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#### The 1AC ignores the way law constructs exceptionalism – this can only be resisted by rejecting the politics of security

Neocleous 8 (Mark Professor of the Critique of Political Economy at Brunel University (“Critique of Security”, McGill-Queen’s University, pp. 72-75, Published 2008))

But there is a wider argument to be made, one with political implications. The idea that the permanent emergency involves a suspension of the law encourages the idea that resistance must involve a 'return to legality', a return to the 'normal' mode of governing through the rule of law. This involves a serious misjudgement in which it is simply assumed that legal procedures - both international and domestic are designed to protect human rights from state violence. 'Law' are comes to appear largely unproblematic and the rule of law 'an unqualified human good'." What this amounts to is what I have elsewhere called a form of legal fetishism, in which Law becomes a mystical answer to the problems posed by power. In the process, the problems inherent in Law are ignored. Law is treated as an 'indepen- dent' or 'autonomous' reality, explained according to its own dynamics, a Subject in itself whose very existence requires that individuals and institutions 'objectify' themselves before it. This produces the illusion that Law has a life of its own, abstracting the rule of law from its origins in class domination, ignoring the ways in which the rule of law is deployed as a political strategy, and obscuring the ideological mystification of these processes in the liberal trumpeting of the rule of law. To demand the return to the 'rule of law' is to seriously misread the history of the relation between the rule of law and emergency powers and, consequently, to get sucked into a less-than-radical politics in dealing with state violence. Part of what I am suggesting is that emergency measures are part of the everyday exercise of powers, working alongside rather than against the rule of law as part of a unified political strategy in the fabrication of social order. The question to ask, then, is less 'how can we bring law to bear on violence?' and much more 'what is it that the law permits emergency measures to accomplish?"' This question - the question that Schmitt, with his fetish for the decision cannot understand/'° which is also why contemporary Left Schmittianism is such a dead loss - disposes of any supposed juxtaposition between legality and emergency and allows us to recognise instead the extent to which the concept of emergency is deeply inscribed within the law and the legal condition of the modem state, and a central part of liberalism's authoritarian moment: the iron fist in the velvet glove of liberal constitutionalism. Far from suspending law or bracketing off the juridical, emergency powers lie firmly within the legal domain. How could they not, since they are so obviously central to state power and the political technology of government - part of the deployment of law, rather than its abandonment? Once this is recognised, the supposed problematic of violence disappears completely, for it can then be seen that emergency powers are deployed for the exercise of a violence necessary for the permanent refashioning of order - the violence of law, not violence contra law. Liberalism struggles with this, and thus presents it as an exceptional moment; fascism recognises it for what it is, and aestheticises the moment. As David Dyzenhaus points out, while the stripping of liberties in the name of emergency the denial of rights on the grounds of necessity and the suspension of freedoms through the exercise of prerogative might appear quite minor compared to what happens in fascist regimes, the fact that the stripping, denial and suspension does happen under the guise of emergency and in full view of the courts brings the legal order of liberal democracies far closer to the legal order of fascism than liberals would care to admit. But in a wonderful ideological loop, the rule of law is also its own ideological obfuscation of that fact The political implications of this are enormous. For if emergency powers are part and parcel of the exercise of law and violence (that is, law as violence), and if historically they have been aimed at the oppressed - in advanced capitalist states against the proletariat and its various struggles, in reactionary regimes against genuine politicisation of the people, in colonial systems against popular mobilisation - then they need to be fought not by demanding a return to the 'normal' rule of law, but in what Benjamin calls a real state of emergency, on the grounds that only this will improve our position in the struggle against the fascism of our time. And this is a task which requires violence, not the rule of law. As Benjamin saw, the law's claim to a monopoly of violence is explained not by the intention of preserving some mythical 'legal end' such as security or normality but, rather, for 'the intention of preserving the law itself'. But violence not in the hands of the law threatens it by its mere existence outside the law. A violence exercised not by the state, but used for very different political ends. For 'if the existence of violence outside the law, as pure immediate violence, is assured, [then] this furnishes proof that revolutionary violence ... is possible'."' That this possibility of and necessity for revolutionary violence is so often omitted when emergency powers are discussed is indicative of the extent to which much of the Left has given up any talk of political violence for the far more comfortable world of the rule of law, regardless of how little the latter has achieved in just the last few years. But if the history of emergency powers tells us anything it is that the least effective response to state violence is to simply insist on the rule of law. Rather than aiming to counter state violence with a demand for legality, then, what is needed is a counter-politics: against the permanent emergency by all means, but also against the 'normality' of everyday class power and the bourgeois world of the rule of law. And since the logic of emergency is so deeply embedded in the rhetorical structure of liberalism's concept of security this means being against the politics of security. For the very posing of political questions through the trope of emergency is always already on the side of security. To grasp why, we need to now refocus our attention more specifically on security as a political technology.

#### Obsession with American military dominance makes extinction inevitable – their knowledge claims are bankrupt

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I. Industrial civilization is on a collision course with life itself. Facilitating its collapse is a deserved and welcomed correction, long overdue. Collapse is inevitable whether we seek to facilitate it or not. Nonetheless, whatever we do, industrial civilization, based as it is on mining and burning finite and polluting fossil fuels, cannot last because it is destroying the ecosystem and the basis of local, cooperative life itself. It knows no limits in a physically finite world and thus is unsustainable. And the numbers of our human species on earth, which have proliferated from 1.6 billion in 1900 to 7 billion today, is the consequence of mindlessly eating oil – tractors, fertilizers, pesticides, herbicides – while destroying human culture in the process. Our food system itself is not sustainable. Dramatic die-off is part of the inevitable correction in the very near future, whether we like it or not. Human and political culture has become totally subservient to a near religion of economics and market forces. Technologies are never neutral, with some being seriously detrimental. Technologies come with an intrinsic character representing the purposes and values of the prevailing political economy that births it. The Industrialism process itself is traumatic. It is likely that only when we experience an apprenticeship in nature can we be trusted with machines, especially when they capital intensive & complicated. The nation-state, intertwined more than ever with corporate industrialism, will always come to its aid and rescue. Withdrawal of popular support enables new imagination and energy for re-creating local human food sufficient communities conforming with bioregional limits. II. The United States of America is irredeemable and unreformable, a Pretend Society. The USA as a nation state, as a recent culture, is irredeemable, unreformable, an anti-democratic, vertical, over-sized imperial unmanageable monster, sustained by the obedience and cooperation, even if reluctant, of the vast majority of its non-autonomous population. Virtually all of us are complicit in this imperial plunder even as many of us are increasingly repulsed by it and speak out against it. Lofty rhetoric has conditioned us to believe in our national exceptionalism, despite it being dramatically at odds with the empirically revealed pattern of our plundering cultural behavior totally dependent upon outsourcing the pain and suffering elsewhere. We cling to living a life based on the social myth of US America being committed to justice for all, even as we increasingly know this has always served as a cover for the social secret that the US is committed to prosperity for a minority thru expansion at ANY cost. Our Eurocentric origins have been built on an extraordinary and forceful but rationalized dispossession of hundreds of Indigenous nations (a genocide) assuring acquisition of free land, murdering millions with total impunity. This still unaddressed crime against humanity assured that our eyes themselves are the wool. Our addiction to the comfort and convenience brought to us by centuries of forceful theft of land, labor, and resources is very difficult to break, as with any addiction. However, our survival, and healing, requires a commitment to recovery of our humanity, ceasing our obedience to the national state. This is the (r)evolution begging us. Original wool is in our eyes: Eurocentric values were established with the invasion by Columbus: Cruelty never before seen, nor heard of, nor read of – Bartolome de las Casas describing the behavior of the Spaniards inflicted on the Indigenous of the West Indies in the 1500s. In fact the Indigenous had no vocabulary words to describe the behavior inflicted on them (A Short Account of the Destruction of the Indies, 1552). Eurocentric racism (hatred driven by fear) and arrogant religious ethnocentrism (self-righteous superiority) have never been honestly addressed or overcome. Thus, our foundational values and behaviors, if not radically transformed from arrogance to caring, will prove fatal to our modern species. Wool has remained uncleansed from our eyes: I personally discovered the continued vigorous U.S. application of the “Columbus Enterprise” in Viet Nam, discovering that Viet Nam was no aberration after learning of more than 500 previous US military interventions beginning in the late 1790s. Our business is killing, and business is good was a slogan painted on the front of a 9th Infantry Division helicopter in Viet Nam’s Mekong Delta in 1969. We, not the Indigenous, were and remain the savages. The US has been built on three genocides: violent and arrogant dispossession of hundreds of Indigenous nations in North America (Genocide #1), and in Africa (Genocide #2), stealing land and labor, respectively, with total impunity, murdering and maiming millions, amounting to genocide. It is morally unsustainable, now ecologically, politically, economically, and socially unsustainable as well. Further, in the 20th Century, the Republic of the US intervened several hundred times in well over a hundred nations stealing resources and labor, while imposing US-friendly markets, killing millions, impoverishing perhaps billions (Genocide #3). Since 1798, the US military forces have militarily intervened over 560 times in dozens of nations, nearly 400 of which have occurred since World War II. And since WWII, the US has bombed 28 countries, while covertly intervening thousands of times in the majority of nations on the earth. It is not helpful to continue believing in the social myth that the USA is a society committed to justice for all , in fact a convenient mask (since our origins) of our social secret being a society committed to prosperity for a few through expansion at ANY cost. (See William Appleman Williams). Always possessing oligarchic tendencies, it is now an outright corrupt corporatocracy owned lock stock and barrel by big money made obscenely rich from war making with our consent, even if reluctant. The Cold War and its nuclear and conventional arms race with the exaggerated “red menace”, was an insidious cover for a war preserving the Haves from the Have-Nots, in effect, ironically preserving a western, consumptive way of life that itself is killing us. Pretty amazing! Our way of life has produced so much carbon in the water, soil, and atmosphere, that it may in the end be equivalent to having caused nuclear winter. The war OF wholesale terror on retail terror has replaced the “red menace” as the rhetorical justification for the continued imperial plunder of the earth and the riches it brings to the military-industrial-intelligence-congressional-executive-information complex. Our cooperation with and addiction to the American Way Of Life provides the political energy that guarantees continuation of U.S. polices of imperial plunder. III. The American Way Of Life (AWOL), and the Western Way of Life in general, is the most dangerous force that exists on the earth. Our insatiable consumption patterns on a finite earth, enabled by but a one-century blip in burning energy efficient liquid fossil fuels, have made virtually all of us addicted to our way of life as we have been conditioned to be in denial about the egregious consequences outsourced outside our view or feeling fields. Of course, this trend began 2 centuries earlier with the advent of the industrial revolution. With 4.6% of the world’s population, we consume anywhere from 25% to nearly half the world’s resources. This kind of theft can only occur by force or its threat, justifying it with noble sounding rhetoric, over and over and over. Our insatiable individual and collective human demands for energy inputs originating from outside our bioregions, furnish the political-economic profit motives for the energy extractors, which in turn own the political process obsessed with preserving “national (in)security”, e.g., maintaining a very class-based life of affluence and comfort for a minority of the world’s people. This, in turn, requires a huge military to assure control of resources for our use, protecting corporate plunder, and to eliminate perceived threats from competing political agendas. The U.S. War department’s policy of “full spectrum dominance” is intended to control the world’s seas, airspaces, land bases, outer spaces, our “inner” mental spaces, and cyberspaces. Resources everywhere are constantly needed to supply our delusional modern life demands on a finite planet as the system seeks to dumb us down ever more. Thus, we are terribly complicit in the current severe dilemmas coming to a head due to (1) climate instability largely caused by mindless human activities; (2) from our dependence upon national currencies; and (3) dependence upon rapidly depleting finite resources. We have become addicts in a classical sense. Recovery requires a deep psychological, spiritual, and physical commitment to break our addiction to materialism, as we embark on a radical healing journey, individually and collectively, where less and local becomes a mantra, as does sharing and caring, I call it the Neolithic or Indigenous model. Sharing and caring replace individualism and competition. Therefore, A Radical Prescription Understanding these facts requires a radical paradigmatic shift in our thinking and behavior, equivalent to an evolutionary shift in our epistemology where our knowledge/thinking framework shifts: arrogant separateness from and domination over nature (ending a post-Ice Age 10,000 year cycle of thought structure among moderns) morphs to integration with nature, i.e., an eco-consciousness felt deeply in the viscera, more powerful than a cognitive idea. Thus, we re-discover ancient, archetypal Indigenous thought patterns. It requires creative disobedience to and strategic noncooperation with the prevailing political economy, while re-constructing locally reliant communities patterned on instructive models of historic Indigenous and Neolithic villages.

### 2

**Ex-Post Counterplan**

#### The United States Federal Judiciary should hold that United States’ targeted killing operations should be subject to judicial ex post review, including redress for family members.

#### Solves

Jaffer, Director-ACLU Center for Democracy, 13 (Jameel Jaffer, Director of the ACLU's Center for Democracy, “Judicial Review of Targeted Killings,” 126 Harv. L. Rev. F. 185 (2013), http://www.harvardlawreview.org/issues/126/april13/forum\_1002.php)

The argument for some form of judicial review is compelling, not least because such review would clarify the scope of the government’s authority to use lethal force. The targeted killing program is predicated on sweeping constructions of the 2001 Authorization for Use of Military Force (AUMF) and the President’s authority to use military force in national self-defense. The government contends, for example, that the AUMF authorizes it to use lethal force against groups that had nothing to do with the 9/11 attacks and that did not even exist when those attacks were carried out. It contends that the AUMF gives it authority to use lethal force against individuals located far from conventional battlefields. As the Justice Department’s recently leaked white paper makes clear, the government also contends that the President has authority to use lethal force against those deemed to present “continuing” rather than truly imminent threats.These claims are controversial. They have been rejected or questioned by human rights groups, legal scholars, federal judges, and U.N. special rapporteurs. Even enthusiasts of the drone program have become anxious about its legal soundness. (“People in Washington need to wake up and realize the legal foundations are crumbling by the day,” Professor Bobby Chesney, a supporter of the program, recently said.) Judicial review could clarify the limits on the government’s legal authority and supply a degree of legitimacy to actions taken within those limits. It could also encourage executive officials to observe these limits. Executive officials would be less likely to exceed or abuse their authority if they were required to defend their conduct to federal judges. Even Jeh Johnson, the Defense Department’s former general counsel and a vocal defender of the targeted killing program, acknowledged in a recent speech that judicial review could add “rigor” to the executive’s decisionmaking process. In explaining the function of the Foreign Intelligence Surveillance Court, which oversees government surveillance in certain national security investigations, executive officials have often said that even the mere prospect of judicial review deters error and abuse. But to recognize that judicial review is indispensible in this context is not to say that Congress should establish a specialized court, still less that it should establish such a court to review contemplated killings before they are carried out. First, the establishment of such a court would almost certainly entrench the notion that the government has authority, even far away from conflict zones, to use lethal force against individuals who do not present imminent threats. When a threat is truly imminent, after all, the government will not have time to apply to a court for permission to carry out a strike. Exigency will make prior judicial review infeasible. To propose that a court should review contemplated strikes before they are carried out is to accept that the government should be contemplating strikes against people who do not present imminent threats. This is why the establishment of a specialized court would more likely institutionalize the existing program, with its elision of the imminence requirement, than narrow it. Second, judicial engagement with the targeted killing program does not actually require the establishment of a new court. In a case pending before Judge Rosemary Collyer of the District Court for the District of Columbia, the ACLU and the Center for Constitutional Rights represent the estates of the three U.S. citizens whom the CIA and JSOC killed in Yemen in 2011. The complaint, brought under Bivens v. Six Unknown Named Agents, seeks to hold senior executive officials liable for conduct that allegedly violated the Fourth and Fifth Amendments. It asks the court to articulate the limits of the government’s legal authority and to assess whether those limits were honored. In other words, the complaint asks the court to conduct the kind of review that many now seem to agree that courts should conduct. This kind of review—ex post review in the context of a Bivens action—could clarify the relevant legal framework in the same way that review by a specialized court could. But it also has many advantages over the kind of review that would likely take place in a specialized court. In a Bivens action, the proceedings are adversarial rather than ex parte, increasing their procedural legitimacy and improving their substantive accuracy. Hearings are open to the public, at least presumptively. The court can focus on events that have already transpired rather than events that might or might not transpire in the future. And a Bivens action can also provide a kind of accountability that could not be supplied by a specialized court reviewing contemplated strikes ex ante: redress for family members of people killed unlawfully, and civil liability for officials whose conduct in approving or carrying out the strike violated the Constitution. (Of course, in one profound sense a Bivens action will always come too late, because the strike alleged to be unlawful will already have been carried out. Again, though, if “imminence” is a requirement, ex ante judicial review is infeasible by definition.) Another advantage of the Bivens model is that the courts are already familiar with it. The courts quite commonly adjudicate wrongful death claims and “survival” claims brought by family members of individuals killed by law enforcement agents. In the national security context, federal courts are now accustomed to considering habeas petitions filed by individuals detained at Guantánamo. They opine on the scope of the government’s legal authority and they assess the sufficiency of the government’s evidence — the same tasks they would perform in the context of suits challenging the lawfulness of targeted killings. While Congress could of course affirm or strengthen the courts’ authority to review the lawfulness of targeted killings if it chose to do so, or legislatively narrow some of the judicially created doctrines that have precluded courts from reaching the merits in some Bivens suits, more than 40 years of Supreme Court precedent since Bivens makes clear that federal courts have not only the authority to hear after-the-fact claims brought by individuals whose constitutional rights have been infringed but also the obligation to do so.

### 3

**Debt Ceiling Disad**

#### Obama strategically avoided defeat on Syria and Summers-the plan signals weakness the GOP will exploit on debt ceiling

**Garrett, National Journal, 9-17-13**

(Major, “A September to Surrender: Syria and Summers Spell Second-Term Slump”, <http://www.nationaljournal.com/all-powers/a-september-to-surrender-syria-and-summers-spell-second-term-slump-20130917>, ldg)

And Senate Democrats were Obama’s undoing in both cases. Among the reasons Obama sought an eleventh-hour deal with Russia over Syria’s chemical weapons was the certainty he would lose a vote in the Democratically controlled Senate to authorize military force. Majority Leader Harry Reid was a distant and uncertain trumpet. Sen. Chuck Schumer, D-N.Y., gave wide and therefore dismissive berth to Obama. Senate Majority Whip Dick Durbin of Illinois, who has lost clout by degrees to Schumer in the past two years, was deeply reluctant but came around. Meanwhile, rank-and-file Democrats were either silent on, or sprinting away from, Syria. The weekend before Obama’s address to the nation, at least 16 Senate Democrats were solidly in the “no” or “lean no” column. Some whip counts had the number in the low 20s. Even after Obama pleaded with publicly undecided Democrats to remain silent, Sen. Tammy Baldwin of Wisconsin announced her opposition. The White House was not close in the Senate. Suddenly, all the brave West Wing puffery about winning in the Senate and not waiting for action in the House (the 1999 “Kosovo precedent” became the policy shop’s retro “Blurred Lines” smash hit of the late summer) began to wilt. By the time Senate Minority Leader Mitch McConnell announced his opposition on Syria, it was as anticlimactic as the new Crossfire. Senate Democrats would not follow Obama into battle—no matter how much Syria wasn’t Afghanistan, Iraq, or Libya. (Hell, it wasn’t even Grenada.) Democrats would not follow Obama to uphold human rights, advance nonproliferation, or avenge a sarin massacre hauntingly reminiscent of World War I. And they would not follow Obama on naming Lawrence Summers the next Federal Reserve chairman. Senate Democrats, led by Sherrod Brown of Ohio, had for months organized against Summers. Brown’s office collected upward of 20 Democratic signatures urging Obama to appoint Summers’s top rival, Federal Reserve Vice Chair Janet Yellen. The letter and incessant yammering from Senate Democrats infuriated Obama and transformed his preference for Summers from a notion to an imperative. White House aides had been told (and Reid said so publicly) that if Obama nominated Summers, even pro-Yellen Democrats would vote to confirm. But that was on confirmation, not committee consideration. Senate Banking Committee Democrats refused to give up their prerogatives, and when Sen. Jon Tester, D-Mont., announced Friday that he would become the fourth committee Democrats to oppose Summers, the die was cast. There are no “obstructionist” Republican fingerprints on the conspicuous and power-depleting defeats for Obama. He never sought a vote on Syria and therefore was not humiliated. The same is true for Summers. But Obama lost ground on both fronts and ultimately surrendered to political realities that, for the first time in his presidency, were determined by his own obdurate party. This does not mean Obama will lose coming fights over the sequester, shutdown, or debt ceiling. But he is visibly weaker, and even his sense of victory in Syria is so unidimensional, it has no lasting sway in either Democratic cloakroom. More important, Democrats are no longer afraid to defy him or to disregard the will of their constituents—broadly defined in the case of Syria; activist and money-driving in the case of Summers. This, of course, indirectly announces the beginning of the 2016 presidential campaign and an intra-party struggle over the post-Obama Democratic matrix. This shift—a tectonic one—will give Republicans new opportunities on the fiscal issues and in coming debates over immigration and implementation of Obamacare. Republicans have never known a world where Democratic defections were so unyielding and damaging.

#### Drone court drains capital-requires congress

The Huffington Post 6/4/13

HEADLINE: Act Two of US Drone Policy Reform

Jun 04, 2013 (The Huffington Post:http://www.huffingtonpost.com/ Delivered by Newstex)¶ The Obama administration recently lifted its veil of secrecy about its drone usage by providing a substantial amount of information for the first time to a public audience about the program. In a major national security speech on May 23, President Obama outlined new counterterrorism policies with the hope of "redefining[1] what has been a global war into a more targeted assault on terrorist groups threatening the United States." Obama presented a number of steps that his administration has already taken to realize this vision, including setting up guidelines for drone strike usage, briefing appropriate Congressional committees about every drone strike, lifting the moratorium on the transfer of Guantanamo detainees to Yemen, and appointing a new envoy to help facilitate the transfer of detainees to third countries. ¶ While Obama was able to take those actions using his executive powers, the reality is that he needs Congressional support in order to achieve his broader national security goals. Many of the more substantial initiatives that Obama presented in his speech, including additional funding for embassy security and international development, a repeal of the Authorization for Use of Military Force and the "establishment[2] of a special court to evaluate and authorize lethal action," require Congressional legislation to be implemented. Congressional support for Obama's new national security policies will be difficult to achieve given the current dysfunctional partisanship in Washington. Many Republicans with hawkish national security beliefs expressed their discontent with Obama's desire to scale back the war on terror. Senator Saxby Chambliss, the senior Republican on the Senate Intelligence Committee, claimed that Obama's speech will be "viewed by terrorists as a victory[3]." In a similar light, Senator John McCain noted that "To somehow argue that al Qaeda[4] is quote 'on the run,' comes from a degree of unreality that to me is really incredible. Al Qaeda is expanding all over the Middle East from Mali to Yemen and all the places in between." The Obama administration recognizes that its current counterterrorism policies, particularly regarding drone strikes, are not sustainable in the long run. Extensive use of drone strikes, which have already killed between 3,000 and 4,000 people[5] according to NGO reporting, have damaged[6] U.S. relations with other countries and caused growing domestic concern about human rights violations and abuse of presidential war power. For the administration to realize its goal of making U.S. drone usage more effective and sustainable, it needs to garner Republican support for reforms to national security policies. Potential Republican support could come from Tea Party activists who seek to limit Presidential power. Only a couple of weeks ago, Tea Party favorite Senator Rand Paul[7] launched a 13-hour filibuster denouncing the administration's drone usage and promoting restrictions on presidential war power. In an Alice in Wonderland-like situation, a human rights-Tea Party coalition could emerge to support Obama's push for reforms to U.S. counterterrorism policies. Now that would be fun to watch.

#### Failure to raise the debt ceiling ensures collapse of the global economy, U.S. economic leadership, and free trade

**Davidson, NPR’s Planet Money co-founder, 9-10-13**

(Adam, “Our Debt to Society”, http://www.nytimes.com/2013/09/15/magazine/our-debt-to-society.html?pagewanted=all&\_r=0, ldg)

**If the debt ceiling isn’t lifted** again this fall, some **serious financial decisions will have to be made**. Perhaps the government can skimp on its foreign aid or furlough all of NASA, but eventually **the big-ticket items**, like **Social Security and Medicare, will have to be cut**. At some point, **the government won’t be able to pay interest on its bonds and will enter** what’s known as **sovereign default**, the ultimate national financial disaster achieved by countries like Zimbabwe, Ecuador and Argentina (and now Greece). **In the case of the U**nited **S**tates, though, **it won’t be** an **isolated** national crisis. **If the American government can’t stand behind the dollar, the world’s benchmark currency**, then **the global financial system will** very likely **enter a new era in which there is much less trade and** much less **economic growth. It would be**, by most accounts, **the largest self-imposed financial disaster in history**. **Nearly everyone** involved **predicts** that **someone will blink before this disaster occurs. Yet a small number of House Republicans** (one political analyst told me it’s no more than 20) **appear willing to see what happens if the debt ceiling isn’t raised** — at least for a bit. This could be used as leverage to force Democrats to drastically cut government spending and eliminate President Obama’s signature health-care-reform plan. In fact, Representative Tom Price, a Georgia Republican, told me that the whole problem could be avoided if the president agreed to drastically cut spending and lower taxes. Still, it is hard to put this act of game theory into historic context. Plenty of countries — and some cities, like Detroit — have defaulted on their financial obligations, but only because their governments ran out of money to pay their bills. No wealthy country has ever voluntarily decided — in the middle of an economic recovery, no less — to default. And there’s certainly no record of that happening to the country that controls the global reserve currency. Like many, I assumed a self-imposed U.S. debt crisis might unfold like most involuntary ones. If the debt ceiling isn’t raised by X-Day, I figured, **the world’s investors would begin to see America as an unstable investment and rush to sell their Treasury bonds**. **The U.S. government, desperate to hold on to investment, would then raise interest rates far higher, hurtling up rates on credit cards, student loans, mortgages and corporate borrowing** — **which would effectively put a clamp on all trade and spending. The U.S. economy** would collapse far worse than anything we’ve seen in the past several years. Instead, Robert Auwaerter, head of bond investing for Vanguard, the world’s largest mutual-fund company, told me that the collapse might be more insidious. “You know what happens when the market gets upset?” he said. “There’s a flight to quality. Investors buy Treasury bonds. It’s a bit perverse.” In other words, if the U.S. comes within shouting distance of a default (which Auwaerter is confident won’t happen), the world’s investors — absent a safer alternative, given the recent fates of the euro and the yen — might actually buy even more Treasury bonds. Indeed, interest rates would fall and the bond markets would soar. While this possibility might not sound so bad, it’s really far more damaging than the apocalyptic one I imagined. Rather than resulting in a sudden crisis, failure to raise the debt ceiling would lead to a slow bleed. Scott Mather, head of the global portfolio at Pimco, the world’s largest private bond fund, explained that **while governments and institutions might go on a U.S.-bond buying frenzy in the wake of a debt-ceiling panic, they would eventually recognize that the U.S. government was not going through an odd, temporary bit of insanity. They would eventually conclude that it had become permanently less reliable**. Mather imagines institutional investors and governments turning to a basket of currencies, putting their savings in a mix of U.S., European, Canadian, Australian and Japanese bonds. Over the course of decades, the U.S. would lose its unique role in the global economy. The U.S. benefits enormously from its status as global reserve currency and safe haven. Our interest and mortgage rates are lower; companies are able to borrow money to finance their new products more cheaply. As a result, there is much more economic activity and more wealth in America than there would be otherwise. If that status erodes, **the U.S. economy’s peaks will be lower and recessions deeper; future generations will have fewer job opportunities and suffer more when the economy falters**. And, Mather points out, no other country would benefit from America’s diminished status. When you make the base risk-free asset more risky, **the entire global economy becomes riskier and costlier**.

#### Economic decline increases the propensity for conventional and nuclear conflict

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Mathew, and Jennifer “Revisiting the Future: Geopolitical Effects of the Financial Crisis” <http://www.ciaonet.org/journals/twq/v32i2/f_0016178_13952.pdf>

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

### 4

**Executive Order Counterplan**

#### The United States President should issue an executive order that

#### Executive orders avoid politics, have the force of law, and are rarely overturned

Cooper-prof public administration Portland State- 2 [Phillip, By Order of the President: The Use and Abuse of Executive Direct Action” p.59

Executive orders are often used because they are quick, convenient, and relatively easy mechanisms for moving significant policy initiatives. Though itis certainly true that executive orders are employed for symbolic purposes, enough has been said by now to demonstrate that they are also used for serious policymaking or to lay the basis for important actions to be taken by executive branch agencies under the authority of the orders. Unfortunately, as is true of legislation, it is not always possible to know from the title of orders which are significant and which are not, particularly since presidents will often use an existing order as a base for action and then change it in ways that make it far more significant than its predecessors.¶ The relative ease of the use of an order does not merely arise from the fact that presidents may employ one to avoid the cumbersome and time consuming legislative process. They may also use this device to avoid some times equally time-consuming administrative procedures, particularly the rulemaking processes required by the Administrative Procedure Act.84 Because those procedural requirements do not apply to the president, it is tempting for executive branch agencies to seek assistance from the White House to enact by executive order that which might be difficult for the agency itself to move through the process. Moreover, there is the added plus from the agency's perspective that it can be considerably more difficult for potential adversaries to obtain standing to launch a legal challenge to the president's order than it is to move an agency rule to judicial review. There is nothing new about the practice of generating executive orders outside the White House. President Kennedy's executive order on that process specifically pro­vides for orders generated elsewhere

### Accountability

#### No South China conflict-engagement will check miscalc and mistrust

**Thayer, New South Wales emeritus professor, 2013**

(Carlyle, “Why China and the US won’t go to war over the South China Sea”, 5-13, <http://www.eastasiaforum.org/2013/05/13/why-china-and-the-us-wont-go-to-war-over-the-south-china-sea/>, ldg)

China’s increasing assertiveness in the South China Sea is challenging US primacy in the Asia Pacific. Even before Washington announced its official policy of rebalancing its force posture to the Asia Pacific, the United States had undertaken steps to strengthen its military posture by deploying more nuclear attack submarines to the region and negotiating arrangements with Australia to rotate Marines through Darwin.Since then, the United States has deployed Combat Littoral Ships to Singapore and is negotiating new arrangements for greater military access to the Philippines. But these developments do not presage armed conflict between China and the United States. The People’s Liberation Army Navy has been circumspect in its involvement in South China Sea territorial disputes, and the United States has been careful to avoid being entrapped by regional allies in their territorial disputes with China. Armed conflict between China and the United States in the South China Sea appears unlikely. Another, more probable, scenario is that both countries will find a modus vivendi enabling them to collaborate to maintain security in the South China Sea. The Obama administration has repeatedly emphasised that its policy of rebalancing to Asia is not directed at containing China. For example, Admiral Samuel J. Locklear III, Commander of the US Pacific Command, recently stated, ‘there has also been criticism that the Rebalance is a strategy of containment. This is not the case … it is a strategy of collaboration and cooperation’. However, a review of past US–China military-to-military interaction indicates that an agreement to jointly manage security in the South China Sea is unlikely because of continuing strategic mistrust between the two countries. This is also because the currents of regionalism are growing stronger. As such, a third scenario is more likely than the previous two: that China and the United States will maintain a relationship of cooperation and friction. In this scenario, both countries work separately to secure their interests through multilateral institutions such as the East Asia Summit, the ASEAN Defence Ministers’ Meeting Plus and the Enlarged ASEAN Maritime Forum. But they also continue to engage each other on points of mutual interest. The Pentagon has consistently sought to keep channels of communication open with China through three established bilateral mechanisms: Defense Consultative Talks, the Military Maritime Consultative Agreement (MMCA), and the Defense Policy Coordination Talks. On the one hand, these multilateral mechanisms reveal very little about US–China military relations. Military-to-military contacts between the two countries have gone through repeated cycles of cooperation and suspension, meaning that it has not been possible to isolate purely military-to-military contacts from their political and strategic settings. On the other hand, the channels have accomplished the following: continuing exchange visits by high-level defence officials; regular Defense Consultation Talks; continuing working-level discussions under the MMCA; agreement on the ‘7-point consensus’; and no serious naval incidents since the 2009 USNS Impeccable affair. They have also helped to ensure continuing exchange visits by senior military officers; the initiation of a Strategic Security Dialogue as part of the ministerial-level Strategic & Economic Dialogue process; agreement to hold meetings between coast guards; and agreement on a new working group to draft principles to establish a framework for military-to-military cooperation. So the bottom line is that, despite ongoing frictions in their relationship, the United States and China will continue engaging with each other. Both sides understand that military-to-military contacts are a critical component of bilateral engagement. Without such interaction there is a risk that mistrust between the two militaries could spill over and have a major negative impact on bilateral relations in general. But strategic mistrust will probably persist in the absence of greater transparency in military-to-military relations. In sum, Sino-American relations in the South China Sea are more likely to be characterised by cooperation and friction than a modus vivendi of collaboration or, a worst-case scenario, armed conflict.

#### Tech isn’t the key---no intel or capital for wide-scale drone wars

Boyle 12 (Ashley, is an Adjunct Junior Fellow at the American Security Project, “The US and its UAVs: Addressing Legality and Overblown Scenarios,” http://americansecurityproject.org/blog/2012/the-us-and-its-uavs-addressing-legality-and-overblown-scenarios/)

While there is no question that the US has used drones, it is hardly alone in wielding the technology. Approximately fifty nations possess and use drones. However, Wikipedia informs us that of these nations, only twelve have lethal drones of which only three nations – China, Iran, and Russia – may be of concern. Possessing the technology is only one part of the picture. Nations must also have the capabilities to maintain and operate these aircraft, as well as an intelligence network that informs their surveillance or strike activities. The supporting systems required to operate drones is greatly underestimated, and it is difficult to see China, Iran, or Russia having the resources or desire to launch expansive drone programs in the short- to mid-term. While the long-term picture always requires discussion, alarmist messages about impending drone wars are just that: alarming and unfounded.

#### Drones are only effective at counterterrorism---no threat to great powers

Lewis 11 (Michael W. Lewis teaches international law and the law of war at Ohio Northern University School of Law. He is a former Navy fighter pilot and is the coauthor of "The War on Terror and the Laws of War: A Military Perspective." “Unfounded drone fears,” http://articles.latimes.com/2011/oct/17/opinion/la-oe--lewis-drones-20111017)

Almost since the United States began using the unmanned aerial vehicles known as drones, their use has drawn criticism. The latest criticism, which has received considerable attention in the wake of the drone strike on Anwar Awlaki, is that America's use of drones has sparked a new international arms race. While it is true that some other nations have begun developing their own unmanned aerial vehicles, the extent of the alarm is unjustified. Much of it rests on myths that are easily dispelled. Myth 1: Drones will be a threat to the United States in the hands of other nations. Drones are surveillance and counter-terrorism tools; they are not effective weapons of conventional warfare. The unmanned aerial vehicles are slow and extremely vulnerable to even basic air defense systems, illustrated by the fact that a U.S. surveillance drone was shot down by a 1970s-era MIG-25 Soviet fighter over Iraq in 2002. Moreover, drones are dependent on constant telemetry signals from their ground controllers to remain in flight. Such signals can be easily jammed or disrupted, causing the drone to fall from the sky. It's even possible that a party sending stronger signals could take control of the drone. The drones, therefore, have limited usefulness. And certainly any drone flying over the U.S. while being controlled by a foreign nation could be easily detected and either destroyed or captured.

#### Norms fail---will only apply to countries who already use UAV’s responsibly

Lerner 13 (Ben, is Vice President for Government Relations at the Center for Security Policy in Washington, D.C. “Judging ‘Drones’ From Afar,” http://spectator.org/archives/2013/03/25/judging-drones-from-afar/1

Whatever the potential motivations for trying to codify international rules for using UAVs, such a move would be ill advised. While in theory, every nation that signs onto a treaty governing UAVs will be bound by its requirements, it is unlikely to play out this way in practice. It strains credulity to assume that China, Russia, Iran, and other non-democratic actors will not selectively apply (at best) such rules to themselves while using them as a cudgel with which to bash their rivals and score political points. The United States and its democratic allies, meanwhile, are more likely to adhere to the commitments for which they signed up. The net result: we are boxed in as far as our own self-defense, while other nations with less regard for the rule of law go use their UAVs to take out whomever, whenever, contorting said “rules” as they see fit. One need only look at China’s manipulation of <<LOST>>the Law of the Sea Treaty to justify its vast territorial claims at the expense of its neighbors to see how this often plays out. And who would enforce the treaty’s rules — a third party tribunal? Would it be an apparatus of the United Nations, the same U.N. that assures us that it is not coming after the United States or its allies specifically, even as its investigation takes on as its “immediate focus” UAV operations recently conducted by those countries? The United States already conducts warfare under the norms of centuries of practice of customary international law in areas such as military necessity and proportionality, as well as the norms to which we committed ourselves when we became party to the 1949 Geneva Conventions and the United Nations Charter. These same rules can adequately cover the use of UAVs in the international context. But if the United States were to create or agree to a separate international regime for UAVs, we would subject ourselves to new, politicized “rules” that would needlessly hold back countries that already use UAVs responsibly, while empowering those that do not.

### Pakistan

#### Drones are popular---limiting use causes cruise missiles – increases blowback and civilian casualties

Byman 13 (Daniel L. Byman Research Director, Saban Center for Middle East Policy¶ Senior Fellow, Foreign Policy, Saban Center for Middle East Policy “Why Drones Work: The Case for Washington's Weapon of Choice,” http://www.brookings.edu/research/articles/2013/06/17-drones-obama-weapon-choice-us-counterterrorism-byman)

But even the most unfavorable estimates of drone casualties reveal that the ratio of civilian to militant deaths—about one to three, according to the Bureau of Investigative Journalism—is lower than it would be for other forms of strikes. Bombings by F-16s or Tomahawk cruise missile salvos, for example, pack a much more deadly payload. In December 2009, the United States fired Tomahawks at a suspected terrorist training camp in Yemen, and over 30 people were killed in the blast, most of them women and children. At the time, the Yemeni regime refused to allow the use of drones, but had this not been the case, a drone’s real-time surveillance would probably have spotted the large number of women and children, and the attack would have been aborted. Even if the strike had gone forward for some reason, the drone’s far smaller warhead would have killed fewer innocents. Civilian deaths are tragic and pose political problems. But the data show that drones are more discriminate than other types of force.¶ FOREIGN FRIENDS¶ It is also telling that drones have earned the backing, albeit secret, of foreign governments. In order to maintain popular support, politicians in Pakistan and Yemen routinely rail against the U.S. drone campaign. In reality, however, the governments of both countries have supported it. During the Bush and Obama administrations, Pakistan has even periodically hosted U.S. drone facilities and has been told about strikes in advance. Pervez Musharraf, president of Pakistan until 2008, was not worried about the drone program’s negative publicity: “In Pakistan, things fall out of the sky all the time,” he reportedly remarked. Yemen’s former president, Ali Abdullah Saleh, also at times allowed drone strikes in his country and even covered for them by telling the public that they were conducted by the Yemeni air force. When the United States’ involvement was leaked in 2002, however, relations between the two countries soured. Still, Saleh later let the drone program resume in Yemen, and his replacement, Abdu Rabbu Mansour Hadi, has publicly praised drones, saying that “they pinpoint the target and have zero margin of error, if you know what target you’re aiming at.”¶ As officials in both Pakistan and Yemen realize, U.S. drone strikes help their governments by targeting common enemies. A memo released by the antisecrecy website WikiLeaks revealed that Pakistan’s army chief, Ashfaq Parvez kayani, privately asked U.S. military leaders in 2008 for “continuous Predator coverage” over antigovernment militants, and the journalist Mark Mazzetti has reported that the United States has conducted “goodwill kills” against Pakistani militants who tshreatened Pakistan far more than the United States. Thus, in private, Pakistan supports the drone program. As then Prime Minister Yousaf Raza Gilani told Anne Patterson, then the U.S. ambassador to Pakistan, in 2008, “We’ll protest [against the drone program] in the National Assembly and then ignore it.”¶ Still, Pakistan is reluctant to make its approval public. First of all, the country’s inability to fight terrorists on its own soil is a humiliation for Pakistan’s politically powerful armed forces and intelligence service. In addition, although drones kill some of the government’s enemies, they have also targeted pro-government groups that are hostile to the United States, such as the Haqqani network and the Taliban, which Pakistan has supported since its birth in the early 1990s. Even more important, the Pakistani public is vehemently opposed to U.S. drone strikes.¶ A 2012 poll found that 74 percent of Pakistanis viewed the United States as their enemy, likely in part because of the ongoing drone campaign. Similarly, in Yemen, as the scholar Gregory Johnsen has pointed out, drone strikes can win the enmity of entire tribes. This has led critics to argue that the drone program is shortsighted: that it kills today’s enemies but creates tomorrow’s in the process.¶ Such concerns are valid, but the level of local anger over drones is often lower than commonly portrayed. Many surveys of public opinion related to drones are conducted by anti-drone organizations, which results in biased samples. Other surveys exclude those who are unaware of the drone program and thus overstate the importance of those who are angered by it. In addition, many Pakistanis do not realize that the drones often target the very militants who are wreaking havoc on their country. And for most Pakistanis and Yemenis, the most important problems they struggle with are corruption, weak representative institutions, and poor economic growth; the drone program is only a small part of their overall anger, most of which is directed toward their own governments. A poll conducted in 2007, well before the drone campaign had expanded to its current scope, found that only 15 percent of Pakistanis had a favorable opinion of the United States. It is hard to imagine that alternatives to drone strikes, such as seal team raids or cruise missile strikes, would make the United States more popular.

#### Groupthink theory is wrong

**Hempell, User Experience Consulting Senior Information Architect, 2004**

(Anthony, “Groupthink: An introduction to Janis' theory of concurrence-seeking tendencies in group work”, 3-3, http://www.anthonyhempell.com/papers/groupthink/)

In the thirty years since Janis first proposed the groupthink model, there is still little agreement as to the validity of the model in assessing decision-making behaviour (Park, 2000). Janis' theory is often criticized because it does not present a framework that is suitable for empirical testing; instead, the evidence for groupthink comes from largely qualitative, historical or archival methods (Sunstein, 2003). Some critics go so far as to say that Janis's work relies on "anecdote, casual observation, and intuitive appeal rather than rigorous research" (Esser, 1998, cited in Sunstein, 2003, p.142). While some studies have shown support for the groupthink model, the support tends to be mixed or conditional (Esser, 1998); some studies have revealed that a closed leadership style and external threats (in particular, time pressure) promote groupthink and defective decision making (Neck & Moorhead, 1995, cited by Choi & Kim, 1999); the effect of group cohesiveness is still inconclusive (Mullen, Anthony, Salas & Driskel, 1994, cited by Choi & Kim, 1999). Janis's model tends to be supported by studies that employ a qualitative case-study approach as opposed to experimental research, which tends to either partially support or not support Janis's thesis (Park, 2000). The lack of success in experimental validation of groupthink may be due to difficulties in operationalizing and conceptualizing it as a testable variable (Hogg & Hains, 1998; Park, 2000). Some researchers have criticized Janis for categorically denouncing groupthink as a negative phenomenon (Longley & Pruitt, 1980, cited in Choi & Kim, 1999). Sniezek (1992) argues that there are instances where concurrence-seeking may promote group performance. When used to explain behaviour in a practical setting, groupthink has been frames as a detrimental group process; the result of this has been that many corporate training programs have created strategies for avoiding groupthink in the workplace (Quinn, Faerman, Thompson & McGrath, 1990, cited in Choi & Kim, 1999). Another criticism of groupthink is that Janis overestimates the link between the decision-making process and the outcome (McCauley, 1989; Tetlock, Peterson, McGuire, Chang & Feld, 1992; cited in Choi & Kim, 1999). Tetlock et al argue that there are many other factors between the decision process and the outcome. The outcome of any decision-making process, they argue, will only have a certain probability of success due to various environmental factors (such as luck). A large-scale study researching decision-making in seven major American corporations concluded that decision-making worked best when following a sound information processing method; however these groups also showed signs of groupthink, in that they had strong leadership which attempted to persuade others in the group that they were right (Peterson et al, 1998, cited in Sunstein, 2003). Esser (1998) found that groupthink characteristics were correlated with failures; however cohesiveness did not appear to be a factor: groups consisting of strangers, friends, or various levels of previous experience together did not appear to effect decision-making ability. Janis' claims of insulation of groups and groups led by autocratic leaders did show that these attributes were indicative of groupthink symptoms. Moorhead & Montanari conducted a study where they concluded that groupthink symptoms had no significant effect on group performance, and that "the relationship between groupthink-induced decision defects and outcomes were not as strong as Janis suggests" (Moorhead & Montanari, 1986, p. 399; cited by Choi & Kim, 1999).

#### Terrorists can’t sustain the operational focus necessary for WMD use

**Mueller et al., OSU political science professor, 2012**

(John, “The Terrorism Delusion”, International Security, 37.1, politicalscience.osu.edu/faculty/jmueller//absisfin.pdf, ldg)

In 2009, the U.S. Department of Homeland Security (DHS) issued a lengthy report on protecting the homeland. Key to achieving such an objective should be a careful assessment of the character, capacities, and desires of potential terrorists targeting that homeland. Although the report contains a section dealing with what its authors call “the nature of the terrorist adversary,” the section devotes only two sentences to assessing that nature: “The number and high profile of international and domestic terrorist attacks and disrupted plots during the last two decades underscore the determination and persistence of terrorist organizations. Terrorists have proven to be relentless, patient, opportunistic, and flexible, learning from experience and modifying tactics and targets to exploit perceived vulnerabilities and avoid observed strengths.”8 This description may apply to some terrorists somewhere, including at least a few of those involved in the September 11 attacks. Yet, it scarcely describes the vast majority of those individuals picked up on terrorism charges in the United States since those attacks. The inability of the DHS to consider this fact even parenthetically in its fleeting discussion is not only amazing but perhaps delusional in its single-minded preoccupation with the extreme. In sharp contrast, the authors of the case studies, with remarkably few exceptions, describe their subjects with such words as incompetent, ineffective, unintelligent, idiotic, ignorant, inadequate, unorganized, misguided, muddled, amateurish, dopey, unrealistic, moronic, irrational, and foolish.9 And in nearly all of the cases where an operative from the police or from the Federal Bureau of Investigation was at work (almost half of the total), the most appropriate descriptor would be “gullible.” In all, as Shikha Dalmia has put it, would-be terrorists need to be “radicalized enough to die for their cause; Westernized enough to move around without raising red flags; ingenious enough to exploit loopholes in the security apparatus; meticulous enough to attend to the myriad logistical details that could torpedo the operation; self-sufficient enough to make all the preparations without enlisting outsiders who might give them away; disciplined enough to maintain complete secrecy; and—above all—psychologically tough enough to keep functioning at a high level without cracking in the face of their own impending death.”10 The case studies examined in this article certainly do not abound with people with such characteristics. In the eleven years since the September 11 attacks, no terrorist has been able to detonate even a primitive bomb in the United States, and except for the four explosions in the London transportation system in 2005, neither has any in the United Kingdom. Indeed, the only method by which Islamist terrorists have managed to kill anyone in the United States since September 11 has been with gunfire—inflicting a total of perhaps sixteen deaths over the period (cases 4, 26, 32).11 This limited capacity is impressive because, at one time, small-scale terrorists in the United States were quite successful in setting off bombs. Noting that the scale of the September 11 attacks has “tended to obliterate America’s memory of pre-9/11 terrorism,” Brian Jenkins reminds us (and we clearly do need reminding) that the 1970s witnessed sixty to seventy terrorist incidents, mostly bombings, on U.S. soil every year.12 The situation seems scarcely different in Europe and other Western locales. Michael Kenney, who has interviewed dozens of government officials and intelligence agents and analyzed court documents, has found that, in sharp contrast with the boilerplate characterizations favored by the DHS and with the imperatives listed by Dalmia, Islamist militants in those locations are operationally unsophisticated, short on know-how, prone to making mistakes, poor at planning, and limited in their capacity to learn.13 Another study documents the difficulties of network coordination that continually threaten the terrorists’ operational unity, trust, cohesion, and ability to act collectively.14 In addition, although some of the plotters in the cases targeting the United States harbored visions of toppling large buildings, destroying airports, setting off dirty bombs, or bringing down the Brooklyn Bridge (cases 2, 8, 12, 19, 23, 30, 42), all were nothing more than wild fantasies, far beyond the plotters’ capacities however much they may have been encouraged in some instances by FBI operatives. Indeed, in many of the cases, target selection is effectively a random process, lacking guile and careful planning. Often, it seems, targets have been chosen almost capriciously and simply for their convenience. For example, a would-be bomber targeted a mall in Rockford, Illinois, because it was nearby (case 21). Terrorist plotters in Los Angeles in 2005 drew up a list of targets that were all within a 20-mile radius of their shared apartment, some of which did not even exist (case 15). In Norway, a neo-Nazi terrorist on his way to bomb a synagogue took a tram going the wrong way and dynamited a mosque instead.15

#### Army checks

Bandow 09- Senior Fellow @ Cato, former special assistant to Reagan (11/31/09, Doug, “Recognizing the Limits of American Power in Afghanistan,” Huffington Post, http://www.cato.org/pub\_display.php?pub\_id=10924)

From Pakistan's perspective, limiting the war on almost any terms would be better than prosecuting it for years, even to "victory," whatever that would mean. In fact, the least likely outcome is a takeover by widely unpopular Pakistani militants. The Pakistan military is the nation's strongest institution; while the army might not be able to rule alone, it can prevent any other force from ruling. Indeed, Bennett Ramberg made the important point: "Pakistan, Iran and the former Soviet republics to the north have demonstrated a brutal capacity to suppress political violence to ensure survival. This suggests that even were Afghanistan to become a terrorist haven, the neighborhood can adapt and resist." The results might not be pretty, but the region would not descend into chaos. In contrast, warned Bacevich: "To risk the stability of that nuclear-armed state in the vain hope of salvaging Afghanistan would be a terrible mistake."

#### Wont get captured

Innocent, 10 - foreign policy analyst at the Cato Institute (Malou, “Away from McChrystal and Back to the Basics,” Huffington Post, 6/28, http://www.cato.org/pub\_display.php?pub\_id=11934)

Pakistan has an elaborate command and control system in place that complies with strict Western standards, and the country's warheads, detonators, and missiles are not stored fully-assembled, but are scattered and physically separated throughout the country. In short, the danger of militants seizing Pakistan's nuclear weapons in some Rambo-like scenario remains highly unlikely.

#### Afghanistan won’t spillover to central Asia

**Kazemi, Afghanistan Analysts Network, 12-12-12**

(S. Reza, “A Potential Afghan Spill-Over: How Real Are Central Asian Fears?”, <http://aan-afghanistan.com/index.asp?id=3152>, ldg)

A spill-over of the Afghan conflict or aspects of it like the drug trade into Central Asia is realistic, but it need not be as threatening and disastrous as the region’s governmental officials depict it. It also may differ for particular Central Asian countries. Tajikistan and Uzbekistan – of Afghanistan’s three direct Central Asian neighbours (with the third being Turkmenistan) – are likely to continue to be most affected. A spill-over of Islamist terrorism from Afghanistan seems unlikely, however, at least for the time being. The leadership of the IMU, regarded as the most serious militant threat against the region, has been largely dismantled. Although a 2011 AAN report identified some IMU presence in Afghanistan’s Balkh, Faryab and Kunduz provinces bordering Central Asia, the bulk of the IMU fighters are based in Pakistan’s Waziristan, far away from any shared Afghanistan-Central Asia frontier. It is unclear, therefore, if the movement can re-group to organise and carry out attacks in Central Asian territory, apart from causing localised instability and violence on Afghan soil.(9) And even if so, terrorist and extremist threats facing Central Asia (and particularly Tajikistan and Uzbekistan) are more home-grown than what would originate from Afghanistan, as, for example, Christian Bleuer argues (read, for example, here), although others like Ahmed Rashid have, both in the past and recently, talked about larger regional networks of militants. If there is any actual spill-over of the Afghan conflict into Central Asia, it is more likely to continue to be drug trafficking. Afghanistan is by far the largest global producer of poppy and hashish and increasingly of derivates produced from them. As the recent fighting in Tajikistan’s Gorno-Badakhshan Autonomous Oblast (GBAO) has shown, there are cross-border networks functioning and corrupt government officials both in Afghanistan and Central Asia can hugely benefit from their trafficking (for a UN report on drug trafficking from Afghanistan through Central Asia and onwards, see here). In a reverse way, Uzbekistan has engaged to influence Afghanistan’s socio-political developments more seriously than any other Central Asian government. It has supported the Uzbek commander-turned-politician Abdul Rashid Dostum and his party Jombesh-e Melli-ye Islami-ye Afghanistan (Afghanistan’s National Islamic Movement) (for latest developments in the party, read a recent AAN paper). Tajikistan and Uzbekistan also have large numbers of co-ethnics inside Afghanistan, but Afghan Tajiks and Uzbeks are very different from their ethnic kin in Tajikistan and Uzbekistan, mainly because of Central Asia’s Sovietisation, despite speaking almost similar languages (see, for example, here).(10) It also needs to be recalled that conflicts in Afghanistan and Tajikistan have had mutual spill-over effects. During the 1992-97 Tajik civil war, parts of the Tajik opposition fled to Afghanistan, were supported by Afghan mujahedin and used Afghanistan as a safe haven and base to carry out attacks in Tajikistan. During the conflict between the Northern Alliance and the Taleban, Tajikistan had provided, among other things, an airbase to the Northern Alliance in Kulyab in southern Tajikistan for them to use to mobilise and organise the resistance against the Taleban’s advance towards northern Afghanistan (read, for example, here). In addition, the civil war in Tajikistan drove tens of thousands of people out of Tajikistan to the northern Afghan provinces of Balkh, Kunduz and Takhar (read here). Judging by recent contemporary precedents, an American Central Asia researcher, who requested not to be named, wrote to AAN that ‘the previous experience in the mid- to late 1990s of having a civil war in northern Afghanistan and a Taleban government controlling much of the north was not particularly traumatic’. Whatever the speculations about the Afghan conflict going northwards may be, Central Asia plus Afghanistan is one of the world’s least integrated regions. To subsume the five former Central Asian Soviet republics under one term – ‘the -stans’ – reflects an un-informed and superficial look at this region. Considering the growing number of bilateral and intra-regional conflicts and competing attempts to achieve regional leadership, this perception is everything but justified.

### Solvency

#### Court doesn’t shore up cred

Johnson 13 (Jeh, Former Pentagon General Counsel Keynote address at the Center on National Security at Fordham Law School: A “Drone Court”: Some Pros and Cons <http://www.lawfareblog.com/2013/03/jeh-johnson-speech-on-a-drone-court-some-pros-and-cons/>)

In the eyes of the American public, judges are for the most part respected for their independence. In the eyes of the international community, a practice that is becoming increasingly controversial would be placed on a more credible footing. A national security court would also help answer the question many are asking: what do we say to other nations who acquire this capability? A group of judges to approve targeted lethal force would set a standard and an example. Further, as so-called “targeted killings” become more controversial with time, I believe there are some decision-makers within the Executive Branch who actually wouldn’t mind the added comfort of judicial imprimatur on their decisions. But, we must be realistic about the degree of added credibility such a court can provide. Its proceedings would necessarily be ex parte and in secret, and, like a FISA court, I suspect almost all of the government’s applications would be granted, because, like a FISA application, the government would be sure to present a compelling case. So, at the same time the New York Times editorial page promotes a FISA-like court for targeted lethal force, it derides the FISA court as a “rubber stamp” because it almost never rejects an application.[8] How long before a “drone court” operating in secret is criticized in the same way? Meanwhile, what about the views of the judiciary itself? I know a number of federal judges who would accept this unpleasant job if asked out of a sense of duty. But many, I suspect, want the judiciary to have nothing to do with this. Former Judges Mukasey and Robertson have publicly articulated this view in emphatic terms.[9] I can hear many in the judicial branch saying that courts exist to resolve cases and controversies between parties, not to issue death warrants based on classified, ex parte submissions. Judges don’t like arms-length ex parte submissions, because they know they are not getting two sides of the story. I’m sure they would like them even less if the decision they must make is final and irreversible. Put in a more cynical way, I can imagine many federal judges thinking “we don’t exist to provide top cover to the Executive branch for difficult decisions; foist this responsibility on us and you diminish both our branches of government.”

# 2NC

## Ex Post

### AT: Perm Both

#### Ex ante will overwhelm ex post review

Vladeck 13 (Stephen I. Vladeck Professor of Law and Associate Dean for Scholarship, American University Washington College of Law, “DRONES AND THE WAR ON TERROR: WHEN CAN THE U.S.TARGET ALLEGED AMERICAN TERRORISTS OVERSEAS?,” http://judiciary.house.gov/hearings/113th/02272013\_2/Vladeck%2002272013.pdf)

In the process, the result would be that such ex ante review would do little other than to add the vestiges of legitimacy to operations the legality of which might have otherwise been questioned ex post. Put another way, ex ante review in this context would most likely lead to a more expansive legal framework within which the targeted killing program could operate, one sanctioned by judges asked to decide these cases behind closed doors; without the benefit of adversary parties, briefing, or presentation of the facts; and with the very real possibility that the wrong decision could directly lead to the deaths of countless Americans. Thus, even if it were legally and practically possible, a drone court would be a very dangerous idea.

### Legitimacy DA NB

The plan forces the court to issue death warrants—cracks their legitimacy, the CP is less precedent shift which preserves it

Taylor 13 (Paul, is a Senior Fellow, Center for Policy & Research. Focus on national security policy, international relations, targeted killings, and drone operations. “Former DOD Lawyer Frowns on Drone Court,” http://centerforpolicyandresearch.com/2013/03/23/former-dod-lawyer-frowns-on-drone-court/)

First, Johnson notes, as others have, that judges would be loath to issue the equivalent of death warrants, first of all on purely moral grounds, but also on more political grounds. Courts enjoy the highest approval ratings of the three branches of government, yet accepting the responsibility to determine which individuals may live or die, without that individual having an opportunity to appear before the court would simply shift some of the public opprobrium from the Executive to the Judiciary. However, if the court exercised ex post review, it instead would be in its ordinary position of approving or disapproving the Executive’s decisions, not making its decisions for it. Another concern raised by Johnson is that the judges would be highly uncomfortable making such decisions because they would be necessarily involve a secret, purely ex parte process. While courts do this on a daily basis, as when they issue search or arrest warrants, the targeted killing context stands apart in that the judge’s decision would be effectively irreversible. Here again, the use of ex post process would free the courts from this problem, and place it in the executive (which includes the military, incidentally, an organization which deals with this issue as a matter of course).

#### The Court will hate the aff---collapses the rule of law

Taylor 13 (Paul, is a Senior Fellow, Center for Policy & Research. Focus on national security policy, international relations, targeted killings, and drone operations. “A FISC for Drones?,” http://centerforpolicyandresearch.com/2013/02/09/a-fisc-for-drones/)

Additionally, Chesney notes that “Some judges want absolutely nothing to do with this … due to hostility to the idea of judicial involvement in death warrants. (And that’s without considering the possibility of warrant-issuing judges finding themselves the object of suit or prosecution abroad.)” Judges would likely be much more comfortable with ex post review.: Ex post review would free them from any implication that they are issuing a “death warrant” and would place them in a position that they are much more comfortable with reviewing executive uses of force after the fact. While there are clearly parallels that could be drawn between the ex ante review proposed here and the search and seizure warrants that judges routinely deal with, there are also important differences. First and foremost is that this implicates not the executive’s law enforcement responsibility but its war-making and foreign relations responsibilities, with which courts are loath to interfere, but are sometimes willing to review for abuse.

### At politics

#### Can’t shield

#### Court decisions aren’t controversial.

O’Brien, prof- Virginia 00 (David O’Brien, Professor of Government and Foreign Affairs at the University of Virginia, Storm Center: The Supreme Court in American Politics, 2000, p. 348)

Most of the Court’s decisions attract s neither media nor widespread public attention. The public tends to identify with the Court’s institutional symbol as a temple of law rather than of politics—impartial and removed from the pressures of special partisan interests.

#### Courts don’t link to politics- avoids political fallout for Congress and Obama

Whittington, 2005 (Keith E. Whittington, Professor of Politics - Princeton University, "Interpose Your Friendly Hand: Political Supports for the Exercise of Judicial Review by the United States Supreme Court”, [The American Political Science Review](http://proquest.umi.com.proxy.lib.umich.edu/pqdweb?RQT=318&pmid=28600&TS=1245862067&clientId=17822&VInst=PROD&VName=PQD&VType=PQD), Nov., (99)4, p. 583)

There are some issues that politicians cannot easily handle. For individual legislators, their constituents may be sharply divided on a given issue or overwhelmingly hostile to a policy that the legislator would nonetheless like to see adopted. Party leaders, including presidents and legislative leaders, must similarly sometimes manage deeply divided or cross-pressured coalitions. When faced with such issues, elected officials may actively seek to turn over controversial political questions to the courts so as to circumvent a paralyzed legislature and avoid the political fallout that would come with taking direct action themselves. As Mark Graber (1993) has detailed in cases such as slavery and abortion, elected officials may prefer judicial resolution of disruptive political issues to direct legislative action, especially when the courts are believed to be sympathetic to the politician's own substantive preferences but even when the attitude of the courts is uncertain or unfavorable (see also, Lovell 2003). Even when politicians do not invite judicial intervention, strategically minded courts will take into account not only the policy preferences of well-positioned policymakers but also the willingness of those potential policymakers to act if doing so means that they must assume responsibility for policy outcomes. For cross-pressured politicians and coalition leaders, shifting blame for controversial decisions to the Court and obscuring their own relationship to those decisions may preserve electoral support and coalition unity without threatening active judicial review (Arnold 1990; Fiorina 1986; Weaver 1986). The conditions for the exercise of judicial review may be relatively favorable when judicial invalidations of legislative policy can be managed to the electoral benefit of most legislators. In the cases considered previously, fractious coalitions produced legislation that presidents and party leaders deplored but were unwilling to block. Divisions within the governing coalition can also prevent legislative action that political leaders want taken, as illustrated in the following case.

### Can’t solve

#### The drone court gives targeted killing more legitimacy---rubber stamping means they codify the precedents they critique

Vladeck 13 (Steve Vladeck is a professor of law and the associate dean for scholarship at American University Washington College of Law. “Why a Drone Court Won’t Work –But Nominal Damages Might…” http://www.lawfareblog.com/2013/02/why-a-drone-court-wont-work/)

That brings me to perhaps the biggest problem we should all have with a “drone court”–the extent to which, even if one could design a legally and practically workable regime in which such a tribunals could operate, its existence would put irresistible pressure on federal judges to sign off even on those cases in which they have doubts. As a purely practical matter, it would be next to impossible meaningfully to assess imminence, the existence of less lethal alternatives, or the true nature of a threat that an individual suspect poses ex ante. Indeed, it would be akin to asking law enforcement officers to obtain judicial review before they use lethal force in defense of themselves or third persons–when the entire legal question turns on what was actually true in the moment, as opposed to what might have been predicted to be true in advance. At its core, that’s why the analogy to search warrants utterly breaks down–and why it would hardly be surprising if judges in those circumstances approved a far greater percentage of applications than they might have on a complete after-the-fact record. Judges, after all, are humans. In the process, the result would be that such ex ante review would do little other than to add legitimacy to operations the legality of which might have otherwise been questioned ex post. Put another way, ex ante revew in this context would most likely lead to a more expansive legal framework within which the targeted killing program could operate, one sanctioned by judges asked to decide these cases behind closed doors; without the benefit of adversary parties, briefing, or presentation of the facts; and with the very real possibility that the wrong decision could directly lead to the deaths of countless Americans. Thus, even if it were legally and practically possible, a drone court would be a very dangerous idea.

#### Link outweighs solvency

Jaffer 13 (Jameel Jaffer, Director of the ACLU's Center for Democracy, presents his reaction to the recent calls to establish a "drone court" to provide ex ante review of targeted killings.

“Judicial Review of Targeted Killings,” http://www.harvardlawreview.org/issues/126/april13/forum\_1002.php)

But to recognize that judicial review is indispensible in this context is not to say that Congress should establish a specialized court, still less that it should establish such a court to review contemplated killings before they are carried out. First, the establishment of such a court would almost certainly entrench the notion that the government has authority, even far away from conflict zones, to use lethal force against individuals who do not present imminent threats. When a threat is truly imminent, after all, the government will not have time to apply to a court for permission to carry out a strike. Exigency will make prior judicial review infeasible. To propose that a court should review contemplated strikes before they are carried out is to accept that the government should be contemplating strikes against people who do not present imminent threats. This is why the establishment of a specialized court would more likely institutionalize the existing program, with its elision of the imminence requirement, than narrow it.

### At public confidence

#### Only judicial review provides the due process necessary to solve public confidence in targeting—key to viability of the program

Corey, Army Colonel, 12 (Colonel Ian G. Corey, “Citizens in the Crosshairs: Ready, Aim, Hold Your Fire?,” http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA561582)

Alternatively, targeted killing decisions could be subjected to judicial review. 103 Attorney General Holder rejected ex ante judicial review out of hand, citing the Constitution’s allocation of national security operations to the executive branch and the need for timely action.104 Courts are indeed reluctant to stray into the realm of political questions, as evidenced by the district court’s dismissal of the ACLU and CCR lawsuit. On the other hand, a model for a special court that operates in secret already exists: the Foreign Intelligence Surveillance Court (FISC) that oversees requests for surveillance warrants for suspected foreign agents. While ex ante judicial review would provide the most robust form of oversight, ex post review by a court like the FISC would nonetheless serve as a significant check on executive power.105 Regardless of the type of oversight implemented, some form of independent review is necessary to demonstrate accountability and bolster confidence in the targeted killing process. Conclusion The United States has increasingly relied on targeted killing as an important tactic in its war on terror and will continue to do so for the foreseeable future.106 This is entirely reasonable given current budgetary constraints and the appeal of targeted killing, especially UAS strikes, as an alternative to the use of conventional forces. Moreover, the United States will likely again seek to employ the tactic against U.S. citizens assessed to be operational leaders of AQAM. As demonstrated above, one can make a good faith argument that doing so is entirely permissible under both international and domestic law as the Obama Administration claims, the opinions of some prominent legal scholars notwithstanding. The viability of future lethal targeting of U.S. citizens is questionable, however, if the government fails to address legitimate issues of transparency and accountability. While the administration has recently made progress on the transparency front, much more remains to be done, including the release in some form of the legal analysis contained in OLC’s 2010 opinion. Moreover, the administration must be able to articulate to the American people how it selects U.S. citizens for targeted killing and the safeguards in place to mitigate the risk of error and abuse. Finally, these targeting decisions must be subject to some form of independent review that will both satisfy due process and boost public confidence.

### Solves—model

#### Creates a better model, you can’t determine compliance unless you review after the fact

Taylor 13 (Paul, is a Senior Fellow, Center for Policy & Research. Focus on national security policy, international relations, targeted killings, and drone operations. “Former DOD Lawyer Frowns on Drone Court,” http://centerforpolicyandresearch.com/2013/03/23/former-dod-lawyer-frowns-on-drone-court/)

Johnson also notes that even the determination of the facts is fraught with problems. The first three of Holder’s criteria for the legality of a targeted killing operation, feasibility of capture, imminence of threat, and senior leadership in an enemy organization, are time-sensitive determinations. Feasibility, Johnson notes from personal experience, can change several times in one night. That imminence may change over time is obvious to anyone with a dictionary. And while a target’s position as a senior leader in al-Qaeda is unlikely to change very often, it does on occasion (take the case of Mokhtar Belmokhtar). Requiring a court to determine these facts in advance would also require that the executive would have to notify the court when any change has occurred that might effect that determination. Meanwhile, use of ex post review would allow the court to look at a single point in time, when the executive “pulled the trigger” on the operation, thus crystallizing the facts and obviating this problem. The last of the Holder criteria, too, causes problems. This criterion requires that the operation be executed in compliance with the law of war. Of course, this is capable of determination only after the fact. Thus, no ex ante review will be able to determine if this requirement is satisfied. An ex post review, however, could.

### Solves---Blow Back

#### Solves blowback better---intelligence leads to reassessment

Taylor 13 (Paul, is a Senior Fellow, Center for Policy & Research. Focus on national security policy, international relations, targeted killings, and drone operations. “A FISC for Drones?,” http://centerforpolicyandresearch.com/2013/02/09/a-fisc-for-drones/)

Chesney also noted that executive officials involved in the nomination process would prefer an ex ante review to shield them from unexpected civil liability by the victims or their families. I’m sure that it is true that administration officials would like to have “certainty ex ante that they would not face a lawsuit.” However, this is not a guarantee that the courts can provide to the executive. As noted above, as with search and seizure warrants, there are issues to consider after the approval of the executive action. Ex ante review does not allow for inquiry into important ancillary issues, such as the balancing of risk to civilian bystanders. Also, it provides no assurances that new, exculpatory intelligence forces a reassessment of the targeting decision. Only ex post review would achieve this.

### Solves—intelligence turn

The plan gives a perverse incentive to not collect information---the CP corrects that

Taylor 13 (Paul, is a Senior Fellow, Center for Policy & Research. Focus on national security policy, international relations, targeted killings, and drone operations. “Former DOD Lawyer Frowns on Drone Court,” http://centerforpolicyandresearch.com/2013/03/23/former-dod-lawyer-frowns-on-drone-court/)

Lastly, there is the concern of creating perverse incentives: whether a person’s name or identity is known has never been a factor in determining the legality of targeting an otherwise-lawful military target. But by creating a separate legal regime for known targets, we could create a disincentive to collect information about a target. We do not want a military or intelligence agency that keeps itself intentionally uninformed. Nor do we want to halt a military operation in progress simply because one of the targets is recognized late. Conducting the review ex post would not eliminate these issues, but it would substantially mitigate them. The military (or CIA, if it keeps its program), would not fear an interruption of its operations, and could even have an incentive to collect more information in order to later please a court that has plenty of time to look back at the past operations and question whether an individual was in fact targeted.

#### They gloss over details

Taylor 13 (Paul, is a Senior Fellow, Center for Policy & Research. Focus on national security policy, international relations, targeted killings, and drone operations. “A FISC for Drones?,” http://centerforpolicyandresearch.com/2013/02/09/a-fisc-for-drones/)

I do share Chesney’s suspicion that a tort-based process in which victims seek damages is not the appropriate means of reviewing targeted killing decisions. However, I am certain that regardless of whether an ex ante review is used, some ex post review must be available. There are simply too many variables between the initial nomination and the final execution of the mission that should be subject to some independent review. Indeed, as a veteran, I know the value of lessons learned in after action reviews, but I also know how often these reviews are shortchanged or skipped altogether. An ex post judicial review will ensure that this does not happen here.

## Pakistan

### gt

#### Groupthink theory is based on over-generalizations, skewed studies, and ignores potential positives

**Aldag et al., Wisconsin Management and Human resources professor, 1993**

(Ramon, “Beyond Fiasco : A Reappraisal of the Groupthink Phenomenon and a New Model of Group Decision Processes”, Psychological Bulletin, 113.3, ebsco)

Groupthink has been overwhelmingly viewed as an unalayed evil, leading to uniformly negative outcomes. Indeed, such a view is universally implicit in the language of groupthink (e.g., the common references to “symptoms of groupthink,” “victims of groupthink,” and “defects of groupthink”). When used in groupthink research, such negative terminology can invite distortions in responses caused by scale-use tendencies and related psychometric difficulties and can also result in framing effects.¶ Individuals (whether subjects or researchers) presented with negatively framed terminology may adopt the readily available negative frame and respond accordingly ( Bazerman, 1990; Tversky & Kahneman, 1986). Therefore, even simple attempts by the subjects to give responses that are consistent with the tone of the questions would result in negatively oriented responses. In many cases, failed decisions are examined and characteristics of groupthink are then sought. There is evidence that when individuals are provided with knowledge of a negative outcome, they infer a negative process ( Guzzo, Wagner, Maguire, Herr, & Hawley, 1986). Furthermore, a focus only on the conjunction of groupthink characteristics and negative outcomes invites illusory correlation (cf. Einhorn, 1980; Hogarth, 1980; Kleinmuntz, 1990).¶ On a more fundamental level, this framing has resulted in a focus on error rather than on decision quality per se. Janis (1982) noted that he began studying fiascoes “for the purposes of studying sources of error in foreign policy decision-making” (p. 9). However, there is more to the performance of a football team than the absence of fumbles and interceptions, and there is more to group decision quality than the absence of error. A focus on negative outcomes of group processes may divert attention from group synergies. One example is the assembly effect bonus, which, as noted by Collins and Guetzkow (1964), “is productivity which exceeds the potential of the most capable member and also exceeds the sum of the efforts of the group members working separately” (p. 58). There is considerable evidence for this assembly effect bonus, at least in some contexts (e.g., Burleson, Levine, & Samter, 1984). Thus, researchers may learn little about superior group performance by a focus solely on fiascoes. Instead, a focus on decisions with a broad range of outcomes, including superior performance, is necessary.¶ The consequences of the groupthink model's focus on fiascoes are doubly ironic. First, the consideration only of fiascoes precludes generalization to other decision situations used in virtually all attempts to assess the validity of groupthink. Second, the focus on fiascoes makes it impossible to say anything even about the determinants of fiascoes.

### Pakistan

#### Drones aren’t a huge sticking point---just a political device to gain concessions on bigger issues

Khattak 11 (Daud Khattak is a Pashtun journalist currently working for the Radio Free Europe/Radio Liberty's Pashto-language station Radio Mashaal. “Drone strikes aren't the real issue in U.S.-Pakistan relations,” http://afpak.foreignpolicy.com/posts/2011/04/18/drone\_strikes\_arent\_the\_real\_issue\_in\_us\_pakistan\_relations)

Earlier today, the provincial assembly of Khyber-Pakhtunkhwa province passed a resolution asking for an end to drone strikes in Pakistan's tribal areas. The resolution was presented by Bashir Ahmad Bilour, the province's Senior Minister, a member of the secular Awami National Party (ANP) and one of Pakistan's strongest voices against the Taliban. As recently as a few months ago, the ANP leaders privately supported the drone strikes, arguing that drones are the best available means against al-Qaeda and Taliban and even describing them as "ababeel" a term used to describe small birds who came to the rescue of Mecca during a Sixth-Century siege. This change of heart follows the explosion in the past two months of official criticism of the drone strikes, first initiated by army chief Gen. Ashfaq Pervez Kayani's public condemnation March 17 after a strike allegedly killed up to 40 tribesmen (though the United States disputes this claim), and which erupted again last week after two strikes were carried out just days after a meeting in which Pakistani intelligence chief Lt. Gen. Ahmad Shuja Pasha is believed to have asked CIA director Leon Panetta to curtail the strikes. Yet the dramatic escalation in rhetoric is not just about political posturing, but rather demonstrates the extent to which both the civilian government and the army see the need to shore up their credibility in reaction to events in Pakistan and elsewhere. Between 2004 and 2010, both the relatively weak Pakistani government and the country's powerful army opted for silence, often considered consent in legal terms, over the strikes. Despite the chorus of public disapproval from some religious parties and public commentators over those years, neither the army generals, nor the civilian governments, both the previous and present, showed any signs of resistance to the strikes. Instead, they kept their focus on gaining more aid for their own counterterrorism programs even as their U.S. and NATO allies regularly insisted that Pakistan "do more" to confront the growing terrorist threat within its borders. The government's actions only began to change late last year, with the cutting off the supply route to Afghanistan in response to a cross-border helicopter strike that killed three Pakistani Frontier Corps members. The blockade was followed by attacks on fuel tankers and trucks carrying oil and goods for NATO troops in Afghanistan, which gutted scores of vehicles and goods worth millions of dollars, before the crossing was opened. It is clear that the recent uptick in aggressive rhetoric is prelude to broader Pakistani attempts to renegotiate the relationship with the United States. One area of the relationship that Pakistan would like to revise is the ongoing secret (or not-so-secret) talks with the Taliban. President Asif Ali Zardari's recent trip to Turkey, believed to be a facilitator in the talks, followed by the visit of Prime Minister Yousuf Raza Gilani, along with General Kayani and ISI Chief General Ahmad Shuja Pasha to Kabul, indicate that the Pakistani government is attempting to insert itself into the talks with or without U.S. consent. Members of Karzai's inner circle have indicated privately that the conversations were fruitful, and both sides expressed satisfaction with the meeting, in which both sides agreed to set up a "joint peace commission" to help end the Taliban insurgency. The Pakistani army also wants to continue working to decrease the substantial Indian leverage with the Afghan leadership; the army is the key force handling the country's Afghan, India and U.S. policies in addition to several other key areas of "national interests," and the generals will likely not accept a solution in Afghanistan that does not keep India at bay. And while the presence of a "large number" of CIA operatives in Pakistan may bother the country's intelligence services, as evidenced by the objections raised during meeting with Panetta last week, the real issue with the CIA's presence in the country is the specific intelligence gathering operations related to the militant group Lashkar-e-Taiba (LeT), a key concern for America's military and intelligence services, as well as Pakistan's nuclear program. According to Pakistani electronic media and various reports, CIA contractor Raymond Davis was gathering intelligence on the Pakistani nuclear program and the LeT operations inside and outside Pakistan when he allegedly shot and killed two men in Lahore in January. As part of a new deal, Pakistan will likely push for guarantees for its nuclear program and a reduction in U.S. efforts against LeT, both considered key strategic pillars for the country's security establishment, and both part of efforts to constrain Indian influence in what Pakistan considers its backyard.

#### Government loves it but they will act like they hate it regardless of US policy to get cred from the public

Khattak 11 (Daud Khattak is a Pashtun journalist currently working for the Radio Free Europe/Radio Liberty's Pashto-language station Radio Mashaal. “Drone strikes aren't the real issue in U.S.-Pakistan relations,” http://afpak.foreignpolicy.com/posts/2011/04/18/drone\_strikes\_arent\_the\_real\_issue\_in\_us\_pakistan\_relations)

Finally, the condemnation of drone attacks and harsh statements about America's military and covert presence in Pakistan - despite military and government's heavy involvement with both - serve currently to bolster the image of both the army and the government with the Pakistani public. Both have recently lost trust of the people in the face of the prevailing lawlessness, terrorism and military operations in different parts of the country, and the release of Raymond Davis after the payment of "blood money" to the victims' families. While the current government is often a target of media criticism, private Pakistani television stations no longer go out of their way to praise the army, which has recently been subject to critiques over several issues, including the army's refusal to rein in warlords such as the Khyber-based Mangal Bagh and even the army and intelligence support for militant groups such as the Haqqani Network and LeT. By constantly bolstering a negative image of the U.S. in Pakistan, the armed forces can regain its "hero" image with the people, while obscuring the double game it plays with the United States, alternately combating militant groups and keeping others at the ready for future use in Afghanistan, Kashmir, or even India. The political leadership, on the other hand, has had no other option but to submit to the army's will, and joined the chorus of condemnation of the United States only after the army took the lead. Both Gilani and Zardari believe that public opposition to the drone strikes will keep parties like Jamaat-e-Islami, Jamiat Ulema-e-Islam or the opposition Pakistan Muslim League-Nawaz (PML-N) from scoring political points because of the issue. Ultimately, the current round of opposition shows once again the willingness of the Pakistani leadership to alternately "push" and "pull" in their relationship with the United States, constantly reacting to the changing domestic, regional and international political situation. Pakistan will tolerate or encourage the drone strikes in the future, as long as its status as a regional fulcrum and its strategic interests remain protected in the long-run.

## Drones

#### Err negative---their authors assume other countries will act like the US even though that is totally inconsistent with their foreign policy perspectives

Elkus 13 (Adam, PhD student, Computational Social Science at http://www.css.gmu.edu, “Cracking Defense's Crystal Balls,” http://www.cnas.org/blogs/abumuqawama/2013/04/cracking-defenses-crystal-balls.html)

Second, the change often bears the collective influence of all of the entities it effects. Those influences, from global considerations to national and subnational factors, bear sustained consideration. Fears of drone proliferation leading to suboptimal outcomes ignore the powerful role that national-level and systemic-level characteristics bring to bear on technology. Not all states or armed groups can, for various reasons, acquire the technology or the powerful logistical-organizational-political backbone that supports the US drone campaign. Nor do they share the same goals as the US and their future politico-military behavior cannot be simply reduced to the "US targeted killing on steroids" stereotype of "China and Russia are gonna catch some bodies when they get TEH DRONES" (of course, they've also had said drones for a while). Note that both China and Russia face far more dangerous threats to their own national security from Islamic militants than the US does. But the response of both states to the threat has differed immensely in nature and scope from the US. Some of this has to do with internal considerations unique to both actors. But regional and systemic factors matter too. China and Russia, for example, free-ride on US stabilization efforts in Central Asia while making their own arrangements with local actors (many of whom share a similar threat understanding) to deal with specific terrorism and extremism issues. Second, it is worth noting that the most severe efforts both states have engaged in against what they view as threats to internal stability have been in either states historically a part of the parent country (Chechnya, for Russia), or actually within their territory (Xinjiang, for China). Is it possible that either could, with the tacit cooperation of other states, go on a robotic hunting expedition for jihadists unfriendly to your average Ivan or chafing at the presence of the Chinese military's G.I. Zhou in Xinjiang? Certainly. But this would be a glaring outlier in what is otherwise a fairly consistent approach to handling internal security issues.

#### No south china sea conflict-china would never engage

**Carlson, Cornell government professor, 2013**

(Allen, “China Keeps the Peace at Sea”, 2-21, <http://www.foreignaffairs.com/articles/139024/allen-carlson/china-keeps-the-peace-at-sea?page=show>, ldg)

The fundamentals of Deng's grand economic strategy are still revered in Beijing. But any war in the region would erode the hard-won, and precariously held, political capital that China has gained in the last several decades. It would also disrupt trade relations, complicate efforts to promote the yuan as an international currency, and send shock waves through the country's economic system at a time when it can ill afford them. There is thus little reason to think that China is readying for war with Japan. At the same time, the specter of rising Chinese nationalism, although often seen as a promoter of conflict, further limits the prospects for armed engagement. This is because Beijing will try to discourage nationalism if it fears it may lose control or be forced by popular sentiment to take an action it deems unwise. Ever since the Tiananmen Square massacre put questions about the Chinese Communist Party's right to govern before the population, successive generations of Chinese leaders have carefully negotiated a balance between promoting nationalist sentiment and preventing it from boiling over. In the process, they cemented the legitimacy of their rule. A war with Japan could easily upset that balance by inflaming nationalism that could blow back against China's leaders. Consider a hypothetical scenario in which a uniformed Chinese military member is killed during a firefight with Japanese soldiers. Regardless of the specific circumstances, the casualty would create a new martyr in China and, almost as quickly, catalyze popular protests against Japan. Demonstrators would call for blood, and if the government (fearing economic instability) did not extract enough, citizens would agitate against Beijing itself. Those in Zhongnanhai, the Chinese leadership compound in Beijing, would find themselves between a rock and a hard place. It is possible that Xi lost track of these basic facts during the fanfare of his rise to power and in the face of renewed Japanese assertiveness. It is also possible that the Chinese state is more rotten at the core than is understood. That is, party elites believe that a diversionary war is the only way to hold on to power -- damn the economic and social consequences. But Xi does not seem blind to the principles that have served Beijing so well over the last few decades. Indeed, although he recently warned unnamed others about infringing upon China's "national core interests" during a foreign policy speech to members of the Politburo, he also underscored China's commitment to "never pursue development at the cost of sacrificing other country's interests" and to never "benefit ourselves at others' expense or do harm to any neighbor." Of course, wars do happen -- and still could in the East China Sea. Should either side draw first blood through accident or an unexpected move, Sino-Japanese relations would be pushed into terrain that has not been charted since the middle of the last century. However, understanding that war would be a no-win situation, China has avoided rushing over the brink. This relative restraint seems to have surprised everyone. But it shouldn't. Beijing will continue to disagree with Tokyo over the sovereign status of the islands, and will not budge in its negotiating position over disputed territory. However, it cannot take the risk of going to war over a few rocks in the sea. On the contrary, in the coming months it will quietly seek a way to shelve the dispute in return for securing regional stability, facilitating economic development, and keeping a lid on the Pandora's box of rising nationalist sentiment. The ensuing peace, while unlikely to be deep, or especially conducive to improving Sino-Japanese relations, will be enduring.

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### Overview

#### Chinese economic collapse presents a greater threat to the US than growth

Yang, Senior Lecturer in International Relations at the University of Auckland, Associate Editor of The Australasian Journal of Human Security, and Chair of the NZIIA’s Auckland Branch, ’06 (Jian, September 1, “China’s Rise: The Security Implications” New Zealand International Review, Vol 31 No 5, p 12, lexis)

Policy implications It is important for the rest of the world to appreciate Chinas desire for a peaceful international environment. It has profound implications for the making of policy toward China. Chinas desire for peace means incentives for it to integrate with the international society and this provides a solid basis for engaging China. Some argue that China is simply waiting for the time when it is strong enough to challenge other great powers. Indeed, no one can guarantee that China will not follow this path. However, this is by no means inevitable. There is a good chance that China continues to integrate with the international society, keeps learning the rules of the game and eventually graduates as a good international citizen. Masaru Tamamoto has a vision for China, that is vastly different from that ofrealists: It is hard to imagine how an economically successful China so enmeshed in global capitalism will threaten the very system that made it rich and middle class. Bourgeois success tends to diminish military efficacy in international relations. In the long run, the Chinese threat to the United States, Japan and the world comes from an economically faltering China, not a prosperous, self-confident China. (18) Chinas rise often reminds us of the rise of Japan and Germany in the late 19th and early 20th centuries. Both resulted in major military clashes. Realists often argue that history repeats itself. This argument neglects the fact that the rise of the United States was peaceful. The United States rose rapidly from 1820 to 1913, which benefitedother great powers. To be more specific, American GDP per capita rose at an average rate of about 1.5 per cent per year, while that of Britain, France, and Germany rose at roughly 1.1-to-1.3 per cent annually. (19) China's rise can be a great opportunity, too. Increasing influenceChina should learn the rules of the game. At the same time, other great powers, especially the United States, should make efforts to accommodate the rise of China. Although China will not be able to substantially challenge the United States strategically in the coming years, its influence is likely to increase. One important reason why the rise of the United States was peaceful was the accommodation of GreatBritain to America's rise. Despite the differences between Anglo-American relations in those years and Sino-American relations today, theUnited States needs to accept China playing a greater role in world affairs and give China due respect.

#### Economic decline will cause Middle East war – democratic backsliding and retrenchment.

Ferguson 2012

Niall, History Professor at Harvard, Facebook won’t save us, Newsweek op-ed July 30th 2012, http://belfercenter.ksg.harvard.edu/publication/22213/facebook\_wont\_save\_us.html?utm\_source=feedburner&utm\_medium=feed&utm\_campaign=Feed%253A+belfer%252Fpublications+%2528Belfer+Center+for+Science+and+International+Affairs+-+Latest+Publications%2529

By the same token, there was great technological progress during the 1930s. But it did not end the Depression. That took a world war. So could something comparably grim happen in our own time? Don’t rule it out. Let’s remind ourselves of the sequence of events: economic depression, crisis of democracy, road to war. Talk to anyone who manages money these days and you will hear a doleful litany: the global economic slowdown, the persistence of unemployment, widening inequality, the problem of excessive debt, the declining effectiveness of monetary policy, and the looming fiscal cliff. Only last week, Ray Dalio—founder of the mega– hedge fund Bridgewater—spoke of a “dangerous dynamic ... making a self-reinforcing global decline more likely.” With good reason, Dalio frets about the dangers of a “debt implosion” or currency breakup in Europe. In the 1930s economic disaster undermined weak democracies all over the world. The equivalent phenomenon in our own time is the seeming inability of any Western politician to get reelected (a jinx Barack Obama may find it very hard to beat in November). That, however, is no more than what you’d expect in a time of depression. More troubling is the evidence that our basic faith in democracy is being corroded. In the past week, I have heard a politician admit that the generous benefits that have been promised to retired public workers are in danger of bankrupting the country. I have heard a leading entrepreneur complain that the revolving door leading from the Pentagon to defense contractors is a subtle form of corruption. And I have heard more than one reputable academic assert that the Chinese one-party system offers real advantages over our own antiquated system of democracy. This is certainly the Chinese view. Viewed from Beijing, Western “participatory democracy” is defective in at least three ways. It is anti-intellectual (politicians are condemned if they are too “professorial”). It is short-sighted, to the detriment of future generations. And, if democracy is applied in multiethnic societies, it can lead to discrimination and even violence against minorities. Sadly, not all of this is wrong. Democracy works best with constituency-based, bicameral parliaments under the rule of law, and works less well with proportional representation and referendums. That is one reason Europe is in such a mess. Democracy is chronically short-sighted, especially if there are major elections every two years. With our increasing lifespans (life expectancy was just over 50 when the U.S. Constitution was written, compared with 78 today), a case can surely be made for longer terms in office (say, 50 percent longer) and therefore less frequent elections. As for the problem of corruption, it is all too real. But it takes two forms: the power of cash-rich vested interests as exemplified by the lobbyists on K Street; and the growing share of public-sector employees and welfare recipients relative to direct taxpayers in the electorate. If anything, it is the second of these that has been pushing the Western world ever deeper into debt over the past decade. In the 1930s script, democratic decay is followed by conflict. I am not one of those who expects Europe’s monetary meltdown to end in war. Europeans are too old, disarmed, and pacifist for there to be more than a few desultory urban riots this summer. But I am much less confident about peace to Europe’s south and east. North Africa and the Middle East now have the ingredients in place for a really big war: economic volatility, ethnic tension, a youthful population, and an empire in decline—in this case the American Empire. Weary of warfare and wakening up to the fossil-fuel riches made accessible by fracking, the United States is rapidly winding up four decades of hegemony in the Middle East. No one knows who or what will fill the vacuum. A nuclear Iran? A neo-Ottoman Turkey? Arab Islamists led by the Muslim Brotherhood? Whoever emerges on top, they are unlikely to get there without bloodshed. It’s a dangerous world. Ask anyone who works in the world of intelligence to list the biggest threats we face, and they’ll likely include bioterrorism, cyber war, and nuclear proliferation. What these have in common, of course, is the way modern technology can empower radicalized (or just plain crazy) individuals and groups.

#### Decline increases prolif incentives.

Fordham 2010

Tina, Investors can’t ignore the rise of geopolitical risk, Financial Times, 7-17-2010, http://www.ft.com/cms/s/0/dc71f272-7a14-11df-9871-00144feabdc0.html

Geopolitical risk is on the rise after years of relative quiet – potentially creating further headwinds to the global recovery just as fears of a double-dip recession are growing, says Tina Fordham, senior political analyst at Citi Private Bank. “Recently, markets have been focused on problems within the eurozone and not much moved by developments in North Korea, new Iran sanctions, tensions between Turkey and Israel or the unrest in strategically significant Kyrgyzstan,” she says. “But taken together, we don’t think investors can afford to ignore the return of geopolitical concerns to the fragile post-financial crisis environment.” Ms Fordham argues the end of post-Cold War US pre-eminence is one of the most important by-products of the financial crisis. “The post-crisis world order is shifting. More players than ever are at the table, and their interests often diverge. Emerging market countries have greater weight in the system, yet many lack experience on the global stage. Addressing the world’s challenges in this more crowded environment will be slower and more complex. This increases the potential for proliferating risks: most notably the prospect of politically and/or economically weakened regimes obtaining nuclear weapons; and military action to keep them from doing so. “Left unresolved, these challenges could disrupt global stability and trade. This would be a very unwelcome time to see the return of geopolitical risk.”

### GOP Cave Now

#### GOP will cave now

**Terris, National Journal, 9-15-13**

(Ben, “Government Shutdown? Not This Time”, <http://www.nationaljournal.com/congress/government-shutdown-not-this-time-20130915>, ldg)

The drumbeat has already started. "GOP split over health care law boosts threat of a government shutdown," says the Los Angeles Times. "A Government Shutdown Just Got More Likely," BusinessWeek said on Sept. 11. "No Clear Path in Congress Avoiding a Shutdown," NBC said on their website the next day. It makes for an exciting story—albeit one that we've heard many times recently—but the general consensus, both from outside experts and Republican leaders, is that it's just not going to happen. Yet. "I'm very confident in my belief that a shutdown will not happen," said a Republican leadership aide. "I'm not going to rule out the chance that it ever does. But the leadership team and overwhelming number of our members do not want to shut down the government." Politically, Republican leaders know it's in their best interest not to have the government shut down. A new poll from CNN found that the majority of the country would blame them, not Democrats, if such a thing were to happen. That is certainly part of the pitch from top Republicans to their members. They also want their colleagues to think of passing a budget bill—one that keeps sequester-levels of spending intact—as a victory in and of itself. And as for fighting for such trophies as delaying or defunding Obamacare, Republican leadership aides say that all they really need is just a bit more time to convince the holdouts that there's a better moment to have that fight.

#### GOP leadership is actively looking for an out-they’ll cave

**Beutler, Salon political writer, 9-17-13**

(Brian, “GOP brass plays party for fools”, <http://www.salon.com/2013/09/17/right_wingers_exposed_as_gullible_dupes/singleton/>, ldg)

It seems like whenever the GOP’s trust problem with conservatives hits a new nadir, party leaders decide the best way to fix it is by trying to dupe them. That trust problem is severe right now because GOP leaders aren’t willing to shut down the government or default on the debt if President Obama refuses to destroy his own healthcare law. And instead of just leveling with the right, and cutting it loose, the party’s top brass is trying to manipulate rank-and-file members into voting for must-pass government funding and debt limit bills by tricking them out to disguise the fact that they’re toothless. We saw this play out last week, when GOP leaders had to pull the plug on a bill to a government shutdown that they’d dressed up as a bill to defund the healthcare law. They’re at it again this week. From Politico: There is discussion in House Republican leadership circles about setting a debt ceiling vote before Sept. 30. If Republican leaders show in the next few weeks how they will use the debt ceiling to delay Obamacare, it will display that the party’s brass is serious about an all-or-nothing legislative brawl with Senate Democrats and President Barack Obama. That could help ease the passage of the continuing resolution to fund the government. This sounds like Republican leaders are actually transferring brinkmanship to much more dangerous terrain. But they’re really just exploiting the calendar and the right’s tactical naiveté to avoid political and economic catastrophes. The debt limit deadline is a couple of weeks after the government shutdown deadline. If House conservatives agree to this plan, they’ll be setting the party up to cave on the debt limit, after they’ve already released their government shutdown hostage. It’s a classic bait and switch. Give me what I want and the crown jewels could be yours. You can even touch them first. Procedurally, this could play out a few ways, none of which ultimately get GOP hard-liners the Obamacare delay they want. Republicans could structure the debt limit vote the way they’ve structured the government funding bill — to automatically delink the Obamacare provision so that the Senate can consider them discretely. This is the obvious rendering of the cave — and unlikely to fool even the dimmest member of Congress. Alternatively leaders could send the Senate a singular debt limit increase, replete with an Obamacare delay and other partisan GOP nonsense, followed by a government funding bill. Harry Reid would then leave the debt limit increase sitting on his desk, pass the bill to avoid the shutdown, and then address the debt limit bill separately. He could vote it down (likely on a bipartisan basis) or he could set up votes to strip all the nonsense out of it, which would put individual Republican senators in the uncomfortable position of choosing between fomenting a catastrophic debt default and affirmatively voting to kill a provision to defund Obamacare. The latter is akin to dressing up in a bull’s-eye-painted sandwich board. It’s perhaps the single surest way for a Republican member to invite a primary challenge. Either way, the government gets funded, the debt limit gets increased, Obamacare chugs along. Lastly, House Republicans could pass an extreme debt limit bill, and refuse to send over the government funding measure until the Senate swallows the former. In that case Reid would shrug, the government would shut down, and Boehner would find himself in more or less the same position he’s in now, except with less time and more political baggage on his hands. If the definition of insanity (or desperation) is doing the same thing over and over again and expecting different results, then Republican leaders are trying to cloak theirs by changing costumes between rounds. I can’t imagine conservatives will be thrilled with any of these options. If the House leadership picks one, the usual suspects — Ted Cruz, Heritage Action, etc. — will quickly denounce it as gimmickry, and we’ll be back to square one.

### Link

#### Congress hates the idea of creating oversight for targeted killing

McGovern, 13

(Ray, writer for AlterNet, "Congress Turns a Blind Eye to the Deep Shame of Guantanamo Bay", May 14, [www.alternet.org/civil-liberties/congress-turns-blind-eye-deep-shame-guantanamo-bay](http://www.alternet.org/civil-liberties/congress-turns-blind-eye-deep-shame-guantanamo-bay) NL)

To be completely fair, the reigning reluctance seems, actually, to be a bipartisan affair. Moran is one of the few Democrats possessed of a conscience and enough moral courage to let the American people know what is being done in their name. For other lawmakers, it is a mite too risky. Folksy folks like Sen. Lindsey Graham, R-South Carolina, a member of the Armed Services Committee which is supposed to exercise oversight of the lethal operations carried out by the Joint Special Operations Command, make no bones about the dilemma they prefer to duck when it comes to letting detainees die at Guantanamo or letting the president blow up suspected terrorists via drone strikes. Here’s Graham [quoted](http://www.esquire.com/blogs/politics/congress-drone-strike-oversight-10520312) in Esquire magazine last summer on why Congress has engaged in so little oversight of the lethal drone program: “Who wants to be the congressman or senator holding the hearing as to whether the president should be aggressively going after terrorists? Nobody. And that’s why Congress has been AWOL in this whole area.” The same thinking applies to showing any mercy for the people held at Guantanamo.

#### Obama will push the plan-targeted killing

Gibson-professor political, Westminster College-2/13/13

HEADLINE: End Congress' abdication of war-making Drone strikes • President is asking to be reined in, and our representatives should do just that. OTHER VIEWS

The publicity surrounding the legal view of this administration, that it can kill Americans while simultaneously ignoring the separation of powers, should be disconcerting to all citizens. It should also sound the clarion call to members of Congress, and their constituents, to give President Obama exactly the congressional aid he claims he needs to establish a "legal architecture" to limit him and future presidents, when it comes to extrajudicial killing of our citizens. This is especially true, as the targeted killings of citizens in countries such as Yemen and other sovereign nations constitute potential acts of war.¶ Luckily, Missouri residents and our congressional delegation are in a position to rein in this and future presidents. Both Missouri senators, Roy Blunt and Claire McCaskill, sit on the Senate Armed Services Committee. Additionally, as senators they have the ability to raise questions about John Brennan, President Obama's nominee for director of the CIA, during his confirmation proceedings about his role, as deputy national security adviser, in establishing the administration's questionable drone use.¶ Rep. Vicky Hartzler from Missouri's 4th District serves on the House Armed Services Committee. She is also the only Missouri delegate who is also a member of the Congressional Unmanned Systems Caucus, derisively referred to as the "drone caucus" by its critics. The combination of committee assignment and caucus choice would seem to place Rep. Hartzler in a position of influence over drone policy that is unique within the state.¶ While we name three members of the Missouri delegation with positions of particular influence, the state's entire delegation, regardless of party affiliation, should move to position Congress to re-establish itself as a check on undue presidential influence. Residents of Missouri should ask their members of Congress to end the abdication of their duties and rein in the president. After all, President Obama is asking for it.

### Obama Strong Now

#### Obama has maximized his capital to resolve the debt limit

**Bohan, Reuters correspondent, 9-11-13**

(Caren, “Delay in Syria vote frees Obama to shift to hefty domestic agenda”, <http://carnegieeurope.eu/strategiceurope/?fa=52932>, ldg)

(Reuters) - Putting off a decision on military strikes on Syria allows President Barack Obama to shift his attention back to a weighty domestic agenda for the fall that includes budget fights, immigration and selecting a new chairman of the Federal Reserve. Obama and his aides have immersed themselves for a week and a half in an intensive effort to win support in Congress for U.S. military action in Syria after a suspected chemical weapons attack last month killed more than 1,400 people. But the effort, which included meetings by Obama on Capitol Hill on Tuesday followed by his televised speech to Americans, seemed headed for an embarrassing defeat, with large numbers of both Democrats and Republicans expressing opposition. The push for a vote on Syria - which has now been delayed - had threatened to crowd out the busy legislative agenda for the final three months of 2013 and drain Obama's political clout, making it harder for him to press his priorities. But analysts said a proposal floated by Russia, which the Obama administration is now exploring, to place Syria's weapons under international control may allow Obama to emerge from a difficult dilemma with minimal political damage. "He dodges a tough political situation this way," said John Pitney, professor of politics at Claremont McKenna College in California. Pitney said the delay in the Syria vote removes a big burden for Obama, given that Americans, who overwhelmingly opposed military intervention in Syria, will now be able to shift their attention to other matters. He said Obama could suffer some weakening of his leverage with Congress. The administration's "full court press" to try to persuade lawmakers to approve military force on Syria was heavily criticized and did not yield much success. "He probably has suffered some damage in Congress because there are probably many people on (Capitol Hill) who have increasing doubts about the basic competence of the administration and that's a disadvantage in any kind of negotiation," Pitney said. BUDGET BATTLES Among Obama's most immediate challenges are two looming budget fights. By September 30, Congress and the president must agree on legislation to keep federal agencies funded or face a government shutdown. Two weeks later, Congress must raise the limit on the country's ability to borrow or risk a possible debt default that could cause chaos in financial markets. On the first budget showdown, Obama may be at a strategic advantage because of divisions among opposition Republicans about whether to use the spending bill to provoke a fight over Obama's signature health care law, known as Obamacare. House Republican leaders are trying to rally the party around a temporary spending measure that would keep the government funded until December 15 but are facing resistance within their own caucus from some conservatives who want to cut off funding for Obamacare, even if it means a government shutdown. The debt limit fight could end up going down to the wire and unnerving financial markets. Republicans want to use that standoff to extract concessions from the Democratic president, such as spending cuts and a delay in the health law. But Obama has said he has no intention of negotiating over the borrowing limit.

#### Conserving capital now-not pushing anything else

**Neff, the Hill, 9-20-13**

(Blake, “Senate support unravels for Obama's energy nominee”, <http://thehill.com/blogs/e2-wire/e2-wire/323559-senate-support-unravels-for-ferc-nominee>, ldg)

Cole also said the Obama administration would not be willing to push hard for Binz when it had other priorities to focus on. “How much political capital does the White House want to spend on Harry Reid’s nominee?” Cole asked rhetorically. Obama, he said, needed to conserve his efforts for more important battles, such as the ongoing debt ceiling battle. Without Senate support or strong White House backing, “the [only] question at this point is how long Binz wants to drag out this process,” Cole said.

### AT: Obama Has Lots of Capital

#### Political capital is finite-the plan would tradeoff with domestic economic priorities

**Moore, Guardian economics editor, 9-10-13**

(Heidi, “Syria: the great distraction; Obama is focused on a conflict abroad, but the fight he should be gearing up for is with Congress on America's economic security”, <http://www.theguardian.com/commentisfree/2013/sep/10/obama-syria-what-about-sequester)>, ldg)

There are 49 million people in the country who suffered inadequate access to food in 2012, leaving the percentage of "food-insecure" Americans at about one-sixth of the US population. At the same time, Congress refused to pass food-stamp legislation this summer, pushing it off again and threatening draconian cuts. The country will crash into the debt ceiling in mid-October, which would be an economic disaster, especially with a government shutdown looming at the same time.These are deadlines that Congress already learned two years ago not to toy with, but memories appear to be preciously short. The Federal Reserve needs a new chief in three months, someone who will help the country confront its raging unemployment crisis that has left 12 million people without jobs. The president has promised to choose a warm body within the next three weeks, despite the fact that his top pick, Larry Summers, would likely spark an ugly confirmation battle – the "fight of the century," according to some – with a Congress already unwilling to do the President's bidding. Congress was supposed to pass a farm bill this summer, but declined to do so even though the task is already two years late. As a result, the country has no farm bill, leaving agricultural subsidies up in the air, farmers uncertain about what their financial picture looks like, and a potential food crisis on the horizon. The two main housing agencies, Fannie Mae and Freddie Mac, have been in limbo for four years and are desperately in need of reform that should start this fall, but there is scant attention to the problem. These are the problems going unattended by the Obama administration while his aides and cabinet members have been wasting the nation's time making the rounds on television and Capitol Hill stumping for a profoundly unpopular war. The fact that all this chest-beating was for naught, and an easy solution seems on the horizon, belies the single-minded intensity that the Obama White House brought to its insistence on bombing Syria. More than one wag has suggested, with the utmost reason, that if Obama had brought this kind of passion to domestic initiatives, the country would be in better condition right now. As it is, public policy is embarrassingly in shambles at home while the administration throws all of its resources and political capital behind a widely hated plan to get involved in a civil war overseas. The upshot for the president may be that it's easier to wage war with a foreign power than go head-to-head with the US Congress, even as America suffers from neglect. This is the paradox that President Obama is facing this fall, as he appears to turn his back on a number of crucial and urgent domestic initiatives in order to spend all of his meager political capital on striking Syria. Syria does present a significant humanitarian crisis, which has been true for the past two years that the Obama administration has completely ignored the atrocities of Bashar al-Assad. Two years is also roughly the same amount of time that key domestic initiatives have also gone ignored as Obama and Congress engage in petty battles for dominance and leave the country to run itself on a starvation diet imposed by sequestration cuts. Leon Panetta tells the story of how he tried to lobby against sequestration only to be told: Leon, you don't understand. The Congress is resigned to failure. Similarly, those on Wall Street, the Federal Reserve, those working at government agencies, and voters themselves have become all too practiced at ignoring the determined incompetence of those in Washington. Political capital – the ability to horse-trade and win political favors from a receptive audience – is a finite resource in Washington. Pursuing misguided policies takes up time, but it also eats up credibility in asking for the next favor**.** It's fair to say that congressional Republicans, particularly in the House, have no love for Obama and are likely to oppose anything he supports.That's exactly the reason the White House should stop proposing policies as if it is scattering buckshot and focus with intensity on the domestic tasks it wants to accomplish, one at a time. The president is scheduled to speak six times this week, mostly about Syria. That includes evening news interviews, an address to the nation, and numerous other speeches. Behind the scenes, he is calling members of Congress to get them to fall into line. Secretary of State John Kerry is omnipresent, so ubiquitous on TV that it may be easier just to get him his own talk show called Syria Today. It would be a treat to see White House aides lobbying as aggressively – and on as many talk shows – for a better food stamp bill, an end to the debt-ceiling drama, or a solution to the senseless sequestration cuts, as it is on what is clearly a useless boondoggle in Syria. There's no reason to believe that Congress can have an all-consuming debate about Syria and then, somehow refreshed, return to a domestic agenda that has been as chaotic and urgent as any in recent memory. The President should have judged his options better. As it is, he should now judge his actions better.

# 2NR

#### Political capital is key to the agenda and finite for Obama in the second term, he can’t do a replay of his first term

Schultz 1/22/13 (David Schultz is a professor at Hamline University School of Business, where he teaches classes on privatization and public, private and nonprofit partnerships. He is the editor of the Journal of Public Affairs Education (JPAE) “Obama's dwindling prospects in a second term” http://www.minnpost.com/community-voices/2013/01/obamas-dwindling-prospects-second-term)

Presidential power also is a finite and generally decreasing product. The first hundred days in office – so marked forever by FDR’s first 100 in 1933 – are usually a honeymoon period, during which presidents often get what they want. FDR gets the first New Deal, Ronald Reagan gets Kemp-Roth, George Bush in 2001 gets his tax cuts. Presidents lose political capital, support But, over time, presidents lose political capital. Presidents get distracted by world and domestic events, they lose support in Congress or among the American public, or they turn into lame ducks. This is the problem Obama now faces. Obama had a lot of political capital when sworn in as president in 2009. He won a decisive victory for change with strong approval ratings and had majorities in Congress — with eventually a filibuster margin in the Senate, when Al Franken finally took office in July. Obama used his political capital to secure a stimulus bill and then pass the Affordable Care Act. He eventually got rid of Don’t Ask, Don’t Tell and secured many other victories. But Obama was a lousy salesman, and he lost what little control of Congress that he had in the 2010 elections. Since then, Obama has be stymied in securing his agenda. Moreover, it is really unclear what his agenda for a second term is. Mitt Romney was essentially right on when arguing that Obama had not offered a plan for four more years beyond what we saw in the first term. A replay wouldn't work Whatever successes Obama had in the first term, simply doing a replay in the next four years will not work. First, Obama faces roughly the same hostile Congress going forward that he did for the last two years. Do not expect to see the Republicans making it easy for him. Second, the president’s party generally does badly in the sixth year of his term. This too will be the case in 2014, especially when Democrats have more seats to defend in the Senate than the GOP does. Third, the president faces a crowded and difficult agenda. All the many fiscal cliffs and demands to cut the budget will preoccupy his time and resources, depleting money he would like to spend on new programs. Obama has already signed on to an austerity budget for his next four years – big and bold is not there. Fourth, the Newtown massacre and Obama’s call for gun reform places him in conflict with the NRA. This is a major battle competing with the budget, immigration, Iran and anything else the president will want to do. Finally, the president is already a lame duck and will become more so as his second term progress. Presidential influence is waning One could go on, but the point should be clear: Obama has diminishing time, resources, support and opportunity to accomplish anything. His political capital and presidential influence is waning, challenging him to adopt a minimalist agenda for the future. What should Obama do? Among the weaknesses of his first term were inattention to filling federal judicial vacancies. Judges will survive beyond him and this should be a priority for a second term, as well as preparing for Supreme Court vacancies. He needs also to think about broader structural reform issues that will outlive his presidency, those especially that he can do with an executive order. Overall, Obama has some small opportunities to do things in the next four years – but the window is small and will rapidly close.