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#### Restrictions on war powers create areas where the President can NOT act

Fisher 12—Louis, Scholar in Residence at The Constitution Project; served for four decades at the Library of Congress, as Senior Specialist, Congressional Research Service [“Basic Principles of the War Power,” 2012, Journal of National Security Law & Policy, 5 J. Nat'l Security L. & Pol'y 319]

Article II designates the President as Commander in Chief, but that title does not carry with it an independent authority to initiate war or act free of legislative control. Article II provides that the President "shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States." Congress, not the President, does the calling. Article I grants Congress the power to provide "for calling forth the Militia to execute the laws of the Union, suppress Insurrections, and repel invasions." Presidential use of the militia depends on policy enacted by Congress.

The Commander in Chief Clause is sometimes interpreted as an exclusive, plenary power of the President, free of statutory checks. It is not. Instead, it offers several protections for republican, constitutional government. Importantly, it preserves civilian supremacy over the military. The individual leading the armed forces is an elected civilian, not a general or admiral. Attorney General Edward Bates in 1861 concluded that the President is Commander in Chief not because he is "skilled in the art of war and qualified to marshal a host in the field of battle." He possesses that title for a different reason. Whatever military officer leads U.S. forces against an enemy, "he is subject to the orders of the civil magistrate, and he and his army are always "subordinate to the civil power.'" n23 Congress is an essential part of that civil power.

The Framers understood that the President may "repel sudden attacks," especially when Congress is out of session and unable to assemble quickly, but the power to take defensive actions does not permit the President to initiate wars and exercise the constitutional authority of Congress. President Washington took great care in instructing his military commanders that operations against Indians were to be limited to defensive actions. n24 Any offensive action required congressional authority. He wrote in 1793: "The Constitution vests the power of declaring war with Congress; therefore no offensive expedition of importance can be undertaken until after they have deliberated upon the subject, and authorized such a measure." n25

[\*324] In 1801, President Jefferson directed that a squadron be sent to the Mediterranean to safeguard American interests against the Barbary pirates. On December 8, he informed Congress of his actions, asking lawmakers for further guidance. He said he was "unauthorized by the Constitution, without the sanction of Congress, to go beyond the line of defense ... ." It was up to Congress to authorize "measures of offense also." n26 In 1805, after conflicts developed between the United States and Spain, Jefferson issued a public statement that articulates fundamental constitutional principles: "Congress alone is constitutionally invested with the power of changing our condition from peace to war." n27 In the Smith case of 1806, a federal circuit court acknowledged that if a foreign nation invades the United States, the President has an obligation to resist with force. But there was a "manifest distinction" between going to war with a nation at peace and responding to an actual invasion: "In the former case, it is the exclusive province of congress to change a state of peace into a state of war." n28

The second value that the Founders embraced in the Commander-in-Chief Clause is accountability. Hamilton in Federalist No. 74 wrote that the direction of war "most peculiarly demands those qualities which distinguish the exercise of power by a single hand." The power of directing war and emphasizing the common strength "forms a usual and essential part in the definition of the executive authority." n29 Presidential leadership is essential but it cannot operate outside legislative control. The President is subject to the rule of law, including statutory and judicial restrictions.

#### Context is Key

Haneman 59—J.A.D. is a justice of the Superior Court of New Jersey, Appellate Division [“Russell S. Bertrand et al. v. Donald T. Jones et al.,” 58 NJ Super. 273; 156 A.2d 161; 1959 N.J. Super, Lexis]

HN4 In ascertaining the meaning of the word "restrictions" as here employed, it must be considered in context with the entire clause in which it appears. It is to be noted that the exception concerns restrictions "which have been complied with." Plainly, this connotes a representation of compliance by the vendor with any restrictions upon the permitted uses of the subject property. The conclusion that "restrictions" refer solely to a limitation of the manner in which the vendor may [\*\*\*14] use his own lands is strengthened by the further provision found in said clause that the conveyance is "subject to the effect, [\*\*167] if any, of municipal zoning laws." Municipal zoning laws affect the use of property. HN5 A familiar maxim to aid in the construction of contracts is noscitur a sociis. Simply stated, this means that a word is known from its associates. Words of general and specific import take color from each other when associated together, and thus the word of general significance is modified by its associates of restricted sense. 3 Corbin on Contracts, § 552, p. 110; cf. Ford Motor Co. v. New Jersey Department of Labor and Industry, 5 N.J. 494 (1950). The [\*284] word "restrictions," therefore, should be construed as being used in the same limited fashion as "zoning."

#### Their supervising terms OR conditions for acting don’t meet.

COURT OF APPEALS 12 [STATE OF WASHINGTON DEPARTMENT OF HEALTH, THE COURT OF APPEALS OF THE STATE OF WASHINGTON, DIVISION I, RANDALL KINCHELOE Appellant. vs. Respondent, BRIEF OF APPELLANT, http://www.courts.wa.gov/content/Briefs/a01/686429%20Appellant%20Randall%20Kincheloe's.pdf]

3. The ordinary definition of the term "restrictions" also does not include the reporting and monitoring or supervising terms and conditions that are included in the 2001 Stipulation. Black's Law Dictionary, 'fifth edition,(1979) defines "restriction" as; A limitation often imposed in a deed or lease respecting the use to which the property may be put.

The term "restrict' is also cross referenced with the term "restrain." Restrain is defined as;

To limit, confine, abridge, narrow down, restrict, obstruct, impede, hinder, stay, destroy. To prohibit from action; to put compulsion on; to restrict; to hold or press back. To keep in check; to hold back from acting, proceeding, or advancing, either by physical or moral force, or by interposing obstacle, to repress or suppress, to curb.

#### Vote Neg—Smaller predictable case list comes for Prohibitions only, and allowing modifications creates a bi-directional topic where they can IMPROVE war-fighting by the president.

### 1NC CP

#### The Executive branch should publicly articulate its legal rationale for its targeted killing policy, including the process and safeguards in place for target selection.

#### The CP’s the best middle ground—preserves the vital counter-terror role of targeted killings while resolving all their downsides

Byman 13—Daniel Byman is a Professor in the Security Studies Program at the Edmund A. Walsh School of Foreign Service at Georgetown University and a Senior Fellow at the Saban Center for Middle East Policy at the Brookings Institution [“Why Drones Work,” *Foreign Affairs*, Jul/Aug2013, Vol. 92 Issue 4, p. 32-43, EBSCO]

Despite President Barack Obama's recent call to reduce the United States' reliance on drones, they will likely remain his administration's weapon of choice. Whereas President George W. Bush oversaw fewer than 50 drone strikes during his tenure, Obama has signed off on over 400 of them in the last four years, making the program the centerpiece of U.S. counterterrorism strategy. The drones have done their job remarkably well: by killing key leaders and denying terrorists sanctuaries in Pakistan, Yemen, and, to a lesser degree, Somalia, drones have devastated al Qaeda and associated anti-American militant groups. And they have done so at little financial cost, at no risk to U.S. forces, and with fewer civilian casualties than many alternative methods would have caused.

Critics, however, remain skeptical. They claim that drones kill thousands of innocent civilians, alienate allied governments, anger foreign publics, illegally target Americans, and set a dangerous precedent that irresponsible governments will abuse. Some of these criticisms are valid; others, less so. In the end, drone strikes remain a necessary instrument of counterterrorism. The United States simply cannot tolerate terrorist safe havens in remote parts of Pakistan and elsewhere, and drones offer a comparatively low-risk way of targeting these areas while minimizing collateral damage.

So drone warfare is here to stay, and it is likely to expand in the years to come as other countries' capabilities catch up with those of the United States. But Washington must continue to improve its drone policy, spelling out clearer rules for extrajudicial and extraterritorial killings so that tyrannical regimes will have a harder time pointing to the U.S. drone program to justify attacks against political opponents. At the same time, even as it solidifies the drone program, Washington must remain mindful of the built-in limits of low-cost, unmanned interventions, since the very convenience of drone warfare risks dragging the United States into conflicts it could otherwise avoid.

#### Judicial review would result in limiting AUMF drone strikes to declared zones of armed conflict—that functionally bans drones

Sterio 12—Milena Sterio, Associate Professor of Law, Cleveland-Marshall College of Law [Fall 2012, “Presidential Powers and Foreign Affairs: Rendition and Targeted Killings of Americans: The United States' Use of Drones in the War on Terror: The (Il)legality of Targeted Killings Under International Law,” Case Western Reserve Journal of International Law, 45 Case W. Res. J. Int'l L. 197]

After the terrorist attacks of 9/11, President George W. Bush, in his capacity as Commander-in-Chief, authorized the use of drones against leaders of al-Qaeda forces, pursuant to Congress' Authorization for Use of Military Force (AUMF). n1 Pursuant to AUMF, drones could be utilized against al-Qaeda forces to target or to kill enemies. It has been reported that the United States possesses two types of drones: smaller ones, which predominantly carry out surveillance missions, and larger ones, which can carry hellfire missiles and have been used to conduct strikes and targeted killings. n2 Drone strikes have been carried out by both the military as well as the CIA. As Jane Mayer famously noted in her article:

The U.S. government runs two drone programs. The military's version, which is publicly acknowledged, operates in the recognized war zones of Afghanistan and Iraq, and targets enemies of U.S. troops stationed there. As such, it is an extension of conventional warfare. The C.I.A.'s program is aimed at terror suspects around the world, including in countries where U.S. troops are not based. n3

[\*199]

Moreover, although the President had designated Afghanistan and its airspace as a combat zone, the United States has used drones in other areas of the world, such as Yemen, where al-Qaeda forces have been targeted and killed. n4 In fact, the U.S. approach for the use of drones is that members of al-Qaeda forces may be targeted anywhere in the world: that the battlefield follows those individuals who have been designated as enemies due to their affiliation with al-Qaeda. n5 While many in the international community have criticized the United States' expansive geographical use of drones against al-Qaeda forces, n6 officials in the Bush Administration have defended the drone program as consistent and conforming to international law. n7 President Obama has continued this approach and has expanded the use of drones in the war on terror. n8 Moreover, high-level officials in the Obama Administration have offered detailed legal justifications for the legality of the American drone program.

Harold Koh, State Department Legal Advisor, justified the use of drones at the American Society of International Law Annual Meeting on March 25, 2010, arguing "it is the considered view of this Administration . . . that U.S. targeting practices, including lethal operations conducted with the use of unmanned aerial vehicles, comply with all applicable law, including the laws of war." n9 In his speech, Koh cited both domestic law (AUMF) and international law as proof that the United States is engaged in armed conflict with al-Qaeda, the Taliban, and "associated forces." n10 Targeted killings, according to Koh, are justified because they are performed in [\*200] accordance with the laws of war. n11 In other words, the United States conducts targeted strikes consistent with the well-known principles of distinction and proportionality to ensure that the targets are legitimate and collateral damage minimized. n12

Koh offered four reasons supporting the legality of targeted drone killings. First, enemy leaders are legitimate targets because they are belligerent members of an enemy group in a war with the United States. n13 Second, drones can constitute appropriate instruments for such missions, so long as their use conforms to the laws of war. n14 Third, enemy targets are selected through "robust" procedures; as such, they require no legal process and are not "unlawful extrajudicial" killings. n15 Finally, Koh argued that using drones to target "high level belligerent leaders" does not violate domestic law banning assassinations. n16

The Obama Administration has continued to use drones in Pakistan, as well as in Yemen. Increasingly, however, the American drone program has been run by the CIA. n17 Leon Panetta, the CIA Director, has praised the drone program stating that drones were "the only game in town." n18 On September 30, 2011, a CIA-operated drone targeted and killed an American citizen in Yemen, Anwar al-Awlaki. n19 Al-Awlaki had been accused of holding prominent roles within the ranks of al-Qaeda and had been placed on a hit list, authorized by President Obama. n20 His assassination marked the first time in history an American citizen had been targeted abroad without any judicial involvement or proceedings to determine guilt of any crime.

In a subsequent speech, Attorney General Eric Holder confirmed the Obama Administration's view on the legality of targeted killings, including killings of American citizens. On March 5, 2012, in a speech at Northwestern University, Holder claimed targeted killings of American citizens are legal if the targeted citizen is located abroad, a [\*201] senior operational leader of al-Qaeda or associated forces, actively engaged in planning to kill Americans, poses an imminent threat of violent attack against the United States (as determined by the U.S. government), and cannot be captured; such operations must be conducted in a manner consistent with applicable law of war principles. n21

Despite Koh's and Holder's justifications, many have questioned the legality of the American use of drones to perform targeted killings of al-Qaeda members and of U.S. citizens. Philip Alston, UN Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, has famously stated his concerns that drones "are being operated in a framework which may well violate international humanitarian law and international human rights law." n22 This article highlights some of the most relevant issues surrounding the (il)legality of targeted killings under the current approach of the Obama Administration. This article concludes that most targeted killings are illegal under international law; only a very small number of such killings, performed under carefully crafted circumstances, could potentially comply with the relevant rules of jus ad bellum and jus in bello, and only if one accepts the premise that the United States is engaged in an armed conflict against al-Qaeda. This article discusses the following issues related to the use of drones to perform targeted killings: the definition of the battlefield and the applicability of the law of armed conflict (Part II); the identity of targetable individuals and their status as combatants or civilians under international law (Part III); the legality of targeted killings under international humanitarian law (Part IV); and the location and status of drone operators (Part V).

II. What and Where is the Battlefield? Which Laws Apply?

Under the Bush Administration approach, the United States post 9/11 was engaged in a global war against terrorists. Under this expansive approach, the war had no geographic constraints, and the battlefield was of a global nature. n23 In other words, the war followed [\*202] the terrorist enemies, and wherever they were located was where the battlefield could be temporarily situated. According to the Bush Administration, as well as the U.S. Supreme Court case Hamdan v. Rumsfeld, the United States was at war against al-Qaeda and Taliban forces, and the applicable laws were the laws of war. n24 Thus, military force, including the use of drones, could be used if consistent with the laws of war.

Under the Obama Administration, the rhetoric has slightly changed: the United States is no longer engaged in a global war on terror but rather, in a war against al-Qaeda, the Taliban, and associated forces. n25 However, the Obama Administration, by conducting drone strikes in a variety of locations, including Pakistan and Yemen, has followed the Bush Administration view of the global battlefield. The Obama Administration believes, like the Bush Administration, that the laws of war apply to the use of drone strikes because the United States is engaged in an armed conflict. n26 Moreover, the Obama Administration has claimed drones can be used in countries that harbor terrorist enemies and are unwilling or unable to control territory where such enemies are located. n27 This rationale would likely exclude places like England and France from the possible definition and localization of the battlefield, but would purport to justify the use of drones in places like Pakistan and Yemen, where remote territories are hard to control and where central governments cannot claim to possess effective control. n28 [\*203]

The above described terminology ("global war on terror" and "war against al-Qaeda, the Taliban, and associated forces") is vastly important, as it designates the applicable legal framework surrounding targeted killings and drone strikes. If one accepts the premise that the United States is engaged in armed conflict against al-Qaeda terrorists, then one has to conclude that laws of war apply. n29 If laws of war apply, then the rules of jus ad bellum determine whether military force is utilized in a lawful way. In fact, laws of war permit targeted killings if two particular requirements of jus ad bellum are satisfied: the use of force is necessary and the use of force is proportionate.

First, a state resorting to force must prove its decision to resort to force was a result of an armed attack and necessary to respond to such attack. n30 It is possible to argue that al-Qaeda's campaign of terrorist attacks against the United States, including 9/11, corresponded to an armed attack. However, it is also possible to argue that "al Qaeda's campaign against the United States does not trigger the right of self-defensive force . . . because al Qaeda has not launched a full scale military offensive." n31 Another difficulty in this context is that al-Qaeda is not a state, and under traditional international law, only states could initiate armed attack against states, thus triggering the right to self-defense. n32 While some commentators have argued that the use of force in self-defense against a non-state actor should be [\*204] permissible, "in an era where non-state groups project military-scale power," n33 this view remains controversial. n34

Second, a state resorting to the use of force must prove its use of force was proportionate to the military campaign's objective. n35 The proportionality test of jus ad bellum should "be applied contextually, to determine whether the overall goal of a use of force . . . is a proportionate objective." n36 Because the CIA operates the drone program in Pakistan in secrecy, it is impossible to determine conclusively whether the program meets the proportionality requirement of jus ad bellum. It is possible to argue the resort to targeted killings through the use of drones is at least sometimes necessary and proportionate (for example, when a U.S. military commander possesses information that a high-value al-Qaeda operative, engaged in planning armed attacks against Americans, is located in a specific location which is relatively easily reachable via drones, and the commander decides that neutralization of the al-Qaeda target is necessary to prevent attacks against Americans). It is probable that many drone strikes do not meet the requirements of jus ad bellum, but it is nonetheless difficult to conclude, under this approach, that the entire drone program is per se illegal. Should the U.S. government--specifically the CIA--release more facts regarding the drone program, it may become plausible to assess the lawfulness of this type of force through the jus ad bellum prism.

If, however, one rejects the conclusion that the United States is engaged in armed conflict, then the legality of the entire drone program becomes questionable. One could logically conclude the United States is not fighting a true war, but chasing terrorists. Under this view, the law of armed conflict would no longer apply, and the United States could use force against such terrorists only under a law enforcement paradigm--only when the use of force is absolutely necessary. Moreover, if the laws of war do not apply, then international human rights law dictates that targeted killings are legal only if a threat imminent and the reaction necessary, because under human rights law, "it is never permissible for killing to be the sole [\*205] objective of an operation." n37 "A killing is only legal to prevent a concrete and imminent threat to life, and, additionally, if there is no other non-lethal means of preventing that threat to life." n38 The International Covenant on Civil and Political Rights (ICCPR) prohibits "arbitrary" killing, as well as punitive or deterrent killings of terrorists. n39 The very nature of the American drone program, where targeted killings are utilized to neutralize al-Qaeda operatives, even though such killings are not absolutely necessary, is contrary to international human rights law. Under this paradigm, one must conclude that the drone program is illegal.

#### Targeted killing’s vital to counterterrorism—disrupts leadership and makes carrying out attacks impossible

Anderson 13—Kenneth, Professor of International Law at American University [May 24, 2013, “The Case for Drones,” Commentary Magazine, http://www.realclearpolitics.com/articles/2013/05/24/the\_case\_for\_drones\_118548.html]

Targeted killing of high-value terrorist targets, by contrast, is the end result of a long, independent intelligence process. What the drone adds to that intelligence might be considerable, through its surveillance capabilities—but much of the drone’s contribution will be tactical, providing intelligence that assists in the planning and execution of the strike itself, in order to pick the moment when there might be the fewest civilian casualties.

Nonetheless, in conjunction with high-quality intelligence, drone warfare offers an unparalleled means to strike directly at terrorist organizations without needing a conventional or counterinsurgency approach to reach terrorist groups in their safe havens. It offers an offensive capability, rather than simply defensive measures, such as homeland security alone. Drone warfare offers a raiding strategy directly against the terrorists and their leadership.

If one believes, as many of the critics of drone warfare do, that the proper strategies of counterterrorism are essentially defensive—including those that eschew the paradigm of armed conflict in favor of law enforcement and criminal law—then the strategic virtue of an offensive capability against the terrorists themselves will seem small. But that has not been American policy since 9/11, not under the Bush administration, not under the Obama administration—and not by the Congress of the United States, which has authorized hundreds of billions of dollars to fight the war on terror aggressively. The United States has used many offensive methods in the past dozen years: Regime change of states offering safe havens, counterinsurgency war, special operations, military and intelligence assistance to regimes battling our common enemies are examples of the methods that are just of military nature.

Drone warfare today is integrated with a much larger strategic counterterrorism target—one in which, as in Afghanistan in the late 1990s, radical Islamist groups seize governance of whole populations and territories and provide not only safe haven, but also an honored central role to transnational terrorist groups. This is what current conflicts in Yemen and Mali threaten, in counterterrorism terms, and why the United States, along with France and even the UN, has moved to intervene militarily. Drone warfare is just one element of overall strategy, but it has a clear utility in disrupting terrorist leadership. It makes the planning and execution of complex plots difficult if only because it is hard to plan for years down the road if you have some reason to think you will be struck down by a drone but have no idea when. The unpredictability and terrifying anticipation of sudden attack, which terrorists have acknowledged in communications, have a significant impact on planning and organizational effectiveness.

### 1NC CP

#### The President of the United States should issue an executive order ending signature strike operations in Yemen, and ending targeting killing operations in Pakistan. The United States Federal Government should expand trade with the European Union to facilitate a free trade agreement.

#### Solves econ and relations

**Heineman, 12/11/12** – Ben, JD from Yale, Senior Fellow at the Belfer Center for Science and International Affairs at Harvard, Senior Fellow at the Program on the Legal Profession, Editor in chief of the Yale Law Journal, “High-Risk, High-Reward: Will Obama Seek a Free-Trade Pact With Europe?”, http://www.theatlantic.com/business/archive/2012/12/high-risk-high-reward-will-obama-seek-a-free-trade-pact-with-europe/266120/

The flow of goods, services, and investment back and forth across the Atlantic accounts for one-third of global trade ($2 billion a day). In 2011, the U.S. sold three times more goods to the EU ($286 billion) than to China, and the EU sold two times more goods to the U.S. ($368 billion) than to China. In 2010, the US had $1.9 trillion of foreign direct investment in the EU, and the EU had $1.5 trillion of foreign direct investment in the U.S. Fifty percent of U.S. overseas direct investment goes to the EU and 75 percent of EU overseas direct investment goes to the U.S. Direct employment by U.S. businesses in the EU, and EU business in the U.S., total close to 8 million, not including multiplier effects. In general terms, the list of potential benefits from such an agreement is impressive, depending, of course, on how much of the trade and investment agenda is actually addressed. The economic consequences of such an agreement could be significant. A free-trade agreement could add half a percent to annual GDP growth in both the U.S. and EU. The elimination of all tariffs and halving of regulatory, non-tariff barriers could mean an additional $250 billion in economic activity in the EU and $150 billion in the US. Job creation could number in the hundreds of thousands. And because so much transatlantic trade is between subsidiaries of single companies as part of supply chains, an agreement could lower costs and make those companies stronger global competitors against newer multinationals from emerging markets. From a foreign-policy perspective, a free-trade agreement would signal to Europe that it remains a critical element in the American world view, at a time when America's public attention has been focused elsewhere. It would create and stimulate a powerful economic alliance at a time when international economics is an ever more vital component of national security. As such, it could act as a collective counter-weight to the growing economic influence of China: at present, the combined U.S./EU economies are almost three times bigger than China (US $15 trillion: EU $17 trillion; China $12 trillion). And, were the Obama administration to be successful in both a free-trade agreement with the EU and its current efforts to negotiate a Transpacific Partnership on trade, it could significantly shape the international economy for years to come. A U.S.-EU free trade agreement could set influential transatlantic standards on a variety of regulatory fronts which, while hardly front-page news, are critical to maintaining effective international competition and are now the source of endless friction across the world. Standards in the areas of regulation of goods, services, investment, and procurement would help influence movement towards world regulatory standards (just as the recent U.S.-South Korea free trade agreement is viewed as state of the art). From a political perspective, the stars may be aligned on a complex transatlantic enterprise that has seen many false dawns. Republicans and business groups are, of course, generally in favor of an agreement. Labor groups on both continents and also left-center political parties have also made favorable noises about launching a formal negotiation, because of the potential stimulative effects and because the U.S. and EU have comparable wages and conditions for workers. Moreover, recent public opinion polls in the U.S. have consistently indicated a favorable view of trade with Europe, even as doubts about free trade generally have grown.

#### Solves Yemen

Jacqueline Manning 12, Senior Editor of International Affairs Review, December 9 2012, “Free to Kill: How a Lack of Accountability in America’s Drone Campaign Threatens U.S. Efforts in Yemen,” http://www.iar-gwu.org/node/450.

Earlier this year White House counter-terrorism advisor, John Brennan, named al-Qaeda in the Arabian Peninsula (AQAP) in Yemen the greatest threat to the U.S. Since 2009, the Obama administration has carried out an estimated 28 drone strikes and 13 air strikes targeting AQAP in Yemen, while the Yemeni Government has carried out 17 strikes, and another five strikes cannot be definitively attributed to either state . There is an ongoing debate over the effectiveness of targeted killings by drone strikes in the fight against al-Qaeda. However, what is clear is that the secrecy and unaccountability with which these drone strike are being carried out are undermining U.S. efforts in Yemen.

The drone campaign in Yemen is widely criticized by human rights activists, the local population and even the United Nations for its resulting civilian casualties. It is also credited with fostering animosity towards the U.S. and swaying public sentiment in Yemen in favor of AQAP. The long-term effects, as detailed by a 2012 report by the Center for Civilians in Conflict, seem to be particularly devastating. The resulting loss of life, disability, or loss of property of a bread-winner can have long-term impacts, not just on an individual, but on an entire family of dependents.

The effectiveness of drone technology in killing al-Qaeda militants, however, cannot be denied. Targeted killings by drone strikes have eliminated several key AQAP members such as Anwar al-Awlaki, Samir Khan, Abdul Mun’im Salim al Fatahani, and Fahd al-Quso . Advocates of the counterterrorism strategy point out that it is much less costly in terms of human lives and money than other military operations.

While there are strong arguments on both sides of the drone debate, both proponents and critics of targeted killings of AQAP operatives by drones agree that transparency and accountability are needed.

Authorizing the CIA to carry out signature strikes is of particular concern. In signature strikes, instead of targeting individual Al Qaeda leaders, the CIA targets locations without knowing the precise identity of the individuals targeted as long as the locations are linked to a “signature” or pattern of behavior by Al Qaeda officials observed over time. This arbitrary method of targeting often results in avoidable human casualties.

Secrecy surrounding the campaign often means that victims and families of victims receive no acknowledgement of their losses, much less compensation. There are also huge disparities in the reported number of deaths. In addition, according to The New York Times, Obama administration officials define “militants” as “all military-age males in a strike zone...unless there is explicit intelligence posthumously proving them innocent” This definition leads to a lack of accountability for those casualties and inflames anti-American sentiment.

In a report submitted to the UN Human Rights Council, Ben Emmerson, special rapporteur on the promotion and protection of human rights while countering terrorism, asserted that, "Human rights abuses have all too often contributed to the grievances which cause people to make the wrong choices and to resort to terrorism….human rights compliant counter-terrorism measures help to prevent the recruitment of individuals to acts of terrorism." There is now statistical evidence that supports this claim. A 2010 opinion poll conducted by the New America Foundation in the Federally Administered Tribal Areas (FATA) of Pakistan, where U.S. drone strikes have been carried out on a much larger scale, shows an overwhelming opposition to U.S. drone strikes coupled with a majority support for suicide attacks on U.S. forces under some circumstances.

It is clear that the drone debate is not simply a matter of morality and human rights; it is also a matter of ineffective tactics. At a minimum the U.S. must implement a policy of transparency and accountability in the use of drones. Signature strikes take unacceptable risks with innocent lives. Targets must be identified more responsibly, and risks of civilian casualties should be minimized. When civilian casualties do occur, the United States must not only acknowledge them, but also pay amends to families of the victims.

#### Boyle says that the perception that Pakistan cannot stop U.S. drone strikes is what undermines government legitimacy and creates instability --- CP obviously solves.

Michael J Boyle 13, Assistant Professor of Political Science at La Salle University, former Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence at the University of St Andrews, PhD from Cambridge University, January 2013, “The costs and consequences of drone warfare,” International Affairs 89: 1 (2013) 1–29, http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89\_1/89\_1Boyle.pdf.

The escalation of drone strikes in Pakistan to its current tempo—one every few days—directly contradicts the long-term American strategic goal of boosting the capacity and legitimacy of the government in Islamabad. Drone attacks are more than just temporary incidents that erase all traces of an enemy. They have lasting political effects that can weaken existing governments, undermine their legitimacy and add to the ranks of their enemies. These political effects come about because drones provide a powerful signal to the population of a targeted state that the perpetrator considers the sovereignty of their government to be negligible. The popular perception that a government is powerless to stop drone attacks on its territory can be crippling to the incumbent regime, and can embolden its domestic rivals to challenge it through violence. Such continual violations of the territorial integrity of a state also have direct consequences for the legitimacy of its government. Following a meeting with General David Petraeus, Pakistani President Asif Ali Zardari described the political costs of drones succinctly, saying that ‘continuing drone attacks on our country, which result in loss of precious lives or property, are counterproductive and difficult to explain by a democratically elected government. It is creating a credibility gap.’75 Similarly, the Pakistani High Commissioner to London Wajid Shamsul Hasan said in August 2012 that¶ what has been the whole outcome of these drone attacks is that you have directly or indirectly contributed to destabilizing or undermining the democratic government. Because people really make fun of the democratic government—when you pass a resolution against drone attacks in the parliament and nothing happens. The Americans don’t listen to you, and they continue to violate your territory.76¶ The appearance of powerlessness in the face of drones is corrosive to the appearance of competence and legitimacy of the Pakistani government. The growing perception that the Pakistani civilian government is unable to stop drone attacks is particularly dangerous in a context where 87 per cent of all Pakistanis are dissatisfied with the direction of the country and where the military, which has launched coups before, remains a popular force.77

### 1NC Solvency

#### President will not abide. Congress will inevitably fall in line

Bell 4—Professor of Political Science @ Randolph-Macon College [Lauren Cohen Bell, “Following the Leaders or Leading the Followers? The US President's Relations with Congress,” Journal of Legislative Studies, Summer/Autumn, 2004, Vol. 10 Issue 2/3, pg. 193-205]

As noted ahove. Article I of the Constitution grants to the Congress the sole authority to make declarations of war. However, the president has the power to command US military personnel based on the provisions of Article II. Over the course of US history, the commander-in-chief power has been interpreted to permit presidents to commit troops to areas of conflict even in the absence of a formal declaration of war. Today, formal declarations of war are the exception rather than the rule; separation of powers expert Louis Fisher notes that through 1991 only five wars had ever been declared and that "in only one (the War of 1812) did members of Congress actually debate the merits of entering into hostilities'.'^ As Samuel Kemell and Gary Jacohson note: "[SJince 1989 U.S. armed forces have been almost continuously engaged somewhere in the world.''^

This was not always the case. Fisher points out that there is evidence of presidential restraint with regard to war-making by relating the story of President Grover Cleveland (1885-89; 1893-97), who refused to mobilise troops for a conflict with Cuba despite Congress' intention to declare war. In Fisher's account, Cleveland told the Congress: 'I will not mobilize the army ... I happen to know that we can buy the island of Cuba from Spain for $100,000,000, and a war will cost vastly more than that and will entail another long list of pensioners. It would be an outrage to declare war.''^ Yet, in the modem history of presidential-congressional relations, it is much more frequently the president who has mobilised American troops without consultation with the Congress and in the absence of a formal declaration of war. And it is clear that even when we consider Cleveland's actions, the president has been far more important to the conduct of American foreign policy than the Congress.

This circumstance led, in the aftermath of the war in Vietnam, to congressional passage of the War Powers Resolution in 1973. The War Powers Resolution (WPR) was an attempt to constrain presidential discretion with regard to committing troops oversees. Section 3 of the WPR requires that 'The president in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances".' Section 4 of the WPR gives the president 48 hours to provide a report to both Chambers of the Congress detailing the reason for committing troops, the authority under which he committed them and his prediction conceming the duration of the troops' engagement abroad.'^ Once the president has informed the Congress of the commitment of troops, and in the event that the Congress does not declare war, the WPR requires the president to end the engagement within 60 days, with the possibility of an additional 30 days' commitment in the event that the president certifies to the Congress that the additional time is necessary.^\*\* According to the Congressional Research Service (CRS), the research branch of the Library of Congress, since the War Powers Resolution was enacted over President Richard M. Nixon's 1973 veto, it has been invoked on 107 occasions (to 23 July 2003).^' Figure 2 illustrates both the absolute number of times as well as the rate of each president's exercise of war powers. As Figure 2 demonstrates, the rate of War Powers Resolution uses has continually increased since it took effect in 1974.

A reading of the WPR would seem to clarify the relationship between Congress and the president with regard to the exercise of national war powers. A close reading would also suggest that the president and Congress share war-making power. Yet no president has ever recognised the WPR as a constraint on his ability to move American armed forces around the globe or keep them in place as long as necessary. Moreover, presidents rarely abide by the provisions of the Resolution that require their consultation with the Congress. As CRS researcher Richard F. Grimmett notes, 'there has been very little consultation with Congress under the Resolution when consultation is defined to mean seeking advice prior to a decision to introduce troops'.^" And while the Congress has, from time to time, expressed its sense that troops should be withdrawn from conflicts or engagements abroad, in truth the Congress has relatively few options for dealing with a president that violates the WPR. Indeed, as the late presidency scholar Aaron Wildavsky notes, the Congress is much less likely to challenge presidents" foreign policy actions than it is willing to challenge presidents" domestic policy actions.'^'^ This is because presidents oversee an enormous national security apparatus and because the constituents represented by members of Congress rarely hold strong opinions on matters of foreign policy. As a result, congressional challenges to violations of the WPR consist mostly of holding oversight hearings and passing symbolic resolutions.''\* Moreover, once troops are committed abroad. Congress almost always falls in line with the president’s vision of the scope of the conflict and the need for a military presence. The members of Congress become reluctant to challenge a president who has troops on the ground and typically acquiesce to the president’s wishes when it comes to provisions for support. In this way, the president is able to exercise some leadership over the Congress, whose members generally find it politically expedient to follow the president on matters pertaining to the military or the conduct of America's relations with other countries. Pg. 200-202

#### He rejects the idea that Congress and Courts have a right to check his strike decisions

**Weber 13** [Peter Weber, “Will Congress curb Obama's drone strikes?,” The Week, | February 6, 2013, pg. http://theweek.com/article/index/239716/will-congress-curb-obamas-drone-strikes

One problem for lawmakers, says The New York Times in an editorial, is that when it comes to drone strikes, the Obama team "utterly rejects the idea that Congress or the courts have any right to review such a decision in advance, or even after the fact." Along with citing the law authorizing broad use of force against al Qaeda, the white paper also "argues that judges and Congress don't have the right to rule on or interfere with decisions made in the heat of combat." And most troublingly, Obama won't give Congress the classified document detailing the legal justification used to kill American al Qaeda operative Anwar al-Awlaki.

#### Plan controversy collapses US military power

Newton 12—Professor of Law @ Vanderbilt University [Michael A. Newton, “Inadvertent Implications of the War Powers Resolution,” Case Western Reserve Journal of International Law, Vol. 45, No. 1, 2012]

The corollary to this modern reality, and the second of three inadvertent implications of the Resolution, is that our enemies now focus on American political will as the Achilles heel of our vast capabilities. Prior to the War Powers Resolution, President Eisenhower understood that it was necessary to "seek the cooperation of the Congress. Only with that can we give the reassurance needed to deter aggression." 62 President Clinton understood the importance of clear communication with the Congress and the American people in order to sustain the political legitimacy that is a vital element of modern military operations. Justifying his bombing of targets in Sudan, he argued that the "risks from inaction, to America and the world, would be far greater than action, for that would embolden our enemies, leaving their ability and their willingness to strike us intact."13 In his letter to Congress "consistent with the War Powers Resolution," the president reported that the strikes "were a necessary and proportionate response to the imminent threat of further terrorist attacks against U.S. personnel and facilities" and "were intended to prevent and deter additional attacks by a clearly identified terrorist threat."6 ' The following day, in a radio address to the nation, the president explained his decision to take military action, stating, "Our goals were to disrupt bin Laden's terrorist network and destroy elements of its infrastructure in Afghanistan and Sudan. And our goal was to destroy, in Sudan, the factory with which bin Laden's network gas."\*6 Citing "compelling evidence that the bin Laden network was poised to strike at us again" and was seeking to acquire chemical weapons, the president declared that we simply could not ignore the threat posed, and hence ordered the strikes. 66 Similarly, President Clinton understood that intervention in Bosnia could not be successful absent some national consensus, which had been slow to form during the long Bosnian civil war.6 1

Secretary of State George Schultz provided perhaps the most poignant and pointed example of this truism in his testimony to Congress regarding the deployment of US Marines into Lebanon to separate the warring factions in 1982. On September 21, 1983, he testified before the Senate Foreign Relations Committee and provided a chilling premonition of the bombing that would come only one month later and kill 241 Americans, which was the bloodiest day in the Marine Corps since the battle of Iwo Jima.6" Seeking to bolster legislative support and to better explain the strategic objectives, he explained that:

It is not the mission of our marines or of the [Multinational Force in Lebanon] as a whole to maintain the military balance in Lebanon by themselves. Nevertheless, their presence remains one crucial pillar of the structure of stability behind the legitimate Government of Lebanon, and an important weight in the scales.

To remove the marines would put both the Government and what we are trying to achieve in jeopardy. This is why our domestic controversy over the war powers has been so disturbing. Uncertainty about the American commitment can only weaken our effectiveness. Doubts about our staying power can only cause political aggressors to discount our presence or to intensify their attacks in hopes of hastening our departure.

An accommodation between the President and Congress to resolve this dispute will help dispel those doubts about our staying power and strengthen our political hand." Pg. 189-190

#### wars

Brzezinski 2012, Zbigniew Brzezinski, national security advisor under U.S. President Jimmy Carter, is author of the forthcoming book Strategic Vision: America and the Crisis of Global Power, JAN/FEB 2012, “8 Geopolitically Endangered Species”, <http://www.foreignpolicy.com.ezproxy.baylor.edu/articles/2012/01/03/8_geopolitically_endangered_species?print=yes&hidecomments=yes&page=full>

With the decline of America's global preeminence, weaker countries will be more susceptible to the assertive influence of major regional powers. India and China are rising, Russia is increasingly imperially minded, and the Middle East is growing ever more unstable. The potential for regional conflict in the absence of an internationally active America is real. Get ready for a global reality characterized by the survival of the strongest. 1. GEORGIA American decline would leave this tiny Caucasian state vulnerable to Russian political intimidation and military aggression. The United States has provided Georgia with $3 billion in aid since 1991 -- $1 billion of that since its 2008 war with Russia. America's decline would put new limitations on U.S. capabilities, and could by itself stir Russian desires to reclaim its old sphere of influence. What's more, once-and-future Russian President Vladimir Putin harbors an intense personal hatred toward Georgian President Mikheil Saakashvili. At stake: Russian domination of the southern energy corridor to Europe, possibly leading to more pressure on Europe to accommodate Moscow's political agenda; a domino effect on Azerbaijan. 2. TAIWAN Since 1972, the United States has formally accepted the mainland's "one China" formula while maintaining that neither side shall alter the status quo by force. Beijing, however, reserves the right to use force, which allows Washington to justify its continued arms sales to Taiwan. In recent years, Taiwan and China have been improving their relationship. America's decline, however, would increase Taiwan's vulnerability, leaving decision-makers in Taipei more susceptible to direct Chinese pressure and the sheer attraction of an economically successful China. That, at the least, could speed up the timetable for cross-strait reunification, but on unequal terms favoring the mainland. At stake: Risk of a serious collision with China. 3. SOUTH KOREA The United States has been the guarantor of South Korea's security since it was attacked in 1950 by North Korea, with Soviet and Chinese collusion. Seoul's remarkable economic takeoff and democratic political system testify to the success of U.S. engagement. Over the years, however, North Korea has staged a number of provocations against South Korea, ranging from assassinations of its cabinet members to the 2010 sinking of the South Korean warship Cheonan. So America's decline would confront South Korea with painful choices: either accept Chinese regional dominance and further reliance on China to rein in the nuclear-armed North, or seek a much stronger, though historically unpopular, relationship with Japan out of shared democratic values and fear of aggression from Pyongyang and Beijing. At stake: Military and economic security on the Korean Peninsula; a general crisis of confidence in Japan and South Korea regarding the reliability of existing American commitments. 4. BELARUS Twenty years after the fall of the Soviet Union, Europe's last dictatorship remains politically and economically dependent on Russia. One-third of its exports go to Russia, on which it is almost entirely reliant for its energy needs. At the same time, President Aleksandr Lukashenko's 17-year dictatorship has stood in the way of any meaningful relations with the West. Consequently, a marked American decline would give Russia a virtually risk-free opportunity to reabsorb Belarus. At stake: The security of neighboring Baltic states, especially Latvia. 5. UKRAINE Kiev's relationship with Moscow has been as prone to tension as its relationship with the West has been prone to indecision. In 2005, 2007, and 2009, Russia either threatened to or did stop oil and natural gas from flowing to Ukraine. More recently, President Viktor Yanukovych was pressured to extend Russia's lease of a naval base at the Ukrainian Black Sea port of Sevastopol for another 25 years in exchange for preferential pricing of Russian energy deliveries to Ukraine. The Kremlin continues to press Ukraine to join a "common economic space" with Russia, while gradually stripping Ukraine of direct control over its major industrial assets through mergers and takeovers by Russian firms. With America in decline, Europe would be less willing and able to reach out and incorporate Ukraine into an expanding Western community, leaving Ukraine more vulnerable to Russian designs. At stake: The renewal of Russian imperial ambitions. 6. AFGHANISTAN Devastated by nine years of brutal warfare waged by the Soviet Union, ignored by the West for a decade after the Soviet withdrawal, mismanaged by the medieval Taliban, and let down by 10 years of halfhearted U.S. military operations and sporadic economic assistance, Afghanistan is in shambles. With 40 percent unemployment and ranking 215th globally in per capita GDP, it has little economic output beyond its illegal narcotics trade. A rapid U.S. troop disengagement brought on by war fatigue or the early effects of American decline would most likely result in internal disintegration and an external power play among nearby states for influence in Afghanistan. In the absence of an effective, stable government in Kabul, the country would be dominated by rival warlords. Pakistan and India would more assertively compete for influence in Afghanistan -- with Iran also probably involved. At stake: The re-emergence of the Taliban; a proxy war between India and Pakistan; a haven for international terrorism. 7. PAKISTAN Although Islamabad is armed with 21st-century nuclear weapons and held together by a professional late 20th-century army, the majority of Pakistan is still pre-modern, rural, and largely defined by regional and tribal identities. Conflict with India defines Pakistan's sense of national identity, while the forcible division of Kashmir sustains a shared and profound antipathy. Pakistan's political instability is its greatest vulnerability, and a decline in U.S. power would reduce America's ability to aid Pakistan's consolidation and development. Pakistan could then transform into a state run by the military, a radical Islamic state, a state that combined both military and Islamic rule, or a "state" with no centralized government at all. At stake: Nuclear warlordism; a militant Islamic, anti-Western, nuclear-armed government similar to Iran's; regional instability in Central Asia, with violence potentially spreading to China, India, and Russia. 8. ISRAEL and the GREATER MIDDLE EAST America's decline would set in motion tectonic shifts undermining the political stability of the entire Middle East. All states in the region remain vulnerable to varying degrees of internal populist pressures, social unrest, and religious fundamentalism, as seen by the events of early 2011. If America's decline were to occur with the Israeli-Palestinian conflict still unresolved, the failure to implement a mutually acceptable two-state solution would further inflame the region's political atmosphere. Regional hostility to Israel would then intensify. Perceived American weakness would at some point tempt the more powerful states in the region, notably Iran or Israel, to preempt anticipated dangers. And jockeying for tactical advantage could precipitate eruptions by Hamas or Hezbollah, which could then escalate into wider and bloodier military encounters. Weak entities such as Lebanon and Palestine would pay an especially high price in civilian deaths. Even worse, such conflicts could rise to truly horrific levels through strikes and counterstrikes between Iran and Israel. At stake: Direct Israeli or U.S. confrontation with Iran; a rising tide of Islamic radicalism and extremism; a worldwide energy crisis; vulnerability of America's Persian Gulf allies.

### 1NC Terror

#### Zero impact to backlash

Holmes 13—Stephen Holmes, the Walter E. Meyer Professor of Law, New York University School of Law [July 2013, “What’s in it for Obama?” The London Review of Books, http://www.lrb.co.uk/v35/n14/stephen-holmes/whats-in-it-for-obama]

This is the crux of the problem. We stand at the beginning of the Drone Age and the genie is not going to climb back into the bottle. The chances that this way of war will, over time, reduce the amount of random violence in the world are essentially nil. Obama’s drone policy has set an ominous precedent, and not only for future residents of the White House. It promises, over the long term, to engender more violence than it prevents because it excites no public backlash. That, for the permanent national security apparatus that has deftly moulded the worldview of a novice president, is its irresistible allure. It doesn’t provoke significant protest even on the part of people who condemn hit-jobs done with sticky bombs, radioactive isotopes or a bullet between the eyes – in the style of Mossad or Putin’s FSB. That America appears to be laidback about drones has made it possible for the CIA to resume the assassination programme it was compelled to shut down in the 1970s without, this time, awakening any politically significant outrage. It has also allowed the Pentagon to wage a war against which antiwar forces are apparently unable to rally even modest public support.

#### Allied terror coop is high now, despite frictions

Archick 9/4—Kristin Archick, European affairs specialist at CRS [September 4, 2013, “U.S.-EU Cooperation Against Terrorism,” Congressional Research Service, http://www.fas.org/sgp/crs/row/RS22030.pdf]

As part of the EU’s efforts to combat terrorism since September 11, 2001, the EU made improving law enforcement and intelligence cooperation with the United States a top priority. The previous George W. Bush Administration and many Members of Congress largely welcomed this EU initiative in the hopes that it would help root out terrorist cells in Europe and beyond that could be planning other attacks against the United States or its interests. Such growing U.S.-EU cooperation was in line with the 9/11 Commission’s recommendations that the United States should develop a “comprehensive coalition strategy” against Islamist terrorism, “exchange terrorist information with trusted allies,” and improve border security through better international cooperation. Some measures in the resulting Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-458) and in the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53) mirrored these sentiments and were consistent with U.S.-EU counterterrorism efforts, especially those aimed at improving border controls and transport security. U.S.-EU cooperation against terrorism has led to a new dynamic in U.S.-EU relations by fostering dialogue on law enforcement and homeland security issues previously reserved for bilateral discussions. Despite some frictions, most U.S. policymakers and analysts view the developing partnership in these areas as positive. Like its predecessor, the Obama Administration has supported U.S. cooperation with the EU in the areas of counterterrorism, border controls, and transport security. At the November 2009 U.S.-EU Summit in Washington, DC, the two sides reaffirmed their commitment to work together to combat terrorism and enhance cooperation in the broader JHA field. In June 2010, the United States and the EU adopted a new “Declaration on Counterterrorism” aimed at deepening the already close U.S.-EU counterterrorism relationship and highlighting the commitment of both sides to combat terrorism within the rule of law. In June 2011, President Obama’s National Strategy for Counterterrorism asserted that in addition to working with European allies bilaterally, “the United States will continue to partner with the European Parliament and European Union to maintain and advance CT efforts that provide mutual security and protection to citizens of all nations while also upholding individual rights.”

#### PRISM and detention are massive alt-causes

Archick 9/4—Kristin Archick, European affairs specialist at CRS [September 4, 2013, “U.S.-EU Cooperation Against Terrorism,” Congressional Research Service, http://www.fas.org/sgp/crs/row/RS22030.pdf]

Although the United States and the EU both recognize the importance of sharing information in an effort to track and disrupt terrorist activity, data privacy has been and continues to be a key U.S.-EU sticking point. As noted previously, the EU considers the privacy of personal data a basic right; EU data privacy regulations set out common rules for public and private entities in the EU that hold or transmit personal data, and prohibit the transfer of such data to countries where legal protections are not deemed “adequate.” In the negotiation of several U.S.-EU informationsharing agreements, from those related to Europol to SWIFT to airline passenger data, some EU officials have been concerned about whether the United States could guarantee a sufficient level of protection for European citizens’ personal data. In particular, some Members of the European Parliament (MEPs) and many European civil liberty groups have long argued that elements of U.S.-EU information-sharing agreements violate the privacy rights of EU citizens. In light of the public revelations in June 2013 of U.S. National Security Agency (NSA) surveillance programs and news reports alleging that U.S. intelligence agencies have monitored EU diplomatic offices and computer networks, many analysts are worried about the future of U.S.-EU information-sharing arrangements. As discussed in this section, many of these U.S.-EU information-sharing agreements require the approval of the European Parliament, and many MEPs (as well as many officials from the European Commission and the national governments) have been deeply dismayed by the NSA programs and other spying allegations. In response, the Parliament passed a resolution expressing serious concerns about the U.S. surveillance operations and established a special working group to conduct an in-depth investigation into the reported programs.17 In addition, led by the European Commission and the U.S. Department of Justice, the United States and the EU have convened a joint expert group on the NSA’s surveillance operations, particularly the so-called PRISM program (in which the NSA reportedly collected data from leading U.S. Internet companies), to assess the “proportionality” of such programs and their implications for the privacy rights of EU citizens.18 U.S. officials have sought to reassure their EU counterparts that the PRISM program and other U.S. surveillance activities operate within U.S. law and are subject to oversight by all three branches of the U.S. government. Some observers note that the United States has been striving to demonstrate that it takes EU concerns seriously and is open to improving transparency, in part to maintain European support for existing information-sharing accords, such as SWIFT (which will be up for renewal in 2015), and the U.S.-EU Passenger Name Record agreement (up for renewal in 2019). Nevertheless, many experts predict that the revelations of programs such as PRISM will make the negotiation of future U.S.-EU information-sharing arrangements more difficult, and may make the European Parliament even more cautious and skeptical about granting its approval.

#### Terror threat has markedly declined – This will be the best ev read on this question

**Bergen 12/3**/13 - CNN's national security analyst [Peter Bergen, “Hyping the terror threat?,” CNN, updated 2:16 PM EST, Tue December 3, 2013, pg. http://www.cnn.com/2013/12/03/opinion/bergen-u-s-terror-risk/

Both Feinstein and Rogers are able public servants who, as the heads of the two U.S. intelligence oversight committees, are paid to worry about the collective safety of Americans, and they are two of the most prominent defenders of the NSA's controversial surveillance programs, which they defend as necessary for American security.

But is there any real reason to think that Americans are no safer than was the case a couple of years back? Not according to a study by the New America Foundation of every militant indicted in the United States who is affiliated with al Qaeda or with a like-minded group or is motivated by al Qaeda's ideology.

In fact, the total number of such indicted extremists has declined substantially from 33 in 2010 to nine in 2013. And the number of individuals indicted for plotting attacks within the United States, as opposed to being indicted for traveling to join a terrorist group overseas or for sending money to a foreign terrorist group, also declined from 12 in 2011 to only three in 2013.

Of course, a declining number of indictments doesn't mean that the militant threat has disappeared. One of the militants indicted in 2013 was Dzhokhar Tsarnaev, who is one of the brothers alleged to be responsible for the Boston Marathon bombings in April. But a sharply declining number of indictments does suggest that fewer and fewer militants are targeting the United States.

Recent attack plots in the United States also do not show signs of direction from foreign terrorist organizations such as al Qaeda, but instead are conducted by individuals who are influenced by the ideology of violent jihad, usually because of what they read or watch on the Internet.

None of the 21 homegrown extremists known to have been involved in plots against the United States between 2011 and 2013 received training abroad from a terrorist organization -- the kind of training that can turn an angry, young man into a deadly, well-trained, angry, young man.

Of these extremists, only Tamerlan Tsarnaev, one of the alleged Boston bombers, is known to have had any contact with militants overseas, but it is unclear to what extent, if any, these contacts played in the Boston Marathon bombings.

In short, the data on al-Qaeda-linked or -influenced militants indicted in the United States suggests that the threat of terrorism has actually markedly declined over the past couple of years.

Where Feinstein and Rogers were on much firmer ground in their interview with Crowley was when they pointed to the resurgence of a number of al Qaeda groups in the Middle East.

Al Qaeda's affiliates in Syria control much of the north of the country and are the most effective forces fighting the regime of Bashar al-Assad.

In neighboring Iraq, al Qaeda has enjoyed a renaissance of late, which partly accounts for the fact that the violence in Iraq today is as bad as it was in 2008.

The Syrian war is certainly a magnet for militants from across the Muslim world, including hundreds from Europe, and European governments are rightly concerned that returning veterans of the Syrian conflict could foment terrorism in Europe.

But, at least for the moment, these al Qaeda groups in Syria and Iraq are completely focused on overthrowing the Assad regime or attacking what they regard as the Shia-dominated government of Iraq. And, at least so far, these groups have shown no ability to attack in Europe, let alone in the United States.

#### Threat is quite low. Their assessment is political hype

**Walt 12/4**/13 - Professor of international relations @ Harvard University [Stephen M. Walt, “The Embarrassing Debate Over the 'War on Terror' Foreign Policy, DECEMBER 4, 2013, pg. http://www.foreignpolicy.com/posts/2013/12/04/the\_embarrassing\_debate\_over\_the\_war\_on\_terror#sthash.Io11bI7s.dpuf

I raise this question because our leaders don't seem to be able to get their stories straight on this one. A good case can be made that the "war on terror" is mostly won -- in the sense that we've defanged the most dangerous anti-American types -- and that what's left are various copycats in various places that ultimately don't matter that much to the United States and are best dealt with by local authorities. If this view is correct, then President Barack Obama was right to suggest that the "war on terror" is over and to try to shift our attention back to other foreign-policy priorities. To say that is not to say the danger is zero -- indeed, there will be terrorist attacks in the future - it is just to say that it is more of a tragic nuisance than a Major Threat.

But now we're being told by Sen. Dianne Feinstein and Rep. Mike Rogers, the heads of the Senate and House Intelligence committees, that the terrorist threat is back and worse than it was a few years ago. In particular, they point to the growing jihadi role in places like Syria and to self-congratulatory statements from al Qaeda leaders like Ayman al-Zawahiri. The implication, as this New York Times story makes clear, is that the United States needs to get more directly involved in defeating this ever-expanding set of terrorist copycats.

I understand that terrorist groups like al Qaeda do operate in secret (to the extent that they can), and that gauging the actual level of the threat they pose is not an exact science. And I recognize that risk-averse politicians prefer to err on the side of caution. If you issue lots of scary warnings and nothing happens, you can take credit for having been prudent. But if you tell people the danger isn't that great and then an attack takes place, you sound naïve, credulous, and insufficiently devoted to national security. So when in doubt, politicians are inclined to oversell the danger.

Still, it really is important to get this right: Just how serious is the threat, some 12 years after the 9/11 attacks? In terms of the direct harm to Americans in the United States, the danger appears to be quite modest. So why are Feinstein and Rogers so animated by this latest set of developments? And doesn't Boston's defiant and resolute reaction to the city's marathon bombing in April suggest that the American population isn't nearly as querulous as politicians fear: If you explain to them that there is no such thing as 100 percent security, they don't go all wobbly. Instead, they display precisely the sort of calm resolution that causes terrorist campaigns to fail.

It is even more important to figure out how best to respond. If Islamic extremists using terrorist methods are trying to gain power in various countries, does it make sense for the United States to insert itself in these conflicts and inevitably invite their attention? Or is the country better off remaining aloof or just backing local authorities (if it can find any who seem reasonably competent)?

My larger concern is that we have also created a vast counterterrorism industry that has a vested interest in continuing this campaign. Those in the industry are the most prominent and visible experts, but fighting terrorists is also a meal ticket for many of them and self-interest might naturally incline them to hype the threat. The danger is that the United States will devote too much effort and energy to chasing relatively weak and obscure bad guys in various not-very-important places (see under: Afghanistan, Pakistan's frontier provinces, Somalia, etc., etc.,) while other problems get short shrift.

#### No nuclear terrorism – no capability nor intent reject their alarmism

* Many reasons to doubt both the capability and interest of terrorists getting nuclear devices
* Dangers of a loose nuke from Russia is far over-stated
* Even if a terrorist group got a nuclear weapon using it would be very difficult
* Terrorists and connections between rogue states is exaggerates
* Iran and North Korea are not going to give terrorists nukes because their arsenals are small
* What can go wrong will go wrong – multiple intensifying and compounding probability make terrorist failure inevitable
* Their evidence uses worst case scenarios which is alarmist and false
* Insider documents within Al-Qaeda show they don’t want nuclear weapons and prefer convention weapons
* Their evidence about them wanting nukes is wrong the 90s and out of date
* Even if they did want a nuke it was only to deter a U.S. invasion

Gavin 2010, Francis J. Gavin is Tom Slick Professor of International Affairs and Director of the Robert S. Strauss Center¶ for International Security and Law, Lyndon B. Johnson School of Public Affairs, University of Texas at Austin, 2010, International Security, Vol. 34, No. 3 (Winter 2009/10), pp. 7–37¶ © 2010 by the President and Fellows of Harvard College and the Massachusetts Institute of Technology, “Same As It Ever Was ¶ Nuclear Alarmism, Proliferation, and the¶ Cold War”, http://www.mitpressjournals.org/doi/pdf/10.1162/isec.2010.34.3.7

Nuclear Terrorism. The possibility of a terrorist nuclear attack on the¶ United States is widely believed to be a grave, even apocalyptic, threat and a¶ likely possibility, a belief supported by numerous statements by public¶ ofªcials. Since the collapse of the Soviet Union, “the inevitability of the spread¶ of nuclear terrorism” and of a “successful terrorist attack” have been taken for¶ granted.48¶ Coherent policies to reduce the risk of a nonstate actor using nuclear weapons clearly need to be developed. In particular, the rise of the Abdul Qadeer¶ Khan nuclear technology network should give pause.49 But again, the news is¶ not as grim as nuclear alarmists would suggest. Much has already been done¶ to secure the supply of nuclear materials, and relatively simple steps can produce further improvements. Moreover, there are reasons to doubt both the capabilities and even the interest many terrorist groups have in detonating a¶ nuclear device on U.S. soil. As Adam Garªnkle writes, “The threat of nuclear¶ terrorism is very remote.”50¶ Experts disagree on whether nonstate actors have the scientific, engineering,¶ financial, natural resource, security, and logistical capacities to build a nuclear¶ bomb from scratch. According to terrorism expert Robin Frost, the danger of a¶ “nuclear black market” and loose nukes from Russia may be overstated. Even¶ if a terrorist group did acquire a nuclear weapon, delivering and detonating it¶ against a U.S. target would present tremendous technical and logistical¶ difficulties.51 Finally, the feared nexus between terrorists and rogue regimes¶ may be exaggerated. As nuclear proliferation expert Joseph Cirincione argues,¶ states such as Iran and North Korea are “not the most likely sources for terrorists since their stockpiles, if any, are small and exceedingly precious, and hence¶ well-guarded.”52 Chubin states that there “is no reason to believe that Iran today, any more than Sadaam Hussein earlier, would transfer WMD [weapons of¶ mass destruction] technology to terrorist groups like al-Qaida or Hezbollah.”53¶ Even if a terrorist group were to acquire a nuclear device, expert Michael¶ Levi demonstrates that effective planning can prevent catastrophe: for nuclear terrorists, what “can go wrong might go wrong, and when it comes to¶ nuclear terrorism, a broader, integrated defense, just like controls at the source¶ of weapons and materials, can multiply, intensify, and compound the possibilities of terrorist failure, possibly driving terrorist groups to reject nuclear terrorism altogether.” Warning of the danger of a terrorist acquiring a nuclear¶ weapon, most analyses are based on the inaccurate image of an “infallible tenfoot-tall enemy.” This type of alarmism, writes Levi, impedes the development¶ of thoughtful strategies that could deter, prevent, or mitigate a terrorist attack:¶ “Worst-case estimates have their place, but the possible failure-averse, conservative, resource-limited ªve-foot-tall nuclear terrorist, who is subject not only¶ to the laws of physics but also to Murphy’s law of nuclear terrorism, needs to¶ become just as central to our evaluations of strategies.”54¶ A recent study contends that al-Qaida’s interest in acquiring and using nuclear weapons may be overstated. Anne Stenersen, a terrorism expert, claims¶ that “looking at statements and activities at various levels within the al-Qaida network, it becomes clear that the network’s interest in using unconventional¶ means is in fact much lower than commonly thought.”55 She further states that¶ “CBRN [chemical, biological, radiological, and nuclear] weapons do not play a¶ central part in al-Qaida’s strategy.”56 In the 1990s, members of al-Qaida debated whether to obtain a nuclear device. Those in favor sought the weapons¶ primarily to deter a U.S. attack on al-Qaida’s bases in Afghanistan. This assessment reveals an organization at odds with that laid out by nuclear alarmists of¶ terrorists obsessed with using nuclear weapons against the United States regardless of the consequences. Stenersen asserts, “Although there have been¶ various reports stating that al-Qaida attempted to buy nuclear material in the¶ nineties, and possibly recruited skilled scientists, it appears that al-Qaida central have not dedicated a lot of time or effort to developing a high-end CBRN¶ capability.... Al-Qaida central never had a coherent strategy to obtain¶ CBRN: instead, its members were divided on the issue, and there was an¶ awareness that militarily effective weapons were extremely difficult to obtain.”57 Most terrorist groups “assess nuclear terrorism through the lens of¶ their political goals and may judge that it does not advance their interests.”58¶ As Frost has written, “The risk of nuclear terrorism, especially true nuclear terrorism employing bombs powered by nuclear fission, is overstated, and that¶ popular wisdom on the topic is significantly fiawed.”59

### 1NC Econ

#### Decline doesn’t cause conflict – uptick is correlated to war

Boehmer 02 – (3/24/02, Charles, PhD in international relations, professor of political science at University of Texas at El Paso, “Domestic Crisis and Interstate Conflict: The Impact of Economic Crisis, Domestic Discord, and State Efficacy on the Decision to Initiate Interstate Conflict,” prepared for the meetings of International Studies Association, [http://isanet.ccit.arizona.edu/noarchive/boehmer.html)](http://isanet.ccit.arizona.edu/noarchive/boehmer.html%29)

Studies of diversionary conflict typically claim that lower rates of economic growth and domestic unrest increase the risk of militarized interstate conflict. However, extant research shows that these factors also are related to regime transitions. Lower rates of economic growth and domestic conflict should increase the risk of regime change. This paper investigates the comparative risk of economic growth and domestic conflict on militarized interstate conflict and regime transitions on a sample of over a hundred countries from 1920-1992. I find that higher rates of economic growth are related to militarized interstate conflicts and decreases in regime transitions, although higher levels of domestic conflict indeed lead to interstate conflict. Democracy and economic development likewise provide internal stability and interstate peace. Yet, the risk of regime transition increases rapidly relative to involvement in an interstate conflict for states affected by high levels of domestic conflict. Many studies of diversionary conflict argue that lower rates of economic growth should heighten the risk of international conflict. Yet, we know that militarized interstate conflicts are generally rare events, whereas lower rates of growth are not. A growing body of literature shows that regime changes are also associated with lower rates of economic growth. The question then becomes which event, militarized interstate conflict or regime change, is the most likely to occur following lower rates of economic growth and domestic discord? Moreover, do higher rates of growth lead to international peace and domestic stability? This paper examines how economic conditions jointly affect the probability of both militarized interstate conflict and regime transition. Diversionary theory claims that leaders seek to divert attention away from domestic problems such as a bad economy and political scandals, or to garner increased support prior to elections. Leaders then supposedly externalize discontented domestic sentiments onto other nations, sometimes as scapegoats based on the similar in-group/out-group dynamic found in the research of Simmel (1955) and Coser (1956), where foreign countries are blamed for domestic problems. This process is said to involve a “rally-round-the-flag” effect, where a leader can expect a short-term boost in popularity with the threat or use of force (Mueller 1973; Blechman and Kaplan 1978). Scholarship on diversionary conflict has focused most often on the American case[1] but recent studies have sought to identify this possible behavior in other countries.[2] The Falklands War is often a popular example of diversionary conflict (Levy and Vakili 1992). Argentina was clearly reeling from rising inflation and unemployment associated with economic contraction and a foreign debt crisis. It is plausible that a success in the Falklands War may have helped to rally support for the then current Galtieri regime, although history shows us that Argentina lost the war and the ruling regime was removed from power. How many other attempts to use diversionary tactics befall a similar outcome? Theories of diversionary conflict usually emphasize the potential benefits of diversionary tactics, although few pay equal attention to the prospective costs associated with such behavior. While it is not contentious to claim that leaders typically seek to remain in office, whether they can successfully manipulate public opinion regularly during periods of domestic unpopularity through their states’ participation in foreign militarized conflicts is a question open for debate. Furthermore, there appears to be a logical disconnect between diversionary theories and extant studies of domestic conflict and regime change. Again, lower rates of economic growth are purported to increase the risk of both militarized interstate conflicts (and internal conflicts) as well as regime changes (Bloomberg and Hess 2002). This implies that if leaders do in fact undertake diversionary conflicts, many may still be thrown from the seat of power (especially if the outcome is defeat to a foreign enemy). Diversionary conflict would thus seem to be a risky gambit. Scholars such as MacFie (1938) and Blainey (1988), however, have questioned the validity of the diversionary thesis. As noted by Levy (1989), this perspective is rarely formulated as a cohesive and comprehensive theory, and there has been little or no knowledge cumulation. Later studies do not necessarily build on past studies. The discrepancies between studies are difficult to unravel. “Studies have used a variety of research designs, different dependent variables (uses of force, major uses of force, militarized disputes), different estimation techniques, and different data sets covering different time periods and different states (Bennett and Nordstrom 2000).” To these problems we should include a lack of theoretical precision and incomplete model specification. By a lack of theoretical precision, I am referring to the linkages between economic conditions and domestic strife that remain unclear in some studies. Consequently, extant studies are to a degree incommensurate. They offer a step in the right direction but do not provide robust cross-national explanations and tests of economic growth and interstate conflict. However, a few studies have attempted to provide deductive explanations about when and how diversionary tactics might be employed. Using Bayesian updating games, Richards et al. (1993) and Smith (1996) demonstrate that while the use of force would appear to offer leaders a means to boost their popularity, a poorly performing economy acts as a signal to a leader’s constituents about his or her competence. Hence, attempts to use diversion are likely to fail either because incompetent leaders will likewise fail in foreign policy or people will recognize the gambit for what it is.[3] Instead, these two models conclude that diversion is likely to be undertaken particularly by risk-acceptant leaders. This heightened risk of removal from office is also apparent in the work of Downs and Rocke (1984) and Bueno De Mesquita, et al. (1999) where leaders “gamble for resurrection,” although the diversionary scenario in the latter study is only a partial extension of their theory on selectorates, winning coalitions, and leader survival. Again, how often do leaders fail in the process or are removed from positions of power before they can even initiate diversionary tactics? To be clear, I am primarily interested in whether possible diversionary conflicts are related to economic growth, although I also provide and examination of domestic conflict, democracy, and state efficacy. The next section offers a theoretical basis to expect that diversionary conflicts may be less probable than regime transitions during periods of lower economic growth. This is followed by discussions of the research design used to test my theoretical expectations and the empirical results. I then conclude that while there is evidence to support aspects of the diversionary conflict thesis, this behavior is not related to lower rates of economic growth. Theory Theories of diversionary conflict make a few basic assumptions. First, leaders seek to remain in office. Second, leaders have some latitude to use military force. Third, leader approval is in part determined by the state of the economy. Lastly, the use of military force results in a rally effect that increases leader popularity. Yet, while these assumptions appear reasonable and help simplify theories, they may not be the most appropriate or informative towards an explanation of the decision to engage in interstate conflict. From these pieces we cannot put together the whole diversionary puzzle. Other components of the story are missing and unaccounted for. For example, is there a difference between scape-goating and externalizing conflict? Disparate studies have discussed the roles of regime types, repression, the magnitude of domestic conflict, opportunities for participation in foreign disputes, and differences in how the severity of international conflict should affect the prospects of successful diversion. However, many theoretical linkages remain unclear in individual studies. I find the claim that lower rates of economic growth should motivate diversionary behavior less than convincing since other studies suggest that lower rates of growth increase the probability that leaders will be removed from office (Londregan and Poole 1990; Bloomberg and Hess 2002). Empirical research also suggests that incumbents in democracies are most likely to lose elections following periods of economic stagnation (Lewis-Beck 1988). Logically, lower rates of economic growth should heighten the risk leaders face, no matter whether they are democrats or autocrats. Perhaps leaders do “gamble for resurrection,” although many could be removed from power before they may be able to attempt this strategy. Another body of literature disagrees with the diversionary conflict thesis and contends that higher rates of economic growth should lead to more frequent (or more severe) interstate conflict. Some of these studies are posed on the systemic level of analysis (Kondratieff 1926; Goldstein 1988; Mansfield 1988; Pollins 1996; Pollins and Murrin 1999) while others are focused on the national level of analysis (MacFie 1938; Blainey 1988; Choucri and North 1975; Doran 1983, 1985; Pollins and Schweller 1999). Economic growth is said to have two effects that increase the probability of conflict. First, economic growth could allow for increases in military spending that could increase war-making capacity (war-chest theme) or, second, that growth provides a greater social willingness to allow leaders to opt to participate in interstate conflict. Fewer domestic constraints should give leaders a freer hand to initiate or join conflicts. Admittedly, theories in this category are no more developed (arguably less so) than diversionary conflict theory. However, some insights are useful that I hope to explicate below. All leaders depend on a constituency of some sort (Bueno de Mesquita et al. 1999) and always face potential opposition to their policies (Richards et al., 1993; Hagan 1994; Miller 1995, 1999; Heldt 1999). In democratic systems, opposition parties may seek to exploit foreign policies that they will argue are not in the best interest of the nation and executives in democracies should be more constrained than their authoritarian counterparts. But during times of economic prosperity, society is less likely to be influenced by the rhetoric of parties and factions that stand in opposition to the leader. Assuming that popularity ratings are higher than would be the case during economic recession or depression, leaders should be more apt to initiate or reciprocate military actions. Economic growth should reduce societal resistance to conflict. This may seem like a counter-intuitive proposition that people that should be relatively better off and happy during periods of prosperity would allow leaders to opt for foreign conflicts. However, some people may become more nationalistic or xenophobic during times of prosperity and optimistic that success could be achieved in foreign conflicts. Blainey (1988) claims that anything that increases optimism and state strength should be thought of as a cause of war. However, it is most likely that this effect could heighten the risk of foreign conflict by reducing constraints placed on executives. For example, would the Clinton administration have been able to commit US troops to conflicts in Bosnia and Kosovo, areas where US interests were debatable, without stauncher Republican resistance in Congress if the economy had not experienced prolonged prosperity and economic growth? Of course diversionary theory contends that domestic conflict should motivate interstate conflict, although there is no clear agreement on what type of diversionary behavior should be most beneficial. Again, some studies of diversionary conflict focus on the benefits of conflict externalization but not the potential costs. Leeds and Davis (1997) are an exception and theorize that if it is low growth that induces diversionary behavior, than initiators should choose targets that are growing based on the belief that they would be less likely to respond militarily. Reducing the costs posed by other states could then maximize the benefits of diversion? However, it is also unclear whether states need to merely make threats of if they need to use military force to attain the benefits of diversion. Clearly, provoking crises that are costly to a state in lives and resources could be a detriment to leader survival, and of course possibly seen as immoral. Perhaps merely threatening other states could achieve the leader’s aims, although citizens may not pay as much attention to these conflicts. While diversion may have benefits, what are its potential internal costs? Involvement in interstate conflict could be hampered by the presence of domestic conflict. There are many reasons why people rebel. Through history, however, economic hardship seems to have been a key factor explaining peasant rebellions, revolutions, and coup d'état. It would seem that domestic groups must either be appeased or distracted, albeit by externalization or controlling other countries and extracting benefits. For reasons specified below, the theory presented here makes the opposite prediction. When governments face severe domestic discontent, they should be less likely to become involved in militarized interstate conflicts.

#### Collapse inevitable – delay is the worst option

Mackenzie 8 – Debora Mackenzie, Science Journalist for New Scientist and other publications, April 5, 2008, “Are We Doomed?,” New Scientist, Vol. 197, No. 2650

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

#### Growth causes biodiversity collapse and extinction – tech won’t happen

Randers 2012, Jorgen Randers 12, Professor of Climate Strategy at BI Norwegian Business School, September/October 2012, “It’s a Small World,” Foreign Affairs, Vol. 91, No. 5, p. 167-169

The fundamental message of The Limits to Growth was that the world is small, and that if we want to live well and long on a small planet, we need to limit our ecological footprint. The sad fact is that despite the study's warnings, humans are already overwhelming the earth's carrying capacity. Today, humans emit twice as much greenhouse gases per year as the world's oceans and forests can absorb. This so-called overshoot cannot last. If human society does not reduce the size of its footprint, the ecological systems that underpin its well-being will collapse. The world must now either accept long-term chaos for the sake of short-term comforts or make short-term sacrifices for the sake of long-term comforts. Unfortunately, around the world and particularly in market democracies, decision-makers too often disregard long-term consequences. The Limits to Growth was supposed to help humanity make wiser policy choices. It warned that it was necessary to take action before distant problems became immediate crises and to spend on solutions while the sailing was still smooth. But the world's elites feared that such a change in the status quo would end both economic growth and their own privileged positions. And so the critics of The Limits to Growth instead tried to deny the problems it addressed and attacked the messenger. Rather than joining in the critical effort to reduce man-made greenhouse gas emissions, Lomborg revives a number of straw men and inaccurate claims about what The Limits to Growth said. The study did not predict that oil and other resources would run out before 2000. It did not assume that population and GDP would grow exponentially; their growth rates vary and were computed as an outcome of other drivers in the model. Nor did The Limits to Growth state that air pollution could or would kill humanity. Rather, it tried to estimate how strong the effect of persistent long-term pollutants would be on human health and food production. In other words, the study did not simply forecast the end of the world as we know it; it encouraged a wise human response to create a sustainable world. Lomborg's assessment of the present state of affairs is even more troubling. He sees a world that is well on its way toward solving its environmental crisis and cites the progress that it has made in curbing air pollution. But by ignoring emissions of carbon dioxide, Lomborg overlooks the single greatest long-term threat to the environment. Emissions of carbon dioxide matter much more than those of shorter-lived pollutants, such as sulphur dioxide, since those are washed out of the atmosphere in weeks. Carbon dioxide has a half-life of 100 years, and emitting it causes lasting damage to the planet's climate. In my recent book and Club of Rome report, 2052: A Global Forecast for the Next Forty Years, I argue that emissions of greenhouse gases will cause the world's temperature to rise to two degrees Celsius higher than in preindustrial times by 2052. In the following decades, the world will be three degrees Celsius warmer and probably warm enough to trigger a further and uncontrollable increase in the global average temperature caused by the gradual melting of the tundra. In short, this future is unpleasantly similar to the "persistent pollution scenario" from The Limits to Growth, with carbon dioxide as the persistent pollutant. The rise in greenhouse gas emissions will be the critical factor that shapes the future of life on earth. These emissions could easily be reduced if humanity decided to take action. But held back by myopic decision-making, humanity will not likely change its behavior. In modern, democratic market economies, investments mainly flow to what is profitable, not to what is needed. And regulators, who could in principle consider both economic growth and larger social needs, do not receive the necessary political mandates from shortsighted voters who want low taxes and cheap prices. Society can address the environment's problems only if it regains some control over the flow of investments.

### 1NC Pakistan

#### China solves – It is providing for infrastructure and energy development

**FT 1/1**/14 [Farhan Bokhari & James Crabtree, “China strengthens Pakistan ties with $6.5bn loan for nuclear power,” Financial Times, January 1, 2014 2:41 pm, pg. http://www.ft.com/intl/cms/s/0/4407fcee-72e9-11e3-b05b-00144feabdc0.html#axzz2pBzt54XI

China has agreed to provide Pakistan with a $6.5bn loan to construct twin nuclear power stations in the southern port city of Karachi, the largest ever Chinese financing deal for a single project in the country.

The Karachi facilities will add 15 per cent to the energy-starved nation’s generation capacity. Pakistan’s prime minister Nawaz Sharif hailed the project as “a big source of electricity supply” during a media briefing on the economy at his office in Islamabad.

The deal follows a series of other Chinese financing arrangements in Pakistan, including a $600m loan from the People’s Bank of China last May, deepening ties between the two Asian nations.

Analysts familiar with the growth in China’s links with Pakistan say its support for the Karachi plants signifies an escalation in Beijing’s involvement in the country.

“This is a very important signal. The Chinese seem to be saying they stand on the side of Pakistani people and want to help ease their misery,” said a senior western diplomat in Islamabad, who spoke on condition of anonymity.

The $6.5bn loan also follows a pattern of China’s growing presence in South Asia, including the building or financing of infrastructure projects elsewhere in Pakistan and in Sri Lanka, Bangladesh and Myanmar.

While construction of the two power plants – known as the K-2 and K-3 – began last year, Pakistani officials revealed for the first time on Wednesday that loans for the project would be provided by state-owned China Exim Bank, in a deal that would be repaid over the next 20 years.

Shahidur Rehman, an expert on Pakistan’s nuclear development, said China’s growing commitment to nuclear projects in Pakistan was also driven by a commercial strategy to attract new customers for its nuclear technology.

“Pakistan is the first country outside China where the Chinese are building nuclear plants. If they can showcase a success story in Pakistan, I am sure there will be other potential customers,” Mr Rehman says.

In the past, Pakistan has been denied access to civil nuclear technology from the western world, notably after revelations in 2003 linking Abdul Qadeer Khan, the founder of the country’s nuclear projects, to the sale of nuclear technology to Iran, Libya and North Korea.

China’s willingness to supply military hardware and nuclear technology has lifted its popularity in the country more generally. “China is widely seen as a true friend of Pakistan,” said one senior foreign ministry official in Islamabad. “People see the Chinese as our brothers. No other country falls in the same category.”

#### No Pakistan coup – it’s media hype, democracy is high, and military won’t intervene

Brulliard 12 (Karin, Editor, “In Pakistan, coup looms but does not strike,” Washington Post, 1-23, http://articles.washingtonpost.com/2012-01-23/world/35440253\_1\_ashfaq-kayani-president-asif-ali-zardari-nawaz-sharif)

Just days ago, the rumblings of a familiar process seemed underway in Pakistan: The squeezed civilian government berated the looming military. The army darkly warned of consequences. A new general assumed control of a brigade known for helping to oust past governments. The president flew overseas. A coup d’etat was coming, the Pakistani media screamed. Except that it did not. Instead, Pakistan again defaulted to what is also becoming a familiar ritual. Having survived the forecast collapse, the government lurched closer to becoming the first-ever elected regime to finish its term. And public debate ensued about whether Pakistan is witnessing a veiled military power grab — or whether this coup-prone nation’s nascent democracy might be growing real roots. “There is an enlarged democratic space,” said Raza Rumi, a newspaper columnist who counts himself among the optimists. “So this is an interesting moment. The government may or may not survive . . . but the assertion of the civilians is inspiring.” The current political crises, involving a memo scandal and graft allegations, feature elements that have helped bring down previous civilian governments: avaricious politicians, baying opposition parties, pliant judges and a failing economy that is said to worry the generals. But many analysts say the tools of past coups, such as tanks and state media blackouts, could not work in today’s Pakistan, where the news media and the judiciary have emerged as new power centers. That has given Prime Minister Yousuf Raza Gilani and President Asif Ali Zardari surprising confidence to publicly challenge the army in what feels like a heavily watched bluffing game. One senior official in the ruling Pakistan People’s Party, speaking on the condition of anonymity because of the sensitivity of the matter, confidently said the party does not “see the chances of direct army intervention.” The military, for starters, has its own problems. Gen. Ashfaq Kayani, chief of the Army, has strived to restore the armed forces’ public image since a decade of military rule ended in 2008, but it has faced unprecedented domestic criticism after the U.S. raid to kill Osama bin Laden. A resilient Islamist insurgency leaves generals little down time to manage the economy, said one military official, who spoke on the condition of anonymity because the official was not authorized to discuss the matter publicly. “The military is so overstretched and preoccupied fighting the militants,” said retired Lt. Gen. Talat Masood, a prominent defense analyst. “It’s a full-time occupation.” Influence today is spread more widely than in past eras, analysts say. In recent years, Pakistan has sprouted a slew of sensationalist and scrappy news outlets that, while generally rabidly anti-government, would be reluctant to endorse a uniformed regime that could corral their reach and profits. Parliament has become less deferential to the military, and the main opposition party, led by Nawaz Sharif, is no friend of the army, which overthrew him in 1999. The main coup deterrent, some argue, is an emboldened Supreme Court, which has assumed an activist, almost messianic public role. Like the media and the army, it has displayed clear antipathy toward the government by keenly pursuing alleged corruption cases. Those include dated money laundering allegations against Zardari, over which the court has threatened to dismiss Gilani. But the court was also restored after a struggle against Gen. Pervez Musharraf, the former dictator, and appears unlikely to give legal blessing to a military takeover. “This was not the case before. The courts were very happy and eager to play along with dictators,” Rumi said.

#### Multiple safeguards check Pakistani loose nukes

Tepperman, 9/7/2009 (John - journalist based in New York City, Why obama should learn to love the bomb, Newsweek, p.lexis)

As for Pakistan, it has taken numerous precautions to ensure that its own weapons are insulated from the country's chaos, installing **complicated firing mechanisms** to prevent a launch by lone radicals, for example, and instituting special training and screening for its nuclear personnel to ensure they're not infiltrated by extremists. Even if the Pakistani state did **collapse** entirely--the nightmare scenario--the chance of a Taliban bomb would still be **remote**. Desch argues that the idea that terrorists "could use these weapons radically underestimates the difficulty of actually operating a modern nuclear arsenal. These things **need constant maintenance and they're very easy to disable**. So the idea that these things could be stuffed into a gunnysack and smuggled across the Rio Grande is preposterous."

#### -- No India/Pakistan war –

#### A) Deterrence

Giorgio et al 10 (Maia Juel, Tina Søndergaard Madsen, Jakob Wigersma, Mark Westh, “Nuclear Deterrence in South Asia: An Assessment of Deterrence and Stability in the Indian – Pakistan Conflict,” Global Studies, Autumn, http://dspace.ruc.dk/bitstream/1800/6041/1/Project%20GS-BA%2c%20Autumn%202010.pdf)

To what extent has nuclear deterrence enhanced stability in the India-Pakistan conflict? Recalling the logical structure of the paper, we here wish to reconcile the three analyses and offer a coherent synthesis of the results in relation to the research question. In order to gather the threads it is beneficial to shortly reflect upon the main results of the three analyses. Firstly, the aim with the thesis was to explore if there is nuclear deterrence between India and Pakistan, based upon Waltz three requirements. After having undertaken this analysis, we can conclude that Waltz’s requirements for effective nuclear deterrence are in fact fulfilled in both countries. Thus, from a neorealist perspective, is it then possible to deduce that stability reigns between India and Pakistan as a result of nuclear deterrence? Taking a point of departure in neorealist assumptions and nuclear deterrence theory, there is indeed stability between India and Pakistan, as no major war has taken place between the countries, and more importantly, nuclear war has been avoided. Nuclear deterrence has thus been successful in creating stability on a higher structural level.

# 2NC

### War

#### Prefer our evidence – they are the only studies on the question while their authors are hyperbolic nonsense – A. Quantity

Miller 2k – Professor of Management, Ottawa (Morris, Poverty As A Cause Of Wars?, http://www.pugwash.org/reports/pac/pac256/WG4draft1.htm)

Thus, these armed conflicts can hardly be said to be caused by poverty as a principal factor when the greed and envy of leaders and their hegemonic ambitions provide sufficient cause. The poor would appear to be more the victims than the perpetrators of armed conflict. It might be alleged that some dramatic event or rapid sequence of those types of events that lead to the exacerbation of poverty might be the catalyst for a violent reaction on the part of the people or on the part of the political leadership who might be tempted to seek a diversion by finding/fabricating an enemy and going to war. According to a study undertaken by Minxin Pei and Ariel Adesnik of the Carnegie Endowment for International Peace, there would not appear to be any merit in this hypothesis. After studying 93 episodes of economic crisis in 22 countries in Latin America and Asia in the years since World War II they concluded that Much of the conventional wisdom about the political impact of economic crises may be wrong... The severity of economic crisis---as measured in terms of inflation and negative growth---bore no relationship to the collapse of regimes. A more direct role was played by political variables such as ideological polarization, labor radicalism, guerilla insurgencies and an anti-Communist military... (In democratic states) such changes seldom lead to an outbreak of violence (while) in the cases of dictatorships and semi-democracies, the ruling elites responded to crises by increasing repression (thereby using one form of violence to abort another.

#### B. Quantitative not qualitative

Brandt and Ulfelder 11—\*Patrick T. Brandt, Ph.D. in Political Science from Indiana University, is an Assistant Professor of Political Science in the School of Social Science at the University of Texas at Dallas. \*\*Jay Ulfelder, Ph.D. in political science from Stanford University, is an American political scientist whose research interests include democratization, civil unrest, and violent conflict. [April, 2011, “Economic Growth and Political Instability,” Social Science Research Network]

These statements anticipating political fallout from the global economic crisis of 2008–2010 reflect a widely held view that economic growth has rapid and profound effects on countries’ political stability. When economies grow at a healthy clip, citizens are presumed to be too busy and too content to engage in protest or rebellion, and governments are thought to be flush with revenues they can use to enhance their own stability by producing public goods or rewarding cronies, depending on the type of regime they inhabit. When growth slows, however, citizens and cronies alike are presumed to grow frustrated with their governments, and the leaders at the receiving end of that frustration are thought to lack the financial resources to respond effectively. The expected result is an increase in the risks of social unrest, civil war, coup attempts, and regime breakdown.

Although it is pervasive, the assumption that countries’ economic growth rates strongly affect their political stability has not been subjected to a great deal of careful empirical analysis, and evidence from social science research to date does not unambiguously support it. Theoretical models of civil wars, coups d’etat, and transitions to and from democracy often specify slow economic growth as an important cause or catalyst of those events, but empirical studies on the effects of economic growth on these phenomena have produced mixed results. Meanwhile, the effects of economic growth on the occurrence or incidence of social unrest seem to have hardly been studied in recent years, as empirical analysis of contentious collective action has concentrated on political opportunity structures and dynamics of protest and repression.

This paper helps fill that gap by rigorously re-examining the effects of short-term variations in economic growth on the occurrence of several forms of political instability in countries worldwide over the past few decades. In this paper, we do not seek to develop and test new theories of political instability. Instead, we aim to subject a hypothesis common to many prior theories of political instability to more careful empirical scrutiny. The goal is to provide a detailed empirical characterization of the relationship between economic growth and political instability in a broad sense. In effect, we describe the conventional wisdom as seen in the data. We do so with statistical models that use smoothing splines and multiple lags to allow for nonlinear and dynamic effects from economic growth on political stability. We also do so with an instrumented measure of growth that explicitly accounts for endogeneity in the relationship between political instability and economic growth. To our knowledge, ours is the first statistical study of this relationship to simultaneously address the possibility of nonlinearity and problems of endogeneity. As such, we believe this paper offers what is probably the most rigorous general evaluation of this argument to date.

As the results show, some of our findings are surprising. Consistent with conventional assumptions, we find that social unrest and civil violence are more likely to occur and democratic regimes are more susceptible to coup attempts around periods of slow economic growth. At the same time, our analysis shows no significant relationship between variation in growth and the risk of civil-war onset, and results from our analysis of regime changes contradict the widely accepted claim that economic crises cause transitions from autocracy to democracy. While we would hardly pretend to have the last word on any of these relationships, our findings do suggest that the relationship between economic growth and political stability is neither as uniform nor as strong as the conventional wisdom(s) presume(s). We think these findings also help explain why the global recession of 2008–2010 has failed thus far to produce the wave of coups and regime failures that some observers had anticipated, in spite of the expected and apparent uptick in social unrest associated with the crisis.

#### C. Most Recent

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

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

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

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

#### D. Proper conceptualization

Blattman 11 (Chris, Assistant Professor of Political Science & Economics at Yale. http://chrisblattman.com/2011/11/28/the-publication-bias-problem-and-the-redemption-of-blattman/)

At long last, regressions were run and… no result. No relationship between price shocks and conflict, even in the most generous scenarios. I shrugged and thought, “Well, so much for that.” My committee said, “Huh, what about that child soldiering project we told you not to do?” And off I went on my career as micro-conflict man. In the meantime, lots of papers that did see an impact of economic shocks on conflict or instability did get published. The conventional wisdom grew: Rising incomes made the state more attractive to rebels as a prize, and falling incomes made it easier to recruit rebels. No matter that these two ideas ran in apparently opposite directions. Meanwhile, I met other academics that had run the same regression as me. Famous ones you have probably heard of. Their reaction was the same as mine: “Oh, I found that result,” several said, “but I’m worried there’s nothing there because my data have problems, and the specification wasn’t quite right. So I left it out of the paper. I’ve been meaning to get back to that.” Let’s follow a simple decision rule: run your regressions with inevitably imperfect data and models. If you get the theoretically predicted result (any of them), publish. If not, wait and look into your data and empirical strategy more. The result? As in the natural sciences, most published research findings are probably false.

#### And- they are bloggers scare mongering

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

When the global financial crisis struck roughly a year ago, the blogosphere was ablaze with all sorts of scary predictions of, and commentary regarding, ensuing conflict and wars -- a rerun of the Great Depression leading to world war, as it were. Now, as global economic news brightens and recovery -- surprisingly led by China and emerging markets -- is the talk of the day, it's interesting to look back over the past year and realize how globalization's first truly worldwide recession has had virtually no impact whatsoever on the international security landscape. None of the more than three-dozen ongoing conflicts listed by GlobalSecurity.org can be clearly attributed to the global recession. Indeed, the last new entry (civil conflict between Hamas and Fatah in the Palestine) predates the economic crisis by a year, and three quarters of the chronic struggles began in the last century. Ditto for the 15 low-intensity conflicts listed by Wikipedia (where the latest entry is the Mexican "drug war" begun in 2006). Certainly, the Russia-Georgia conflict last August was specifically timed, but by most accounts the opening ceremony of the Beijing Olympics was the most important external trigger (followed by the U.S. presidential campaign) for that sudden spike in an almost two-decade long struggle between Georgia and its two breakaway regions. Looking over the various databases, then, we see a most familiar picture: the usual mix of civil conflicts, insurgencies, and liberation-themed terrorist movements. Besides the recent Russia-Georgia dust-up, the only two potential state-on-state wars (North v. South Korea, Israel v. Iran) are both tied to one side acquiring a nuclear weapon capacity -- a process wholly unrelated to global economic trends. And with the United States effectively tied down by its two ongoing major interventions (Iraq and Afghanistan-bleeding-into-Pakistan), our involvement elsewhere around the planet has been quite modest, both leading up to and following the onset of the economic crisis: e.g., the usual counter-drug efforts in Latin America, the usual military exercises with allies across Asia, mixing it up with pirates off Somalia's coast). Everywhere else we find serious instability we pretty much let it burn, occasionally pressing the Chinese -- unsuccessfully -- to do something. Our new Africa Command, for example, hasn't led us to anything beyond advising and training local forces. So, to sum up: •No significant uptick in mass violence or unrest (remember the smattering of urban riots last year in places like Greece, Moldova and Latvia?); •The usual frequency maintained in civil conflicts (in all the usual places); •Not a single state-on-state war directly caused (and no great-power-on-great-power crises even triggered); •No great improvement or disruption in great-power cooperation regarding the emergence of new nuclear powers (despite all that diplomacy); •A modest scaling back of international policing efforts by the system's acknowledged Leviathan power (inevitable given the strain); and •No serious efforts by any rising great power to challenge that Leviathan or supplant its role.

#### And – next paragraph speculates god will bring peace to the world

Merlini 2011, Cesare Merlini 11, nonresident senior fellow at the Center on the United States and Europe and chairman of the Board of Trustees of the Italian Institute for International Affairs, May 2011, “A Post-Secular World?”, Survival, Vol. 53, No. 2

Their Card Starts

Two neatly opposed scenarios for the future of the world order illustrate the range of possibilities, albeit at the risk of oversimplification. The first scenario entails the premature crumbling of the post-Westphalian system. One or more of the acute tensions apparent today evolves into an open and traditional conflict between states, perhaps even involving the use of nuclear weapons. The crisis might be triggered by a collapse of the global economic and financial system, the vulnerability of which we have just experienced, and the prospect of a second Great Depression, with consequences for peace and democracy similar to those of the first. Whatever the trigger, the unlimited exercise of national sovereignty, exclusive self-interest and rejection of outside interference would self-interest and rejection of outside interference would likely be amplified, emptying, perhaps entirely, the half-full glass of multilateralism, including the UN and the European Union. Many of the more likely conflicts, such as between Israel and Iran or India and Pakistan, have potential religious dimensions. Short of war, tensions such as those related to immigration might become unbearable. Familiar issues of creed and identity could be exacerbated. One way or another, the secular rational approach would be sidestepped by a return to theocratic absolutes, competing or converging with secular absolutes such as unbridled nationalism.

Their Card Ends

One symptom that makes such a scenario plausible has become visible. Many commentators have identified anger or anxiety as a common driver of the Tea Party movement in the United States and the rise of xenopho- bic parties in Europe, perhaps stemming from a self-perception of decline. Anger (directed towards the neo-colonialist or pro-Israeli West or – espe- cially recently – domestic authoritarian regimes) has also been associated with grievances in the Middle East, following the failure of earlier reform- ist and secular movements.10 Despite relative popular optimism, anger can also be detected in Asia, hand in hand with chauvinism and a sense of lack of appropriate recognition by others, stemming from a self-perception of rising influence and power.

The opposite scenario contemplates not an unprecedented era of peace and prosperity, but rather continuity in the international system, with further consolidation rather than rupture. Current conflicts and those most likely to emerge from existing tensions are contained, thanks to diplomatic or coercive instruments, and major wars are avoided. Economic and finan- cial give-and-take is kept under control and gives way to a more stable global game, including increased safeguarding of public goods such as the health of the planet. This scenario does not entail the United Nations becoming a global government, nor the European Union turning into a fully fledged federation, nor the various ‘Gs’ becoming boards of a global corporation. But these international organisations, reformed to improve representativeness and effectiveness, would remain to strengthen the rule of law globally.

### Nuclear War / Spark

#### Even if decline causes conflict – those conflict are good because they destroy growth

Lewis 98 [Chris H. Lewis, Instructor in the Sewall American Studies Program at the University of Colorado, 1998, "The Paradox of Global Development and the Necessary Collapse of Modern Industrial Civilization," The Coming Age of Scarcity: Preventing Mass Death and Genocide in the Twenty-first Century, edited by Michael N. Dobkowski and Isidor Wallimann, Published by Syracuse University Press, ISBN 0815627440, p. 56]

Most critics would argue, probably correctly, that instead of allowing underdeveloped countries to withdraw from the global economy and undermine the economies of the developed world, the United States, Europe, and Japan and others will fight neocolonial wars to force these countries to remain within this collapsing global economy. These neocolonial wars will result in mass death, suffering, and even regional nuclear wars. If First World countries choose military confrontation and political repression to maintain the global economy, then we may see mass death and genocide on a global scale that will make the deaths of World War II pale in comparison. However, these neocolonial wars, fought to maintain the developed nations’ economic and political hegemony, will cause the final collapse of our global industrial civilization. These wars will so damage the complex economic and trading networks and squander material, biological, and energy resources that they will undermine the global economy and its ability to support the earth’s 6 to 8 billion people. This would be the worst-case scenario for the collapse of global civilization.

#### And – they don’t escalate

Bennett and Nordstrom 2000, D. Scott Bennett and Timothy Nordstrom, February 2000. Department of Political Science Professors at Pennsylvania State. “Foreign Policy Substitutability and Internal Economic Problems in Enduring Rivalries,” Journal of Conflict Resolution, Ebsco.

When engaging in diversionary actions in response to economic problems, leaders will be most interested in a cheap, quick victory that gives them the benefit of a rally effect without suffering the long-term costs (in both economic and popularity terms) of an extended confrontation or war. This makes weak states particularly inviting targets for diversionary action since they may be less likely to respond than strong states and because any response they make will be less costly to the initiator. Following Blainey (1973),a state facing poor economic conditions may in fact be the target of an attack rather than the initiator. This may be even more likely in the context of a rivalry because rival states are likely to be looking for any advantage over their rivais. Leaders may hope to catch an economically challenged rival looking inward in response to a slowing economy. Following the strategic application of diversionary conflict theory and states' desire to engage in only cheap conflicts for diversionary purposes, states should avoid conflict initiation against target states experiencing economic problems.

#### It never goes nuclear

Quinlan 9—distinguished frmr British defence strategist and former Permanent Under-Secretary of State. (Michael, Thinking About Nuclear Weapons, 69-70)

One special form of miscalculation appeared sporadically in the speculations of academic commentators, though it was scarcely ever to be encountered—at least so far as my own observation went—in the utterances of practical planners within government. This is the idea that nuclear war might be erroneously triggered, or erroneously widened, through a state under attack misreading either what sort of attack it was being subjected to, or where the attack came from. The postulated misreading of the nature of the attack referred in particular to the hypothesis that if a delivery system—normally a missile—that was known to be capable of carrying either a nuclear or a conventional warhead was launched in a conventional role, the target country might, on detecting the launch through its earlywarning systems, misconstrue the mission as an imminent nuclear strike and immediately unleash a nuclear counter-strike of its own. This conjecture was voiced, for example, as a criticism of the proposals for giving the US Trident SLBM, long associated with nuclear missions, a capability to deliver conventional warheads. Whatever the merit of those proposals (it is not explored here), it is hard to regard this particular apprehension as having any real-life credibility. The flight time of a ballistic missile would not exceed about thirty minutes, and that of a cruise missile a few hours, before arrival on target made its character—conventional or nuclear—unmistakable. No government will need, and no nonlunatic government could wish, to take within so short a span of time a step as enormous and irrevocable as the execution of a nuclear strike on the basis of early-warning information alone without knowing the true nature of the incoming attack. The speculation tends moreover to be expressed without reference either to any realistic political or conflict-related context thought to render the episode plausible, or to the manifest interest of the launching country, should there be any risk of doubt, in ensuring—by explicit communication if necessary—that there was no misinterpretation of its conventionally armed launch.

#### Even if it goes nuclear it doesn’t escalate

Quinlan 9—distinguished frmr British defence strategist and former Permanent Under-Secretary of State. (Michael, Thinking About Nuclear Weapons, 63-9)

Even if initial nuclear use did not quickly end the fighting, the supposition of inexorable momentum in a developing exchange, with each side rushing to overreaction amid confusion and uncertainty, is implausible. It fails to consider what the situation of the decisionmakers would really be. Neither side could want escalation. Both would be appalled at what was going on. Both would be desperately looking for signs that the other was ready to call a halt. Both, given the capacity for evasion or concealment which modern delivery platforms and vehicles can possess, could have in reserve significant forces invulnerable enough not to entail use-or-lose pressures. (It may be more open to question, as noted earlier, whether newer nuclear-weapon possessors can be immediately in that position; but it is within reach of any substantial state with advanced technological capabilities, and attaining it is certain to be a high priority in the development of forces.) As a result, neither side can have any predisposition to suppose, in an ambiguous situation of fearful risk, that the right course when in doubt is to go on copiously launching weapons. And none of this analysis rests on any presumption of highly subtle or pre-concerted rationality. The rationality required is plain. The argument is reinforced if we consider the possible reasoning of an aggressor at a more dispassionate level. Any substantial nuclear armoury can inflict destruction outweighing any possible prize that aggression could hope to seize. A state attacking the possessor of such an armoury must therefore be doing so (once given that it cannot count upon destroying the armoury pre-emptively) on a judgement that the possessor would be found lacking in the will to use it. If the attacked possessor used nuclear weapons, whether first or in response to the aggressor's own first use, this judgement would begin to look dangerously precarious. There must be at least a substantial possibility of the aggressor leaders' concluding that their initial judgement had been mistaken—that the risks were after all greater than whatever prize they had been seeking, and that for their own country's survival they must call off the aggression. Deterrence planning such as that of NATO was directed in the first place to preventing the initial misjudgement and in the second, if it were nevertheless made, to compelling such a reappraisal. The former aim had to have primacy, because it could not be taken for granted that the latter was certain to work. But there was no ground for assuming in advance, for all possible scenarios, that the chance of its working must be negligible. An aggressor state would itself be at huge risk if nuclear war developed, as its leaders would know. It may be argued that a policy which abandons hope of physically defeating the enemy and simply hopes to get him to desist is pure gamble, a matter of who blinks first; and that the political and moral nature of most likely aggressors, almost ex hypothesis, makes them the less likely to blink. One response to this is to ask what is the alternative—it can only be surrender. But a more positive and hopeful answer lies in the fact that the criticism is posed in a political vacuum. Real-life conflict would have a political context. The context which concerned NATO during the cold war, for example, was one of defending vital interests against a postulated aggressor whose own vital interests would not be engaged, or would be less engaged. Certainty is not possible, but a clear asymmetry of vital interest is a legitimate basis for expecting an asymmetry, credible to both sides, of resolve in conflict. That places upon statesmen, as page 23 has noted, the key task in deterrence of building up in advance a clear and shared grasp of where limits lie. That was plainly achieved in cold-war Europe. 11 vital interests have been defined in a way that is clear, and also clearly not overlapping or incompatible with those of the adversary, a credible basis has been laid for the likelihood of greater resolve in resistance. It was also sometimes suggested by critics that whatever might be indicated by theoretical discussion of political will and interests, the military environment of nuclear warfare—particularly difficulties of communication and control—would drive escalation with overwhelming probability to the limit. But it is obscure why matters should be regarded as inevitably so for every possible level and setting of action. Even if the history of war suggested (as it scarcely does) that military decision-makers are mostly apt to work on the principle 'When in doubt, lash out', the nuclear revolution creates an utterly new situation. The pervasive reality, always plain to both sides during the cold war, is 'If this goes on to the end, we are all ruined'. Given that inexorable escalation would mean catastrophe for both, it would be perverse to suppose them permanently incapable of framing arrangements which avoid it. As page 16 has noted, NATO gave its military commanders no widespread delegated authority, in peace or war, to launch nuclear weapons without specific political direction. Many types of weapon moreover had physical safeguards such as PALs incorporated to reinforce organizational ones. There were multiple communication and control systems for passing information, orders, and prohibitions. Such systems could not be totally guaranteed against disruption if at a fairly intense level of strategic exchange—which was only one of many possible levels of conflict— an adversary judged it to be in his interest to weaken political control. It was far from clear why he necessarily should so judge. Even then, however, it remained possible to operate on a general fail-safe presumption: no authorization, no use. That was the basis on which NATO operated. If it is feared that the arrangements which a nuclear-weapon possessor has in place do not meet such standards in some respects, the logical course is to continue to improve them rather than to assume escalation to be certain and uncontrollable, with all the enormous inferences that would have to flow from such an assumption. The likelihood of escalation can never be 100 per cent, and never zero. Where between those two extremes it may lie can never be precisely calculable in advance; and even were it so calculable, it would not be uniquely fixed—it would stand to vary hugely with circumstances. That there should be any risk at all of escalation to widespread nuclear war must be deeply disturbing, and decision-makers would always have to weigh it most anxiously. But a pair of key truths about it need to be recognized. The first is that the risk of escalation to large-scale nuclear war is inescapably present in any significant armed conflict between nuclear-capable powers, whoever may have started the conflict and whoever may first have used any particular category of weapon. The initiator of the conflict will always have physically available to him options for applying more force if he meets effective resistance. If the risk of escalation, whatever its degree of probability, is to be regarded as absolutely unacceptable, the necessary inference is that a state attacked by a substantial nuclear power must forgo military resistance. It must surrender, even if it has a nuclear armoury of its own. But the companion truth is that, as page 47 has noted, the risk of escalation is an inescapable burden also upon the aggressor. The exploitation of that burden is the crucial route, if conflict does break out, for managing it to a tolerable outcome—the only route, indeed, intermediate between surrender and holocaust, and so the necessary basis for deterrence beforehand. The working out of plans to exploit escalation risk most effectively in deterring potential aggression entails further and complex issues. It is for example plainly desirable, wherever geography, politics, and available resources so permit without triggering arms races, to make provisions and dispositions that are likely to place the onus of making the bigger and more evidently dangerous steps in escalation upon the aggressor who wishes to maintain his attack, rather than upon the defender. (The customary shorthand for this desirable posture used to be 'escalation dominance'.) These issues are not further discussed here. But addressing them needs to start from acknowledgement that there are in any event no certainties or absolutes available, no options guaranteed to be risk-free and cost-free. Deterrence is not possible without escalation risk; and its presence can point to no automatic policy conclusion save for those who espouse outright pacifism and accept its consequences. Accident and Miscalculation Ensuring the safety and security of nuclear weapons plainly needs to be taken most seriously. Detailed information is understandably not published, but such direct evidence as there is suggests that it always has been so taken in every possessor state, with the inevitable occasional failures to follow strict procedures dealt with rigorously. Critics have nevertheless from time to time argued that the possibility of accident involving nuclear weapons is so substantial that it must weigh heavily in the entire evaluation of whether war-prevention structures entailing their existence should be tolerated at all. Two sorts of scenario are usually in question. The first is that of a single grave event involving an unintended nuclear explosion—a technical disaster at a storage site, for example, or the accidental or unauthorized launch of a delivery system with a live nuclear warhead. The second is that of some event—perhaps such an explosion or launch, or some other mishap such as malfunction or misinterpretation of radar signals or computer systems—initiating a sequence of response and counter-response that culminated in a nuclear exchange which no one had truly intended. No event that is physically possible can be said to be of absolutely zero probability (just as at an opposite extreme it is absurd to claim, as has been heard from distinguished figures, that nuclear-weapon use can be guaranteed to happen within some finite future span despite not having happened for over sixty years). But human affairs cannot be managed to the standard of either zero or total probability. We have to assess levels between those theoretical limits and weigh their reality and implications against other factors, in security planning as in everyday life. There have certainly been, across the decades since 1945, many known accidents involving nuclear weapons, from transporters skidding off roads to bomber aircraft crashing with or accidentally dropping the weapons they carried (in past days when such carriage was a frequent feature of readiness arrangements—it no longer is). A few of these accidents may have released into the nearby environment highly toxic material. None however has entailed a nuclear detonation. Some commentators suggest that this reflects bizarrely good fortune amid such massive activity and deployment over so many years. A more rational deduction from the facts of this long experience would however be that the probability of any accident triggering a nuclear explosion is extremely low. It might be further noted that the mechanisms needed to set off such an explosion are technically demanding, and that in a large number of ways the past sixty years have seen extensive improvements in safety arrangements for both the design and the handling of weapons. It is undoubtedly possible to see respects in which, after the cold war, some of the factors bearing upon risk may be new or more adverse; but some are now plainly less so. The years which the world has come through entirely without accidental or unauthorized detonation have included early decades in which knowledge was sketchier, precautions were less developed, and weapon designs were less ultra-safe than they later became, as well as substantial periods in which weapon numbers were larger, deployments more widespread and diverse, movements more frequent, and several aspects of doctrine and readiness arrangements more tense. Similar considerations apply to the hypothesis of nuclear war being mistakenly triggered by false alarm. Critics again point to the fact, as it is understood, of numerous occasions when initial steps in alert sequences for US nuclear forces were embarked upon, or at least called for, by indicators mistaken or misconstrued. In none of these instances, it is accepted, did matters get at all near to nuclear launch—extraordinary good fortune again, critics have suggested. But the rival and more logical inference from hundreds of events stretching over sixty years of experience presents itself once more: that the probability of initial misinterpretation leading far towards mistaken launch is remote. Precisely because any nuclear-weapon possessor recognizes the vast gravity of any launch, release sequences have many steps, and human decision is repeatedly interposed as well as capping the sequences. To convey that because a first step was prompted the world somehow came close to accidental nuclear war is wild hyperbole, rather like asserting, when a tennis champion has lost his opening service game, that he was nearly beaten in straight sets. History anyway scarcely offers any ready example of major war started by accident even before the nuclear revolution imposed an order-of-magnitude increase in caution. It was occasionally conjectured that nuclear war might be triggered by the real but accidental or unauthorized launch of a strategic nuclear-weapon delivery system in the direction of a potential adversary. No such launch is known to have occurred in over sixty years. The probability of it is therefore very low. But even if it did happen, the further hypothesis of its initiating a general nuclear exchange is far-fetched. It fails to consider the real situation of decision-makers, as pages 63-4 have brought out. The notion that cosmic holocaust might be mistakenly precipitated in this way belongs to science fiction.

#### Even if it escalates it doesn’t cause extinction

**Martin 90** PhD in theoretical physics, associate professor in Science, Technology and Society at the University of Wollongong, 1990 (Brian, “Politics After a Nuclear Crisis,” Journal of Libertarian Studies, <http://www.uow.edu.au/arts/sts/bmartin/pubs/90jls.html>)

My argument here is simple. Whatever the likelihood that a major nuclear confrontation will result in total annihilation of the earth's population, a significant possibility remains that nuclear crisis or war will leave major portions of the world's population alive and, for the most part, unaffected physically. If this is the case, then it is worth considering post-crisis and post-war politics. Three types of scenarios are worth noting: nuclear crisis, limited nuclear war, and global nuclear war. First, nuclear crisis: It is possible to imagine the development of a major nuclear confrontation short of nuclear war. This might be an extended nuclear emergency, like the 1962 Cuban missile crisis, yet more serious and prolonged. It could lead to declarations of martial law and changes in political structures, as described below, that might well persist beyond the nuclear crisis itself. Second, limited nuclear war: A nuclear war does not have to be global in extent. Such a war might be limited geographically - for example, to the Middle East - or restricted to the exchange of a few tactical or strategic nuclear weapons. Many analysts argue that it would be difficult to keep a nuclear exchange limited, but these arguments remain to be tested: There is no evidence of actual nuclear wars to prove or disprove them. It is worth remembering that expert predictions concerning wars (for example, that World War I would be over quickly) have often been quite wrong. It is also possible to imagine a "successful" first strike, for example, using a few high-altitude explosions over a country to disable electronics through the electromagnetic pulse, thereby putting the enemy's command and control systems out of commission. However unlikely the success of such a tactic, it cannot be ruled out a priori. Third, global nuclear war: If a nuclear war does escalate to major exchanges, does that mean that near or actual human extinction is certain? The available evidence is by no means conclusive. Although since the 1950s many people have believed that nuclear war will inevitably lead to the death of most or all the people on earth, the scientific evidence to support this belief has been skimpy and uncertain. The only mechanism currently considered to create a potential threat to the survival of the human species is the global climatic effects of smoke and dust from nuclear explosions, commonly called nuclear winter.[[2]](http://www.uow.edu.au/arts/sts/bmartin/pubs/90jls.html#n2) Even here, some scientists believe the effects will be much more moderate than initially proclaimed.[[3]](http://www.uow.edu.au/arts/sts/bmartin/pubs/90jls.html#n3) My assessment is that global nuclear war, while containing the potential for exterminating much of the world's population, might kill "only" some hundreds of millions of people - an unprecedented disaster to be sure, but far short of global annihilation.

#### Doesn’t hurt the environment

Seitz 6---former associate of the John M. Olin Institute for Strategic Studies at Harvard University’s Center for International Affairs (Russell, “The' Nuclear Winter ' Meltdown Photoshopping the Apocalypse”, http://adamant.typepad.com/seitz/2006/12/preherein\_honor.html)

All that remains of Sagan's Big Chill are curves such as this , but history is full of prophets of doom who fail to deliver, not all are without honor in their own land. The 1983 'Nuclear Winter " papers in Science were so politicized that even the eminently liberal President of The Council for a Liveable World called "The worst example of the misrepesentation of science to the public in my memory." Among the authors was Stanford President Donald Kennedy. Today he edits Science , the nation's major arbiter of climate science--and policy. Below, a case illustrating the mid-range of the ~.7 to ~1.6 degree C maximum cooling the 2006 studies suggest is superimposed in color on the Blackly Apocalyptic predictions published in Science Vol. 222, 1983 . They're worth comparing, because the range of soot concentrations in the new models overlaps with cases assumed to have dire climatic consequences in the widely publicized 1983 scenarios -- "Apocalyptic predictions require, to be taken seriously, higher standards of evidence than do assertions on other matters where the stakes are not as great." wrote Sagan in Foreign Affairs , Winter 1983 -84. But that "evidence" was never forthcoming. 'Nuclear Winter' never existed outside of a computer except as air-brushed animation commissioned by the a PR firm---Porter Novelli Inc. Yet Sagan predicted "the extinction of the human species " as temperatures plummeted 35 degrees C and the world froze in the aftermath of a nuclear holocaust. Last year, Sagan's cohort tried to reanimate the ghost in a machine anti-nuclear activists invoked in the depths of the Cold War, by re-running equally arbitrary scenarios on a modern interactive Global Circulation Model. But the Cold War is history in more ways than one. It is a credit to post-modern computer climate simulations that they do not reproduce the apocalyptic results of what Sagan oxymoronically termed "a sophisticated one dimensional model." The subzero 'baseline case' has melted down into a tepid 1.3 degrees of average cooling- grey skies do not a Ragnarok make . What remains is just not the stuff that End of the World myths are made of. It is hard to exaggerate how seriously " nuclear winter "was once taken by policy analysts who ought to have known better. Many were taken aback by the sheer force of Sagan's rhetoric Remarkably, Science's news coverage of the new results fails to graphically compare them with the old ones Editor Kennedy and other recent executives of the American Association for the Advancement of Science, once proudly co-authored and helped to publicize. You can't say they didn't try to reproduce this Cold War icon. Once again, soot from imaginary software materializes in midair by the megaton , flying higher than Mount Everest . This is not physics, but a crude exercise in ' garbage in, gospel out' parameter forcing designed to maximize and extend the cooling an aeosol can generate, by sparing it from realistic attrition by rainout in the lower atmosphere. Despite decades of progress in modeling atmospheric chemistry , there is none in this computer simulation, and ignoring photochemistry further extends its impact. Fortunately , the history of science is as hard to erase as it is easy to ignore. Their past mastery of semantic agression cannot spare the authors of "Nuclear Winter Lite " direct comparison of their new results and their old. Dark smoke clouds in the lower atmosphere don't last long enough to spread across the globe. Cloud droplets and rainfall remove them. rapidly washing them out of the sky in a matter of days to weeks- not long enough to sustain a global pall. Real world weather brings down particles much as soot is scrubbed out of power plant smoke by the water sprays in smoke stack scrubbers, Robock acknowledges this- not even a single degree of cooling results when soot is released at lower elevations in the models . The workaround is to inject the imaginary aerosol at truly Himalayan elevations---pressure altitudes of 300 millibar and higher , where the computer model's vertical transport function modules pass it off to their even higher neighbors in the stratosphere , where it does not rain and particles linger.. The new studies like the old suffer from the disconnect between a desire to paint the sky black and the vicissitudes of natural history. As with many exercise in worst case models both at invoke rare phenomena as commonplace, claiming it prudent to assume the worst. But the real world is subject to Murphy's lesser known second law- if everything must go wrong, don't bet on it. In 2006 as in 1983 firestorms and forest fires that send smoke into the stratosphere rise to alien prominence in the modelers re-imagined world , but in the real one remains a very different place, where though every month sees forest fires burning areas the size of cities---2,500 hectares or larger , stratospheric smoke injections arise but once in a blue moon. So how come these neo-nuclear winter models feature so much smoke so far aloft for so long?

#### Net beneficial for the environment – try or die for collapse

Caldwell 1 (J George Caldwell, 3/6/01, PhD Mathematical Statistics , “On Saving the Environment and the Inevitability of Global War,” http://www.foundationwebsite.org/OnGlobalWar.htm)

The destruction of the planet's environment and biodiversity may coincidentally be halted by global war, but saving biodiversity or the environment will not be the cause of global war. Less and less of nature remains with each passing year of the current "global peace" of global industrialization. The longer global war is delayed, the less of nature (species, biodiversity) will remain after its occurrence. The large human population has been made possible because of access to fossil fuel. The planet can support only a small fraction of its current human population on recurrent solar energy (which includes hydroelectric, biomass, and wind power). Global petroleum and natural gas deposits will not be exhausted until about 2050 (and coal somewhat later), so the world's current fossil-fuel-driven economy can hypothetically continue for some time to come. If industrialized human society continues to destroy other species at the current rate (estimated 30,000 per year) until fossil fuels are exhausted, little will remain of the planet's natural environment as we know it. Mankind is hurtling toward disaster -- the biosphere's and its own -- and there is nothing that will be done to stop it. Industrial development has sewn the seeds of its own destruction. The situation is out of control. The human population explosion has already occurred, and the resultant destruction -- first of the environment and then of industrial society and then, perhaps, of the human race itself -- is at hand. Mankind has chosen its destiny, and is well along the path to its realization.

#### And nuclear war solves extinction

Langford 79, military consultant, 1979 (David, War in 2080)

Perhaps Robert Heinlein had a point after all, when he recently suggested that a good rousing World War III would be a fine thing for the human race. It would at least reduce the numbers. Better to have is sooner rather than later, of course, for there is no telling when a real doomsday weapon will emerge- better to suffer a nuclear holocaust now than total annihilation in a few years or a few centuries.

#### Outweighs on probability and magnitude

Rees 3 (Martin Rees, Professor of Astronomy at Cambridge, 2003, Our Final Hour, pp. 2-3)

Nuclear weapons can be dismantled, but they cannot be uninvented. The threat is ineradicable, and could be resurgent in the 21st century: we cannot rule out a realignment that would lead to standoffs as dangerous as the Cold War rivalry, deploying even bigger arsenals. And even a threat that seems, year by year, a modest one mounts up if it persists for decades. But the nuclear threat will be overshadowed by others that could be as destructive, and far less controllable. These many come not primarily from national governments, not even from “rogue states,” but from individuals and small groups with access to ever more advanced technology. There are alarmingly many ways in which individuals will be able to trigger catastrophe. The strategists of the nuclear age formulated a doctrine of deterrence by “mutually assured destruction” (with the singularly appropriate acronym MAD). To clarify this concept, real-life Dr. Strangeloves envisaged a hypothetical “Doomsday machine,” an ultimate deterrent too terrible to be unleashed by any political leader who was one hundred percent rational. Later in this century, scientists might be able to create a real nonnuclear Doomsday machine. Conceivably, ordinary citizens could command the destructive capacity that in the 20th century was the frightening prerogative of the handful of individuals who held the reins of power in states with nuclear weapons. If there were millions of independent fingers on the button of a Doomsday machine, then one person’s act of irrationality, or even on person’s error, could do us all in.

#### And climate change outweighs nuclear war.

The New York End Times 6 [The New York End Times is a non-partisan, non-religious, non-ideological, free news filter. We monitor world trends and events as they pertain to two vital threats - war and extinction. We use a proprietary methodology to quantify movements between the extremes of war and peace, harmony and extinction. http://newyorkendtimes.com/extinctionscale.asp]

We rate Global Climate Change as a greater threat for human extinction in this century. Most scientists forecast disruptions and dislocations, if current trends persist. The extinction danger is more likely if we alter an environmental process that causes harmful effects and leads to conditions that make the planet uninhabitable to humans. Considering that there is so much that is unknown about global systems, we consider climate change to be the greatest danger to human extinction. However, there is no evidence of imminent danger. Nuclear war at some point in this century might happen. It is unlikely to cause human extinction though. While several countries have nuclear weapons, there are few with the firepower to annihilate the world. For those nations it would be suicidal to exercise that option. The pattern is that the more destructive technology a nation has, the more it tends towards rational behavior. Sophisticated precision weapons then become better tactical options. The bigger danger comes from nuclear weapons in the hands of terrorists with the help of a rogue state, such as North Korea. The size of such an explosion would not be sufficient to threaten humanity as a whole. Instead it could trigger a major war or even world war. Under this scenario human extinction would only be possible if other threats were present, such as disease and climate change. We monitor war separately. However we also need to incorporate the dangers here.

#### And we have the shortest time frame for action.

Ulansey 6 [David, Professor of Philosophy and Religion, Ph.D. from Princeton, “The Impending Mass Extinction and How to Stop It,” http://www.energybulletin.net/node/23694]

My talk at the Be-In will be about the fact that the world's biologists and ecologists have reached a consensus that UNLESS humanity immediately halts its dismantling of the natural world-- through habitat destruction, pollution, invasive species, and climate change-- half of all species of life on earth will be extinct in less than 100 years. In fact, as scientists are learning more about climate change, the expected time frame of the mass extinction is rapidly shrinking, and estimates are now coming in that half of all species will be extinct in 35 to 50 years. This means that WE DON'T HAVE 35 YEARS to solve the problem, since by then it will be FAR past the point of no return. The reality is that to prevent the looming mass extinction, a critical mass of humanity must undergo a radical transformation in its behavior within the next 5 TO 10 YEARS. Of course this sounds impossible-- but so in their time did the fall of the Soviet Union, or the birth of new religions like Christianity or Buddhism!

#### Any reduction in the risk of extinction should be preferred

Bostrom 7 [Nick, Oxford philosophy professor, April, “Humanity's biggest problems aren't what you think they are,” transcribed from video 5:15 to 5:52, http://www.ted.com/index.php/talks/view/id/44]

Then, even a one-percentage-point reduction in the extinction risk could be equivalent to this astronomical number, ten to the power of thirty two. If you take into account future generations as much as our own, every other moral imperative of philanthropic cause just becomes irrelevant, the only thing you should focus on would be to reduce existential risk because even the tiniest decrease in existential risk would just overwhelm any other benefit you could hope to achieve and even if you just look at current people and ignore the potential that would be lost if we went extinct you still have a high priority.

### Disease

#### And growth enables engineered pathogens—magnifies of the risk of an existential pandemic.

Sandberg et. al 8—Research Fellow at the Future of Humanity Institute at Oxford University, PhD in computation neuroscience, Stockholm—AND—Jason G. Matheny—PhD candidate in Health Policy and Management at Johns Hopkins. Special consultant to the Center for Biosecurity at the University of Pittsburgh—AND—Milan M. Ćirković—senior research associate at the Astronomical Observatory of Belgrade. Assistant professor of physics at the University of Novi Sad [Anders, How can we reduce the risk of human extinction?, 9 September 2008, http://www.thebulletin.org/web-edition/features/how-can-we-reduce-the-risk-of-human-extinction]

The risks from anthropogenic hazards appear at present larger than those from natural ones. Although great progress has been made in reducing the number of nuclear weapons in the world, humanity is still threatened by the possibility of a global thermonuclear war and a resulting nuclear winter. We may face even greater risks from emerging technologies. Advances in synthetic biology might make it possible to engineer pathogens capable of extinction-level pandemics. The knowledge, equipment, and materials needed to engineer pathogens are more accessible than those needed to build nuclear weapons. And unlike other weapons, pathogens are self-replicating, allowing a small arsenal to become exponentially destructive. Pathogens have been implicated in the extinctions of many wild species. Although most pandemics "fade out" by reducing the density of susceptible populations, pathogens with wide host ranges in multiple species can reach even isolated individuals. The intentional or unintentional release of engineered pathogens with high transmissibility, latency, and lethality might be capable of causing human extinction. While such an event seems unlikely today, the likelihood may increase as biotechnologies continue to improve at a rate rivaling Moore's Law.

#### Growth causes endocrine disruption which disrupts reproductive processes—the impact is extinction

Douthwaite 99 [Richard Douthwaite, council member of Comhar, the Irish government's national sustainability council and a Fellow of the Post Carbon Institute, visiting lecturer at the University of Plymouth, edited by Ronaldo Munck and Denis O'Hearn, *Critical development theory: contributions to a new paradigm*, Google Books, pg. 158]

A third reason that the world economy is unsustainable is that some of the chemicals it employs mimic human hormones and disrupt the body's endocrine system. As a result, the sperm counts of European men have been falling at 3 per cent per year since these chemicals came into use after the Second World War (Swan et al. 1997). The same chemicals are also causing increases in testicular and breast cancer (European Workshop 1996) and are causing fewer boys to be born relative to girls. Moreover, a higher proportion of these boys than ever before have defective genitals. In short, the world economic system is undermining humanity's ability to reproduce itself. If the human race is not sustainable then neither is its economic system.

### Ecology

#### Collapse is the only chance we have—extinction is inevitable in the status quo— it’s try or die – short term collapse key to survival

McPherson 10 [Guy McPherson is professor emeritus of natural resources and the environment at the University of Arizona, where he taught and conducted research for 20 years. His scholarly efforts have produced nine books and well over 100 articles, and have focused for many years on conservation of biological diversity, “The road to nowhere,” December 1, 2010, http://transitionvoice.com/2010/12/the-road-to-nowhere/]

When I wrote about the topic of global climate change in this space a mere two months ago, the situation was dire. Each of a series of assessments indicated an increasingly disturbing outcome for global average temperature. The latest of those assessments, based on more data and more sophisticated models than prior efforts, suggest we have passed tipping points that may lead to the extinction of our own species, along with many others. A global average increase of two degrees Celsius likely leads to runaway greenhouse. This means destruction of most human habitat on Earth. About six weeks after my brief review graced Transition Voice, the situation took a turn for the worse. The International Energy Agency’s World Energy Outlook was released in early November. It contains a shocking assessment: We’re headed for a global average temperature increase of 3.5 C by 2035. If an increase of two degrees spells runaway greenhouse, you can bet the consequences of a 3.5 degree increase within 25 years is catastrophic. The upside On the other hand, I also pointed out unexpectedly good news in my previous essay. Completion of the ongoing collapse of the world’s industrial economy might prove sufficient to save the planet and us. Although climate-change assessments fail to incorporate positive geo-physical feedbacks such as the release of methane hydrates and decreased albedo, they also leave out the negative feedback of world economic collapse. Yet it appears a single path — collapse of the world’s industrial economy — allows us to avoid runaway greenhouse and the associated extinction of Homo Sapiens. Fortunately for us, we’re inadvertently following that path. Assuming we transition from economic collapse to economic growth or to a steady-state economy, what are the likely outcomes? If we could wrest control of policy from the corporations who currently run the government, what choices would be wisest? What are the costs and consequences of choosing to pursue action on the climate-change front? Two roads diverged First, let’s consider two simple outcomes associated with the no-action alternative to which federal and state governments are firmly committed: (1) runaway climate change and (2) no significant change in climate. If climate change turns out to be as dire as predicted, then pursuing the current no-action path leads to probable extinction of human life on Earth. First, though, we will cause mass human suffering by destroying our ability to grow food. We’ll also continue to cause the extinction of several hundred species daily. But never mind the non-human species we’re driving to extinction. After all, we’ve never expressed serious interest in them in the past. Instead let’s focus on the ability to produce food for our large and growing human population. Gleaning the truth Many people assume food-producing regions will change locations as the planet heats up. If we can no longer produce grains in the Midwestern US, these folks believe, we’ll simply move the great American breadbasket further north. This would turn Canada into a food-producing superpower. Unfortunately, however, that’s an unlikely outcome. Canadian soils are no match for the deep, organic-rich soils of the American Midwest. Climate might be favorable for crop production as Canada warms, but grossly inadequate soil isn’t. If climate chaos turns out to be a false alarm then the path of non action appears to be the correct one. We don’t have to make big economic sacrifices on behalf of an ambiguous future if Earth can tolerate infinite carbon emissions. This tidbit of good news comes with a warning, however. At some point, the thousands of species we’re driving to extinction catches up with us. At some point, wiping out the pollinators, decomposers, and direct sources of our food turns out badly. We depend on other species for our own survival in ways we barely understand. I’ll not make the ethical case for saving non-human species because I don’t know a dozen people in the industrialized world who care about them. But I’ll make a selfish one: we need those species for our own survival. As with the no-action alternative, simplistically I will address two outcomes associated with the “take-action” side of the climate-change issue. If we take significant action — which at this point probably entails allowing complete collapse of the world’s industrial economy — and climate change turns out to have been a hoax, then we’ve obviously made a horrible mistake by terminating the dream of never-ending economic growth. We will have destroyed the potential for every high school student in the US to spend a summer in Europe for immersion in another culture (sic). We will have caused economic hardship that will lead to destruction of the social safety net upon which we’ve come to depend. We will have caused people in industrialized countries to forgo fuel at gas stations, food at grocery stores, and water coming out of the municipal taps. This scenario sounds horrific. But in fact, it’s nirvāna. Pull the plug, save the patient Only by terminating the world’s industrial economy is there any hope for the thousands of species we drive to extinction every year. Only by terminating the world’s industrial economy is there any hope for the people in non-industrialized countries we oppress to prop up economic growth in the “developed” world. As a consequence, only by terminating the world’s industrial economy is there any hope for the future of our own species to squeeze through the Sixth Great Extinction. The second outcome, if we take action, is the potential for averting runaway greenhouse. Please read the prior paragraph again. All the benefits listed there are realized anew in light of the ongoing and accelerating climate-change apocalypse. Further, averting climate chaos, if it’s possible at this late date, spares us environmental catastrophe in the near term. Averting climate chaos, if it’s possible at this late date, spares us catastrophic hurricanes, wildfires, floods, dust bowls, famines, epidemics, and climate refugees. Averting climate chaos, if it’s possible at this late date, spares us miserable lives and untimely deaths for the 205,000 new people we add each day to an overshot planet. Resistance against the imperialism of never-ending economic growth is imperative, and not merely for our privileges. Our very survival as a species hangs in the balance. For those of us young enough to anticipate being alive in 2035, our survival as individuals is at stake.

#### The transition to a non-growth society will create new social values that make sustainability possible—causes a mindset shift

Milbrath 3 [Lester W. Milbrath, Director Emeritus of the Research Program in Environment and Society at the State University of New York at Buffalo, 2003, "Envisioning a Sustainable Society," Explorations in Environmental Political Theory: Thinking About What We Value, edited by Joel Jay Kassiola, Published by M.E. Sharpe, ISBN 0765610523, p. 41-43]

Life in a viable ecosystem must be the core value of a sustainable society. Viable ecosystems nurture all life, not just human life. Ecosystems function splendidly without humans but human society would die out without a viable ecosystem. Individuals seeking quality of life require a well-functioning society that must be supported by a well-functioning ecosystem. If we follow the logic of those statements, we must give top priority to the good functioning of our ecosystem, second priority to the good functioning of our society; only when the viability of both systems is assured is it permissible to seek quality of life in any way we choose. But do we live according to the priority of those values? Obviously not! Leaders in modern society equate material consumption with quality of life. They urge us to swiftly exploit resources to maximize economic output without careful forethought about future consequences. By placing top priority on economic values, they sacrifice the good [end page 42] functioning of vital life systems, making it unlikely that those systems can support the huge increase in human population that is coming. At the very time when all the capabilities of life systems will be needed, our lack of foresight will have greatly weakened them. A sustainable society affirms love as a core value. It extends love and compassion not only to those near and dear but to people in other lands, future generations, and other species. It recognizes the intricate web of relationships that bind all living creatures into a common destiny. Life is not mainly conflict and competition between creatures; rather, a sustainable society emphasizes partnership not domination; cooperation more than competition; love more than power. A sustainable society affirms justice and security as other core values. Those are core values in every society but the way they are realized differs from society to society. A modern industrial society that emphasizes wealth, power, competition, and domination generates great differences in status that seem inherently unjust to those of lower status. Individuals often resort to crime and violence to improve their situation. The values of justice and security are continually under assault in such a society. A sustainable society that emphasizes love, partnership, compassion, and cooperation can more easily provide justice and security. A sustainable society would encourage self-realization as the key to a fulfilling life. A sustainable society would help persons become all they are capable of being whether they possess a talent that is highly valued in the labor marketplace or not. Work should be redefined to become a means to self-realization and not merely a block of time to be traded in the labor market. Modern competitive industrial society encourages firms to replace workers with machines and wastes the creative talents of hundreds of millions of unemployed people. The problem will explode into a permanent crisis as the world’s population doubles in the next fifty years. A first step to extricate ourselves from this problem will be to change our thinking to distinguish work from employment. We presently reward only the employed and look down upon the unemployed as less than fully human. Our faulty thinking fails to recognize that nearly everyone works even if they do not have a job. Persons doing their own work, or nonpaid contributors to family and society, should be valued as much as those highly paid. Self-esteem should not be linked to employment but should derive more from skill, artistry, effort, and integrity.

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### 2NC Overview

#### If they don’t meet the restraint they can do infinite things that are a “restriction” – that unlimits.

-Formal Legislation Requirements

-Authorization Periods

-Sunsets

-Time Limitations

-Shortened Authorization Periods

-Changing Senate/House Rules of procedure

-Resolutions

-Oversight

-Study Commissions

-Confirmation Bargaining

-Giving the Authority to someone else without decreasing the executive

KAISER 84—the Official Specialist in American National Government, Congressional Research Service, the Library of Congress [Frederick M. Kaiser, Congressional Control of Executive Actions in the Aftermath of the Chadha Decision, 6 Admin. L. Rev. 239 (1984)]

V. OTHER CONGRESSIONAL ACTIONS

The Supreme Court's ruling in Chadha (and implicitly, the summary affirmances that followed) found the legislative veto unconstitutional because it violated the Presentment Clauses of the Constitution, a holding that presumably invalidates all types of statutory congressional vetoes (i.e., those relying exclusively on Congress). Since that time, the House Rules Committee, which "has always had reservations about 'legislative veto' laws ... " has established a policy of returning bills that contain such provisions to the authorizing committees for redrafting.' 3 Yet certain legislative veto provisions may remain in force; and some may elicit compliance, because it is in the executive's own vested interest to do so. Moreover, as described above, certain types of congressional vetoes, especially committee vetoes in appropriations acts, have been ratified statutorily since Chadha. These possibilities notwithstanding, Congress still has other options for controlling specific executive actions, in addition to the statutory and nonstatutory mechanisms detailed above. What follows is neither a comprehensive listing of alternatives-although they range from major statutory initiatives to House rules changes-nor a ranking of them.

As the Court noted in Chadha, Congress has been inventive in developing its powers; -35 and the perceived benefit or feasibility of any particular approach depends upon many different factors that cannot be explored in depth here.

One often-cited remedy, however, is likely to languish or be of only marginal utility, because of practical and philosophical concerns underlying its assumptions. That is the all-purpose prescription that the establishing statutory authority for agencies and programs should be unambiguous, precisely and narrowly defined, and with clear, straightforward objectives. Otherwise, Congress, lacking will and resolve, so the reasoning goes, has abdicated its lawmaking responsibilities by "passing the buck to the executive. .. 136

The noble intent behind this solution, however, minimizes the reality behind contemporary laws: the changing nature and characteristics of political parties, the frequent split party control at the national level (in all but one of the past four Presidencies), the increase in number and political sophistication of organized interests and so-called "single issue" groups, the complexity and intense controversy surrounding many current issues, the truncated distribution of governmental authority under the Constitution, and the internal competing power structures within Congress and the executive. All of these conspire against such an over-arching solution and in favor of broad delegations of authority, vague language, and generalized statements of purpose in public laws. It may also be that proponents of such comprehensive solutions somewhat naively recall earlier periods that exhibited clear and precise legislation--e.g., the 1930 Smoot-Hawley Tariff or that from the 1880s, which Woodrow Wilson described as "Congressional Government" 37-while forgetting the serious problems of those systems and the criticisms of specific pieces of legislation. Finally, some may uncritically assume that those previous systems could be resurrected in the contemporary era.

The operating premise is that vague and broad delegations of statutory authority will continue as the rule, for a variety of reasons. Therefore, Congress will remain dependent upon a variety of means to nullify or neutralize specific executive actions, as it has in the past. But now Congress has the added incentive of replacing congressional vetoes by some of the following methods:

Formal legislation may be required before commencement of specific executive actions. Statutes might be drafted to incorporate a requirement that certain future actions shall not commence unless and until a regular bill, possibly under expedited procedures, is approved by both Houses of Congress and then signed by the President or his veto is overriden. Many of the same pro and con arguments applied to joint resolutions of approval apply here also.

Regular and frequent authorization periods may be mandated for agencies that are not already under a short cycle, thus improving Congress' ability to review, monitor, and clear executive actions, by providing more numerous opportunities for periodic review and leverage to ensure agency compliance. The House, in the immediate aftermath of the Chadha decision, did this when it reduced the CPSC reauthorization period from five to three years.' 38

Official "sunset" requirements, where a program, agency, or authority terminates after a specified time unless it is expressly reauthorized, may be advanced as control techniques. In fact, a "super sunset" bill, as termed by its sponsor, has been introduced in the House in the 98th Congress; it would repeal all authority previously delegated to the executive with a legislative veto after 180 days, unless Congress specifically reinstates such authority. 13 9

Time limitations on executive actions themselves might also be explored. The War Powers Resolution, as a prominent example, imposes a time limit on the commitment of U.S. Armed Forces into hostilities abroad, unless Congress has specifically authorized it to continue. 14

The controversy and political difficulties in operationalizing such authority regarding Lebanon (in contrast to Grenada), however, demonstrates its weaknesses when applied across-the-board to foreign military ventures. 4 ' There, the President's own constitutional authority expressly exceeds that granted by statute and his political power, at least in the short-run, exceeds that of Congress. But in other areas, such as regulations from independent commissions or contracting for specific construction or maintenance projects, Congress may impose time limits without encountering the same challenges.

Authorizations for less than a fiscal year are a variation of the same theme that "sunset" requirements and regular authorization periods score. In this case, the time permitted for a specific activity is shortened and the executive must seek supplemental authority from Congress during the fiscal year, if the activity is to continue.

The House Select Committee on Intelligence has held hearings on proposals, introduced by Rep. Fowler, that would halt funding for covert operations at a specified dollar amount without the express approval of both House and Senate Select Committees.'42 And the House and Senate, following the recommendation of the conferees from the Select Committees on Intelligence, approved funding for CIA covert operations in Nicaragua for less than the fiscal year (if such expenditures remain at their current rate). This limitation in the FY 1984 Intelligence Authorization, by setting an absolute ceiling and prohibiting transfers from other accounts, has compelled the Agency to seek congressional approval for additional amounts to continue its activities. 'I

House Rule XXI was changed in the 98th Congress to make it more difficult to offer floor amendments to appropriations. 4 4 If they are perceived as overly restrictive, the current rules might be eased or removed in order to facilitate appropriations limitations, via floor amendments, to check executive actions.

Other House and Senate rules affecting standing committee powers might be amended to preclude appropriating funds for a specific executive action unless and until the authorizing committee has expressly approved the planned action itself or a specified related contingency. The prior approval requirement could be under expedited procedures. Despite having the evident impact of a legislative veto, this change would directly affect only the internal Chamber Rules and, arguably, would be immune from judicial scrutiny.

Private laws, despite their "onerous burdens" (as characterized by the majority opinion in Chadha), 4 5 might be reactivated to control some deportation cases, as they are now in other immigration matters and for claims relief.

Sense of Congress resolutions-non-binding concurrent or simple resolutions that indicate a sense of Congress or of a single House--can be used to express a congressional opinion or view about a (proposed) specific executive action. In so doing, they also alert officials to the possibility of future legislative sanctions, if that sentiment is violated, but have no legal effect themselves.

Oversight powers in statute or in chamber rules may be modified to strengthen congressional control or at least provide further opportunity for it. In addition to the standard oversight powers that congressional committees now possess, their authority could be amended to require that committees be kept "fully and currently informed," even with regard to "significant anticipated activities," by heads of agencies under their jurisdiction. This would enhance their ability to monitor planned executive actions, by granting standing committees the same authority that the Select Committees on Intelligence hold excliisively. (Committees on their own, of course, may expand the consultation or prior notification directives in their reports on bills; and although these would not be legally binding on an agency, they may still elicit compliance.)

Select study committees or subcommittees (in House Government Operations and Senate Governmental Affairs) may be established jointly or in each House to be responsible for monitoring, reviewing, and corn- menting upon a range of (proposed) executive actions, such as "significant" regulations or foreign arms sales above a threshold dollar amount.

In so doing, the study panel could conduct oversight of executive actions under a specific and express mandate, similar to the "vigilant oversight" directive of the Select Committees on Intelligence. Since the panel's membership would not be identical to the appropriating or authorizing committees which have jurisdiction, it would not have previously sanctioned the powers, authority, duties, or officials (as Senate authorizing committees do for Presidential nominees) of the agencies whose actions they would oversee. By commenting upon proposed rules or regulations, for instance, the panel could alert Congress about suspect or objectionable ones and suggest options for corrective legislation, similar to a proposal that the House Rules Committee had advanced (in lieu of an across-the-board legislative veto).' 6

The Senate confirmation power, frequently criticized for being perfunctory, may be used to solicit pledges from Presidential nominees with regard to taking (or not taking) specific action and notifying or consulting with congressional committees in the future.

The likelihood of this approach being adopted by committees as a normal part of confirmation or being acceptable to the President, however, is remote. Recently, for instance, a number of Senators sought to require that William P. Clark, the successor to Interior Secretary Watt, pledge to change specified Department policies, prior to his confirmation. The attempt was made through an amendment to the FY 1984 Supplemental Appropriations Act, a day before Clark's scheduled confirmation vote, but was tabled, 48 to 42. In an analogous case, a Senate Appropriations subcommittee tried to obtain a commitment from the new head of the Agency for International Development to clear future plans about diverting economic aid to military purposes. The Administrator, intent on improving relations with Congress, was agreeable. Since the President and the Justice Department were not, however, the informal clearance procedure was abandoned and replaced by a formal provision in a later appropriations act.'47

Despite the evident disincentives against specific pledges from nominees, the confirmation hearings of EPA Administrator Ruckels- haus in 1983, " s and of FBI Director Webster in 1978,'19 demonstrate that there are circumstances and conditions, albeit rare, that permit committees to be insistent about obtaining certain commitments from them.

Increased judicial involvement may serve as a means of improving controls over executive action indirectly. Congress may enact legislation to ease standing to bring civil suits against an official action, grant broader review powers to Federal courts, or, in narrow areas, even establish new lower courts with the authority to rule directly on requests for planned or proposed action.

Some comprehensive regulatory reform bills include new judicial review procedures, as with the so-called Bumpers' Amendment;' 5 and the Foreign Intelligence Surveillance Court, operating under a 1978 enactment, is empowered to issue (or withhold) warrants for certain electronic surveillance operations requested by the Attorney General. '

Offices of inspector general may be given statutory authority to halt certain executive actions or projects and indirectly implement congressionally determined controls. Although none of the current 18 statutory IGs possesses such power, a former inspector general (for Foreign Assistance) did hold "authority to suspend all or any part of any project or operation (but not a country program)" that the office was inspecting, auditing, or reviewing.' 51

#### PLUS there are multiple NON STATUTORY means of restricting—they also justify those.

KAISER 84—the Official Specialist in American National Government, Congressional Research Service, the Library of Congress [Frederick M. Kaiser, Congressional Control of Executive Actions in the Aftermath of the Chadha Decision, 6 Admin. L. Rev. 239 (1984)]

IV. NONSTATUTORY TECHNIQUES

Congress possesses a panoply of nonstatutory techniques, overlapping with its oversight powers, that can be used to control executive actions. And as with statutory devices, these nonstatutory mechanisms of control vary in political potency and in the ease with which they may be put into operation. Although their impact is indirect, several studies have demonstrated that such instruments can be effective, if used diligently and under conducive circumstances."' Yet because of their own informal operation and because they are likely to occur along with other influences, it is often difficult, if not impossible, to assess their specific impact, or, on occasion, to isolate them from other factors. One nonstatutory device for controlling executive action is the committee report accompanying legislation, a relationship that lends credibility and significance to the informal technique. Regarding that credibility, at least so far as the legislative history of an act is concerned, Associate Supreme Court Justice Jackson had urged that the Court "should not go beyond Committee reports, which presumably are well considered and carefully prepared.""'7 Beyond this, they may contain directives that represent a committee's majority opinion and provide guidance and expectations for future executive actions under the legislation. Even though these directives do not necessarily obligate an agency to act, in most instances, they carry the imprimatur of an important congressional unit-the committee which has authorizing or appropriating jurisdiction for the agency-that is politically risky to ignore.

The most assertive and confident committee report statement is issued by the Senate Select Committee on Intelligence, which, like its House counterpart, issues two separate reports, a public and a classified one. Because of the Committee's unique powers and authorizing responsibilities (for the secret intelligence community budget), it can insist that "the classified report.., will have the full force of any Senate Report, and that the Intelligence Community will fully and completely comply with the recommendation, guidelines, directions, and limitations contained therein."'' 8 Since the details of the intelligence budget are not publicly disclosed, the classified report to the annual authorization takes on an added significance. It is the equivalent of the act itself and is expressly referred to in the authorization statute.

Appropriations committee reports regularly incorporate a number of urgings, directives, and expectations for agency action. A recent House Appropriations report, on the FY 1984 energy and water development appropriations, contains at least seven specific directives, instructions, and "concerns" for which action is advised. Included is the following illustration of this type of informal pressure on an agency: the Committee "directs the NRC to report" about when it expects to take action on a particular rule, promulgation of which the "Committee considers ... to be of highest priority.""'

Where committee directives are ignored or intentionally violated by an agency, this may invite more direct checks in the future. For example, in the mid-i 970s, the House Appropriations Committee had been critical of OSHA enforcement agents, especially their inspections of "small businesses and agricultural enterprises," and had cautioned the agency to "make every effort to insure that compliance officers... are equipped with a sufficient degree of expertise and competency in the activities of the establishments which they are undertaking to inspect."'2M Despite this implicit warning, the complaints about OSHA continued. A short while later, the Committee and Congress found it advisable to exempt agricultural operations with ten or fewer employees-- from OSHA's jurisdiction and to prohibit it from assessing certain civil penalties.' 12

In a much earlier episode, a committee report helped to transform executive practices without resorting to legislative mandates. In 1842, the House Committee on Public Expenditures was especially harsh in its criticisms of the Revenue Cutter Service (a forerunner of the U.S. Coast Guard) and its direction. The Committee found the Service to be a "source of great and extravagant expenditure ... controlled by the Secretary of the Treasury, accountable to no one but him, extended at will by him .. ."122 That situation could have been remedied by statute. Instead, the Secretary, partially compelled by the condemnation, instituted several major reforms and reorganizations of the Service,"' and thereby staved off direct legislative changes.

Two interrelated, prominent nonstatutory checks on executive actions are committee oversight hearings and investigations, reinforced by the power to issue subpoenas. Criticisms about EPA's implementation of its "Superfund" for toxic waste cleanup, charges of political manipulation, and other objectionable practices brought about extensive hearings in 1982 and 1983 that, in part, have resulted in new administrators and some changes in policy direction. 24 So far, no new legislation modifying EPA authority or its Executive Branch status has been adopted. Whatever transformations have occurred in this archetypal executive-legislative confrontation have been due to nonstatutory devices, in concert, of course, with other political factors.

Highly visible, specialized investigations, sometimes conducted by a select committee, give further evidence that such oversight devices may have an impact on executive behavior, under certain circumstances. Investigations of the U.S. intelligence agencies by House and Senate select committees in 1975-1976 substantiated findings about abuses of authority, illegalities, and improper and unethical conduct. These investigations not only helped to justify new legal checks, as with the Foreign Intelligence Surveillance Act, and the creation of permanent Select Committees on Intelligence with legislative powers, but also have been credited with preventing or curtailing the recurrence of improper conduct.' 5

Informal techniques alone rarely produce an immediate, dramatic impact. More commonly, they must be exerted over a lengthy period of time, reinforced by similar efforts elsewhere in Congress, or used in league with new or modified statutes, if they are to be effective. The House Judiciary Committee, for example, has had little success in convincing Attorney General Smith to withdraw or suspend implementation of his domestic security guidelines (that revised a set issued in 1976 by Attorney General Levi). As a next step, the committee attached an amendment of the FY 1984Justice Authorization, in order "to send a message to the Department regarding the depth of its concern" about the new guidelines and so that a consultation and clarification process can be completed.' 26

Another informal technique with the potential for changing executive action is direct contact (outside committee activity) between members of Congress and executive officials, especially agency and bureau heads as well as Executive Office staff and the President himself. These numerous contacts may provide opportunity to advocate a position direcdy or to aid a group or organization in gaining access to executive decisionmakers.

As an example of the latter, the Reagan Administration abandoned a prospective change in a regulation governing access for handicapped individuals; according to press accounts, that decision followed a meeting between the White House Chief of Staff and representatives of affected organizations, a meeting that House Republican Leader Robert Michel helped to arrange.2 7 Illustrating direct contact, members of the Senate Governmental Affairs Committee have negotiated with the Office of Personnel Management, in order to modify OPM's proposed rules over federal salaries, promotions, and layoffs. Part of their ability to persuade OPM derives from their strategic location in Congress-as members of the committee with jurisdiction over the Office and including the assistant Senate majority leader-as well as their demonstrated legislative success in delaying implementation of earlier OPM rules in the matter.2 8 And in another recent case, HUD reportedly issued a "compromise" version of its rent-subsidy formula, because of "strong protests from congressional Democrats," among others.1

As with other informal techniques used to check executive actions, direct contacts have no guarantees. A concerted effort by GOP legislators, including Senator Dole and Republican Congresswomen, for instance, had failed to change the Reagan Administration's decision to file a brief with the Supreme Court over Federal funding to educational institutions that discriminate against women.'s

Nonstatutory legislative vetoes-informal devices whereby a congressional committee effectively clears proposed executive actions comprise yet another mechanism for controlling specific executive actions. Prominent in reprogramming of appropriations, these operate, as do their statutory counterparts, to bring executive actions into compliance with legislative objectives and have even been written into the operating manuals of some affected agencies."'

Studies or investigations by congressional staff, outside consultants, and congressional support agencies, especially the General Accounting Office (GAO), may themselves help to induce changes in administrative behavior, challenge questionable conduct, or provide substantiation and recommendations for further congressional efforts to check executive action. GAO reports, for instance, may cite administrative developments that have been initiated at its suggestion;' 32 or executive officials may identify GAO as a source for policy or administrative changes. In the latter, the Attorney General's 1976 guidelines for "Reporting on Civil Disorders" established new and more difficult procedures for FBI assistance to the Secret Service, especially in sharing intelligence; as a partialjustification for that change, the guidelines noted that a prior "draft report of the General Accounting Office indicates that very little information reported by the FBI is actually retained by Secret Service."'13

### AT: Al-Aulaqi

#### Restriction is a prohibition

Northglenn 11 (City of Northglenn Zoning Ordinance, “Rules of Construction – Definitions”, http://www.northglenn.org/municode/ch11/content\_11-5.html)

Section 11-5-3. Restrictions. As used in this Chapter 11 of the Municipal Code, the **term "restriction**" shall mean a prohibitive regulation. Any use, activity, operation, building, structure or thing which is the subject of a restriction is prohibited, and no such use, activity, operation, building, structure or thing shall be **authorized by any permit or license**.

### 2NC AT: We Meet – Restricts Immunity

#### Indirect effects are not restrictions

Viterbo 12 (Annamaria, Assistant Professor in International Law—University of Torino, PhD in International Economic Law—Bocconi University and Jean Monnet Fellow—European University Institute, International Economic Law and Monetary Measures: Limitations to States' Sovereignty and Dispute, p. 167)

49 Measures having the indirect effect of limiting the ease of acquiring foreign exchange do not amount to restrictions (forms or applications to be filled in). The limitation may consist for instance in compulsory waiting periods for exchange.

#### Here is a card with a sweet metaphor about Hang Gliders—passing rules that say ‘you can hang glide just not this way’ ARE NOT RESTRICTIONS. You have to totally prohibit to be a restriction.

Mohammed 7—Kerala High Court Sri Chithira Aero And Adventure ... vs The Director General Of Civil ... on 24 January, 1997 Equivalent citations: AIR 1997 Ker 121 Author: P Mohammed Bench: P Mohammed

Microlight aircrafts or hang gliders shall not be flown over an assembly of persons or over congested areas or restricted areas including cantonment areas, defence installations etc. unless prior permission in writing is obtained from appropriate authorities. These provisions do not create any restrictions. There is no total prohibition of operation of microlight aircraft or hang gliders. The distinction between 'regulation' and 'restriction' must be clearly perceived. The 'regulation' is a process which aids main function within the legal precinct whereas 'restriction' is a process which prevents the function without legal sanction. Regulation is allowable but restriction is objectionable. What is contained in the impugned clauses is, only regulations and not restrictions, complete or partial. They are issued with authority conferred on the first respondent, under Rule 133A of the Aircraft Rules consistent with the provisions contained in the Aircraft Act 1934 relating to the operation, use etc. of aircrafts flying in India.

#### Conditions aren’t restrictions—this distinction matters

Pashman 63—Morris, a justice on the New Jersey Supreme Court [“ISIDORE FELDMAN, PLAINTIFF AND THIRD-PARTY PLAINTIFF, v. URBAN COMMERCIAL, INC., AND OTHERS, DEFENDANT,” 78 N.J. Super. 520; 189 A.2d 467; 1963 N.J. Super. Lexis]

HN3A title insurance policy "is subject to the same rules of construction as are other insurance policies." Sandler v. N.J. Realty Title Ins. Co., supra, at [\*\*\*11] p. 479. It is within these rules of construction that this policy must be construed. Defendant contends that plaintiff's loss was occasioned by restrictions excepted from coverage in Schedule B of the title policy. The question is whether the provision in the deed to Developers that redevelopment had to be completed [\*528] within 32 months is a "restriction." Judge HN4 Kilkenny held that this provision was a "condition" and "more than a mere covenant." 64 N.J. Super., at p. 378. The word "restriction" as used in the title policy cannot be said to be synonymous with a "condition." A "restriction" generally refers to "a limitation of the manner in which one may use his own lands, and may or may not involve a grant." Kutschinski v. Thompson, 101 N.J. Eq. 649, 656 (Ch. 1927). See also Bertrand v. Jones, 58 N.J. Super. 273 (App. Div. 1959), certification denied 31 N.J. 553 (1960); Freedman v. Lieberman, 2 N.J. Super. 537 (Ch. Div. 1949); Riverton Country Club v. Thomas, 141 N.J. Eq. 435 (Ch. 1948), affirmed per curiam, 1 N.J. 508 (1948). It would not be inappropriate to say that the word "restrictions," as used [\*\*\*12] by defendant insurers, is ambiguous. The rules of construction heretofore announced must guide us in an interpretation of this policy. I find that the word "restrictions" in Schedule B of defendant's title policy does not encompass the provision in the deed to Developers which refers to the completion [\*\*472] of redevelopment work within 32 months because (1) the word is used ambiguously and must be strictly construed against defendant insurer, and (2) the provision does not refer to the use to which the land may be put. As the court stated in Riverton Country Club v. Thomas, supra, at p. 440, "HN5equity will not aid one man to restrict another in the uses to which he may put his land unless the right to such aid is clear, and that restrictive provisions in a deed are to be construed most strictly against the person or persons seeking to enforce them." (Emphasis added)

### 2NC AT: Authority Flexible – Taylor

#### The Brightline exists – restrictions require a FLOOR and a CEILING – the plan is ONLY the floor.

USCA 77, UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT, 564 F.2d 292, 1977 U.S. App. LEXIS 10899,. 1978 Fire & Casualty Cases (CCH) P317

Continental argues that even if the Aetna and Continental policies provide coverage for the Cattuzzo accident, that coverage should [\*\*8] be limited to a total of $300,000 because Atlas agreed to procure "not less than" $300,000 coverage. The District Court properly found that the subcontract language does not support a restriction on the terms of Continental's policy because the subcontract only sets a floor, not a ceiling, for coverage.

### AT: Restriction = Limitation

#### Statutory restrictions must constrain presidential actions

Barron and Lederman 8 (David and Martin, Prof of Law @ Harvard + Visiting Prof of Law @ Georgetown, "ARTICLE: THE COMMANDER IN CHIEF AT THE LOWEST EBB - FRAMING THE PROBLEM, DOCTRINE, AND ORIGINAL UNDERSTANDING," 121 Harv. L. Rev. 689, lexis)

Since at least the Vietnam War, discussions of constitutional war powers have consistently depicted a Congress so fearful of taking responsibility for wartime judgments that it hardly acts at all. Although there is an important element of truth in this common understanding, it is also misleading. In particular, whatever utility the scholarly paradigm of congressional abdication might once have had, it is inadequate in the special context of the so-called "war on terrorism." n1 The specific methods and means of warfare that this conflict privileges; the unusual and geographically transient nature of the nonstate enemy that it targets; and a host of other factors all conspire to ensure that the President's prosecution of the conflict against al Qaeda will bump up against statutory regulations more often than has been the case in traditional military operations. Moreover, the congressional abdication paradigm is not even adequate to explain important war powers issues that now often arise in more traditional military contexts. It is commonly thought that the de facto expansion since the Korean War of unilateral executive authority to use military force confirms Congress's timidity. But if a war goes badly, or if concerns about its wisdom become significant, the modern Congress has been willing - more than in previous eras - to temper or constrain the President's preferred prosecution of the war, and sometimes even to contract or end the conflict contrary to the President's wishes. For this reason, the Commander in Chief increasingly confronts disabling statutory restrictions even in conducting conventional military operations abroad.

#### Statutory restrictions remove authority

Pettie 1 (Alan, Partner, Burnet, Duckworth & Palmer LLP, Calgary, Alberta., "Are Royalty Agreements

Required for Canada East Coast Offshore Oil and Gas?," 24 Dalhousie L.J. 151, lexis)

A minister has authority to bind the Crown in contract within his or her departmental mandate unless that authority is restricted by or pursuant to a statute.73 Failure to comply with a mandatory restriction may lead to invalidity of the contract, or it may lead to unenforceability of the contract.74 Statutory requirements for approval of the Governor in Council, for example, are almost always viewed by the courts as statutory restrictions.75 In Canada (Attorney General) v. Saskatchewan Water Corp. 76 the court stated:¶ It seems clear that s. 7 is dealing with a specific situation--federal- provincial agreements--and it means, and is intended to mean, that the minister is only permitted to enter into such an agreement with the approval of the Governor in Council. The section can be, therefore, looked on as being either a specific expansion of the powers under s. 2(2), or as a specific restriction on those powers whereby the power can be exercised only in a particular way.¶ In either case, the section constitutes a "statutory restriction" as that phrase is used in the texts and many reported decisions. . . . I conclude that where there is a statutory requirement of an order in council or other formal approval to authorize a contract, any contract which does not meet that requirement is unenforceable.77

### AT: Reasonability

#### Reasonability is impossible—it’s arbitrary and undermines research and preparation

Resnick 1—Assistant professor of political science— Yeshiva University [Evan Resnick, “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.

## Case

### Africa War

#### -- No great power involvement

Barrett 5 (Robert, Ph.D. Student in the Centre for Military and Strategic Studies – University of Calgary, “Understanding the Challenges of African Democratization through Conflict Analysis”, 6-1, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=726162)

Westerners eager to promote democracy must be wary of African politicians who promise democratic reform without sincere commitment to the process. Offering money to corrupt leaders in exchange for their taking small steps away from autocracy may in fact be a way of pushing countries into anocracy. As such, world financial lenders and interventionists who wield leverage and influence must take responsibility in considering the ramifications of African nations who adopt democracy in order to maintain elite political privileges. The obvious reason for this, aside from the potential costs in human life should conflict arise from hastily constructed democratic reforms, is the fact that Western donors, in the face of intrastate war would then be faced with channeling funds and resources away from democratization efforts and toward conflict intervention based on issues of human security. This is a problem, as Western nations may be increasingly wary of intervening in Africa hotspots after experiencing firsthand the unpredictable and unforgiving nature of societal warfare in both Somalia and Rwanda. On a costbenefit basis, the West continues to be somewhat reluctant to get to get involved in Africa’s dirty wars, evidenced by its political hesitation when discussing ongoing sanguinary grassroots conflicts in Africa. Even as the world apologizes for bearing witness to the Rwandan genocide without having intervened, the United States/////////////MARKED AT////////////////

, recently using the label ‘genocide’ in the context of the Sudanese conflict (in September of 2004), has only proclaimed sanctions against Sudan, while dismissing any suggestions at actual intervention (Giry, 2005). Part of the problem is that traditional military and diplomatic approaches at separating combatants and enforcing ceasefires have yielded little in Africa. No powerful nations want to get embroiled in conflicts they cannot win – especially those conflicts in which the intervening nation has very little interest.

### Terrorism

#### Morgan concludes neg – only when there are high tensions can escalation occur

Dennis Ray Morgan, Hankuk University of Foreign Studies, Yongin Campus - South Korea Futures, Volume 41, Issue 10, December 2009, Pages 683-693, World on fire: two scenarios of the destruction of human civilization and possible extinction of the human race

THERE CARD STARTS

In a remarkable website on nuclear war, Carol Moore asks the question “Is Nuclear War Inevitable??” In Section , Moore points out what most terrorists obviously already know about the nuclear tensions between powerful countries. No doubt, they’ve figured out that the best way to escalate these tensions into nuclear war is to set off a nuclear exchange. As Moore points out, all that militant terrorists would have to do is get their hands on one small nuclear bomb and explode it on either Moscow or Israel. Because of the Russian “dead hand” system, “where regional nuclear commanders would be given full powers should Moscow be destroyed,” it is likely that any attack would be blamed on the United States” Israeli leaders and Zionist supporters have, likewise, stated for years that if Israel were to suffer a nuclear attack, whether from terrorists or a nation state, it would retaliate with the suicidal “Samson option” against all major Muslim cities in the Middle East. Furthermore, the Israeli Samson option would also include attacks on Russia and even “anti-Semitic” European cities In that case, of course, Russia would retaliate, and the U.S. would then retaliate against Russia. China would probably be involved as well, as thousands, if not tens of thousands, of nuclear warheads, many of them much more powerful than those used at Hiroshima and Nagasaki, would rain upon most of the major cities in the Northern Hemisphere. Afterwards, for years to come, massive radioactive clouds would drift throughout the Earth in the nuclear fallout, bringing death or else radiation disease that would be genetically transmitted to future generations in a nuclear winter that could last as long as a 100 years, taking a savage toll upon the environment and fragile ecosphere as well. And what many people fail to realize is what a precarious, hair-trigger basis the nuclear web rests on. Any accident, mistaken communication, false signal or “lone wolf’ act of sabotage or treason could, in a matter of a few minutes, unleash the use of nuclear weapons, and once a weapon is used, then the likelihood of a rapid escalation of nuclear attacks is quite high while the likelihood of a limited nuclear war is actually less probable since each country would act under the “use them or lose them” strategy and psychology; restraint by one power would be interpreted as a weakness by the other, which could be exploited as a window of opportunity to “win” the war. In other words, once Pandora's Box is opened, it will spread quickly, as it will be the signal for permission for anyone to use them. Moore compares swift nuclear escalation to a room full of people embarrassed to cough. Once one does, however, “everyone else feels free to do so. The bottom line is that as long as large nation states use internal and external war to keep their disparate factions glued together and to satisfy elites’ needs for power and plunder, these nations will attempt to obtain, keep, and inevitably use nuclear weapons. And as long as large nations oppress groups who seek self-determination, some of those groups will look for any means to fight their oppressors” In other words, as long as war and aggression are backed up by the implicit threat of nuclear arms, it is only a matter of time before the escalation of violent conflict leads to the actual use of nuclear weapons, and once even just one is used, it is very likely that many, if not all, will be used, leading to horrific scenarios of global death and the destruction of much of human civilization while condemning a mutant human remnant, if there is such a remnant, to a life of unimaginable misery and suffering in a nuclear winter. In “Scenarios,” Moore summarizes the various ways a nuclear war could begin: Such a war could start through a reaction to terrorist attacks, or through the need to protect against overwhelming military opposition, or through the use of small battle field tactical nuclear weapons meant to destroy hardened targets. It might quickly move on to the use of strategic nuclear weapons delivered by short-range or inter-continental missiles or long-range bombers. These could deliver high altitude bursts whose electromagnetic pulse knocks out electrical circuits for hundreds of square miles. Or they could deliver nuclear bombs to destroy nuclear and/or non-nuclear military facilities, nuclear power plants, important industrial sites and cities. Or it could skip all those steps and start through the accidental or reckless use of strategic weapons. [10] THERE CARD ENDS She then goes on to describe six scenarios for catastrophic nuclear exchanges between various nations. Each scenario incorporates color-coded sections that illustrate four interrelated factors that will determine how a nuclear war will begin, proceed and escalate. These factors are labeled as accidental, aggressive, pre-emptive, and retaliatory. As for the accidental factor of nuclear war, both the U.S. and Russia have ‘‘launch on warning’’ systems that send off rockets before conﬁrmation that a nuclear attack is underway; thus, especially during a time of tensions, a massive nuclear war could take place within only 30 min after a warning—even if the warning is false. This scenario has almost happened on several occasions in the past. It was only because of individual human judgments, which disbelieved the false warnings, that nuclear war did not happen, but if the human judgment had indeed interpreted the warnings according to protocol, an all- out nuclear war would surely have taken place.

#### Morgan is just citing Moore

#### AND – she has no qualifications and was high out of her mind when she wrote this

Carol Moore, NO DATE, <http://www.carolmoore.net/>

There are a lot of Carol Moores out there on the web, but I'm probably the most infamous! I am a longtime student of consciousness and libertarian decentralist pacifist activist, writer, songwriter and video producer. Brought up in New Jersey, educated in Ohio, Massachusetts and Michigan, I have lived in New York City, Los Angeles and for 20 years now in Washington, D.C. I have been active over the years in the radical feminist, anti-nuclear, peace, libertarian, Green/bioregional, radical decentralist, drug legalization and new age consciousness movements.

#### No impact to nuclear detonation on Russian soil

Thompson 2010, Nicholas Thompson is a senior editor at The New Yorker, where he edits and assigns feature stories. He is also a contributing editor at Bloomberg Television, a technology contributor at CNN International, and a co-founder of The Atavist, a software company and digital magazine. His book, “The Hawk and the Dove: Paul Nitze, George Kennan, and the History of the Cold War,” was published in 2009 and hailed as “brilliant” by The Washington Post and “brimming with fascinating revelations” by The New York Times. The Washington Times said it “may be the most important political biography in recent memory.”Prior to The New Yorker, Mr. Thompson was a senior editor at Wired, a senior editor at Legal Affairs and an editor at the Washington Monthly. He has written about politics, technology, and the law for numerous publications, and he is currently a senior fellow in the American Strategy Program at the New America Foundation. He has appeared multiple times on every major cable and broadcast news network, he appears every Thursday morning to discuss technology on CNNI’s “News Stream,” and he writes weekly about technology for The New Yorker’s web site. He is a member of the Council on Foreign Relations, a member of the Young Leaders Council on The National Committee on American Foreign Policy, and a Whitehead Fellow at the Foreign Policy Association. January 2nd, 2010, “Could Al Qaeda set off Russia’s Dead Hand nuclear system?”, <http://thehawkandthedove.nickthompson.com/index.php/2010/01/could-al-qaeda-set-off-russias-dead-hand-nuclear-system/>

Yesterday I got a good question from a reader: “what happens when someone like Al Qaeda detonates a bomb on Russian soil in an attempt to have a response triggered against the US?” The answer is: Likely nothing. Assuming the system works the same way as when it was constructed, there are three safeguards that would prevent this launch. The first is that the system lies idle most of the time. It has to be turned on specifically, during a crisis, when Russia is worried that the US is considering a strike. Secondly, if the system can communicate with the humans in command of the arsenal, it turns off. And, lastly, humans have to push the final button to launch. So, to succeed in starting a nuclear conflagration, Al Qaeda would have to strike when U.S. and Russian tensions were at an extraordinary level; it would have to blow up the main command and control centers in Moscow; and, somehow, the men manning the system in a bunker would have to be convinced that the strike came from the U.S. All of that happening is extremely unlikely.

### 2NC Yes Coop—Intel Sharing

#### SQ solves US-EU dialogue and Europe is too interdependent to dump us over drone policy

Anthony Dworkin 7-3-2013; Senior Policy Fellow working on human rights, international justice and international humanitarian law at the European Council on foreign relations “Drones and targeted killing: defining a European position” http://ecfr.eu/publications/summary/drones\_and\_targeted\_killing\_defining\_a\_european\_position211

Torn between an evident reluctance to accuse Obama of breaking international law and an unwillingness to endorse his policies, divided in part among themselves and in some cases bound by close intelligence relationships to the US, European countries have remained essentially disengaged as the era of drone warfare has dawned. Yet, as drones proliferate, such a stance seems increasingly untenable. Moreover, where in the past the difference between US and European conceptions of the fight against al-Qaeda seemed like an insurmountable obstacle to agreement on a common framework on the use of lethal force, the evolution of US policy means that there may now be a greater scope for a productive dialogue with the Obama administration on drones.

#### US anti-terror intel is fine on its own – outstrips everybody else

Barton Gellman and Greg Miller, 8-29-2013 [“Top secret ‘black budget’ reveals US spy agencies’ spending,” LA Daily News, http://www.dailynews.com/government-and-politics/20130829/top-secret-black-budget-reveals-us-spy-agencies-spending]

“The United States has made a considerable investment in the Intelligence Community since the terror attacks of 9/11, a time which includes wars in Iraq and Afghanistan, the Arab Spring, the proliferation of weapons of mass destruction technology, and asymmetric threats in such areas as cyber-warfare,” Director of National Intelligence James Clapper said in response to inquiries from The Post. “Our budgets are classified as they could provide insight for foreign intelligence services to discern our top national priorities, capabilities and sources and methods that allow us to obtain information to counter threats,” he said. Among the notable revelations in the budget summary: Spending by the CIA has surged past that of every other spy agency, with $14.7 billion in requested funding for 2013. The figure vastly exceeds outside estimates and is nearly 50 percent above that of the National Security Agency, which conducts eavesdropping operations and has long been considered the behemoth of the community. The CIA and NSA have launched aggressive new efforts to hack into foreign computer networks to steal information or sabotage enemy systems, embracing what the budget refers to as “offensive cyber operations.” The NSA planned to investigate at least 4,000 possible insider threats in 2013, cases in which the agency suspected sensitive information may have been compromised by one of its own. The budget documents show that the U.S. intelligence community has sought to strengthen its ability to detect what it calls “anomalous behavior” by personnel with access to highly classified material. U.S. intelligence officials take an active interest in foes as well as friends. Pakistan is described in detail as an “intractable target,” and counterintelligence operations “are strategically focused against [the] priority targets of China, Russia, Iran, Cuba and Israel.” In words, deeds and dollars, intelligence agencies remain fixed on terrorism as the gravest threat to national security, which is listed first among five “mission objectives.” Counterterrorism programs employ one in four members of the intelligence workforce and account for one-third of all spending. The governments of Iran, China and Russia are difficult to penetrate, but North Korea’s may be the most opaque. There are five “critical” gaps in U.S. intelligence about Pyongyang’s nuclear and missile programs, and analysts know virtually nothing about the intentions of North Korean leader Kim Jong Un. Formally known as the Congressional Budget Justification for the National Intelligence Program, the “Top Secret” blueprint represents spending levels proposed to the House and Senate intelligence committees in February 2012. Congress may have made changes before the fiscal year began on Oct 1. Clapper is expected to release the actual total spending figure after the fiscal year ends on Sept. 30. The document describes a constellation of spy agencies that track millions of individual surveillance targets and carry out operations that include hundreds of lethal strikes. They are organized around five priorities: combating terrorism, stopping the spread of nuclear and other unconventional weapons, warning U.S. leaders about critical events overseas, defending against foreign espionage and conducting cyber operations. In an introduction to the summary, Clapper said the threats now facing the United States “virtually defy rank-ordering.” He warned of “hard choices” as the intelligence community — sometimes referred to as the “IC” — seeks to rein in spending after a decade of often double-digit budget increases. This year’s budget proposal envisions that spending will remain roughly level through 2017 and amounts to a case against substantial cuts. “Never before has the IC been called upon to master such complexity and so many issues in such a resource-constrained environment,” Clapper wrote. The summary provides a detailed look at how the U.S. intelligence community has been reconfigured by the massive infusion of resources that followed the Sept. 11 attacks. The United States has spent more than $500 billion on intelligence during that period, an outlay that U.S. officials say has succeeded in its main objective: preventing another catastrophic terrorist attack in the United States. The result is an espionage empire with resources and reach beyond those of any adversary, sustained even now by spending that rivals or exceeds the levels reached at the height of the Cold War.

# 2NR

### AT: Royal

#### And – he concludes neg

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

CONCLUSION The logic of ECST supports arguments for greater economic interdependence to reduce the likelihood of conﬂict. This chapter does not argue against the utility of signalling theory. It does, however, suggest that when considering the occurrence of and conditions created by economic crises, ECST logic is dubious as an organising principle for security policymakers. The discussion pulls together some distinct areas of research that have not yet featured prominently in the ECST literature. Studies associating economic interdependence, economic crises and the potential for external conﬂict indicate that global interdependence is not necessarily a conﬂict suppressing process and may be conﬂict-enhancing at certain points. Furthermore, the conditions created by economic crises decrease the willingness of states to send economic costly signals, even though such signals may be most effective during an economic crisis. These two points warrant further consideration in the debate over ECST and, more broadly, theories linking interdependence and peace. The debate takes on particular importance for policymakers when considering the increasingly important US-China relationship and the long-term prospects for peace in the Asia-Paciﬁc. Recent US policy towards China, such as the ‘responsible stakeholder’ approach, assumes that greater interdependence with China should decrease the likelihood for conﬂict. Some have even suggested that the economic relationship is necessary to ensure strategic competition does not lead to major war (see, e.g., Kastner, 2006). If US or Chinese policymakers do indeed intend to rely on economic interdependence to reduce the likelihood of conﬂict, much more study is required to understand how and when interdependence impacts the security and the defence behaviour of states. This chapter contributes some thoughts to that larger debate. NOTES I. Notable counterarguments include Barbieri (1996). Gowa (I994), and Levy and Ali I998 . 2.‘ Ofﬁ<):ial statements have focused on this explanation as well. See, for example, Bernanke (2009). 3. For a dissenting study. see Elbadawi and Hegre (2008). 4. Note that Skaperdas and Syropoulos (2001) argue that states will have a greater incentive to arm against those with which it is interdependent to hedge against coercion. This argument could be extended to include protectionism in extreme cases. Creseenzi (2005) both challenges and agrees with Copeland’s theory by suggesting that a more important indicator is the exit costs involved in terminating an economic relationship. which could be a function of the availability of alternatives. 5. There is also substantial research to indicate that periods of strong economic growth are also positively correlated with a rise in the likelihood of conﬂict. Pollins (2008) and Pollins and Schweller (I999) provide excellent insights into this body of literature.

### SPARK

#### It’ll take 200 years. Too long we’ll be extinct by then

Kaku Their Author, No Date (http://mkaku.org/home/?page\_id=246)

Physicist Freeman Dyson of the Institute for Advanced Study estimates that, within 200 years or so, we should attain Type I status. In fact, growing at a modest rate of 1% per year, Kardashev estimated that it would take only 3,200 years to reach Type II status, and 5,800 years to reach Type III status. Living in a Type I,II, or III civilization

#### Burnout and weather means no impact to bioweapons

Mueller ‘10 (John, Woody Hayes Chair of National Security Studies at the Mershon Center for International Security Studies and a Professor of Political Science at The Ohio State University, A.B. from the University of Chicago, M.A. and Ph.D. @ UCLA, Atomic Obsession – Nuclear Alarmism from Hiroshima to Al-Qaeda, Oxford University Press, Accessed @ Emory)

Properly developed and deployed, biological weapons could potentially, if thus far only in theory, kill hundreds of thousands, perhaps even millions, of people. The discussion remains theoretical because biological weapons have scarcely ever been used. For the most destructive results, they need to be dispersed in very low-altitude aerosol clouds. Since aerosols do not appreciably settle, pathogens like anthrax (which is not easy to spread or catch and is not contagious) would probably have to be sprayed near nose level. Moreover, **90 percent** of the microorganisms are likely to **die** during the process of aerosolization, while their effectiveness could be reduced still further by **sunlight**, **smog**, **humidity**, and **temperature changes**. Explosive methods of dispersion may destroy the organisms, and, except for anthrax spores, long-term storage of lethal organisms in bombs or warheads is difficult: even if refrigerated, most of the organisms have a limited lifetime. Such weapons can take days or **weeks** to have **full effect**, during which time they can be **countered** with medical and civil defense measures. In the summary judgment of two careful analysts, delivering microbes and toxins over a wide area in the form most suitable for inflicting mass casualties-as an aerosol that could be inhaled-requires a delivery system of **enormous sophistication**, and even then effective dispersal could easily be disrupted by unfavorable environmental and meteorological conditions.

### AT: Tech Solves

#### 3.) There is no incentive to develop sustainable tech—political institutions are too slow

Speth 8 [James Gustave Speth, law professor, Served as President Jimmy Carter’s White House environmental adviser and as head of the United Nations’ largest agency for international development Prof at Vermont law school, former dean of the Yale School of Forestry and Environmental Studies, former Professor of Law at Georgetown University Law Center, teaching environmental and constitutional law, former Chairman of the Council on Environmental Quality in the Executive Office of the President, co-founder of the Natural Resources Defense Council, *The Bridge at the Edge of the World: Capitalism, the Environment, and Crossing from Crisis to Sustainability*, ISBN: 9780300145304, EBrary, pg. 114-5]

The needed rates of technological improvement are thus high, and they must be continuously sustained. And there are many, many areas where such technological changes must occur, beyond those affecting carbon dioxide emissions— in agriculture, construction, manufacturing, transportation, and elsewhere. In the carbon dioxide example, almost half the required rate of change is needed simply to compensate for the effects of economic growth. It is like running up a down escalator— a very fast down escalator. Perhaps it can be done. I am doubtful,10 but here is a key point: it is not being done today, and no government that I know of is systematically, adequately promoting the universal, rapid, and sustained penetration of green technology, at home and abroad, on the scale required. Governments are, however, profoundly committed to promoting growth. Real speed is required for technological change to stay well ahead of growth, but the social and political institutions that can create the incentives for rapid technological change can be slow to respond, as can the needed science and technology. The development of international environmental law and regulation is painfully slow, for example. But the world economy and urbanization surge ahead, faster than societies can respond. Chlorofluorocarbons were produced for decades before scientists raised concerns. Then it took a decade to agree on a phaseout, which took another decade. Yet the problem was relatively simple compared to most, and the response was fast by international standards. Our capacity to anticipate and respond effectively today has not greatly improved. Yet by the time today’s university students reach leadership positions, the world economy will likely be twice its current size.

#### 4.) Corporations taint the benefits of tech

Speth 4 [James Gustave Speth, law professor, Served as President Jimmy Carter’s White House environmental adviser and as head of the United Nations’ largest agency for international development Prof at Vermont law school, former dean of the Yale School of Forestry and Environmental Studies, former Professor of Law at Georgetown University Law Center, teaching environmental and constitutional law, former Chairman of the Council on Environmental Quality in the Executive Office of the President, co-founder of the Natural Resources Defense Council, *Red Sky at Morning : America and the Crisis of the Global Environment*, New Haven, CT, USA: Yale University Press, ISBN: 9780300128321, 2004, Ebrary, pg 131]

So the bottom line on technology is much like that for consumption. Public attitudes toward technology have generally been supportive, welcoming, and trustful. This receptivity continues today with information technology, robotics, nanotechnologies, and even genetic engineering despite the controversy about the health and ecological impacts of genetically modified organisms. The control of technologies has been largely in the hands of large corporations that benefit from their deployment and are clearly in no position to be impartial judges of the public’s best interests. The current market fails to guide technology toward good environmental choices, and governments have failed to correct poor market signals. And once a technology has reached a certain level of deployment, it gains an often unwelcome lifespan, something one could say with equal truth about both the inefficient QWERTY keyboard on which we type and the internal combustion engine that has powered our cars for a century.