NC No War

#### Economic collapse doesn’t cause war---that’s Jervis Drezner---if the current downturn didn’t cause global war then the factors cited in their evidence aren’t sufficient to cause hot wars

#### No conflicts resulted from the recession – disproves the impact

Barnett 9**—**senior managing director of Enterra Solutions LLC (Thomas, The New Rules: Security Remains Stable Amid Financial Crisis, 25 August 2009, http://www.aprodex.com/the-new-rules--security-remains-stable-amid-financial-crisis-398-bl.aspx)

When the global financial crisis struck roughly a year ago, the blogosphere was ablaze with all sorts of scary predictions of, and commentary regarding, ensuing conflict and wars -- a rerun of the Great Depression leading to world war, as it were. Now, as global economic news brightens and recovery -- surprisingly led by China and emerging markets -- is the talk of the day, it's interesting to look back over the past year and realize how globalization's first truly worldwide **recession has had** virtually **no impact** whatsoever **on** the **international security** landscape. None of the more than three-dozen ongoing conflicts listed by GlobalSecurity.org can be clearly attributed to the global recession. Indeed, the last new entry (civil conflict between Hamas and Fatah in the Palestine) predates the economic crisis by a year, and three quarters of the chronic struggles began in the last century. Ditto for the 15 low-intensity conflicts listed by Wikipedia (where the latest entry is the Mexican "drug war" begun in 2006). Certainly, the Russia-Georgia conflict last August was specifically timed, but by most accounts the opening ceremony of the Beijing Olympics was the most important external trigger (followed by the U.S. presidential campaign) for that sudden spike in an almost two-decade long struggle between Georgia and its two breakaway regions. Looking over the various databases, then, we see a most familiar picture: the usual mix of civil conflicts, insurgencies, and liberation-themed terrorist movements. Besides the recent Russia-Georgia dust-up, the only two potential state-on-state wars (North v. South Korea, Israel v. Iran) are both tied to one side acquiring a nuclear weapon capacity -- a process wholly **unrelated to** global **economic trends**. And with the United States effectively tied down by its two ongoing major interventions (Iraq and Afghanistan-bleeding-into-Pakistan), our involvement elsewhere around the planet has been quite modest, both leading up to and following the onset of the economic crisis: e.g., the usual counter-drug efforts in Latin America, the usual military exercises with allies across Asia, mixing it up with pirates off Somalia's coast). Everywhere else we find serious instability we pretty much let it burn, occasionally pressing the Chinese -- unsuccessfully -- to do something. Our new Africa Command, for example, hasn't led us to anything beyond advising and training local forces. So, to sum up: •No significant uptick in mass violence or unrest (remember the smattering of urban riots last year in places like Greece, Moldova and Latvia?); •The usual frequency maintained in civil conflicts (in all the usual places); •Not a single state-on-state war directly caused (and no great-power-on-great-power crises even triggered); •No great improvement or disruption in great-power cooperation regarding the emergence of new nuclear powers (despite all that diplomacy); •A modest scaling back of international policing efforts by the system's acknowledged Leviathan power (inevitable given the strain); and •No serious efforts by any rising great power to challenge that Leviathan or supplant its role. (The worst things we can cite are Moscow's occasional deployments of strategic assets to the Western hemisphere and its weak efforts to outbid the United States on basing rights in Kyrgyzstan; but the best include China and India stepping up their aid and investments in Afghanistan and Iraq.) Sure, we've finally seen global defense spending surpass the previous world record set in the late 1980s, but even that's likely to wane given the stress on public budgets created by all this unprecedented "stimulus" spending. If anything, the friendly cooperation on such stimulus packaging was the most notable great-power dynamic caused by the crisis. Can we say that the world has suffered a distinct shift to political radicalism as a result of the economic crisis? Indeed, no. The world's major economies remain governed by center-left or center-right political factions that remain decidedly friendly to both markets and trade. In the short run, there were attempts across the board to insulate economies from immediate damage (in effect, as much protectionism as allowed under current trade rules), but there was no great slide into "trade wars." Instead, the World Trade Organization is functioning as it was designed to function, and regional efforts toward free-trade agreements have not slowed. Can we say Islamic radicalism was inflamed by the economic crisis? If it was, that shift was clearly overwhelmed by the Islamic world's growing disenchantment with the brutality displayed by violent extremist groups such as al-Qaida. And looking forward, austere economic times are just as likely to breed connecting evangelicalism as disconnecting fundamentalism. At the end of the day, the economic crisis did not prove to be sufficiently frightening to provoke major economies into establishing global regulatory schemes, even as it has sparked a spirited -- and much needed, as I argued last week -- discussion of the continuing viability of the U.S. dollar as the world's primary reserve currency. Naturally, plenty of experts and pundits have attached great significance to this debate, seeing in it the beginning of "economic warfare" and the like between "fading" America and "rising" China. And yet, in a world of globally integrated production chains and interconnected financial markets, such "diverging interests" hardly constitute signposts for wars up ahead. Frankly, I don't welcome a world in which America's fiscal profligacy goes undisciplined, so bring it on -- please! Add it all up and it's fair to say that this global financial crisis has proven the great resilience of America's post-World War II international liberal trade order.

#### Global economic governance institutions guarantee resiliency

Daniel W. Drezner 12, Professor, The Fletcher School of Law and Diplomacy, Tufts University, October 2012, “The Irony of Global Economic Governance: The System Worked,” <http://www.globaleconomicgovernance.org/wp-content/uploads/IR-Colloquium-MT12-Week-5_The-Irony-of-Global-Economic-Governance.pdf>

Prior to 2008, numerous foreign policy analysts had predicted a looming crisis in global economic governance. Analysts only reinforced this perception since the financial crisis, declaring that we live in a “G-Zero” world. This paper takes a closer look at the global response to the financial crisis. It reveals a more optimistic picture. Despite initial shocks that were actually more severe than the 1929 financial crisis, global economic governance structures responded quickly and robustly. Whether one measures results by economic outcomes, policy outputs, or institutional flexibility, global economic governance has displayed surprising resiliency since 2008. Multilateral economic institutions performed well in crisis situations to reinforce open economic policies, especially in contrast to the 1930s. While there are areas where governance has either faltered or failed, on the whole, the system has worked. Misperceptions about global economic governance persist because the Great Recession has disproportionately affected the core economies – and because the efficiency of past periods of global economic governance has been badly overestimated. Why the system has worked better than expected remains an open question. The rest of this paper explores the possible role that the distribution of power, the robustness of international regimes, and the resilience of economic ideas might have played.

### 1NC No Extinction

#### Disease inevitable—multiple global hotspots and always a risk of mutations—the aff doesn’t solve world wide

#### No extinction

Posner 5—Senior Lecturer, U Chicago Law. Judge on the US Court of Appeals 7th Circuit. AB from Yale and LLB from Harvard. (Richard, Catastrophe, http://goliath.ecnext.com/coms2/gi\_0199-4150331/Catastrophe-the-dozen-most-significant.html)

Yet the fact that Homo sapiens has managed to survive every disease to assail it in the 200,000 years or so of its existence is a source of genuine comfort, at least if the focus is on extinction events. There have been enormously destructive plagues, such as the Black Death, smallpox, and now AIDS, but none has come close to destroying the entire human race. There is a biological reason. Natural selection favors germs of limited lethality; they are fitter in an evolutionary sense because their genes are more likely to be spread if the germs do not kill their hosts too quickly. The AIDS virus is an example of a lethal virus, wholly natural, that by lying dormant yet infectious in its host for years maximizes its spread. Yet there is no danger that AIDS will destroy the entire human race. The likelihood of a natural pandemic that would cause the extinction of the human race is probably even less today than in the past (except in prehistoric times, when people lived in small, scattered bands, which would have limited the spread of disease), despite wider human contacts that make it more difficult to localize an infectious disease.

#### Infectious diseases can’t cause extinction – population density mitigates virulence through resistance

Wynne Parry 11, 2/2/11, Live Science Staff Writer, “Article: Theory About Mammals and Fungus Explains Bat Plague”, <http://www.livescience.com/11705-theory-mammals-fungus-explains-bat-plague.html>

Even highly virulent infectious disease does not cause extinctions – because as population density decreases, so does transmission, and the remaining individuals are more resistant. In addition, at the end of the Cretaceous, dinosaurs weren't the only ones to be decimated. Marine animals were affected, as were many species of flowering plant, according to Douglas Robertson, of the Cooperative Institute for Research in Environmental Sciences at the University of Colorado. "It is not even vaguely plausible that all these extinctions, let alone just the various dinosaur species extinctions, were all caused by some pathogen," Robertson wrote in an e-mail.

### General---1NC

#### No impact---mitigation and adaptation will solve---no tipping point or “1% risk” args

Robert O. Mendelsohn 9, the Edwin Weyerhaeuser Davis Professor, Yale School of Forestry and Environmental Studies, Yale University, June 2009, “Climate Change and Economic Growth,” online: http://www.growthcommission.org/storage/cgdev/documents/gcwp060web.pdf

The heart of the debate about climate change comes from a number of warnings from scientists and others that give the impression that human-induced climate change is an immediate threat to society (IPCC 2007a,b; Stern 2006). Millions of people might be vulnerable to health effects (IPCC 2007b), crop production might fall in the low latitudes (IPCC 2007b), water supplies might dwindle (IPCC 2007b), precipitation might fall in arid regions (IPCC 2007b), extreme events will grow exponentially (Stern 2006), and between 20–30 percent of species will risk extinction (IPCC 2007b). Even worse, there may be catastrophic events such as the melting of Greenland or Antarctic ice sheets causing severe sea level rise, which would inundate hundreds of millions of people (Dasgupta et al. 2009). Proponents argue there is no time to waste. Unless greenhouse gases are cut dramatically today, economic growth and well‐being may be at risk (Stern 2006).

These statements are largely alarmist and misleading. Although climate change is a serious problem that deserves attention, society’s immediate behavior has an extremely low probability of leading to catastrophic consequences. The science and economics of climate change is quite clear that emissions over the next few decades will lead to only mild consequences. The severe impacts predicted by alarmists require a century (or two in the case of Stern 2006) of no mitigation. Many of the predicted impacts assume there will be no or little adaptation. The net economic impacts from climate change over the next 50 years will be small regardless. Most of the more severe impacts will take more than a century or even a millennium to unfold and many of these “potential” impacts will never occur because people will adapt. It is not at all apparent that immediate and dramatic policies need to be developed to thwart long‐range climate risks. What is needed are long‐run balanced responses.

### Laundry List

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

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

North Korea is indeed a dangerous rogue state that has, in the recent past, staged small-scale but deadly attacks on South Korea without provocation. In March 2010, a South Korean navy ship was attacked by a ship of unknown origin, killing 46 on board; though North Korea denied responsibility, an investigation concluded it was likely responsible. A few months later, North Korea fired over 100 artillery shells at Yeonpyeong Island, killing two civilians and wounding 19.

But is North Korea really an irrational nation on the brink of launching “all-out war,” a mad dog of East Asia? Is Pyongyang ready to sacrifice it all? Probably not. The North Korean regime, for all its cruelty, has also shown itself to be **shrewd, calculating, and single-mindedly obsessed with its own self-preservation**. The regime’s past behavior **suggests pretty strongly** that these **threats are empty**. But they still matter.

**For years**, North Korea has threatened the worst and, despite all of its apparent readiness, never gone through with it. So why does it keep going through these macabre performances? We can’t read Kim Jong Eun’s mind, but the most plausible explanation has to do with internal North Korean politics, with trying to set the tone for regional politics, and with forcing other countries (including the United States) to bear the costs of preventing its outbursts from sparking an unwanted war.

Starting World War III or a second Korean War would not serve any of Pyongyang’s interests. Whether or not it deploys its small but legitimately scary nuclear arsenal, North Korea could indeed cause substantial mayhem in the South, whose capital is mere miles from the border. But the North Korean military is antiquated and inferior; it wouldn’t last long against a U.S.-led counterattack. No matter how badly such a war would go for South Korea or the United States, it would almost **certainly end with the regime’s total destruction**.

Still, provocations and threats do serve Pyongyang’s interests, even if no one takes those threats very seriously. It helps to rally North Koreans, particularly the all-important military, behind the leader who has done so much to impoverish them. It also helps Pyongyang to control the regional politics that should otherwise be so hostile to its interests. Howard French, a former New York Times bureau chief for Northeast Asia whom I had the pleasure of editing at The Atlantic, explained on Kim Jong Il’s death that Kim had made up for North Korea’s weakness with canny belligerence:

The shtick of apparent madness flowed from his country’s fundamental weakness as he, like a master poker player, resolved to bluff and bluff big. Kim adopted a game of brinkmanship with the South, threatening repeatedly to turn Seoul into a “sea of flames.” And while this may have sharply raised the threat of war, for the North, it steadily won concessions: fuel oil deliveries, food aid, nuclear reactor construction, hard cash-earning tourist enclaves and investment zones.

At the risk of insulting Kim Jong Eun, it helps to think of North Korea’s provocations as somewhat akin to a child throwing a temper tantrum. He might do lots of shouting, make some over-the-top declarations (“I hate my sister,” “I’m never going back to school again”) and even throw a punch or two. Still, you give the child the attention he craves and maybe even a toy, **not because you think the threats are real** or because he deserves it, but because you want the tantrum to stop.

## Miscalc

## Adv 2---Miscalc

### 2NC No War

#### **No conflict- interdependence forces peaceful resolution of future conflicts**

Feng Tai '12, PhD in International Relations and a Fellow at The Weatherhead Center for International Affairs at Harvard, 4/30/12, "Current Cross-Strait Relations: Problems and Prospects," http://programs.wcfia.harvard.edu/files/fellows/files/feng.pdf

While a peaceful resolution may not emerge in the near term, the **long-term trends show that** the **increased ROC-PRC economic links, cultural intercourse, and** even **political contacts will contribute to** confidence-building anda reduction of mutual hostility. **The trend toward improved relations** between the two sides **has gained a** momentum that will be difficult to reverse**.** This current relationship is too important to fail. **Because of interdependence, both sides are incentivized to create win-win conditions for long-term peaceful development.** The transition of Cross-Strait relations from conflict to stability has not been easy**. The achievements of the current stage are just the beginning of peacemaking in the Taiwan Strait.** In his inaugural address in 2008, President Ma Ying-Jeou of Taiwan expressed the hope that the two sides would grasp the historic opportunity to open a new chapter of peace and co-prosperity. He emphasized the principle of “facing reality, pioneering a new future, shelving controversies, and pursuing a win-win solution.” Looking to the future, the two sides will encounter many difficult issues. As Dr. Henry Kissinger said, “ambiguity serves its purpose,” as **Taiwan and China agree to disagree on some sensitive political issues** **such as mutual non-recognition, sovereignty, and mutual non-denial of a governing authority**. In my personal view, **the two sides** of Taiwan Strait **are adhering to the principle of co-prosperity now**. Evidence for this improvement has been acknowledged by the international community. For example, earlier last year, President Obama expressed his support for the progress that has been made to reduce tensions, and, in particular, how its continuation will be in the interests of the region. President Ma reiterated these ideas in a BBC interview on June 15, 2011, by promising that his administration’s policy will foster more open, deeper, and stronger relations with China. **As further evidence of the improvement of relations with China, Taiwan has since been able to develop ties with Japan and other neighbors, reflecting a sense of goodwill.** The growing ties between the two sides may also result in the exchange of ideas that may directly and indirectly influence China and its politics in the future. **Over the past four years, both Taiwan and China have been taking a path that corresponds to the wishes of the Taiwanese people.** For instance, in November 2011, Taiwan’s MAC conducted a public opinion survey, which showed that 84.8 percent of the public support the government’s continued use of institutionalized negotiations to handle Cross-Strait issues.64 At the same time, a survey by the United Daily News on August 28, 2011 indicated that 52 percent of the Taiwanese people support maintaining the status quo indefinitely.65

# 1NR

## Politics

### O/V

#### Strikes trigger biological warfare and draw in Russia and China

Dennis Ray Morgan 9, Hankuk University of Foreign Studies, Yongin Campus - South Korea, Futures, Volume 41, Issue 10, December 2009, Pages 683-693

This scenario has gained even more plausibility since a January 2007 Sunday Times report [13] of an Israeli intelligence leak that Israel was considering a strike against Iran, using low-yield bunker busting nukes to destroy Iran’s supposedly secret underground nuclear facilities. In Moore’s scenario, non-nuclear neighboring countries would then respond with conventional rockets and chemical, biological and radiological weapons. Israel then would retaliate with nuclear strikes on several countries, including a pre-emptive strike against Pakistan, who then retaliates with an attack not only on Israel butpre-emptively striking India as well. Israel then initiates the ‘‘Samson option’’ with attacks on other Muslim countries, Russia, and possibly the ‘‘anti-Semitic’’ cities of Europe. At that point, all-out nuclear war ensues as the U.S. retaliates with nuclear attacks on Russia and possibly on China as well.11

#### Israeli strikes cause global great power war

Rafael Reuveny 10, PhD, Professor in the School of Public and Environmental Affairs at Indiana University, "Unilateral Strike on Iran could trigger world Depression", Op-ed distributed through McClatchy Newspaper Co, <http://www.indiana.edu/~spea/news/speaking_out/reuveny_on_unilateral_strike_Iran.shtml>

A unilateral Israeli strike on Iran’s nuclear facilities would likely have dire consequences, including a regional war, global economic collapse and a major power clash. For an Israeli campaign to succeed, it must be quick and decisive. This requires an attack that would be so overwhelming that Iran would not dare to respond in full force. Such an outcome is extremely unlikely since the locations of some of Iran’s nuclear facilities are not fully known and known facilities are buried deep underground. All of these widely spread facilities are shielded by elaborate air defense systems constructed not only by the Iranians, but also the Chinese and, likely, the Russians as well. By now, Iran has also built redundant command and control systems and nuclear facilities, developed early-warning systems, acquired ballistic and cruise missiles and upgraded and enlarged its armed forces. Because Iran is well-prepared, a single, conventional Israeli strike — or even numerous strikes — could not destroy all of its capabilities, giving Iran time to respond. A regional war Unlike Iraq, whose nuclear program Israel destroyed in 1981**,** Iran has a second-strike capability comprised of a coalition of Iranian, Syrian, Lebanese, Hezbollah, Hamas, and, perhaps, Turkish forces. Internal pressure might compel Jordan, Egypt, and the Palestinian Authority to join the assault, turning a bad situation into a regional war. During the 1973 Arab-Israeli War, at the apex of its power, Israel was saved from defeat by President Nixon’s shipment of weapons and planes. Today, Israel’s numerical inferiority is greater, and it faces more determined and better-equipped opponents. Despite Israel’s touted defense systems, Iranian coalition missiles, armed forces, and terrorist attacks would likely wreak havoc on its enemy, leading to a prolonged tit-for-tat. In the absence of massive U.S. assistance, Israel’s military resources may quickly dwindle, forcing it to use its alleged nuclear weapons, as it had reportedly almost done in 1973. An Israeli nuclear attack would likely destroy most of Iran’s capabilities, but a crippled Iran and its coalition could still attack neighboring oil facilities, unleash global terrorism, plant mines in the Persian Gulf and impair maritime trade in the Mediterranean, Red Sea and Indian Ocean. Middle Eastern oil shipments would likely slow to a trickle as production declines due to the war and insurance companies decide to drop their risky Middle Eastern clients. Iran and Venezuela would likely stop selling oil to the United States and Europe. The world economy would head into a tailspin; international acrimony would rise; and Iraqi and Afghani citizens might fully turn on the United States, immediately requiring the deployment of more American troops. Russia, China, Venezuela, and maybe Brazil and Turkey — all of which essentially support Iran — could be tempted to form an alliance and openly challenge the U.S. hegemony. Replaying Nixon’s nightmare Russia and China might rearm their injured Iranian protege overnight, just as Nixon rearmed Israel, and threaten to intervene, just as the U.S.S.R. threatened to join Egypt and Syria in 1973. President Obama’s response would likely put U.S. forces on nuclear alert, replaying Nixon’s nightmarish scenario. Iran may well feel duty-bound to respond to a unilateral attack by its Israeli archenemy, but it knows that it could not take on the United States head-to-head. In contrast, if the United States leads the attack, Iran’s response would likely be muted. If Iran chooses to absorb an American-led strike, its allies would likely protest and send weapons, but would probably not risk using force.

¶ While no one has a crystal ball, leaders should be risk-averse when choosing war as a foreign policy tool. If attacking Iran is deemed necessary, Israel must wait for an American green light. A unilateral Israeli strike could ultimately spark World War III.

### Sanctions Impact

#### New sanctions cause negotiation collapse and Middle East War

Rachel Kleinfeld, Carnegie Endowment For International Peace, 1/31/14, Sanctions Could Disrupt Negotiations With Iran, carnegieendowment.org/2014/02/03/sanctions-could-disrupt-negotiations-with-iran/h02v

Facing skyrocketing inflation, a collapsing currency and a sudden loss of imported goods, Iranians voted last year to kick out Mahmoud Ahmadinejad and elected a government they thought might jump-start their economy.

The new government of President Hassan Rouhani is not "moderate" - but it is practical. It would like a nuclear weapon, but it wants economic relief more. Rouhani knows his only bargaining chip to end sanctions is to stop the nuclear weapons program.

But the Rouhani government is on a short leash. Iran's supreme leader, Ali Khamenei, holds the ultimate power - and he is skeptical that a deal can be struck. Hardliners in Iran who benefit from sanctions are against it, as are many in the U.S. Congress. Khamenei needs to walk a careful line: If he looks like he's capitulating too much, then he'll face domestic backlash. He knows he has only a few months to deliver.

That is why the congressional threat of more sanctions - even if they take effect only if the deal fails - is so dire. Hardliners and Khamenei will take such legislation as proof that the United States wants regime change, not an end to Iran's nuclear program. Rouhani himself has said that if sanctions legislation passes, negotiations are off.

So why have more than 50 senators signed up as co-sponsors of new sanctions? Some do want regime change. So would we all - Iran is a noxious, terrorist-supporting, human-rights-destroying government. But regime change wouldn't end the security threat. Even the "Green Movement" that marched for democracy a few years ago wanted to obtain a nuclear weapon.

Others think that sanctions got Iran to the negotiating table, so more sanctions will push them even harder. This is a miscalculation. Negotiations have begun. Iran has allowed nuclear inspectors to seal up their nuclear plants. More sanctions will simply seem like bad faith on our part. They also could provide the excuse other countries are looking for to break with the sanctions regime. Bans on oil imports are causing real economic hardship to allies such as Japan who depended on Iran for much of their energy, and export bans are hurting European companies desperate to restart growth. If the United States looks like the bad guy, these governments are likely to give in to domestic pressure and reduce their sanctions against Iran.

Finally, the American Israel Public Affairs Committee is lobbying Congress hard with the message that a vote against sanctions is a vote against Israel. To me, as a Jew and a Zionist, this is not only hogwash: It is allowing an unelected American nongovernmental organization to wrap itself in the Israeli flag while suggesting actions that threaten Israel.

If we cannot end Iran's nuclear program with diplomacy, we will end it through war. Two years ago, the national security organization I founded worked with Pentagon planners on a simulation game to look at what would happen after the United States bombed Iran. In all the possible scenarios, Iran was likely to do one thing: attack Israel to open up a two-front war and further drag America into conflict in the Middle East. A vote for sanctions at this point is a vote for war - and for Iranian missile attacks on Israel.

### UQ

#### Uniqueness doesn’t overwhelm---Obama only won the debate because of the perception that the executive branch should be free from legislative or judicial controls on its foreign policy autonomy---the plan breaks that consensus---and AIPAC’s looking for ways to regroup, means they’ll seize the plan as a rallying point

Brent E. Sasley 2-4, blogger for The Jewish Daily Forward, 2/4/14, “AIPAC Lost Iran Sanctions Battle — Not War,” http://blogs.forward.com/forward-thinking/192178/aipac-lost-iran-sanctions-battle-not-war/#ixzz2sUkF8NB2

AIPAC Lost Iran Sanctions Battle — Not War

Efforts to pass a new Iran sanctions bill have not only stalled in the Senate, but appear to be slowing even in the House. Perhaps predictably, given the focus on AIPAC as the primary driver of the bill, observers are now wondering whether AIPAC has “over-reached” and been “weakened.” While the failure of any lobby group to pass signature legislation dents its reputation, presumptions about AIPAC’s coming vulnerability betray fundamental misconceptions about how foreign policy is made.

Foreign policymaking in the United States is an executive privilege. Presidents typically have a lot of leeway in this area. This is the result of constitutional authority, judicial reinforcement, and a general acceptance among lawmakers that presidential predominance in foreign affairs is both necessary and, by now, traditional.

Under these conditions, lobby groups have always had much more success with Congress than with presidents. Congress is a fractious body, with over 500 individual targets; the president is a single individual. Failures in Congress are more setbacks than anything else, given the multiple access points and the rolling nature of elections; failing to convince the president is a very public event, harder to overcome.

The ability of any advocacy organization to achieve its goals has also always been contingent on broader political conditions. Presidents determined to promote a foreign policy agenda have normally been able to overcome lobbies’ opposition

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 — particularly when they are supported by the American public and by other groups.

The Iranian nuclear program is not seen by the Administration or by the public as an existential issue in either U.S.-Israel relations or for Israel itself. That makes it harder to convince Americans that a bill leading to greater American commitment to the Middle East and entailing more U.S. soldiers being sent there is in America’s interest.

The political terrain is also changing, dislodging AIPAC’s once-unchallenged position in Israel advocacy. The emergence of J Street and the willingness by groups on the far right to undermine the organizational consensus on Israel have changed the nature of Jewish lobbying in the U.S., pulling AIPAC in two different directions. It needs to maintain the traditional bipartisan consensus on Israel without being outflanked by the right or the left.

In the case of the Iran sanctions bill, a diverse coalition of forces on the left has proven an effective counter-point to AIPAC’s arguments about the urgency of passing new legislation now.

AIPAC’s defeat on the sanctions bill — and it is a defeat — coming so closely on the heels of its failure to “win” Congressional support for a strike on Syria, does raise questions about its ability to pursue its agenda in a changing Washington.

But the advocacy group isn’t going anywhere. Its core priority, maintaining a strong U.S.-Israel relationship, remains popular among politicians and the public. It’s also rooted in a myriad of networks, including military cooperation, popular sympathy, academic and cultural exchanges, and more. And so long as the Arab states (including Palestine) are viewed as unstable, authoritarian and violent, there are no counterweights to the view of Israel as a reliable ally with shared values, despite growing misgivings about settlements and the occupation.

It’s not clear that AIPAC could have done anything different in the face of a strong push by the Obama Administration against a new sanctions bill. It’s a truism in advocacy work that you can’t always win; but you can stay relevant. AIPAC has adapted over time, learning from its past successes and failures. Expect it to do so again. The challenge this time will be to recognize that Israel is increasingly popular on the right while less popular on the left.

#### More ev

Tower 2-5 – Tower Magazine, a project of TIP, a nonpartisan 501c3 educational organization based in Washington D.C. that works to provide facts about Israel and the Middle East to press, policy makers and the public, 2/5/14, “Senate Iran Hearing Showcases Proxy Debates Over Administration Credibility, Congressional Oversight,” http://www.thetower.org/senate-proxy-battles/

Senate Iran Hearing Showcases Proxy Debates Over Administration Credibility, Congressional Oversight

Testimony given yesterday to the Senate Committee on Foreign Relations seems likely to deepen debates over the robustness of the Obama administration’s approach to Iran, many of which have become proxies for more narrow debates over the degree to which Congress should have a voice in approving any comprehensive deal with Iran.

Analysts, lawmakers, and journalists have for months focused on the terms of the interim Joint Plan of Action (JPA). Scrutiny continued yesterday, with undersecretaries from the Treasury and State Departments – David Cohen [PDF] and Wendy Sherman [PDF], respectively – scrambling to assure lawmakers that the international sanctions regime against Iran is holding. The administration has staked its credibility on the notion that the limited financial relief provided by the JPA would not trigger further erosions in the regime. Critics had immediately worried that a feeding frenzy would take hold, with countries and companies scrambling to avoid getting left behind as Iran’s markets reopened, only to be met with derision by White House-linked analysts and surrogates.

Empirical evidence that is unkind to the White House’s position has been piling up with increasing tempo since the JPA was implemented last month. Sherman and Cohen sought to convince lawmakers that the White House was committed to enforcing remaining sanctions and halting an increasingly undeniable rush back into Iran.

Mark Dubowitz, executive director of the Foundation for Defense of Democracies, provided skeptical testimony [PDF] on the point:

The U.S. Congress and President Obama closed this “golden loophole” in January 2013. At the time, the Obama administration could have taken action against Halkbank, which processed these sanctions-busting transactions, using the sanctions already in place to cut the bank off from the U.S. financial system. Instead, the administration lobbied Congress to make sure the legislation that closed this loophole did not take effect for six months—effectively ensuring that the gold transactions continued apace until July 1. That helped Iran accrue billions of dollars more in gold, further undermining the sanctions regime.

The implementation of the JPA and the impending start of comprehensive negotiations has also focused attention on discussions over Congress’s role in negotiations. Americans overwhelmingly favor extensive Congressional oversight of the Obama administration’s nuclear talks with Iran.

### AT: Thumpers

#### Sanctions are off the table now because of PC---means issue-specific uniqueness beats their thumpers and “no PC” args

Stacey Kaper 2-2, National Journal, 2/2/14, “How Obama Won the War on Iran Sanctions,” http://www.nationaljournal.com/defense/how-obama-won-the-war-on-iran-sanctions-20140202

The push for new sanctions on Iran has stalled. The Democrats who bucked President Obama to back the sanctions bill are backpedaling mightily—no longer even pretending they're pushing Harry Reid to hold a vote on the measure. And while there's still plenty of chest-pounding and posturing, the debate's end result seems clear: The Senate will wait, at least so long as the negotiations move in the right direction.

That's a full flip from just more than a month ago. Before the December recess, the Senate's pro-sanctions faction was surging. Senators—including Democrats who are typically Obama loyalists—were agreeing with Israeli Prime Minister Benjamin Netanyahu's claim that the nuclear negotiations with Iran bordered on capitulation.

So how did Obama—a supposedly feckless president when it comes to handling Congress—turn the tide?

Obama's in-person, all-hands-on-deck advocacy campaign with the Senate appears to have advanced his cause, but it's not that simple.

The president combined tangible developments abroad with fervent support from the Left, and used it to win out over a fracturing Israel lobby. In the process, he won—at least for now—a foreign policy victory just as his critics were insisting Obama's age of influence was over.

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"It's a combination of one side not doing that much and the other side doing a lot. The AIPAC guys have not been calling us and usually we would be hearing from them," a Democratic Senate aide said. AIPAC is shorthand for the American Israel Public Affairs Committee, Washington's best-known pro-Israel lobby group.

Obama started by reaching out to Congress in their house and his: He sent envoys, including Secretary of State John Kerry, to Capitol Hill, and he invited key players to a White House meeting to make a case that independent Sen. Angus King of Maine labeled "incredibly powerful."

But outreach on Iran is nothing new. What is different this time is that, unlike with past rounds of sanctions against Iran where the interplay has been more theoretical, the Islamic republic is actually at the negotiating table, at least going through the motions of entertaining the dismantling of its nuclear-weapons capabilities. Tremendous skepticism remains that the talks will ultimately work—including from inside the administration—but the ongoing talks at least give concerned senators an alternative.

And then there was the resurgent progressive movement that capitalized on a war-weary public to push Democrats in Obama's direction. MoveOn.org, Daily Kos, The Huffington Post, and other liberal media outlets have mobilized against Democrats who supported sanctions, accusing them of undermining Obama with warmongering and asking, "Where's the antiwar Left?"

Finally, Obama was the beneficiary of weakened opposition. The Israel lobby has succeeded in influencing Iran policy for decades, but it's currently in a state of upheaval. AIPAC has not been beating down doors canvassing Capitol Hill in a concerted campaign as it has in the past, and J Street—AIPAC's younger, rising counterweight—is making the case against sanctions.

"The bottom line is that more and more members want to give the administration the space they are asking for to try to negotiate a deal with Iran. If it doesn't work they'll begin to ratchet up the sanctions more," a former senior Democratic Senate aide said. "I believe the administration now has the space they are looking for."

Another Senate aide agreed that outside forces are making a difference.

"The president's base has gone all-in with his party, cashed in every chit possible, applied every possible pressure point on Democrats, used messaging and rhetoric that fires up the liberal base, and activated grass roots to target Democrats and make them afraid of this bill from the left," said the aide. "Unfortunately it's turned it partisan, and we'll see if Republicans will take the next step."

The impact of Democrats growing gun-shy could have implications for the GOP agenda. The House passed additional sanctions against Iran in July, before the current negotiations were announced. House GOP leaders have since flirted with bringing up the pending Senate sanctions bill, but have been concerned about losing Democrats and thus losing any impact by turning an intended bipartisan message partisan. At the same time, House Republican leaders have struggled to convince senior Democrats to push forward a less controversial, bipartisan nonbinding resolution on Iran.

Matthew Duss, a policy analyst with the liberal Center for American Progress, argued that the outreach from liberal groups has made an impact by tapping into war fatigue.

"Without question, there has been great work done by progressive organizations, communicating with policymakers and legislators some of the problems with the sanctions bill and urging the activists and grassroots community and constituents to call their own elected members," he said. "You've seen the resurrection of elements of the Iraq War Coalition on the left who remember that we got ourselves into a huge mess in the Middle East are sending this message: 'Let's not do that again.' That's a very strong motivating factor."

Democratic operatives tracking the issue said that as Democrats have had time to digest the legislation, the details have given them cold feet. The bill, for example, does more than simply impose additional sanctions if Iran breaks its agreement. It also calls for authorizing military force to support Israel in any military conflict against Iran.

"The recognition that the language was so broadly written that passage of the legislation could in fact lead to the possibility of a confrontation with Iran is what tipped the scales," the former senior Democratic Senate aide said. "That language was written pretty strongly. The more folks delved into it, the more concerned they became that it puts the U.S. in a very aggressive posture. Everyone wants to do everything they can to support Israel, but more folks are beginning to look inwards again and are very war-weary."

Of the 59 cosponsors on the legislation, 16 are Democrats. But it is hard to find any Democratic cosponsor who is eager to talk about the bill these days. Many dodged questions, while others such as Sens. Richard Blumenthal of Connecticut, Joe Manchin of West Virginia, Christopher Coons of Delaware, and Ben Cardin of Maryland are frank that they are not pushing for a vote.

#### Obama’s not spending PC on it

By Pema Levy 1-17, Newsweek, “Obama Brings Snoopers to Heel but Approves Spying on Americans”, http://www.newsweek.com/obama-brings-snoopers-heel-approves-spying-americans-226591

While it’s hard to imagine a commander in chief dismantling his or her own intelligence-gathering programs, Obama was presented with the opportunity to take more drastic action. In December, a district court judge found the metadata program likely unconstitutional. Shortly thereafter, a review panel Obama himself appointed came out with surprisingly strong criticisms of the surveillance programs and called for serious reforms.¶ Instead, Obama chose a middle path that is in some ways typical of his approach to national security concerns.¶ “Obama finds himself with a national security situation that he’s not wild about, but does not have the political capital to do a complete about-face, nor is there a clear route out. And so he does some rearranging and really tries to demonstrate that what’s going on is done as consistently as possible with what he views as national values,” Friedman said. “But that statement could have been used about Guantanamo, about torture, about Afghanistan, about many, many things that the United States has done since 2000.”¶ It’s possible that as Congress takes on the mass surveillance programs in the coming months and years, these programs will be significantly scaled back and reformed. Perhaps more likely, as Paul noted on CNN, the Supreme Court may have the final say.

### Yes PC

#### PC’s key to the ongoing fight with the Senate---loss of capital reverses Obama’s current ability to prevent a vote---failure collapses regional and global U.S. credibility and power

Flynt Leverett 1-20, professor at Pennsylvania State University’s School of International Affairs and is a Visiting Scholar at Peking University’s School of International Studies, and Hillary Mann Leverett, Senior Professorial Lecturer at the American University in Washington, DC and a Visiting Scholar at Peking University in Beijing, 1/20/14, “Iran, Syria and the Tragicomedy of U.S. Foreign Policy,” http://goingtotehran.com/iran-syria-and-the-tragicomedy-of-u-s-foreign-policy

Regarding President Obama’s ongoing struggle with the Senate over Iran policy, Hillary cautions against premature claims of “victory” for the Obama administration’s efforts to avert new sanctions legislation while the Joint Plan of Action is being implemented. She points out that “the foes of the Iran nuclear deal, of any kind of peace and conflict resolution in the Middle East writ large, are still very strong and formidable. For example, the annual AIPAC policy conference—a gathering here in Washington of over 10,000 people from all over the country, where they come to lobby congressmen and senators, especially on the Iran issue—that will be taking place in very early March. There’s still a lot that can be pushed and played here.”

To be sure, President Obama and Secretary of State John Kerry “have put a lot of political capital on the line.” No other administration has so openly staked out its opposition to a piece of legislation or policy initiative favored by AIPAC and backed by a bipartisan majority on Capitol Hill since the 1980s, when the Reagan administration successfully defended its decision to sell AWACs planes to Saudi Arabia. But, Hillary notes, if the pro-Israel lobby is able to secure a vote on the new sanctions bill, and to sustain the promised veto of said bill by President Obama, “that would be such a dramatic blow to President Obama, and not just on his foreign policy agenda, but it would be devastating to his domestic agenda.” So Obama “has a tremendous amount to lose, and by no means is the fight anywhere near over.”

Of course, to say that Obama has put a lot of political capital on the line over the sanctions issue begs the question of whether he is really prepared to spend the far larger amounts of capital that will be required to close a final nuclear deal with Tehran. As Hillary points out, if Obama were “really trying to lead this country on a much more constructive, positive trajectory after failed wars and invasions in Iraq and Afghanistan and Libya—Libya entirely on President Obama’s watch—[he] would be doing a lot more, rather than just giving these lukewarm talks, basically trying to continue to kiss up to major pro-Israel constituencies, and then trying to bring in some of political favors” on Capitol Hill.

Compare Obama’s handling of Iran and other Middle East challenges to President Nixon’s orchestration of the American opening to China—including Nixon’s willingness to “break the crockery” of the pro-Taiwan lobby—and the inadequacy of Obama’s approach become glaringly apparent. And that, Hillary underscores, is why we wrote our book, Going to Tehran—because “we think it’s absolutely essential for President Obama to do what Nixon did and go to Tehran, as Nixon went to China,” for “the Middle East is the make-or-break point for the United States, not just in our foreign affairs but in our global economic power and what we’re able to do here at home. If we can’t get what we’re doing in the Middle East on a much better, more positive trajectory, not only will we see the loss of our power, credibility, and prestige in the Middle East, but we will see it globally.”

### No Sanctions

#### Negotiations likely to succeed and be durable

Colin Kahl, 1/7/14, Still Not Time to Attack Iran, www.foreignaffairs.com/articles/140633/colin-h-kahl/still-not-time-to-attack-iran

In my article “Not Time to Attack Iran” (March/April 2012), I made the case for pursuing a diplomatic solution to the Iranian nuclear challenge, arguing that, because of the risks and costs associated with military action, “force is, and should remain, a last resort, not a first choice.” Key developments in 2013 -- namely, the election of Hassan Rouhani, a moderate, as Iran’s new president and the signing of an interim nuclear deal by Iran and the United States and its negotiating partners -- reinforce this conclusion. Whatever hawks such as Reuel Marc Gerecht or Matthew Kroenig might argue, it is still not time to attack Iran. Indeed, the prospects for reaching a comprehensive agreement to resolve the nuclear impasse peacefully, while far from guaranteed, have never been brighter. A LIGHT AT THE END OF THE TUNNEL After decades of isolation, the Iranian regime may finally be willing to place meaningful limits on its nuclear program in exchange for relief from punishing economic sanctions. In Iran’s June 2013 presidential election, Rouhani handily defeated a slate of conservative opponents, including the hard-line nuclear negotiator Saeed Jalili, who had campaigned on continuing Iran’s strategy of “nuclear resistance.” Rouhani, in contrast, pledged to reach a nuclear accommodation with the West and free Iran from the economic burden imposed by sanctions. Rouhani, also a former nuclear negotiator, believes he has the support of the Iranian people and a green light from Supreme Leader Ayatollah Ali Khamenei to reach a comprehensive nuclear accord with the United States and the other members of the P5+1 (Britain, China, France, Germany, and Russia). The first step on the road to a comprehensive deal came in November 2013 with an interim agreement in Geneva, in which Tehran agreed to freeze and modestly roll back its nuclear program in exchange for a pause in new international sanctions and a suspension of some existing penalties. The deal represents the most meaningful move toward a denuclearized Iran in more than a decade. It neutralizes Iran’s stockpile of 20 percent uranium and therefore modestly lengthens Iran’s “breakout” timeline -- the time required to enrich uranium to weapons grade -- by one or two months. A new inspections regime also means any breakout attempt would be detected soon enough for the international community to react, and expanded International Atomic Energy Agency (IAEA) access to Iran’s nuclear infrastructure will make it more difficult for Iran to divert critical technology and materials to new secret sites. The terms also preclude the new plutonium reactor at Arak from becoming operational, halting the risk that Iran could soon use plutonium to build a bomb. For all its good points, the interim agreement does not by itself resolve the Iranian nuclear challenge. Rather, the accord is designed to create at least a six-month diplomatic window (the initial period of the agreement), or longer if the agreement is extended, to negotiate a final, comprehensive solution. At the very least, U.S. officials have suggested that the ultimate deal must permanently cap Iran’s enrichment at five percent; substantially reduce Iran’s low-enriched uranium stockpile; place significant limits on the number of Iranian centrifuges and enrichment facilities; dismantle Arak or convert it to a proliferation-resistant light-water reactor; allow much more intrusive inspections of both declared and undeclared facilities; and account for the “past military dimensions” of Iran’s nuclear research. In exchange, Iran would receive comprehensive relief from multilateral and national nuclear- and proliferation-related sanctions. GOING FOR BROKE Some analysts argue that U.S. negotiators should use the leverage created by crippling economic sanctions and Iran’s apparent willingness to negotiate to insist on a total dismantling of Iran’s fuel-cycle activities. The maximalist approach is reflected in Israeli Prime Minister Benjamin Netanyahu’s stated requirements for a final deal: no uranium enrichment at any level, no stockpile of enriched uranium, no centrifuges or centrifuge facilities, and no Arak heavy-water reactor or plutonium reprocessing facilities. Attempting to keep Iran as far away from nuclear weapons as possible seems prudent and reasonable. It is imperative that any final deal prohibits Iran from possessing facilities that would allow it to produce weapons-grade plutonium, for example. But in reality, the quest for an optimal deal that requires a permanent end to Iranian enrichment at any level would likely doom diplomacy, making the far worse outcomes of unconstrained nuclearization or a military showdown over Tehran's nuclear program much more probable. Regardless of pressure from the United States, its allies, and the wider international community, the Iranian regime is unlikely to agree to end all enrichment permanently. Khamenei, the ultimate decider on the nuclear file, has invested far too much political capital and money (more than $100 billion over the years) in mastering enrichment technology and defending Iran's nuclear rights (defined as domestic enrichment). The nuclear program and “resistance to arrogant powers” are firmly imbedded in the regime’s ideological raison d’être. So, even in the face of withering economic sanctions, Khamenei and hard-liners within the Revolutionary Guard are unlikely to sustain support for further negotiations -- let alone acquiesce to a final nuclear deal -- if the end result reflects a total surrender for the regime. As Alireza Nader, an Iran analyst at the RAND Corporation, observes, “[S]anctions are a danger to their rule, but weakness in the face of pressure might be no less a threat.” Nor are Rouhani and his negotiating team likely to agree to halt enrichment or advocate for such a policy, since doing so would be political suicide. In 2003, during Rouhani’s previous role as Iran's chief nuclear negotiator, he convinced Khamenei to accept a temporary suspension of enrichment. But further talks with the international community stalled in early 2005 over a failure to agree on Iran’s asserted right to enrichment, and Tehran ended its suspension shortly thereafter. Rouhani is unlikely to let that happen again.

PLAYING CHICKEN Given the certainty that Iran will reject maximalist demands from the United States, the United States should only make such demands if it is willing to go to the brink of the abyss with Iran, escalating economic and military threats to the point at which the regime’s survival is acutely and imminently in danger. Yet pursuing such a high-risk strategy is unlikely to succeed, and the consequences of failure would be profound. First, it is unclear whether any escalation of sanctions could bring the regime to its knees in time to prevent Iran from achieving a breakout capability. Iran’s apparent willingness to negotiate under pressure is not, in and of itself, evidence that more pressure will produce total surrender. Iran’s economy is in dire straits, but the country does not appear to be facing imminent economic collapse. Khamenei and the Revolutionary Guard also seem to believe that the Islamic Republic weathered far worse during the Iran-Iraq War, an eight-year conflict that killed hundreds of thousands of Iranians and produced over half a trillion dollars in economic losses before Iran agreed to a cease-fire. Even if Washington goes forward with additional sanctions, economic conditions are not likely to produce enough existential angst among Iranian leaders, generate mass unrest, or otherwise implode the regime before Iran achieves a nuclear breakout capability. And even if they did lead to regime change, it still might not prove sufficient to force a nuclear surrender. After all, the imprisoned leaders of the Green Movement and Iranian secularists opposed to the Islamic Republic, as well as a significant majority of the Iranian people, also support Iran’s declared right to enrichment. Second, and somewhat paradoxically, ramping up sanctions to force regime capitulation now could end up weakening international pressure on Iran. For better or worse, Rouhani has already succeeded in shifting international perceptions of Iran. If the United States, rather than Iran, comes across as intransigent, it will become much more difficult to maintain the international coalition currently isolating Tehran, particularly on the parts of China, Russia, and numerous other European and Asian nations. Some fence sitters in Europe and Asia will start to flirt with Iran again, leaving the United States in the untenable position of choosing between imposing extraterritorial sanctions on banks and companies in China, India, Japan, South Korea, Turkey, and elsewhere, or acquiescing to the erosion of the international sanctions architecture. Third, issuing more explicit military threats (through public warning by U.S. President Barack Obama or congressional passage of a resolution authorizing the use of military force, for example) is also unlikely to achieve a maximalist diplomatic outcome. There is little doubt that maintaining a credible military option affects the Iranian regime’s calculations, raising the potential costs associated with nuclearization. And if diplomacy fails, the United States should reserve the option of using force as a last resort. But threats to strike Iranian nuclear sites surgically, no matter how credible, would not create a sufficient threat to the survival of the regime to compel it to dismantle its nuclear program completely. Finally, attempting to generate an existential crisis for the Islamic Republic could backfire by increasing the regime’s incentives to acquire nuclear weapons. If the United States escalates economic or military pressure at the very moment when Iran has finally begun to negotiate in earnest, Khamenei will likely conclude that the real and irrevocable goal of U.S. policy is regime change. Solidifying this perception would enhance, rather than lessen, Tehran’s motivation to develop a nuclear deterrent. In short, playing chicken with Iran will not work and is likely to result in a dangerous crash. Gambling everything by insisting on an optimal deal could result in no deal at all, leaving Iran freer and potentially more motivated to build atomic arms and making a military confrontation more likely. STILL TIME FOR DIPLOMACY During a December 2013 forum hosted by the Brookings Institution, Obama said, “It is in America’s national security interests . . . to prevent Iran from getting a nuclear weapon. . . . But what I’ve consistently said is, even as I don’t take any options off the table, what we do have to test is the possibility that we can resolve this issue diplomatically.” When asked by a former Israeli general in the audience what he would do if diplomacy with Iran breaks down, Obama said, “The options that I’ve made clear I can avail myself of, including a military option, is one that we would consider and prepare for.”

Given the dangers associated with a nuclear-armed Iran, Obama is right to keep the military option alive. But he is also right to strongly prefer a diplomatic outcome. Leadership changes in Tehran and the diplomatic momentum created by the Geneva interim accord mean that there is a real chance that the Iranian nuclear crisis -- a challenge that has haunted the international community for decades -- could finally be resolved peacefully. No one can say for sure how high the odds of success are. But given the enormous dangers associated with both an Iranian bomb and the bombing of Iran, it is imperative to give diplomacy every chance to succeed.

### PC Key

#### New Senate hearings re-ignited support for sanctions---PC’s key to reassure skeptics

VOA 2-5 – Voice of America News, 2/5/14, “US Officials Defend Iran Nuclear Talks Before Skeptical Lawmakers,” http://www.payvand.com/news/14/feb/1031.html

A U.S. Senate hearing has further exposed tensions between lawmakers and the Obama administration about international negotiations to limit Iran's nuclear program. U.S. officials sought to reassure skeptical legislators of both parties that diplomacy can succeed, and that Iran will be amply punished if it fails.

Senate Foreign Relations Committee Chairman Robert Menendez wanted to know if a final accord with Iran would freeze its ability to make a nuclear weapon or eliminate it entirely.

"A final agreement that mothballs [halts] Iran's [nuclear] infrastructure, but preserves their ability to easily break out [become a nuclear-armed nation] is not a final agreement I can support," he said.

Menendez has crafted a bill spelling out additional sanctions against Iran if talks break down. The measure has put him in conflict with fellow-Democrat President Barack Obama, who has pledged to veto any measure that could torpedo negotiations. Menendez feared Iran would wriggle free of sanctions while retaining its nuclear weapons capacity.

"We need to guard against wanting a deal so much that we concede more than we gain. At the end of the day, Iran can no longer be a nuclear weapons-threshold state," he said.

Other senators were more blunt. Republican James Risch called the interim nuclear agreement a "disaster" and said he was "disgusted" by limited sanctions relief for Iran.

"You have got business people flooding in there, ready to do business [with Iran], going back to business as usual with the Iranians," he said. "Whose job is it going to be to put the genie back in the bottle [restart sanctions] when this thing [diplomacy] fails?"

Appearing before the committee, Under Secretary of State for Political Affairs Wendy Sherman stressed that no final accord would be soft on Tehran.

"We remain in control over whether to accept the terms of a final deal or not," she said. "We have made it clear to Iran that if it fails to live up to its commitments, or if we are unable to reach agreement on a comprehensive solution, we would ask Congress to ramp up new sanctions immediately."

Several senators expressed concern if the time it took to enact new sanctions Iran could accelerate its nuclear program. U.S. Treasury Under Secretary David Cohen responded that the economic relief Tehran currently enjoys was small and reversible.

#### Their “momentum” and vote counts args are cut off at the knees because pro-sanctions forces don’t have a plan to force a vote---Obama’s PC is key to prevent Reid from allowing a vote---also means fast timeframe because sanctions pass as soon as Reid flips

Stacy Kaper 1-17, National Journal, 1/17/14, “U.S. Senate's Iran Hawks Flounder Against Reid-Obama Coalition,” http://www.nti.org/gsn/article/us-senates-iran-hawks-flounder-against-reid-obama-coalition/

The U.S. Senate's Iran hawks have lots of votes to back their sanctions legislation. What they lack is a plan to get the bill to the floor. ¶ Fifty-nine senators -- including 16 Democrats -- have signed onto sanctions legislation from Democratic Senator Robert Menendez (N.J.) and Republican Senator Mark Kirk (Ill.). The measure would punish Iran with sanctions if it reneges on an interim nuclear agreement, or if that agreement does not ultimately abolish any nuclear-weapons capabilities for Iran. ¶ The count has climbed rapidly since the bipartisan pair introduced their legislation in late December. But now it's unclear whether that support will be enough to clear the bill's next major hurdle: Senate Majority Leader Harry Reid. ¶ The Nevada Democrat is siding with the White House, which has put intense pressure on lawmakers not to act on sanctions, arguing it could result in both a nuclear-armed and hostile Iranian state. And without Reid's backing, supporters of the Menendez-Kirk bill are unsure how to move the measure to the floor. ¶ "I assume that if the Democrat senators put enough pressure on Senator Reid he might bring it to the floor," said Missouri Republican Senator Roy Blunt. "But, you know, we are at a moment in the Senate where nothing happens that Senator Reid doesn't want to happen; and this is something at this moment that Senator Reid doesn't want to happen." ¶ And for now, sanctions supporters are still mulling their strategy. ¶ "We are talking amongst ourselves. There is a very active debate and discussion ongoing about how best to move forward," said Democratic Senator Richard Blumenthal of Connecticut, a cosponsor of the bill. "There are a number of alternative strategies, but we're deliberating them." ¶ While Reid has, at least for now, foiled their policy plans, sanctions supporters are still scoring the desired political points on the issue. They can report their efforts to their constituents while blaming Reid for the inaction. ¶ But whatever pressure Reid is getting from his colleagues, he's also getting support from the commander in chief. ¶ In a White House meeting Wednesday night, President Obama made a hard sell to Democrats on the issue, pleading with them to back off sanctions while his team worked on a nuclear pact. ¶ "The president did speak passionately about how [we] must seize this opportunity, that we need to seize this six months … and that if Iran isn't willing to in the end make the decisions necessary to make it work, he'll be ready to sign a bill to tighten those sanctions -- but we gotta give this six months," said Senator Jeff Merkley of Oregon, after returning from the White House. ¶ In the meantime, many bill supporters reason that Reid will eventually feel the heat. ¶ "We'll just have to ratchet up the pressure, that's all," said Republican Senator John McCain (Ariz.). "The president is pushing back, obviously, and he's appealing to the loyalty of Democrats, but there are a lot of other forces out there that are pushing in the other direction, so we'll see how they react." ¶ Earlier this week Senator Lindsey Graham (R-S.C.) said he was hoping to find more Democratic cosponsors over the recess and was talking to House Majority Leader Eric Cantor (Va.) about whether the Republican-controlled House might take up the Senate sanctions bill as a way to spur the Senate to act. But neither of Graham's approaches represents a broad, coordinated campaign. ¶ Democrats, who have more power to drive the train in the Senate, seem to be in little hurry. ¶ "I don't think there is any time schedule related to it at this point," said Democratic cosponsor Ben Cardin of Maryland. "We are all trying to figure out how we can be most helpful and make sure Iran does not become a nuclear-weapon state." ¶ Menendez, who chairs the Senate Foreign Relations Committee and is the lead Democratic sponsor, said he is focused on hearing more from the administration about the reported unofficial secret "side deal" with Tehran. ¶ About the plans to proceed, Menendez said noncommittally, "We'll see." ¶ Kirk, the Republican who is the other lead sponsor, said he was counting on elections pressure to spark action. ¶ "My hope is that, as we get towards midterm elections, members are going to want to be on record being against giving up billions of dollars to Iran," Kirk said. ¶ Other members are hoping lobbying groups can carry the weight on this one. McCain said he hoped pro-Israel groups could convince Democrats to spring into action or that supporters could make it uncomfortable for Reid to continue blocking the bill.

### Waivers Fail

#### New sanctions collapse a deal by signaling U.S. intransigence independently of waivers

Daryl G. Kimball 1-23, executive director of the Arms Control Association, and Sanford Gottlieb, was executive director of the National Committee for a Sane Nuclear Policy, 1/23/14, “Bill could scuttle Iran deal [Commentary],” The Baltimore Sun, http://www.baltimoresun.com/news/opinion/oped/bs-ed-iran-deal-20140123,0,5752254.story#ixzz2rGSLEZ8z

The bill's authors say their proposal won't necessarily impose new sanctions right away because S. 1881 gives the U.S. president authority to temporarily waive the sanctions if Tehran meets the terms of the first phase agreement, as well as additional measures. That is misleading.

The bill would require that Iran take additional steps (including ending financing for terrorist groups and halting missile tests) that go beyond the terms of the first phase nuclear agreement. If Iran does not meet these added requirements (and it will not), new sanctions would go into effect within weeks. Iran's Foreign Minister has made clear that new sanctions legislation would be interpreted as a violation of the U.S. commitments in the nuclear agreement.

International sanctions have certainly played a role in motivating Tehran's leaders to reach the first-phase deal to limit their nuclear program by halting uranium enrichment above normal fuel-grade, stopping installation of more advanced uranium centrifuges and halting major construction work on a new reactor that could produce plutonium in the future. But if the U.S. tries to impose still more sanctions in the middle of the ongoing nuclear talks, other countries will see Washington, not Tehran, as the problem, and their support for the enforcing international sanctions against Iran will erode.

The threat of further U.S. sanctions would also undermine support inside Iran for nuclear restraint. Iranian hardliners, who already oppose the nuclear deal, will likely take retaliatory steps and make it harder for Iran's President, Hassan Rouhani, to agree to further limits on Iran's nuclear program.

As a result, talks on a comprehensive deal would likely collapse, Iran's nuclear activities would accelerate, bringing it closer to being able to produce nuclear weapons, and the risk of an Israeli military attack on Iran's nuclear sites would grow.

The deal’s set – that means waivers are a violation

Paul Blumenthal, HuffPo, 1/30/14, Pro-Israel PACs Went All In For Senators Supporting Iran Sanctions, But They're Still Losing, www.huffingtonpost.com/2014/01/30/iran-sanctions-pacs\_n\_4695417.html

In fact, the sanctions would go into force 90 days after the legislation became law. Supporters note that the bill provides for a presidential waiver to push that date back to the end of the interim deal, but, according to National Iranian American Council policy director Jamal Abdi, the waiver would be impossible to invoke.

"The waiver that it gives him requires him to make certifications to Congress that go above and beyond what's inside the deal," Abdi said.

### Losers Lose

#### The plan expends capital on a separate war powers issue – it’s immediate and forces a trade-off in prioritization

David O’Neil 7, Adjunct Associate Professor of Law, Fordham Law School, “The Political Safeguards of Executive Privilege”, 2007, 60 Vand. L. Rev. 1079, lexis

a. Conscious Pursuit of Institutional Prerogatives The first such assumption is belied both by first-hand accounts of information battles and by the conclusions of experts who study them. Participants in such battles report that short-term political calculations consistently trump the constitutional interests at stake. One veteran of the first Bush White House, for example, has explained that rational-choice theory predicts what he in fact experienced: The rewards for a consistent and forceful defense of the legal interests of the office of the presidency would be largely abstract, since they would consist primarily of fidelity to a certain theory of the Constitution... . The costs of pursuing a serious defense of the presidency, however, would tend to be immediate and tangible. These costs would include the expenditure of political capital that might have been used for more pressing purposes, [and] the unpleasantness of increased friction with congressional barons and their allies. n182 Louis Fisher, one of the leading defenders of the political branches' competence and authority to interpret the Constitution independently of the courts, n183 acknowledges that politics and "practical considerations" typically override the legal and constitutional principles implicated in information disputes. n184 In his view, although debate about congressional access and executive privilege "usually proceeds in terms of constitutional doctrine, it is the messy political realities of the moment that usually decide the issue." n185 Indeed, Professor Peter Shane, who has extensively studied such conflicts, concludes that their successful resolution in fact depends upon the parties focusing only on short-term political [\*1123] considerations. n186 When the participants "get institutional," Shane observes, non-judicial resolution "becomes vastly more difficult." n187

#### Limits on war powers authority split Congressional Democrats

Brian Hughes 13, “Obama's base increasingly wary of drone program” Washington Examiner, <http://washingtonexaminer.com/obamas-base-increasingly-wary-of-drone-program/article/2520787>

"You watch and see -- the left wing of the party will start targeting Obama over this," said Larry Sabato, a political scientist at the University of Virginia. "It's inevitable. The drumbeat will increase as time goes on, especially with each passing drone strike."¶ Obama late Wednesday decided to share with Congress' intelligence committees the government's legal reasoning for conducting drones strikes against suspected American terrorists abroad, the Associated Press reported. Lawmakers have long demanded to see the full document, accusing the Obama administration of stonewalling oversight efforts.¶ Earlier in the day, one Democrat even hinted at a possible filibuster of Brennan if given unsatisfactory answers about the drone program.¶ "I am going to pull out all the stops to get the actual legal analysis, because with out it, in effect, the administration is practicing secret law," said Sen. Ron Wyden, D-Ore., a member of the Senate Select Intelligence Committee. "This position is no different [than] that the Bush administration adhered to in this area, which is largely 'Trust us, we'll make the right judgments.' "¶ In a Justice Department memo released this week, the administration argued it could order the killing of a suspected American terrorist even with no imminent threat to the homeland.¶ White House press secretary Jay Carney insisted on Wednesday that the administration had provided an "unprecedented level of information to the public" about the drone operations. Yet, questions remain about who exactly orders the killings, or even how many operations have been conducted.¶ "There's been more noise from senators expressing increased discomfort [with the drone program]," said Joshua Foust, a fellow at the American Security Project. "For Brennan, there's going to be more opposition from Democrats than Republicans. It's not just drones but the issue of torture."¶ Facing concerns from liberals, Brennan had to withdraw his name from the running for the top CIA post in 2008 over his connections to waterboarding during the Bush administration.¶ Since becoming president, Obama has championed and expanded most of the Bush-era terror practices that he decried while running for the White House in 2008.¶ It's estimated that roughly 2,500 people have died in drone strikes conducted by the Obama administration.¶ However, most voters have embraced the president's expanded use of drone strikes. A recent Pew survey found 62 percent of Americans approved of the U.S. government's drone campaign against extremist leaders. And some analysts doubted whether Democratic lawmakers would challenged Obama and risk undermining his second-term agenda.¶

MARKED

"Democrats, they're going to want the president to succeed on domestic priorities and don't want to do anything to erode his political capital," said Christopher Preble, vice president for defense and foreign policy studies at the Cato Institute. "It's just so partisan right now. An awful lot of [lawmakers] think the president should be able to do whatever he wants."

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### Impact

#### No impact defense---pressure for escalation would be intense and short-term

Colin H. Kahl 12, Associate Professor in the Security Studies Program at Georgetown’s School of Foreign Service and Senior Fellow at the Center for a New American Security, January 17, 2012, “Not Time to Attack Iran,” online: http://www.foreignaffairs.com/articles/137031/colin-h-kahl/not-time-to-attack-iran?page=show#

To make matters worse, in the heat of battle, Iran would face powerful incentives to escalate. In the event of a conflict, both sides would come under significant pressure to stop the fighting due to the impact on international oil markets. Since this would limit the time the Iranians would have to reestablish deterrence, they might choose to launch a quick, all-out response, without care for redlines. Iranian fears that the United States could successfully disrupt its command-and-control infrastructure or preemptively destroy its ballistic missile arsenal could also tempt Iran to launch as many missiles as possible early in the war. And the decentralized nature of Iran's Islamic Revolutionary Guard Corps, especially its navy, raises the prospect of unauthorized responses that could rapidly expand the fighting in the crowded waters of the Persian Gulf.¶ Controlling escalation would be no easier on the U.S. side. In the face of reprisals by Iranian proxies, "token missile strikes against U.S. bases and ships," or "the harassment of commercial and U.S. naval vessels," Kroenig says that Washington should turn the other cheek and constrain its own response to Iranian counter-attacks. But this is much easier said than done. Just as Iran's likely expectation of a short war might encourage it to respond disproportionately early in the crisis, so the United States would also have incentives to move swiftly to destroy Iran's conventional forces and the infrastructure of the Revolutionary Guard Corps. And if the United States failed to do so, proxy attacks against U.S. civilian personnel in Lebanon or Iraq, the transfer of lethal rocket and portable air defense systems to Taliban fighters in Afghanistan, or missile strikes against U.S. facilities in the Gulf could cause significant U.S. casualties, creating irresistible political pressure in Washington to respond. Add to this the normal fog of war and the lack of reliable communications between the United States and Iran, and Washington would have a hard time determining whether Tehran's initial response to a strike was a one-off event or the prelude to a wider campaign. If it were the latter, a passive U.S. approach might motivate Iran to launch even more dangerous attacks -- and this is a risk Washington may choose not to take. The sum total of these dynamics would make staying within Kroenig's proscribed limits exceedingly difficult.¶

#### Failure of Iran diplomacy leaves force as the only option on the table --- Israel is actively pursuing strikes and sanctions legislation will mandate US draw-in --- that’s Merry and Perr

#### That guarantees Israel strikes

Muhammad 12/31 Askia, citing David Bositis, Vice President and Senior Research Analyst at the Joint Center for Political and Economic Studies, “Obama's burden” <http://www.finalcall.com/artman/publish/National_News_2/article_101094.shtml>

In foreign affairs, the President’s burden is made even more awkward by dug-in opposition by leaders of both parties here in this country. Despite unprecedented breakthroughs on his watch with Syria concerning its stockpile of chemical weapons, and with Iran concerning its nuclear enrichment plans, the Israel-lobby would prefer more saber-rattling **and** possible military action than any peaceful resolution. Other challenges are complicated by some of Mr. Obama’s own decisions.¶ “On the international level,” Dr. Horne explained, “it’s clear that the Obama administration wants to pivot toward Asia, which mean’s China.¶ “But, you may recall, when he first came into office that was to be accompanied by a reset with Russia, because it’s apparent that the United States confronting Russia and China together is more than a notion. And yet, the Obama administration finds itself doing both.¶ “Look at its misguided policy towards Ukraine, for example, where it’s confronting Russia head-on, and its confrontation with China off the coast of eastern China. So, I guess in the longer term, it’s probably evident that the most severe challenge for the Obama administration comes from (the) international situation because as we begin to mark the 100th anniversary of the onset of World War I in 2014, it’s evident that unfortunately the international situation today, in an eerie way, resembles some ways the international situation at the end of 1913.¶ “In the end of 1913 there was a rising Germany, just like there is a rising China. There was a declining Britain, just like there is a declining United States of America, and we all know the rather morbid consequences of World War I, so it is for that reason that I say that I would say that Mr. Obama’s most severe challenge is in the international arena,” said Dr. Horne.¶ “In terms of foreign policy, his wanting to negotiate with Iran about their stopping their nuclear program, almost immediately there were people in the Congress speaking out in public who were totally against everything he wanted to do,” said Dr. Bositis.¶ “There are people who don’t want to put any pressure on Israel about coming to terms with the Palestinians. There are people who are unhappy with what he’s done in terms of Syria,” he said. These stumbling blocks also stand in the way of the President’s ability to deliver on his pre-election promise to close the Guantanamo prison camp where hundreds are being detained, although most have been cleared for release by all U.S. intelligence agencies because they pose no threat to this country. Yet the prisoners languish, some even resorting to hunger strikes because of the hopelessness of their plight, with the U.S. turning to painful force-feeding the inmates to keep them from starving themselves to death.¶ “Change is always hard,” Ms. Jarrett said Mr. Obama told a group of youth leaders recently. “The Civil Rights Movement was hard. People sacrificed their freedom. They went to prison. They got beat up. Look through our history and then look around the world. It’s always hard. You can’t lose faith because it’s hard. It just means you have to try harder. That’s really what drives him every day,” said Ms. Jarrett.¶ And at the end of the day, Mr. Obama remains in control and holding all the “trump cards.”¶ “Remember something,” Dr. Bositis said. “These people can say or make all these claims about Obama, but the fact of the matter is that Obama is president, and he’s going to be president for three more years, and he’s going to have a lot more influence than all of these clowns,” who disparage his leadership.¶ “He’s not going to blink. He learned that lesson. With these guys, they’re like rapists. If you give them an inch, they will own you,” Dr. Bositis concluded.

### UQ---AT: Overwhelms---2NC

#### Sanctions are only on ice because of political capital---it could gain traction again---Obama’s framed his opposition around excluding Congressional oversight---the plan changes that debate

Susan Crabtree 2-5, The Washington Examiner, 2/5/14, “Bob Corker: New Iran sanctions bill has lost momentum,” http://washingtonexaminer.com/bob-corker-new-iran-sanctions-bill-has-lost-momentum/article/2543495

Sen. Bob Corker, R-Tenn., says the Obama administration has successfully quashed momentum for a new Iran sanctions bill that had picked up support in January.

“It's pretty evident that the sanctions piece – the momentum has changed,” he told the Washington Examiner Tuesday.

He noted that the measure could gain traction again if Iran fails to comply with the terms of its deal with the U.S. and other world powers to roll back parts of its nuclear program.

Corker was referring to a bill sponsored by Sens. Bob Menendez, D-N.J. and Mark Kirk, R-Ill., that would have allowed the diplomatic process to play out for a year before imposing new sanctions. In early January, the measure had attracted 59 co-sponsors - 14 of them Democrats - and Senate aides said they believed the bill would garner a veto-proof majority if allowed a vote on the chamber floor.

Since that time, the Obama administration has led a campaign to prevent the bill from reaching the floor, saying any new sanctions action in Congress would derail the interim six-month deal with Iran, which lifts some sanctions in return for freezing aspects of Tehran's nuclear program.

After President Obama repeated his opposition to the bill in his State of the Union address last week, Sen. Joe Manchin, a conservative Democrat from West Virginia, pulled his support.

Corker has been pushing a potential compromise that would involve passing a bill that details what the Obama administration hopes to gain in a more comprehensive agreement with Iran. In recent weeks, however, he said he has found that the administration is dead-set against any congressional effort to define the final endgame with Tehran.

“The thing they have been far more concerned about is us laying out what the end deal has to look like,” he said Tuesday.

During a Senate Foreign Relations Committee hearing Tuesday, Menendez, the panel's chairman, expressed concern that the U.S. and five other world powers had jeopardized the solidarity of international sanctions without extracting long-term concessions from Iran.

“This is not a nothing-ventured, nothing-gained enterprise,” he said. “We have placed our incredibly effective international sanctions regime on the line without clearly defining the parameters of what we expect in a final agreement.”

Menendez also expressed concern that the head of Iran's nuclear agency last week on Iranian state television said “the iceberg of sanctions is melting while our centrifuges are also still working – this is our greatest achievement.”

After the hearing, Corker said there's a bipartisan group in the Senate worried that “we're going to have rolling interim deals and we're going to lose our sanctions” in the process.