# Kentucky R1

## 1NC

#### When converting to wiki cites, accidently deleted text from cards. Cites are on the wiki. If you really need the cards e-mail me.

#### 1NC was XO CP, Politics, Liberal Legalism K, and case (can find on other speech docs)

## 2NC

### 2NC Their Cards

#### Lobel advocates the counterplan

**Lobel 9** – Jules Lobel, Professor of Law at the University of Pittsburgh. "Restore. Protect. Expand. Amend the War Powers Resolution". Center for Constitutional Rights White Paper, http://ccrjustice.org files CCR\_White\_WarPowers.pdf

President Obama must pledge to help restore the balance of power and work with Congress to support a reform and revision of the War Powers Resolution. As a matter of constitutional integrity, all executive acts of war must be prohibited without Congressional authorization, and must comply with international law. President Obama must also end the wars launched, illegally, by the Bush administration.

#### Their Sloane evidence is CP sufficiency evidence—(and its about preventive vs. preemptive war, not the aff…\_)

Sloane 8 – Sloane, Associate Professor of Law, Boston University School of Law, 2008 (Robert, Boston University Law Review, April, 88 B.U.L. Rev. 341, Lexis)

There is a great deal more constitutional history that arguably bears on the scope of the executive power in the twenty-first century. But it is vital to appreciate that the scope of the executive power, particularly in the twenty-first century, is not only a constitutional or historical issue. As an international lawyer rather than a constitutionalist, I want to stress briefly that these debates and their concrete manifestations in U.S. law and policy potentially **exert a profound effect on the shape of international law**. Justice Sutherland’s sweeping dicta in United States v. Curtiss-Wright Export Corp., that the President enjoys a “very delicate, plenary and exclusive power . . . as the sole organ of the federal government in the field of international relations – a power which does not require as a basis for its exercise an act of Congress,”52 has been (correctly, in my view) criticized on a host of grounds.53 But in practice, in part for institutional and structural reasons,54 it **accurately reflects the general preeminence of the President in the realm of U.S. foreign affairs**. Because of the nature of the international legal and political system, what U.S. Presidents do and say often establish precedents that strongly influence what other states do and say **– with potentially dramatic consequences for the shape of customary international law.** The paradigmatic example is the establishment of customary international law on the continental shelf following the Truman Proclamation of September 28, 1945,55 which produced an echo of similar claims and counterclaims, culminating in a whole new corpus of the international law of the sea for what had previously been understood only as a geological term of art.56 Many states took note, for example, when in the 2002 National Security Strategy of the United States (“NSS”), President Bush asserted that the United States had the right under international law to engage in **preventive wars of self-defense.**57 While, contrary to popular belief, the United States **never** in fact **formally relied on that doctrine in practice,** many would argue that President Bush de facto exercised this purported right when he initiated an armed conflict with Iraq based on claims, which have since proved unfounded, about its incipient programs to develop catastrophic weapons. The 2006 NSS notably retreats from the 2002 NSS’s robust claims of a right to engage in preventive wars of self-defense.58 Yet **even within this brief, four-year period, an astonishing number of other states have asserted a comparable right to engage in preventive self-defense. These include** not only states that the United States has described as “rogue states,” such as **North Korea** and **Iran**, but **Australia, Japan, the United Kingdom, China, India, Iran, Israel, Russia, and** (though technically not a state) **Taiwan**.59 **I doubt we will welcome the consequences of this pattern for the evolving jus ad bellum of the twenty-first century**. Equally, after President Bush’s decision to declare a global war on terror or terrorism – rather than, for example, the Taliban, al-Qaeda, and their immediate allies – virtually every insurgency or disaffected minority around the world, including peoples suffering under repressive regimes and seeking to assert legitimate rights to liberty and self-determination, has been recharacterized by opportunistic state elites as part of the enemy in this global war.60 **The techniques employed and justified by the United States**, including the resurrection of rationalized torture as an “enhanced interrogation technique,”61 likewise **have emerged – and will continue to emerge – in the practice of other states. Because of customary international law’s acute sensitivity to authoritative assertions of power, the widespread repetition of claims and practices initiated by the U.S. executive may well shape international law in ways the United States ultimately finds disagreeable in the future**. So as we debate the scope of the executive power in the twenty-first century, the stakes, as several panelists point out, could not be higher. They include more than national issues such as the potential for executive branch officials to be prosecuted or impeached for exceeding the legal scope of their authority or violating valid statutes.62 **They** also **include international issues like the potential use of catastrophic weapons by a rogue regime asserting a right to engage in** preventive war**; the deterioration of international human rights norms** against practices like torture, norms **which took years to establish; and the atrophy of genuine U.S. power in the international arena, which**, as diplomats, statesmen, and international relations theorists of all political persuasions appreciate, **demands far more than the largest and most technologically advanced military arsenal**. In short, **what Presidents do, internationally as well as domestically –** the precedents they establish– may **affect not only the technical scope of the executive power, as a matter of constitutional law, but the practical ability of future Presidents to exercise that power both at home and abroad**. We should candidly debate whether terrorism or other perceived crises require an expanded scope of executive power in the twenty-first century. But it is dangerous to cloak the true stakes of that debate with the expedient of a new – and, in the view of most, indefensible – “monarchical executive” theory, which claims to be coextensive with the defensible, if controversial, original Unitary Executive theory.63 We should also weigh the costs and benefits of an expanded scope of executive power. But it is vital to appreciate that there are costs. They include not only short-term, acute consequences but long-term, systemic consequences that may not become fully apparent for years. In fact, the exorbitant exercise of broad, supposedly inherent, executive powers may well – as in the aftermath of the Nixon administration – culminate in precisely the sort of reactive statutory constraints and de facto diplomatic obstacles that proponents of a robust executive regard as misguided and a threat to U.S. national security in the twenty-first century.

### 2NC Prerequisite

#### Counterplan is a prerequisite – key to effective legislative and judicial oversight

Metzger ‘9, Gillian E. Metzger, Professor of Law @ Columbia Law School, “The Interdependent Relationship Between Internal and External Separation of Powers” 59 Emory L.J. 423, Emory Law Journal, 2009

Equally important, the relationship between internal and external separation of powers is reciprocal: Internal and external checks reinforce and operate in conjunction with one another. Congress needs information to conduct meaningful oversight of the Executive Branch. 94 Internal agency experts and watchdogs are important sources of that information, whether in the guise of [\*445] formal reports, studies, and testimony or informal conversations and leaks. 95 Procedural constraints within agencies can serve a similar function, alerting Congress to agency activities. 96 Internal mechanisms also reinforce congressional mandates by creating bodies of personnel within the Executive Branch who are committed to enforcing the governing statutory regime that sets out the parameters of their authority and regulatory responsibilities - and on whose expertise the functioning of these regulatory regimes often depends. 97 Courts equally depend on information and evidence compiled by agency personnel to review agency actions, and they have invoked this dependence to justify the requirement that agencies disclose underlying information and offer detailed explanations of their decisions. 98 Moreover, despite courts regularly intoning that "it [is] not the function of the court to probe the mental processes of Secretaries in reaching [their] conclusions," 99 judicial review of agency actions often appears to turn on judges' perceptions of the role politics played in decisionmaking by agency officials. 100 Evidence that decisions were made over the objections of career staff and agency professionals often triggers more rigorous review. 101 A particularly striking [\*446] suggestion of how internal checks can effect judicial review came in the recent Boumediene litigation. Just a few months after refusing to grant certiorari in order to allow the Combatant Status Review Tribunal process to proceed, the Court reversed course and granted review, apparently influenced by the concerns of military lawyers about how the tribunals were functioning. 102

### Solvency – Groupthink

#### Informal checks are sufficient to address groupthink

Kennedy 12 [ Copyright (c) 2012 Gould School of Law Southern California Interdisciplinary Law Journal Spring, 2012 Southern California Interdisciplinary Law Journal 21 S. Cal. Interdis. L.J. 633 LENGTH: 23138 words NOTE: THE HIJACKING OF FOREIGN POLICY DECISION MAKING: GROUPTHINK AND PRESIDENTIAL POWER IN THE POST-9/11 WORLD NAME: Brandon Kennedy\* BIO: \* Class of 2012, University of Southern California Gould School of Law; M.A. Regional Studies: Middle East 2009, Harvard Graduate School of Arts and Sciences; B.A. Government 2009, Harvard University.]

Neither the president nor the decision-making group members implement "hybrid" checks; the checks do, however, originate in the executive branch and directly affect the president and the group members. Hybrid checks relate to the bureaucratic machine and typically address the structural faults within the executive branch that can affect the core decision-making group. Although the president and his or her advisers constitute the insiders of the decision-making group, they ultimately belong [\*676] to a larger organization - the executive branch - and thereby become part of the bureaucratic machine. 1. Inter-Agency Process The "inter-agency process" check involves getting approval for, or opinions about, a proposed decision from **other agencies**. n252 The inter-agency process is particularly common for national security and foreign policy decisions. n253 "Occasionally, it will operate at a higher level in principals' committees involving Cabinet-level or sub-Cabinet people and their deputies," thus directly checking the decision-making group members. n254 2. Intra-Agency Process Another similar check is the "intra-agency process," in which the circulation of proposed decisions **within the agency** empowers dissidents and harnesses a diversity of thinking. n255 If nothing else, the process catches errors, or at least increases the odds of avoiding them, given the number of people who must review or approve a document or decision within the agency. n256 3. Agency or Lawyer Culture The culture of a particular agency - the institutional self-awareness of its professionalism - provides another check. n257 "Lawyer culture" - which places high **value on competency** and adherence to rules and laws - resides at the core of agency culture; n258 its "nay-saying" objectivity "is especially important in the small inner circle of presidential decision making to counter the tendency towards groupthink and a vulnerability to sycophancy." n259 [\*677] 4. Public Humiliation A final check in this category is the "public humiliation" check. n260 This check only comes into play when the previous three have failed, and involves the threat to ""go public' by leaking embarrassing information or publicly resigning."

### A2 Perm – Do Both: Congress

#### Congressional war decisions cause compromise and create a sign of weakness and lack of US resolve

Kahn 2K Paul W. Kahn, Robert W. Winner Professor of Law and Humanities at Yale Law School, “THE SEVENTH ANNUAL FRITZ B. BURNS LECLTURE THE WAR POWERS RESOLUTION AND KOSOVO: WAR POWERS AND THE MILLENNIUM,” Loyola of Los Angeles Law Review, November, 2000, pp. LN.

Domestically, Congress often works best through a process of articulation of policy differences and then compromise. The parties set out widely divergent positions as an initial matter. This allows them to establish distinct identities, which in turn allows appeals to different groups of constituents. Difference is then overcome through a process of negotiated compromise. Compromise is often made possible by the fact that it can be multidimensional: in seeking to achieve a compromise in one area, bargains can be made in other areas. Compromise occurs not only within Congress, but in the process of negotiation between the Congress and the executive. n58 To fully understand the act of negotiating compromise, moreover, one must consider the role of Washington lobbyists who provide information and coordinate interest group positions. n59 This process of party differentiation followed by compromise produces consensus around the middle, which is generally the safest position in American politics. Americans tend to distinguish between politics and government, and do not like it when government [\*29] is driven too explicitly by political ends. n60 They generally expect their politicians to shed the party differentiating ideologies that get them elected and to tend to the task of governance under standards of policy rationality. When this process of compromise appears too risky, when it cuts too deeply into the entrenched political positions of the parties, we have seen appeals to bipartisan, expert commissions, the responsibility of which is to articulate the middle ground and so to relieve the pressure on the politicians as they move toward a common ground. n61 With respect to foreign affairs, however, these techniques of congressional decision-making work poorly. The differentiation that marks the parties as distinct and separate, and is domestically an initial step toward compromise, serves the same differentiating function in foreign policy, but there it tends to freeze party positions. Treaties come before the Senate too late in the process for compromise to be an option, particularly when they are multiparty covenants. n62 Moreover, compromises can look like concessions of U.S. interests to foreign states, rather than a distribution among competing elements of the polity. Nor is there a great deal of pressure to compromise. Rejecting foreign policy initiatives is a way of preserving the [\*30] status quo, and preserving the international status quo is rarely a policy for which one is held politically accountable. It is hard to make an issue out of a failure to change the conditions that prevail internationally, when the country is enjoying power, prestige, and wealth. Unable to compromise, the Senate can end up doing nothing, and then treaty ratification fails. Difference leads to stalemate, rather than to negotiation. The problem is greatly exacerbated by the two-thirds requirement for ratification. n63 This structural bias toward inaction accounts in part for the use of executive agreements in place of treaties. n64 These agreements make use of some of the tactical advantages of presidential initiative. Many of the structural problems remain, however, when executive agreements require subsequent congressional approval. If the issue involves the use of force, compromise is particularly difficult. A compromise that produces a less substantial response to a foreign policy crisis can look like a lack of commitment. Disagreement now threatens to appear to offer an "exploitable weakness" to adversaries. Congress cannot simply give the president less of what he wants, when what he wants is a military deployment. There cannot easily be compromises on a range of unrelated issues in order to achieve support for a military deployment. While that may happen, it has the look of disregard for the national interests and of putting politics ahead of the public interest. Nor can Congress easily adopt the technique of the expert commission. n65 The timeframe of a crisis usually will not allow it. More importantly, the military - particularly in the form of the Joint Chiefs of Staff - has already preempted the claim of expertise, as well as the claim to be "apolitical." [\*31] Finally, there is little room for the private lobbyist with respect to these decisions. Congress, in short, is not capable of acting because it only knows how to reach compromise across dissensus. When disagreement looks unpatriotic, and compromise appears dangerous, Congress is structurally disabled. This produces the double consequence for American foreign policy of a reluctance to participate in much of the global development of international law - outside of those trade and finance arrangements that are in our immediate self-interest - and a congressional abdication of use of force decisions to the president. The same structural incapacities are behind these seemingly contradictory results.

### 2NC Politics NB

#### Executive action avoids politics

Sovacool 9 Dr. Benjamin K. Sovacool 2009 is a Research Fellow in the Energy Governance Program at the Centre on Asia and Globalization., Kelly E. Sovacool is a Senior Research Associate at the Lee Kuan Yew School of Public Policy at the National University of SingaporeArticle: Preventing National Electricity-Water Crisis Areas in the United States, Columbia Journal of Environmental Law 2009 34 Colum. J. Envtl. L. 333,

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

#### True for Obama

Ramsey 12 (MICHAEL D. RAMSEY, is Professor of Law at the University of San Diego School of Law, “THE FEDERALIST SOCIETY NATIONAL LAWYERS CONVENTION--2011: MEET THE NEW BOSS: CONTINUITY IN PRESIDENTIAL WAR POWERS?” Summer, 2012, Harvard Journal of Law & Public Policy, LexisNexis, KB)

Thus there has been an escalation in the use of unconstitutional executive war power under President Obama, yet there has not been an outcry against him resembling the outcry against the Bush Administration, which was routinely attacked for exceeding the limits of executive power. n29 Although some voices have been raised against President Obama's claims of executive power, n30 they have been marginalized. They have not [\*871] been taken up by the mainstream in the manner of similar criticisms of President Bush. My speculation is that there is an identification by legal and media elites with the establishment Democratic Party that makes it difficult for these criticisms to gain traction in the way they did in the Bush Administration.¶ I think this makes it easier for Democratic presidents than for Republican presidents to unconstitutionally extend executive power. Thus Obama's policies, which are much more deserving of constitutional criticism, do not generate the popular pushback that we saw, perhaps unjustifiably, against President Bush. In any event, what is most striking about executive war power under President Obama is not the commonly recognized continuity as compared to the prior administration, but rather the increased disregard of constitutional limits.

### Solvency

#### Extend Shane—you should ask yourself which 1ac authors would have predicted Obama’s behavior on Syria based on their aff cards—it invalidates the doomsaying and shows the aff is unnecessary. Even if you think there's a dangerous trend, no need to vote aff

Shapiro, columnist for Yahoo and lecturer at Yale, 9/1/2013

(Walter, http://news.yahoo.com/obama-s-history-defying-decision-to-seek-congressional-approval-on-syria-143201825.html)

Virtually no one in politics, the press or the academic community expected Obama to go to Congress for approval. That isn’t the way the presidential power works in the modern era. It is a sad truth that whoever occupies the Oval Office invariably expands rather than trims back the Imperial presidency. Obama himself has reflected this pattern with his aggressive enhancement of the National Security Agency’s efforts to monitor electronic communications. For more than six decades, the war-making powers of Congress have been eviscerated by presidents of both parties. Which brings us back to Truman, who in 1950 balked at asking a Congress weary after World War II for approval to militarily respond to the Communist attack on South Korea. Dean Acheson, Truman’s secretary of state, claimed in his memoirs that a congressional debate over the Korean War “would hardly be calculated to support the shaken morale of the troops or the unity that, for the moment, prevailed at home.” Acheson may not have remembered that military morale and national unity are not mentioned in the Constitution. But the war-marking powers of Congress are at the heart of the nation’s founding document. It was as if the sign on Truman’s desk read, “The Buck Stops Here — And This Is Also Where the Constitution Is Twisted.” The plain-spoken Truman resorted to weaselly words to claim that Korea was a United Nations-sponsored “police action” rather than a war. No other American “police action” has ever led to 54,246 wartime deaths. Truman’s assertion of vast executive power as commander in chief set a template for future presidents. Even when presidents have gone to Congress for approval of major military engagements, these blank-check authorizations have often been based on deceptive arguments. Lyndon Johnson premised the entire Vietnam War on the 1964 Gulf of Tonkin Resolution, which was designed to permit a limited response to two minor and maybe mythical naval skirmishes with North Vietnam. Similarly hyperbolic were George W. Bush’s claims about Saddam Hussein’s nonexistent arsenal of weapons of mass destruction. Even more legally dubious were all the times a president sent troops and planes into combat without anything more than desultory briefings of the congressional leadership. Ronald Reagan dispatched the Marines into Grenada in 1983 under the preposterous rationale that he was only protecting endangered American medical students. Bill Clinton skirted congressional approval for the 1999 airborne attacks to halt Serbia’s ethnic cleansing of Kosovo on the shaky grounds that this was a NATO operation. And Obama himself was even on flimsier footing when he justified America’s participation in the 2011 bombing campaign over Libya based on a United Nations resolution. But Syria did not provide Obama with any of these fig-leaf justifications. No American lives are in danger and the national security threat is hard to identify. Not only is NATO not participating, but also neither are the Brits, the United State’s closest diplomatic ally. With Russia serving as Assad’s enabler, there will be no Security Council resolution or U.N. mandate. Every time a president employs questionable legal arguments to wage war, it becomes a valuable tool for the next commander in chief impatient with the constitutional requirement to work through Congress. That’s why it would have been so dangerous for Obama to go forward in Syria without a congressional vote or the support of the U.N. or NATO. It is as much of a slippery slope argument as the contention that Iran, say, would be emboldened with its nuclear program if America did not punish Assad’s chemical attacks. Assuming Obama wins congressional approval, America’s coming attack on Syria is designed to set a lasting precedent: No government can ever again use chemical, biological — let alone nuclear — weapons without facing devastating consequences. As Obama asked rhetorically in his Saturday Rose Garden statement, “What message will we send if a dictator can gas hundreds of children to death in plain sight and pay no price?” But Obama’s decision to seek congressional approval may prove to be an even more important precedent. Future presidents — as they consider unilateral military action without American security hanging in the balance — will have to answer, “Why didn’t you go to Congress like Obama did over Syria?” Confronted with a series of wrenching choices over Syria, Obama chose the course that best reflects fidelity to the Constitution as written. Hopefully, in the days ahead, taking that less traveled road by presidents will make all the difference.

#### And, they also conceded the 1nc warrant that fear of impeachment checks adventurism and SOP breakdown.

#### Vote on presumption—policy will be moderate and not arbitrarily sink the ship

Lederman, law professor at Georgetown, former Deputy Assistant Attorney General, 9/1/2013

(Marty, “Syria Insta-Symposium: Marty Lederman Part I–The Constitution, the Charter, and Their Intersection,” http://opiniojuris.org/2013/09/01/syria-insta-symposium-marty-lederman-part-constitution-charter-intersection/)

In the past two generations, there have been three principal schools of thought on the question of the President’s power to initiate the use of force unilaterally, i.e., without congressional authorization:

a. The traditional view, perhaps best articulated in Chapter One of John Hart Ely’s War and Responsibility, is that except in a small category of cases where the President does not have time to wait for Congress before acting to interdict an attack on the United States, the President must always obtain ex ante congressional authorization, for any use of military force abroad. That view has numerous adherents, and a rich historical pedigree. But whatever its merits, it has not carried the day for many decades in terms of U.S. practice.

b. At the other extreme is the view articulated at pages 7-9 of the October 2003 OLC opinion on war in Iraq, signed by Jay Bybee (which was based upon earlier memos written by his Deputy, John Yoo). The Bybee/Yoo position is that there are virtually no limits whatsoever: The President can take the Nation into full-fledged, extended war without congressional approval, as President Truman did in Korea, as long as he does so in order to advance the “national security interests of the United States.” With the possible exception of Korea itself, this theory has never reflected U.S. practice. (Indeed, even before that OLC opinion was issued, President Bush sought and obtained congressional authorization for the war in Iraq.) Notably, it was even rejected by William Rehnquist when he was head of OLC in 1970 (see the opinion beginning at page 321 here).

c. Between these two categorical views is what I like to call the Clinton/Obama “third way”—a theory that has in effect governed, or at least described, U.S. practice for the past several decades. It is best articulated in Walter Dellinger’s OLC opinions on Haiti and Bosnia, and in Caroline Krass’s 2011 OLC opinion on Libya. The gist of this middle-ground view (this is my characterization of it) is that the President can act unilaterally if two conditions are met: (i) the use of force must serve significant national interests that have historically supported such unilateral actions—of which self-defense and protection of U.S. nationals have been the most commonly invoked; and (ii) the operation cannot be anticipated to be “sufficiently extensive in ‘nature, scope, and duration’ to constitute a ‘war’ requiring prior specific congressional approval under the Declaration of War Clause,” a standard that generally will be satisfied “only by prolonged and substantial military engagements, typically involving exposure of U.S. military personnel to significant risk over a substantial period” (quoting from the Libya opinion). Largely for reasons explained by my colleague and Dean, Bill Treanor, I am partial to this “third way,” at least in contrast to the two more categorical views described above. (I do not subscribe to every detail of the Dellinger and Krass opinions—in particular, I’m wary of resort to the interest in “regional stability,” which has never been used as a stand-alone justification for unilateral executive action—but I concur in the broad outlines sketched out above.) Regardless of whether Dean Treanor and I—and Presidents Clinton and Obama—are right or wrong about that, however, what’s important for present purposes is that U.S. practice after World War II (with the possible exception of Korea and Kosovo) reflects, and is consistent with, this “third way” view: When a prolonged campaign has been anticipated, with great risk to U.S. blood and treasure, congressional authorization has been necessary—and has, in fact been secured (think Vietnam, both Gulf Wars, and the conflict with al Qaeda). Otherwise, the President has considered himself free to act unilaterally, in support of important interests that have historically justified such unilateral action—subject, however, to any statutory limitations, including the time limits imposed by the War Powers Resolution. See, e.g., Libya (twice, 1986 and 2011), Panama (1989), Somalia (1992), Haiti (twice, 1994 and 2004), and Bosnia (1995). Assuming this “third way” view is correct—or, in any event, that it establishes the relevant historical baseline against which to measure the case of Syria—Peter Spiro makes a valid point about the second of the two criteria. As he puts it, “[a]t no point in the last half century . . . has a president requested advance congressional authorization for anything less than the full-scale use of force.” But that does not mean that the President’s turn to Congress yesterday is a “watershed,” for Peter overlooks the important first condition. All of the examples of unilateral presidential use of force since 1986 that he implicitly invokes (with the possible exception of Kosovo, discussed below) have been in the service of significant national interests that have historically supported such unilateral actions—such as self-defense, protection of U.S. nationals, and/or support of U.N. peacekeeping or other Security Council-approved endeavors and mandates (e.g., Bosnia and Libya). The Syria operation, however, would have had no significant precedent in unilateral executive practice; it would not have been been supported by one of those historically sufficient national interests. That’s not to say that that operation would not be in the service of a very important national interest. For almost a century the U.S. has worked assiduously, with many other nations, to eliminate the scourge of chemical weapons. If Syria’s use of such weapons were to remain unaddressed, that might seriously compromise the international community’s hard-won success in establishing the norm that such weapons are categorically forbidden, and should not even be contemplated as instruments of war. As Max Fisher has written, “it’s about every war that comes after, about what kind of warfare the world is willing to allow, about preserving the small but crucial gains we’ve made over the last century in constraining warfare in its most terrible forms.” Preventing that degradation of the strong international norm against use of chemical weapons is, indeed, an important national (and international) interest of the first order. (To be clear: I am not remotely qualified to opine on whether and to what extent the contemplated action would advance that interest—my point is only that the interest is undoubtedly an important one.) And perhaps that should be enough to justify discrete, unilateral presidential action short of “war in the constitutional sense.” But if so, it would nevertheless be an unprecedented basis for unilateral executive action, and it would open up a whole new category of uses of force that Presidents might order without congressional approval, even where such actions could have profound, longstanding consequences: Most obviously, think, for example, of possible strikes on Iran in order to degrade its nuclear capabilities. Is Peter so sure that that’s the sort of thing that a President should be able to do without obtaining congressional approval? At a minimum, it’s a profound, and heretofore unresolved, question, one that any President should be wary of raising. But there’s yet another reason why unilateral action in Syria would have been especially troubling—a reason that hasn’t received the attention it warrants in recent days. As I discuss in my next post, I agree with the majority of OJ commentators that the Syrian operation would violate Article 2(4) of the U.N. Charter. Indeed, it’s not really a close question. But this is not merely a point about international law. The Charter is a treaty of the United States. It is therefore the “supreme Law” of the land under Article VI of the Constitution, and the President has a constitutional obligation (under Article II) to take care that it is faithfully executed. Unless and until Congress passes a “later in time” statute, under what authority can the President deliberately put the U.S. in breach of the Charter? That is to say: Whatever one’s views might be on the scope of the President’s authority to unilaterally use force abroad—whether you subscribe to the traditional view, the Bybee/Yoo view, or the Clinton/Obama “third way” (or any variant in between)—what is the possible justification for a unilateral presidential decision to violate a treaty that is binding as a matter of domestic law? This is, I think, the most troubling thing about the 1999 Kosovo precedent. The Clinton Administration virtually conceded that the operation was in breach of the Charter. Of course, as a matter of domestic law, Congress can pass a statute authorizing violation of the Nation’s treaty obligation. And OLC concluded that Congress effectively authorized the Kosovo operation eight weeks after it began. But why did President Clinton have the authority, without congressional authorization, to order the operation, and to breach Article 2(4), during those first eight weeks? The notion that the President may unilaterally cause the U.S. to breach a treaty raises deep and unresolved questions of constitutional law: Just as Presidents Obama and Clinton were correct to assume that their unilateral uses of force (in Kosovo and Libya, respectively) were subject to the constraints of the War Powers Resolution, so, too, should the President act within the constraints of binding treaty obligations. The Clinton Administration never did address this problem in connection with Kosovo. (I should note that in 1989, OLC reasoned that because Article 2(4) of the Charter is non-self-executing, in the sense that it does not establish a rule for court adjudication, it is “not legally binding on the political branches,” and thus “as a matter of domestic law, the Executive has the power to authorize actions inconsistent with Article 2(4) of the U.N. Charter.” 13 Op. O.L.C. 163, 179. In my view, this understanding of the effect of a “non-self-executing” treaty is importantly mistaken—but that’s a much broader topic, for another day. I am not aware of any indication that the Clinton Administration adopted this position.) For these reasons, I think that President Obama’s decision to ask Congress for authorization for the use of force in Syria is to be commended, and welcomed. Moreover, I agree with Jack Goldsmith that this decision will not result in any “surrender” of existing executive authority: When in the future the two “third way” criteria for unilateral action articulated in the Haiti, Bosnia and Libya OLC opinions are satisfied, and where the use of force does not violate the Charter, Presidents will certainly continue to assert the power to act unilaterally, subject to statutory and international law constraints. But if and when a President wishes to act for a reason that has not previously been the basis for unilateral action (such as to degrade another nation’s ability to use certain weapons), and/or in a manner that violates a U.S. treaty obligation, past practice will support obtaining congressional authorization, even as the question of the President’s unilateral authority in such circumstances remains untested and unresolved.

#### Extend Healy. The aff is doomed because it assumes a Congress willing to use its statutes as anything more than “a note on the fridge.” There are no electoral incentives to hold the President accountable.

#### The aff is just an ex ante version of the WPR—it will fail for all the same reasons

**Druck ‘12** [Judah A. Druck, law associate at Sullivan & Cromwell LLP, Cornell Law School graduate, magna cum laude graduate from Brandeis University, “Droning On: The War Powers Resolution and the Numbing Effect of Technology-Driven Warfare,” <http://www.lawschool.cornell.edu/research/cornell-law-review/upload/Druck-final.pdf>]

Of course, despite these various suits, Congress has received¶ much of the blame for the WPR’s treatment and failures. For example, Congress has been criticized for doing little to enforce the WPR¶ in using other Article I tools, such as the “power of the purse,”76 or by¶ closing the loopholes frequently used by presidents to avoid the WPR in the first place.77 Furthermore, in those situations where Congress¶ has decided to act, it has done so in such a disjointed manner as to¶ render any possible check on the President useless. For example, during President Reagan’s invasion of Grenada, Congress failed to reach¶ an agreement to declare the WPR’s sixty-day clock operative,78 and¶ later faced similar “deadlock” in deciding how best to respond to President Reagan’s actions in the Persian Gulf, eventually settling for a bill¶ that reflected congressional “ambivalence.”79 Thus, between the **lack**¶ **of a “backbone**” to check rogue presidential action and **general ineptitude** when it actually decides to act, Congress has demonstrated its¶ inability to remedy WPR violations.¶ Worse yet, much of Congress’s interest in the WPR is politically¶ motivated, leading to inconsistent review of presidential military decisions filled with post-hoc rationalizations. Given the political risk associated with wartime decisions,81 Congress **lacks any incentive to act**¶ unless and until it can gauge public reaction—a process that often¶ occurs after the fact.82 As a result, missions deemed successful by the¶ public will rarely provoke “serious congressional concern” about presidential compliance with the WPR, while failures will draw scrutiny.83¶ For example, in the case of the Mayaguez, “liberals in the Congress¶ generally praised [President Gerald Ford’s] performance” despite the¶ constitutional questions surrounding the conflict, simply because the public deemed it a success.84 Thus, even if Congress was effective at¶ checking potentially unconstitutional presidential action, it would only act when politically safe to do so. This result should be unsurprising: making a wartime decision provides little advantage for politicians, especially if the resulting action succeeds.85 Consequently,¶ Congress itself has taken a role in the continued disregard for WPR¶ enforcement.¶ The current WPR framework is broken: presidents avoid it, courts¶ will not rule on it, and Congress will not enforce it. This cycle has¶ culminated in President Obama’s recent use of force in Libya, which¶ created little, if any, controversy,86 and it provides a clear pass to future presidents, judges, and congresspersons looking to continue the¶ system of passivity and deferment.

#### Extend Pollack—no matter what restrictions are in place, Obama will redefine terms to support his authority—this is empirically proven by every past legal controversy. Solvency dies at the next White House press conference.

#### Punish them for reading a really general plan text

Sitkowski 6 (Andrzej, Independent Researcher and Consultant – United Nations, UN Peacekeeping: Myth and Reality, p. 14)

Non-use of force except in self-defense is the sole principle directly related to armed contingents and is the most ambiguous. According to the UN interpretation, self-defense includes armed response to forceful actions of the warring parties preventing the peacekeepers from discharging their mandate. It boils down to nothing less than a blanket authorization to use force in defense of the mandates, thus. But as if an effort to offset such a conclusion, the Secretariat pronounces every use of force other than in self-defense to constitute peace enforcement which is inconsistent with peacekeeping and should be avoided at any costs: "The logic of peacekeeping Hows from premises that are quite distinct from enforcement and the dynamics of the latter are incompatible with the political process that peacekeeping is intended to facilitate. To blur the distinction between the two can undermine the viability of peacekeeping operation and endanger its personnel."4 The distinction looks good as long it is not exposed to the logic of war, the only logic to which the warring parties normally subscribe. Is removing by force of an illegal roadblock to enable the progress of a UN convoy an act of self-defense against an obstruction in discharging a peacekeeping mandate or an offensive action in peace enforcement? The UN distinction between the defensive and offensive use of force is blurred at the outset.

#### The US will act on this ambiguity

Neack 7 (Laura, Professor of Political Science – Miami University (Ohio), *Security: States First, People Last*, p. 106)

Although our discussion has been about the use of military force, we still are on the topic of defense and deterrence rather than on the offensive use of force. It is, though, in some sense hard to dispute the old axiom that what appear as defensive measures to some appear as offensive and therefore threatening measures to others. This is part of the dilemma in the security dilemma. Sometimes countries embrace this ambiguity to enhance the danger of underestimating them, and sometimes countries attempt to dispel this ambiguity by adopting policies that are overtly transparent and nonthreatening.

### 2NC Extra Cards

#### Libya proves this argument – the administration won’t cave to congressional restraints

Kucinich 11 Rep. Dennis (D-OH), “Obama in Libya,” The Progressive, June 2011,

http://www.progressive.org/kucinich0611.html

In two years, we have moved from President Bush’s doctrine of preventive war to President Obama’s assertion of the right to go to war without even the pretext of a threat to our nation. This Administration is now asserting the right to go to war because a nation may threaten force against those who have internally taken up arms against it. Our bombs began dropping even before the U.N.’s International Commission of Inquiry could verify allegations of murder of noncombatant civilians by the Qaddafi regime. The Administration deliberately avoided coming to Congress and furthermore rejects the principle that Congress has any role in this matter. Yesterday we learned that the Administration would forge ahead with military action even if Congress passed a resolution constraining the mission. This is a clear and arrogant violation of our Constitution.

### 2NC Groupthink

#### No realistic scenario for groupthink

Pillar, 13 -- Brookings Foreign Policy Senior Fellow

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

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

### 2NC A2 Spoofing

#### C) No lashout hysterics

**Mueller 5** (John, Professor of Political Science – Ohio State University, Reactions and Overreactions to Terrorism, http://polisci.osu.edu/faculty/jmueller/NB.PDF)

However, history clearly demonstrates that overreaction is not necessarily inevitable. Sometimes, in fact, leaders have been able to restrain their instinct to overreact. Even more important, **restrained reaction--or even capitulation to terrorist acts--has often proved to be entirely acceptable politically**. That is, there are many instances where leaders did nothing after a terrorist attack (or at least refrained from overreacting) and did not suffer politically or otherwise. Similarly, after an unacceptable loss of American lives in Somalia in 1993, Bill Clinton responded by withdrawing the troops without noticeable negative impact on his 1996 re-election bid. Although Clinton responded with (apparently counterproductive) military retaliations after the two U.S. embassies were bombed in Africa in 1998 as discussed earlier, his administration did not have a notable response to terrorist attacks on American targets in Saudi Arabia (Khobar Towers) in 1996 or to the bombing of the U.S.S. Cole in 2000, and these non-responses never caused it political pain. George W. Bush's response to the anthrax attacks of 2001 did include, as noted above, a costly and wasteful stocking-up of anthrax vaccine and enormous extra spending by the U.S. Post Office. However, beyond that, it was the same as Clinton's had been to the terrorist attacks against the World Trade Center in 1993 and in Oklahoma City in 1995 and the same as the one applied in Spain when terrorist bombed trains there in 2004 or in Britain after attacks in 2005: the dedicated application of police work to try to apprehend the perpetrators. This approach was politically acceptable even though the culprit in the anthrax case (unlike the other ones) has yet to be found. The demands for retaliation may be somewhat more problematic in the case of suicide terrorists since the direct perpetrators of the terrorist act are already dead, thus sometimes impelling a vengeful need to seek out other targets. Nonetheless, the attacks in Lebanon, Saudi Arabia, Great Britain, and against the Cole were all suicidal, yet no direct retaliatory action was taken. **Thus, despite short-term demands that some sort of action must be taken**, experience suggests politicians can often successfully ride out this demand after the obligatory (and inexpensive) expressions of outrage are prominently issued.

#### Blumrosen says Congress can’t solve – no resources or experts

Blumrosen 11 – Alfred W. Blumrosen, Professor Emeritus at the Rutgers School of Law and Steven M. Blumrosen, J.D., Quinnipiac University School of Law, "Restoring the Congressional Duty to Declare War", Rutgers Law Review, Winter, 63 Rutgers L. Rev. 407, Lexis

Professor Phillip Bobbit has focused on the difficulties of assigning ―blame‖ for a terrorist attack from an uncertain source, and the dangerous consequences of a rush to judgment.516 An attack against our water supply, electrical grid, or the transportation system, where the perpetrators plant phony evidence that the plot originated in Russia, China, or Iran could lead us to a nuclear response that would ―bomb us all‖ into the stone age. This would suit only those who believe that western civilization is an abomination.

**=====THEIR CARD ENDS=====**

Congress must be alert to determine what actions a President plans to take after a ―terrorist incident‖ against the United States, and satisfy itself and the public that the President has not ―rushed to judgment‖ about the culprits and their backers. The President‘s claim that time is of the essence, is rarely the case. In connection with the Second Iraq War, the President pressured Congress to act favorably just before the bi-annual election in 2002, then waited five months to commencee hostilities. The Gulf of Tonkin Resolution was rushed through on flimsy evidence in August, 1964. Johnson had no intention of using it until after the presidential elections in

November, so he could run for election on a policy of keeping our boys out of Vietnam.517 After his victory, he made the decision to deploy more than half a million troops to Vietnam.

Congress should gird itself for negotiations with the White House and for serious reviews of the facts, rather than the meaningless speechmaking that accompanied the 2002 AUMF against Iraq or the worry about the political consequences of a serious review of the Gulf of Tonkin Resolution. Congress has a problem of resources.518 The presidential staff consists of thousands of professionals in the Departments of Justice, Defense, State and the Intelligence agencies.519 Congress needs a stand-by committee of experts on both war and diplomacy to evaluate proposals for military action.520 While we believe that Presidents and Congresses will continue to rely on the AUMF because it simplifies life at both ends of Pennsylvania Avenue, we also believe that the AUMF has served the nation so badly that we cannot continue to rely on the Vietnam War cases. Congress may reform itself, but at the moment, hope lies with a judiciary that may yet absorb the significance of June 1, 1787.

### 2NC A2 Warfighting

#### No risk of alliance breakdowns

**Friedman and Logan 2012** – PhD Candidate in Political Science at MIT, research fellow in defense and homeland security studies at Cato, \*\*director of foreign policy studies at the Cato Institute (Spring, Benjamin and Justin, Published for the Foreign Policy Research Institute, “Why the U.S. Military Budget is ‘Foolish and Sustainable’”, http://www.cato.org/sites/cato.org/files/articles/logan-friendman-obis-spring-2012.pdf)

The larger problem with the idea that our alliances are justified by the¶ balancing they prevent is that wars generally require more than the mutual fear¶ that arms competition provokes. Namely, there is usually a territorial conflict or¶ a state bent on conflict. Historical examples of arms races alone causing wars¶ are few.11 This confusion probably results from misconstruing the causes of¶ World War I—seeing it as a consequence of mutual fear alone rather than fear¶ produced by the proximity of territorially ambitious states.12

Balances of power, as noted, are especially liable to be stable when¶ water separates would-be combatants, as in modern Asia. Japan would likely¶ increase defense spending if U.S. forces left it, and that would likely displease¶ China. But that tension is very unlikely to provoke a regional conflagration.¶ And even that remote scenario is far more likely than the Rube Goldberg¶ scenario needed to argue that peace in Europe requires U.S. forces stationed¶ there. It is not clear that European states would even increase military¶ spending should U.S. troops depart. If they did do so, one struggles to¶ imagine a chain of misperceived hostility sufficient to resurrect the bad old¶ days of European history.

#### They don’t get legitimacy impacts:

#### A. Ikenberry is about broader features of democracy—otherwise the last 60 years would take out the aff

#### B. Requires grand strategy overhaul—here’s the 1ac

Ikenberry 11 – G. John Ikenberry, Peter F. Krogh Professor of Global Justice at the School of Foreign Service at Georgetown University, “A World of Our Making”, Democracy: A Journal of Ideas, Issue #21, Summer, <http://www.democracyjournal.org/21/a-world-of-our-making-1.php?page=all>

Grand Strategy as Liberal Order Building

American dominance of the global system will eventually yield to the rise of other powerful states. The unipolar moment will pass. In facing this circumstance, American grand strategy should be informed by answers to this question: What sort of international order would we like to see in place in 2020 or 2030 when America is less powerful?

Grand strategy is a set of coordinated and sustained policies designed to address the long-term threats and opportunities that lie beyond the country’s shores. Given the great shifts in the global system and the crisis of liberal hegemonic order, how should the United States pursue grand strategy in the coming years? The answer is that the United States should work with others to rebuild and renew the institutional foundations of the liberal international order and along the way re-establish its own authority as a global leader. The United States is going to need to invest in alliances, partnerships, multilateral institutions, special relationships, great-power concerts, cooperative security pacts, and democratic security communities. That is, the United States will need to return to the great tasks of liberal order building.

It is useful to distinguish between two types of grand strategy: positional and milieu oriented. With a positional grand strategy, a great power seeks to diminish the power or threat embodied in a specific challenger state or group of states. Examples are Nazi Germany, Imperial Japan, the Soviet bloc, and perhaps—in the future—Greater China. With a milieu-oriented grand strategy, a great power does not target a specific state but seeks to structure its general international environment in ways that are congenial with its long-term security. This might entail building the infrastructure of international cooperation, promoting trade and democracy in various regions of the world, and establishing partnerships that might be useful for various contingencies. My point is that under conditions of unipolarity, in a world of diffuse threats, and with pervasive uncertainty over what the specific security challenges will be in the future, this milieu-based approach to grand strategy is necessary.

The United States does not face the sort of singular geopolitical threat that it did with the fascist and communist powers of the last century. Indeed, compared with the dark days of the 1930s or the Cold War, America lives in an extraordinarily benign security environment. Rather than a single overriding threat, the United States and other countries face a host of diffuse and evolving threats. Global warming, nuclear proliferation, jihadist terrorism, energy security, health pandemics—these and other dangers loom on the horizon. Any of these threats could endanger Americans’ lives and way of life either directly or indirectly by destabilizing the global system upon which American security and prosperity depends. What is more, these threats are interconnected—and it is their interactive effects that represent the most acute danger. And if several of these threats materialize at the same time and interact to generate greater violence and instability, then the global order itself, as well as the foundations of American national security, would be put at risk.

What unites these threats and challenges is that they are all manifestations of rising security interdependence. More and more of what goes on in other countries matters for the health and safety of the United States and the rest of the world. Many of the new dangers—such as health pandemics and transnational terrorist violence—stem from the weakness of states rather than their strength. At the same time, technologies of violence are evolving, providing opportunities for weak states or nonstate groups to threaten others at a greater distance. When states are in a situation of security interdependence, they cannot go it alone. They must negotiate and cooperate with other states and seek mutual restraints and protections. The United States can-not hide or protect itself from threats under conditions of rising security interdependence. It must get out in the world and work with other states to build frameworks of cooperation and leverage capacities for action against this unusually diverse, diffuse, and unpredictable array of threats and challenges.

This is why a milieu-based grand strategy is attractive. The objective is to shape the international environment to maximize your capacities to protect the nation from threats. To engage in liberal order building is to invest in international cooperative frameworks—that is, rules, institutions, partnerships, networks, standby capacities, social knowledge, etc.—in which the United States operates. To build international order is to increase the global stock of “social capital”—which is the term Pierre Bourdieu, Robert Putnam, and other social scientists have used to define the actual and potential resources and capacities within a political community, manifest in and through its networks of social relations, that are available for solving collective problems.

If American grand strategy is to be organized around liberal order building, what are the specific objectives and what is the policy agenda? There are five such objectives. First, the United States needs to lead in the building of an enhanced protective infrastructure that helps prevent the emergence of threats and limits the damage if they do materialize. Many of the threats mentioned above are manifest as socioeconomic backwardness and failure that cause regional and international instability and conflict. These are the sorts of threats that are likely to arise with the coming of global warming and epidemic disease. What is needed here is institutional cooperation to strengthen the capacity of governments and the international com-munity to prevent epidemics or food shortages or mass migrations that create global upheaval—and mitigate the effects of these upheavals if they occur. The international system already has a great deal of this protective infrastructure—institutions and networks that pro-mote cooperation over public health, refugees, and emergency aid. But as the scale and scope of potential problems grow in the twenty-first century, investments in these preventive and management capacities will also need to grow. Early warning systems, protocols for emergency operations, standby capacities, etc.—these safeguards are the stuff of a protective global infrastructure.

Second, the United States should recommit to and rebuild its security alliances. The idea is to update the old bargains that lie behind these security pacts. In NATO, but also in the East Asia bilateral partner-ships, the United States agrees to provide security protection to the other states and brings its partners into the process of decision-making over the use of force. In return, these partners agree to work with the United States—providing manpower, logistics, and other types of support—in wider theaters of action. The United States gives up some autonomy in strategic decision-making, although it is more an informal restraint than a legally binding one, and in exchange it gets cooperation and political support.

Third, the United States should reform and create encompassing global institutions that foster and legitimate collective action. The first move here should be to reform the United Nations, starting with the expansion of the permanent membership on the Security Council. Several plans have been proposed. All of them entail adding new members—such as Germany, Japan, India, Brazil, South Africa, and others—and reforming the voting procedures. Almost all of the candidates for permanent membership are mature or rising democracies. The goal, of course, is to make them stakeholders in the United Nations and thereby strengthen the primacy of the UN as a vehicle for global collective action. There really is no substitute for the legitimacy that the United Nations can offer to emergency actions—humanitarian interventions, economic sanctions, uses of force against terrorists, and so forth. Public support in advanced democracies grows rapidly when their governments can stand behind a UN-sanctioned action.

Fourth, the United States should accommodate and institution-ally engage China. China will most likely be a dominant state, and the United States will need to yield to it in various ways. The United States should respond to the rise of China by strengthening the rules and institutions of the liberal international order—deepening their roots, integrating rising capitalist democracies, sharing authority and functional roles. The United States should also intensify cooperation with Europe and renew joint commitments to alliances and multilateral global governance. The more that China faces not just the United States but the entire world of capitalist democracies, the better. This is not to argue that China must face a grand counterbalancing alliance against it. Rather, it should face a complex and highly integrated global system—one that is so encompassing and deeply entrenched that it essentially has no choice but to join it and seek to prosper within it.

The United States should also be seeking to construct a regional security order in East Asia that can provide a framework for managing the coming shifts. The idea is not to block China’s entry into the regional order but to help shape its terms, looking for opportunities to strike strategic bargains at various moments along the shifting power trajectories and encroaching geopolitical spheres. The big bargain that the United States will want to strike is this: to accommodate a rising China by offering it status and position within the regional order in return for Beijing’s acceptance and accommodation of Washington’s core strategic interests, which include remaining a dominant security provider within East Asia. In striking this strategic bargain, the United States will also want to try to build multilateral institutional arrangements in East Asia that will tie China to the wider region.

Fifth, the United States should reclaim a liberal internationalist public philosophy. When American officials after World War II championed the building of a rule-based postwar order, they articulated a distinctive internationalist vision of order that has faded in recent decades. It was a vision that entailed a synthesis of liberal and realist ideas about economic and national security, and the sources of stable and peaceful order. These ideas—drawn from the experiences with the New Deal and the previous decades of war and depression—led American leaders to associate the national interest with the building of a managed and institutionalized global system. What is needed today is a renewed public philosophy of liberal internationalism—a shift away from neoliberal-ism—that can inform American elites as they make trade-offs between sovereignty and institutional cooperation.

Under this philosophy, the restraint and the commitment of American power went hand in hand. Global rules and institutions advanced America’s national interest rather than threatened it. The alternative public philosophies that have circulated in recent years—philosophies that champion American unilateralism and disentanglement from global rules and institutions—did not meet with great success. So an opening exists for America’s postwar vision of internationalism to be updated and rearticulated today.

The United States should embrace the tenets of this liberal public philosophy: Lead with rules rather than dominate with power; provide public goods and connect their provision to cooperative and accommodative policies of others; build and renew international rules and institutions that work to reinforce the capacities of states to govern and achieve security and economic success; keep the other liberal democracies close; and let the global system itself do the deep work of liberal modernization.

As it navigates this brave new world, the United States will find itself needing to share power and rely in part on others to ensure its security. It will not be able to depend on unipolar power or airtight borders. It will need, above all else, authority and respect as a global leader. The United States has lost some of that authority and respect in recent years. In committing itself to a grand strategy of liberal order building, it can begin the process of gaining it back.

#### Their impact is bogus

Azar **Gat**, July/August **2009**, is a researcher and author on military history, he was the Chair of the Department of Political Science at Tel Aviv University, Foreign Affairs, “Which Way Is History Marching?,”<http://www.foreignaffairs.com/articles/65162/azar-gat-daniel-deudney-and-g-john-ikenberry-and-ronald-inglehar/which-way-is-history-marching?page=show>

UNDILUTED OPTIMISM to the sweeping, blind forces of globalization. A message need not be formulated in universalistic terms to have a broader appea When it comes to the question of how to deal with a nondemocratic superpower China in the international arena, Deudney and Ikenberry, as well as Inglehart and Welzel, exhibit undiluted liberal internationalist optimism. China's free access to the global economy is fueling its massive growth, thereby strengthening the country as a potential rival to the United States -- a problem for the United States not unlike that encountered by the free-trading British Empire when it faced other industrializing great powers in the late nineteenth century. According to Inglehart and Welzel, there is little to worry about, because rapid development will only quicken China's democratization. But it was the United Kingdom's great fortune -- and liberal democracy's -- that its hegemonic status fell into the hands of another liberal democracy, the United States, rather than into those of nondemocratic Germany and Japan, whose future trajectories remained uncertain at best. The liberal democratic countries could have made China's access to the global economy conditional on democratization, but it is doubtful that such a linkage would have been feasible or desirable. After all, China's economic growth has benefited other nations and has made the developed countries -- and the United States in particular -- as dependent on China as China is dependent on them. Furthermore, economic development and interdependence in themselves -- in addition to democracy -- are a major force for peace. Democracies' ability to promote internal democratization in countries much smaller and weaker than China has been very limited, and putting pressure on China could backfire, souring relations with China and diverting its development to a more militant and hostile path. Deudney and Ikenberry suggest that China's admission into the institutions of the liberal international order established after World War II and the Cold War will oblige the country to transform and conform to that order. But large players are unlikely to accept the existing order as it is, and their entrance into the system is as likely to change it as to change them. The Universal Declaration of Human Rights provides a case in point. It was adopted by the United Nations in 1948, in the aftermath of the Nazi horrors and at the high point of liberal hegemony. Yet the UN Commission on Human Rights, and the Human Rights Council that replaced it, has long been dominated by China, Cuba, and Saudi Arabia and has a clear illiberal majority and record. Today, more countries vote with China than with the United States and Europe on human rights issues in the General Assembly of the United Nations. Critics argue that unlike liberalism, nondemocratic capitalist systems have no universal message to offer the world, nothing attractive to sell that people can aspire to, and hence no "soft power" for winning over hearts and minds. But there is a flip side to the universalist coin: many find liberal universalism dogmatic, intrusive, and even oppressive. Resistance to the unipolar world is a reaction not just to the power of the United States but also to the dominance of human rights liberalism. There is a deep and widespread resentment in non-Western societies of being lectured to by the West and of the need to justify themselves according to the standards of a hegemonic liberal morality that preaches individualism to societies that value community as a greater good. Compared to other historical regimes, the global liberal order is in many ways benign, welcoming, and based on mutual prosperity.

### 2NC Mead—Warfighting

#### Even if Obama is the new Bush, there’s no impact because he's much smarter—definitely solves all their alliance and backlash args

**Mead 2011** – James Clarke Chace Professor of Foreign Affairs and Humanities at Bard College and Editor-at-Large of The American Interest magazine, former Senior Fellow for U.S. Foreign Policy at the Council on Foreign Relations (8/22, Walter Russell, American Interest, “W Gets A Third Term In The Middle East”, http://blogs.the-american-interest.com/wrm/2011/08/22/w-gets-a-third-term-in-the-middle-east/)

The most irritating argument anyone could make in American politics is that President Obama, precisely because he seems so liberal, so vacillating, so nice, is a more effective neoconservative than President Bush. As is often the case, the argument is so irritating partly because it is so true.

President Obama is pushing a democracy agenda in the Middle East that is as aggressive as President Bush’s; he adopts regime change by violence if necessary as a core component of his regional approach and, to put it mildly, he is not afraid to bomb. But where President Bush’s tough guy posture (“Bring ‘Em On!”) alienated opinion abroad and among liberals at home, President Obama’s reluctant warrior stance makes it easier for others to work with him.

In some ways, President Obama’s Middle Eastern foreign policy does for President Bush’s democratization policy what President Eisenhower did for President Truman’s containment doctrine. In both cases, a necessary and useful foreign policy had become deeply unpopular; Eisenhower implemented containment but made the country feel better about it — partly by rhetorical shifts, partly by tweaking the execution. Obama is trying to do the same thing with Bush’s transformation agenda.

In many ways we are living through George W. Bush’s third term in the Middle East, and neither President Obama’s friends nor his enemies want to admit it. President Obama, in his own way and with his own twists, continues to follow the core Bush policy of nudging and sometimes pushing nasty regimes out of power, aligning the US with the wave of popular discontent in the region even as that popular sentiment continues to dislike, suspect and reject many aspects of American power and society. And that policy continues to achieve ambivalent successes: replacing old and crustily anti-American regimes, rooted deeply in the culture of terror and violence within and beyond their borders, with weaker, more open and — on some issues at least — more accommodating ones.

Additionally, the combination of tough military attacks on Al Qaeda and its affiliates wherever they rear their ugly heads and the opening of new political space in the Middle East continues to marginalize the acolytes of Bin Laden. There was a time when Bin Laden hoped to become the voice of Arab protest and resistance; the US had killed his dream long before Team Six got to his house.

Obama is better than Bush at building international coalitions and managing the appearance of American policy in a contentious world. In Libya, Obama faced a constraint not dissimilar to Bush’s situation in Iraq. Both presidents got something from the Security Council, but neither got enough. Bush responded by defying the body over the failed “second resolution” on Iraq; Obama simply ignored the gap between what the resolution allowed and what the US needed, stretching a humanitarian mandate to effect regime change.

Gratuitous snubs to global sensibilities were one of the Bush administration’s most expensive failings; when the WMD in Iraq did not appear and the occupation turned into a nightmare, an infuriated world (and many Americans) rejoiced at what they saw as a well deserved comeuppance. President Obama’s more conciliatory stance does nothing to win over America’s enemies — but it makes it harder for those enemies to mobilize world opinion on their side. He has also cut the legs off the anti-war movements at home by depriving it of a clear target. Nobody in America much likes all the wars we are fighting in so many obscure places — but the anti-war movement has been reduced to its irrelevant hard core.

Obama has plenty of faults of his own, and, like Bush’s, his mistakes can be costly. He has never understood the dynamics of the US-Israel relations or the Israeli-Palestinian issue. He clearly underestimated the conflict in Libya; we shall see whether he and the allies have underestimated the problems of reconstruction. The combination of a surge in Afghanistan with the naming of a date for withdrawal sent mixed signals and probably encouraged the Taliban to fight on.

But since the world hates Obama less than it hated Bush, the US and the global press are more forgiving of his errors, and pass lightly over shortcomings and contradictions that, if Bush were still in the White House, would be the mainstay of the nightly news. When was the last time you read something about Obama’s failure to close Guantanamo?

The result is that the advance of US power in the Middle East that began under Bush has continued and developed under Obama. Our worst enemies disappear; the Gulf monarchies are more dependent on us than ever; the coalition against Iran deepens and strengthens.

### 2NC Unsustainable

#### More evidence – only our authors assume coming budget cuts

Michael Mandelbaum – Prof, Foreign Policy, SAIS - August 9, 2011, America's Coming Retrenchment, Foreign Affairs, http://www.foreignaffairs.com/articles/68024/michael-mandelbaum/americas-coming-retrenchment?page=show

The acrimonious negotiation that produced legislation to raise the American debt ceiling while cutting the federal budget deficit, which President Barack Obama signed on August 2, was an early skirmish in the battle to bring deficits under control. That battle is bound to be protracted, difficult, and contentious, and one of its casualties will be spending on foreign and security policy, which will decline in the years ahead. That will impose new limits on the projection of American power around the world. What a difference a year makes. Only last year, in the May/June issue of Foreign Affairs, I published a review (“Overpowered?”) of three books whose common theme was that the United States was doing far too much beyond its borders. For its own sake and the sake of other countries, the three authors recommended, the country should pursue a more modest foreign policy. Now, as I forecast at the end of that essay, the fiscal condition of the United States will compel the fulfillment of that recommendation -- for better (the general sentiment of the books’ authors) or for worse (my own view). The August 2 legislation calls for $1 trillion in spending cuts over a ten-year period, about $350 billion of which is likely to come from the defense budget. The legislation also mandates a further $1.5 trillion reduction in expenditures in the next decade. If a special Congressional panel cannot agree on the targets of those reductions, an automatic trigger will impose across-the-board budget savings that will lower the Defense Department’s budget by an estimated $600 billion. Even if the triggering mechanism is avoided, spending on defense and on other aspects of U.S. foreign policy will decline over the next decade. The scale of deficit reduction required to put the country on solid fiscal footing is so large that it must involve both limits on Social Security and Medicare, despite the Democrats’ determination to preserve these programs intact, and increases in taxes in some form, despite the Republicans’ determination to prevent this. When Americans are paying more to their government and getting less from it, they will not be as generous in supporting the United States’ global role as they have been in recent decades. Defense budgets will contract for two other reasons. First, the sense of external threat that the country felt throughout the Cold War and after 9/11 has ebbed. Americans’ support for defense spending depends on how threatened they feel. For the moment, at least, the world does not seem particularly threatening. Second, the politics of the federal budget do not favor the Department of Defense, which cannot count on either political party to protect its share of federal spending. No major part of the Democratic coalition makes foreign and security policy a high priority. The Republican coalition does include national security hawks, who are committed to a large military and a robust foreign policy. But there are two other parts of the Republican coalition. Social conservatives are indifferent in these matters, and proponents of small government and low taxes -- now the most influential members of the coalition because they express the views of the Tea Party movement -- are willing to sacrifice defense spending for the sake of their principal goals.

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### OV

#### Key to the global economy – tanks bond – buying

VOA News, 10-3-’13 (“IMF: US Failure to Lift Debt Ceiling Could Damage World Economy” http://www.voanews.com/content/reu-us-failure-to-lift-debt-ceiling-could-damage-world-economy-says-imf-chief/1762364.html)

Failure to raise the U.S. debt ceiling could damage not only the United States but the rest of the global economy, International Monetary Fund chief Christine Lagarde said on Thursday. “It is 'mission-critical' that this be resolved as soon as possible,” she said in a speech in Washington, ahead of the IMF and World Bank annual meetings next week. Republican and Democratic leaders in the U.S. Congress so far remain at loggerheads over funding the government, keeping hundreds of thousands of federal employees off the job without pay for a third day on Thursday. Though a government shutdown would do relatively little damage to the world's largest economy in the short term, global markets could be roiled if Congress also fails to raise the United States' $16.7 trillion debt limit. The Treasury has said the United States will exhaust its borrowing authority no later than October 17. If no deal is reached in raising the debt ceiling, analysts expect the U.S. government to run out of cash to pay its bills within weeks of that date. Lagarde said growth in the United States has already been hurt by too much fiscal consolidation, and will be below two percent this year before rising by about one percentage point in 2014, assuming political standoffs are resolved. The U.S. Congress imposed a so-called sequester, or across the board government spending cuts, earlier this year after failing to agree on a broad budget package. Glimmers of optimism Turning to the rest of the world, Lagarde pointed to signs of progress in the eurozone and Japan, but said transitions to more stable growth may take a while. She said the eurozone “came up for air” in the spring after six quarters of recession, and the economy should grow almost one percent next year. The currency bloc must address debt-hobbled banks and a fragmented financial system to return to health, she said. Japan also seems to be having success with its massive monetary stimulus to boost the economy out of decades of deflation and lagging growth, boosting GDP by about one percent. “Deflation is coming to an end and a newfound optimism is in the air,” Lagarde said, adding that Japan must still implement a credible plan to bring down its debt and reform entitlements. She said emerging markets have suffered since the U.S. Federal Reserve announced plans to eventually scale back its own monetary stimulus, which prompted capital outflows as investors bet on higher rates in advanced economies. Lagarde said the turbulence could reduce GDP in major emerging markets by 0.5 to 1 percentage points. Monetary policy helped rescue the global economy after the global financial crisis. But as the United States prepares to decrease the pace of its massive bond-buying, it must be aware that its policies affect people and markets around the world, Lagarde said. ‘Special resposibility’ “The U.S. has a special responsibility: to implement [normalization] in an orderly way, linking it to the pace of recovery and employment; to communicate clearly; and to conduct a dialog with others,” she said. But Lagarde said the turmoil in the Middle East and North Africa may be the hardest to resolve, and take the most time. Syria is still in the midst of a civil war and Egypt struggles to address its fiscal deficit and structural reforms while dealing with a political transition. “To succeed, [this region] needs the unwavering support of the international community,” Lagarde said. Finally, she called on governments to better work together on reforming the financial sector, calling progress too slow, partly due to divergences among different countries. She pointed in particular to the “danger zone” of shadow banking, or the non-banking sector that can provide credit but is not under formal regulation. In the United States, shadow banking is twice the size of the banking sector, and in China half the credit given this year has come from shadow banking, she said. “Putting this all together in a globalized world is a headache,” Lagarde said about financial regulation. “And yet, it must be done - nothing less than global financial stability depends on it.”

#### Collapses power projection and causes nuclear conflict

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

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

#### Turns advantage two, hotspots – strengthens extremism against the US

Mead 9 Senior Fellow in U.S. Foreign Policy at the Council on Foreign Relations, Only Makes You Stronger, The New Republic, [www.tnr.com/politics/story.html?id=571cbbb9-2887-4d81-8542-92e83915f5f8&p=2](http://www.tnr.com/politics/story.html?id=571cbbb9-2887-4d81-8542-92e83915f5f8&p=2)

The greatest danger both to U.S.-China relations and to American power itself is probably not that China will rise too far, too fast; it is that the current crisis might end China's growth miracle. In the worst-case scenario, the turmoil in the international economy will plunge China into a major economic downturn. The Chinese financial system will implode as loans to both state and private enterprises go bad. Millions or even tens of millions of Chinese will be unemployed in a country without an effective social safety net. The collapse of asset bubbles in the stock and property markets will wipe out the savings of a generation of the Chinese middle class. The political consequences could include dangerous unrest--and a bitter climate of anti-foreign feeling that blames others for China's woes. (Think of Weimar Germany, when both Nazi and communist politicians blamed the West for Germany's economic travails.) Worse, instability could lead to a vicious cycle, as nervous investors moved their money out of the country, further slowing growth and, in turn, fomenting ever-greater bitterness. Thanks to a generation of rapid economic growth, China has so far been able to manage the stresses and conflicts of modernization and change; nobody knows what will happen if the growth stops. India's future is also a question. Support for global integration is a fairly recent development in India, and many serious Indians remain skeptical of it. While India's 60-year-old democratic system has resisted many shocks, a deep economic recession in a country where mass poverty and even hunger are still major concerns could undermine political order, long-term growth, and India's attitude toward the United States and global economic integration. The violent Naxalite insurrection plaguing a significant swath of the country could get worse; religious extremism among both Hindus and Muslims could further polarize Indian politics; and India's economic miracle could be nipped in the bud. If current market turmoil seriously damaged the performance and prospects of India and China, the current crisis could join the Great Depression in the list of economic events that changed history, even if the recessions in the West are relatively short and mild. The United States should stand ready to assist Chinese and Indian financial authorities on an emergency basis--and work very hard to help both countries escape or at least weather any economic downturn. It may test the political will of the Obama administration, but the United States must avoid a protectionist response to the economic slowdown. U.S. moves to limit market access for Chinese and Indian producers could poison relations for years. For billions of people in nuclear-armed countries to emerge from this crisis believing either that the United States was indifferent to their well-being or that it had profited from their distress could damage U.S. foreign policy far more severely than any mistake made by George W. Bush. It's not just the great powers whose trajectories have been affected by the crash. Lesser powers like Saudi Arabia and Iran also face new constraints. The crisis has strengthened the U.S. position in the Middle East as falling oil prices reduce Iranian influence and increase the dependence of the oil sheikdoms on U.S. protection. Success in Iraq--however late, however undeserved, however limited--had already improved the Obama administration's prospects for addressing regional crises. Now, the collapse in oil prices has put the Iranian regime on the defensive. The annual inflation rate rose above 29 percent last September, up from about 17 percent in 2007, according to Iran's Bank Markazi. Economists forecast that Iran's real GDP growth will drop markedly in the coming months as stagnating oil revenues and the continued global economic downturn force the government to rein in its expansionary fiscal policy. All this has weakened Ahmadinejad at home and Iran abroad. Iranian officials must balance the relative merits of support for allies like Hamas, Hezbollah, and Syria against domestic needs, while international sanctions and other diplomatic sticks have been made more painful and Western carrots (like trade opportunities) have become more attractive. Meanwhile, Saudi Arabia and other oil states have become more dependent on the United States for protection against Iran, and they have fewer resources to fund religious extremism as they use diminished oil revenues to support basic domestic spending and development goals. None of this makes the Middle East an easy target for U.S. diplomacy, but thanks in part to the economic crisis, the incoming administration has the chance to try some new ideas and to enter negotiations with Iran (and Syria) from a position of enhanced strength. Every crisis is different, but there seem to be reasons why, over time, financial crises on balance reinforce rather than undermine the world position of the leading capitalist countries. Since capitalism first emerged in early modern Europe, the ability to exploit the advantages of rapid economic development has been a key factor in international competition. Countries that can encourage--or at least allow and sustain--the change, dislocation, upheaval, and pain that capitalism often involves, while providing their tumultuous market societies with appropriate regulatory and legal frameworks, grow swiftly. They produce cutting-edge technologies that translate into military and economic power. They are able to invest in education, making their workforces ever more productive. They typically develop liberal political institutions and cultural norms that value, or at least tolerate, dissent and that allow people of different political and religious viewpoints to collaborate on a vast social project of modernization--and to maintain political stability in the face of accelerating social and economic change. The vast productive capacity of leading capitalist powers gives them the ability to project influence around the world and, to some degree, to remake the world to suit their own interests and preferences. This is what the United Kingdom and the United States have done in past centuries, and what other capitalist powers like France, Germany, and Japan have done to a lesser extent. In these countries, the social forces that support the idea of a competitive market economy within an appropriately liberal legal and political framework are relatively strong. But, in many other countries where capitalism rubs people the wrong way, this is not the case. On either side of the Atlantic, for example, the Latin world is often drawn to anti-capitalist movements and rulers on both the right and the left. Russia, too, has never really taken to capitalism and liberal society--whether during the time of the czars, the commissars, or the post-cold war leaders who so signally failed to build a stable, open system of liberal democratic capitalism even as many former Warsaw Pact nations were making rapid transitions. Partly as a result of these internal cultural pressures, and partly because, in much of the world, capitalism has appeared as an unwelcome interloper, imposed by foreign forces and shaped to fit foreign rather than domestic interests and preferences, many countries are only half-heartedly capitalist. When crisis strikes, they are quick to decide that capitalism is a failure and look for alternatives. So far, such half-hearted experiments not only have failed to work; they have left the societies that have tried them in a progressively worse position, farther behind the front-runners as time goes by. Argentina has lost ground to Chile; Russian development has fallen farther behind that of the Baltic states and Central Europe. Frequently, the crisis has weakened the power of the merchants, industrialists, financiers, and professionals who want to develop a liberal capitalist society integrated into the world. Crisis can also strengthen the hand of religious extremists, populist radicals, or authoritarian traditionalists who are determined to resist liberal capitalist society for a variety of reasons. Meanwhile, the companies and banks based in these societies are often less established and more vulnerable to the consequences of a financial crisis than more established firms in wealthier societies. As a result, developing countries and countries where capitalism has relatively recent and shallow roots tend to suffer greater economic and political damage when crisis strikes--as, inevitably, it does. And, consequently, financial crises often reinforce rather than challenge the global distribution of power and wealth. This may be happening yet again. None of which means that we can just sit back and enjoy the recession. History may suggest that financial crises actually help capitalist great powers maintain their leads--but it has other, less reassuring messages as well. If financial crises have been a normal part of life during the 300-year rise of the liberal capitalist system under the Anglophone powers, so has war. The wars of the League of Augsburg and the Spanish Succession; the Seven Years War; the American Revolution; the Napoleonic Wars; the two World Wars; the cold war: The list of wars is almost as long as the list of financial crises. Bad economic times can breed wars. Europe was a pretty peaceful place in 1928, but the Depression poisoned German public opinion and helped bring Adolf Hitler to power. If the current crisis turns into a depression, what rough beasts might start slouching toward Moscow, Karachi, Beijing, or New Delhi to be born? The United States may not, yet, decline, but, if we can't get the world economy back on track, we may still have to fight.

### Uniqueness

#### Extend Calmes and Weisman – Obama had broken GOP opposition by refusing to back down on the shutdown – that makes him MORE able to deal with the debt ceiling moderates are splitting from the party because of the shutdown debate

#### Boehner now on board, but fights still likely

Grier, 10-4-’13 (Peter, “Has John Boehner surrendered on debt ceiling?” CS Monitor, http://www.csmonitor.com/USA/DC-Decoder/Decoder-Wire/2013/1004/Has-John-Boehner-surrendered-on-debt-ceiling)

There are numerous press reports Friday that Speaker John Boehner has told some Republican House members that he won’t hang tough on a debt ceiling fight. He’ll agree to use a combination of Democratic and establishment Republican votes to hike the ceiling so as to avoid damaging America’s credit and economy, according to these stories. Is this really the case? Because if it’s true, that means the worst-case scenario of the current Washington fiscal crisis – a US default on its debts in the midst of a government shutdown – won’t come to pass. We’ll get to our judgment in a second. First, a public-service reminder: The debt limit problem is separate from the fiscal dispute that’s shut down the government, strictly speaking. The government is shut down because the appropriations that pay for its activities expired at the end of the fiscal year (Sept. 30), and Congress hasn’t passed a funding bill to keep that money flowing. The debt limit arrives around Oct. 17, when the United States hits a legal limit on the amount of money it can borrow, meaning the Treasury can’t pay many debts already incurred. The government shutdown has closed national parks. A breach of the debt limit could stop the timely delivery of Social Security checks and Medicare reimbursements, and it could freak out world financial markets dependent on the dollar as a presumed currency of stability in a chaotic world. OK, back to Speaker Boehner. We’d say the stories that he’s soft on the debt limit are mostly true but have important holes, meaning some partisan fights on the issue might yet lie ahead.

#### Breaking the Hastert rule shows momentum

Schroeder, 10-3-’13 (Robert, “Boehner said to be flexible on debt ceiling vote” MarketWatch, http://www.marketwatch.com/story/boehner-said-to-be-flexible-on-debt-ceiling-vote-2013-10-03)

House Speaker John Boehner is showing flexibility about working with Democrats to pass an increase in the U.S. debt limit, reports said Thursday, as the U.S. neared its borrowing limit. The New York Times cited a Republican congressman saying that Boehner has indicated he is willing to break the so-called Hastert rule if necessary to pass a debt-limit increase. That rule, named for a former Republican speaker of the House, refers to not bringing to the floor a measure that doesn’t have a majority of Republican votes. The Washington Post had a similar report. A spokesman for Boehner, Michael Steel, told the Times that Boehner “always, always prefers to pass legislation with a strong Republican majority.” Reports of Boehner’s flexibility came as the U.S. government was in its third day of a partial shutdown, and Democrats and Republicans remained at loggerheads over a funding bill for the 2014 fiscal year. The Treasury says the country will hit its borrowing limit on Oct. 17. Equity and bond markets remain jittery due to the impasse, with stocks falling Thursday and the yield on the shortest-term Treasury bill spiking. Read more on Treasury’s warning. Stocks bounced off of intraday lows following the Times report. Read Market Snapshot. Boehner was one of four congressional leaders to meet with President Barack Obama at the White House on Wednesday, but the meeting produced no deal on funding for the fiscal year or the debt ceiling. Obama jabbed at Boehner in remarks on Thursday at a construction company in the Maryland suburbs just outside Washington. Obama said there are enough votes in the House to pass a “clean” bill that funds the government and leaves out changes to things like Obama’s health-care bill. Republicans have been trying to cripple the bill through the budget process. Read more on Obama’s comments. In a statement, Boehner spokesman Steel said that the Ohio Republican has “always said that the United States will not default on its debt. “But if we’re going to raise the debt limit, we need to deal with the drivers of our debt and deficits. That’s why we need a bill with cuts and reforms to get our economy moving again,” he said.

#### Boehner took debt ceiling off the table and Obama has bully pulpit -

Madhani, 10-4-’13 (Aamer, “Obama hammers Boehner on shutdown, debt ceiling” USA Today, http://www.usatoday.com/story/news/politics/2013/10/03/obama-boehner-shutdown-debt-limit/2918545/)

In perhaps a small sign of progress in the impasse, Boehner signaled on Thursday that he may be willing to hold a vote to raise the debt ceiling even if Obama refuses to agree to the Republican demand of delaying implementation of the president's signature health care law by a year. Jared Bernstein, who served as top economic adviser to Vice President Biden in the first term, said that by taking the debt ceiling debate off the table. Boehner could potentially gain some negotiating leverage in the budget fight, but he does it at the risk of the Republican base "throwing him under the bus." Bernstein said the best way forward for the White House is continuing to be "very explicit" with Boehner that it remains open on long term budget issues, while standing pat on the condition that a short-term budget and debt limit vote is passed without conditions. "You essentially tell him by putting clean votes on the floor right now buys a ticket to robust negotiations on the other side," Bernstein said. "At the point, it's perfectly legitimate for him to go into any negotiation with any asks that he wants." Even as Boehner showed signs of flexibility on a debt limit vote, House Republicans continued to pursue a piecemeal shutdown strategy to pass targeted funding bills for popular government services. House Majority Leader Eric Cantor, R-Va., wrote to rank-and-file Republicans in a memo Thursday that he was confident Obama and congressional Democrats would eventually bow to negotiations if Republicans hold the line. "While no one can predict with certainty how the current shutdown will be resolved, I am confident that if we keep advancing common-sense solutions to the problems created by the shutdown that Senate Democrats and President Obama will eventually agree to meaningful discussions that would allow us to ultimately resolve this impasse," Cantor wrote, "The American people have elected a divided government and they expect us to work together and they will not countenance one party simply refusing to negotiate." The House spent much of Thursday trying to develop smaller funding bills that would pay for popular government programs closed by the shutdown. House Republicans have scheduled a meeting for Friday morning to discuss their negotiating positions. Obama, meanwhile, made clear, at least for now, he is going to use the bully pulpit to keep the pressure on Boehner. "The longer this goes on, the worse it will be," Obama said. "And it makes no sense. The American people elected their representatives to make their lives easier, not harder."

#### Obama’s resolve sways public opinion

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

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

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

#### the shutdown makes debt ceiling passage likely – ensures pressure from sidelines

Ezra Klein 9/28/13, writer @ the Washington Post, “The House GOP’s shutdown plan is great news,” Washington Post, http://www.washingtonpost.com/blogs/wonkblog/wp/2013/09/28/the-house-gops-shutdown-plan-is-great-news/

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

### A2 Shutdown tanked PC Credibility

#### The calmes and weisman evidence answers this and assumes the shutdown – that was above

#### The catastrophe is avoidable now – Obama’s focus is key – the Henninger evidence assumes th effect of a shutdown and says it is MORE LIKELY to make resolution of debt ceiling possible

#### This vote will not be ideological – controlling the blame game is key to deal making

Binder 9/25

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“Why the debt limit doomsayers might be wrong” September 25

http://www.washingtonpost.com/blogs/monkey-cage/wp/2013/09/25/why-the-debt-limit-doomsayers-might-be-wrong/

Brian Beutler at Salon has taken the “debt limit freakout caucus” to task. But I think there’s more to be said about “zones of agreement” and whether they are necessary for making legislative deals. Klein is of course correct about the wide gulf between the parties: Keith Poole and Howard Rosenthal’s standard measures of partisan polarization (which capture lawmakers’ policy views and partisan strategy) show no overlap between the political parties. Still, I think we risk overestimating the odds of breaching the debt ceiling if we focus on zones of policy agreement. An alternative view of deal-making does not eliminate uncertainty about whether the parties will reach an agreement to raise the debt limit. But it does suggest that the prospects for a deal might be stronger than we might otherwise expect based on policy grounds alone.Some thoughts, culled from ongoing project with Frances Lee:¶First, policy and politics are always intertwined. This means that deal making is not merely a matter of finding the ideological sweet spot between competing coalitions. Instead, common ground is typically a joint function of policy views and political calculation. Such calculations are multifaceted. Lawmakers must justify any deals to active supporters back home, knowing that their constituents are unlikely to know what is possible or not in Congress. Lawmakers also worry about their reputations: They will not necessarily vote for a deal that they support on policy grounds if the vote could harm their public image. And vice versa: Lawmakers might support a deal that they object to on policy grounds if their support would be helpful to their image. Party reputations also influence the chances of a deal, particularly if individual lawmakers stand to benefit electorally from a favorable party image that might result from reaching agreement. With policy and politics so tightly intertwined, parties can reach a deal even without an overlapping set of policy views. A zone of agreement might be neither necessary nor sufficient for generating a legislative agreement.¶ Second, I think it’s important to keep in mind that the jurisdiction of Congress is essentially universal. As former Rep. Barney Frank has said, “anything can be the basis for a deal.” If competing coalitions have different priorities, adding each element to a deal provides different lawmakers with alternative reasons to support a deal. Granted, the White House’s stated unwillingness to negotiate over the debt limit complicates a strategy that capitalizes on crafting a deal from parties’ divergent priorities. Even so, the March deal on raising the debt limit is suggestive: Republicans agreed to suspend the debt limit so long as the Senate passed a budget. Coupling different priorities became the basis for a deal– even in the absence of shared policy ground.¶ Third, even a party’s decision about whether to negotiate is driven by politics. Party leaders inevitably ask: Which party will suffer more politically if a deal is not done? Anticipation of losing the public blame game can drive partisans to the table, even when they disagree about policy. Senate GOP disagreement over whether to risk shutting down the government over funding for Obamacare is a good example. Deals become possible even in the absence of a zone of agreement if the political costs of saying no are too steep. Whether House GOP leaders can convince sufficient numbers of their rank and file to support a clean CR on those grounds remains to be seen, but is likely. Finally, I think it’s helpful to keep in mind that deal-making in Congress is inherently dynamic. Spatial models in political science typically offer a snapshot of legislative decision making, in part because we assume that lawmakers’ policy preferences are fixed. But once we focus on both policy and political bases for a deal, the process seems remarkably fluid. How party leaders and their rank and file come to judge the political costs of failure (here, shutting down government or defaulting on the nation’s debt) ultimately shapes the chances for a deal. To be sure, such calculations do not inexorably lead to legislative deals, as the uncertain fate of immigration reform suggests. Still, the politics of blame might prove more important than shared policy ground in guiding the parties to a debt ceiling agreement this fall.

### Links

#### turns case – pushes the executive to rely on broad delegations to empower his authority

Bulman-Pozen ’12 Jessica Bulman-Pozen, Attorney @ Office of Legal Counsel, Department of Justice, J.D. Yale Law School, “Federalism as a Safeguard of the Separation of Powers” Columbia Law Review, 112 Colum. L. Rev. 459, April 2012

First, one effect of the extreme competition that manifests in times of party division, gridlock, may push the executive to rely on broad delegations that remain in effect from prior Congresses. While it may ramp up legislative oversight, "Congress will have limited recourse against an opposite-party executive empowered by broad delegations." 158 But states may have recourse. As discussed above, 159 a particular benefit of cooperative federalism schemes is that they foster competition even when - perhaps especially when - the executive relies on open-ended grants of authority. Including states within federal schemes thus furnishes a check on the executive when it relies on outstanding delegations the current Congress would curtail if it could. Second, to the extent there is competition around administration between the legislative and executive branches in times of divided government, state-federal disagreements may look quite different. When government divides, congressional oversight will often take the form of broad-gauged, rhetorical battles designed to win political points, not fine-grained disputes about policy details. When state and federal administrators disagree about how to execute federal law, their competition may assume a more practical cast, focusing on the sorts of interstitial questions that disputes between Congress and the federal executive elide.

#### Even if they win the plan is popular, That takes Obama off-message – it undermines his constant pressure on the GOP

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

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

#### A single day delay risks global market crash

NYT 9/26

http://www.nytimes.com/2013/09/26/business/treasury-warns-of-potential-default-by-mid-october.html?\_r=0

Mr. Lew warned in his letter that a single day’s net expenditures could be as high as $60 billion. After that mid-October deadline, money going out might overwhelm money coming in plus cash on hand. The Treasury could miss or be forced to delay paying some of its bills. Such an event would be unprecedented, and many financial analysts fear a possible violent market reaction with global ramifications.

#### Perception of external restraint destroys political capital and makes him looked weak

Paterno 13. [Scott, policy analyst and political consultant, Vice Chairman of the Sustainable Energy Fund, "Selfish Obama" Rock the Capital -- June 23 -- www.rockthecapital.com/06/23/selfish-obama/]

Now we have a Democratic president who wants to make war and does not want to abide by the War Powers Resolution. But rather than truly test the constitutionality of the measure, he is choosing to simply claim that THIS use of US military power is not applicable.¶ This is an extraordinarily selfish act, and one liberals especially should fear. POTUS is setting a precedent that subsequent presidents will be able to use – presidents that the left might not find so “enlightened.” Left as is, President Obama has set a standard where the president can essentially attack anywhere he wants without congressional approval for as long as he wants so long as he does not commit ground forces.¶ That is an extraordinarily selfish act. Why selfish? Because the president is avoiding congress because he fears a rebuke – from his own party, no less. The politically safe way to both claim to be decisive and to not face political defeat at the hands of Democrats – a defeat that would signal White House weakness – is to avoid congress all together. Precedent be damned, there is an election to win after all.

#### Empirically proven—Congress supports pres war powers

Zelizer, 11 (Julian, professor of history and public affairs at Princeton University, "War powers belong to Congress and the president", June 27, [www.cnn.com/2011/OPINION/06/27/zelizer.war.powers/index.html](http://www.cnn.com/2011/OPINION/06/27/zelizer.war.powers/index.html)

Princeton, New Jersey (CNN) -- When presidents send American troops into military conflict, it usually seems as if Congress barely flinches. Presidents no longer request that Congress declare war. Members of Congress don't insist that presidents ask them. Still, tension over military action can develop between the White House and Congress. In the most recent chapter of the nation's inter-branch conflict, Speaker of the House John Boehner has charged that President Barack Obama violated the War Powers Resolution, which Congress passed in 1973 in an effort to seize war power back from the executive branch. Obama is being criticized because he did not request congressional approval of the military operations in Libya even though they have lasted for more than 90 days. In a symbolic vote, 225 Republicans allied with 70 Democrats to vote down a measure authorizing the operations in Libya. They did not vote to cut funding, however. While the speaker has raised an important point, the fact is that all presidents, Democrats and Republicans, have made decisions about sending troops into conflict without a declaration of war. Since President Harry Truman sent troops into Korea in 1950, legislators have let presidents make the initial decision as to whether military force should be used. Although Congress has remained quite active in wartime politics, ranging from its use of hearings to stimulate political debate to the shaping of military budgets, Congress no longer declares war. Before the Korean War, the situation was quite different. As Louis Fischer of the Congressional Research Service wrote, "From 1789 to 1950, lawmakers, the courts, and the executive branch understood that only Congress could initiate offensive actions against other nations." There are many reasons for why presidents usurped so much power. In most areas of government, the legislative branch of government lost some of its power in the 20th century. As government expanded, and as the U.S. gained more of a stake in other parts of the world and with the advent of nuclear weapons, there was a need for quicker decision-making. A greater number of politicians in both parties supported the centralization of power in the White House. Very often Congress was also eager to avoid having to decide whether to declare war so it could force presidents to shoulder the blame when things went wrong. At other times, the party in control of Congress agreed with the president's military agenda so that legislators were happy to delegate their authority, as was the case in 1950 (Korea) and Iraq (2003). But the failure of Congress to fully participate in the initial decision to use military force has enormous costs for the nation beyond the obvious constitutional questions that have been raised. The first problem is that the U.S. now tends to go to war without having a substantive debate about the human and financial costs that the operation could entail. Asking for a declaration of war, and thus making Congress take responsibility for the decision, had required presidents to enter into a heated debate about the rationale behind the mission, the potential for large-scale casualties and how much money would be spent. When presidents send troops into conflict without asking Congress for approval, it has been much easier for presidents to elude these realities. President Lyndon Johnson famously increased the troop levels in Vietnam without the public fully realizing what was happening until after it was too late. Although Johnson promised Democrats when they debated the Gulf of Tonkin Resolution in 1964 that they would only have a limited deployment and he would ask them again if the mission increased, he never did. He used the broad authority granted to him to vastly expand the operations during his presidency. By the end of his time in office, hundreds of thousands of troops were fighting a hopeless war in the jungles of Vietnam. Johnson also continued to mask the budgetary cost, realizing the opposition that would emerge if legislators knew how much the nation would spend. When the costs became clear, Johnson was forced to request a tax increase from Congress in 1967, a request which greatly undermined his support. The second cost of presidents going to war rather than Congress doing so is that major mistakes result when decisions are made so quickly. When there is not an immediate national security risk involved, the slowness of the legislative process does offer an opportunity to force policymakers to prove their case before going to war. Speed is not always a virtue. In the case of Iraq, the president started the war based on the shoddiest of evidence about WMD. The result was an embarrassment for the nation, an operation that undermined U.S. credibility abroad. Even in military actions that have stronger justifications, there are downsides to speed. With President Obama and the surge in Afghanistan, there is considerable evidence that the administration went in without a clear strategy and without a clear objective. With Libya, there are major concerns about what the administration hopes to accomplish and whether we are supporting rebel forces that might be connected with terrorist networks intent on harming the U.S. The third cost has been the cheapening of the decision about using military force. In the end, the decision about whether to send human treasure and expend valuable dollars abroad should be one that is made by both branches of government and one that results from a national dialogue. Requiring Congress to declare war forces voters to think about the decision sooner rather than later. While efficiency is essential, so too is the democratic process upon which our nation is built. The result of the decision-making process that has been used in recent decades is that as a nation too many citizens lose their connection to the war. Indeed, most Americans don't even think twice when troops are sent abroad. The shift of power toward the president has compounded the effects of not having a draft, which Congress dismantled in 1973. Wars sometimes resemble just another administrative decision made by the White House rather than a democratic decision. So Boehner has raised a fair point, though he and other Republicans don't have much ground to stand on given their own party's history. Republicans, like Democrats, have generally supported presidential-war power in addition to a weak Congress. Most politicians have only worried about war power when it is politically convenient. Indeed, in 2007, then-Sen. Obama wrote, the "President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to this nation." Clearly, Obama has not governed by the principles on which he campaigned. It is doubtful whether the parties will do anything about this. The War Powers Resolution has not worked well and there seems to be little appetite to pass something else. But the consequences of the path that the nation has chosen are enormously high. We've moved too far away from the era when Congress matters. As a result, the decision to use troops is too easy and often made in haste. Obama, who spoke about this issue so cogently on the campaign trail, should be a president who understands that reality.