# 1nc

**Iran is looking to compromise on its nuclear program – Obama’s perceived flexibility is key**

Benen, writer for MSNBC and producer of the Rachel Maddow show, 9/20/2013

(Steve, “When crises become opportunities,” http://maddowblog.msnbc.com/\_news/2013/09/20/20599445-when-crises-become-opportunities?lite)

When it comes to the Middle East, progress has never moved in a straight line. There are fits and starts, ebbs and flows. There are heartening breakthroughs and crushing disappointments, occasionally at the same time.¶ That said, while the domestic political establishment's attention seems focused elsewhere, there's reason to believe new opportunities are materializing in the region in ways that were hard to even imagine up until very recently.¶ This morning, for example, the Organization for the Prohibition of Chemical Weapons (OPCW) announced that Syria has taken its first steps towards detailing its stockpiles. Michael Luhan, a spokesperson for the Hague-based chemical weapons regulator, said in a statement, "The OPCW has received an initial disclosure from the Syrian Government of its chemical weapons programme, which is now being examined by the Technical Secretariat of the Organisation."¶ Meanwhile, Iranian President Hasan Rouhani has a new op-ed in the Washington Post arguing that the United States and the rest of the world "must work together to end the unhealthy rivalries and interferences that fuel violence and drive us apart" through a policy of "constructive engagement."¶ The New York Times added that Iranian leaders, "seizing on perceived flexibility in a private letter from President Obama, have decided to gamble on forging a swift agreement over their nuclear program with the goal of ending crippling sanctions."¶ David Sanger summarized the bigger picture nicely.¶ Only two weeks after Washington and the nation were debating a unilateral military strike on Syria that was also intended as a forceful warning to Iran about its nuclear program, President Obama finds himself at the opening stages of two unexpected diplomatic initiatives with America's biggest adversaries in the Middle East, each fraught with opportunity and danger.¶ Without much warning, diplomacy is suddenly alive again after a decade of debilitating war in the region. After years of increasing tension with Iran, there is talk of finding a way for it to maintain a face-saving capacity to produce a very limited amount of nuclear fuel while allaying fears in the United States and Israel that it could race for a bomb.¶ The surprising progress has come so suddenly that a senior American diplomat described this week's developments as "head spinning."¶ So what happens next?¶ The consensus among many foreign policy observers is that developments in Syria and Iran are linked in ways that may or may not be helpful to the United States. Max Fisher explained well yesterday that President Obama's pragmatism "has sent exactly the right signals to Iran, particularly at this very sensitive moment."¶ Obama has been consistently clear, even if some members of his administration were not, that his big overriding goal is for Syrian leader Bashar al-Assad to stop using chemical weapons. First he was going to do that with strikes, meant to coerce Assad. Then, in response to the Russian proposal, Obama signaled he would back off the strikes if Assad gave up his chemical weapons, which is exactly what Obama has always said he wants. He's been consistent as well as flexible, which gave Assad big incentives to cooperate when he might have otherwise dug in his heels.¶ There are some awfully significant -- and promising -- parallels here with the U.S. standoff with Iran. Obama has been clear that he wants Iran to give up its rogue uranium-enrichment program and submit to the kind of rigorous inspections that would guarantee that its nuclear program is peaceful. He's also been clear that the United States is using severe economic sanctions to coerce Tehran to cooperate and that it would use military force if necessary. The implicit (and sometimes explicit) message to Iran has been: If you abandon your enrichment program, we'll make it worth your while by easing off.¶ Here's where the parallel with Syria is really important: Iranian leaders distrust the United States deeply and fear that Obama would betray them by not holding up his end of the bargain. That's been a major hurdle to any U.S.-Iran nuclear deal. But seeing Assad's deal with Obama work out (so far) sends the message to Iran that it can trust the United States. It also sends the message that making concessions to the United States can pay off. Iran's supreme leader has been talking a lot lately about flexibility and diplomacy toward the West. So it's an ideal moment for Obama to be demonstrating flexibility and diplomacy toward the Middle East.

**The plan undermines Obama’s war power credibility—that kills negotiations**

Matthew Waxman, professor of law at Columbia Law School and an adjunct senior fellow at the Council on Foreign Relations. He previously served as principal deputy director of policy planning (2005–7) and acting director of policy planning (2007) at the US Department of State, 1/28/13, Executive-Congressional Relations and National Security, www.advancingafreesociety.org/the-briefing/executive-congressional-relations-and-national-security/

The last four years should have been a good period for executive-congressional relations in the areas of national security and foreign affairs. The president, vice president, and secretary of state were former Senators. They all viewed President George W. Bush as too inclined to bypass or ignore Congress and they promised to do better. And the Obama administration started with Democratic majorities in the House and Senate.¶ It is thus surprising that the past four years have been notable for inter-branch clashes and paralysis on some major national security agenda items, with the administration failing to engage Congress or operating in a slowly reactive mode, while many congressional Republicans remain in an obstructionist mode. In the second term, the Obama administration will need to pick its legislative priorities more deliberately, engage with allies and opponents in Congress more actively, and be willing to negotiate compromises or wage aggressive campaigns on key issues.¶ Congress has repeatedly stifled the president’s signature counterterrorism promise to close the Guantanamo Bay detention facility. Congress’s opposition has been more than political. Beginning with legislation in 2010 when Democrats controlled both houses of Congress, Congress has consistently placed legal barriers on the president’s ability to transfer Guantanamo detainees or to try them in civilian courts in the United States. After hinting in his speech at the National Archives in 2009 that he would work with Congress on these issues, Obama has put forward no proposal of his own, nor has his administration been willing to explore possible compromises on long-term Guantanamo policies, instead playing defense against moves by congressional blocs with their own Guantanamo agendas. That defensive strategy has included a series of veto threats, which were always abandoned in the end and now carry little credibility.¶ With regard to war powers, the administration barely escaped a significant congressional rebuke after it failed to obtain congressional authorization for the operations in Libya in 2011 or at least to advance a convincing account for why such authorization was not needed. The administration conducted international diplomacy effectively, and obtained UN Security Council and Arab League endorsement of military operations to protect Libyan civilians from slaughter. However, on the domestic front it alienated even congressional supporters of its policy with poor early consultation on the Hill. In the end, Senate Majority Leader Harry Reid prevented the Senate from taking up a resolution passed by the Foreign Relations Committee that would have authorized the operation but rejected the administration’s strained interpretation of the War Powers Resolution. Throughout the Libya crisis, the administration’s approach toward Congress was passive and tentative. It was fortunate for the administration that Congress was splintered and few members were willing to defend its institutional prerogatives, at least within the limited timeframe of the intervention. But Obama might not be so lucky the next time.¶ As to treaties, the administration garnered super-majority Senate advice and consent on a record-low number of agreements in its first term. Despite a strong effort by Secretary of State Hillary Clinton and the Navy leadership, the administration failed to get the UN Convention on the Law of the Sea out of the Senate Foreign Relations Committee. Once again, part of the explanation for failure was the administration’s poorly timed and coordinated engagement of the Senate on the issue. In the face of Senate Republican portrayals of other global treaties as threats to US sovereignty, the White House failed to throw its full weight behind its valid arguments that the Law of the Sea Convention would strengthen the US position with respect, for example, to crisis hotspots in Asia and in commercial spheres.¶ To be clear, the Obama administration has scored successes, too. For example, putting aside the policy merits, it worked reasonably well with Congress on the completed wind-down of the Iraq war. It will need to do the same with respect to the planned wind-down of the Afghanistan war and in developing a long-term strategy for Afghanistan and Pakistan. Much of the blame for policy incoherence on many national security issues such as cybersecurity lies with Congress, which is infected by political polarization and dysfunction as much in international affairs as it is in domestic affairs.¶ Going forward, the Obama administration will need to bring the same kind of sustained attention and hard-nosed strategic thinking to its legislative agenda on national security issues as it has on some major domestic policy issues. First, it will need to be selective in its legislative agenda and then wage aggressive campaigns on matters it labels national security priorities. It did so early in the first term with respect to the New START Treaty, which was in danger of collapse until the administration went all out for it. Obama’s team enlisted influential allies from previous Republican administrations, engaged in a serious communications campaign at the highest levels, and negotiated as necessary to get the key votes in favor of the treaty.¶ On some issues, the administration will need to decide on a coherent policy internally and then more actively engage both its allies and opponents on Capitol Hill. One area where this will be important is the legal architecture of counterterrorism policy. It is widely understood that continuing to rely on the September 2001 congressional Authorization for Use of Military Force as the basis for detention and targeting operations is increasingly problematic as al Qaeda splinters apart and as the United States winds down combat operations in Afghanistan. The Obama administration also maintains publicly a commitment to closing Guantanamo. Yet it has not come forward with proposed legislative frameworks for dealing with these issues. Even though the president has said repeatedly that he wants to work with Congress on a more durable legal architecture for counterterrorism operations, the administration has been reactive and appears to be undecided about what, if anything, it wants from Congress.¶ Another area in which executive-congressional relations will feature heavily is Iran’s nuclear build-up, surely one of the most delicate and complex international crises the administration will face this year. After engaging seriously only at the last minute, it has had to swallow several times congressionally-mandated sanctions that it regards as counterproductive. As the administration tries to ramp up pressure, it will need to convince skeptical members of Congress that it is applying tough diplomatic pressure on other UN Security Council members and on Iran’s trading partners. If—under the most optimistic scenarios—it reaches a satisfactory negotiated solution (or establishes a process toward one) with Iran, it will need Congress onboard; otherwise it will find its freedom to maneuver and deliver on assurances severely constrained.

**Iran proliferation causes nuclear war**

Edelman, distinguished fellow – Center for Strategic and Budgetary Assessments, ‘11

(Eric S, “The Dangers of a Nuclear Iran,” *Foreign Affairs*, January/February)

The reports of the Congressional Commission on the Strategic Posture of the United States and the Commission on the Prevention Of Weapons of Mass Destruction Proliferation and Terrorism, as well as other analyses, have highlighted the risk that a nuclear-armed Iran could trigger additional nuclear proliferation in the Middle East, even if Israel does not declare its own nuclear arsenal. Notably, Algeria, Bahrain, Egypt, Jordan, Saudi Arabia,Turkey, and the United Arab Emirates— all signatories to the Nuclear Nonproliferation Treaty (npt)—have recently announced or initiated nuclear energy programs. Although some of these states have legitimate economic rationales for pursuing nuclear power and although the low-enriched fuel used for power reactors cannot be used in nuclear weapons, these moves have been widely interpreted as hedges against a nuclear-armed Iran. The npt does not bar states from developing the sensitive technology required to produce nuclear fuel on their own, that is, the capability to enrich natural uranium and separate plutonium from spent nuclear fuel. Yet enrichment and reprocessing can also be used to accumulate weapons-grade enriched uranium and plutonium—the very loophole that Iran has apparently exploited in pursuing a nuclear weapons capability. Developing nuclear weapons remains a slow, expensive, and di⁄cult process, even for states with considerable economic resources, and especially if other nations try to constrain aspiring nuclear states’ access to critical materials and technology. Without external support, it is unlikely that any of these aspirants could develop a nuclear weapons capability within a decade.

There is, however, at least one state that could receive significant outside support: Saudi Arabia. And if it did, proliferation could accelerate throughout the region. Iran and Saudi Arabia have long been geopolitical and ideological rivals. Riyadh would face tremendous pressure to respond in some form to a nuclear-armed Iran, not only to deter Iranian coercion and subversion but also to preserve its sense that Saudi Arabia is the leading nation in the Muslim world. The Saudi government is already pursuing a nuclear power capability, which could be the first step along a slow road to nuclear weapons development. And concerns persist that it might be able to accelerate its progress by exploiting its close ties to Pakistan. During the 1980s, in response to the use of missiles during the Iran-Iraq War and their growing proliferation throughout the region, Saudi Arabia acquired several dozen css-2 intermediate-range ballistic missiles from China. The Pakistani government reportedly brokered the deal, and it may have also oªered to sell Saudi Arabia nuclear warheads for the css-2s, which are not accurate enough to deliver conventional warheads eªectively. There are still rumors that Riyadh and Islamabad have had discussions involving nuclear weapons, nuclear technology, or security guarantees. This “Islamabad option” could develop in one of several diªerent ways. Pakistan could sell operational nuclear weapons and delivery systems to Saudi Arabia, or it could provide the Saudis with the infrastructure, material, and technical support they need to produce nuclear weapons themselves within a matter of years, as opposed to a decade or longer. Not only has Pakistan provided such support in the past, but it is currently building two more heavy-water reactors for plutonium production and a second chemical reprocessing facility to extract plutonium from spent nuclear fuel. In other words, it might accumulate more fissile material than it needs to maintain even a substantially expanded arsenal of its own. Alternatively, Pakistan might oªer an extended deterrent guarantee to Saudi Arabia and deploy nuclear weapons, delivery systems, and troops on Saudi territory, a practice that the United States has employed for decades with its allies. This arrangement could be particularly appealing to both Saudi Arabia and Pakistan. It would allow the Saudis to argue that they are not violating the npt since they would not be acquiring their own nuclear weapons. And an extended deterrent from Pakistan might be preferable to one from the United States because stationing foreign Muslim forces on Saudi territory would not trigger the kind of popular opposition that would accompany the deployment of U.S. troops. Pakistan, for its part, would gain financial benefits and international clout by deploying nuclear weapons in Saudi Arabia, as well as strategic depth against its chief rival, India. The Islamabad option raises a host of difficult issues, perhaps the most worrisome being how India would respond. Would it target Pakistan’s weapons in Saudi Arabia with its own conventional or nuclear weapons? How would this expanded nuclear competition influence stability during a crisis in either the Middle East or South Asia? Regardless of India’s reaction, any decision by the Saudi government to seek out nuclear weapons, by whatever means, would be highly destabilizing. It would increase the incentives of other nations in the Middle East to pursue nuclear weapons of their own. And it could increase their ability to do so by eroding the remaining barriers to nuclear proliferation: each additional state that acquires nuclear weapons weakens the nonproliferation regime, even if its particular method of acquisition only circumvents, rather than violates, the NPT.

n-player competition

Were Saudi Arabia to acquire nuclear weapons, the Middle East would count three nuclear-armed states, and perhaps more before long. It is unclear how such an n-player competition would unfold because most analyses of nuclear deterrence are based on the U.S.- Soviet rivalry during the Cold War. It seems likely, however, that the interaction among three or more nuclear-armed powers would be more prone to miscalculation and escalation than a bipolar competition. During the Cold War, the United States and the Soviet Union only needed to concern themselves with an attack from the other. Multipolar systems are generally considered to be less stable than bipolar systems because coalitions can shift quickly, upsetting the balance of power and creating incentives for an attack. More important, emerging nuclear powers in the Middle East might not take the costly steps necessary to preserve regional stability and avoid a nuclear exchange. For nuclear-armed states, the bedrock of deterrence is the knowledge that each side has a secure second-strike capability, so that no state can launch an attack with the expectation that it can wipe out its opponents’ forces and avoid a devastating retaliation. However, emerging nuclear powers might not invest in expensive but survivable capabilities such as hardened missile silos or submarinebased nuclear forces. Given this likely vulnerability, the close proximity of states in the Middle East, and the very short flight times of ballistic missiles in the region, any new nuclear powers might be compelled to “launch on warning” of an attack or even, during a crisis, to use their nuclear forces preemptively. Their governments might also delegate launch authority to lower-level commanders, heightening the possibility of miscalculation and escalation. Moreover, if early warning systems were not integrated into robust command-and-control systems, the risk of an unauthorized or accidental launch would increase further still. And without sophisticated early warning systems, a nuclear attack might be unattributable or attributed incorrectly. That is, assuming that the leadership of a targeted state survived a first strike, it might not be able to accurately determine which nation was responsible. And this uncertainty, when combined with the pressure to respond quickly,would create a significant risk that it would retaliate against the wrong party, potentially triggering a regional nuclear war.

# 1nc

**The President of the United States should**

* **Appoint individuals that disagree with their policies to their cabinet**
* **Engage in non-genuine consultation with Congress prior to initiating offensive use of military force**

**Solves the case**

The New York Times 9/8. “Obama Tests Limits of Power in Syrian Conflict”. By [CHARLIE SAVAGE](http://topics.nytimes.com/top/reference/timestopics/people/s/charlie_savage/index.html). Published: September 8, 2013 http://www.nytimes.com/2013/09/09/world/middleeast/obama-tests-limits-of-power-in-syrian-conflict.html?pagewanted=all&\_r=0

WASHINGTON — In asking Congress to authorize an attack on Syria over claims it used chemical weapons, President Obama has chosen to involve lawmakers in deciding whether to undertake a military intervention that in some respects resembles the limited types that many presidents — Ronald Reagan in Grenada, Bill Clinton in Kosovo and even Mr. Obama in Libya — have launched on their own. ¶ On another level, the proposed strike is unlike anything that has come before — an attack inside the territory of a sovereign country, without its consent, without a self-defense rationale and without the authorization of the United Nations Security Council or even the participation of a multilateral treaty alliance like NATO, and for the purpose of punishing an alleged war crime that has already occurred rather than preventing an imminent disaster. ¶ The contrasting moves, ceding more of a political role to Congress domestically while expanding national war powers on the international stage, underscore the complexity of Mr. Obama’s approach to the Syrian crisis. His administration pressed its case on Sunday, saying it had won Saudi backing for a strike, even as the Syrian president warned he would retaliate. ¶ Mr. Obama’s strategy ensures that no matter what happens, the crisis is likely to create an important precedent in the often murky legal question of when presidents or nations may lawfully use military force. ¶ Kathryn Ruemmler, the White House counsel, said the president believed a strike would be lawful, both in international law and domestic law, even if neither the Security Council nor Congress approved it. But the novel circumstances, she said, led Mr. Obama to seek Congressional concurrence to bolster its legitimacy. ¶ The move is right, said Walter Dellinger, who led the Justice Department’s Office of Legal Counsel in the Clinton administration, because the proposed attack is not “covered by any of the previous precedents for the unilateral use of executive power.” ¶ “That doesn’t mean it couldn’t become another precedent,” Mr. Dellinger added. “But when the president is going beyond where any previous president has gone, it seems appropriate to determine whether Congress concurs.” ¶ Disputes about whether and when a president or nation may launch an act of war can be hazy because courts generally do not issue definitive answers about such matters. Instead presidents, and countries, create precedents that over time can become generally accepted as a gloss on what written domestic laws and international treaties permit. Against that backdrop, many legal scholars say Mr. Obama is proposing to violate international law. But others contend that the question is ambiguous, and some suggest that the United States could establish a precedent creating new international law if it strikes. ¶ The United States has used its armed forces abroad [dozens of times](http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=153712) without Security Council approval, but typically has invoked self-defense; when Mr. Reagan invaded Grenada in 1983, for example, he cited a need to protect Americans on the island along with the request of neighboring countries. The most notable precedent for the Syria crisis was Mr. Clinton’s 1999 bombing of Kosovo, but that was undertaken as part of NATO and in response to a time-urgent problem: stopping a massacre of civilians. ¶ By contrast, the United States would carry out strikes on Syria largely alone, and to punish an offense that has already occurred. That crime, moreover, is defined by [two](http://www.un.org/disarmament/WMD/Bio/1925GenevaProtocol.shtml) [treaties](http://www.un.org/disarmament/WMD/Chemical/) banning chemical weapons, only one of which [Syria signed](http://disarmament.un.org/treaties/a/1925/syrianarabrepublic/acc/paris), that contain no enforcement provisions. Such a strike has never happened before. ¶ Attempts to deal with the novelty of the crisis in international law have become entangled in the separate domestic law question of whether the president could order strikes on Syria without Congressional permission. ¶ Seeking the 2008 Democratic presidential nomination, Mr. Obama embraced a limited view of a president’s power to initiate war without Congress, telling [The Boston Globe](http://www.boston.com/news/politics/2008/specials/CandidateQA/ObamaQA/) that “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 the nation.” ¶ But by the 2011 conflict in Libya he abandoned his campaign view of presidential war powers as too limited. While the NATO intervention was authorized for international law purposes by the Security Council, in domestic law Congress did not authorize Mr. Obama to participate. But Mr. Obama’s [Office of Legal Counsel argued](http://www.justice.gov/olc/2011/authority-military-use-in-libya.pdf) that it was lawful for him to unilaterally order American forces to bomb Libya because of national interests in preserving regional stability and in supporting the “credibility and effectiveness” of the Security Council. ¶ In recent weeks, administration lawyers decided that it was within Mr. Obama’s constitutional authority to carry out a strike on Syria as well, even without permission from Congress or the Security Council, because of the “important national interests” of limiting regional instability and of enforcing the norm against using chemical weapons, Ms. Ruemmler said. ¶ But even if he could act alone, that left the question of whether he should. The lack of a historical analogue and traditional factors that have justified such operations, she said, contributed to his decision to go to Congress. ¶ “The president believed that it was important to enhance the legitimacy of any action that would be taken by the executive,” Ms. Ruemmler said, “to seek Congressional approval of that action and have it be seen, again as a matter of legitimacy both domestically and internationally, that there was a unified American response to the horrendous violation of the international norm against chemical weapons use.” ¶ At [a news conference](http://www.whitehouse.gov/photos-and-video/video/2013/09/04/president-obama-and-prime-minister-reinfeldt-hold-press-conference) last week, Mr. Obama argued that the United States should “get out of the habit” of having the president “stretch the boundaries of his authority as far as he can” while lawmakers “snipe” from the sidelines. But he also explained his decision in terms of very special circumstances: humanitarian interventions where there is no immediate pressure to act and the United Nations is blocked. ¶ Jack Goldsmith, a head of the Office of Legal Counsel in the Bush administration, said the limited criteria cited by Mr. Obama mean his move might not apply to more traditional future interventions. The more important precedent, he said, may concern international law and what he portrayed as Mr. Obama’s dismissive attitude toward whether or not having permission from the Security Council should stop humanitarian interventions. ¶ Mr. Obama has in recent days repeatedly portrayed the Security Council system as incapable of performing its function of “[enforcing international norms and international law](http://www.latimes.com/world/worldnow/la-fg-wn-obama-syria-20130906%2C0%2C6749160.story),” and as so paralyzed by the veto power wielded by Russia that it is instead acting as a “barrier” to that goal. ¶ Mr. Goldsmith said that in the Kosovo campaign, the Clinton administration shied away from arguing that it was consistent with international law to carry out a military attack not authorized by the Security Council purely for humanitarian reasons. Its fear was that such a doctrine could be misused by other nations, loosening constraints on war. ¶ In his [2009 Nobel Peace Prize acceptance speech](http://www.nytimes.com/2009/12/11/world/europe/11prexy.text.html?pagewanted=all), Mr. Obama said all nations “must adhere to standards that govern the use of force.” But he also argued that humanitarian grounds justified military force and cited “the Balkans,” leaving ambiguous whether he meant Bosnia, [which had some Security Council approval](http://www.securitycouncilreport.org/un-documents/search.php?ctype=Bosnia%20&%20Herzegovina&rtype=Security%20Council%20Resolutions&cbtype=bosnia-herzegovina&search=%22Security%20Council%20Resolutions%22%20AND%20%22Bosnia%20%26%20Herzegovina%22&__mode=tag&IncludeBlogs=10&limit=15&page=2); Kosovo, which did not; or both. ¶ Ms. Ruemmler said that while an attack on Syria “may not fit under a traditionally recognized legal basis under international law,” the administration believed that given the novel factors and circumstances, such an action would nevertheless be “justified and legitimate under international law” and so not prohibited. ¶ Still, she acknowledged that it was “more controversial for the president to act alone in these circumstances” than for him to do so with Congressional backing. ¶ Steven G. Bradbury, a head of the Office of Legal Counsel in the Bush administration, said it would be “politically difficult” to order strikes if Congress refused to approve them. But he predicted future presidents would not feel legally constrained to echo Mr. Obama’s request. “Every overseas situation, every set of exigent circumstances, is a little different, so I don’t really buy that it’s going to tie future presidents’ hands very much,” he said. ¶ But Harold H. Bruff, a University of Colorado law professor who is one of the authors of a [casebook on the separation of powers](http://www.cap-press.com/books/isbn/9781594607417/Separation-of-Powers-Law-Third-Edition), argued that the episode would have enduring political ramifications. “I’m sure that Obama or some later president will argue later that they can still choose whether or not to go to Congress,” he said. “But it does raise the political cost of a future president not going to Congress because the precedent will be cited against him or her.”

# 1nc solvency

**Obama will circumvent the plan**

**Lohmann 13** [Julia, director of the Harvard Law National Security Research Committee, BA in political science from the University of California, Berkeley, “Distinguishing CIA-Led from Military-Led Targeted Killings,” 1/28, <http://www.lawfareblog.com/wiki/the-lawfare-wiki-document-library/targeted-killing/effects-of-particular-tactic-on-issues-related-to-targeted-killings/>]

The U.S. military—in particular, the Special Operations Command (SOCOM), and its subsidiary entity, the Joint Special Operations Command (JSOC)—is responsible for carrying out military-led targeted killings.¶ Military-led targeted killings are subject to various legal restrictions, including a complex web of statutes and executive orders. For example, because the Covert Action Statute does not distinguish among institutions undertaking covert actions, targeted killings conducted by the military that fall within the definition of “covert action” set forth in 50 U.S.C. § 413(b) are subject to the same statutory constraints as are CIA covert actions. 50 U.S.C. § 413b(e). However, as Robert Chesney explains, many military-led targeted killings may fall into one of the CAS exceptions—for instance, that for traditional military activities—so that the statute’s requirements will not always apply to military-led targetings. Such activities are exempted from the CAS’s presidential finding and authorization requirements, as well as its congressional reporting rules.¶ Because such unacknowledged military operations are, in many respects, indistinguishable from traditional covert actions conducted by the CIA, this exception may provide a “loophole” allowing the President to circumvent existing oversight mechanisms without substantively changing his operational decisions. However, at least some military-led targetings do not fall within the CAS exceptions, and are thus subject to that statute’s oversight requirements. For instance, Chesney and Kenneth Anderson explain, some believe that the traditional military activities exception to the CAS only applies in the context of overt hostilities, yet it is not clear that the world’s tacit awareness that targeted killing operations are conducted (albeit not officially acknowledged) by the U.S. military, such as the drone program in Pakistan, makes those operations sufficiently overt to place them within the traditional military activities exception, and thus outside the constraints of the CAS.¶ Chesney asserts, however, that despite the gaps in the CAS’s applicability to military-led targeted killings, those targetings are nevertheless subject to a web of oversight created by executive orders that, taken together, largely mirrors the presidential authorization requirements of the CAS. But, this process is not enshrined in statute or regulation and arguably could be changed or revoked by the President at any time. Moreover, this internal Executive Branch process does not involve Congress or the Judiciary in either ex ante or ex post oversight of military-led targeted killings, and thus, Philip Alston asserts, it may be insufficient to provide a meaningful check against arbitrary and overzealous Executive actions.

# 1nc sop

**Alt causes- implementation and enforcement**

**Mariam 13** – PhD, JD, teaches political science at California State University, San Bernardino (Alemayehu, April 29, 2013, “Watching American Diplocrisy in Ethiopia,” http://open.salon.com/blog/almariam/2013/04/27/watching\_american\_diplocrisy\_in\_ethiopia)JCP

Diplomacy by hypocrisy is “diplocrisy”.

Edmund Burke, the British statesman and philosopher, said “Hypocrisy can afford to be magnificent in its promises, for never intending to go beyond promise, it costs nothing.” We’ve heard many promises on human rights in Africa from President Obama and his Administration over the past four years. “We will work diligently with Ethiopia to ensure that strengthened democratic institutions and open political dialogue become a reality for the Ethiopian people… We will work for the release of jailed scholars, activists, and opposition party leaders… We align ourselves with men and women around the world who struggle for the right to speak their minds, to choose their leaders, and to be treated with dignity and respect…. Africa’s future belongs to its young people… We’re going to keep helping empower African youth… Africa doesn’t need strongmen, it needs strong institutions. We support strong and sustainable democratic governments…. America will be more responsible in extending our hand. Aid is not an end in itself… [Dictatorship] is not democracy, [it] is tyranny, and now is the time for it to end… America is watching…” All empty promises and cheap talk.

Last week, the U.S. State Department released its annual Human Rights Report for 2013. In his remarks launching that report, Secretary of State John Kerry announced

…[These] reports show brave citizens around the world and those who would abuse them that America is watching…

So anywhere that human rights are under threat, the United States will proudly stand up, unabashedly, and continue to promote greater freedom, greater openness, and greater opportunity for all people. And that means speaking up when those rights are imperiled. It means providing support and training to those who are risking their lives every day so that their children can enjoy more freedom. It means engaging governments at the highest levels and pushing them to live up to their obligations to do right by their people...

Is America really “watching” and “standing up”?

I am always curious when someone is watching. Big Brother is watching! Aargh!!

When Kerry tells “brave citizens” in Ethiopia like Eskinder Nega, Reeyot Alemu, Wobshet Taye, Sertkalem Fasil, Bekele Gerba, Olbana Lelisa, Abubekar Ahmed, Ahmedin Jebel, Ahmed Mustafa and so many others “America is watching”, what does he mean? **Does he mean America is watching them rot** in Meles **Zenawi Prison #1** in Kality and/**or #2** in Zewai**? Does he mean America is watching** Ethiopia **like birdwatchers watch birds?** Or like amateur astronomers watching the starry night sky? Perhaps like daydreaming tourists at the beach watching the waves crash and the summer clouds slowly drifting inland?

Is “watching” a good or a bad thing? If we believe Albert Einstein, watching is no good. “**The world will not be destroyed by those who do evil, but by those who watch them without doing anything.”** (Silent watchers, watch out!) Like Nero Claudius Caesar who watched Rome burn from the hilltops singing and playing his lyre. Or, (I hate to say it but it would be hypocritical of me not to) like **Susan Rice who watched Rwanda burn. Her only question was, “If we use the word 'genocide' and are seen as doing nothing, what will be the effect on the November [Congressional] election?”**

I like it when Human Rights Watch (HRW) watches because when they watch they witness. They saw the genocide and crimes against humanity in the Ogaden and Gambella and they have witnesses. They watched independent journalists jacked up in kangaroo court and railroaded to Meles Prison #1 or #2. (Sounds like the equivalent of a hotel chain? Well, they do put chain and ball on innocent people at the Meles Zenawi Hilton.)

I like watching watchdogs watch crooks, criminals and outlaws. I mean “watchdog journalists” like Eskinder, Reeyot, Serkalem, Woubshet and many others. These journalists used to watch power abusers and alert citizens of the crimes they were watching. Now the criminals are watching them in solitary at the Meles Zenawi Hilton.

I also like the way the watchdogs’ watchdog watch those who dog the watchdogs. I am referring to the Committee to Protect Journalists (CPJ). The CPJ guys are like McGruff, the crime watchdog, always tracking to “take bites out of crimes” committed against journalists. Not long ago, they watched and sounded the alarm that Reeyot Alemu was heading to solitary confinement just because she complained about inhumane and inhuman treatment in Meles Zenawi Prison. Last week, the CPJ watched Woubshet Taye being hauled from the Meles Zenawi Prison #1 to Meles Zenawi Prison #2. (They think he will be forgotten by the world lost in the armpits of Meles Zenawi Prison #2.)

I pity those who just watch. Like the “foolish and senseless people, who have eyes but do not see, who have ears but do not hear” or those who may “indeed see but not perceive, and may indeed hear but not understand.” I have no idea what the Obama Administration is watching, perceiving or seeing in Ethiopia? I would like to believe they are watching human rights abuses and abusers and the criminals against humanity. But how is it possible to watch with arms folded, ears plugged and wearing welding goggles? I wonder: Could they be watching the tragicomedy, “The Trials and Tribulations of the Apostles of Meles”? Perhaps they are watching kangaroo courts stomping all over justice and decency? I am certain they are not watching the political prisoners. Perhaps they are watching the horror movie, “Dystopia in Ethiopia”? Sure, it’s a scary movie but it really isn’t real. But if it is real, what’s the big deal? The same horror film has been playing all over Africa since before independence. Get over it!

From where I am watching, the Obama Administration seems to be watching Ethiopia peekaboo style; you know, cover your face with the palms of your hand and “watch” between the fingers. “I seee yooou!” That is, stealing elections, sucking the national treasury dry, handing over the best land in the country to bloodsucking multinationals, jailing journalists and ripping off the people.

Doesn’t “America is watching,” sound like Orwellian doublespeak. You know, “War is peace. Freedom is slavery. Ignorance is strength.” Dictatorship is democracy. Watching is turning a blind eye.

When America is watching, those being watched in Ethiopia are watching America watching them. They watch America waffling and shuffling, double-talking, flip-flopping and dithering, equivocating, pretending, hemming and hawing and hedging and dodging. But those chaps in Ethiopia watch like George Orwell’s Big Brother (Nineteen Eighty-Four) who watched everybody and everything in Oceania. Well, Big Brother Meles is gone from Ethiopiana but the "Little Brothers of the Party of Meles" keep on watching and yodeling:

…The Party seeks power entirely for its own sake. We are not interested in the good of others; we are interested solely in power, pure power. What pure power means you will understand presently. We are different from the oligarchies of the past in that we know what we are doing. All the others, even those who resembled ourselves, were cowards and hypocrites. The German Nazis and the Russian Communists came very close to us in their methods, but they never had the courage to recognize their own motives. They pretended, perhaps they even believed, that they had seized power unwillingly and for a limited time, and that just around the corner there lay a paradise where human beings would be free and equal. We are not like that. We know what no one ever seizes power with the intention of relinquishing it. Power is not a means; it is an end. One does not establish a dictatorship in order to safeguard a revolution; one makes the revolution in order to establish the dictatorship. The object of persecution is persecution. The object of torture is torture. The object of power is power. Now you begin to understand me.

Oceania Ethiopiana!

I have been watching America watching Ethiopia for a very long time. I have been watching the Obama Administration watching and coddling the criminals against humanity in Ethiopia, Rwanda and Uganda. I must confess that I enjoy watching and re-watching President Obama’s speeches in Accra, Cairo, Istanbul and elsewhere. “History is on the side of brave Africans...” (whatever that means).

I liked watching former Secretary of State Hilary Clinton declare moral victory on the Chinese and capture the commanding moral heights. “We don’t want to see a new colonialism in Africa… It is easy to come in, take out natural resources, pay off leaders and leave… and not leave much behind for the people who are there.” Right on! Power to the people of Africa! Down with colonialism! (I think that may be a bit passé.)

Sometimes I feel bad watching. When I watch hard earned American tax dollars bankrolling ruthless African dictators who laugh straight to the bank to deposit their American tax dollars, I really get bummed out. I am peeved when I watch the American people being flimflammed into believing their tax dollars are supporting democracy, human rights and American values in Africa. But when I watch those miserable panhandlers “enfolded in the purple of Emperors” bashing and trashing America on their way back from depositing their foreign aid welfare checks, I just plain get pissed off!!

 “America is watching,” but is America watching where its tax dollars are going? It is NOT. According to an audit report by the Office of the Inspector General of US AID in March 2010 (p. 1), there is no way to determine the fraud, waste and abuse of American tax dollars in Ethiopia:

The audit was unable to determine whether the results reported in USAID/Ethiopia’s Performance Plan and Report were valid because agricultural program staff could neither explain how the results were derived nor provide support for those results. Indeed, when the audit team attempted to validate the reported results by tracing from the summary amounts to the supporting detail, it was unable to do so at either the mission or its implementing partners… In the absence of a complete and current performance management plan, USAID/Ethiopia is lacking an important tool for monitoring and managing the implementation of its agricultural program.

Watching diplocrisy in Technicolor

There is nothing more mind-bending and funny than watching hypocrisy in Technicolor. Earlier this month, in an act of shameless diplocrisy, Secretary Kerry expressed grave reservations about the legitimacy of the election of Nicolás Maduro as president of Venezuela. Maduro won the election by a razor thin margin of 50.66 percent of the votes. Opposition leader Henrique Capriles rejected the results alleging irregularities and demanding a recount of all votes.

Kerry supported Capriles’ demand for a recount. “We think there ought to be a recount… Obviously, if there are huge irregularities, we are going to have serious questions about the viability of that [Maduro] government.” White House spokesman Jay Carney also issued a statement calling for a recount of all the votes.

… Given the tightness of the result -- around 1 percent of the votes cast separate the candidates -- the opposition candidate and at least one member of the electoral council have called for a 100 percent audit of the results. And this appears an important, prudent and necessary step to ensure that all Venezuelans have confidence in these results. In our view, rushing to a decision in these circumstances would be inconsistent with the expectations of Venezuelans for a clear and democratic outcome.

In May 2010 when the late Meles Zenawi claimed 99.6 percent victory in the parliamentary elections and leaders from Medrek, the largest opposition coalition, and the smaller All Ethiopia Unity Party alleged glaring election fraud, vote rigging and denial of American food aid to poor farmers unless they voted for the ruling party, the U.S. response was “see no evil, hear no evil and speak no evil.” White House National Security Spokesman Mike Hammer could only express polite “concern” and muted “disappointment”:

We acknowledge the conclusion of Ethiopia’s parliamentary elections on May 23, 2010...

We are concerned that international observers found that the elections fell short of international commitments. We are disappointed that U.S. Embassy officials were denied accreditation and the opportunity to travel outside of the capital on Election Day to observe the voting. The limitation of independent observation and the harassment of independent media representatives are deeply troubling.

An environment conducive to free and fair elections was not in place even before Election Day. In recent years, the Ethiopian government has taken steps to restrict political space for the opposition through intimidation and harassment, tighten its control over civil society, and curtail the activities of independent media. We are concerned that these actions have restricted freedom of expression and association and are inconsistent with the Ethiopian government’s human rights obligations.

…We urge the Ethiopian government to ensure that its citizens are able to enjoy their fundamental rights. We will work diligently with Ethiopia to ensure that strengthened democratic institutions and open political dialogue become a reality for the Ethiopian people.

Victory by 50.66 percent is irrefutable evidence of election fraud in Venezuela but "all Ethiopians should have confidence" in the 99.6 percent election victory of Meles Zenawi? Sounds like election certification in Oceania. Rigged elections are free and fair elections!

Watching “fools, idiots” and sanctimonious diplocrites

If Susan Rice is to be believed, critics of Meles Zenawi and his regime (and by implication critics of U.S. policy that supports the regime) are “fools and idiots”. I guess if one must choose between being a “fool/idiot” and a hypocrite/diplocrite, one is well-advised to choose the former. A fool does or does not do the right thing because s/he lacks intelligence and understanding. S/he has the potential to learn and make right choices. But the cunning diplocrite does the wrong thing with full knowledge and understanding of the wrongfulness of his/her acts. S/he is unteachable and incorrigible. No one knows more about the difference between right and wrong than diplocrites, yet they do wrong because they don’t give a \_ \_ \_ \_!

The U.S. has been practicing diplocrisy in Ethiopia for the past two decades. It has propped up the regime of Meles Zenawi with billions of dollars of “development” and “humanitarian” aid while filling the stomachs of starving Ethiopians with empty words and emptier promises. Since 1991, the West in general has provided Meles’ regime nearly $30 billion in aid. In 2008 alone, $3 billion in international aid was delivered on a silver platter to Meles, more than any other nation in sub-Saharan Africa. In March 2011, Howard Taylor, head of the British aid program declared Ethiopia will receive $2 billion in British development assistance. In 2010, the EU delivered £152m to Meles Zenawi.

In December 2010, Human Rights Watch called on the Development Assistance Group (DAG), a coordinating body of 26 foreign donor institutions for Ethiopia to “independently investigate allegations that the Ethiopian government is using development aid for state repression.” In July 2010, a DAG-commissioned study issued a whitewash denying all allegations of improper use of aid. In August 2011, the Bureau of Investigative Journalism and the BBC reported the “Ethiopian government is using millions of pounds of international aid to punish their political opponents.” The report presented compelling evidence of how “aid is being used as a weapon of oppression propping up the government of Meles Zenawi.” Despite numerous documented reports of aid abuse and misuse, Western leaders and governments continue to hide behind a policy of plausible deniability and the massaged and embellished reports of swarms faceless international poverty-mongers creeping invisibly in Ethiopia.

The Center for Global Development in its comprehensive 2012 report cautioned, “The United States could be making a dangerous long-term bet with its assistance dollars by placing so little emphasis on governance in Ethiopia”, and US policymakers should temper their expectations for future development prospects in Ethiopia under the current regime. Sorry, no one is listening at the U.S. State Department, only watching.

Watching truth on the scaffold and wrong on the throne

“America is watching.” But is anybody watching America? The people of Ethiopia are watching America asking, “Is America watching? Watching what?”

The powerful don’t believe the powerless are watching them because they equate powerlessness with blindness. The powerless do watch because that is all they can do. They watch boots pressing down on their necks. They watch crimes committed against them as they sit helplessly with empty stomachs and hearts filled with terror. When Kerry says, “America is watching”, he should be mindful that Ethiopia’s poor and powerless are watching America with outrage on their faces, sorrow in their hearts and resentment in their minds.

**SOP resilient**

Rosman 96 [Michael E. Rosman (General Counsel @ Center for Individual Rights; JD from Yale); Review of “FIGHTING WORDS: INDIVIDUALS, COMMUNITIES AND LIBERTIES OF SPEECH”; Constitutional Commentary 96 (Winter, p. 343-345)]

**Of course, the other branches also shove at the boundaries of branch power**--FDR's Court-packing plan being one notable example of this practice. Sometimes the law of unintended consequences grabs hold. **Perhaps the Court-packing plan concentrated the Justices' minds on finding ways to hold New Deal legislation constitutional,** but it also blew up in FDR's face politically.

At least **for the last two hundred years,** however**, no branch has managed to expand its power to the point of delivering an obvious knock-out blow to another branch. Seen from this broader perspective, cases** such as Morrison,(33) Bowsher v. Synar,(34) and Mistretta v. United States(35) **surely alter the balance of branch power at a given historical moment, but do not change the fundamental and brute fact that** the Constitution puts three institutional heavyweights into a ring where they are free to bash each other.

**Judicialocentrism tends to obscure this obvious point because it causes people to dwell on the hard cases that reach the Supreme Court. The power of separation of powers, however, largely resides in its ability to keep the easy cases from ever occurring. For instance, Congress, although it tries to weaken the President from time to time, has not tried to reduce the President to a ceremonial figurehead a la the Queen of England. Similarly, Congress does not make a habit of trying cases that have been heard by the courts.** This list could be continued indefinitely.

**The Supreme Court has had two hundred years to muck about with separation-of-powers doctrine. Over that time, scores of Justices--each with his or her own somewhat idiosyncratic view of the law--have sat on the bench.** Scholars have denounced separation-of-powers jurisprudence **as** a mess. But the Republic endures, at least more or less. These historical facts tend to indicate that the Court need not rush to change its approach to separation of powers to prevent a slide into tyranny.

**No solvency- US signals are dismissed**

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

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

**No Russian War**

Weitz ‘11 (Richard, senior fellow at the Hudson Institute and a World Politics Review senior editor, “Global Insights: Putin not a Game-Changer for U.S.-Russia Ties,” <http://www.scribd.com/doc/66579517/Global-Insights-Putin-not-a-Game-Changer-for-U-S-Russia-Ties>, September 27, 2011)

Fifth, there will inevitably be areas of conflict between Russia and the United States regardless of who is in the Kremlin. Putin and his entourage can never be happy with having NATO be Europe's most powerful security institution, since Moscow is not a member and cannot become one. Similarly, the Russians will always object to NATO's missile defense efforts since they can neither match them nor join them in any meaningful way. In the case of Iran, Russian officials genuinely perceive less of a threat from Tehran than do most Americans, and Russia has more to lose from a cessation of economic ties with Iran -- as well as from an Iranian-Western reconciliation. On the other hand, these conflicts can be managed, since they will likely remain limited and compartmentalized. Russia and the West do not have fundamentally conflicting vital interests of the kind countries would go to war over. And as the Cold War demonstrated, nuclear weapons are a great pacifier under such conditions. Another novel development is that Russia is much more integrated into the international economy and global society than the Soviet Union was, and Putin's popularity depends heavily on his economic track record. Beyond that, there are objective criteria, such as the smaller size of the Russian population and economy as well as the difficulty of controlling modern means of social communication, that will constrain whoever is in charge of Russia.

**No China war**

**Macdonald, 11** – US Institute of Peace (5/11, Bruee W., Testimony before the U.S.-China Economic and Security Review Commission on The Implications of China’s Military and Civil Space Programs, pdf)

In the face of this growing Chinese military space challenge, it is easy to assume the worst about Chinese intentions. China seeks to be able to prevail militarily at some point in the future should conflict come, but they see the United States as militarily superior to them and thus would be unlikely to consciously provoke any military conflict. While we should guard against a worst case, we should not treat it as a given. I do not believe China or the PLA is spoiling for a fight with the United States – China has come too far to want to place their substantial economic achievements at risk unless they faced an extraordinary threat to their national security. In addition, China faces serious demographic realities over the next couple of decades, where their ratio of workers to retirees will shrink substantially (the result of their one- child policy), which further underscores China’s need for stability and continued economic growth for years to come. China also has additional needs, and vulnerabilities: • Growing environmental problems and water shortages with no obvious solutions that are growing irritants to the public; • A relentless search for new sources of manufacturing inputs; • An increasingly restive working class that is making new demands for higher wages and political freedoms; • A non-democratic one-party system that leaves its senior leadership constantly looking over its shoulder at possible challenges to its authority, especially in the aftermath of the “Arab Spring”; • Growing citizen anger against corruption and cronyism that seems impossible for the CCP to root out; and many more. These factors are reasons why China is probably not looking for war with the United States, though they also could inadvertently become factors in China’s stumbling into a conflict they would ordinarily not want, through miscalculation or distraction.

**No indopak war – deterrence checks escalation**

Ganguly ‘8 (Sumit Ganguly is a professor of political science and holds the Rabindranath Tagore Chair at Indiana University, Bloomington. “Nuclear Stability in South Asia,” International Security, Vol. 33, No. 2 (Fall 2008), pp. 45–70, Fall 2008)

As the outcomes of the 1999 and 2001–02 crises show, nuclear deterrence is robust in South Asia. Both crises were contained at levels considerably short of full-scale war. That said, as Paul Kapur has argued, Pakistan’s acquisition of a nuclear weapons capability may well have emboldened its leadership, secure in the belief that India had no good options to respond. India, in turn, has been grappling with an effort to forge a new military doctrine and strategy to enable it to respond to Pakistani needling while containing the possibilities of conflict escalation, especially to the nuclear level.78 Whether Indian military planners can fashion such a calibrated strategy to cope with Pakistani probes remains an open question. This article’s analysis of the 1999 and 2001–02 crises does suggest, however, that nuclear deterrence in South Asia is far from parlous, contrary to what the critics have suggested. Three specific forms of evidence can be adduced to argue the case for the strength of nuclear deterrence. First, there is a serious problem of conflation in the arguments of both Hoyt and Kapur. Undeniably, Pakistan’s willingness to provoke India has increased commensurate with its steady acquisition of a nuclear arsenal. This period from the late 1980s to the late 1990s, however, also coincided with two parallel developments that equipped Pakistan with the motives, opportunities, and means to meddle in India’s internal affairs—particularly in Jammu and Kashmir. The most important change that occurred was the end of the conflict with the Soviet Union, which freed up military resources for use in a new jihad in Kashmir. This jihad, in turn, was made possible by the emergence of an indigenous uprising within the state as a result of Indian political malfeasance.79 Once the jihadis were organized, trained, armed, and unleashed, it is far from clear whether Pakistan could control the behavior and actions of every resulting jihadist organization.80 Consequently, although the number of attacks on India did multiply during the 1990s, it is difficult to establish a firm causal connection between the growth of Pakistani boldness and its gradual acquisition of a full-fledged nuclear weapons capability.

Second, India did respond with considerable force once its military planners realized the full scope and extent of the intrusions across the Line of Control. Despite the vigor of this response, India did exhibit restraint. For example, Indian pilots were under strict instructions not to cross the Line of Control in pursuit of their bombing objectives.81 They adhered to these guidelines even though they left them more vulnerable to Pakistani ground ªre.82 The Indian military exercised such restraint to avoid provoking Pakistani fears of a wider attack into Pakistan-controlled Kashmir and then into Pakistan itself. Indian restraint was also evident at another level. During the last war in Kashmir in 1965, within a week of its onset, the Indian Army horizontally escalated with an attack into Pakistani Punjab. In fact, in the Punjab, Indian forces successfully breached the international border and reached the outskirts of the regional capital, Lahore. The Indian military resorted to this strategy under conditions that were not especially propitious for the country. Prime Minister Jawaharlal Nehru, India’s first prime minister, had died in late 1964. His successor, Lal Bahadur Shastri, was a relatively unknown politician of uncertain stature and standing, and the Indian military was still recovering from the trauma of the 1962 border war with the People’s Republic of China.83 Finally, because of its role in the Cold War, the Pakistani military was armed with more sophisticated, U.S.-supplied weaponry, including the F-86 Sabre and the F-104 Starfighter aircraft. India, on the other hand, had few supersonic aircraft in its inventory, barring a small number of Soviet-supplied MiG-21s and the indigenously built HF-24.84 Furthermore, the Indian military remained concerned that China might open a second front along the Himalayan border. Such concerns were not entirely chimerical, because a Sino-Pakistani entente was under way. Despite these limitations, the Indian political leadership responded to Pakistani aggression with vigor and granted the Indian military the necessary authority to expand the scope of the war. In marked contrast to the politico-military context of 1965, in 1999 India had a self-confident (if belligerent) political leadership and a substantially more powerful military apparatus. Moreover, the country had overcome most of its Nehruvian inhibitions about the use of force to resolve disputes.85 Furthermore, unlike in 1965, India had at least two reserve strike corps in the Punjab in a state of military readiness and poised to attack across the border if given the political nod.86 Despite these significant differences and advantages, the Indian political leadership chose to scrupulously limit the scope of the conflict to the Kargil region. As K. Subrahmanyam, a prominent Indian defense analyst and political commentator, wrote in 1993:.

The awareness on both sides of a nuclear capability that can enable either country to assemble nuclear weapons at short notice induces mutual caution. This caution is already evident on the part of India. In 1965, when Pakistan carried out its “Operation Gibraltar” and sent in infiltrators, India sent its army across the cease-fire line to destroy the assembly points of the infiltrators. That escalated into a full-scale war. In 1990, when Pakistan once again carried out a massive infiltration of terrorists trained in Pakistan, India tried to deal with the problem on Indian territory and did not send its army into Pakistan-occupied Kashmir.87

# 1nc warfighting

**Status quo solves- political accountability and funding threats – AND the aff doesn’t**

Jide Nzelibe 5 (Assistant Professor of Law, Northwestern University Law School) and John Yoo (Professor of Law, University of California at Berkeley School of Law (Boalt Hall), and Visiting Scholar, American Enterprise Institute.) 2005 “R a t ion al W a r a nd C ons t itut ion al D esi g n” http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1067&context=facpubs

 A significant number of scholars have argued that the President remains more politically accountable than other institutions. Indeed, much of the current work on the separation of powers commonly assumes that the President answers to a "**national constituency**," while Congress usually looks to "parochial interests." 1 7 Critics of the majoritarian President, on the other hand, emphasize that the Electoral College's winner-take-all system gives the President an incentive to cater to a narrower political constituency than the median legislator. 1 8 Despite these varying views on the accountability of the political branches, one can reasonably conclude that presidential accountability will become more pronounced in matters of foreign policy and national security. In foreign affairs, the Constitution's Framers indisputably attempted to suppress the parochial interests that had beset the Articles of Confederation. They centralized authority over national security, foreign policy, and international trade in the national government. 1 9 Over time, control over those issues has migrated to the executive branch, a fact that even critics of the "imperial presidency" recognize. 2 ° More importantly, Presidents are often identified with the nation's successes or failures in foreign policy, and they will bear the lion's share of the electoral consequences of victory or defeat in war." The benefits of delegating war power to the executive might be outweighed by a variety of agency costs. The President, for example, might wish only to satisfy the majority necessary to elect him, which could constitute as little as twenty-five percent of the population (the fifty percent of the states with fifty percent of the electoral votes) .22 Alternatively, the President might be a lame duck in his second term, or he might have a short time horizon that extends only to the next election. A President might use war as a pretext to expand his powers, which he could misuse for domestic purposes. 2 3 Finally, a President might seek personal glory in war rather than the national interest. Arguments in favor of a requirement that Congress first authorize war, however, do not explain how congressional participation would reduce these agency costs. If **Congress seeks to represent the median voter,** as some theories of legislation suggest, then it is unclear that Congress's constituency is any broader than the President's. The median member of the House of Representatives could represent a constituency that is as little as twenty-five percent of the electorate. 4 The constitutional allocation of Senate seats might bias Congress toward the interests of rural areas. Congress might be **just as susceptible** as the President to the temptation of using war as a pretext to expand its domestic powers. During the McCarthy era, members of Congress, rather than the executive branch, pressed to reduce civil liberties because of national security concerns. Congress also might have objects in mind that have more to do with national glory than with the real interests of the electorate. The War of 1812 centered more on the congressional dream of adding Canada to the American republic than on national self-defense or presidential ambitions. 2 5 The choice between the Congress-first view and the current system of war powers is not one of total versus zero congressional participation. The question really is one of ex ante versus ex post participation. Even under the strongest President-first theories, Congress still retains the ability to check presidential foreign policy and national security decisions through the funding power. Often Congress can exercise that authority ex ante. It had the opportunity, for example, to prevent Presidents from waging the Persian Gulf War, the Kosovo conflict, and the wars in Afghanistan and Iraq by refusing to appropriate money before the fighting began. Some Congress-first scholars doubt the effectiveness of Congress's appropriation power in constraining presidential military ventures,2 6 but **Congress has frequently used the threat** to cut off funding to force withdrawal of forces and terminate conflicts. 7 With the high costs of modern conflict, any significant military undertaking will require Presidents to seek congressional cooperation. Critics of presidential power fail to explain why political accountability would be enhanced by requiring that Congress not just provide funding for military hostilities ex ante, but also go to the additional step of enacting legislation authorizing the conflict.

**Congressional partisanship and institutional factors make the aff entirely ineffective**

Gene Healy 2009 (vice president at the Cato Institute) “Reclaiming the War Power” http://object.cato.org/sites/cato.org/files/serials/files/cato-handbook-policymakers/2009/9/hb111-10.pdf

 Each of these proposals has the merit of demanding that Congress carry the burden the Constitution places upon it: responsibility for the decision to go to war. The Gelb-Slaughter plan shows particular promise. Although Congress hasn’t declared war since 1942, reviving the formal declaration would make it harder for legislators to punt that decision to the president, as they did in Vietnam and Iraq. Hawks should see merit in making declarations mandatory, since a declaration commits those who voted for it to support the president and provide the resources he needs to prosecute the war successfully. Doves too should find much to applaud in the idea: forcing Congress to take a stand might concentrate the mind wonderfully and reduce the chances that we will find ourselves spending blood and treasure in conflicts that were not carefully examined at the outset. But we should be clear about the difficulties that comprehensive war powers reform entails. Each of these reforms presupposes a Congress eager to be held accountable for its decisions, a judiciary with a stomach for interbranch struggles, and a voting public that rewards political actors who fight to put the presidency in its place. Representative Jones’s Consti- tutional War Powers Resolution, which seeks to draw the judiciary into the struggle to constrain executive war making, ignores the Court’s resistance to congressional standing, as well as the 30-year history of litigation under the War Powers Resolution, a history that shows how adept the federal judiciary is at constructing rationales that allow it to avoid picking sides in battles between Congress and the president. Even if Jones’s Constitutional War Powers Resolution or Ely’s Combat Authorization Act could be passed today, and even if the courts, defying most past practice, grew bold enough to rule on whether hostilities were imminent, there would be still another difficulty; as Ely put it: ‘‘When we got down to cases and a court remanded the issue to Congress, would Congress actually be able to follow through and face the issue whether the war in question should be permitted to proceed? Admittedly, the matter is not entirely free from doubt.’’ It’s worth thinking about how best to tie Ulysses to the mast. But the problem with legislative schemes designed to force Congress to ‘‘do the right thing’’ is that Congress seems always to have one hand free. Statutory schemes designed to precommit legislators to particular procedures do not have a terribly promising track record. Historically, many such schemes have proved little more effective than a dieter’s note on the refrigerator. No mere statute can truly bind a future Congress, and in areas ranging from agricultural policy to balanced budgets, Congress has rarely hesitated to undo past agreements in the pursuit of short-term political advantage. A : 14431$CH10 11-11-08 14:18:58 Page 113 Layout: 14431 : Odd 113 C ATO H ANDBOOK FOR P OLICYMAKERS **If checks on executive power are to be restored, we will need far less Red Team–Blue Team politicking—and many more legislators** than we currently have who are **willing to put the Constitution ahead of party loyalty**. That in turn will depend on a public willing to hold legislators accountable for ducking war powers fights and ceding vast authority to the president. Congressional courage of the kind needed to reclaim the war power will not be forthcoming unless and until American citizens demand it.

**Congress-first doesn’t promote deliberation or selective warfighing**

Jide Nzelibe 2005(Assistant Professor of Law, Northwestern University Law School) and John Yoo (Professor of Law, University of California at Berkeley School of Law (Boalt Hall), and Visiting Scholar, American Enterprise Institute.) 2005 “R a t ion al W a r a nd C ons t itut ion al D esi g n” <http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1067&context=facpubs>

We must compare the impact of Type I and Type II errors under a Congress-first system with the results of a President-first approach. Presidents may cause the United States to begin wars that appear unnecessary or unwise initially; however, some of these conflicts may look better in hindsight. The **Cold War experience**, which provides the best examples of major military hostilities conducted without ex ante congressional authorization, does not stand as an unambiguous example of how legislative control promotes institutional deliberation and results in better conflict selection. Many of the conflicts, such as Panama and Grenada, ended successfully for the United States. To be sure, the Korean War, which many would consider a draw, did not, but the Korean War may have succeeded in its broader objectives of containing the expansion of communism in East Asia. Statements defending congressional approval of military hostilities, in effect, argue that congressional authorization produces deliberation, consensus, and good selection of wars. However, there is little or no empirical data to support this conclusion, and some of **the best known anecdotes from the historical record point in the other direction**. If empirical data on American wars would be too difficult to analyze, perhaps we should proceed along a different line, by constructing better models of state behavior in the international system to judge the efficacy of warmaking arrangements. We do not claim that the empirical record shows that a President-first approach is always superior. We argue that the Congress-first approach is based on unproven and questionable assumptions, and that as a matter of theory an approach that allows the President to choose whether to seek congressional support for war will be superior. We do not attempt to provide new empirical analysis here, but we will show as a matter of theory why the Congress-first approach does not provide the benefits claimed by its proponents

**Congressional decision-making is not more accurate – lack of intel**

Jide Nzelibe 2005 (Assistant Professor of Law, Northwestern University Law School) and John Yoo (Professor of Law, University of California at Berkeley School of Law (Boalt Hall), and Visiting Scholar, American Enterprise Institute.) 2005 “R a t ion al W a r a nd C ons t itut ion al D esi g n” <http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1067&context=facpubs>

A second dimension that ought to guide our evaluation of the decision- making process for war is whether the Congress-first model or the President- first model yields more accurate decisions. In many circumstances, considering multiple perspectives can improve the quality of decision-making by elected officials. But it may be that Congress, with all of its peculiar institutional deficits and disabilities, is unlikely to improve decision-making accuracy. As a preliminary matter, Congress does not seem to have access to better forms of information than the executive branch. It seems that **Presidents have more incentive to invest in methods for obtaining better info**rmation. For instance, if there is any domestic backlash against erroneous intelligence, the President is more likely to be blamed than members of Congress.2"

**Data disproves hegemony impacts**

**Fettweis, 11** Christopher J. Fettweis, Department of Political Science, Tulane University, 9/26/11, Free Riding or Restraint? Examining European Grand Strategy, Comparative Strategy, 30:316–332, EBSCO

It is perhaps worth noting that there is no evidence to support a direct relationship between the relative level of U.S. activism and international stability. In fact, the limited data we do have suggest the opposite may be true. During the 1990s, the United States cut back on its defense spending fairly substantially. By 1998, the United States was spending $100 billion less on defense in real terms than it had in 1990.51 To internationalists, defense hawks and believers in hegemonic stability, this irresponsible “peace dividend” endangered both national and global security. “No serious analyst of American military capabilities,” argued Kristol and Kagan, “doubts that the defense budget has been cut much too far to meet America’s responsibilities to itself and to world peace.”52 On the other hand, if the pacific trends were not based upon U.S. hegemony but a strengthening norm against interstate war, one would not have expected an increase in global instability and violence.

The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable United States military, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums, no security dilemmas drove insecurity or arms races, and no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat of international war was not a pressing concern, despite the reduction in U.S. capabilities. Most of all, the United States and its allies were no less safe. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and kept declining as the Bush Administration ramped the spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated.

Military spending figures by themselves are insufficient to disprove a connection between overall U.S. actions and international stability. Once again, one could presumably argue that spending is not the only or even the best indication of hegemony, and that it is instead U.S. foreign political and security commitments that maintain stability. Since neither was significantly altered during this period, instability should not have been expected. Alternately, advocates of hegemonic stability could believe that relative rather than absolute spending is decisive in bringing peace. Although the United States cut back on its spending during the 1990s, its relative advantage never wavered.

However, even if it is true that either U.S. commitments or relative spending account for global pacific trends, then at the very least stability can evidently be maintained at drastically lower levels of both. In other words, even if one can be allowed to argue in the alternative for a moment and suppose that there is in fact a level of engagement below which the United States cannot drop without increasing international disorder, a rational grand strategist would still recommend cutting back on engagement and spending until that level is determined. Grand strategic decisions are never final; continual adjustments can and must be made as time goes on. Basic logic suggests that the United States ought to spend the minimum amount of its blood and treasure while seeking the maximum return on its investment. And if the current era of stability is as stable as many believe it to be, no increase in conflict would ever occur irrespective of U.S. spending, which would save untold trillions for an increasingly debt-ridden nation.

It is also perhaps worth noting that if opposite trends had unfolded, if other states had reacted to news of cuts in U.S. defense spending with more aggressive or insecure behavior, then internationalists would surely argue that their expectations had been fulfilled. If increases in conflict would have been interpreted as proof of the wisdom of internationalist strategies, then logical consistency demands that the lack thereof should at least pose a problem. As it stands, the only evidence we have regarding the likely systemic reaction to a more restrained United States suggests that the current peaceful trends are unrelated to U.S. military spending. Evidently the rest of the world can operate quite effectively without the presence of a global policeman. Those who think otherwise base their view on faith alone.

**Heg inevitable**

**Friedman** **10 –** American political scientist and author. He is the founder, chief intelligence officer, financial overseer, and CEO of the private intelligence corporation Stratfor. He has authored several books (George, “The Next 100 Years” p 13-31)

We are now in an America- centric age. To understand this age, we must understand the United States, not only because it is so powerful but because its culture will permeate the world and deﬁne it. Just as French culture and British culture were deﬁnitive during their times of power, so American culture, as young and barbaric as it is, will deﬁne the way the world thinks and lives. So studying the twenty- ﬁrst century means studying the United States. If there were only one argument I could make about the twenty- ﬁrst century, it would be that the European Age has ended and that the North American Age has begun, and that North America will be dominated by the United States for the next hundred years. The events of the twentyﬁrst century will pivot around the United States. That doesn’t guarantee that the United States is necessarily a just or moral regime. It certainly does not mean that America has yet developed a mature civilization. It does mean that in many ways the history of the United States will be the history of the twenty- ﬁrst century. There is a deep- seated belief in America that the United States is approaching the eve of its destruction. Read letters to the editor, peruse the Web, and listen to public discourse. Disastrous wars, uncontrolled deﬁcits, high gasoline prices, shootings at universities, corruption in business and government, and an endless litany of other shortcomings—all of them quite real—create a sense that the American dream has been shattered and that America is past its prime. If that doesn’t convince you, listen to Europeans. They will assure you that America’s best day is behind it. The odd thing is that all of this foreboding was present during the presidency of Richard Nixon, together with many of the same issues. There is a continual fear that American power and prosperity are illusory, and that disaster is just around the corner. The sense transcends ideology. Environmentalists and Christian conservatives are both delivering the same message. Unless we repent of our ways, we will pay the price—and it may be too late already. It’s interesting to note that the nation that believes in its manifest destiny has not only a sense of impending disaster but a nagging feeling that the country simply isn’t what it used to be. We have a deep sense of nostalgia for the 1950s as a “simpler” time. This is quite a strange belief. With the Korean War and McCarthy at one end, Little Rock in the middle, and Sputnik and Berlin at the other end, and the very real threat of nuclear war throughout, the 1950s was actually a time of intense anxiety and foreboding. A widely read book published in the 1950s was entitled The Age of Anxiety. In the 1950s, they looked back nostalgically at an earlier America, just as we look back nostalgically at the 1950s. American culture is the manic combination of exultant hubris and profound gloom. The net result is a sense of conﬁdence constantly undermined by the fear that we may be drowned by melting ice caps caused by global warming or smitten dead by a wrathful God for gay marriage, both outcomes being our personal responsibility. American mood swings make it hard to develop a real sense of the United States at the beginning of the twentyﬁrst century. But the fact is that the United States is stunningly powerful. It may be that it is heading for a catastrophe, but it is hard to see one when you look at the basic facts. Let’s consider some illuminating ﬁgures. Americans constitute about 4 percent of the world’s population but produce about 26 percent of all goods and services. In 2007 U.S. gross domestic product was about $14 trillion, compared to the world’s GDP of $54 trillion—about 26 percent of the world’s economic activity takes place in the United States. The next largest economy in the world is Japan’s, with a GDP of about $4.4 trillion—about a third the size of ours. The American economy is so huge that it is larger than the economies of the next four countries combined: Japan, Germany, China, and the United Kingdom. Many people point at the declining auto and steel industries, which a generation ago were the mainstays of the American economy, as examples of a current deindustrialization of the United States. Certainly, a lot of industry has moved overseas. That has left the United States with industrial production of only $2.8 trillion (in 2006): the largest in the world, more than twice the size of the next largest industrial power, Japan, and larger than Japan’s and China’s industries combined. There is talk of oil shortages, which certainly seem to exist and will undoubtedly increase. However, it is important to realize that the United States produced 8.3 million barrels of oil every day in 2006. Compare that with 9.7 million for Russia and 10.7 million for Saudi Arabia. U.S. oil production is 85 percent that of Saudi Arabia. The United States produces more oil than Iran, Kuwait, or the United Arab Emirates. Imports of oil into the country are vast, but given its industrial production, that’s understandable. Comparing natural gas production in 2006, Russia was in ﬁrst place with 22.4 trillion cubic feet and the United States was second with 18.7 trillion cubic feet. U.S. natural gas production is greater than that of the next ﬁve producers combined. In other words, although there is great concern that the United States is wholly dependent on foreign energy, it is actually one of the world’s largest energy producers. Given the vast size of the American economy, it is interesting to note that the United States is still underpopulated by global standards. Measured in inhabitants per square kilometer, the world’s average population density is 49. Japan’s is 338, Germany’s is 230, and America’s is only 31. If we exclude Alaska, which is largely uninhabitable, U.S. population density rises to 34. Compared to Japan or Germany, or the rest of Europe, the United States is hugely underpopulated. Even when we simply compare population in proportion to arable land—land that is suitable for agriculture—America has ﬁve times as much land per person as Asia, almost twice as much as Europe, and three times as much as the global average. An economy consists of land, labor, and capital. In the case of the United States, these numbers show that the nation can still grow—it has plenty of room to increase all three. There are many answers to the question of why the U.S. economy is so powerful, but the simplest answer is military power. The United States completely dominates a continent that is invulnerable to invasion and occupation and in which its military overwhelms those of its neighbors. Virtually every other industrial power in the world has experienced devastating warfare in the twentieth century. The United States waged war, but America itself never experienced it. Military power and geographical reality created an economic reality. Other countries have lost time recovering from wars. The United States has not. It has actually grown because of them. Consider this simple fact that I’ll be returning to many times. The United States Navy controls all of the oceans of the world. Whether it’s a junk in the South China Sea, a dhow off the African coast, a tanker in the Persian Gulf, or a cabin cruiser in the Caribbean, every ship in the world moves under the eyes of American satellites in space and its movement is guaranteed—or denied—at will by the U.S. Navy. The combined naval force of the rest of the world doesn’t come close to equaling that of the U.S. Navy. This has never happened before in human history, even with Britain. There have been regionally dominant navies, but never one that was globally and overwhelmingly dominant. This has meant that the United States could invade other countries—but never be invaded. It has meant that in the ﬁnal analysis the United States controls international trade. It has become the foundation of American security and American wealth. Control of the seas emerged after World War II, solidiﬁed during the ﬁnal phase of the European Age, and is now the ﬂip side of American economic power, the basis of its military power. Whatever passing problems exist for the United States, the most important factor in world affairs is the tremendous imbalance of economic, military, and political power. Any attempt to forecast the twenty- ﬁrst century that does not begin with the recognition of the extraordinary nature of American power is out of touch with reality. But I am making a broader, more unexpected claim, too: the United States is only at the beginning of its power. The twenty ﬁrst century will be the American century.

# 1nc groupthink

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

Pillar, 13 -- Brookings Foreign Policy Senior Fellow

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

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

#### Restraint now- Syria proves

Corn, 13 -- Mother Jones' Washington Bureau chief

[David, "Obama, Syria, and Congress: Why Did He Go There?" Mother Jones, 9-6-13, www.motherjones.com/politics/2013/09/why-obama-sought-congressional-authorization-syria, accessed 9-21-13, mss]

Given all these swirling and complicated political dynamics, why did Obama grant Congress the right to hold him hostage? Some cynics have suggested that he might be seeking a way out of the corner he red-lined himself into. The polls show a strike would likely be highly unpopular among American voters, and experts of various ideological bents have raised serious questions about the efficacy and impact of a limited US military assault designed to deter Assad from the further use of chemical weapons. If Congress doesn't green light the endeavor, Obama can say he gave it a shot and retreat. Others have slammed Obama for not having the spine to go it alone, speculating he felt the need for political cover. But there's an alternative explanation: He's doing the right thing—or what he believes is the right thing. A former senior Obama adviser who still works with the White House says, "Look at this. Is there any other explanation, other than he thinks this is what he ought to do?" Meaning that Obama, the former law professor, is paying heed to the constitutional notion that the president shares war-making responsibility with Congress. Though this question has long been a source of unresolved conflict between presidents and legislators—and Obama did not seek congressional approval for the military action in Libya and has ordered drone strikes without official Capitol Hill backing—he does appear to be sympathetic to the idea that a president does not possess unhindered and unchecked war-making authority. During the 2008 campaign, he declared, "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 the nation."

#### No group think- data

Sally Rigs Fuller 1998 (School of Business Administration, University of Wisconsin) and Ramon J. Aldag (School of Business, University of Wisconsin—Madison) “Organizational Tonypandy: Lessons from a Quarter Century of the Groupthink Phenomenon” ORGANIZATIONAL BEHAVIOR AND HUMAN DECISION PROCESSES

Vol. 73, Nos. 2/3, February/March, pp. 163–184, 1998, http://liquidbriefing.com/twiki/pub/Dev/RefFuller1998/Organizational\_tonypandy.pdf

There could, of course, be a very simple explanation for this widespread acceptance: research relating to the phenomenon might be uniformly supportive. In fact, though, our review of the groupthink literature (Aldag and Fuller, 1993) indicates that this is not the case. For example, following that review, we noted that, . . . most support for groupthink has come from retrospective case studies that have focused on decision fiascoes rather than comparing the decision-making processes associated with good versus bad decisions. Experimental studies of groupthink have considered only a small portion of the model, often without a cohesive group and in situations inconsistent with Janis’s (1971, 1972, 1982, 1989) antecedents. Furthermore, they have relied exclusively on student samples dealing with hypothetical or simulated decisions, with resultant problems for external validity. Military strategists, managers, politicians, or other “real-world” decision makers have never been used. In the laboratory, many real-world group characteristics, including ongoing power relationships ORGANIZATIONAL TONYPANDY 167 and political maneuverings, have been necessarily ignored. Although student samples in laboratory settings may be valuable to address many issues relating to group problem solving, their use to examine groupthink is problematic. In addition, we have argued that it is inappropriate to attempt to generalize from the “hot” decision situations characterizing the fiascoes (primarily major military policy decisions or groups facing natural disasters) on which early case evidence for groupthink was based. We have also contended that **there is little support** for the full groupthink model; **in fact, in no study have** all **results been consistent** with the model. In addition, Janis made no changes in, or additions to, the groupthink model despite evidence of the relevance of many additional variables, including group norms, the nature of the task, the degree of leader power, and stage of group development. Indeed, our review of the research suggests that the **groupthink** phenomenon per se **lacks empirical support and rests on** generally **unsupported assumptions**. Failures to support groupthink predictions have regularly been viewed as evidence of partial sup- port or as signals that the research methodology was flawed. In our view, groupthink researchers and theorists have unwittingly acted, in Janis’s terms, as virtual mindguards of the groupthink phenomenon.

#### Groupthink not responsible for past interventions- other explanations overlooked and key- they can’t solve

Scheeringa 10 (Daniel, Was the Decision to Invade Iraq and the Failure of Occupation Planning a Case of Groupthink? Thesis submitted to the faculty of the Virginia Polytechnic Institute and State University in partial fulfillment of the requirements for the degree of Master of Arts In Political Science. pg. lexis)

This thesis also examines literature that suggests alternative explanations for the Bush administration‟s decisions. The imperfect applicability of groupthink theory to those decisions leads me to hypothesize that the decision to invade and the failure to plan the occupation were the results of other types of cognitive error, combined with ideological agenda setting. In “Invading and Occupying Iraq: Some Insights from Political Psychology” Houghton uses the non-theoretical literature on the Iraq war to examine the cognitive errors present in the decision process. Groupthink was only one error in a list that included the drunkard‟s search, impulse decisions, improper use of analogy and the prominence of denial and wishful thinking, among others. Houghton finds evidence pointing to the presence of groupthink in some of the behavior of President Bush and top officials, and especially in places such as the Coalition Provisional Authority and the Pentagon‟s Office of Special Plans35. In “Decision Making during International Crises,” Janis and Herek test the hypothesis that high-quality decision-making procedures during crises are associated with better results than poor decision-making procedures. To differentiate high quality from low quality, the authors judge each process using seven symptoms of defective decision-making. These criteria are: gross omission in surveying alternatives, gross omissions in surveying objectives, failure to examine major costs and risks of preferred choice, poor information search, selective bias in processing information at hand, failure to reconsider originally rejected alternatives, failure to work out detailed implementation, monitoring, and contingency plans. When applying these criteria to a series of international crises since World War II, Janis and Herek found sizable relationships between positive outcomes and decision-making processes that avoided the seven symptoms.36 In “The Case for Multiple Advocacy in Making Foreign Policy,” Alexander George prescribes a foreign policy decision-making process where the decision maker institutes a structured competition among differing viewpoints that results in a mixed system that combines a centralized management system with a pluralistic system.37 In “The Transformation of Policy Ideas” and Rethinking the World: Great Power Strategies and International Order, Legro maintains that collective ideas, especially those regarding foreign policy, change as a result of a process of collapse and consolidation. A significant external shock is not sufficient to change collective ideas, but must be followed by social coordination around the new idea.38

#### Congress doesn’t solve- more of the same

Haidt, 13 --University of Virginia social psychology professor

[Jonathan, "Fix Our Divided, Dysfunctional Congress," 9-23-13, billmoyers.com/groupthink/state-of-the-union-responses/fix-our-divided-dysfunctional-congress/, accessed 9-23-13, mss]

Our legislative process is broken. We’re deciding some of the most important issues of our day not based on what’s best for the country, or on careful deliberation, but based on what terms can possibly survive the shredding machine of our divided Congress as it lurches past its self-imposed deadlines. We are not making the best laws we can, and our children are going to pay the price in higher taxes and reduced benefits. Should we just throw up our hands in despair? Or should we roll up our sleeves and do something about it? My top priority for 2013 is political reform. At every step of the process, from the gerrymandering of our electoral districts to the way we fund elections to the way the minority is blocked from introducing legislation in both houses, our democracy has become anti-democratic. It’s too prone to corruption by special interests and polarized dysfunction. I will convene a group of elder statesmen — including political scientists and former members of Congress from both parties — to recommend a package of reforms that will stop the madness. A great nation must have a way to pass good laws.

#### Political constraints check the impact

Eric Posner, Professor of Law, The University of Chicago Law School, and Adrian Vermeule, Professor of Law, Harvard Law School, March 2011, The Executive Unbound, p. 176-7

So far we have attempted to show that the administrative state relaxes legal constraints on the executive, but generates political constraints in the form of public opinion. In this chapter we fit this picture together with the fear of unbridled executive power that is such a prominent strand in liberal legalism. We suggest that liberal legalists overlook the importance of de facto constraints arising from politics, and thus equate a legally unconstrained executive with one that is unconstrained tout court. The horror of dictatorship that results from this fallacy and that animates liberal legalism is what we call "tyrannophobia." Tyranny looms large in the American political imagination. For the framers of the Constitution, Caesar, Cromwell, James II, and George III were antimodels; for the current generation, Hitler takes pride of place, followed by Stalin, Mao, and a horde of tyrants both historical and literary. Students read 1984 and Animal Farm and relax by watching Chancellor Palpatine seize imperial power in Star Wars. Unsurprisingly, comparisons between sitting presidents and the tyrants of history and fiction are a trope of political discourse. Liberals and libertarians routinely compared George W. Bush to Hitler, George III, and Caesar. Today, Barack Obama receives the same treatment, albeit in less respectable media of opinion. All major presidents are called a "dictator" or said to have "dictatorial powers" from time to time.' Yet the United States has never had a Caesar or a Cromwell, or even come close to having one, and rational actors should update their risk estimates in the light of experience, reducing them if the risk repeatedly fails to materialize. By now, 235 years after independence, these risk estimates should be close to zero. Why then does the fear of dictatorship—tyrannophobia—persist so strongly in American political culture? Is the fear justified, or irrational? Does tyrannophobia itself affect the risk of dictatorship? If so, does it reduce the risk or increase it?

#### No escalation or adventurism

Weiner 2007

Michael Anthony, J.D. Candidate, Vanderbilt School of Law, 2007, “A Paper Tiger with Bite: A Defense of the War Powers Resolution,” http://www.vanderbilt.edu/jotl/manage/wp-content/uploads/Weiner.pdf

IV. CONCLUSION: THE EXONERATED WPR AND THE WOLF IN SHEEP'S CLOTHING The WPR is an effective piece of war powers legislation. As Part III made clear, no presidential unilateral use of force since 1973 has developed into a conflict that in any way resembles the WPR's impetus, Vietnam. Rather, the great majority of these conflicts have been characterized by their brevity, safety, and downright success. Yes, there have been tragic outcomes in Lebanon and Somalia; but what happened in response to those tragedies? In Lebanon, President Reagan actually submitted to being Congress's "messengerboy," 203 asking for its permission, per the WPR, to continue the operation. And in Somalia, at the first sight of a looming disaster, it was President Clinton who cut short the operation. Thus, from 1973 on, it is easy to argue that sitting Executives have made responsible use of their power to act unilaterally in the foreign affairs realm. The WPR has even contributed to a congressional resurgence in the foreign affairs arena. In many of these conflicts, we have seen Congress conducting numerous votes on whether and how it should respond to a unilaterally warring Executive. In some of the conflicts, Congress has come close to invoking the WPR against rather impetuous Executives. 20 4 In Lebanon, Congress actually succeeded in the task.20 5 It is this Note's contention, though, that even when Congress failed to legally invoke the WPR, these votes had normative effects on the Executives in power. Such votes demonstrate that Congress desires to be, and will try to be, a player in foreign affairs decisions. So, perhaps the enactment of the WPR, the rise of Congress (at least in the normative sense) and the successful string of unilateral presidential uses of force are just a series of coincidences. This Note, however, with common sense as its companion, contends that they are not. Rather, it is self-evident that the WPR has played a significant role in improving the implementation of presidential unilateral uses of force.

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

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

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

# courts

**congress won’t enforce the plan**

**Vlahos 13**, Kelly B, Editor for the American Conservative Magazine, “Beware Lawyers Bearing AUMF Fix,” 4/10, http://original.antiwar.com/vlahos/2013/04/09/beware-lawyers-bearing-aumf-fix/

For those of us who have been dutifully following the mission creep catastrophe we call the GWOT, there are two fire engine red flags flapping in the winds of this AUMF “reform” effort. One, the CGWW recommendation suggests that in order to get on “the list,” a group must show “sufficient capability and planning that it presents an imminent threat to the United States.” They go on to insist the criteria for this listing process should be “as specific as possible,” with congress making it “clear precisely what it means by key terms such as ‘imminent’ and ‘belligerent act.’” The process, in addition, would be “robust to ensure careful deliberation and strong accountability,” with auditing and reporting and transparency throughout. This all sounds quite positive. It also sounds too good to be true. **Every inch of the way**, Congressional oversight of our national security policy has been a shame and a disaster. Our elected officials have not proven themselves worthy of this task. Until the February filibuster by Sen. Rand Paul, who demanded clear distinctions in regards to the White House drone program (and even then, the administration has left many questions unanswered, like how does it define ‘imminent danger’?), congress has **never exercised its full watchdog authority** when it comes to military and CIA operations abroad. All we know now about the Executive Branch’s targeting killing has been leaked, like the secret DOJ “white paper” which offered a (lame) legal defense for the killing of Americans on foreign soil, and not offered freely. “The search for meaningful constraints on power is indeed the central challenge of our constitutional system. But Congress has an **abysmal track record** of successfully reining in presidential uses of force overseas. And there is little cause for hope it will succeed here,” wrote Slate’s Deborah Pearlstein on the AUMF debate, in March. Who’s going to trust the White House to get it right either? “For one thing, it was some of the best legal minds in the Obama administration that managed to produce the 2011 DOJ white paper on targeted killings of U.S. citizens, and that was a piece of legalistic garbage that enraged liberals and conservatives alike. Why imagine that administration input into a new AUMF would be any better than that DOJ white paper?” charged Brooks. Nevertheless, Republican lawmakers like Sen. Corker seem to think it is their duty to create a new AUMF, as though it would be used to “constrain” the president’s overreaching powers of the last decade. Be sure to keep your ears open for this approach: “For far too long, Congress has failed to fully exercise its constitutional responsibility to authorize the use of military force, including in the current struggle against al Qaeda, so I urge the committee to consider updating current antiterrorism authorities to adapt to threats that did not exist in 2001 and to better protect our nation while upholding our morals and values,” Corker said in his March statement. But (Ret.) Maj. Todd Pierce, who served as an Army judge advocate general (JAG) in the Office of Chief Defense Counsel for the U.S Military Commissions, balks at such a suggestion. “Congress has no ‘constitutional responsibility’ to place the U.S in what amounts to a state of permanent war on the pretext that the mere threat of terrorism is the equivalent of a state of war.” A permanent war state, fed and shielded by bureaucracy, sustained domestically by the politics of fear, seems to be what we are talking about here, not restraint nor constitutional awareness. Remember, at the same time this is going on, there is a major push to replace our withdrawing conventional soldiers from the war zone with Special Forces in Afghanistan, across Africa, the Middle East and beyond (forces which are already operating in 75 countries – that we know about — today).

**Congress can’t exercise oversight – too incompetent**

**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.

**Even if there is oversight it’s super limited**

**Pillar ’10** [Paul, 28-year veteran of the Central Intelligence Agency (CIA), a visiting professor at Georgetown University for security studies and a member of the Center for Peace and Security Studies, PhD and MA from Princeton, “The Importance and Limits of Congressional Oversight,” Dec. 7, <http://nationalinterest.org/blog/paul-pillar/the-importance-limits-congressional-oversight-4532>]

A more commonly perceived function of oversight is whip-cracking: riding herd on executive agencies that are seen as prone to screwing up if someone else isn't nagging them about their deficiencies. But this presumed function not only is unlikely to be changed by any rearrangement of committees; it is a function that barely gets performed at all, and is unlikely ever to be performed effectively. One reason is that it assumes a superior level of dedication and/or knowledge in the legislative branch over the executive branch. One can always find centers of lousy performance, of course, that would benefit from someone else poking into the center's business. But there is no general reason to presume that executive branch managers are any less motivated than members of Congress to try to conduct the nation's business well, and there is a plenty of reason to believe that they are more knowledgeable about their particular part of the nation's business.¶ A more fundamental reason this presumed oversight function will never get performed well is that Congress is not disposed to pay good, sustained, careful attention to just about anything. With members who are distracted by countless other matters, preoccupied with the hot issues of the day, and more interested in the politics than the substance of most issues, Congressional attention is highly episodic. Even on recognizably important issues, if there is no political percentage in going into the details of the issue, attention is scant. Work of the intelligence community on Iraq, for example, that Congress would later pick apart in excruciating detail after the Bush administration's war went sour got very little attention before the war began—and other work even more relevant to the later souring got no attention at all. It is usually only after, not before, a failure or flap that Congress gets engaged. And then it engages in, as Ignatius puts it, “finger-pointing and second guessing,” which is not to be confused with oversight.¶ The intensified partisanship on Capitol Hill has made the prospects for good oversight even worse. Over three decades of dealing with the House and Senate intelligence committees, I saw a marked increase in partisanship and with it a significant deterioration in the committees' effectiveness.¶ Yes, let us hope that Congress does what it can to improve its end of intelligence and homeland security. But don't get your hopes up about how much positive difference any changes that occur will make in how well Congress does its business, much less in how well the executive branch works.

# overview

**Nuclear Iran kills U.S. hegemony – emboldens enemies and weakens alliances**

Takeyh and Lindsay, 10

[James M. Lindsay, Senior Vice President, Director of Studies, and Maurice R. Greenberg Chair, Ray Takeyh, Senior Fellow for Middle Eastern Studies “After Iran Gets the Bomb Containment and Its Complications,” March/April 2010, <http://www.cfr.org/publication/22182/after_iran_gets_the_bomb.html>]

 The dangers of Iran's entry into the nuclear club are well known: emboldened by this development, Tehran might multiply its attempts at subverting its neighbors and encouraging terrorism against the United States and Israel; the risk of both conventional and nuclear war in the Middle East would escalate; more states in the region might also want to become nuclear powers; the geopolitical balance in the Middle East would be reordered; and broader efforts to stop the spread of nuclear weapons would be undermined. The advent of a nuclear Iran—even one that is satisfied with having only the materials and infrastructure necessary to assemble a bomb on short notice rather than a nuclear arsenal—would be seen as a major diplomatic defeat for the United States. **Friends and foes would openly question the U.S. government's power** and resolve to shape events in the Middle East. **Friends would respond by distancing themselves from Washington; foes would challenge U.S. policies more aggressively**. Such a scenario can be avoided, however. Even if Washington fails to prevent Iran from going nuclear, it can contain and mitigate the consequences of Iran's nuclear defiance. It should make clear to Tehran that acquiring the bomb will not produce the benefits it anticipates but isolate and weaken the regime. Washington will need to lay down clear "redlines" defining what it considers to be unacceptable behavior—and be willing to use military force if Tehran crosses them. It will also need to reassure its friends and allies in the Middle East that it remains firmly committed to preserving the balance of power in the region. Containing a nuclear Iran would not be easy. It would require considerable diplomatic skill and political will on the part of the United States. And it could fail. A nuclear Iran may choose to flex its muscles and test U.S. resolve. Even under the best circumstances, the opaque nature of decision-making in Tehran could complicate Washington's efforts to deter it. Thus, it would be far preferable if Iran stopped—or were stopped—before it became a nuclear power. Current efforts to limit Iran's nuclear program must be pursued with vigor. Economic pressure on Tehran must be maintained. Military options to prevent Iran from going nuclear must not be taken off the table.

**Even if their defense is true, it still jacks credibility**

Bolton, senior fellow – AEI, 4/15/’11

(John, <http://www.aei.org/article/103463>)

Inside Iran, we now have confirmation—thanks to disclosures this month by an Iranian opposition group, which have been confirmed by Iranian officials—that the regime has the capability to mass-produce critical components for centrifuges used to enrich uranium to weapons-grade levels. That news proves again the inefficacy of U.N. Security Council resolutions and sanctions against a determined adversary.

Thus Iran's weapons program proceeds full steam ahead, which only emphasizes to would-be proliferators that persistence pays. Moammar Gadhafi surrendered his nuclear weapons program in 2003-04 because he feared becoming the next Saddam Hussein, but he is now undoubtedly cursing his timidity. Had he made seven years of progress toward deliverable nuclear weapons, there would surely be no NATO bombing of his military today.

An Iranian nuclear capability would undoubtedly cause Saudi Arabia, Egypt, Turkey and perhaps others to seek their own deliverable nuclear weapons. We would therefore see a region substantially more in Iran's thrall and far more unstable and dangerous for Washington and its allies.

Moreover, America's failure to stop Iran's nuclear ambitions—which is certainly how it would be perceived worldwide—would be a substantial blow to U.S. influence in general. Terrorists and their state sponsors would see Iran's unchallenged role as terrorism's leading state sponsor and central banker, and would wonder what they have to lose.

**Congressional involvement cripples warfighting**

\*\*\*This is their 1ac separation-of-powers author

Weinberger 9 [Seth Weinberger, Assistant Professor in the Department of Politics and Government at the University of Puget Sound, M.A. and Ph.D. in Political Science from Duke University, "Balancing War Powers in an Age of Terror", The Good Society, 18(2), <http://muse.jhu.edu/journals/good_society/v018/18.2.weinberger.html>]

**In wartime**, however, **it may be** neither expedient nor strategically sound **for the president to be forced to come before Congress for permission for each and every legislative action deemed necessary** for the war effort. C**ircumstances in war are** fluid and unpredictable**, and legislation passed at one time may quickly become irrelevant or obsolete. The deliberation and compromise that are the hallmarks of congressional legislation may be ill-suited to war, which demands** swift and decisive action **to keep on top of rapidly shifting military situations**. As one scholar puts it, "**Congress at war is not a pretty sight. The legislative branch can be questioning and judgmental, impatient for victories yet free with inexpert advice, slow to provide the men and materiel for combat, reluctant to vote the taxes needed to pay for the war, critical of generals, and careless with secrets**."25 **In times in which the country faces an** existential, or otherwise exceedingly dangerous, threat**, it may not behoove the president, the military, or the nation as a whole to require the president to ask Congress time and time again to enact laws to advance the war effort.**

**Turns the whole case**

**Li ‘9**

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

A. The Emergence of Non-State Actors

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

**Executive weakness destroys credibility—causes wars everywhere**

Howell ‘7

William, professor of political science at U-Chicago, and Jon C. Pevehouse, professor of Political Science UW-Madison, “While Dangers Gather : Congressional Checks on Presidential War Powers,” 2007 ed.

SIGNALING RESOLVE To the extent that congressional discontent signals domestic irresolution to other nations, the job of resolving a foreign crisis is made all the more difficult. As Kenneth Schultz shows, an ''opposition party can undermine the credibility of some challenges by publicly opposing them. Since this strategy threatens to increase the probability of resistance from the rival state, it forces the government to be more selective about making threats "—and, concomitantly, more cautious about actually using military force.'4 When members of Congress openly object to a planned military operation, would-be **adversaries** of the United States may feel emboldened, believing that the president lacks the domestic support required to see a military venture through. Such nations, it stands to reason, will be more willing to enter conflict, and if convinced that the United States will back down once the costs of conflict are revealed, they may fight longer and make fewer concessions. Domestic political strife, as it were, weakens the ability of presidents to bargain effectively with foreign states, while increasing the chances that military entanglements abroad will become **protracted and unwieldy.** A large body of work within the field of international relations supports the contention that a nation's ability to achieve strategic military objectives in short order depends, in part**,** on the head of state's **credibility in conveying political resolve.** Indeed, a substantial game theoretic literature underscores the importance of domestic political institutions and public opinion as state leaders attempt to credibly commit to war,75 Confronting widespread and vocal domestic opposition, the president may have a difficult time signaling his willingness to see a military campaign to its end, While congressional opposition may embolden foreign enemies, the perception on the part of allies that the president lacks support may make them wary of **committing any troops at all.**

**Also causes rollback/circumvention**

Laura Young, Ph.D., Purdue University Associate Fellow, June 2013, Unilateral Presidential Policy Making and the Impact of Crises, Presidential Studies Quarterly, Volume 43, Issue 2

A president looks for chances to increase his power (Moe and Howell 1999). Windows of opportunity provide those occasions. These openings create an environment where the president faces little backlash from Congress, the judicial branch, or even the public. Though institutional and behavioral conditions matter, domestic and international crises play a pivotal role in aiding a president who wishes to increase his power (Howell and Kriner 2008, 475). These events overcome the obstacles faced by the institutional make-up of government. They also allow a president lacking in skill and will or popular support the opportunity to shape the policy formation process. In short, focusing events increase presidential unilateral power.

# Uq

**Obama is currently walking the diplomatic tightrope - leveraging military force to get Iran to agree to a nuclear deal – otherwise breakout and US-Israeli strikes are inevitable**

Myra McDonald (Foreign correspondent/reporter for Reuters) September 22, 2013 “Despite thaw, resolving Iranian nuclear dispute a huge challenge” http://www.reuters.com/article/2013/09/22/us-nuclear-iran-conditions-idUSBRE98L03Y20130922

The diplomatic thaw between the West and Iran could quickly chill again if the two sides are unable to master the many moving parts of Tehran's disputed nuclear program under the weight of more than three decades of distrust.¶ The dispute is not only about the West stopping Iran building a bomb, but also about preventing it expanding its capabilities to the point where it could make a dash for nuclear weapons - known as "breakout" - if it chose to.¶ Many different conditions need to be met even for an interim agreement to slow Iran's nuclear program and stop it reaching a point - expected by some nuclear experts by the middle of next year - when the United States and Israel could be drawn into military action to prevent it advancing further.¶ "The debate is more about breakout," said Shashank Joshi at the Royal United Services Institute (RUSI) in London.¶ Unlike India and Pakistan, which developed nuclear weapons in secret before publicly testing in 1998, Iran is a member of the Nuclear Non-Proliferation Treaty (NPT), subjecting it to international inspections. As a result, the outside world would know fairly quickly if it made a break for a nuclear bomb.¶ But Iran is advancing its nuclear capabilities - including the ability to enrich uranium - at such a rate that it has narrowed the time it would need for breakout, meaning it could build a bomb before the West had time to detect and stop it.¶ "In as much as they have the ability to indigenously develop a nuclear bomb, they already have a nuclear-weapons capability," said Joshi. "Now the issue that is looming is enrichment capacity. By the middle of next year, capacity will be so high that some fear that it would be at that dangerous level of undetectable breakout."¶ Iran has insisted it is not seeking nuclear weapons - an assertion reiterated last week by President Hassan Rouhani, whose diplomatic overtures to the West have raised hopes of progress in the long-running nuclear dispute.¶ Supreme Leader Ali Khamenei, who has ultimate authority over the nuclear program, has issued a fatwa, or religious ruling, against nuclear weapons, saying these are against Islam. Western nuclear experts believe that holds, for now.¶ But Khamenei's fatwa could change, said Mehdi Khalaji, a trained Shi'ite theologian and Iran scholar at the Washington Institute for Near East Policy, for example if Iranian rulers faced what they believed to be an existential threat.¶ "In Shia jurisprudence we believe that we don't have access to the truth, so it is in a way very relativistic." Decision-making in Iran, he said, is also driven by "the principle of expediency of the regime ... Therefore, the logic of the decision-making is more pragmatism and survivalism rather than the Islamic legal system."

# 2nc Links

The plan’s restriction on Obama destroys potential Iran negotiations and causes widespread backlash

Jon Alterman, CSIS Global Security Chair and Middle East Program Director, 9/4/13, US-Iran Nuclear Deal Hinges On Syria Vote, www.al-monitor.com/pulse/originals/2013/09/us-iran-nuclear-deal-hinges-on-syria-vote.html

Focusing solely on events in Syria, however, misses a large part of the Iranian calculus, if not the largest. What really matters to Iran is how successful Obama is in winning congressional support for his Syria policy. If he fails, it will deal a double blow to the president. Not only will the Iranian government dismiss the possibility of negotiations with his administration, it will also conclude that Obama can be defied with impunity. The international cost of domestic political failure would be profound.

To start, it is worth noting the extent to which foreign governments are sophisticated consumers of American political information. Decades of international cable news broadcasts and newspaper websites have brought intimate details of US politics into global capitals. Foreign ministers in the Middle East and beyond are US news junkies, and they seem increasingly distrustful of their embassies. For key US allies, the foreign minister often seems to have made him- or herself the US desk officer. Most can have a quite sophisticated discussion on congressional politics and their impact on US foreign relations.

The Iranian government is no exception. While former president Mahmoud Ahmedinejad was emotional and shrill in his opposition to the United States, there remains in Iran a cadre of Western-trained technocrats, fluent in English and nuanced in their understanding of the world. President Hassan Rouhani has surrounded himself with such people, and Supreme Leader Ayatollah Ali Khamenei has charged them with investigating a different relationship between Iran and the United States.

As they do so, they cannot help but be aware that on the eve of Rouhani’s inauguration, the US House of Representatives voted 400–20 to impose stiff additional sanctions on Iran. The House saw Rouhani’s electoral victory as a call for toughness, not potential compromise.

If Iran were to make concessions in a negotiation with the United States, they would surely seek sanctions relief and other actions requiring congressional approval. To make such concessions to Obama, they would need some confidence that he can deliver. A president who cannot bring around a hostile Congress is not a president with whom it is worth negotiating.

**Credible threat of military force is key to Iran deal – It is working now**

Emily B. Landau (Senior Research Associate at the Institute for National Security Studies (INSS)) September 18, 2013 “Force matters: Why Iran will only disarm under U.S. military pressure” http://www.haaretz.com/opinion/.premium-1.547782

The goal of threatening to use military force is not to use it, but to effect change on the party being threatened. If this can happen without force being used, this is the best possible outcome. So it is quite unwarranted to say that President Obama projected weakness and indecision by “backing down” from his punishment threat. In fact, the U.S. administration was the only actor that projected determination, and it got results – far better than anything that could have been achieved with a targeted and limited use of military force. Assad’s chemical arsenal was reportedly not even among the proposed targets for attack, for fear of possible dispersal of the dangerous chemicals as a result of the bombing itself. But without a firm threat, the deal would not have materialized.¶ While the U.S. and Russia were dangerously at odds over the use of military force in Syria, they were nevertheless both very much engaged in the unfolding crisis. The Europeans, by contrast, basically stepped aside. With Germany focused on national elections, the only calls for action came from France and Britain – but Cameron’s hands were quickly tied by parliament and France supported the United States taking action. Beyond that, the dominant message coming from Europe was one of sharp criticism of Obama: For threatening force without UN Security Council approval, and for not waiting for the UN inspectors’ report, although the question of who used chemical weapons was outside the inspectors’ mandate. One might have expected Europe to be more proactively concerned about this blatant violation of a strong international norm, and to at least have come up with an idea for breaking the impasse, rather than criticizing from the sidelines.¶ What does all of this mean for international efforts to stop Iran? The Syrian case has clearly demonstrated the essential role and importance of state-based leadership. Complex cases of WMD non-compliance will most likely not be resolved by “the UN," or even the Security Council. Rather, they will be decided by individual members of the Security Council – most importantly, by its strongest members, the United States and Russia.¶ The ability of these two global powers to work together no doubt strengthens their common goal to confront WMD noncompliance and threats. But the critical stage in the Syrian dynamic occurred before Russia came up with the deal, when the United States and Russia were at odds over the use of force. This is when the Obama administration’s moral and strategic leadership assumed center stage. Yes, the administration wavered, but Secretary of State John Kerry’s speech on August 30th and President Obama’s on September 10th were an affirmation of the administration’s determination not to remain inactive when the norm against chemical weapons was being so blatantly violated.¶ Determined WMD proliferators like Syria and Iran are not likely to back down and reverse course without facing a credible threat of military force. This lesson has been driven home by the Syrian case. While many were focused on Obama’s faltering efforts to garner support for his position both domestically and in the international arena, Russia and Syria believed he would attack, and this pushed the Russians to propose a diplomatic way out, and the Syrians to accept it.¶ Obama might even have surprised himself with his own determination to act, and by the fact that his threats were taken seriously, ultimately producing a deal. There will almost certainly be additional obstacles along the road of disarming Syria of its chemical weapons, which could reignite tensions between the two global powers over the question of use of force. Still, the issue is now on the international agenda in a manner that can no longer be ignored by the international community.¶ Moreover, this experience has shown that taking a firm stand in international affairs, even at the risk of being unpopular, can work, and it is a true test of leadership. In an interview from September 15th, this salient insight found expression when Obama referred to the Iranian nuclear crisis: he explicitly stated that a credible threat of force coupled with a diplomatic effort can produce results. If the president remains focused on this message in the period leading up to the next round of negotiations with Iran, he will be better positioned to succeed than he has been in the past five years.

# 2nc circumvention run

**Obama will circumvent the plan – that’s lohmann – he’ll create loopholes to avoid oversight**

**The executive will redefine the law to violate and ignore the plan**

Pollack, 13 -- MSU Guggenheim Fellow and professor of history emeritus [Norman, "Drones, Israel, and the Eclipse of Democracy," Counterpunch, 2-5-13, www.counterpunch.org/2013/02/05/drones-israel-and-the-eclipse-of-democracy/, accessed 9-1-13, mss]

Bisharat first addresses the transmogrification of international law by Israel’s military lawyers. We might call this damage control, were it not more serious. When the Palestinians first sought to join the I.C.C., and then, to receive the UN’s conferral of nonmember status on them, Israel raised fierce opposition. Why? He writes: “Israel’s frantic opposition to the elevation of Palestine’s status at the United Nations was motivated precisely by the fear that it would soon lead to I.C.C. jurisdiction over Palestinian claims of war crimes. Israeli leaders are unnerved for good reason. The I.C.C. could prosecute major international crimes committed on Palestinian soil anytime after the court’s founding on July 1, 2002.” In response to the threat, we see the deliberate reshaping of the law: Since 2000, “the Israel Defense Forces, guided by its military lawyers, have attempted to **remake the laws** of war by consciously violating them and then **creating new legal concepts to provide juridical cover** for their misdeeds.” (Italics, mine) In other words, habituate the law to the existence of atrocities; in the US‘s case, targeted assassination, repeated often enough, seems permissible, indeed clever and wise, as pressure is steadily applied to the laws of war. Even then, “collateral damage” is seen as unintentional, regrettable, but hardly prosecutable, and in the current atmosphere of complicity and desensitization, never a war crime. (**Obama is hardly a novice at** this game of **stretching the law to suit the convenience of**, shall we say, the **national interest**? In order to ensure the distortion in counting civilian casualties, which would bring the number down, as Brennan with a straight face claimed, was “zero,” the Big Lie if ever there was one, placing him in distinguished European company, Obama **redefined the meaning** of “combatant” status to be any male of military age throughout the area (which we) declared a combat zone, which noticeably led to a higher incidence of sadism, because it allowed for “second strikes” on funerals—the assumption that anyone attending must be a terrorist—and first responders, those who went to the aid of the wounded and dying, themselves also certainly terrorists because of their rescue attempts.) These guys play hardball, perhaps no more than in using—by report—the proverbial baseball cards to designate who would be next on the kill list. But funerals and first responders—verified by accredited witnesses–seems overly much, and not a murmur from an adoring public.

**Even if there aren’t loopholes, Obama will ignore the aff**

**Kumar 13** [Anita, White House correspondent for McClatchy Newspapers, former writer for The Washington Post, covering Virginia politics and government, and spent a decade at the St. Petersburg Times, writing about local, state and federal government both in Florida and Washington, “Obama turning to executive power to get what he wants,” 3/19 <http://www.mcclatchydc.com/2013/03/19/186309/obama-turning-to-executive-power.html#.Ue18CdK1FSE>]

“The expectation is that they all do this,” said Ken Mayer, a political science professor at the University of Wisconsin-Madison who wrote “With the Stroke of a Pen: Executive Orders and Presidential Power.” “That is the typical way of doing things.”¶ But, experts say, Obama’s actions are more noticeable because as a candidate he was critical of Bush’s use of power. In particular, he singled out his predecessor’s use of signing statements, documents issued when a president signs a bill that clarifies his understanding of the law.¶ “These last few years we’ve seen an unacceptable abuse of power at home,” Obama said in an October 2007 speech.. “We’ve paid a heavy price for having a president whose priority is expanding his own power.”¶ Yet Obama’s use of power echoes that of his predecessors. For example, he signed 145 executive orders in his first term, putting him on track to issue as many as the 291 that Bush did in two terms.¶ John Yoo, who wrote the legal opinions that supported an expansion of presidential power after the 2001 terrorist attacks, including harsh interrogation methods that some called torture, said he thought that executive orders were sometimes appropriate – when conducting internal management and implementing power given to the president by Congress or the Constitution – but he thinks that Obama has gone too far.¶ “I think President Obama has been as equally aggressive as President Bush, and in fact he has sometimes used the very same language to suggest that he would not obey congressional laws that intrude on his commander-in-chief power,” said Yoo, who’s now a law professor at the University of California at Berkeley. “This is utterly hypocritical, both when compared to his campaign stances and the position of his supporters in Congress, who have suddenly discovered the virtues of silence.”¶ Most of Obama’s actions are written statements aimed at federal agencies that are published everywhere from the White House website to the Federal Register. Some are classified and hidden from public view.¶ “It seems to be more calculated to prod Congress,” said Phillip J. Cooper, the author of “By Order of the President: The Use and Abuse of Executive Direct Action.” “I can’t remember a president being that consistent, direct and public.”¶ Bush was criticized for many of his actions on surveillance and interrogation techniques, but attention has focused on Obama’s use of actions mostly about domestic issues.¶ In his first two years in the White House, when fellow Democrats controlled Capitol Hill, Obama largely worked through the regular legislative process to try to achieve his domestic agenda. His biggest achievements – including a federal health care overhaul and a stimulus package designed to boost the economy –came about with little or no Republican support.¶ But Republicans took control of the House of Representatives in 2010, making the task of passing legislation all the more difficult for a man with a detached personality who doesn’t relish schmoozing with lawmakers. By the next year, Obama wasn’t shy about his reasons for flexing his presidential power.¶ In fall 2011, he launched the “We Can’t Wait” campaign, unveiling dozens of policies through executive orders – creating jobs for veterans, adopting fuel efficiency standards and stopping drug shortages – that came straight from his jobs bills that faltered in Congress.¶ “We’re not waiting for Congress,” Obama said in Denver that year when he announced a plan to reduce college costs. “I intend to do everything in my power right now to act on behalf of the American people, with or without Congress. We can’t wait for Congress to do its job. So where they won’t act, I will.”¶ When Congress killed legislation aimed at curbing the emissions that cause global warming, Obama directed the Environmental Protection Agency to write regulations on its own incorporating some parts of the bill.¶ When Congress defeated pro-union legislation, he had the National Labor Relations Board and the Labor Department issue rules incorporating some parts of the bill.¶ “The president looks more and more like a king that the Constitution was designed to replace,” Sen. Charles Grassley, R-Iowa, said on the Senate floor last year.¶ While Republicans complain that Obama’s actions cross a line, experts say some of them are less aggressive than they appear.¶ After the mass shooting in Newtown, Conn., in December, the White House boasted of implementing 23 executive actions to curb gun control. In reality, Obama issued a trio of modest directives that instructed federal agencies to trace guns and send information for background checks to a database.¶ In his State of the Union address last month, Obama instructed businesses to improve the security of computers to help prevent hacking. But he doesn’t have the legal authority to force private companies to act.¶ “The executive order can be a useful tool but there are only certain things he can do,” said Melanie Teplinsky, an American University law professor who’s spoken extensively on cyber-law.¶ Executive actions often are fleeting. They generally don’t settle a political debate, and the next president, Congress or a court may overturn them.¶ Consider the so-called Mexico City policy. With it, Reagan banned federal money from going to international family-planning groups that provide abortions. Clinton rescinded the policy. George W. Bush reinstated it, and Obama reversed course again.¶ But congressional and legal action are rare. In 1952, the Supreme Court threw out Harry Truman’s order authorizing the seizure of steel mills during a series of strikes. In 1996, the District of Columbia Court of Appeals dismissed an order by Clinton that banned the government from contracting with companies that hire workers despite an ongoing strike.¶ Obama has seen some pushback.¶ Congress prohibited him from spending money to move inmates from the Guantanamo Bay U.S. naval base in Cuba after he signed an order that said it would close. A Chinese company sued Obama for killing its wind farm projects by executive order after he said they were too close to a military training site. A federal appeals court recently ruled that he’d exceeded his constitutional powers when he named several people to the National Labor Relations Board while the Senate was in recess.¶ But Obama appears to be undaunted.¶ “If Congress won’t act soon to protect future generations,” he told Congress last month, “I will.”

**Plan can’t solve future president rollback**

**Fournier 13** [Ron Fournier is the Editorial Director of National Journal. Prior to joining National Journal, he worked at the Associated Press for 20 years, most recently as Washington Bureau Chief. Starting with a Little Rock posting, covering Bill Clinton's second term as governor, Fournier moved to Washington to report on the Clinton White House. He has won numerous awards for his work, including the Society of Professional Journalists' Sigma Delta Chi Award for coverage of the 2000 elections and a four-time winner of the prestigious White House Correspondents' Association Merriman Smith Memorial Award. His 2012 piece on the decline of U.S. institutions, "In Nothing We Trust," was awarded an honorable mention in David Brook’s essay contest, the Sidney Awards, “What If the Next President Is Even Worse?” 5-28 <http://www.nationaljournal.com/politics/what-if-the-next-president-is-even-worse-20130528>]

George W. Bush in 2001 declared war on a tactic (terrorism), and empowered Big Brother to tap phones, launch drones, and indefinitely imprison people without due process.¶ Barack Obama in 2008 declared those Bush policies an overreach, and pledged to curb drone strikes, protect media freedoms, and close the prison at Guantanamo Bay. Instead, he escalated drone strikes and spied on the media. Gitmo is still open for its grim business.¶ These are facts. And yet, they are distorted by extreme and narrow-minded partisans, supporters of both Bush and Obama.¶ Conservatives contend that Bush single-handedly prevented a major terrorist strike after Sept. 11, 2001. They demagogue efforts to shift the pendulum back toward civil liberties. Last week, when Obama finally proposed a modest reassessment of the Bush doctrine, Sen. Saxby Chambliss, R-Ga., claimed the efforts "will be viewed by terrorists as a victory."¶ Liberals hypocritically gave Obama a pass for furthering the same policies they condemned in 2008. Criticism from the left was half-hearted and muted, compared with their Bush-era indignation. On Gitmo, left-wingers rightly blamed the GOP for blocking closure but didn't shame Obama into using his executive authority to shutter the pit.¶ Some progressives even tried to justify the Obama administration's efforts to criminalize the work of a Fox News reporter. Would they be so blase about a White House targeting MSNBC?¶ As Leonard Downie Jr. wrote in Sunday's Washington Post, "Hardly anything seems immune from constitutionally dangerous politicking in a polarized Washington."¶ But that's no excuse for missing the big picture, which is this: Bush and Obama shouldn't worry you nearly as much as the next president.¶ Or the one after that.¶ Think about it, liberals. What if there is a president in your lifetime who is more conservative than Bush? What if that commander in chief is empowered, as were Bush and Obama, by a national tragedy and a compliant Congress?¶ Your guy Obama has armed a president-turned-zealot with dangerous powers and precedents.¶ Think about it, conservatives. It may be maddening to listen to Obama tie himself into knots over the balance between liberty and freedom, but what if the next Democratic president sees no limit on a commander in chief's powers? What if he or she doesn't give a whit about offending the mainstream media? The IRS targeting conservatives is a scandal, but there is no evidence that it was directed by the White House. What if the next Democratic president publicly declared his or her political opponents a direct threat to national security, and openly deployed federal agents against them?¶ Before your eyes roll out of your heads, it is not unthinkable that a future president could make Bush and Obama look downright libertarian. We live in an age of rapid connectivity and hyper-celebrity, forces that create, destroy, and often resurrect public figures within the lifespan of a cicada. Does the name Justin Bieber ring a bell?¶ How about Sarah Palin? Our culture of celebrity coupled with the public's disaffection with Washington, could lead to the election of a true demagogue or reactionary. Put it this way: What if Huey Long had had access to the Internet? Or even Pat Buchanan? Don't be blinded by partisanship.

# “hostilities”

**Circumvention is easy- zone of active hostility/hot battlefield is a legal fiction**

Corn, 13 -- South Texas College of Law Presidential Research Professor of Law

[Geoffrey, former JAG officer and chief of the law of war branch of the international law division of the US Army, Lieutenant Colonel, U.S. Army (Retired), Senate Armed Services Committee Hearing, "The law of armed conflict, the use of military force, and the 2001 Authorization for Use of Military Force," Congressional Documents and Publications, 6-16-13, l/n, accessed 8-23-13, mss]

I believe much of the momentum for asserting some arbitrary geographic limitation on the scope of operations conducted to disrupt or disable al Qaeda belligerent capabilities is the result of the commonly used term "hot battlefield." This notion of a "hot" battlefield is, in my opinion, **an**operational and legal fiction. Nothing in the law of armed conflict or military doctrine defines the meaning of "battlefield."Contrary to the erroneous assertions that the use of combat power is restricted to defined geographic locations such as Afghanistan (and previously Iraq), the geographic scope of armed conflict must be dictated by a totality assessment of a variety of factors, ultimately driven by the strategic end state the nation seeks to achieve. The nature and dynamics of the threat -including key vulnerabilities - is a vital factor in this analysis. These threat dynamics properly influence the assessment of enemy capabilities and vulnerabilities, which in turn drive the formulation of national strategy, which includes determining when, where, and how to leverage national power (including military power) to achieve desired operational effects. Thus, threat dynamics, and not some geographic "box", have historically driven and must continue to drive the scope of armed hostilities. The logic of this premise is validated by (in my opinion) the inability to identify an armed conflict in modern history where the scope of operations was legally restricted by a conception of a "hot" battlefield. Instead, threat dynamics coupled with policy, diplomatic considerations and, in certain armed conflicts the international law of neutrality, dictate such scope. Ultimately, battlefields become "hot" when persons, places, or things assessed as lawful military objectives pursuant to the law of armed conflict are subjected to attack.

# a/t: normal means

**Restrictions are prohibitions on action**

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

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation. Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as; A limitation often imposed in a deed or lease respecting the use to which the property may be put. The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as; To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb. In contrast, the terms "supervise" and "supervisor" are defined as; To have general oversight over, to superintend or to inspect. See Supervisor. A surveyor or overseer. . . In a broad sense, one having authority over others, to superintend and direct. The term "supervisor" means an individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but required the use of independent judgment. Comparing the above definitions, it is clear that the definition of "restriction" is very different from the definition of "supervision"-very few of the same words are used to explain or define the different terms. In his 2001 stipulation, Mr. Kincheloe essentially agreed to some supervision conditions, but he did not agree to restrict his license.

# a/t: wilkinson

**Wilkinson is about things that aren’t the aff**

**Wilkinson 12** – Will Wilkinson, Research Fellow at the Cato Institute, M.A. in Philosophy from the Northern Illinois University, Academic Coordinator of the Social Change Project and the Global Prosperity Initiative at The Mercatus Center at George Mason University, and#34;Rebridling the Executiveand#34;, Economist, 4-17, http://www.economist.com/blogs/democracyinamerica/2012/04/democracy-and-war

Imagine Congress did explicitly require that wars be financed with new tax revenue, that democratically unaccountable clandestine operations must either be suspended or made subject to congressional oversight, that appropriations not be approved to pay mercenaries, and so forth. It's inconceivable that Congress would set in place these measures if they did not reflect widespread public sentiment. And in that case, it would seem that such policies would stand as a powerful expression of the people's resistance to easy, unaccountable wars. New rules explicitly intended to reign in unilateral executive power will exist only if they are popular. The executive would defy them at his or her electoral peril. That's how democracies restrain, isn't it? How is that useless? Mr Rojas goes on to argue that, because democracies tend not to fight each other, the real path to greater peace is to "reduce the population of non-democracies". Thus, if the Federal government wants to protect the United States by preventing war, the best, and cheapest, way to do it is to provide support and assistance for indigenous movements for democracy and tolerance. Once people have a genuine democracy at work, they just don't want to fight with each other. They just don't.

**Their author is a fellow at the cato institute, citing a professor – default to the more qualified one**

**Rojas 12**¸ Fabio, professor of sociology at Indiana University, “Rachel Maddow will not bring peace,” 4/16, http://orgtheory.wordpress.com/2012/04/16/rachel-maddow-will-not-bring-peace/

I agree in principle, but disagree on practice. Rules and institutions that end war are ineffective for two reasons. First, if you really want war, you can always vote to have a new rule for war or to make an exception. Also, most rules have wiggle room in them, which makes it easy to wage war under other guises. Secondly, there’s a consistent “rally around the leader effect.” It is incredibly hard for anyone to oppose leaders during war time. Elected leaders are in a particularly weak position. Simply put, legislatures can’t be trusted to assert their restraining role in most cases. So what actually ends war? Well, there’s a body of research in political science called “the democratic peace” literature, which was discussed in Steven Pinker’s new book. The idea is simple – for whatever reason, democracies almost never fight each other. Of course, democracies go to war against non-democracies. But for some reason, democracies just don’t fight each other. What’s the policy implication of all this? First, the sorts of rules that Maddow proposes are useless. People will just ignore the rules when they want to when they want war. Second, you have to reduce the population of non-democracies. Thus, if the Federal government wants to protect the United States by preventing war, the best, and cheapest, way to do it is to provide support and assistance for indigenous movements for democracy and tolerance. Once people have a genuine democracy at work, they just don’t want to fight with each other. They just don’t.

# 2NC – No Groupthink

#### The historical support for the theory is suspect

Scheeringa 10 (Daniel, Was the Decision to Invade Iraq and the Failure of Occupation Planning a Case of Groupthink? Thesis submitted to the faculty of the Virginia Polytechnic Institute and State University in partial fulfillment of the requirements for the degree of Master of Arts In Political Science. pg. lexis)

In *Groupthink and Government*, Paul t‟Hart undertakes a thorough examination of the theory. He examines the theory from social-psychological and political perspectives. He also applies groupthink theory to the Iran-contra scandal of the late 1980‟s. In “Groupthink, Bay of Pigs and Watergate Reconsidered” Bertram Raven used groupthink theory to examine the decisions leading to the Watergate scandal. He concluded that while groupthink was a factor, other factors, such as Nixon‟s influence and political considerations, also weighed on the group dynamic. Raven uses the Watergate example as evidence that groupthink does not necessarily lead to failure, which is the converse of the argument that failure is not necessarily caused by groupthink24. In “Revisiting the Bay of Pigs and Vietnam Decisions 25 Years Later: How Well Has Groupthink Theory Stood the Test of Time?” Kramer contends that new historical information regarding Presidents Kennedy‟s and Johnson‟s decision-making processes shows 16

that their decisions were less the result of group dynamics than Janis suggested, casting doubt on the fundamental tenets of groupthink theory25.

# Warfighting – a/t: Cred

**Aff’s not key – aren’t cred “silver bullets”**

**Gray ’11** [Colin S, Professor of International Politics and Strategic Studies at the University of Reading, England, and Founder of the National Institute for Public Policy, “Hard Power And Soft Power: The Utility Of Military Force as An Instrument Of Policy In The 21st Century,” April, http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1059]

It bears repeating because it passes unnoticed that culture, and indeed civilization itself, are dynamic, not static phenomena. They are what they are for good and sufficient local geographical and historical reasons, and cannot easily be adapted to fit changing political and strategic needs. For an obvious example, the dominant American strategic culture, though allowing exceptions, still retains its principal features, the exploitation of technology and mass.45 These features can be pathological when circumstances are not narrowly conducive to their exploitation. Much as it was feared only a very few years ago that, in reaction to the neglect of culture for decades previously, the cultural turn in strategic studies was too sharp, so today there is a danger that the critique of strategic culturalism is proceeding too far.46 The error lies in the search for, and inevitable finding of, “golden keys” and “silver bullets” to resolve current versions of enduring problems. Soft-power salesmen have a potent product-mix to sell, but they fail to appreciate the reality that American soft power is a product essentially **unalterable** over a short span of years. As a country with a cultural or civilizational brand that is unique and mainly rooted in deep historical, geographical, and ideational roots, America is not at liberty to emulate a major car manufacturer and advertise an extensive and varied model range of persuasive soft-power profiles. Of course, some elements of soft power can be emphasized purposefully in tailored word and deed. However, foreign perceptions of the United States are no more developed from a blank page than the American past can be retooled and fine-tuned for contemporary advantage. Frustrating though it may be, **a country cannot easily escape legacies from its past**.

**the US can’t escape its legacy**

**Gray 11** – Professor of International Politics and Strategic Studies at the University of Reading, England. (Colin S., April, “HARD POWER AND SOFT POWER: THE UTILITY OF MILITARY FORCE AS AN INSTRUMENT OF POLICY IN THE 21ST CENTURY.” Published by Strategic Studies Institute)

Moreover, no contemporary U.S. government owns all of America’s soft power—a considerable understatement. Nor do contemporary Americans and their institutions own all of their country’s soft power. America today is the product of America’s many yesterdays, and the worldwide target audiences for American soft power respond to the whole of the America that they have perceived, including facts, legends, and myths.41 Obviously, what they understand about America may well be substantially untrue, certainly it will be incomplete. At a minimum, foreigners must react to an American soft power that is filtered by their local cultural interpretation. America is a futureoriented country, ever remaking itself and believing that, with the grace of God, history moves forward progressively toward an ever-better tomorrow. This optimistic American futurism both contrasts with foreigners’ cultural pessimism—their golden ages may lie in the past, not the future—which prevails in much of the world and is liable to mislead Americans as to the reception our soft power story will have.42 **Many people indeed, probably most people, in the world beyond the United States have a fairly settled view of America, American purposes, and Americans**. This locally held view derives from their whole experience of exposure to things American as well as from the features of their own “cultural thoughtways” and history that shape their interpretation of American-authored words and deeds, past and present.43

# 2nc no impact

**No impact – history goes negative – that’s fettweis -**

**Self-policing solves the need for heg**

**Fettweis 10** – Professor of national security affairs @ U.S. Naval War College (Chris, Georgetown University Press, “Dangerous times?: the international politics of great power peace” Google Books) Jacome

Simply stated, the hegemonic stability theory proposes that international peace is only possible when there is one country strong enough to make and enforce a set of rules. At the height of Pax Romana between 27 BC and 180 AD, for example, Rome was able to bring unprecedented peace and security to the Mediterranean. The Pax Britannica of the nineteenth century brought a level of stability to the high seas. Perhaps the current era is peaceful because the United States has established a de facto Pax Americana where no power is strong enough to challenge its dominance, and because it has established a set of rules that a generally in the interests of all countries to follow. Without a benevolent hegemony, some strategists fear, instability may break out around the globe. Unchecked conflicts could cause humanitarian disaster and, in today’s interconnected world economic turmoil that would ripple throughout global financial markets. If the United States were to abandon its commitments abroad, argued Art, the world would “become a more dangerous place” and, sooner or later, that would “rebound to America’s detriment.” If the massive spending that the United States engages in actually produces stability in the international political and economic systems, then perhaps internationalism is worthwhile. There are good theoretical and empirical reasons, however, the belief that U.S. hegemony is not the primary cause of the current era of stability.

First of all, the hegemonic stability argument overstates the role that the United States plays in the system. No country is strong enough to police the world on its own. The only way there can be stability in the community of great powers is if self-policing occurs, ifs **states have decided that their interest are served by peace**. If no pacific normative shift had occurred among the great powers that was filtering down through the system, then no amount of international constabulary work by the United States could maintain stability. Likewise, if it is true that such a shift has occurred, then most of what the hegemon spends to bring stability would be wasted. The 5 percent of the world’s population that live in the United States simple could not force peace upon an unwilling 95. At the risk of beating the metaphor to death, the United States may be patrolling a neighborhood that has already rid itself of crime. Stability and unipolarity may be simply coincidental.

In order for U.S. hegemony to be the reason for global stability, the rest of the world would have to expect reward for good behavior and fear punishment for bad. Since the end of the Cold War, the United States has not always proven to be especially eager to engage in humanitarian interventions abroad. Even rather incontrovertible evidence of genocide has not been sufficient to inspire action. Hegemonic stability can only take credit for influence those decisions that would have ended in war without the presence, whether physical or psychological, of the United States. Ethiopia and Eritrea are hardly the only states that could go to war without the slightest threat of U.S. intervention. Since most of the world today is free to fight without U.S. involvement, something else must be at work. Stability exists in many places where no hegemony is present.

Second, the limited empirical evidence we have suggests that there is little connection between the relative level of U.S. activism and international stability. During the 1990s the United States cut back on its defense spending fairly substantially, By 1998 the United States was spending $100 billion less on defense in real terms than it had in 1990. To internationalists, defense hawks, and other believers in hegemonic stability this irresponsible "peace dividend" endangered both national and global security "No serious analyst of American military capabilities," argued Kristol and Kagan, "doubts that the defense budget has been cut much too far to meet Americas responsibilities to itself and to world peace."" If the pacific trends were due not to U.S. hegemony but a strengthening norm against interstate war, however, one would not have expected an increase in global instability and violence.

The verdict from the past two decades is fairly plain: The world grew more peaceful while the United States cut its forces. No state seemed to believe that its security was endangered by a less-capable Pentagon, or at least none took any action that would suggest such a belief. No militaries were enhanced to address power vacuums; no security dilemmas drove mistrust and arms races; no regional balancing occurred once the stabilizing presence of the U.S. military was diminished. The rest of the world acted as if the threat ofinternational war was not a pressing concern, despite the reduction in U.S. capabilities. The incidence and magnitude of global conflict declined while the United States cut its military spending under President Clinton, and it kept declining as the Bush Administration ramped spending back up. No complex statistical analysis should be necessary to reach the conclusion that the two are unrelated. It is also worth noting for our purposes that the United States was no less safe.

# 2nc heg inevitable

**Heg inevitable – that’s friedman**

**First is the economy**

**That swamps the aff**

**Gelb ’10** (“GDP Now Matters More Than Force” Leslie H. Gelb is President Emeritus of the Council on Foreign Relations. He was a senior official in the U.S. Defense Department from 1967 to 1969 and in the State Department from 1977 to 1979, and he was a Columnist and Editor at The New York Times from 1981 to 1993. Published 2010 by Foreign Affairs in Washington DC, USA . Written in English. Table of Contents A U.S. Foreign Policy for the Age of Economic Power

Today, the United States continues to be the world's power balancer of choice. It is the only regional balancer against China in Asia, Russia in eastern Europe, and Iran in the Middle East. Although Americans rarely think about this role and foreign leaders often deny it for internal political reasons, the fact is that Americans and non-Americans alike require these services. Even Russian leaders today look to Washington to check China. And Chinese leaders surely realize that they need the U.S. Navy and Air Force to guard the world's sea and trading lanes. Washington should not be embarrassed to remind others of the costs and risks of the United States' security role when it comes to economic transactions. That applies, for example, to Afghan and Iraqi decisions about contracts for their natural resources, and to Beijing on many counts. U.S. forces maintain a stable world order that decidedly benefits China's economic growth, and to date, Beijing has been getting a free ride. A NEW APPROACH In this environment, the first-tier foreign policy goals of the United States should be a strong economy and the ability to deploy effective counters to threats at the lowest possible cost. Second-tier goals, which are always more controversial, include retaining the military power to remain the world's power balancer, promoting freer trade, maintaining technological advantages (including cyberwarfare capabilities), reducing risks from various environmental and health challenges, developing alternative energy supplies, and advancing U.S. values such as democracy and human rights. Wherever possible, second-tier goals should reinforce first-tier ones: for example, it makes sense to err on the side of freer trade to help boost the economy and to invest in greater energy independence to reduce dependence on the tumultuous Middle East. But no overall approach should dictate how to pursue these goals in each and every situation. Specific applications depend on, among other things, the culture and politics of the target countries. An overarching vision helps leaders consider how to use their power to achieve their goals. This is what gives policy direction, purpose, and thrust--and this is what is often missing from U.S. policy. The organizing principle of U.S. foreign policy should be to use power to solve common problems. The good old days of being able to command others by making military or economic threats are largely gone. Even the weakest nations can resist the strongest ones or drive up the costs for submission. Now, U.S. power derives mainly from others' knowing that they cannot solve their problems without the United States and that they will have to heed U.S. interests to achieve common goals. Power by services rendered has largely replaced power by command. No matter the decline in U.S. power, most nations do not doubt that the United States is the indispensable leader in solving major international problems. This problem-solving capacity creates opportunities for U.S. leadership in everything from trade talks to military-conflict resolution to international agreements on global warming. Only Washington can help the nations bordering the South China Sea forge a formula for sharing the region's resources. Only Washington has a chance of pushing the Israelis and the Palestinians toward peace. Only Washington can bargain to increase the low value of a Chinese currency exchange . rate that disadvantages almost every nation's trade with China. But it is clear to Americans and non-Americans alike that Washington lacks the power to solve or manage difficult problems alone; the indispensable leader must work with indispensable partners. To attract the necessary partners, Washington must do the very thing that habitually afflicts U.S. leaders with political hives: compromise. This does not mean multilateralism for its own sake, nor does it mean abandoning vital national interests. The Obama administration has been criticized for softening UN economic sanctions against Iran in order to please China and Russia. Had the United States not compromised, however, it would have faced vetoes and enacted no new sanctions at all. U.S. presidents are often in a strong position to bargain while preserving essential U.S. interests, but they have to do a better job of selling such unavoidable compromises to the U.S. public. U.S. policymakers must also be patient. The weakest of nations today can resist and delay. Pressing prematurely for decisions--an unfortunate hallmark of U.S. style--results in failure, the prime enemy of power. Success breeds power, and failure breeds weakness. Even when various domestic constituencies shout for quick action, Washington's leaders must learn to buy time in order to allow for U.S. power--and the power of U.S.-led coalitions--to take effect abroad. Patience is especially valuable in the economic arena, where there are far more players than in the military and diplomatic realms. To corral all these players takes time. Military power can work quickly, like a storm; economic power grabs slowly, like the tide. It needs time to erode the shoreline, but it surely does nibble away. To be sure, U.S. presidents need to preserve the United States' core role as the world's military and diplomatic balancer--for its own sake; and because it strengthens U.S. interests in economic transactions. But economics has to be the main driver for current policy, as nations calculate power more in terms of GDP than military might.U.S. GDP will be the lure and the whip in the international affairs of the twenty-first century. U.S. interests abroad cannot be adequately protected or advanced without an economic reawakening at home.

**Second is military power**

**That outweighs the aff**

Kagan ’12 (Robert Kagan, Senior Fellow, Foreign Policy, Center on the United States and Europe, “The Importance of U.S. Military Might Shouldn’t Be Underestimated”, <http://www.brookings.edu/opinions/2012/0202_us_military_power_kagan.aspx>, February 2, 2012, LEQ)

These days “soft” power and “smart” power are in vogue (who wants to make the case for “dumb” power?) while American “hard” power is on the chopping block. This is, in part, a symbolic sacrifice to the fiscal crisis — even though the looming defense cuts are a drop in the bucket compared with the ballooning entitlement spending that is not being cut. And partly this is the Obama administration’s election-year strategy of playing to a presumably war-weary nation. But there is a theory behind all this: The United States has relied too much on hard power for too long, and to be truly effective in a complex, modern world, the United States needs to emphasize other tools. It must be an attractive power, capable of persuading rather than compelling. It must convene and corral both partners and non-partners, using economic, diplomatic and other means to “leverage” American influence. These are sensible arguments. Power takes many forms, and it’s smart to make use of all of them. But there is a danger in taking this wisdom too far and forgetting just how important U.S. military power has been in building and sustaining the present liberal international order. That order has rested significantly on the U.S. ability to provide security in parts of the world, such as Europe and Asia, that had known endless cycles of warfare before the arrival of the United States. The world’s free-trade, free-market economy has depended on America’s ability to keep trade routes open, even during times of conflict. And the remarkably wide spread of democracy around the world owes something to America’s ability to provide support to democratic forces under siege and to protect peoples from dictators such as Moammar Gaddafi and Slobodan Milosevic. Some find it absurd that the United States should have a larger military than the next 10 nations combined. But **that gap in military power has probably been the greatest factor in upholding an international system** that, in historical terms, is unique — and uniquely beneficial to Americans. Nor should we forget that this power is part of what makes America attractive to many other nations. The world has not always loved America. During the era of Vietnam and Watergate and the ugly last stand of segregationists, America was often hated. But nations that relied on the United States for security from threatening neighbors tended to overlook the country’s flaws. In the 1960s, millions of young Europeans took to the streets to protest American “imperialism,” while their governments worked to ensure that the alliance with the United States held firm. Soft power, meanwhile, has its limits. No U.S. president has enjoyed more international popularity than Woodrow Wilson did when he traveled to Paris to negotiate the treaty ending World War I. He was a hero to the world, but he found his ability to shape the peace, and to establish the new League of Nations, severely limited, in no small part by his countrymen’s refusal to commit U.S. military power to the defense of the peace. John F. Kennedy, another globally admired president, found his popularity of no use in his confrontations with Nikita Khrushchev, who, by Kennedy’s own admission, “beat the hell out of me” and who may have been convinced by his perception of Kennedy’s weakness that the United States would tolerate his placing Soviet missiles in Cuba. The international system is not static. It responds quickly to fluctuations in power. If the United States were to cut too deeply into its ability to project military power, other nations could be counted on to respond accordingly. Those nations whose power rises in relative terms would display expanding ambitions commensurate with their new clout in the international system. They would, as in the past, demand particular spheres of influence. Those whose power declined in relative terms, like the United States, would have little choice but to cede some influence in those areas. Thus China would lay claim to its sphere of influence in Asia, Russia in eastern Europe and the Caucasus. And, as in the past, these burgeoning great-power claims would overlap and conflict: India and China claim the same sphere in the Indian Ocean; Russia and Europe have overlapping spheres in the region between the Black Sea and the Baltic. Without the United States to suppress and contain these conflicting ambitions, there would have to be complex adjustments to establish a new balance. Some of these adjustments could be made through diplomacy, as they were sometimes in the past. Other adjustments might be made through war or the threat of war, as also happened in the past. The biggest illusion is to imagine that as American power declines, the world stays the same. What has been true since the time of Rome remains true today: There can be no world order without power to preserve it, to shape its norms, uphold its institutions, defend the sinews of its economic system and keep the peace. Military power can be abused, wielded unwisely and ineffectively. It can be deployed to answer problems that it cannot answer or that have no answer. But it is also essential. No nation or group of nations that renounced power could expect to maintain any kind of world order. If the United States begins to look like a less reliable defender of the present order, that order will begin to unravel. People might indeed find Americans very attractive in this weaker state, but if the United States cannot help them when and where they need help the most, they will make other arrangements.

**Err neg – no challengers**

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

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

# 2NC Impact OV

#### Failure to raise debt ceiling collapses military effectiveness and heg

Masters 1/2/13 (Jonathan, Deputy Editor for the Council on Foreign Relations, “US Debt Ceiling Costs Consequences,” <http://www.cfr.org/international-finance/us-debt-ceiling-costs-consequences/p24751>)

The government must be able to issue new debt as long as it continues to run a budget deficit. The debt limit, or "ceiling," sets the maximum amount of outstanding federal debt the U.S. government can incur by law. As of January 2013, this number stands at $16.39 trillion. Increasing the debt limit does not enlarge the nation's financial commitments, but allows the government to fund obligations already legislated by Congress. Hitting the debt ceiling would hamstring the government's ability to finance its operations, like providing for the national defense or funding entitlements such as Medicare or Social Security. Under normal circumstances, the government is able to auction off new debt (typically in the form of U.S. Treasury securities) in order to finance annual deficits. However, the debt limit places an absolute cap on this borrowing, requiring congressional approval for any increase (or decrease) from this statutory level.

# Will Pass – 2NC Wall

#### - Statements prove compromise now

The Fiscal Times 9/22/13 (""Washington in Crisis As Shutdown, Default Awaits")

“I know when you get led into a box canyon what that means,” said [Sen. Bob Corker (R-Tenn.)](http://www.washingtonpost.com/politics/bob-corker-r-tenn/gIQADOuy9O_topic.html), evoking imagery of an infamous method by which buffalo were slaughtered in the Old West. “Box canyon, here we come.”¶ Democrats are convinced they have the upper hand. The president has maintained that he will not negotiate with Republicans on the funding bill or the debt ceiling — a point he repeated to [House Speaker John A. Boehner (R-Ohio)](http://www.washingtonpost.com/politics/john-a-boehner-r-ohio/gIQAzRvL9O_topic.html) in a telephone call Friday night. [Senate Majority Leader Harry M. Reid (D-Nev.)](http://www.washingtonpost.com/politics/harry-m-reid-d-nev/gIQA8MlN9O_topic.html) plans to ensure that no bill defunding the health-care law reaches Obama’s desk.¶ [From time to time](http://www.fas.org/sgp/crs/misc/RL34680.pdf), the fiscal year has brought partial, temporary shutdowns — nine of them, for instance, between fiscal 1981 and fiscal 1995. But they were over relatively narrow disputes, and none lasted more than three days.¶ Then-Speaker Newt Gingrich (R-Ga.) was the first to engineer one as a strategy to wage a broader policy battle, with President Bill Clinton in 1995.

#### -- Insiders vote neg

Bolton 9/14/13 (Alexander, Writer for the Hill, "Confident Democrats Want Separate Showdowns on Shutdown and Debt Limit")

¶ Senate Democrats want to have separate fights with the House GOP over a potential government shutdown and raising the nation’s debt limit, confident they will win showdowns on both issues. [[WATCH VIDEO](http://thehill.com/video/senate/322259-house-gop-prepares-for-last-fight-against-obamacare)]  Some House Republicans want to bundle the question of setting federal funding levels and raising the debt limit into one vote but a senior Senate Democrat has rejected that possibility. ¶ Senate Democratic Whip Dick Durbin (D-Ill.) said repeatedly raising the debt limit in small increments wreaks havoc on government operations.¶ “The longer you extend the debt limit, the more thoughtless it is,” he said.¶ Durbin predicted Congress would tackle the debt limit question in mid October instead of pushing the debate until shortly before Christmas.¶ “October 15, mark your calendar,” he said. “I’m told that come October 15 we better start getting serious about it.”¶ Durbin said he wants extend the nation’s borrowing limit for as long as possible in one increment. He cited a year as a reasonable extension.¶ “We’re not going to be in the situation where you’re lurching from crisis to crisis and putting the full faith and credit [of the government] at the hands of a Republican caucus that can’t get it’s act together,” said a senior Senate Democratic aide. “Doing a longer term clean debt-limit extension will prevent that from happening.” Some House Republicans want to maximize their leverage by bundling the debt limit and stopgap measure funding government. They could accomplish this by extending government funding until mid-December and bumping up the debt limit just enough to delay a medium-term solution until year’s end.¶ Democrats, however, want to force the GOP to debate these issues successively.¶ “We’re not negotiating on the debt ceiling. We think we have the high ground in both of those fights,” said a senior Senate Democratic aide.¶ The Senate Democratic strategy over the next several weeks will be to stand pat and refuse to make any significant concessions in exchange for funding the government or raising the debt ceiling.  “If push comes to shove on debt ceiling, I’m virtually certain they’ll blink,” said Sen. Charles Schumer (N.Y.), the third-ranking member of the Senate Democratic leadership. “They know they shouldn’t be playing havoc with the markets.”¶

#### The GOP will cave

The Wall street journal 9/19/13 ("Boehener: GOP Has 'No Interest' In Letting US Default on DEbt")

Republicans have “no interest” in allowing the U.S. government to default on its debt, House Speaker [John Boehner](http://topics.wsj.com/person/B/john%2C-boehner/6252) (R., Ohio) told reporters Thursday.¶ The top Republican in the House said GOP lawmakers will meet Friday morning to discuss their next steps in the emerging fiscal showdown.¶ “Let me be very clear: Republicans have no interest in defaulting on our debt — none,” Mr. Boehner told reporters. “But we want to find a way to pay it off.”¶ The Treasury Department has told Congress that the federal government will exhaust its ability to continue borrowing money in mid-October. Lawmakers must raise the borrowing limit, known as the debt ceiling, in order for the country to continue paying its bills.

#### -- Obama push overcomes opposition

Feldmann 9/18/13 (Linda, Christian Science Monitor, "Government shutdown coming? Boehner raises stakes on defunding Obamacare")

As for Obama, even before Boehner’s capitulation to the tea party wing of his caucus, efforts to woo the Republicans into a budget deal have born no fruit, and so he has opted for verbal slaps. On Monday, the president took to a [White House](http://www.csmonitor.com/tags/topic/The%2BWhite%2BHouse) stage to mark the five-year anniversary of the 2008 financial crisis, and he spewed vitriol at his most ardent opponents – even though a mass shooting had just taken place a few miles from the White House.¶ "I cannot remember a time when one faction of one party promises economic chaos if it doesn't get 100 percent of what it wants," Obama said.¶ At Wednesday’s briefing, White House press secretary [Jay Carney](http://www.csmonitor.com/tags/topic/Jay%2BCarney) suggested that the president’s past charm offensive with Republicans – including taking some out to dinner at an expensive restaurant (on his dime) – hadn’t completely failed.¶ “What we discovered is that there is a sincere desire by Republican lawmakers, some of them, anyway ... to make budget policy that ... reduces the deficit responsibly, but invests responsibly as well,” Mr. Carney said.¶ And, he said, the president will still try “all manner of ways to get to yes with Republican leaders.”

# 2NC – TOD

#### Budget issues are at the top of the docket – Obama is pushing

Pace 9/12/13 (Julie, AP White House Correspondent, "Syria Debate On Hold, Obama Refocuses on Agenda")

With a military strike against Syria on hold, President Barack Obama tried Thursday to reignite momentum for his second-term domestic agenda. But his progress could hinge on the strength of his standing on Capitol Hill after what even allies acknowledge were missteps in the latest foreign crisis.¶ "It is still important to recognize that we have a lot of things left to do here in this government," Obama told his Cabinet, starting a sustained White House push to refocus the nation on matters at home as key benchmarks on the budget and health care rapidly approach.¶ "The American people are still interested in making sure that our kids are getting the kind of education they deserve, that we are putting people back to work," Obama said.¶ The White House plans to use next week's five-year anniversary of the 2008 financial collapse to warn Republicans that shutting down the government or failing to raise the debt limit could drag down the still-fragile economy. With Hispanic Heritage Month to begin Monday, Obama expects to press for a stalled immigration overhaul and urge minorities to sign up for health care exchanges beginning Oct. 1.¶ Two major factors are driving Obama's push to get back on track with domestic issues after three weeks of Syria dominating the political debate. Polls show the economy, jobs and health care remain Americans' top concerns. And Obama has a limited window to make progress on those matters in a second term, when lame-duck status can quickly creep up on presidents, particularly if they start losing public support.

# AT: Treasury Solves

#### No treasury measure can stop the impact of a shutdown

The Christian Science Monitor 9/18/13 (Donald Marron, Why Congress Must Raise The Debt Limit")

Second, Treasury doesn’t have any “super-extraordinary” measures if the debt limit isn’t raised in time.¶ Pundits have suggested that Treasury might sidestep the debt limit by invoking the 14th Amendment, minting extremely large platinum coins, or selling gold and other federal assets. But Administration officials have said that none of those strategies would actually work.

#### The fed won’t agree to it

Drum 8/27/13 (Kevin, Political Blogger for Mother Jones, "This Time Around Obama Really Won't Negotiate Over the Debt Ceiling")

I don't know. But as long as we're on the subject, I'd like to add one pre-emptive note. The debt ceiling crisis is likely to renew calls for Obama to settle the whole thing unilaterally by issuing a trillion-dollar platinum coin. As you all know, my own view is that this is plainly illegal, but my view doesn't matter. What matters is that the platinum coin option only works if the Fed is willing to accept it on deposit, and this is something they've already said they wouldn't do. Like it or not, this means there is no platinum coin option. So let's not spill too much ink on it this time around, OK?

# A2 no spillover

Polcap real and key

Dickinson, yes the same one, 9 (Matthew Dickinson, professor of political science at Middlebury College. He taught previously at Harvard University, where he also received his Ph.D., working under the supervision of presidential scholar Richard Neustadt, We All Want a Revolution: Neustadt, New Institutionalism, and the Future of Presidency Research, Presidential Studies Quarterly 39 no4 736-70)

Small wonder, then, that initial efforts to find evidence of presidential power centered on explaining legislative outcomes in Congress. Because scholars found it difficult to directly and systematically measure presidential influence or "skill," however, they often tried to estimate it indirectly, after first establishing a baseline model that explained these outcomes on other factors, including party strength in Congress, members of Congress's ideology, the president's electoral support and/or popular approval, and various control variables related to time in office and political and economic context. With the baseline established, one could then presumably see how much of the unexplained variance might be attributed to presidents, and whether individual presidents did better or worse than the model predicted. Despite differences in modeling assumptions and measurements, however, these studies came to remarkably similar conclusions: individual presidents did not seem to matter very much in explaining legislators' voting behavior or lawmaking outcomes (but see Lockerbie and Borrelli 1989, 97-106). As Richard Fleisher, Jon Bond, and B. Dan Wood summarized, "[S]tudies that compare presidential success to some baseline fail to find evidence that perceptions of skill have systematic effects" (2008, 197; see also Bond, Fleisher, and Krutz 1996, 127; Edwards 1989, 212).     To some scholars, these results indicate that Neustadt's "president-centered" perspective is incorrect (Bond and Fleisher 1990, 221-23). In fact, the aggregate results reinforce Neustadt's recurring refrain that presidents are weak and that, when dealing with Congress, a president's power is "comparably limited" (Neustadt 1990, 184). The misinterpretation of the findings as they relate to PP stems in part from scholars' difficulty in defining and operationalizing presidential influence (Cameron 2000b; Dietz 2002, 105-6; Edwards 2000, 12; Shull and Shaw 1999). But it is also that case that scholars often misconstrue Neustadt's analytic perspective; his description of what presidents must do to influence policy making does not mean that he believes presidents are the dominant influence on that process. Neustadt writes from the president's perspective, but without adopting a president-centered explanation of power.     Nonetheless, if Neustadt clearly recognizes that a president's influence in Congress is exercised mostly, as George Edwards (1989) puts it, "at the margins," his case studies in PP also suggest that, within this limited bound, presidents do strive to influence legislative outcomes. But how? Scholars often argue that a president's most direct means of influence is to directly lobby certain members of Congress, often through quid pro quo exchanges, at critical junctures during the lawmaking sequence. Spatial models of legislative voting suggest that these lobbying efforts are most effective when presidents target the median, veto, and filibuster "pivots" within Congress. This logic finds empirical support in vote-switching studies that indicate that presidents do direct lobbying efforts at these pivotal voters, and with positive legislative results. Keith Krehbiel analyzes successive votes by legislators in the context of a presidential veto and finds "modest support for the sometimes doubted stylized fact of presidential power as persuasion" (1998,153-54). Similarly, David Brady and Craig Volden look at vote switching by members of Congress in successive Congresses on nearly identical legislation and also conclude that presidents do influence the votes of at least some legislators (1998, 125-36). In his study of presidential lobbying on key votes on important domestic legislation during the 83rd (1953-54) through 108th (2003-04) Congresses, Matthew Beckman shows that in addition to these pivotal voters, presidents also lobby leaders in both congressional parties in order to control what legislative alternatives make it onto the congressional agenda (more on this later). These lobbying efforts are correlated with a greater likelihood that a president's legislative preferences will come to a vote (Beckmann 2008, n.d.). In one of the most concerted efforts to model how bargaining takes place at the individual level, Terry Sullivan examines presidential archives containing administrative headcounts to identify instances in which members of Congress switched positions during legislative debate, from initially opposing the president to supporting him in the final roll call (Sullivan 1988, 1990, 1991). Sullivan shows that in a bargaining game with incomplete information regarding the preferences of the president and members of Congress, there are a number of possible bargaining outcomes for a given distribution of legislative and presidential policy preferences. These outcomes depend in part on legislators' success in bartering their potential support for the president's policy for additional concessions from the president. In threatening to withhold support, however, members of Congress run the risk that the president will call their bluff and turn elsewhere for the necessary votes. By capitalizing on members' uncertainty regarding whether their support is necessary to form a winning coalition, Sullivan theorizes that presidents can reduce members of Congress's penchant for strategic bluffing and increase the likelihood of a legislative outcome closer to the president's preference. “Hence, the skill to bargain successfully becomes a foundation for presidential power even within the context of electorally determined opportunities,” Sullivan concludes (1991, 1188).

**Prefer specific evidence - pressure gets vote counts**

**Lillis and Wasson 9/7**, Mike, the Hill writer, Erik, the Hill writer, “Fears of wounding Obama weigh heavily on Democrats ahead of vote,” 9/7, http://thehill.com/homenews/house/320829-fears-of-wounding-obama-weigh-heavily-on-democrats#ixzz2fOPUfPNr

The prospect of wounding President Obama is weighing heavily on Democratic lawmakers as they decide their votes on Syria. **Obama needs** all the political capital he can muster **heading into bruising battles with the GOP over fiscal spending and the debt ceiling**. Democrats want Obama to use his popularity to reverse automatic spending cuts already in effect and pay for new economic stimulus measures through higher taxes on the wealthy and on multinational companies. But if the request for authorization for Syria military strikes is rebuffed, some fear it could limit Obama's power in those high-stakes fights. That has left Democrats with an agonizing decision: vote "no" on Syria and possibly encourage more chemical attacks while weakening their president, or vote "yes" and risk another war in the Middle East. “I’m sure a lot of people are focused on the political ramifications,” a House Democratic aide said. Rep. Jim Moran (D-Va.), a veteran appropriator, said the failure of the Syria resolution would diminish Obama's leverage in the fiscal battles. "It doesn't help him," Moran said Friday by phone. "**We need a** maximally strong president **to get us through this fiscal thicket. These are going to be very difficult votes."**

# AT: Thumpers- Top Shelf

#### Debt ceiling is top of the docket and will pass- nothing else will be passed or considered this year

Gerson 9/22 (Michael- op-ed columnist for The Washington Post, a Policy Fellow with the ONE Campaign, a visiting fellow with the Center for Public Justice, and a former senior fellow at the Council on Foreign Relations, “Gerson: The politics of paralysis”, http://www.metrowestdailynews.com/opinions/editorials/x1803294512/Gerson-The-politics-of-paralysis?zc\_p=0)

The remainder of legislative time and attention that hasn't been spent on Syria this year will now be consumed by the budget and debt-ceiling debates - in which the best possible outcome is the avoidance of self-inflicted wounds. Republican leaders seem prepared to combine the continuing resolution and debt-ceiling increase, extend both for a year with the budget at level spending, and impose a one-year delay in implementing Obamacare. They won't get the last part - Obama would veto anything including it - but the Republican base insists.¶ The Obama administration, in return, offers ... nothing. It is continuing the practice of starting a negotiation process by refusing to negotiate.¶ Coming to an eventual compromise between one side that demands the moon and the other side that demands and offers nothing at all won't be easy. The protection of Obamacare is the one "red line" the administration holds absolutely sacred. But conservatives sense opportunity in a weakened president and a deeply unpopular law. And Speaker John Boehner's room to maneuver is extremely limited by a small faction of his party that is just big enough to paralyze him. It is a recipe for confidence-shaking, market-spooking, down-to-the-wire confrontation. ¶ In the shadow of this conflict, little else will grow. According to Yuval Levin of the Ethics and Public Policy Center, "only things that have to pass - or else the government shuts down or the economy crashes - are going to pass this year." Immigration reform is a likely casualty. Technically the bill does not die until the end of 2014 and could be taken up at any point during the current Congress. But the chance to conduct a debate this fall was probably ended by Syria. ¶ And what of the president's other second-term priorities? Climate-change legislation? Tighter federal gun control laws? Increasing the federal minimum wage to $9 an hour? Read back over the 2012 State of the Union address. It is the compelling description of an agenda now in ruins. The most notable policy developments of the last few months have been the start of the budget sequester and the delay of Obamacare's business mandate. Economic growth remains so anemic that it is unable to lift the percentage of Americans going back to work.

# AT: Thumper - Syria

#### Diplomacy solved it

Dorning and Runningen 9/15 Mike and Roger, white house correspondents at Bloomberg news, “Syria Chemical Arms Deal May Let Obama Focus on Domestic Issues,” 9/15, <http://www.bloomberg.com/news/2013-09-14/syrian-diplomatic-deal-may-let-obama-focus-on-domestic-politics.html>

The agreement between the U.S. and Russia to eliminate Syria’s chemical weapons hands President Barack Obama a diplomatic achievement without U.S. armed forces firing a shot. If the deal survives political and practical hurdles, it could also wind down a drama that has put the Democratic president and his threat to attack Syria at odds with most of the U.S. public and many of his supporters. After losing the first two weeks of September to the crisis, the Obama administration may now be able to address domestic priorities such as a budget agreement, raising the debt ceiling, and nomination of a Federal Reserve chairman. “The most important political effect of the agreement is to knock the issue down a few pegs on the political agenda,” said John Pitney, a political science professor at Claremont McKenna College, in Claremont, California. Obama welcomed the deal as “an important, concrete step toward the goal of moving Syria’s chemical weapons under international control,” even as he said in a statement that the U.S. “remains prepared to act” if diplomacy fails. “The Syria problem appears to be off to the side now,” said Steve Elmendorf, a lobbyist and former Democratic congressional aide with close ties to the administration. Domestic Priorities “Now they have the time” to nominate a Federal Reserve Board chairman, a post for which former Obama National Economic Council director Lawrence Summers and Fed Vice Chairman Janet Yellen are top candidates, Elmendorf said. “My guess is they’ll do it pretty soon.” Obama has scheduled a speech tomorrow at the White House to mark the five-year anniversary of the collapse of Lehman Brothers Holdings Inc., which helped trigger the financial crisis. He’ll also talk about economic gains since then, according to a White House statement. While critics will portray Obama’s maneuvering on Syria as a series of vacillations, the public will see the outcome as a victory, so long as the poison gas attacks there end, said Andrew Kohut, founding director of the Pew Research Center in Washington. “No more chemical attacks would equal achievement,” he said. “And vice versa.” “It’s the bottom line, not so much how you got there, for typical voters,” said Kohut, who has been involved in polling and public opinion research for more than 20 years. ‘Strengthens’ Obama The public is likely to give Obama credit simply because he was able to avert, at least for the time being, U.S. military involvement, he said. “For now, the agreement strengthens Obama, with a public opposed to force,” Kohut said.

# AT: Thumper – Energy Emissions

#### McCarthy pushed it

Reuters 9/20/13 ("US Environment Chief Uses Humor, Health ARgument to Sell Carbon Plan")

When U.S. environment chief Gina McCarthy talked about cutting climate-warming carbon emissions on Friday, she offered a translation for those unfamiliar with the dropped "R" of her thick Boston accent.¶ "I should make sure that everybody knows that when I say cahbon, it's c-a-r-b-o-n," McCarthy told a standing-room-only gathering at the National Press Club in Washington.¶ As the chuckles subsided, the new administrator of the Environmental Protection Agency, who was sworn into office in July, added, "I'll be talking about cahs later too, which is c-a-r."¶ McCarthy's self-deprecating humor is a new asset in the Obama administration's push to sell its climate plan - in Friday's case, regulations that will use the Clean Air Act to severely limit greenhouse gas emissions from yet-to-be-built power plants.¶ She also emphasized, for the second time this week, that the climate policies do not add up to a "war on [coal](http://www.reuters.com/sectors/industries/overview?industryCode=4&lc=int_mb_1001)," a persistent charge from many Republican lawmakers, Democrats from energy-producing states and many in the fossil fuels industry.¶ "Cutting climate change just makes good [business](http://www.reuters.com/finance?lc=int_mb_1001) sense," McCarthy said, adding that "setting fair Clean Air Act standards does not cause the sky to fall."¶ Beyond the [business](http://www.reuters.com/finance?lc=int_mb_1001) case, McCarthy cited links between a changing, warming climate and risks to public health and safety from smoggy air, with lower income and urban communities particularly at risk.¶ McCarthy became emotional at times when she discussed the health problems caused by smog, such as the life-threatening Chronic Obstructive Pulmonary Disease (COPD) that afflicts Daniel Dolan-Laughlin, a retired railroad executive from Wheaton, Illinois.¶ "Daniel's health has improved significantly after he received a double lung transplant," she said. "Last year Daniel came to EPA to tell his story. He made a specific plea: he asked us to act on climate change."¶ DOWN-TO-EARTH STYLE¶ McCarthy's down-to-earth communications style has been on display for three days in Washington as part of a very public rollout of the carbon-cutting regulations.

# AT: Thumper – Budget

#### Obama’s won’t push – it’s up to Congress

Condon 9/19/13 (Stephanie, CBS News, "Cruz Says He'll Filibuster Spending Bill If it Doesn't Defund Obamacare")

However, Reid should be able to remove the provision of the bill to defund Obamacare with a simple majority vote. The Senate leader said today that he's disappointed Boehner is moving forward with the bill to defund Obama care, "with the full knowledge that it's a futile effort." ¶ Republicans in the Senate and House have [sparred](http://www.cbsnews.com/8301-250_162-57603662/house-republicans-hit-cruz-for-white-flag-on-obamacare/) in recent days over which chamber should take responsibility for defunding Obamacare, but the Republicans who joined Cruz on Thursday said they were unified in their efforts. Cruz said he commended Boehner "for listening to the American people and for leading."¶ Sen. Mike Lee, R-Utah, one of Cruz's allies, said he expects Republicans to stand united against Obamacare and even thinks "maybe a handful of Democrats might consider joining with us as well," given how controversial the Affordable Care Act is.¶ Lee said he agreed with other leaders that Congress should avoid shutting down the government next month, but he placed the blame on the potential threat to President Obama.¶ "It certainly is not a good idea to shut down the government to force the implementation of Obamacare," he said. "This law is not worth causing a shutdown over."¶ The White House has responded that it's entirely up to Congress to pass a funding bill. Boehner, meanwhile, said Thursday that it's "troubling our president has decided to sit out this debate."

# Thumpers – AT: Immigration

#### Obama is backing off

Appeal Democrat 9/22/13 (McClatchy News, "Obama Still Quietly Pushing Immigration Reform")

Instead of using the bully pulpit to press for an immigration overhaul the way he has pushed for a number of other issues — including the use of military force in Syria and legislation to curb gun violence — Obama has embarked on a mostly quiet, behind-the-scenes strategy in the hopes his involvement will not antagonize Republican lawmakers who are crucial to passing any proposal.¶ Allies who have been pushing for the long-sought legislation advised Obama to take a step back on the issue — at least publicly — and are relieved he listened. Frank Sharry, executive director of America's Voice, a group that seeks a path to citizenship for undocumented immigrants, called the strategy smart.¶ Critics who oppose the legislation say they understand why Obama is taking this approach — and hope it backfires. Steven Camarota, director of research for the Center for Immigration Studies, a think tank that examines the consequences of immigration on the United States, said a bill only has a chance if Obama stays away from Republicans.

# A2 Econ Defense

#### Statistics prove diversionary war theory

Royal ‘10 (Director of CTR Jedediah, Director of Cooperative Threat Reduction – U.S. Department of Defense, “Economic Integration, Economic Signaling and the Problem of Economic Crises”, Economics of War and Peace: Economic, Legal and Political Perspectives, Ed. Goldsmith and Brauer, p. 213-215)

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

#### Their generic “econ resilient” evidence doesn’t account for times of recovery – debt ceiling would devastate the economy today

Masters 13 (Jonathan, Deputy Editor at the Council on Foreign Relations, Backgrounder, jan 2 2013"US Debt Ceiling. Costs and Consequences")

Most economists, including those in the White House and from former administrations, agree that the impact of an outright government default would be severe. Federal Reserve Chairman Ben Bernanke has said a U.S. default could be a ["recovery-ending event"](http://blogs.wsj.com/economics/2011/03/01/bernanke-warns-on-debt-limit-chaos/) that would likely spark another financial crisis. Short of default, officials warn that legislative delays in raising the debt ceiling could also inflict significant harm on the economy.¶ Many analysts say congressional gridlock over the debt limit will likely sow significant uncertainty in the bond markets and place upward pressure on interest rates. Rate increases would not only hike future borrowing costs of the federal government, but would also raise capital costs for struggling U.S. businesses and cash-strapped homebuyers. In addition, rising rates could divert future taxpayer money away from much-needed federal investments in such areas as infrastructure, education, and health care.¶ The protracted and politically acrimonious debt limit showdown in the summer 2011 prompted Standard and Poor's to take the unprecedented step of downgrading the U.S. credit rating from its triple-A status, and analysts fear such brinksmanship in early 2013 could bring about similar moves from other rating agencies.¶ A 2012 study by the non-partisan Government Accountability Office estimated that [delays in raising the debt ceiling](http://www.gao.gov/products/GAO-12-701) in 2011 cost taxpayers approximately $1.3 billion for FY 2011. BPC estimated the ten-year costs of the prolonged fight at roughly $19 billion.¶ The stock market also was thrown into frenzy in the lead-up to and aftermath of the 2011 debt limit debate, with the [Dow Jones Industrial Average](http://www.bizjournals.com/nashville/news/2011/08/08/slideshow-dows-10-worst-days-ever.html) plunging roughly 2,000 points from the final days of July through the first days of August. Indeed, the Dow recorded one of its worst single-day drops in history on August 8, the day after the S&P downgrade, tumbling 635 points.¶ Speaking to the [Economic Club of New York](http://www.reuters.com/article/2012/11/20/idUSW1E8KA00A20121120) in November 2012, Fed Chairman Ben Bernanke warned that congressional inaction with regard to the fiscal cliff, the raising of the debt ceiling, and the longer-term budget situation was creating uncertainty that "appears already to be affecting private spending and investment decisions and may be contributing to an increased sense of caution in financial markets, with adverse effects on the economy."

# 2NC Losers Lose

#### Obama winning on the debt ceiling now

Easley 9/18/13 (Jason, "Obama's Genius Labeling of GOP Demands Extortion Has Already Won the Debt Ceiling Fight")

President Obama effectively ended any Republican hopes of getting a political victory on the debt ceiling when he called their demands extortion. Nobody likes being extorted. The American people don’t like feeling like they are being shaken down. The White House knows this, which is why they are using such strong language to criticize the Republicans. Obama is doing the same thing to House Republicans that he has been doing to the entire party for the last few years. The president is defining them before they can define themselves.¶ Obama is taking the same tactics that he used to define Mitt Romney in the summer of 2012 and applying them to John Boehner and his House Republicans. While Republicans are fighting among themselves and gearing up for another pointless run at defunding Obamacare, the president is already winning the political battle over the debt ceiling. His comments today were a masterstroke of strategy that will pay political dividends now and in the future. If the president is successful anytime a Republican talks about defunding Obamacare, the American people will think extortion. Republicans keep insisting on unconstitutional plots to kill Obamacare, and the [president is calling them out on it.](http://www.politicususa.com/2013/09/15/obama-turns-tables-tells-republicans-debt-ceiling-demands-unconstitutional.html) Republicans haven’t realized it yet, but while they are chasing the fool’s gold of defunding Obamacare they have already lost on the debt ceiling. By caving to the lunatic fringe in his party, John Boehner may have [handed control of the House of Representatives back to Democrats on a silver platter.](http://www.politicususa.com/2013/09/17/wall-street-journal-warns-gop-government-shutdown-give-democrats-house.html) While Republicans posture on Obamacare, Obama is routing them on the debt ceiling.

#### Congressional backlash against presidential military powers drains political capital- empirically proven

Kriner, 10 -- Boston University political science professor [Douglas, Ph.D. in Government from Harvard University, After the Rubicon: Congress, Presidents, and the Politics of Waging War, 67-69, google books, accessed 6-7-13, mss]

¶ Shaping both real and anticipated public opinion are two important ways in which Congress can raise or lower the political costs of a military action for the president. However, focusing exclusively on opinion dynamics threatens to obscure the much broader political consequences of domestic reaction-particularly congressional opposition-to presidential foreign policies. At least since Richard Neustadt's seminal work Presidential Power, presidency scholars have warned that costly political battles in one policy arena frequently have significant ramifications for presidential power in other realms. Indeed, two of Neustadt's three "cases of command"-Truman's seizure of the steel mills and firing of General Douglas MacArthur-explicitly discussed the broader political consequences of stiff domestic resistance to presidential assertions of commander-in-chief powers. In both cases, Truman emerged victorious in the case at hand-yet, Neustadt argues, each victory cost Truman dearly in terms of his future power prospects and leeway in other policy areas, many of which were more important to the president than achieving unconditional victory over North Korea." While congressional support leaves the president's reserve of political capital intact, **congressional criticism saps energy from other initiatives on the home front** by forcing the president to expend energy and effort defending his international agenda. Political capital spent shoring up support for a president's foreign policies is capital that is unavailable for his future policy initiatives. Moreover, any weakening in the president's political clout may have immediate ramifications for his reelection pros- pects, as well as indirect consequences for congressional races." Indeed, Democratic efforts to tie congressional Republican incumbents to Presi- dent George W. Bush and his war policies paid immediate political dividends in the 2006 midterms, particularly in states, districts, and counties that had suffered the highest casualty rates in the Iraq War."" **In addition to boding ill for the president's** perceived **political capital** and reputation, **such** partisan **losses in Congress** only further **imperil his programmatic agenda**, both international and domestic. Scholars have long noted that President Lyndon Johnson`s dream of a Great Society also perished in the rice paddies of Vietnam. Lacking both the requisite funds in a war-depleted treasury and the political capital needed to sustain his legislative vision, Johnson gradually let his domestic goals slip away as he hunkered down in an effort first to win and then to end the Vietnam War. In the same way, many of President Bush's highest second-term domestic priorities, such as Social Security and immigration reform, failed perhaps in large part because the administration had to expend so much energy and effort waging a rear-guard action against congressional critics of the war in Iraq."¶ When making their cost-benefit calculations, presidents surely con- sider these wider political costs of congressional opposition to their military policies. If **congressional opposition in the military arena stands to derail other elements of his agenda**, all else being equal, the president will be more likely to judge the benefits of military action insufficient to its costs than if Congress stood behind him in the international arena.

**Obama’s push is key**

**Lillis and Wasson 9/7**, Mike, the Hill writer, Erik, the Hill writer, “Fears of wounding Obama weigh heavily on Democrats ahead of vote,” 9/7, http://thehill.com/homenews/house/320829-fears-of-wounding-obama-weigh-heavily-on-democrats#ixzz2fOPUfPNr

The prospect of wounding President Obama is weighing heavily on Democratic lawmakers as they decide their votes on Syria. **Obama needs** all the political capital he can muster **heading into bruising battles with the GOP over fiscal spending and the debt ceiling**. Democrats want Obama to use his popularity to reverse automatic spending cuts already in effect and pay for new economic stimulus measures through higher taxes on the wealthy and on multinational companies. But if the request for authorization for Syria military strikes is rebuffed, some fear it could limit Obama's power in those high-stakes fights. That has left Democrats with an agonizing decision: vote "no" on Syria and possibly encourage more chemical attacks while weakening their president, or vote "yes" and risk another war in the Middle East. “I’m sure a lot of people are focused on the political ramifications,” a House Democratic aide said. Rep. Jim Moran (D-Va.), a veteran appropriator, said the failure of the Syria resolution would diminish Obama's leverage in the fiscal battles. "It doesn't help him," Moran said Friday by phone. "**We need a** maximally strong president **to get us through this fiscal thicket. These are going to be very difficult votes."**

# 2NC Dem Unity

#### Democratic unity on Debt Ceiling now

Bloomberg News 9/17/13 (Mike Dorning and Kathleen Hunter, "Obama Rifts With Allies on Summers-Syria Limit Debt Dealing")

A battle fought along those lines may help Democrats overcome differences and unify the party, Johnson said.¶ “There’s no denying that he’s hit a rough path recently,” agreed Jim Manley, a former top aide to Senate Majority Leader Harry Reid. “But I’m confident -- once attention is focused on the budget and debt-limit related items -- that Democrats in the House and the Senate will be marching in lockstep with the president.”

#### Debates about drone policy split the base – democrats are massively fractured

Hirschfield 3/8/13 (Juie, Bloomberg News Staff Writer, "Obama Faces Bipartisan Pressure on Drone Big Brother Fear")

“The president is facing more political pressure on the war on terror in his second term, and it’s coming from the flanks -- the left flank and human rights community and from the right,” said Peter Feaver, who advised former President [George W. Bush](http://topics.bloomberg.com/george-w.-bush/) on national security and now teaches politics at [Duke University](http://topics.bloomberg.com/duke-university/) in Durham, [North Carolina](http://topics.bloomberg.com/north-carolina/).¶ The questions have sharpened amid public fears about “persistent ubiquitous surveillance,” Feaver added, “something that resonates especially strongly on the libertarian right that would say, ‘I don’t want Big Brother to be watching me,’ but also on the left, with people saying, ‘Do I want the FBI to be reading my e-mail?”¶ Paul, a first-term senator from [Kentucky](http://topics.bloomberg.com/kentucky/), cheered his letter from Holder and claimed credit for having elicited a rare unambiguous answer from Obama’s team on drone policy. To Paul’s question about the president’s authority to kill an American not engaged in combat on American soil, the attorney general wrote: “The answer to that question is no.”¶ ‘Under Duress’¶ “Hooray!” Paul said on Fox News, calling the missive “a result and a victory” from his filibuster delaying the Senate confirmation of [John Brennan](http://topics.bloomberg.com/john-brennan/) for CIA director -- ultimately approved. “Under duress, and under public humiliation, the White House will respond and do the right thing.”¶ Senator [Ron Wyden](http://topics.bloomberg.com/ron-wyden/) of [Oregon](http://topics.bloomberg.com/oregon/), the only Democrat to join Paul and other Republicans in the talk-a-thon, said it’s clear that a turning point occurred in the debate over drone policy in the last week -- not solely because of the filibuster.¶ “You’re going to start to see the emergence of a checks- and-balances caucus, and that there will be a lot of Democrats in it,” Wyden said.¶ Earlier in the week, he and others on the Senate intelligence committee forced the administration to allow panel members to review legal opinions underpinning its drone policy. That was after he and a handful of others withheld support for Brennan’s nomination until they saw the opinions.

# 2NC Political Capital

#### Polcap is key to passage – Obama needs to twist arms otherwise republicans won’t budge, that’s Blake

#### Debates about war powers crush Obama’s political capital – makes him look weak

Samples 11 (John, Director of the Center for Representative Government at the Cato Institute, "Congress Surrenders The War Powers: Libyta, the United Nations, and the Constitiution" Policy Analysis No. 687, October 27th 2011, CATO Institute,

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