# 1NC

### \*1NC – T – Only Humans

#### The aff is not topical --- introducing armed forces only refers to human troops, not weapons systems such as nukes --- prefer our interpretation because it’s based on textual analysis, legislative history, and intent of the WPR

Lorber 13 – Eric Lorber, J.D. Candidate, University of Pennsylvania Law School, Ph.D Candidate, Duke University Department of Political Science. January 2013, "Executive Warmaking Authority and Offensive Cyber Operations: Can Existing Legislation Successfully Constrain Presidential Power?" University of Pennsylvania Journal of Contsitutional Law, 15 U. Pa. J. Const. L. 961, lexis nexis

As is **evident from a** textual analysis, n177 an examination of the legislative history, n178 and **the broad** policy purposes behind the creation of the Act, n179 [\*990] "armed forces" refers to U.S. soldiers and members of the armed forces, not weapon systems or capabilities such as offensive cyber weapons. Section 1547 does not specifically define "armed forces," but it states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government." n180 While this definition pertains to the broader phrase "introduction of armed forces," the clear implication is that **only members of the armed forces count for the purposes of the definition under the WPR.** Though not dispositive, **the term "member" connotes a human individual who is part of an organization.** n181 Thus, it appears that the term "armed forces" means human members of the United States armed forces. However, there exist two potential complications with this reading. First, the language of the statute states that "the term "introduction of United States Armed Forces' includes the assignment of members of such armed forces." n182 By using inclusionary - as opposed to exclusionary - language, one might argue that the term "armed forces" could include more than members. This argument is unconvincing however, given that a core principle of statutory interpretation, expressio unius, suggests that **expression of one thing (i.e., members) implies the exclusion of others (**such as non-members **constituting armed forces)**. n183 Second, the term "member" does not explicitly reference "humans," and so could arguably refer to individual units and beings that are part of a larger whole (e.g., wolves can be members of a pack). As a result, though a textual analysis suggests that "armed forces" refers to human members of the armed forces, such a conclusion is not determinative.¶ **An examination of the legislative history also suggests that Congress clearly conceptualized "armed forces" as human members of the armed forces**. For example, disputes over the term "armed forces" revolved around who could be considered members of the armed forces, not what constituted a member. Senator Thomas Eagleton, one of the Resolution's architects, proposed an amendment during the process providing that the Resolution cover military officers on loan to a civilian agency (such as the Central [\*991] Intelligence Agency). n184 This amendment was dropped after encountering pushback, n185 but the debate revolved around whether those military individuals on loan to the civilian agency were still members of the armed forces for the purposes of the WPR, suggesting that Congress considered the term to apply only to soldiers in the armed forces. Further, during the congressional hearings, the question of deployment of "armed forces" centered primarily on past U.S. deployment of troops to combat zones, n186 suggesting that **Congress conceptualized "armed forces" to mean U.S. combat troops.**¶ **The broad purpose of the Resolution aimed to prevent the large-scale but unauthorized deployments of U.S. troops into hostilities**. n187 While examining the broad purpose of a legislative act is increasingly relied upon only after examining the text and legislative history, here it provides further support for those two alternate interpretive sources. n188 As one scholar has noted, "the War Powers Resolution, for example, is concerned with sending U.S. troops into harm's way." n189 The historical context of the War Powers Resolution is also important in determining its broad purpose; as the resolutions submitted during the Vietnam War and in the lead-up to the passage of the WPR suggest, Congress was concerned about its ability to effectively regulate the President's deployments of large numbers of U.S. troops to Southeast Asia, n190 as well as prevent the President from authorizing troop incursions into countries in that region. n191 The WPR was a reaction to the President's continued deployments of these troops into combat zones, and as such suggests that Congress's broad purpose was to prevent the unconstrained deployment of U.S. personnel, not weapons, into hostilities.¶ This analysis suggests that, when defining the term "armed forces," Congress meant members of the armed forces who would be placed in [\*992] harm's way (i.e., into hostilities or imminent hostilities). **Applied to offensive cyber operations, such a definition leads to the conclusion that the** W**ar** P**owers** R**esolution likely does not cover such activities**. Worms, viruses, and kill switches are clearly not U.S. troops. Therefore, the key question regarding whether the WPR can govern cyber operations is not whether the operation is conducted independently or as part of a kinetic military operation. Rather, the key question is the delivery mechanism. For example, if military forces were deployed to launch the cyberattack, such an activity, if it were related to imminent hostilities with a foreign country, could trigger the WPR. This seems unlikely, however, for two reasons. First, it is unclear whether small-scale deployments where the soldiers are not participating or under threat of harm constitute the introduction of armed forces into hostilities under the War Powers Resolution. n192 Thus, **individual operators deployed to plant viruses in particular enemy systems may not constitute armed forces introduced into hostilities or imminent hostilities.** Second, such a tactical approach seems unlikely. If the target system is remote access, the military can attack it without placing personnel in harm's way. n193 If it is close access, there exist many other effective ways to target such systems. n194 As a result, unless U.S. troops are introduced into hostilities or imminent hostilities while deploying offensive cyber capabilities - which is highly unlikely - such operations will not trigger the War Powers Resolution.

#### Vote negative for predictable limits --- nuclear weapons and unstaffed weapons systems are a whole topic on their own --- requires research into a whole separate literature base --- undermines preparedness for all debates.

### CP 1

#### The Executive Branch of the United States should adopt a declaratory policy restricting its authority to introduce nuclear weapons first into hostilities.

#### Executive action solves nuclear policy and avoids politics

Smith 09 [Barron Young Smith, "These Are The President's Weapons" The New Republic, September 22, 2009 | 2:13 pm
Pg. <http://www.tnr.com/print/blog/the-plank/these-are-the-presidents-weapons>]

Yet none of that obscures the importance of the fact that Obama is now acting directly to alter the U.S. nuclear posture. Unlike health care or climate change, U.S. nuclear policy is an intensely presidential issue: Throughout history, major changes to America's nuclear stance have almost always been the result of direct presidential engagement. Unless the commander-in-chief gives a direct order to alter our nuclear posture, bureaucratic inertia reigns, as it did when President Clinton's [1994 Nuclear Posture Review](http://www.nukestrat.com/us/reviews/npr1994.htm) essentially froze the cold war status quo for another 15 years. When the president does decide to change course, however, he doesn’t have to ask anyone for permission.

### CP 2

#### The United States Congress should restrict the authority of the President of the United States to introduce nuclear weapons first into hostilities, except in the event of a biological weapons attack on the United States or one its allies.

#### C/P solves the case and prevents the proliferation and use of biological weapons

David C. Gompert, Senior Fellow at the RAND Corporation, former Senior Advisor for National Security and Defense for the Coalition Provisional Authority of Iraq, and former Senior Director for Europe and Eurasia for the National Security Council, “Rethinking the Role of Nuclear Weapons”, May 1998, http://www.ndu.edu/inss/strforum/SF141/forum141.html

In light of the difficulty of preventing or defending against the growing threat of biological weapons, the United States would make a fateful mistake if it restricted the purpose of nuclear weapons to deterring nuclear attack. The gains from such a shift are nebulous; the cost all too clear, an invitation to potential enemies to acquire, threaten and use biological weapons. We want rogue states to think that biological weapons cannot be used and can endanger their possessors because they could cause a nuclear response. We want them to feel this fear quite sharply. To the extent that the United States fails to pinpoint this problem in defining the purpose of nuclear weapons, the fear will be dull. Current U.S. policy regarding the use of nuclear weapons is not substantially different from its Cold War policy; it maintains ambiguity about the circumstances under which the United States would resort to nuclear weapons. Despite growing U.S. conventional military superiority, even a nuclear response to conventional attack is not excluded. During the Cold War, given the magnitude of the Soviet threat, both broad deterrence and focussed deterrence were required. In the new era, the need for broad deterrence is gone and the need for sharp deterrence is acute. Yet, so far-fetched is the thought that the United States would use nuclear weapons in response to conventional attack that the current open-ended policy dulls deterrence. (If the policy causes sharp fear, why did the United States have to warn Saddam Hussein that use of WMD in the Gulf War could trigger a nuclear response?) Ambiguity is sometimes useful. In the current era, it does more harm than good. **The United States should warn explicitly that it might respond with nuclear weapons to WMD attacks against U.S. interests**. (Chemical weapons could be included, though they are less dangerous than biological weapons.) **To sharpen the fear to a finer point, the United States should also say that it foresees no need to use nuclear weapons except in response to WMD attacks**. **By declaring that the only legitimate use of WMD** (i.e., nuclear weapons) **is in retaliation for WMD attack, such a policy would strengthen deterrence by underscoring that a WMD attack would warrant such a response. It would further bolster deterrence by erasing the incredible aspect of current** **policy**, **nuclear response to conventional aggression. Finally, it would create a new threshold separating WMD from conventional warfare, which would clearly be in the U.S. interest, what with its conventional strength and its promise never to use biological** or chemical **weapons.** In its effort to stem the spread of nuclear weapons, the United States has said, in effect, it would not use nuclear weapons against states that foreswear them. But **what if such a state acquires biological weapons, which can kill Americans no less than nuclear explosives**? Indeed, what if it used them? **In view of this danger, the United States should explicitly retract its pledge not to use nuclear weapons against non-nuclear states that use biological weapons**. **Far from undermining nuclear non-proliferation, an American pledge not to use WMD first could help the cause by reducing the utility of nuclear weapons. And it would underscore that any use of a weapon of mass horror would justify a response in kind.** How would such a U.S. policy work toward another nuclear power, say, Russia or China? **Now that Russia’s conventional forces are weak, it has reversed its doctrine not to use nuclear weapons first**. Given its decaying command and control system and the possibility of political turmoil, this shift could prove dangerous. **And, Russia is maintaining its ability to assemble and use biological weapons**. **An American policy not to be the first to use WMD would both delegitimize Russia’s growing reliance on nuclear weapons and sharpen deterrence against its use of biological weapons. Similarly, the policy would preempt Chinese interest in nuclear first-use and in biological weapons. At present, the Chinese would likely applaud and subscribe to such a U.S. pledge.**

#### Bio weapon attack is commensurate with nuclear war

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**Biological weapons combine a relatively low cost of production with the capability for infecting large numbers of people over a wide area**. According to a 1969 United Nations study, the cost of causing one civilian casualty per square kilometer was about $2,000 with conventional weapons, $800 with nuclear weapons, $600 with chemical weapons, and only $1 with biological weapons. 18 The ability of biological weapons to cause mass casualties is well documented. **A** 1970 World Health Organization (**WHO) study found that 50 kilograms of anthrax could result in 200,000 casualties in a medium-sized city** such as Boston. 19 The U.S. Office of Technology Assessment (OTA) has estimated that **an attack with less than 100 kilograms of aerosolized anthrax spores could cause as many as 3 million casualties, rivaling the lethality of a thermonuclear weapon**. 20

### DA

***GOP will capitulate to demands for a clean debt ceiling bill and it will pass – Obamacare and other issues will not appear in the final bill.***

Greg **Giroux 9/19, 2013**, I See No Deals on Debt Ceiling, Republicans Will Capitulate – Senator Murray, Wall Stree Pit, <http://wallstreetpit.com/101182-i-see-no-deals-on-debt-ceiling-republicans-will-capitulate-senator-murray/>, KEL

**Republicans seeking to curb** President Barack **Obama’s health-care law** probably **will capitulate to demands from Democrats to enact a “clean” bill** raising the nation’s debt ceiling, the Senate’s top Democratic budget writer said. “I see no deals on the debt ceiling,” Senator Patty Murray of Washington state, who leads the Budget Committee, said in an interview on Bloomberg Television’s “Political Capital with Al Hunt” airing this weekend. “The downside of not paying our bills is our credit-rating tanks,” Murray said. “That affects every family, every business, every community. It affects Main Street. It affects Wall Street.” **Murray** said she also **expects Republicans to relent on their demands for stripping spending from Obama’s health plan** as part of action on a spending bill needed to keep the government running after Sept. 30. Republicans led by House Speaker John Boehner of Ohio have clashed with Obama over the debt ceiling, with the lawmakers demanding changes to spending programs as a condition of raising the $16.7 trillion federal borrowing limit. **Republicans “will come together with some mishmash policy of everything in the bag they’ve ever promised” to anti-tax Tea Party activists, though “they haven’t been able to get the votes for anything yet,**” said Murray, 62, fourth-ranking Democrat in the Senate’s leadership.

***Restrictions on authority are a loss that spills over to the debt ceiling***

Parsons, 9/12/13(Christi, Los Angeles Times, “Obama's team calls a timeout”

[http://www.latimes.com/nation/la-na-obama-congress-20130913,0,2959396.story](http://www.latimes.com/nation/la-na-obama-congress-20130913%2C0%2C2959396.story))

After a week in which President Obama ***narrowly averted a bruising defeat*** on Capitol Hill over a military strike on Syria, the decision had the feeling of a much-needed timeout. The messy debate over a resolution to authorize military force put a harsh light on the president's already rocky relationship with Congress. Despite a charm offensive earlier this year, complete with intimate dinners and phone calls, Obama faced contrary lawmakers in both parties, a climate that is certain to persist through the next round of legislative fights, if not to the end of his second term. In deciding to seek approval for military action, Obama banked on the long-standing deference to the commander in chief on matters of national defense. But by the time he pressed "pause" on the intense White House lobbying effort, he was finding as much defiance as deference. Although the White House cast the issue as a matter of national security and a crucial test of U.S. power, dozens of lawmakers from both parties were set to deliver a rare rebuke to a president on foreign policy. Even Democratic loyalists seemed unswayed by appeals to preserve the prestige of the presidency — and this president. Hawkish Republicans offering to reach across the aisle to support the president said they found the White House distant and uninterested. The canceled picnic punctuated a week of aggravated feelings. "We obviously have divided government. We have sometimes contentious, sometimes very effective relations with Congress. But we keep at it," said White House spokesman Jay Carney, who denied the picnic cancellation had anything to do with the state of relations between the two branches of government. On Capitol Hill, the week's episode strained Obama's traditional alliance with his fellow Democrats, many of whom were wary of another military involvement, unclear about the president's plans for a missile strike and surprised by his decision to ask them to vote on it. "Not only was it a hard ask, but it was not a well-prepared ask," said Sen. Sheldon Whitehouse (D-R.I.). "His willingness to back away from the ultimatum and pursue the disarmament proposal was extremely welcome, and I think that helped all of us in our relationship with him." Obama's relationship with his Republican critics was not helped. As lawmakers look ahead to the rest of the fall agenda, including the coming budget battles, the administration's performance this week will not be easy to forget, some said. "It's just more lack of confidence that they know what they're doing," said Sen. Tom Coburn (R-Okla.). "***There's only so much political capital***," said Sen. Rob Portman (R-Ohio). Democrats defended the president, blaming Republicans for a "knee-jerk" opposition to any initiative tied to this White House, a phenomenon that Obama aides regularly cite but that the president appears to have disregarded in his decision to put a use-of-force resolution before Congress. "Historically, when it comes to military force, Republicans and conservatives have led that. Now they're opposed to it," said Sen. Richard J. Durbin (D-Ill.). In a private meeting this week, Durbin said, Obama himself joked that "a lot of Republicans on Capitol Hill are discovering their inner doves on Syria." The next set of negotiations will be far more predictable and on familiar territory. By the end of the month, the president and Congress must agree on a plan to continue funding the government, or it will shut down. And by mid-October, they will have to agree to raise the debt limit, or risk a default. The White House has said it won't negotiate on the debt limit, as it did twice before, counting on the public and business groups to pressure Republicans. Democrats were hopeful the budget issues would put the White House back on more solid political footing. "I think the public has a heck of a lot more confidence in the president on economics and budget than [in] the House Republicans," said Sen. Carl Levin (D-Mich.). That may be wishful thinking, said Ross Baker, a political science professor at Rutgers University, who studies the Senate. "These things carry over. ***There's no firewall between issues***," he said. "***Failure in one area leads to problems in other areas***." The debate over the war in Syria may be on an extended pause, although prospects of Obama returning to Congress to ask for a use-of-force authorization seem slim. A bipartisan group of senators is drafting an amended authorization, but the group is not expected to fully air its proposal until diplomatic talks conclude. There were some signs that the debate may have ***won the president some empathy***, if not support. At a private lunch with Republican senators this week, Obama asked them ***not to undermine him*** on the world stage. Sen. Ron Johnson of Wisconsin, who is part of a group of GOP senators working with the White House on fiscal issues, said the appeal resonated.

***Loss of PC forces Obama to negotiate over debt ceiling preconditions – causes extended battle***

**Chait, 13**

Jonathan Chait, commentator and writer for New York magazine. He was previously a senior editor at The New Republic and a former assistant editor of The American Prospect. He also writes a periodic column in the Los Angeles Times, New York Magazine, 4/26/13, <http://nymag.com/daily/intelligencer/2013/04/democrats-lost-sequestration-two-years-ago.html>

**"Obama's mistake** wasn't the design of sequestration. It **was *finding himself in that negotiation to begin with*. Earlier this year, Obama refused to negotiate over the debt ceiling, and Republicans *caved* and raised it. If he had done that in 2011, they would probably have done the same thing. Instead, Obama took their demand to reduce the deficit at face value and thought**, Hey, I want to reduce the deficit, too — **why don't we use this opportunity to strike a deal?** As it happened, Republicans care way, way, way more about low taxes for the rich than low deficits, which made a morally acceptable deal, or even something within hailing distance of a morally acceptable deal, completely impossible. "By the point at which Obama figured this out in 2011, the debt ceiling loomed and it was too late to credibly insist he wouldn't negotiate over it. Sequestration was a pretty good way to escape fiscal calamity**. The mistake was *getting jacked up* over the debt ceiling in the first place."** http://nymag.com/daily/intelligencer/2013/04/democrats-lost-sequestration-two-years-ago.html[17] **In 2011 though, the GOP had a little *more political capital and the President considerably less so he may have had to negotiate*. Overall, though the point is well taken: Obama was right not to negotiate this year and it's hard to argue that he-or the Democrats- should have agreed to this**. However, time will tell and I'd like to be proved wrong. And even if they made a mistake, as Chait points out maybe they'll realize their blunder and do better next time.

***Even if a deal is eventually reached to prevent hitting the ceiling a protracted fight is economic sabotage – collapse growth, markets and confidence.***

Dave **Johnson**, Campaign for America's Future | Op-Ed Fresh Hell When Congress Returns

**September 4** 2013 11:25

<http://truth-out.org/opinion/item/18597-fresh-hell-when-congress-returns>

**There are two different levels of economic damage from a debt-ceiling fight. First there is the cost of the fight itself, as the world worries over whether Republicans would actually pull the trigger. The fact that they would talk about this at all causes considerable damage to growth and confidence.**¶ But **the other level of damage** – far more serious – **comes if they actually do it. If the U.S. defaulted, the consequences to the country’s and world’s economic system are literally unimaginable**.¶ In January, The Washington Post looked at reports of **the economic damage caused by the last debt-ceiling fight** – the one that led to the economic damage of the “sequester.” The Post report summarized:¶ The protracted, unsettling nature of the negotiations between the White House and Republicans dramatically **slowed the recovery**, economists conclude, looking back at the episode**. Consumer confidence collapsed, reaching its worst level since the depths of the financial crisis**. Hiring stalled, with the private sector creating jobs at its slowest pace since the economy exited the recession. The stock market plunged, sending the Standard & Poor’s 500-stock index down more than 10 percent.¶ **In the last debt-ceiling hostage battle, the government spent an extra $1.3 billion to borrow because of lender uncertainty over whether they would be paid back**, according to the Government Accounting Office (GAO). Following the battle the Standard & Poor’s credit agency “downgraded” the U.S. credit rating, saying that any country that would even discuss default does not deserve the top rating.¶ On top of that, the 10-year cost of higher interest rates from that fight is $18.9 billion. The unemployment rate increased as job growth was cut in half by the fight. Consumer confidence plunged “more than it did following the collapse of Lehman Brothers Holdings Inc. in 2008.”¶ **The consequences of actually letting the country default would begin with a panic in the stock market. And there would likely be a “run” on money markets**, because the safety of the U.S. dollar is the foundation of the entire financial system.¶ Next, many of the things the U.S. government must pay for would not be paid for. Because raising the debt ceiling is about allowing the government to get the money to pay for the things Congress has already spent money on, existing invoices would not be paid. So the government would default on paying for contracts, hospitals and doctors who had already performed services, fuel purchases, everything right up to payments to Social Security recipients and people trying to redeem their government bonds. The government would have to prioritize who to pay based on what is coming in from tax receipts, fees and market transactions, which would all drop dramatically as the world’s economy exploded. In any event, the government doesn’t have the computer systems in place to prioritize payments, and wouldn’t have the time or funds to get those running.¶ **There would be a dramatic rise in interest rates for borrowing. The United States would no longer be a “safe” borrower, so the price of loans** – the interest rate – **would go up. That would ripple out to the price of a loan to a business, a mortgage, a car loan and everything else that Americans finance**.¶ **No matter how fast a default of the country was resolved, the shock to the confidence of the entire economic system would not go away**. If the United States was no longer a “safe haven,” then a restructuring of the world’s core understanding of debt and repayment would follow.¶ With the effect of the last fight now understood, **any new fight has to be seen for what it is: “economic sabotage.”**

***Nuclear war***

**Khalilzad ’11** Zalmay was the United States ambassador to Afghanistan, Iraq, and the United Nations during the presidency of George W. Bush and the director of policy planning at the Defense Department from 1990 to 1992, “ The Economy and National Security”, 2-8-11, <http://www.nationalreview.com/articles/print/259024>, MCR

Today, **economic** and fiscal **trends pose the *most severe*** long-term ***threat* to the U**nited **S**tates’ **position as global leader**. While the United States suffers from fiscal imbalances and low economic growth, the economies of rival powers are developing rapidly. The **continuation of** these two **trends could lead to a shift from American primacy toward a multi-polar global system, leading in turn to increased *geopolitical rivalry* and** even ***war* *among*** the ***great powers***. The current recession is the result of a deep financial crisis, not a mere fluctuation in the business cycle. Recovery is likely to be protracted. The crisis was preceded by the buildup over two decades of enormous amounts of debt throughout the U.S. economy — ultimately totaling almost 350 percent of GDP — and the development of credit-fueled asset bubbles, particularly in the housing sector. When the bubbles burst, huge amounts of wealth were destroyed, and unemployment rose to over 10 percent. The decline of tax revenues and massive countercyclical spending put the U.S. government on an unsustainable fiscal path. Publicly held national debt rose from 38 to over 60 percent of GDP in three years. Without faster economic growth and actions to reduce deficits, publicly held national debt is projected to reach dangerous proportions. If interest rates were to rise significantly, annual interest payments — which already are larger than the defense budget — would crowd out other spending or require substantial tax increases that would undercut economic growth. Even worse, if unanticipated events trigger what economists call a “sudden stop” in credit markets for U.S. debt, **the U**nited **S**tates **would be unable to roll over its outstanding obligations, precipitating a sovereign-debt crisis that would *almost certainly* compel a *radical retrenchment* of the U**nited **S**tates **internationally**. **Such scenarios would *reshape the international order***. It was the **economic devastation** of Britain and France **during World War II**, as well as the rise of other powers, that **led** both **countries to relinquish their empires**. In the late 1960s, British leaders concluded that they lacked the economic capacity to maintain a presence “east of Suez.” Soviet economic weakness, which crystallized under Gorbachev, contributed to their decisions to withdraw from Afghanistan, abandon Communist regimes in Eastern Europe, and allow the Soviet Union to fragment. If the U.S. debt problem goes critical, **the U**nited **S**tates **would be compelled to retrench, reducing its military spending and shed**ding **international commitments**. We face this domestic challenge while other major powers are experiencing rapid economic growth. Even though **countries** such as China, India, and Brazil have profound political, social, demographic, and economic problems, their **economies are growing faster than ours, and this could alter the global distribution of power.** **These trends could** in the long term **produce a multi-polar world**. ***If U.S. policymakers fail to act*** and other powers continue to grow, ***it is not a question of whether but when* a new international order will emerge**. **The closing of the gap** between the United States and its rivals **could *intensify geopolitical competition among major powers*, increase incentives for local powers to play major powers against one another, and undercut our will to *preclude* or respond to *international crises* because of the *higher risk of escalation*.** **The stakes are high**. In modern history, ***the longest period of peace among the great powers has been the era of U.S. leadership***. By contrast**, multi-polar systems have been unstable, with their competitive dynamics resulting in frequent crises and major wars among the great powers**. **Failures of multi-polar international systems produced *both world wars***. **American retrenchment could have *devastating consequences*.** **Without an American security blanket, regional powers could *rearm* in an attempt to balance against emerging threats**. Under this scenario, **there would be a heightened possibility of *arms races*, *miscalc***ulation, **or *other crises spiraling into all-out conflict*.** Alternatively, **in seeking to accommodate the stronger powers, weaker powers may shift their geopolitical posture away from the U**nited **S**tates. Either way, **hostile states would be emboldened to make *aggressive moves* in their regions**.

### Prolif

***1) Prolif is super slow—empirics disprove their fear mongering.***

**Hymans 12**—Jacques E. C. Hymans is Associate Professor of IR at USC [May/June 2012, “Botching the Bomb,” *Foreign Affairs*, http://www.foreignaffairs.com/articles/137403/jacques-e-c-hymans/botching-the-bomb?page=show]

The chronic problem of **nuclear proliferation is** once again **dominating the news.** A fierce debate has developed over how to respond to the threat posed by Iran's nuclear activities, which most experts believe are aimed at producing a nuclear weapon or at least the capacity to assemble one. In this debate, one side is pushing for a near-term military attack to damage or destroy Iran's nuclear program, and the other side is hoping that strict sanctions against the Islamic Republic will soften it up for a diplomatic solution. Both sides, however, share the underlying assumption that unless outside powers intervene in a dramatic fashion, it is inevitable that Iran will achieve its supposed nuclear goals very soon.

Yet there is another possibility. **The Iranians had to work for 25 years just to start accumulating uranium enriched to 20 percent, which is not even weapons grade. The slow pace of Iranian nuclear progress** to date **strongly suggests** that **Iran could** still **need a** very **long time to actually build a bomb** -- or could even ultimately fail to do so. Indeed, **global trends in proliferation suggest** that either of **those outcomes might be more likely than Iranian success** in the near future. **Despite *regular warnings* that proliferation is spinning out of control, the fact is that since the 1970s, there has been a *persistent slowdown* in the pace of technical progress on nuclear weapons projects and an equally dramatic decline in their ultimate success rate**.

**The *great proliferation slowdown*** can be attributed in part to U.S. and international nonproliferation efforts. But it **is** mostly **the result of the dysfunctional management tendencies of the states that have sought the bomb** in recent decades. **Weak institutions** in those states **have permitted political leaders to** unintentionally **undermine the performance of their nuclear scientists, engineers, and technicians. The harder politicians have pushed to achieve their nuclear ambitions, the less productive their nuclear programs have become.** Meanwhile, military attacks by foreign powers have tended to unite politicians and scientists in a common cause to build the bomb. Therefore, taking radical steps to rein in Iran would be not only risky but also potentially counterproductive, and much less likely to succeed than the simplest policy of all: getting out of the way and allowing the Iranian nuclear program's worst enemies -- Iran's political leaders -- to hinder the country's nuclear progress all by themselves.

NUCLEAR DOGS THAT HAVE NOT BARKED

"Today, almost any industrialized country can produce a nuclear weapon in four to five years," a former chief of Israeli military intelligence recently wrote in The New York Times, echoing a widely held belief. Indeed, **the more nuclear technology and know-how have diffused around the world, the more the timeline for building a bomb should have shrunk. But in fact, rather than speeding up over the past four decades, *proliferation has gone into slow motion***.

**Seven countries launched** dedicated **nuclear weapons projects before 1970, and all seven succeeded** in relatively short order. **By contrast, of the ten countries that have launched** dedicated **nuclear** weapons **projects since 1970, only three have achieved a bomb.** And only one of the six states that failed -- Iraq -- had made much progress toward its ultimate goal by the time it gave up trying. (The jury is still out on Iran's program.) What is more, **even the successful projects** of recent decades **have needed a long time to achieve their ends. The average timeline** to the bomb for successful projects launched **before 1970 was about seven years; the average timeline to the bomb for successful projects launched after 1970 has been about 17 years**.

#### 2) Prolif doesn’t snowball

Potter and Mukhatzhanova, ’08 (William C. Potter and Gaukhar Mukhatzhanova, William C. Potter is Sam Nunn and Richard Lugar Professor of Nonproliferation Studies and Director of the James Martin Center for Nonproliferation Studies at the Monterey Institute of International Studies. Gaukhar Mukhatzhanova is Research Associate at the James Martin Center. International Security, Vol. 33, No. 1 (Summer 2008), pp. 139–169 “Divining Nuclear Intentions”)

Hymans is keenly aware of the deficiency of past proliferation projections, which he attributes in large part to the “tendency to use the growth of nuclear capabilities, stances toward the non-proliferation regime, and a general ‘rogu- ishness’ of the state as proxies for nuclear weapons intentions” (p. 217). Such intentions, he believes, cannot be discerned without reference to leadership national identity conceptions, a focus that appears to have been absent to date in intelligence analyses devoted to forecasting proliferation.49 Hymans is equally critical of the popular notion that “the ‘domino theory’ of the twenty-first century may well be nuclear.”50 As he points out, the new domino theory, like its discredited Cold War predecessor, assumes an over- simplified view about why and how decisions to acquire nuclear weapons are taken.51 Leaders’ nuclear preferences, he maintains, “are not highly contingent on what other states decide,” and, therefore, “proliferation tomorrow will probably remain as rare as proliferation today, with no single instance of proliferation causing a cascade of nuclear weapons states” (p. 225). In addition, he argues, the domino thesis embraces “an exceedingly dark picture of world trends by lumping the truly dangerous leaders together with the merely self- assertive ones,” and equating interest in nuclear technology with weapons intent (pp. 208–209). Dire proliferation forecasts, both past and present, Hymans believes, flow from four myths regarding nuclear decisonmaking: (1) states want the bomb as a deterrent; (2) states seek the bomb as a “ticket to interna- tional status”; (3) states go for the bomb because of the interests of domestic groups; and (4) the international regime protects the world from a flood of new nuclear weapons states (pp. 208–216). Each of these assumptions is faulty, Hymans contends, because of its fundamental neglect of the decisive role played by individual leaders in nuclear matters. As discussed earlier, Hymans argues that the need for a nuclear deterrent is entirely in the eye of the beholder—a leader with an oppositional nationalist NIC [National Identity Conception]. By the same token, just because some leaders seek to achieve international prestige through acquisition of the bomb, it does not mean that other leaders “necessarily view the bomb as the right ticket to punch”: witness the case of several decades of Argentine leaders, as well as the Indian Nehruvians (pp. 211–212). The case of Egypt under Anwar al-Sadat, though not discussed by Hymans, also seems to fit this category.

***3) Prolif is stabilizing --- it’s banished great power war***

**Waltz ’10** (Kenneth N, adjunct professor of political science @ Columbia, senior research scholar in the Institute of War and Peace , the National Interest, “Is Nuclear Zero the Best Option?” Sep/Oct, Iss. 109; pg. 88, proquest, jj)

War may not pay, as British economist Norman Angeli repeatedly claimed, but the lesson proved a hard one for states to learn. **Even with the horrors of World War I fresh in their minds, European countries went into World War II just twenty-one years later**. **Until August of 1945, violent conflict punctuated the history of states, especially of those major and great. When in short order the Soviet Union followed the United States into the nuclear business with "man of steel" Stalin and in due course "we will bury you" Khrushchev at the helm, many in the Western world thought that all hell would break loose.** Robert Maynard Hutchins, boy president of the University of Chicago (he was thirty when he took over), and Bertrand Russell, eminent in mathematics and rhetoric, proclaimed that in the nuclear age, world government was the only alternative to world war. **With nuclear weapons, war presumably meant that civilization would perish and we along with it. Instead, the alternative to world government proved to be nuclear deterrence, which banished war among the world's major nations through the long years of the Cold War and ever since**. Certainly, **violent conflict** still exists, but it **has been relegated to taking its course in the periphery of international politics. The United States, in particular, has been fond of beating up poor and weak states.** In the twenty years dating from 1983, we invaded six of them, beginning and ending with Iraq. **Yet since the end of World War II, states with nuclear weapons have never fought one another.** Testing propositions against historical events has become a favorite indoor sport of social scientists. **This is the only proposition that has passed every test. One might think that the best, in fact the only, peacekeeping weapon that the world has ever known would gain many fans. It does not seem to have done so.**

#### Prefer our evidence --- theirs is thoroughly biased

Gusterson, ‘04- professor of anthropology and sociology at George Mason University (Hugh, 7/14/04, Chapter 2 Nuclear Weapons and The Other, People Of The Bomb: Portraits of America's Nuclear Complex, p.24)

The dominant discourse that stabilizes this form of nuclear apartheid in western ideology is a specialized variant within a broader system of colonial and postcolonial discourse that takes as its essentialist premise a profound Otherness separating Third World from Western countries. This inscription of Third World (especially Asian and Middle Eastern) nations as ineradicably different from our own has, in a different context, been labeled “Orientalism” by Edward Said. Said argues that orientalist discourse constructs the world in terms of a series of binary oppositions that produce the Orient as the mirror image of the West: where “we” are rational and disciplined, “they” are impulsive and emotional; where “we” are rational and disciplined, “they” are slaves to ancient passions and routines; where “we” are honest and compassionate, “they” are treacherous and uncultivated. While the blatantly racist orientalism of the high colonial period has softened, more subtle orientalist ideologies endure in contemporary politics. They can be found, as Akhil Gupta has argued, in discourses of economic development that represent Third World nations as child nations lagging behind Western nations in a uniform cycle of development or, as Catherine Lutz and Jane Collins suggest, in the imagery of popular magazines such as National Geographic. I want to suggest here than another variant of contemporary orientalist ideology is also to be found US national security discourse.

#### New proliferators will build small arsenals – uniquely stable.

Seng, ‘98 – PhD Candidate in Pol. Sci. – U. Chicago (Jordan, Dissertation, STRATEGY FOR PANDORA'S CHILDREN: STABLE NUCLEAR PROLIFERATION AMONG MINOR STATES, p.203-206)

However, this "state of affairs" is not as dangerous as it might seem. The nuclear arsenals of limited nuclear proliferators will be small and, consequently, the command and control organizations that manage chose arsenals will be small as well. The small arsenals of limited nuclear proliferators will mitigate against many of the dangers of the highly delegative, 'non-centralized' launch procedures Third World states are likely to use. This will happen in two main ways. First, only a small number of people need be involved in Third World command and control. The superpowers had tens of thousands of nuclear warheads and thousands of nuclear weapons personnel in a variety of deployments organized around numerous nuclear delivery platforms. A state that has, say, fifty nuclear weapons needs at most fifty launch operators and only a handful of group commanders. This has both quantitative and qualitative repercussions. Quantitatively, the very small number of people 'in the loop' greatly diminishes the statistical probability that accidents or human error will result in inappropriate nuclear launches. All else being equal, the chances of finding some guard asleep at some post increases with the number of guards and posts one has to cover. Qualitatively, small numbers makes it possible to centrally train operators, to screen and choose them with exceeding care, and to keep each of them in direct contact with central authorities in times of crises. With very small control communities, there is no need for intermediary commanders. Important information and instructions can get out quickly and directly. Quality control of launch operators and operations is easier. In some part, at least, Third World states can compensate for their lack of sophisticated use-control technology with a more controlled selection of, and more extensive communication with, human operators. Secondly, and relatedly, Third World proliferators will not need to rely on cumbersome standard operating procedures to manage and launch their nuclear weapons. This is because the number of weapons will be so small, and also because the arsenals will be very simple in composition. Third World states simply will not have that many weapons to keep track of. Third World states will not have the great variety of delivery platforms that the superpowers had (various ballistic missiles, cruise missiles, long range bombers, fighter bombers, missile submarines, nuclear armed ships, nuclear mortars, etc., etc.), or the great number and variety of basing options, and they will not employ the complicated strategies of international basing that the superpowers used. The small and simple arsenals of Third World proliferators will not require highly complex systems to coordinate nuclear activities. This creates two specific organizational advantages. One, small organizations, even if they do rely to some extent of standard operating procedures, can be flexible in times of crisis. As we have discussed, the essential problem of standard operating procedures in nuclear launch processes is that the full range of possible strategic developments cannot be predicted and specified before the fact, and thus responses to them cannot be standardized fully. An unexpected event can lead to 'mismatched' and inappropriate organizational reactions. In complex and extensive command and control organizations, standard operating procedures coordinate great numbers of people at numerous levels of command structure in a great multiplicity of places. If an unexpected event triggers operating procedures leading to what would be an inappropriate nuclear launch, it would be very difficult for central commanders to “get the word out' to everyone involved. The coordination needed to stop launch activity would be at least as complicated as the coordination needed to initiate it, and, depending on the speed of launch processes, there may be less time to accomplish it. However, the small numbers of people involved in nuclear launches and the simplicity of arsenals will make it far easier for Third World leaders to 'get the word out' and reverse launch procedures if necessary. Again, so few will be the numbers of weapons that all launch operators could be contacted directly by central leaders. The programmed triggers of standard operating procedures can be passed over in favor of unscripted, flexible responses based on a limited number of human-to-human communications and confirmations. Two, the smallness and simplicity of Third World command and control organizations will make it easier for leaders to keep track of everything that is going on at any given moment. One of the great dangers of complex organizational procedures is that once one organizational event is triggered—once an alarm is sounded and a programmed response is made—other branches of the organization are likely to be affected as well. This is what Charles Perrow refers to as interactive complexity, 8 and it has been a mainstay in organizational critiques of nuclear command and control s ystems.9 The more complex the organization is, the more likely these secondary effects are, and the less likely they are to be foreseen, noticed, and well-managed. So, for instance, an American commander that gives the order to scramble nuclear bombers over the U.S. as a defensive measure may find that he has unwittingly given the order to scramble bombers in Europe as well. A recall order to the American bombers may overlook the European theater, and nuclear misuse could result. However, when numbers of nuclear weapons can be measured in the dozens rather than the hundreds or thousands, and when deployment of those weapons does not involve multiple theaters and forward based delivery vehicles of numerous types, tight coupling is unlikely to cause unforeseen and unnoticeable organizational events. Other things being equal, it is just a lot easier to know all of what is going on. In short, while Third World states may not have the electronic use-control devices that help ensure that peripheral commanders do nor 'get out of control,' they have other advantages that make the challenge of centralized control easier than it was for the superpowers. The small numbers of personnel and organizational simplicity of launch bureaucracies means that even if a few more people have their fingers on the button than in the case of the superpowers, there will be less of a chance that weapons will be launched without a definite, informed and unambiguous decision to press that button.

#### Turn—

#### a) Prolif translates into diplomatic parity, delegitimizing coercive diplomacy

Kroenig, ’08 (Matthew, Harvard University, “Beyond Optimism and Pessimism” The Differential Effects of Nuclear Proliferation, 6-17, [http://www.matthewkroenig.com/Kroenig\_Beyond%20Optimism%20and%20Pessimism.pdf](http://livepage.apple.com/) )

Power-projecting states may be forced to consider the redeployment of military forces and bases beyond the range of the new nuclear-weapon state’s arsenal to minimize their military vulnerability in potential, military crises. Power-projecting states may also be more likely to capitulate in political conflicts of interest against nuclear-armed powers. Indeed, recent quantitative analyses have demonstrated that states are less likely to prevail in international disputes against nuclear-armed states.26 Another scholarly study demonstrates that nuclear weapons enhance the diplomatic bargaining power of their possessors.27 As a power-projecting state backs down in confrontations with a new nuclear-armed state, the influence of the new nuclear-weapon state in the geographical region is enhanced at the expense of the powerprojecting state. At the extreme, policymakers in power-projecting states worry that nuclear proliferation will allow the new nuclear-weapon state to “dominate” their geographical region. The fear that nuclear weapons alone will allow a state to dominate a geographical region are probably exaggerated, but nuclear weapons do appear to shift the bargaining space in favor, and increase the strategic influence, of their possessor.

#### b) Solves extinction

Crowe, ’06 – writer for the International Press Service, January 2006 (Naman, “How to avoid nuclear war,” http://www.ipsfeatures.com/Menu/Naman/2006/1-23-06%20how%20to%20avoid%20nuclear%20war.htm)

History has moved us into the nuclear age, an age more dangerous and threatening to the continued existence of life itself on this planet than anyone could have ever conceived of or imagined before the birth of the atomic bomb. We are only 60 years into this age, which is the same age as myself, and yet the reality of nuclear war and the destruction of all life is speeding toward us and picking up speed so fast it could happen almost any day now. The only way to avoid this is to change our direction as nations of people around the world, united in the same cause - the survival of the human race. This cannot be achieved by a single nation such as America deciding that it will be the Supreme Commander-in-Chief, deciding what nations should have nuclear weapons and what nations shouldn't, deciding that it has the supreme right and duty to overturn any sovereign nation that it determines to turn over and change its government and force it to yield to its will, even if it has to overrule the United Nations itself, disregard International Law and become the LAW, the Jesus Figure, the God Figure, the Supreme Ruler, the Commander-in-Chief of the World. This kind of thinking, as represented by the Christian, Conservative, Right Wing Neocon Republicans, Chicken Hawks and Bushites, can only speed up the process which is leading us to world-wide destruction. That is not the proper direction if we want to bring about peace and avoid a nuclear collision. The proper direction is through peace. The final question is do we as a people have the ability to really look at the details and see the truth, or do we continue our blind race into the black face of that fast approaching and final good night. There are times when nations have to defend themselves from actual attack and actual for-real, bona fide, serious, not-made-up threats of actual attack. There are times when the attackers win and kill the weak and take over nations and rule over the people, the way Hitler did to Poland and other nations. But that doesn't make it right, nor does it naturally follow that it therefore gives the sole surviving superpower, America, the right to break International Law and attack a nation which is not a threat to it and has not harmed it and is too weak to be a threat to any other nation. It doesn't follow that the superpower’s executive branch has the right to lie and deceive the Congress and the people of America and the world in order to carry out an evil and illegal power grab through war and the slaughter of tens of thousands for no just reason. Regime change is not a just reason. No nation, not even all the nations of the world combined, has a right to attack and take over another nation for the sole purpose of regime change. Regime change, for the purpose of removing Saddam Hussein and changing the government of Iraq into a Democracy, was the sole purpose behind President George W. Bush’s illegal attack on Iraq which has resulted in the deaths of unknown thousands, maybe as much as 100,000 Iraqi people.

#### Reducing reliance on nuclear weapons increases risk of conventional conflict

Sechser, ‘09 (Todd S. Sechser, Assistant Professor of Politics at the University of Virginia, “The Stabilizing Effects of Nuclear Proliferation”, Controversies in Globalization: Contending Approaches to International Relations, CQ Press, 2009, http://faculty.virginia.edu/ tsechser/Sechser-Haas-2009.pdf)

The optimist camp’s first and most important claim is that the presence of nuclear weapons suppresses international conflicts. Nuclear weapons, in this view, differ from conventional military tools in two central ways. First, nuclear weapons carry enormous destructive power. Whereas the targets of conventional weapons necessarily tend to be small in size (for instance, an airfield, communications center, or ammunition depot), the most powerful nuclear weapons can place entire cities at risk. The use of even a few nuclear weapons could destroy hundreds of thousands (if not millions) of human lives in a short span of time. Second, defenders have little control over the level of destruction they endure during a nuclear conflict. Without a reliable means to destroy incoming ballistic missiles or to shield cities from nuclear attack—neither of which exists today—nuclear combatants must rely on an enemy’s restraint to limit the amount of damage they suffer. These two characteristics—colossal destructive capacity and the lack of an effective defense—combine to induce caution among leaders facing the prospect of nuclear retaliation. Leaders will behave less aggressively and will more eagerly seek peaceful solutions to crises, the logic goes, since they do not want to endure even a small risk that a conventional war might become nuclear.

#### Modern conventional war is unpredictable and would rapidly escalate – just as bad as nuclear war

Blackwill and Larrabee, ’89 (Robert D. and Stephen F., Special Assistant to the President for National Security Affairs, the Corporate Chair in European Security at the RAND Corporation, Conventional arms control and East-West security, p. 76-78)

A large-scale conventional war, even if it would not quickly boil over into a nuclear war, would have numerous unpredictable features that would make it quite dissimilar to World War Il, the experience of which continues to be used even now as the point of departure for the strategic and operational planning of combat operations for NATO and WTO ground forces, air forces and naval forces. The fact that during the past 40 years incomparably greater changes have taken place in technology than those that took place in the earlier interwar periods of 1870-1914 and 1918-1939 supports such a conclusion. Therefore, war in the modern era is even less similar to World War II than that war was to War World I, and the latter in turn to the Franco-Prussian war. It is exceptionally difficult, if it is possible at all, to predict its course. But there is every justification to say that the numerous contradictions and paradoxes of a hypothetical new war would in practice have the most unexpected consequences, consequences most likely incompatible with the concept of "protracted" conventional combat on the European continent or on a global scale. This concerns, for example, the fact that the sharply increased interdependence of different types of armed forces and troops, individual formations and units and various weapons systems is a distinguishing feature of the functioning of enormous and highly complex organizations, which is what modern armed forces are. A great spacial scope of operations (on the scale of entire TVDs), the rapidity and intensity of combat actions, and the multinational structure of opposing coalitions of states will characterize their actions. All of this poses unprecedently high demands for coordinating the actions of all elements of military potentials and for carefully planning operations, their priority, sequence of interaction and so on. At the same time, the character of modern warfare makes inevitable the constant and rapid change of the combat situation on the fronts, deep breakthroughs and envelopments, and the intermixing of one's own and others' formations, units and subunits. In view of the high maneuverability of troops even the traditional FEBA may no longer exist. In place of it zones of combat contact of a depth of dozens of kilometers will arise and rapidly change and shift. The unpredictability, mutability and intensity of probable combat actions would so overload the capabilities of a centralized command and control in the theater of war and the separate TVDs that they would most likely rapidly lead to total chaos. The intensity of the anticipated combat also renders inevitable exceptionally great losses in arms and equipment. At the same time, because of the rapid increase in the cost of weapons systems, the quantitative levels of armed forces and arms on the whole have a tendency to decrease. Fewer but much improved and more powerful arms have a much lesser chance than in World War ll of being used repeatedly in several battles. Their longevity will entirely depend on how successfully they may outstrip the opponent and destroy his forces and capabilities earlier than they will be destroyed by him. Therefore, combat actions will in any event most likely have a short-term character, if not for both, then at least for one of the sides. And this is not to mention the enormous losses among the civilian population and the damage to the economic infrastructure in the region of combat, which may now envelop the greatest and most densely populated portion of the European continent. Neither the population, economy nor ecology of Europe can withstand a large-scale conventional war for any amount of time—even in the improbable event that nuclear power stations, chemical enterprises and nuclear and chemical weapons depots are not destroyed. The limited capabilities of the "human factor" in conditions of modern battle are clearly demonstrated by the experience of the local wars of the 19705 and the 198os. Thus, for maintaining the combat capability of troops at a “sufficiently high level" during the Falklands conflict {1982), the British command was forced to replace forward units every two days. Furthermore, the high sortie rate of Great Britain's air force and naval aviation in this period was guaranteed largely thanks to the use of special medicinal preparations. Naturally, it is impossible to compare and carry over the experience of individual local conflicts to potential large-scale combat operations on the European continent, where their character would be quite different both in terms of intensity and scope. This concerns the anticipated transient "fire contacts" with the rapid change of the tactical and operational situation, the threat of using nuclear weapons at any moment, the swift advance of enemy troops, the simultaneous envelopment of large territories with combat actions, the premeditated violation of lines of communication and C3I, and the conduct of combat operations at any time of the day (including at night) and under any weather conditions—— all of which maximally increase the physical and psychological stress on a person, and cannot be compared with what took place in the years of World War II, in the Middle East in 1973 or in the Falkland Islands in 1982. It is also necessary to observe that the replacement of the leading units by their withdrawal to the rear for rest and replenishment, as was done in the past, becomes practically impossible in the conditions of large-scale combat operations. Where to withdraw the units for rest, and at what time, if just 30-5o kilometers from the front there would be a zone of combat operations just as intense as at the forward line? Any assessments of the losses of the sides participating in the conflict can only be highly abstract. Only one thing is clear——the human and material losses in the event of a “general conventional war" will be characterized, undoubtedly, by a scale many hundreds of times greater than that in analogous conflicts of the past, and, what is especially important, by a significantly higher "attrition rate" of people and equipment, of the share of irreplaceable losses.

### Threats

#### Threats don’t escalate, cause crisis instability or miscalc – make them outline a specific scenario

Karas, Sandia National Laboratories Advanced Concepts Group project director, April 2001
[Thomas H., Ph.D., "De-alerting and De-activating Strategic Nuclear Weapons," Sandia Report, prepared by Sandia National Laboratories, <http://infoserve.library.sandia.gov/cgi-bin/techlib/access-control.pl/2001/010835.pdf>,]

Nevertheless, interpretation of warning information will take place in the context of information about the general state of relations between the potential adversaries. If there is no reason to think that a state of conflict exists, decision-makers are more likely to question false alarms and delay a response until the situation can be sorted out. On January 25, 1995, a scientific rocket probe launched from Norway appeared on Russian radar screens. Within minutes, President Yeltsin was alerted that this might be a U.S. submarine-launched missile (no one having been told that the Norwegians had notified Russian authorities of the launch plan weeks earlier). A few minutes later the Russian military determined that the rocket posed no threat. We do not know how close the Russians came to erroneously concluding that the rocket was a missile, or whether President Yeltsin would have ordered a counterattack based solely on the warning that a single missile was coming.13 Nevertheless, given the extreme improbability of a “bolt-from-the-blue” U.S. attack, a rapid nuclear response seems unlikely.

#### No impact to ambiguity and threats are credible

Congressional Commission on the Strategic Posture of the United States, May 6, 2009, The Final Report of the

Congressional Commission on the Strategic Posture of the United States, “America’s Strategic Posture”, William J. Perry, Chairman; James R. Schlesinger, Vice-Chairman, et al, p. 35, http://www.usip.org/files/file/strat\_posture\_report\_adv\_copy.pdf

Second, the United States should retain calculated ambiguity as an element of its nuclear declaratory policy. Potential aggressors should have to worry about the possibility that the United States might respond by overwhelming means at a time and in a manner of its choosing. Calculated ambiguity may not be wise in every instance, as deterrence in crisis may be better served by being explicit. But calculated ambiguity creates uncertainty in the mind of a potential aggressor about just how the United States might respond to an act of aggression, and this ought to reinforce restraint and caution on the part of that potential aggressor. The threat to impose unacceptable consequences on an aggressor by any means of U.S. choosing remains credible.

#### Congressional control is bad

#### a) Budget fights cause ineffective congressional control of nuclear weapons

Schwartz 08 (Stephen I. Schwartz is Editor of The Nonproliferation Review and WMD Junction, Nuclear Threat Initiative, "Congressional Oversight of U.S. Nuclear Weapons", http://www.nti.org/analysis/articles/congressional-oversight-nuclear-weapons/, October 01, 2008)

With few exceptions, Congress has historically shown little interest in nuclear weapons matters except where budgets or constituent needs are concerned.[1] Those members that did follow the issue either chaired a relevant committee or subcommittee or represented a state or district housing one or more nuclear weapons installations.¶ Congressional oversight can have two connotations—to look over and to overlook. Too often, Congress, by its own admission, has practiced the latter. Given that U.S. nuclear weapons and weapons-related programs have consumed at least $7.5 trillion (in adjusted 2005 dollars) since 1940 this is surprising, until one realizes that insufficient oversight contributed to Congress' lack of knowledge about the overall scale of the program. In fact, congressional scrutiny of nuclear weapons programs can be characterized as a story of extremes—long periods of inattention punctuated by short periods of concern and action. In general, Congress has taken action following a crisis or scandal (real or perceived), which typically focuses significant media or public attention on a specific problem.¶ In 1984, then Senator Sam Nunn (Democrat of Georgia), a member of the Armed Services Committee since 1972, told a reporter, "The budget cycle drives the Congress, and the Congress drives the executive branch to such an extent that we don't have time to think about strategy. We never had a strategy hearing since I've been in the Senate."[2] Four years later, amidst mounting revelations that the Department of Energy's nuclear weapons facilities were unsafe to both workers and the general public, Representative John Spratt (Democrat of South Carolina), told a reporter, "In truth, most of our time is spent on the annual budget process and we have little left for oversight."[3] In fact, the last hearings in the House of Representatives on nuclear strategy were in the mid-1990s and the last Senate hearing was before the Foreign Relations Committee in 1980 and concerned President Jimmy Carter's Presidential Directive 59, which mandated more flexible nuclear strike options and stated that U.S. nuclear forces must be able to find and win a protracted nuclear war.[4]¶ This inattention and lack of sustained focus led to critical disconnects between what Congress thought it was achieving with U.S. nuclear policy and what was actually happening. One of the most striking of these concerns the popular notion in the 1950s that nuclear weapons provided "a bigger bang for a buck."[5] Policymakers assumed that because a conventional bomb could kill tens or a few hundred people while one nuclear weapon could kill tens or hundreds of thousands of people, nuclear weapons were therefore more cost effective.[6] Because the Soviet Union was believed to field superior conventional forces, and because it was felt that the United States could engage in a conventional arms race with the Soviet Union and remain financially solvent, nuclearizing conventional forces was considered an ideal solution. But neither Congress nor the military leaders that supported this policy (largely for their own parochial reasons) understood that this was a gross oversimplification and that in many ways nuclear weapons were more expensive than conventional ones. Moreover, nuclear weapons never replaced conventional weapons, so the theoretical savings were never realized. Yet after authorizing a massive expansion in the production of plutonium and highly enriched uranium in the early 1950s (largely in response to the Korean War), Congress never examined or reevaluated its assumptions, even after military leaders began to realize they were mistaken.[7]

#### b) Secrecy, lack of resources, and bureaucracy make Congress ineffective

Schwartz 08 (Stephen I. Schwartz is Editor of The Nonproliferation Review and WMD Junction, Nuclear Threat Initiative, "Congressional Oversight of U.S. Nuclear Weapons", http://www.nti.org/analysis/articles/congressional-oversight-nuclear-weapons/, October 01, 2008)

In addition, as we have seen many members feel they lack the knowledge necessary to understand these programs (the abolition of the congressional Office of Technology Assessment in 1994 by the newly-elected Republican majority did not help matters). The secrecy surrounding many nuclear programs also serves as a formidable barrier to acquiring knowledge from the often reluctant executive branch, conducting oversight, or engaging in discussions with colleagues or constituents. With so many more pressing matters on their agenda, and with few places to turn for on the job training, members gravitate to issues they know. Personal and committee staff resources are also limited, so that staffers typically cover several broad issues areas, constraining their ability to focus in a sustained and effective way on nuclear weapons.¶ And finally, the organizational structure of Congress divides jurisdiction for nuclear weapons issues among dozens of committees and subcommittees, preventing anyone from being able to see the big picture. The annual budget authorization and appropriation process also ensures that most of the attention will be on the proposed budget and what it will buy and not on the policies use to justify the spending programs in those budgets.

### China Mod

***1) Turn – Modernization is key to prevent accidents and a repeal of NFU***

Robert S **Ross**, Professor of Political Science, Boston College, and Associate of the John King Fairbank Center for East Asian Studies, Harvard University, “Navigating the Tiawan Strait: Deterrance, Escalation Dominance, and US-China Relations”, International Security, 27.2 20**02**

**Beijing's concern for the vulnerability of its nuclear forces has led it to rely on mobility, dispersed deployment, and camouflage to enhance its second-strike capability. Yet these methods,** particularly its wide dispersal of launch sites, **undermine China's command-and-control systems and thus the reliability of its retaliatory capability**. 32 **Concern for the survivability of its strategic forces has also led to "repercussions and controversy" among PRC specialists over whether China should reconsider its no first-use of nuclear weapons policy**. Defenders of this doctrine insist that should circumstances change so that China "cannot not use or has no choice but to use nuclear weapons, it would not be a departure from the intrinsic nature of deterrence, but would be in coordinated unity with it." Similarly, if an enemy's conventional attack [End Page 59] would threaten its existence, China could counterattack with nuclear weapons, in accordance with its deterrence doctrine. 33 **China's concern for survivability has encouraged its leadership to consider a launch-on-warning doctrine**. An early discussion of Chinese nuclear doctrine explained that **the meaning of a retaliatory attack was not "passive acceptance of attack. We cannot wait until after the enemy's nuclear missiles explode and there is confusion everywhere before carrying out a nuclear counterattack."** More recently, Chinese military writings advise that "if the enemy first uses nuclear weapons," China's strategic missile forces, while preparing for the attack, "must resolutely carry out a counterattack." 34 Given the vulnerability of Chinese forces to a preemptive attack and its deficient early-warning capabilities, however, it is unlikely that China has a launch-on-warning capability.

***2) Conventional superiority – not nuclear policy – drives Chinese modernization***

Bruce G. **Blair** is the President of the World Security Institute, and Chen Yali is the editor in chief of Washington Observer, “The Fallacy of Nuclear Primacy”, China Security Autumn 20**06**

**China’s real concern about threats to its nuclear deterrent capability stems not from nuclear primacy**, as the two professors argue, **but from U.S. conventional primacy**. **The increasing accuracy and lethality of the American conventional strike capability is tipping the strategic balance and eroding China’s deterrent force**.30 China’s past assumption that its second-strike deterrent against U.S. blackmail can only be eviscerated by a U.S. nuclear strike is rapidly crumbling. A U.S. strike by its conventional precision- guided cruise missiles and gravity bombs delivered by strategic submarines and bombers, and in the future by ICBMs, against China’s small nuclear force would circumvent the nuclear taboo. **Conventional strikes that destroy China’s nuclear deterrent capability are regarded by the Chinese as far more practical and less risky for the United States than a nuclear strike would be. And the effectiveness of such conventional strikes could be high**. **The United States is on the verge of posing a disarming first strike conventional threat against all of China’s strategic nuclear forces. It is this prospect, and not nuclear primacy, that appears to be putting some real pressure on Chinese strategists to revoke China’s longstanding commitment to NFU**.

***3) Turn – Modernization forces the US to change its relationship with China – this spills-over to a positive effect on all relations***

Baohui **Zhang**, Associate Professor of political science at Lingnan University, Hong Kong, Asian Affairs, an American Review. Washington: Summer 20**07**. Vol. 34, Iss. 2; pg. 87

**The United States can no longer afford to** underestimate or even **overlook China's nuclear power because it is on the verge of achieving real breakthroughs**. As Lyle J. Goldstein argues, it is urgent to conduct "further and deeper investigations into the U.S.-China nuclear relationship. In time, **the issue may emerge as one of the most important quandaries confronting twenty-first-century strategists.**"49 Therefore, the suggestion of American nuclear primacy by Lieber and Press is both false on a factual basis and dangerous on the policy front. Their analysis overlooks **China's imminent acquisition of a secure second-strike capability** and how this **may profoundly affect its strategic relationship with the United States**. In fact, **MAD, instead of becoming irrelevant in the twenty-first century, will form the foundation of the strategic relationship between the United States and China**. This prospect is recently analyzed by Aaron Friedberg in a survey of the future of U.S.-China relations. According to him, **nuclear mutual deterrence may turn out to be a critical stabilizing factor for the most important bilateral relationship of the world**.50 A particularly important issue is for the two countries to conduct regular and frequent strategic dialogues about the proper role of nuclear deterrence in their bilateral relationships. The dialogues should be based on the shared understanding that MAD will inevitably become the foundation of their strategic relationship. As a result, **the United States should not see the rise of Chinese nuclear power as a strategic threat. Rather, it should be recognized as an important stabilizing factor in a bilateral relationship that could see more conflicts in the future**.

***4) China is committed to no first use – no risk of first strike***

Tim **Johnson**, McClatchy Newspapers, Jan 20th 20**09**, http://www.mcclatchydc.com/homepage/story/60208.html

CHENGDU, China — **China** on Tuesday **renewed its pledge never to be the first to use nuclear weapons in a military conflict**, and senior military leaders vowed greater openness about the strengthening of the world's biggest armed forces even as they brushed aside questions on weapon systems and missiles aimed at Taiwan. **China's nuclear missiles "are not aimed at any country,"** a 105-page report says. For the first time, the annual defense survey outlines how China would respond to a nuclear threat, saying that it would first put its nuclear arsenal on full alert, a move designed "to deter the enemy from using nuclear weapons against China." If an enemy nation fires nuclear missiles at China, the report says, China would "launch a resolute counter-attack." **China's long-standing "no first-use" policy on nuclear weapons came under question nearly four years ago** **when People's Liberation Army Maj. Gen**. **Zhu** Chenghu **said that China might launch a nuclear strike on the United States if American forces targeted any Chinese military asset without striking. His remarks later were disavowed.**

***5) Turn – Chinese second strike key to solve first use***

**Goldstein**, Avery, Professor of Political Science at the University of Penn. "Great expectations: interpreting China's arrival." International Security 22.3 (19**97**)

What might be termed "**nuclear peace theory**" **provides the strongest reasons to expect that the dangers associated with China's arrival as a full-fledged great power will be limited**. This theory asserts that the advent of nuclear weapons, especially thermonuclear weapons that can be loaded atop ballistic missiles, has revolutionized international politics by fundamentally altering the costs of conflict among the great powers. Because nuclear powers cannot confidently eliminate the risk of unacceptable retaliation by their adversaries, they cannot engage one another in military battles that have a real potential to escalate to unrestrained warfare. Thus, in its purest form, nuclear peace theory argues that among the great powers the nuclear revolution has resulted in easily established relationships of mutual deterrence that provide not only a robust buffer against general war, but also a strong constraint on both limited war and crisis behavior.(105) Limited wars and crises between nuclear states with survivable retaliatory forces may yet occur, but their outcome is more likely to be determined by the balance of political interests that underpins international resolve than by estimates of the balance of military capabilities.(106) Nuclear peace theory, then, suggests that **the alarmist implications for international security of China's rise to power have been overstated, because many analysts fail to explain why the powerful nuclear constraints on policymaking would not apply for a Chinese decision maker and his counterpart in a rival great power**.(107) **Uncertainties about shifts in relative capabilities caused by China's growing strength, this theory suggests, will be overshadowed by certainty about the unacceptable damage even a small nuclear exchange could cause**. In this view, **China's probes against Taiwan and adventurism in the South China Sea or elsewhere in East Asia are feasible only as long as the risk of an escalating conflict with a nuclear-armed rival is virtually zero. Once such a risk-laden military engagement becomes a serious possibility, the incentives for nuclear adversaries to keep their conflicts within bounds would lead Beijing and Washington**, for example, to feel the same pressures to find negotiated solutions that Washington and Moscow felt during their various Cold War crises.

#### No risk of US/China war

Chinese heg isn’t a threat, economic interdependence checks, miscalc won’t happen and deterrence checks escalation

Art ’10 (Robert J, Christian A. Herter Professor of [International Relations](http://en.wikipedia.org/wiki/International_Relations) at Brandeis University and Fellow at [MIT Center for International Studies](http://en.wikipedia.org/wiki/MIT_Center_for_International_Studies) Fall, Political Science Quarterly, Volume 125, #3, “The United States and the Rise of China: Implications for the Long Haul” <http://www.psqonline.org/99_article.php3?byear=2010&bmonth=fall&a=01free>, jj)

China does not present the type of security threat to the United States that Germany did to Britain, or Britain to Germany. Americaʼs nuclear forces make it secure from any Chinese attack on the homeland. Moreover, China clearly presents a potentially different type of threat to the United States than the Soviet Union did during the Cold War, because the geopolitics of the two situations are different. The Soviet geopolitical (as opposed to the nuclear) threat was two-fold: to conquer and dominate the economic–industrial resources of western Eurasia and to control the oil reserves of the Persian Gulf. Europe and the Persian Gulf constituted two of the five power centers of the world during the Cold War—Japan, the Soviet Union, and the United States being the other three. If the Soviets had succeeded in dominating Europe and the Persian Gulf through either conquest or political–military intimidation, then it would have controlled three of the five power centers of the world. That would have been a significant power transition. Chinaʼs rise does not constitute the same type of geopolitical threat to the United States that the Soviet Union did. If China ends up dominating the Korean peninsula and a significant part of continental Southeast Asia, so what? As long as Japan remains outside the Chinese sphere of influence and allied with the United States, and as long as the United States retains some naval footholds in Southeast Asia, such as in Singapore, the Philippines, or Indonesia, Chinaʼs domination of these two areas would not present the same type of geopolitical threat that the Soviet Union did. As long as Europe, the Persian Gulf, Japan, India, and Russia (once it reconstitutes itself as a serious great power) remain either as independent power centers or under U.S. influence, Chinese hegemony on land in East and Southeast Asia will not tip the world balance of power. The vast size and central position of the Soviet Union in Eurasia constituted a geopolitical threat to American influence that China cannot hope to emulate. If judged by the standards of the last three dominant power-rising power competitions of the last 100 years, then, the U.S.–China competition appears well placed to be much safer. Certainly, war between the two is not impossible, because either or both governments could make a serious misstep over the Taiwan issue. War by miscalculation is always possible, but the possession of nuclear weapons by both sides has to have a restraining effect on each by dramatically raising the costs of miscalculation, thereby increasing the incentives not to miscalculate. Nuclear deterrence should work to lower dramatically the possibility of war by either miscalculation or deliberate decision (or if somehow such a war broke out, then nuclear deterrence should work against its escalation into a large and fearsome one). Apart from the Taiwan issue or some serious incident at sea, it is hard to figure out how to start a war between the United States and China. There are no other territorial disputes of any significance between the two, and there are no foreseeable economic contingencies that could bring on a war between them. Finally, the high economic interdependence and the lack of intense ideological competition between them help to reinforce the pacific effects induced by the condition of mutual assured destruction. The workings of these three factors should make us cautiously optimistic about keeping Sino-American relations on the peaceful rather than the warlike track. The peaceful track does not, by any means, imply the absence of political and economic conflicts in Sino-American relations, nor does it foreclose coercive diplomatic gambits by each against the other. What it does mean is that the conditions are in place for war to be a low-probability event, if policymakers are smart in both states (see below), and that an all-out war is nearly impossible to imagine. By the historical standards of recent dominant-rising state dyads, this is no mean feat. In sum, there will be some security dilemma dynamics at work in the U.S.–China relationship, both over Taiwan and over maritime supremacy in East Asia, should China decide eventually to contest Americaʼs maritime hegemony, and there will certainly be political and military conflicts, but nuclear weapons should work to mute their severity because the security of each stateʼs homeland will never be in doubt as long as each maintains a secondstrike capability vis-à-vis the other. If two states cannot conquer one another, then the character of their relation and their competition changes dramatically.

#### No relations collapse and no definitely no war

Zenko and Cohen, ’12 (Micah, Douglas Dillon Fellow in the Center for Preventive Action at the Council on Foreign Relations, and Michael, Senior Research Fellow at the New America Foundation and ran the Privatization of Foreign Policy Initiative, “Zenko and Cohen Reply,” *Foreign Affairs*, Jul/Aug, Vol. 91, Issue 4, ebscohost, bgm)

Finally, Miller argues that "a militarized confrontation with China is more likely today than at any point since the Korean War." His basis for this assertion is that U.S.-Chinese relations "are prone to regular crises," such as those during the Tiananmen Square massacre in 1989 and following the accidental U.S. bombing of the Chinese embassy in Belgrade in 1999. But neither of these disputes, nor the many others that have occasionally roiled relations in the last two decades, came even close to provoking a militarized conflict. The reason is both obvious and important: neither Washington nor Beijing has any interest in going to war, and both have employed formal and informal mechanisms to prevent conflict, including the exchange of special envoys, the Military Maritime Consultative Agreement, and mutual membership in the World Trade Organization. Indeed, the U.S.-Chinese relationship has been defined by. intermittent cooperation and mutual interest on such issues as curbing nuclear proliferation, enhancing global economic stability, and even putting in place sanctions against Iran. And as the recent incident involving the Chinese dissident Chen Guangcheng demonstrated, neither side wants to openly confront the other. So it remains a mystery why Miller contends that "China clearly poses a greater danger today than it did during the Cold War."

# 2NC

## T

### A2: Armed Forces C/I

#### Interp not defining armed forces – defining armed forces structure

#### US Armed Forces means active duty military personnel – prefer it – congressional definition

US Congress 80 ("U.S. Policy in the Far East," US Congress - House Committee on Foreign Affairs, p. 98)

(a) "United States armed forces" means the personnel on active duty belonging to the land, sea or air armed services of the United States of America when in the territory of Japan.

#### Armed Forces includes only uniformed military personnel

Fisher ’12, Louis Fisher, Scholar in Residence, The Constitution Project; served for four decades at the Library of Congress, first as Senior Specialist, Congressional Research Service, from 1970 to March 2006, then Specialist in Constitutional Law, Law Library, from March 2006 to August 2010, 2012¶ Journal of National Security Law & Policy¶ 5 J. Nat'l Security L. & Pol'y 319, ARTICLE: Basic Principles of the War Power, Lexis, jj

 In 1973, Congress passed the War Powers Resolution in an attempt to define the relative war powers of Congress and the President. The resolution focused on the introduction of "United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations." n88 The term "United States Armed Forces" appears repeatedly throughout the resolution. n89

During legislative debate, Senator Thomas Eagleton recognized that the term covered only the uniformed military forces available to the Defense Department. It did not cover civilian combatants engaged in paramilitary operations supervised by the Central Intelligence Agency. Eagleton was aware that hearings by the Senate Subcommittee on United States Security Agreements and Commitments Abroad "had exposed the "secret war' in Laos," where employees of the CIA in the early 1960s were used, in what was called "the Phoenix program," in a combat role to organize "indigenous Laotian forces to engage in hostile actions." n90 William E. Colby, during his [\*336] confirmation hearing in 1973 to be CIA Director, explained the reason for covert actions in Southeast Asia through the Phoenix program: "It was important that the U.S. not be officially involved in that war." n91 Unless the War Powers Resolution applied to paramilitary operations, Eagleton was concerned that "we may see an even more wide-ranging use of civilian combatants in lieu of uniformed personnel whose activities will be circumscribed by this bill ... ." n92 Nevertheless, he was unable to secure a sufficient number of votes for his amendment to apply the War Powers Resolution to paramilitary activities.

In a February 12, 1980, memo on the war power, the Justice Department's Office of Legal Counsel (OLC) ana-lyzed the debate over the Eagleton Amendment. It summarized the position of Senator Jacob Javits, who argued that CIA activities should not be within the resolution "because the CIA lacks the appreciable armed force that can commit the Nation to war." n93 That memo was modified by OLC on October 26, 1983, when it held that the Eagleton Amend-ment covered potential use of civilian personnel, not military personnel, for combat operations. n94 When Javits opposed the amendment, he said an important consideration was that other than the uniformed armed forces there is "no agency of the United States which has any appreciable armed forces power, not even the CIA. They [the CIA] might have some clandestine agents with rifles and pistols engaging in dirty tricks, but there is no capability of appreciable military action that would amount to war." n95 The debate in 1973 occurred long before the CIA began acquiring control over armed drones, used extensively in Pakistan and most recently greatly strengthened in the region around Yemen. n96

#### This is the only accurate reading of the resolution

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Consider the War Powers Resolution of 1973, in which Congress tried to strengthen its powers to control Presidential actions in instances where military force was being used without a declaration of war. The key words are at the beginning of Section 4(a): "In the absence of a declaration of war, in any case in which United States Armed Forces are introduced..." and with the pivotal words being "United States Armed Forces." Section 4(a) (1) concerns introducing forces "into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances." n11 This is the most vague of the three provisions in the law requiring a presidential report to Congress. One may argue that the use of U.S. military resources (such as employing troops at computers) to commence an information warfare operation against a foreign actor might be a form of introducing armed forces into hostilities or situations where they are imminent. However, that is a very sweeping interpretation that seemingly exceeds the intent of the law. The provision clearly implies movement of personnel.

### 2NC – Not Nukes / A2: We Meet

#### They don’t meet—extend Lorber – only our ev is based on a textual analysis of the WPR and references congress’ intent when they wrote the bill – armed forces refers to only humans and explicitly excludes weapons and systems like nukes --- they are extra topical --- even if it involves humans

#### “Armed Forces” does not include nuclear weapons – only our ev accounts for the intent of the WPR

Hemesath ‘2k, Paul A. Hemesath \*, \* J.D./M.S.F.S. Georgetown University Law Center, School of Foreign Service, 2001; B.A. University of California at Los Angeles, 1996, Georgetown Law Journal¶ August, 2000¶ 88 Geo. L.J. 2473, NOTE: Who's Got the Button? Nuclear War Powers Uncertainty in the Post-Cold War Era, Lexis, jj

 [\*2481] Yet Congress has only occasionally attempted to formally challenge the Executive's repeated engagement of U.S. forces. The conflict between the President and the Congress climaxed weakly with the passage of the War Powers Resolution in 1973. n49 Enacted partly in response to popular disgust with presidential excesses during the undeclared Vietnam "conflict," the Resolution was intended "to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgement of both the Congress and the President will apply to the introduction of United States armed forces into hostilities." n50 Since the enactment of the War Powers Resolution, various Presidents have politely reported some military adventures and not reported others, n51 all the while curtly asserting that their power to conduct armed operations is not to be impeded by Congress. n52

Congressional opposition via the War Powers Resolution has thus far failed to provide definitive resolution because of three obstacles. First, executive decisions to engage in military strikes have generally been politically popular and the Congress has not opposed them. n53 There have been few politically safe opportunities for the legislature to challenge an executive use of force as unconstitutional, especially during the Cold War. n54 Second, the War Powers Resolution itself is an ambiguous expression of executive responsibilities. n55 Senator Biden has pointed out that the triggering mechanism for the sixty-day reporting requirement is not sufficiently defined, thus allowing the President to circumvent congressional will with ease. n56 In addition, the War Powers Resolution does not contemplate uses of force that would instantaneously place the nation at war, as would nuclear weapons. n57 Third, although some members of [\*2482] Congress seeking enforcement of the War Powers Resolution have filed lawsuits, the courts have generally refused to decide the issue. n58 Relying on a litany of jurisdictional tools in order to avoid passing final judgment--including doctrines of ripeness, political question, and standing n59 --the courts have left de facto power with the Executive to embark on foreign adventures through its direct control of the military apparatus. The root constitutional question has thus remained unanswered. n60

#### Public statements prove they are distinct

Lee Jae-bong ‘08 is a professor at Wonkwang University and an expert on the history of anti-American movements in Korea. The original article was published in Korean at (The Society of World Peace and Unification, The Journal of Peace Studies), Vol 9 No. 3 (December 15, 2008). <http://www.japanfocus.org/-lee-jae_bong/3053#sthash.0obechK0.dpuf>

Word that nuclear weapons were deployed in South Korea began to spread vaguely in the mid-1970s. First, in a March 1974 testimony to Congress, Creighton Abrams, the U.S. Army Chief of Staff, stated that the U.S. had deployed a 'modernized tactical nuclear weapon', the Lance Missile, in South Korea in preparedness for a limited nuclear war. Second, in his February 1975 testimony to Congress, James Schlesinger, the U.S. Secretary of Defense, while asserting that the U.S.F.K. was stationed not to prevent a North Korean attack of the south but to check regional powers, affirmed the deployment of nuclear weapons in the southern half of the Korean peninsula. And in two separate press conferences in April and June 1975, he brought up the matter again, saying that "The U.S. has deployed nuclear weapons along with its armed forces in Europe and South Korea." He went on to issue public threats to North Korea, saying that the U.S. would retaliate with nuclear weapons if the North attacked the South, and that it would maintain such weapons in South Korea.

#### US Armed Forces includes ONLY these 5 branches of the military:

US DoD, 05 (Dictionary of Military and Associated Terms. US Department of Defense 2005, http://www.thefreedictionary.com/United+States+Armed+Forces)

Used to denote collectively only the regular components of the Army, Navy, Air Force, Marine Corps, and Coast Guard. See also Armed Forces of the United States.

#### They don’t meet – DOE has jurisdiction over nukes

at: missiles are part of armed forces

Russell Rumbaugh 3-19-’13, Director, Budgeting for Foreign Affairs and Defense, Stimson Center, and author of "Resolving the Ambiguity of Nuclear Weapons Costs" in Arms Control Today, June 2012, March 19, 2013, TRANSCRIPT AVAILABLE: Sustaining U.S. Nuclear Forces on a Tight Budget, <http://www.armscontrol.org/node/5704>, jj

But even if you leave those out and just focus on this crass offensive side, there’s still three problems. The first and easiest is two agencies own it. DOE owns the warheads; DOD owns the delivery systems.

#### Err neg – topic committee specifically used the phrase “Armed Forces of the United States” to avoid recycled nuclear debates.

**A2: Reasonability/T Debates = Race To Bottom---2NC**

***The point of our T arg is to determine what a reasonable interpretation of the topic is---our violation’s that they’re outside the scope of that***

Reasonability is a function the quality of their counter-interpretation—standards prove they are unreasonable.

***A competing interpretations framework is critical – the resolution contains no words that provide an inherent limit, so we need to craft the best possible interpretation or else all predictability is lost***

Competing interpretations creates a race to the top—creates a competitive incentive to find the most defensible definitions, creates a stable topic.

***Reasonability’s bad***

***---Neutrality – competing interpretations is the only objective way to determine topicality – you should err on the side of objectivity because topicality is a rule of the game***

***---Silly – the aff doesn’t win if they almost outweigh a disad, they shouldn’t win if they’re almost topical***

***It’s arbitrary and undermines research***

**Resnick 1**Evan- assistant professor of political science – Yeshiva University, “Defining Engagement,” Journal of International Affairs, Vol. 54, Iss. 2

In matters of national security, establishing **a clear definition of terms is a precondition** for effective policymaking. **Decisionmakers who invoke critical terms in an erratic, ad hoc fashion risk** alienating their constituencies. They also risk **exacerbating misperceptions** and hostility among those the policies target. **Scholars who commit the same error undercut their ability to conduct valuable empirical research**. Hence, if scholars and policymakers fail rigorously to define "engagement," they undermine the ability to build an effective foreign policy.

## CP

### A2: Future Presidents

1. ***Fiat solves rollback – it’s justified***

***- Reciprocal – aff gets durable fiat means the neg should too***

***- Ground – ensures aff doesn’t lose on backlash and its key to neg ground***

***- Education – avoids should/would debates and focuses on the merits of the plan***

#### No rollback--- will follow the CP --- even if it’s not legally binding, ignoring it would incur massive political costs

* Informal binding effective --- even if they win no institution enforces it

Posner & Vermeule ’11, Eric Posner is Kirkland & Ellis Distinguished Service Professor of Law and Aaron Director Research Scholar at the University of Chicago. Adrian Vermeule - John H. Watson, Jr. Professor of Law – Harvard Law School, The Executive Unbound [electronic resource] : After the Madisonian Republic, Oxford University Press, USA, 2011. 01/01/2011 1 online resource (256 p.) Language: English, pg 138, jj

More schematically, we may speak of formal and informal means of self-binding:¶ 1. The president use formal means to bind himself. This is possible in the sense that an executive order, if otherwise valid, legally binds the president while it is in effect and may be enforced by the courts. It is not possible in the sense that the president can always repeal the executive order if he can bear the political and reputational costs of doing so.¶ 2. The president might use informal means to bind himself. This is not only possible but frequent and important. Issuing an executive rule providing for the appointment of special prosecutors, as Nixon did, is not a formal self-binding.61 However, there may be political costs to repealing the order. This effect does not depend on the courts’ willingness to enforce the order, even against Nixon himself. Court enforcement makes the order legally binding while it is in place, but only political and reputational enforcement can protect it from repeal. Just as a dessert addict might announce to his friends that he is going on a no-dessert diet in order to raise the reputational costs of backsliding and thus commit himself, so too the repeal of an executive order may be seen as a breach of faith even if no other institution ever enforces it.

#### They don’t solve insulated decision-making still give president final control

### Solve

#### Executive action – even if not binding – sends a credible single that solves the case

Gerson, researcher center for naval analysis 9
Michael S., moderator James Acton, also Jeffery Lewis, “RETHINKING U.S. NUCLEAR POSTURE,” Carnegie Endowment, 9/29, <http://carnegieendowment.org/files/0929_transcript_nuclear_posture1.pdf> accessed 11-2-9

Finally, would anyone believe it? Simply declaratory policy, the U.S. might not mean it, it could change it whenever is necessary. This is what people argue about China’s no-first-use policy, although I think people who actually work on China’s – or on China’s issues and read the documents find that there’s actually some validity to those claims that they are serious about their no-first-use. Declaratory policy does matter. It often forms the basis of military guidance and planning, and I think it’s often cited – I mean, the Prague speech and things like this get cited in military documents and planning. It shapes the public discourse, and it’s a signal of public intentions. It’s a signal to our adversaries. I mean, if the U.S. pours over ever word of the white papers – the defense white papers from China and from Russia, it’s certainly likely that others will do the same. And so I think it does matter. Finally, I think, and most importantly, a public unequivocal declaration by the president of the United States, that the United States has now adopted a policy of the no-first-use of nuclear weapons creates audience costs, which are the domestic and international political consequences of violating our commitments. And so essentially, audience costs is a commitment tactic. We engage our reputation for keeping our word by making it clear in public, and that increases the cost of violating our commitments, because you can imagine that if we – if we say we have a no-first-use policy, and then we violate it, that may call into question the credibility of all other kinds of security, economic, and other political commitments. I mean, if the United States were willing to violate something as important as a commitment on nuclear weapons, they might be willing to change its mind on anything else.

#### Executive declaratory policy is perceived as credible and solves – and they trickle down to solve operational posture

Professor the Hon Gareth Evans 13 AC QC has been Chancellor of the Australian National University since January 2010. He is President Emeritus of the Brussels-based International Crisis Group, the independent global conflict prevention and resolution organisation which he led from 2000 to 2009, Chair of the International Advisory Board of the Canberra-based Centre for Nuclear Non-Proliferation and Disarmament, and Co-Chair of the International Advisory Board of the Global Centre for the Responsibility to Protect. He was a Professorial Fellow at the University of Melbourne from 2009 to 2012, and is now an Honorary Professorial Fellow at the Australian National University. Reducing the Role of Nuclear Weapons: Why It Matters, Presentation to Non-Proliferation and Disarmament Initiative (NPDI) Side-Event, Nuclear Non-Proliferation Treaty (NPT) Review Conference Preparatory Committee, Geneva, 23 April 2013, <http://www.gevans.org/speeches/speech510.html>, jj

It remains strongly my view that changes of this kind in nuclear doctrine are extremely important if we are ever to break out of the Cold War mindset to which President Obama referred, that is still so comprehensively inhibiting serious movement toward nuclear disarmament -- which is keeping 2000 Russian and US weapons staring at each other on dangerously high alert, inhibiting another Of course it can be argued that doctrinal positions are just that, statements of intent; that they can change overnight; and that taking potential adversaries’ doctrinal declarations at face value is a fragile basis for planning one’s national security. We hear over and again the mantra that while threat may be a function of capability plus intent, what matters for military planning purposes is capability, not whatever intent may or may not be reflected in stated doctrine. But of course policymakers do take into account intent – as they assess it, based in part on credible assurances – on the other side: if they did not we would still be locked into the cycle of action and reaction which led to the building of a global stockpile of 70,000 nuclear weapons at the height of the cold war. And just as confrontational statements have a negative self-reinforcing impact so too do statements of good intent – and formal doctrinal positions that reflect that – have a positive self reinforcing impact.

#### The president solves modeling, signal, and international perception --- Obama weighing in on the merits of a policy outweighs the process which it is passed

* Foreign countries don’t care about the nitty-gritty of inter-agency process, they want to see Obama has taken a stand on the issue --- which the CP solves
* President obviously perceived. The CP lays the groundwork for an intl coalition

Singer 5-23-’13, Peter W. Singer, Director, Center for 21st Century Security and Intelligence, Brookings Institution, Finally, Obama Breaks His Silence on Drones, <http://www.brookings.edu/research/opinions/2013/05/23-drones-obama-singer>, jj

As this played out, the president's absence from the debate became more and more telling. Yes, there were a couple of speeches by presidential aides finally acknowledging the use of such technology, quick mentions on late-night talk shows and even presidential jokes about drone strikes. But the administration's case in the public debate remained disjointed, tentative and, as the controversy surrounding John Brennan's confirmation hearings as CIA director illustrated, far from strategic or satisfactory. The time was long overdue for the true stamp of presidential voice and authority on the topic to be heard.¶ That is what makes the president's speech Thursday at National Defense University so important, and simultaneously so challenging for him. He has to try to strike a balance between arguing that terrorism threats will remain with us for the long term, as recent events in Boston and London would illustrate, but that the structures we gradually built up in response, from the prison at Guantanamo Bay, Cuba, to the drone campaign, cannot remain with us in their ad hoc manner for the long term.¶ Beyond all the internal policy questions — such as what the CIA should control versus what the Pentagon controls — he has a broader task. He must lay out the overdue case for regularizing, so to speak, our counter-terrorism strategy itself, from the means to the ends. This will require touching on thorny issues such as how to bring more transparency to the ugly task of a targeted killings campaign, how to create more interaction with Congress — which both wants and avoids oversight — and, finally, how to find a path out of the Gitmo conundrum.¶ Beginning this kind of discussion has been described by some as just a way to change the topic in the midst of other would-be scandals dominating the news cycle. But let's be crystal clear: The president is making a big bet by speaking out on issues on which he still enjoys fairly broad public support.¶ The reason to take this bet is that the speech offers enormous advantages over the alternative of remaining silent. Though it may or may not assuage the genuine concerns at home about the drone campaign, the very act is hugely important inside government. Only the president can operate above the interagency disputes, and his vision will set the terms of internal policy development across multiple agencies (why those staff speeches and confirmation hearings never could substitute for his voice).¶ In turn, the public side of the speech matters in a manner beyond any blip in domestic poll numbers. Here again, only the president can truly stake out America's vision in a way the world notices. If well played, the speech might even be the foundation for future international norms that need to be set in the post-9/11, post-Osama bin Laden world. This is all the more important as our technologies proliferate and other nations, such as Russia, China and Iran, may seek to follow (or misuse) our precedents in drone strikes and targeted killings.¶ The issues at play are not just about which agency gets to do what and when to tell whom on Capitol Hill, but also how the United States might build a global coalition of the like-minded on the future of counter-terrorism.¶ In short, sometimes a speech is more than just a speech. By finally speaking out on some of the key issues that have grown to define his place in foreign policy history, Obama has his chance, finally, to set the terms of the debate and steer it toward more positive ends.

#### Executive declarations solve

Perry 09 (Ken Berry is an the International Commission on Nuclear Non-proliferation and Disarmament Research Coordinator, “DRAFT TREATY ON NON-FIRST USE OF NUCLEAR WEAPONS”, June 2009)

Adoption of such a policy could be done in a number of ways. The most obvious and immediate ones would include unilateral or joint declarations by the nuclear armed states. The value of public declarations should not be undervalued. As one recent writer has put it in relation to the United States:¶ Nuclear declaratory policy is meant to enhance deterrence of potential adversaries by providing a signal of the intentions, options and proclivities of the US government in different crisis and war-time scenarios. Such signals are similarly meant to enhance reassurance of allies. Declaratory policy can indirectly influence the likelihood of nuclear terrorism by dissuading governments or individuals from providing nuclear weapons or materials to terrorist organisations and by making terrorist use of a nuclear weapon appear immoral and illegitimate to some individuals who might otherwise support the terrorists’ goals. Finally, statements about doctrine can influence both the likelihood and consequences of nuclear proliferation by helping shape global norms about reasonable and legitimate potential uses of nuclear weapons. These norms can in turn influence internal debates in new and potential nuclear-weapons states about their own nuclear doctrines or potential nuclear-weapons acquisition.

#### Executive declarations creates a credible signal

Perry and Schlesinger 09 (William J. Perry, Chairman James R. Schlesinger, Vice-Chairman of Congressional Comission on the Strategic Posture of the United States, United States Institute of Peace Press, "America's Strategic Posture", 2009)

The Commission wishes to make five main points on declaratory policy. First, to be effective, such policy must be understood to reflect the intentions of national leadership. The president must make clear his intent, and it must echo through the words and deeds of the appropriate cabinet officers. Second, the United States should retain calculated ambiguity as an ele- ment of its nuclear declaratory policy. Potential aggressors should have to worry about the possibility that the United States might respond by overwhelming means at a time and in a manner of its choosing. Calcu- lated ambiguity may not be wise in every instance, as deterrence in crisis may be better served by being explicit. But calculated ambiguity creates uncertainty in the mind of a potential aggressor about just how the United States might respond to an act of aggression, and this ought to reinforce restraint and caution on the part of that potential aggressor. The threat to impose unacceptable consequences on an aggressor by any means of U.S. choosing remains credible. The Commission has considered whether the United States should adopt a policy of no-first-use, whereby the United States would foreswear the use of nuclear weapons for any purpose other than in retaliation for attack by nuclear means on itself or its allies. But such a policy would be unsettling to some U.S. allies. It would also undermine the potential contribu- tions of nuclear weapons to the deterrence of attack by biological weapons. The Commission recognizes that, so long as the United States maintains adequately strong conventional forc- es, it no longer needs to rely on nuclear weapons to deter the threat of a major conventional attack. But long-term U.S. superi- ority in the conventional military domain cannot be taken for granted and requires continuing attention and investment. This too argues that calculated ambiguity continue as a key element of U.S. declaratory policy. Third, declaratory policy must reflect the central fact that the United States retains nuclear weapons for the purpose of deterrence—to help to create the conditions in which they are never used or even threatened. As argued in a prior chapter, the Commission conceives of deterrence in very broad terms, to include also assurance and dissuasion. Although the contemporary demands of deterrence are much different from those of the Cold War (and reliance on nuclear weapons has been appropriately reduced), the deterrence role of nuclear weapons remains crucial. Fourth, it is important that the United States signal in its declaratory policy the fact that it relies less than ever on nuclear weapons for political and military purposes. The United States should underscore that it conceives of and prepares for the use of nuclear weapons only for protection of itself and its allies in extreme circumstances. The Commission believes that any president of the United States would avoid pushing a confrontation to the point of nuclear exchange. Fifth, the implicit tension between U.S. declaratory policy and its com- mitments under the NPT to negative and positive security assurances is long-lived and remains.

#### Limited expertise and weak budgetary power prevent effective Congressional control

Zegart 11 (Amy B. Zegart Amy Zegart is co-director of the Center for International Security and Cooperation, a senior fellow at the Hoover Institution, and professor of political economy at Stanford's Graduate School of Business, “The Domestic Politics of Irrational Intelligence Oversight,” Political Science Quarterly 126 (Spring 2011): 1–27, http://media.hoover.org/sites/default/files/documents/FutureChallenges\_Zegart.pdf)

Congress is another story. Although Congress has been instrumental in many post-9/11 executive branch reforms, it has been largely unable to reform itself. In 2004, the 9/11 Commission called congressional oversight “dysfunctional” and warned that fixing oversight weaknesses would be both essential to US national security and exceedingly difficult to achieve.1 By 2007, Lee Hamilton, who served as the commission’s vice chairman and earlier as chairman of the House Permanent Select Committee on Intelligence, delivered an angry and ominous warning to the Senate Intelligence Committee:¶ To me, the strong point simply is that the Senate of the United States and the House of the United States is [sic] not doing its job. And because you’re not doing the job, the country is not as safe as it ought to be. . . . You’re dealing here with the national security of the United States, and the Senate and the House ought to have the deep down feeling that we’ve got to get this thing right.2¶ Hamilton’s words prompted vigorous nods of agreement across the aisle but never made headlines or produced major changes.3 The committee’s own reform centerpiece—consolidating appropriations and authorization powers—quickly and quietly died. In January 2010, the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism concluded that congressional intelligence and homeland security reform efforts were still failing to achieve their desired results.4¶ This essay examines the roots of weak intelligence oversight and why these deficiencies have persisted for so long. Since 9/11, most explanations have focused on the Bush administration and the extent to which executive branch officials withheld information from Congress about secret and controversial programs such as the National Security Agency’s warrantless wiretapping, the CIA’s use of harsh interrogation methods, and the establishment of CIA black sites to detain suspected terrorists abroad.5 Executive branch secrecy, however, is not the entire story. Congress has also struggled to bolster its own intelligence oversight capabilities, with limited success. What former Senate Intelligence Committee chairman John D. Rockefeller, IV, has called the “long and sordid history” of congressional oversight weaknesses began before 9/11 and continues today.6¶ I argue that many of Congress’s enduring oversight troubles lie with Congress and two institutional deficiencies in particular: limited expertise and weak budgetary power over the Intelligence Community. This is no accident. In both areas, electoral incentives and internal congressional turf battles have led Congress to tie its own hands. The result is an intelligence oversight system that is well designed to serve the reelection interests of individual legislators and protect congressional committee prerogatives but poorly designed to serve the national interest.

#### Solves signal

Nye 09 – Professor and former dean of Harvard’s Kennedy School of Government. [Joseph S. Nye, Jr. (PhD in political science from Harvard. Former assistant secretary of defense for international security affairs. Former chair of the National Intelligence Council. Former deputy assistant secretary of state for security assistance, science and technology.), "Obama's Nuclear Agenda"Op-Ed, [\_\_Daily News Egypt\_\_](http://www.dailystaregypt.com/default.aspx), October 13, 2009, pg. [http://belfercenter.ksg. harvard.edu/publication/19633/ obamas\_nuclear\_agenda.html](http://belfercenter.ksg.harvard.edu/publication/19633/obamas_nuclear_agenda.html)]

How successful Obama is in managing the domestic politics and international diplomacy of his nuclear agenda will be an important factor in his effectiveness as a world leader. Even more important, his progress in 2010 will say a lot about the world’s ability to maintain the existing 60-year taboo against the use of nuclear weapons.

### 2NC – Politics NB – Generic

#### And the CP preserves Obama’s horse trading and compromise abilities – plan doesn’t

Sovocool and Sovocool, ‘09 - Research Fellow in the Energy Governance Program at the Centre on Asia and Globalization. He is also an Assistant Professor at the Lee Kuan Yew School of Public Policy at the National University of Singapore AND Senior Research Associate at the Lee Kuan Yew School of Public Policy at the National University of Singapore (Benjamin and Kelly, 34 Colum. J. Envtl. L. 333, “Preventing National Electricity-Water Crisis Areas in the United States,” lexis)

Executive Orders also save time in a second sense. The President does not have to expend scarce political capital trying to persuade Congress to adopt his or her proposal. Executive Orders thus save presidential attention for other topics. Executive Orders bypass congressional debate and opposition, along with all of the horse-trading and compromise such legislative activity entails. n292

#### Executive orders don’t link to politics- Prefer our evidence in context of Obama

Davies ‘09 **-** Washington correspondent; Previously been the State Political Editor and Urban Affairs editor for The Sydney Morning Herald, spent ten years covering Federal politics (Anne, The Age, “100 days in FDR's shadow”, April 25, 2009 Saturday )

Beyond his core priorities, Obama has limited himself to actions that can be achieved by executive order or require no political capital to be spent with Congress: closing Guantanamo by July, banning torture in CIA jails, restoring federal funding for embryonic stem cell research, pushing through legislation dealing with gender discrimination in the workplace, and, of course, reprioritising US efforts in Iraq and Afghanistan, which he can do as commander-in-chief. Reforms such as banning assault weapons, which would require legislation and a major political battle, have quickly been jettisoned. Instead, virtually all Obama's political capital has been invested in winning congressional support for his economic measures, which carry the seeds of his larger agenda. He won Congress support for his $US787 billion ($A1111billion) stimulus package, the biggest in US history, in 20days.

### 2NC A2: Agent CP’s Bad

#### Counter-Interpretation: CP’s that use the executive, courts or congress are legitimate

#### First our offense:

#### 1) Agent CP’s are a pre-req to war powers education --- executive action is key to test the desirability of statutory or judicial restrictions

Crocker ’12, Thomas P. Crocker, Associate Professor of Law, University of South Carolina School of Law. J.D. Yale Law School; Ph.D. Vanderbilt University, July, 2012¶ Connecticut Law Review¶ 44 Conn. L. Rev. 1511, COMMENTARY: NATIONAL SECURITY: RESPONSE: Who Decides on Liberty?, Lexis, jj

Whether approached as a matter of executive discretion, judicial role, or individual rights, questions about security are never far removed from questions about liberty. We are often told that there must be a tradeoff between liberty and security. As Jeremy Waldron described the ubiquity of this claim, "[t]alk of a liberty/security balance has become so common that many view it as just an ambient feature of our political environment." n1 Despite the purported equivalence of these two values, this tradeoff is seldom framed with reasons to adopt policies that make us more insecure to achieve the benefits of greater freedom. If "it has become part of the drinking water in this country that there has been a trade off of liberty for security," n2 this is because talk of tradeoffs is unidirectional. Scholarly defenses of national security expertise will argue not that we must take care to preserve civil liberties, but "that the government must make tradeoffs, that policy should become less libertarian during emergencies, and that courts should stay out of the way." n3¶ This question of tradeoffs cannot be approached without asking the question of who decides on the proper allocation of liberty and security. n4 Defenders of unbounded executive power argue that security relies on experts to whom citizens and courts alike must defer. n5 Especially during emergencies, executive officials are presumed to have superior information [\*1513] about what is necessary to preserve security. n6 According to the deference thesis, to impose constitutional limits on executive discretion risks creating security harms rather than enhancing freedoms. Deference to experts means "that the executive branch, not Congress or the judicial branch, should make the tradeoff between security and liberty." n7 When citizens, scholars, or judges attempt to intervene in debates over the proper measure of security, defenders of unchecked executive power claim that "they are amateurs playing at security policy, and there is no reason to expect that courts can improve upon government's emergency policies in any systemic way." n8 On this view, citizens and courts lack sufficient specialized knowledge to make optimal decisions about security. According to Judge Richard Posner, critics of executive expertise risk erroneous tradeoffs, because "civil libertarians tend to exaggerate the costs . . . and to ignore or slight the benefits" of security policy. n9 To interpose legal principles protecting rights and liberties as barriers to security policy risks producing "tangible harms," n10 while adding nothing relevant to expert decision making.

#### 2) Education --- the CP forces better aff writing by shifting debate away from generic “detention bad” or “drones bad” affs towards in-depth technical debates on how to actually limit pres powers

#### 3) Negative ground --- agent CP’s are a core neg arg that is key to check small and unpredictable affs.

#### Err neg --- the CP is predictable and has tons of lits on both sides. The aff only needs a congress/courts key warrant to beat this counterplan.

#### Noting a voting issue --- reject the arg not the team.

### A2: Do CP – vs. Congress

#### The perm severs congressional action --- the 1NC Katyal proves the CP’s internal restrictions are distinct from the plan’s external statutory restrictions

1. ***Perm makes them not topical --- statutory restrictions must be legislation --- not the CP’s internal agency action***

**Business Dictionary**, <http://www.businessdictionary.com/definition/statutory-restriction.html>

Statutory restriction

**Control or limits imposed on an activity under its ruling legislation.**

#### The CP is a regulation, not a restriction

Coast Guard ’13 – last modified 3/20, REGULATIONS, <http://www.uscgboating.org/regulations/>, jj

The Difference Between Laws and Regulations

The difference between laws (statutes) and regulations is sometimes misunderstood. Congress, and only Congress, enacts laws. The Motorboat Act of 1940, the Federal Boating Act of 1958 and the Federal Boat Safety Act of 1971 are all examples of laws which were enacted by Congress.

Federal executive departments such as the Department of Homeland Security and administrative agencies such as the United States Coast Guard write regulations to implement the authority of laws. Regulations (as well as Executive Orders and Proclamations) are subordinate to laws but both laws and regulations are enforceable.

#### Severance is a voter for fairness and education --- makes them a moving target, kills clash, and ruins negative strategy

## Threats

### A2: Accidents

#### Zero risk of accidents accidents—

#### a) Risk of backlash

Waltz, ‘95 – Professor of Poly Sci at Berkley; prominent IR scholar (Kenneth, The Spread of Nuclear Weapons: A Debate, 1995, p. 29-30)

Deterrence is also a considerable guarantee against accidents, since it causes countries to take good care of their weapons, and against anonymous use, since those firing the weapons can neither know that they will be undetected nor what form of punishment detection might bring. In life, uncertainties abound. In a conventional world, they more easily lead to war because less is at stake. Even so, it is difficult to think of wars that have started by accident even before nuclear weapons were invented. It is hard to believe that nuclear war may begin accidentally, when less frightening conventional wars have rarely done so.

# 1NR

### 2NC Impact Overview

#### Disad outweighs

#### a. Faster – failure to raise the debt ceiling causes quick unraveling of the U.S. and global economy – collapse before November

Sahadi 9/10

Jeanne, “Debt ceiling 'X date' could hit Oct. 18”, <http://money.cnn.com/2013/09/10/news/economy/debt-ceiling-bills-coming-due/index.html>, MCR

A new analysis by a think tank shows that **Washington's drop-dead deadline for the debt ceiling could hit as soon as Oct. 18**.¶ Estimating exactly when the Treasury Department will be unable to pay all the bills coming due if Congress fails to raise the nation's legal borrowing limit is notoriously difficult.¶ That's why, in an analysis released Tuesday, the Bipartisan Policy Center put the "X date" between Oct. 18 and Nov. 5.¶ Treasury Secretary Jack Lew has warned that **by mid-October the agency will have only $50 billion in cash on top of incoming revenue.**¶That may sound like a lot. But, as the Bipartisan Policy Center details, **it won't last very long**.¶ If the "X" date turns out to be Oct. 18, Treasury would run about $106 billion short of the money it owes between then and Nov.15. That means it wouldn't be able to pay the equivalent of a third of all the bills due during that period.¶ Here's why: Treasury handles about 80 million payments a month. Those payments are not evenly spaced out so on some days more is owed than on others. And the revenue flowing into federal coffers is unpredictable and varies from day to day.¶ Payments include IRS refunds, Social Security and veterans benefits, Medicare reimbursements for doctors and hospitals, bond interest owed investors, payments to contractors and paychecks for federal workers and military personnel.¶ If Congress fails to act in time, Treasury will have to make difficult -- and legally questionable -- decisions about who should get paid and who should be stiffed. It may decide to pay some bills in full and on time and not others.¶ Or it may decide to delay all payments due on a given day until it has sufficient revenue on hand to pay in full. in a Treasury Inspector General's report that this might be the most plausible and least harmful approach.¶ But under that scenario, **delays would grow over time from a day or two to several weeks**. For example, the payments due to seniors, veterans and active duty military personnel on Nov. 1 wouldn't go out until Nov. 13.¶ In any case, the expectation is that the agency will try to prioritize payments to bond investors over everyone else, lest the financial markets go haywire. Politically, of course, that carries risk, said Steve Bell, the senior director of the Bipartisan Policy Center's economic policy project.¶ "There's a political danger you'll be accused of paying bondholders over Social Security recipients," Bell said.¶ On both Oct. 23 and Nov. 14, $12 billion in Social Security benefits come due, while another $25 billion comes due on Nov. 1, according to the analysis.¶ Meanwhile, on Oct. 24, Treasury will have to roll over $57 billion in outstanding debt and another $115 billion on Oct. 31. Normally that's not a problem, because U.S. Treasury auctions attract a lot of buyers willing to purchase bonds at low rates.¶ But if those rollover dates come after the "X" date, and **the perception is that the United States is defaulting on some of its obligations, Treasury could have trouble finding enough buyers or investors could demand higher interest rates**.¶ The debt ceiling is currently set at $16.7 trillion. That ceiling was reached on May 19, and ever since Treasury has been using a host of special measures to keep the country's borrowing at or below that ceiling. But those measures will be exhausted by mid-October, according to Treasury.¶ If lawmakers want to raise the ceiling enough to get past the 2014 midterm elections in November, the Bipartisan Policy Center estimates they will have to raise it by $1.1 trillion to $17.8 trillion. To top of page

#### b.) SCOPE – US economic decline triggers military withdrawal across the globe—causes a power vacuum and nuclear war—hegemony deters hostile powers and controls the escalation of all conflict—solves the impact to the aff—that’s our 1NC Impact

#### c.) TURNS CASE – debt default means the plan would be delayed or under-funded – fiat only means the plan passes

#### We control global impact uniqueness – Interdependence checks war. Plan undermines this crucial form of restraint.

Daniel **Griswold**, director of the Center for Trade Policy Studies, 4/20/**’7**, Trade, Democracy and Peace, p. http://www.freetrade.org/node/681

A second and even more potent way that trade has **promote**d **peace is by promoting** more **economic integration.** **As national economies become more intertwined with each other**, those **nations have** more to lose should war break out. War in a globalized world not only means human casualties and bigger government, but also **ruptured trade and investment ties that impose lasting damage on the economy.** In short, **globalization** has dramatically raised the economic cost of war.

#### Turns every country that would be affected by arms sales

**Kemp 10**

Geoffrey Kemp, Director of Regional Strategic Programs at The Nixon Center, served in the White House under Ronald Reagan, special assistant to the president for national security affairs and senior director for Near East and South Asian affairs on the National Security Council Staff, Former Director, Middle East Arms Control Project at the Carnegie Endowment for International Peace, 2010, The East Moves West: India, China, and Asia’s Growing Presence in the Middle East, p. 233-4

The second scenario, called Mayhem and Chaos, is the opposite of the first scenario; everything that can go wrong does go wrong. The world economic situation weakens rather than strengthens, and India, China, and Japan suffer a major reduction in their growth rates, further weakening the global economy. As a result, energy demand falls and the price of fossil fuels plummets, leading to a financial crisis for the energy-producing states, which are forced to cut back dramatically on expansion programs and social welfare. That in turn leads to political unrest: and nurtures different radical groups, including, but not limited to, Islamic extremists. The internal stability of some countries is challenged, and there are more “failed states.” Most serious is the collapse of the democratic government in Pakistan and its takeover by Muslim extremists, who then take possession of a large number of nuclear weapons. The danger of war between India and Pakistan increases significantly. Iran, always worried about an extremist Pakistan, expands and weaponizes its nuclear program. That further enhances nuclear proliferation in the Middle East, with Saudi Arabia, Turkey, and Egypt joining Israel and Iran as nuclear states. Under these circumstances, the potential for nuclear terrorism increases, and the possibility of a nuclear terrorist attack in either the Western world or in the oil-producing states may lead to a further devastating collapse of the world economic market, with a tsunami-like impact on stability. In this scenario, major disruptions can be expected, with dire consequences for two-thirds of the planet’s population.

#### Turns china

Ockham Research 8(“Economic Distress and Geopolitical Risks”, November, <http://seekingalpha.com/article/106562-economic-distress-and-geopolitical-risks>)

China too is threatened by the global economic downturn. There is no doubt that China has emerged during the past decade as a major economic power. Parts of the country have been transformed by its meteoric growth. However, in truth, only about a quarter of the nation’s billion plus inhabitants—those living in the thriving cities on the coast and in Beijing—have truly felt the impact of the economic boom. Many of these people have now seen a brutal bear market and are adjusting to economic loss and diminished future prospects. However, the vast majority of China’s population did not benefit from the economic boom and could become increasingly restive in an economic slowdown. Enough economic hardship could conceivably threaten the stability of the regime and would more than likely make China more bellicose and unpredictable in its behavior, with dangerous consequences for the U.S. and the world.

### Uniqueness Wall 2NC

#### Their ev misses the boat --- Obama won’t negotiate is our UQ arg --- he has enough PC that he doesn’t have to negotiate --- the GOP will feel pressed to raise the debt ceiling – they’ll give him a clean bill --- the plan is a major loss for Obama, which causes him to look weak --- forces negotiation because republicans wont cave to a weak Obama -- that’s chait, parsons, and Giroux

#### Debt Ceiling bill will pass but it will be close

Rubin, 9/19/13 (Jennifer, “Steady as they go in the House,” http://www.washingtonpost.com/blogs/right-turn/wp/2013/09/19/steady-as-they-go-in-the-house/, bgm)

The reports from House Republicans who attended Wednesday’s conference meeting were cautiously optimistic about the battles over a continuing resolution, debt and Obamacare that lie ahead. The simplistic media narrative, that the leadership is losing to the crazies, simply isn’t true.

One insider told Right Turn, “The conference really was more unified than I’ve seen it in a while.” The shape of the deal is far from certain, but the mood in the room gave leadership confidence that the House would hold together. “We’ll figure something out, ” the insider said cheerfully.

In public remarks, House Speaker John Boehner (Ohio) let it be known that the real action would be on the debt ceiling. (“For decades, congresses and presidents have used the debt limit for legislation to cut spending, and even President Obama worked with us two years ago in the debt-limit negotiations to put controls on spending. This year is not going to be any different.”)

#### Debt ceiling is at the top of the agenda

Moran, 9/18/13 (Andrew, “Dollar collapse inevitable as CBO warns of unsustainable debt levels,” http://economiccollapsenews.com/2013/09/18/dollar-collapse-inevitable-as-cbo-warns-of-unsustainable-debt-levels/, bgm)

The United States national debt has taken a backseat over the past couple of months due to the potential war with Syria. Over the next few weeks, though, it is expected that the federal debt and budget deficit will capture headlines again because of the looming debt ceiling fight between President Obama and Republican lawmakers. At the present time, the U.S. faces a $17 trillion national debt and a near $1 trillion budget deficit. The Congressional Budget Office (CBO) published a report Tuesday that warned the U.S. public debt could account for more than 100 percent of the country’s economic output within the next 25 years unless action is taken.

#### The House will pass a clean debt ceiling

National Review Online 9/19/13 ("The Corner, Lowry: House Will Pass Clean Debt Limit Raise")

The effort to use the debt ceiling as leverage to defund Obamacare will come to naught, National Review editor Rich Lowry said tonight.¶ During an appearance on Special Report’s All-Star Panel, Lowry predicted that the House would eventually pass a “clean” debt limit raise despite drama in the Senate related to the effort to defund Obamacare.¶ “It goes to the Senate, there’ll be some theatrics, Harry Reid will strip out the defunding from the [continuing resolution], it’ll go back to the House and probably end up passed in a clean version,” Lowry said.

#### Republicans will cave now

The Economist 9/21/13 (Print Edition of the Economist, "Once More to the Brink")

Strangely, the improving economics of the debt have done little for the rotten politics. Both the president and Republican leaders in Congress are anxious to avoid a repeat of their standoff in August 2011, when they brought America close to an unnecessary and catastrophic default by refusing to agree on the terms under which the debt ceiling should be raised.¶ In this section¶ [Style and substance](http://www.economist.com/news/united-states/21586553-it-may-not-look-it-barack-obamas-presidency-tied-syria-style-and-substance)¶ Once more to the brink¶ [Tokers’ delight](http://www.economist.com/news/united-states/21586584-sensible-drug-policy-decision-federal-government-once-tokers-delight)¶ [Mass shootings are up; gun murders down](http://www.economist.com/news/united-states/21586585-mass-shootings-are-up-gun-murders-down)¶ [Of trolls and mistrials](http://www.economist.com/news/united-states/21586543-idiotic-comments-derail-big-civil-rights-case-trolls-and-mistrials)¶ [The risk of rabid raccoons](http://www.economist.com/news/united-states/21586542-using-marshmallow-treats-fight-deadly-disease-risk-rabid-raccoons)¶ [The American Dream, RIP?](http://www.economist.com/news/united-states/21586581-economist-asks-provocative-questions-about-future-social-mobility-american)¶ [Reprints](http://www.economist.com/rights)¶ The “debt ceiling” is the legal limit to federal borrowing. Since the Treasury borrows 19 cents of every dollar it spends, Congress has to keep raising the debt ceiling or Uncle Sam will not be able to pay his bills. When Republicans and Democrats played chicken with the full faith and credit of the United States, it undermined confidence in the economy and dented the squabbling lawmakers’ approval ratings. Yet they seem poised to do it all again.¶ On October 1st much of the federal government will shut down unless Congress votes to fund the roughly 35% of the budget that requires annual authorisation. Then, around mid-October, the Treasury will hit the debt ceiling. Unless Congress votes to raise it, Treasury will have to stop paying bills such as salaries, pensions, and in the extreme, interest on the national debt, which would trigger a cataclysmic default.¶ In theory, a deal should be within grasp. Mr Obama would like to replace the so-called “sequester”—across-the-board spending cuts that resulted from that last showdown, in 2011—with more targeted spending cuts and higher taxes. But with no leverage to force the Republicans to agree, he would almost certainly sign a budget that kept funding at the sequester’s levels. He also wants the debt ceiling raised with no strings attached. Since Republicans did that last January, they should be prepared to do so again.¶ But several dozen conservative Republican congressmen are blocking the way. They want to use the budget and the debt ceiling to gut Mr Obama’s healthcare plan, the main provisions of which are scheduled to take effect by January. So far, 74 of the 233 House Republicans have sponsored a bill that would wipe out any funds for implementing Obamacare next year, while funding the rest of the government.¶ Mr Obama, however, has vowed not to delay Obamacare or negotiate over the debt ceiling. This has saddled Republican leaders with a dilemma: how to satisfy their members’ Quixotic longing to kill Obamacare without committing political suicide by shutting down the government or causing a default. Last week John Boehner, the Speaker of the House of Representatives, and Eric Cantor, the Majority Leader, proposed passing two bills, one that defunded Obamacare, and another that funded the government. The Senate could reject the first and pass the second.

#### PC is necessary for Obama to hold off negotiating with the GOP – strong stand will force GOP to acquiesce in the SQ

Eugene Robinson, 9-19-13, “Obama must not yield on Obamacare, debt ceiling or shutdown,” Wash Post<http://www.washingtonpost.com/opinions/eugene-robinson-obama-must-not-yield-on-obamacare-debt-ceiling-or-shutdown/2013/09/19/f5b44616-2157-11e3-966c-9c4293c47ebe_story.html>, KEL

Obama has said he will not accept a budget deal that cripples Obamacare and will never negotiate on the debt ceiling. Even if the Republicans carry through with their threats — and this may happen — the president has no option but to stand his ground. You don’t deal with bullies by making a deal to keep the peace. That only rewards and encourages them. You have to push back. The thing is, this showdown is a sure political loser for the GOP — and smart Republicans know it. Boehner doesn’t want this fight and, in fact, should be grateful if Obama hangs tough and shows the crazies the limits of their power. Most Republicans in the Senate don’t want this fight. It’s doubtful that even a majority of House Republicans really, truly want this fight, no matter what they say publicly.

#### \*\*\*dem’s united behind Obama – GOP divided and failing now

JONATHAN ALLEN, 9/19/13,GOP battles boost President Obama, Politico, <http://www.politico.com/story/2013/09/republicans-budget-obama-97093.html?hp=r8>, KEL

There’s a simple reason President Barack Obama is using his bully pulpit to focus the nation’s attention on the battle over the budget: In this fight, he’s watching Republicans take swings at each other. And that GOP fight is a lifeline for an administration that had been scrambling to gain control its message after battling congressional Democrats on the potential use of military force in Syria and the possible nomination of Larry Summers to run the Federal Reserve. If House Republicans and Obama can’t cut even a short-term deal for a continuing resolution, the government’s authority to spend money will run out on Oct. 1. Within weeks, the nation will default on its debt if an agreement isn’t reached to raise the federal debt limit. For some Republicans, those deadlines represent a leverage point that can be used to force Obama to slash his health care law. For others, they’re a zero hour at which the party will implode if it doesn’t cut a deal. Meanwhile, “on the looming fiscal issues, Democrats — both liberal and conservative, executive and congressional — are virtually 100 percent united,” said Sen. Charles Schumer (D-N.Y.). Just a few days ago, all that Obama and his aides could talk about were Syria and Summers. Now, they’re bringing their party together and shining a white hot light on Republican disunity over whether to shut down the government and plunge the nation into default in a vain effort to stop Obamacare from going into effect. The squabbling among Republicans has gotten so vicious that a Twitter hashtag — #GOPvsGOPugliness — has become a thick virtual data file for tracking the intraparty insults. Moderates, and even some conservatives, are slamming Texas Sen. Ted Cruz, a tea party favorite, for ramping up grassroots expectations that the GOP will shut down the government if it can’t win concessions from the president to “defund” his signature health care law.

### Gun thumper

#### Their ev just said “Obama called for” --- doesn’t say anything about the potential for a bill in congress and no ev it comes before debt ceiling

#### Cx all the UQ ev

#### Debt ceiling at the top of the agenda

Button 9/10 [Adam, writer for ForeX Live, “Debt Ceiling Back on the Agenda, ‘X Date’ could only be 5 weeks away,” ForeXLive, September 10, 2013, <http://www.forexlive.com/blog/2013/09/10/debt-ceiling-back-on-the-agenda-x-date-could-be-only-5-weeks-away/>] CPO

The moment Congress flips the switch and puts the Syria debate on the backburner, the focus will shift to the debt ceiling debate.¶ The latest analysis shows the date when the US runs out of money and has no accounting options to artificially spend more is between Oct 18 and Nov 5. They call this the X date and the Washington Post looks at the mechanics of how bills will be paid as the funds run out.¶ For markets, the main issue is bondholders. If government workers or contractors aren’t paid for a few weeks it will have some cooling effect on the economy but a technical default could get very ugly. I assume, the government could find a way to prioritize payments to bondholders but they aren’t convinced.

#### Economic talks are Obama’s top priority

Sink 9/12

Justin, “Obama signals shift back to economic focus”, <http://thehill.com/blogs/on-the-money/economy/321793-obama-signals-shift-back-to-focus-on-the-economy#ixzz2ehKzzIL3>, MCR

**The White House is signaling it wants to shift back to the economy** after two weeks in which the Syrian crisis has dominated President Obama’s schedule and workload.¶ **Obama will be “focusing” on issues related to the economy in the coming weeks**, White House press secretary Jay Carney said Wednesday at his daily briefing.¶ He said the president wants to push forward with economic policies that the White House believes will grow the middle class.¶ Obama himself in his prime-time address to the nation Tuesday on Syria said voters wanted him focused on the economy and not on Syria. Public support for a military intervention in Syria is low.¶ “I know Americans want all of us in Washington — especially me — to concentrate on the task of building our nation here at home: putting people back to work, educating our kids, growing our middle class,” Obama said.¶ **The president had wanted to use the beginning of September to press forward on his economic policies ahead of fights with Congress on** government spending and **debt**.¶ Lawmakers must agree on a continuing resolution to fund the federal government by the end of September, which also marks the end of the fiscal year. If they fail to do so, the government would shut down, except for essential services.¶ **The nation is** also **rapidly approaching the drop-dead date for hitting the debt ceiling**, which restricts Washington’s ability to loan money and cover its payment obligations. An analysis released Tuesday by the Bipartisan Policy Center estimated the country would hit the debt ceiling sometime between Oct. 18 and Nov. 5. ¶ Obama had hoped to enter those battles with momentum from a mid-August campaign-style tour that included a college bus trip through the Northeast, a visit to an Amazon shipping facility in Tennessee and a discussion of mortgage reform in Arizona. ¶ The president had planned to continue that push this week, but that plan was knocked aside by the alleged use of chemical weapons by Syria’s government on Aug. 21. ¶ Obama’s scheduled travel to Los Angeles, where he was slated to speak before union members at the AFL-CIO convention, was canceled so he could make his case for military strikes on Syria.¶ Vice President Biden pressed the administration’s economic message with a Monday trip to Baltimore that highlighted a new $10 million federal grant to widen the city’s port and better connect the shipping center to nearby rail lines.¶ But that trip was overshadowed by a dinner he hosted the previous night at the Naval Observatory, where he and Obama lobbied a group of Republican senators to back air strikes against Syria.¶ Carney acknowledged Wednesday that “there is no question that Syria has consumed a lot of attention here in Washington, around the country, around the world.”¶ But the White House spokesman refused to make a “political assessment” about whether the situation in Syria had affected Obama’s domestic policy hand.¶ **The administration** and its allies **seem ready to return to the economy**.¶ On Monday, Organizing for Action, the political advocacy group born from the president’s reelection campaign, asked supporters to sign a petition demanding that Congress avert a government shutdown.¶ Rep. Gene Green (D-Texas) emerged Tuesday from a Syria briefing with White House chief of staff Denis McDonough predicting that **Congress would now “go back to our typical things, like the debt limit**,” according to Reuters. ¶ Indeed, **attention on Capitol Hill seemed to have already shifted** to the looming budget battle on **Wednesday**. House Republican leaders announced they would delay a vote on a continuing resolution that would have kept the government funded through Dec. 15, a move that highlighted the danger of a shutdown. ¶ GOP leaders are struggling to win support for their plan to keep the government funded at current levels while forcing the Senate to vote on a measure defunding ObamaCare.¶ Tea Party members in the GOP have criticized the bill because the legislation would allow the Democratic-controlled Senate to vote down the healthcare language. They prefer a bill that would condition keeping the government funded on delaying or defunding the healthcare law.¶ At the White House, Carney seemed to warm to the coming fight, saying **the president would “not accept anything that delays or defunds ObamaCare.”**

### A2: PC Not Real/Hirsh

#### Reject Hirsh---he’s a staff writer with no qualifications---hasn’t conducted any studies

#### PC’s real, observable, and quantifiable---scholarly work proves---and you should reject quibbles like Hirsh

Kimberly L. Casey 8, Visiting Assistant Professor of Political Science at William Jewel College, 2008, “Defining Political Capital: A Reconsideration of Bourdieu’s Interconvertibility Theory,” http://lilt.ilstu.edu/critique/spring%202008/casey.pdf

Abstract: This article examines the concept “political capital” (PC) and its context in American politics. Political capital is ill-defined, little understood, yet an important concept for understanding political exchange and relationships in the political arena. I establish a definition based upon Pierre Bourdieu’s interconvertibility theory, which indicates that capital types, such as economic, social, and symbolic forms, interact and can be exchanged for one another. Since the material and non-material components of capital variations are transposable, it can be argued that no capital form is essentially “pure”—every type of capital contains elements of other varieties. Political capital, therefore, is an amalgamation of capital types combined in various ways for specific political markets. It is market demand that shapes capital formation. Capital elements from other capital types inherent in the candidacy market are identified as an example. An index for measuring this variant of political capital is created, demonstrating its conceptual viability. ¶ Introduction: After the 2004 U.S. presidential election, George W. Bush publicized his intent to utilize “political capital” for future projects garnered as a result of his victory. But what exactly is political capital? However much the term is bandied about by politicians or the press, political capital has no established definition in political science literature. Although it remains ill-defined and unmeasured, it is an important concept for understanding political exchange and relationships in the political arena despite the reservations some political scientists have expressed about its applicability because of its complex material and nonmaterial associations. An analysis of sociologist Pierre Bourdieu’s interconvertibility theory allows for conceptualization of material and non-material of interactions among capital forms making it possible to define political capital and design an index to measure it based upon previous capital literature.¶ To develop an empirical basis for political capital, this article first examines the associations it connotes in the popular press today. In contrast, a definition of political capital based upon capitalization literature and Bourdieu’s interconvertibility theory is presented. Then, a theory of political capital functions and markets are suggested. Theorizing leads to proposals for objective means of identification and measurement. To illustrate the market association between capital and politics, an index associated with the resources associated with the candidacy market is offered. The paper concludes with directions that studying the concept of political capital may take towards theory-building and framework creation.¶ Defining Political Capital ¶ It is erroneous to refer a “body” of PC literature when seeking a definition. Most writers and concerned actors who invoke the term political capital assume that its meaning is understood. It is inferred to be an entity which political actors possess, build up and spend. 1 However, a definition of “political capital” is typically never stated—the reader or observer is left to determine their own definition based upon the politician’s or journalist’s usage of the term (Suellentrop 2004; Kennicott 2004; “A Year of Setbacks” 2005; and Froomkin 2004). The subjectivity is not reflective of what political capital conceptually means in and to the political arena. Without a sound definition that accurately portrays the elements of political capital as it works within a political marketplaces, such as the electoral arena, and among office holders (executive, legislative, and judicial), bureaucracy, and in society in general, the concept is meaningless. ¶ Defining and utilizing PC as a viable political variable can evolve from the proliferation of capital theories in various fields of study. Political capital can and should be associated with a wide variety of previous “capital” interpretations. The key to explicating political capital is within capital literatures and how they address materialism, non-materialism, and combining the two elements.2¶ The theory of capital is traditionally associated with economics. There is no clear consensus in defining capital as an ideological function applicable beyond material exchange as expounded in economic capital theory, however. Yet nonmaterial forms of capital are well established in scholarly literature. Most of the “capital type” definitions hover around the meaning and terminology of economic capital. Certain theorists believe that all capital forms, regardless of their composition or purpose, connect in some way with economic capital. 3 Pierre Bourdieu’s work is invaluable in understanding capital as conceptually distinguishable from its individual aberrations as a material phenomenon. Bourdieu extends the ideas and metaphor of economic interest (material or physical pursuits) to include non-economic goods and services (symbolic or nonmaterial pursuits). Within this conceptualization, Bourdieu constructs a science of practices that “analyzed all human functions as ‘oriented towards the maximization of material or symbolic profit.’” 4 His theory of capital has limitations, however. He relies on ideal types and lacks the empirical research needed to support much theory. It is impossible to refer to capital-types and not acknowledge Bourdieu’s contributions to multiple capital species (Bourdieu1986; Kane 2001; Putnam 2001; Becker 1993); Fitz-Enz 2000; Davenport 1999; Marr 2005).

#### Hirsh agrees with the thesis of the politics DA even if he disagrees with the term “political capital”

Michael Hirsh, National Journal, 2/7/13, There’s No Such Thing as Political Capital, www.nationaljournal.com/magazine/there-s-no-such-thing-as-political-capital-20130207

Presidents are limited in what they can do by time and attention span, of course, just as much as they are by electoral balances in the House and Senate. But this, too, has nothing to do with political capital. Another well-worn meme of recent years was that Obama used up too much political capital passing the health care law in his first term. But the real problem was that the plan was unpopular, the economy was bad, and the president didn’t realize that the national mood (yes, again, the national mood) was at a tipping point against big-government intervention, with the tea-party revolt about to burst on the scene. For Americans in 2009 and 2010—haunted by too many rounds of layoffs, appalled by the Wall Street bailout, aghast at the amount of federal spending that never seemed to find its way into their pockets—government-imposed health care coverage was simply an intervention too far. So was the idea of another economic stimulus. Cue the tea party and what ensued: two titanic fights over the debt ceiling. Obama, like Bush, had settled on pushing an issue that was out of sync with the country’s mood.¶ Unlike Bush, Obama did ultimately get his idea passed. But the bigger political problem with health care reform was that it distracted the government’s attention from other issues that people cared about more urgently, such as the need to jump-start the economy and financial reform. Various congressional staffers told me at the time that their bosses didn’t really have the time to understand how the Wall Street lobby was riddling the Dodd-Frank financial-reform legislation with loopholes. Health care was sucking all the oxygen out of the room, the aides said.

#### I’ll answer winners win on the link debate

### A2: Obama wont pick fight over plan

That’s not the link --- the point is the plan makes him look weak --- forces him to negotiate with the gop

### A2: plan pop

Ev not about NF U

#### Nuclear issues extremely unpopular – strong interests protect the arsenal from policy changes

Lowther ’13, dr. a. B. lowther is a non-resident Senior fellow at the center for the national Interest in Washington, d.c. and dr. Jan Kallberg is an assistant Professor of emergency management and Homeland Security at arkansas tech university, World defence Systems, 2013, nuclear deterrence in a second obama term, <http://cftni.org/Nuclear%20Deterrence%20in%20a%20Second%20Obama%20Term.pdf>, jj

the state of play in Washington

Congressional staffers and Air Force senior leaders offer reason for both concern and optimism. on the downside, nuclear weapons are an unpopular topic of discussion in Congress – even for those who support the arsenal. Unfortunately, the arsenal largely generates apathy among the majority in Congress. this is a result of the arsenal’s success at providing a tangible peace. thus, proponents do not have the critical mass of support required to ensure the nuclear complex receives the modernization funding the obama administration and senate Republicans agreed upon as part of the deal they struck to ensure passage of the new stARt treaty.

on the upside, senate Republicans will neither support further reductions in operationally deployed strategic nuclear weapons, nor will they ratify the Comprehensive test Ban treaty. In the case of the former, this is because the proposed funding cuts to modernization violate their agreement with the administration. In the case of the latter, as the former head of Us strategic Command, General Kevin Chilton, once said of nuclear weapons, “…when you set one off, it’s a high energy physics experiment. It’s pretty hard to understand and explain in models…” not surprisingly, many in the senate are unwilling to trade the United states’ right to future nuclear tests for computer models that may be accurate.

And, while nuclear issues are an unpopular topic of discussion, there is a majority in the house and senate – Democrats and Republicans – who are committed to ensuring that the United states maintains the most capable arsenal of any nuclear weapons state. the Us Air Force leadership, which remains committed to a modern and capable nuclear force, is carefully navigating turbulent skies balancing support for the arsenal with the administration’s desire to reduce and eventually eliminate nuclear weapons.

***Dems oppose NFU***

**Chicago Tribune 8** (“A towering cloud of uncertainty; Candidates give nuclear issue little attention”, Lexis, Jan 18, AD: 8-5-09)

**Only Kucinich ruled out the first use of nuclear weapons** while the **other Democrats were reluctant to be pinned down**.  **Clinton said** she supported the vision of a world without nuclear weapons and taking steps toward that goal. But **for now**, she said, "**nuclear weapons remain an essential means of deterring and defending the U**nited **S**tates **and our allies**, **and we must ensure** the **continued** reliability and **effectiveness of our nuclear forces**."

***NFU is strongly opposed by both parties and military elites***

**Ellsberg 2009** (Aug 08 2009 Ending Nuclear Terrorism: By America and Others by Daniel Ellsberg, MWC News, published article based upon from Chapter 8 of At the Nuclear Precipice: Catastrophe or Transformation?, edited by Richard Falk and David Krieger, Palgrave Macmillan, September 2008)

The program spelled out above (together with the **no-first-use policy** discussed below) can be seen as the early and middle stages of the phased elimination of nuclear weapons. It does not assume that any nuclear state is now ready to commit itself to achieving total abolition by a definite deadline. Yet it does represent a belief that quite drastic steps in this direction—going far beyond the current proposals of any nuclear state, to a state that **could reasonably be called “near-abolition**”—**are** both urgently desirable and **physically possible** in the relatively short run. **Whether they are politically possible** in the world as it is in 2007 **is another question**. **For the immediate future**, through 2008, **that question can be answered definitely: No.** For most of these measures, negotiations toward them are now actively opposed, or stalemated, by the Bush Administration. **The Comprehensive Test Ban** **remains unratified**, and the Antiballistic Missile Ban Treaty rescinded in 2002. **Unilateral steps that could reduce nuclear dangers** within days or weeks, like de-alerting, **are not even considered**. Marked All this places an extremely high premium on averting, during that interval, an attack by the Bush administration on Iran, or the occurrence of a new 9-11 in the U.S. Either of these, in my opinion, would launch a dynamic—including a resumption of nuclear testing by the U.S. and thence by many other countries—that would put nuclear disarmament permanently beyond reach. But **the replacement of this administration in 2009 by a**nother, **Democrat** or Republican, **will not**, in the light of past experience, **make the fundamental changes in U.S. posture** that are necessary to prevent widespread nuclear proliferation or use easy to achieve or even likely. Only, possible. **The obstacles to achieving these changes** even after the departure of President Bush and Vice President Cheney **are** not posed by the majority of the American public (or the publics of any of the major nuclear weapons states), but by **officials and elites in both parties, and by major institutions supporting militarism and empire.**

#### Plan’s a giant loss –

Howard Fineman 9/14, is editorial director of the Huffington Post Media Group. Huffington Post, Tim Kaine's Bold New War Proposal For Obama, <http://www.huffingtonpost.com/2013/09/14/tim-kaine-obama_n_3923450.html>, jj

Conventional wisdom and history hold that presidents never willingly cede an angstrom of their power to wage war, which is grounded in their role as commander in chief. The corollary is that they'll veto any efforts to limit such power -- which is what even the embattled Richard Nixon did in 1973.

***Kills the agenda – Losers Lose***

Dr. Andrew J. **Loomis** 20**07** is a Visiting Fellow at the Center for a New American Security, and Department of Government at Georgetown University, “Leveraging legitimacy in the crafting of U.S. foreign policy”, March 2, 2007, pg 36-37, http://citation.allacademic.com//meta/p\_mla\_apa\_research\_citation/1/7/9/4/8/pages179487/p179487-36.php

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

#### Reducing war powers will end Obama’s credibility with Congress – it causes stronger GOP pushback on the debt ceiling – and the fight alone will wreck markets

**Seeking Alpha, 9/10/13** (“Syria Could Upend Debt Ceiling Fight”, <http://seekingalpha.com/article/1684082-syria-could-upend-debt-ceiling-fight>)

Unless President Obama can totally change a reluctant public's perception of another Middle-Eastern conflict, it seems unlikely that he can get 218 votes in the House, though he can probably still squeak out 60 votes in the Senate. This defeat would be totally unprecedented as a President has never lost a military authorization vote in American history. To forbid the Commander-in-Chief of his primary power renders him all but impotent. At this point, a rebuff from the House is a 67%-75% probability.

I reach this probability by looking within the whip count. I assume the 164 declared "no" votes will stay in the "no" column. To get to 218, Obama needs to win over 193 of the 244 undecided, a gargantuan task. Within the "no" column, there are 137 Republicans. Under a best case scenario, Boehner could corral 50 "yes" votes, which would require Obama to pick up 168 of the 200 Democrats, 84%. Many of these Democrats rode to power because of their opposition to Iraq, which makes it difficult for them to support military conflict. The only way to generate near unanimity among the undecided Democrats is if they choose to support the President (recognizing the political ramifications of a defeat) despite personal misgivings. The idea that all undecided Democrats can be convinced of this argument is relatively slim, especially as there are few votes to lose. In the best case scenario, the House could reach 223-225 votes, barely enough to get it through. Under the worst case, there are only 150 votes. Given the lopsided nature of the breakdown, the chance of House passage is about one in four.

While a failure in the House would put action against Syria in limbo, I have felt that the market has overstated the impact of a strike there, which would be limited in nature. Rather, investors should focus on the profound ripple through the power structure in Washington, which would greatly impact impending battles over spending and the debt ceiling.

Currently, the government loses spending authority on September 30 while it hits the debt ceiling by the middle of October. Markets have generally felt that Washington will once again strike a last-minute deal and avert total catastrophe. Failure in the Syrian vote could change this. For the Republicans to beat Obama on a President's strength (foreign military action), they will likely be emboldened that they can beat him on domestic spending issues.

Until now, consensus has been that the two sides would compromise to fund the government at sequester levels while passing a $1 trillion stand-alone debt ceiling increase. However, the right wing of Boehner's caucus has been pushing for more, including another $1 trillion in spending cuts, defunding of Obamacare, and a one year delay of the individual mandate. Already, Conservative PACs have begun airing advertisements, urging a debt ceiling fight over Obamacare. With the President rendered hapless on Syria, they will become even more vocal about their hardline resolution, setting us up for a showdown that will rival 2011's debt ceiling fight.

I currently believe the two sides will pass a short-term continuing resolution to keep the government open, and then the GOP will wage a massive fight over the debt ceiling. While Obama will be weakened, he will be unwilling to undermine his major achievement, his healthcare law. In all likelihood, both sides will dig in their respective trenches, unwilling to strike a deal, essentially in a game of chicken. If the House blocks Syrian action, it will take America as close to a default as it did in 2011. Based on the market action then, we can expect massive volatility in the final days of the showdown with the Dow falling 500 points in one session in 2011.

As markets panicked over the potential for a U.S. default, we saw a massive risk-off trade, moving from equities into Treasuries. I think there is a significant chance we see something similar this late September into October. The Syrian vote has major implications on the power of Obama and the far-right when it comes to their willingness to fight over the debt ceiling. If the Syrian resolution fails, the debt ceiling fight will be even worse, which will send equities lower by upwards of 10%. Investors must be prepared for this "black swan" event.

Looking back to August 2011, stocks that performed the best were dividend paying, less-cyclical companies like Verizon (VZ), Wal-Mart (WMT), Coca-Cola (KO) and McDonald's (MCD) while high beta names like Netflix (NFLX) and Boeing (BA) were crushed. Investors also flocked into treasuries despite default risk while dumping lower quality bonds as spreads widened. The flight to safety helped treasuries despite U.S. government issues. I think we are likely to see a similar move this time.

Assuming there is a Syrian "no" vote, I would begin to roll back my long exposure in the stock market and reallocate funds into treasuries as I believe yields could drop back towards 2.50%. Within the stock market, I think the less-cyclical names should outperform, making utilities and consumer staples more attractive. For more tactical traders, I would consider buying puts against the S&P 500 and look toward shorting higher-beta and defense stocks like Boeing and Lockheed Martin (LMT). I also think lower quality bonds would suffer as spreads widen, making funds like JNK vulnerable. Conversely, gold (GLD) should benefit from the fear trade.

I would also like to address the potential that Congress does not vote down the Syrian resolution. First, news has broken that Russia has proposed Syria turn over its chemical stockpile. If Syria were to agree (Syria said it was willing to consider), the U.S. would not have to strike, canceling the congressional vote. The proposal can be found here. I strongly believe this is a delaying tactic rather than a serious effort. In 2005, Libya began to turn over chemical weapons; it has yet to complete the hand-off. Removing and destroying chemical weapons is an exceptionally challenging and dangerous task that would take years, not weeks, making this deal seem unrealistic, especially because a cease-fire would be required around all chemical facilities. The idea that a cease-fire could be maintained for months, essentially allowing Assad to stay in office, is hard to take seriously. I believe this is a delaying tactic, and Congress will have to vote within the next two weeks.

The final possibility is that Democrats back their President and barely ram the Syria resolution through. I think the extreme risk of a full-blown debt stand-off to dissipate. However, Boehner has promised a strong fight over the debt limit that the market has largely ignored. I do believe the fight would still be worse than the market anticipates but not outright disastrous. As such, I would not initiate short positions, but I would trim some longs and move into less cyclical stocks as the risk would still be the debt ceiling fight leading to some drama not no drama.

Remember, in politics everything is connected. Syria is not a stand-alone issue. Its resolution will impact the power structure in Washington. A failed vote in Congress is likely to make the debt ceiling fight even worse, spooking markets, and threatening default on U.S. obligations unless another last minute deal can be struck.

**Internal Link Backline - A2: Intrinsicness**

***1) Counter-interp --- judge is a policy analyst not a policy maker.***

***2) The DA is intrinsic. Specificity of our link and internal link evidence proves an inevitable result of passing the plan will be to derail \_\_\_***

***3) Intrinsicness is a voting issue.***

***Makes the aff extra-topical, a moving target and justifies aff conditionality – kills clash and fairness***

***Infinitely regressive --- justifies perming any disad --- neg would always lose***

***Kills the politics disad --- key to current event knowledge about the nitty gritty of the political machine in DC, and real world cost-benefit skills.***

***4) Politics tests a key opportunity cost***

**Saideman**, associate professor of political science - McGill University, 7/25/**’11**

(Steve, “Key Constraint on Policy Relevance,” http://duckofminerva.blogspot.com/2011/07/key-constraint-on-policy-relevance.html)

Dan Drezner has a great post today about how **the foreign policy smart set** (his phrase) **gets** so **frustrated** by domestic politics **that they tend to recommend domestic political changes that are never going to happen.**

I would go one step further and suggest that **one of the key problems for scholars who want to be relevant for policy debates is that we** tend to **make recommendations that are "incentive incompatible."** I love that phrase. **What is best for policy may not be what is best for politics, and so we** may think we have a good idea about what to recommend but **get frustrated when our ideas do not get that far.**

**Lots of folks** talking about early warning about genocide, intervention into civil wars and the like **blame "political will.**" That countries lack, for whatever reason, the compulsion to act. Well, **that is another way of saying that domestic politics matters, but we don't want to think about it.**

Dan's piece contains an implication which is often false--that IR folks have little grasp of domestic politics. **Many** IR **folks** do tend to **ignore or simplify the domestic side too much**, but there is plenty of scholarship on the domestic determinants of foreign policy/grand strategy/war/trade/etc. Plenty of folks look at how domestic institutions and dynamics can cause countries to engage in sub-optimal foreign policies (hence the tradeoff implied in my second book--For Kin or Country).

**The challenge**, then, **is to figure out what would be a cool policy and how that** cool **policy could resonate with those who are relevant domestically. That is not easy, but it is what is necessary. To be policy relevant requires both parts**--**articulating a policy alternative** that would improve things **and some thought about how the alternative could be politically appealing.**

**Otherwise, we can just dream about** the right **policy and gnash our teeth when it never happens.**

**Internal Link Backline – A2: Vote No**

***1) This is obviously silly – the status quo is always an option – Their view of fiat prevents negative from defending the status quo preventing any topic specific education***

***2) Their model of fiat is arbitrary – has no resolutional basis and can be modified to potentially moot all negative disad links***

### A2: debt ceiling no collapse

#### Answered in the overview --- collapse happens quick

#### 1nc Johnson ev --- protracted fight is economic sabotage – it collapses growth, markets, and confidence --- the card says “the fact that they could talk about this at all causes considerable damage to frowth and consequences”

#### Delay risks economic collapse

**Puzzanghera, 9/18/13** (Jim, “Delay in raising debt limit risky, Lew says” Los Angeles Times, lexis)

As the nation fast approaches its debt limit, Treasury Secretary Jacob J. Lew issued his strongest warning yet to Congress about the economic consequences of waiting until just before the deadline to pass an increase.

"Trying to time a debt-limit increase to the last minute could be very dangerous," Lew told the Economic Club of Washington on Tuesday. "We cannot afford for Congress to gamble with the full faith and credit of the United States of America."

Republicans are balking at raising the $16.7-trillion debt limit, which Congress must do by as early as mid-October, unless the Obama administration agrees to major concessions including deep spending cuts and a delay in implementing the healthcare reform law.

During a meeting last week, House Speaker John A. Boehner (R-Ohio) gave Lew a list of times in the past when the White House and Congress used the need to raise the debt limit as a way to find bipartisan solutions on fiscal issues, Boehner's office said.

Boehner has said that any increase in the debt limit must be offset by budget cuts or spending reforms at least as large as the increase.

But Lew reiterated Tuesday that President Obama would not negotiate over raising the debt limit because it involves paying for bills already authorized by Congress and because the notion of a federal government default should not be a bargaining chip.

Lew specifically ruled out a delay in the healthcare law, the Affordable Care Act, a move being pushed by some House conservatives.

"That's just not reality, and they're going to have to start dealing in reality," he said.

But as the Treasury runs out of the accounting maneuvers it has used since the spring to continue borrowing to pay the nation's bills, Lew said lawmakers needed to act.

Since the U.S. technically reached its debt limit in the spring, the Treasury has been using so-called extraordinary measures, such as suspending investments in some federal pension funds, to juggle the nation's finances to pay bills. Those measures will be exhausted by the middle of October.

Lew noted that Washington politicians like to wait until they are up against a deadline to act, as they often do with spending bills and did last year with the so-called fiscal cliff, the combination of automatic tax increases and government spending cuts.

But the debt limit is different, Lew said, because of the complexity of identifying an exact date when the nation would run out of borrowing authority -- and because of the consequences of a first-ever federal government default.

Lew said a default would be "a self-inflicted wound that can do harm to our economy right at a moment when the recovery is strengthening."

A bitter battle over the debt limit in 2011, resolved at the last minute, raised fears of a first-ever U.S. government default. The lengthy standoff led Standard & Poor's to downgrade the nation's credit rating for the first time and triggered financial market turmoil along with a deep drop in consumer confidence.

"Some in Congress seem to think they can keep us from failing to pay our nation's bills by simply raising the debt ceiling right before the moment our cash balance is depleted," Lew said. Such a view is misguided, he said.

The Treasury Department doesn't know with precision the exact day that it won't have enough incoming cash to make all the required outgoing payments once it runs out of borrowing authority.

Lew formally told Congress last month that the Treasury would run out of borrowing authority in mid-October. At that point, the government would be able to pay bills only with cash on hand of about $50 billion on any given day.

An analysis released last week by the Bipartisan Policy Center, which also cited the difficulty of pegging an exact date, estimated that the U.S. would run out of borrowing authority between Oct. 18 and Nov. 5.

The vagaries of the debt-limit issue mean that Congress must act sooner rather than later, Lew said.

"I'm nervous about the desire to drive this to the last minute when the last minute is inherently unknowable and the risk of making a mistake could be catastrophic," he said.