## 1AC – Executive Precedents

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#### Contention One is: Executive Precedents

#### Unchecked war power sets a precedent now.

Barron ‘8

David J. Barron, Professor of Law at Harvard Law School and Martin S. Lederman, Visiting Professor of Law at the Georgetown University Law Center, “The Commander in Chief at the Lowest Ebb -- A Constitutional History”, Harvard Law Review, February, 121 Harv. L. Rev. 941, Lexis

Thus, as future administrations contemplate the extent of their own discretion at the "

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a workable alternative, such forgetting will be far less likely to occur.

#### The precedent spills-beyond war power. Means executives are unchecked on *many issues*.

Barron ‘8

David J. Barron, Professor of Law at Harvard Law School and Martin S. Lederman, Visiting Professor of Law at the Georgetown University Law Center, “The Commander in Chief at the Lowest Ebb -- A Constitutional History”, Harvard Law Review, February, 121 Harv. L. Rev. 941, Lexis

Moreover, this historical account performs at least one function beyond supplying information relevant to

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for a change that risks such a fundamental revision of our national identity.

#### It gets modeled worldwide. Debates about the precedent check preventive wars and other abuses of executive authority.

Sloane ‘8

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

There is a great deal more constitutional history that arguably bears on the scope of

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to U.S. national security in the twenty-first century.

#### Legislative restraints means fewer Executives starting fewer conflicts worldwide. For executive authority, teaching the heuristic of work within institutions is a pre-req.

Grynaviski ‘13

Eric Grynaviski, Professor of Political Science at The George Washington University, “The Bloodstained Spear: Public Reason and Declarations of War”, International Theory, 5(2), Cambridge Journals

Conclusion The burden of the argument, thus far, has been to show that

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well as more recent issues such as the targeted killing of political leaders.

#### Pragmatism’s key in this context. “Root cause” and “cure-alls” won’t check violence.

Bacevich ‘13

Andrew, Professor of History and International Relations at Boston University and Ph.D. in American Diplomatic History from Princeton University, The New American Militarism, p. 205-210

There is, wrote H. L. Mencken, “always a well-

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point, citizens should replace them by electing people able to do so.

#### Legislative checks solve both advantages. Without them, executive-induced casualties will persist.

Zelizer ‘11

Julian E. Zelizer, Professor of History and Public Affairs at Princeton University, “War Powers Belong to Congress and the President”, CNN Opinion, 6-27, http://www.cnn.com/2011/OPINION/06/27/zelizer.war.powers/index.html

But the failure of Congress to fully participate in the initial decision to use military

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declare war forces voters to think about the decision sooner rather than later.

### Death tolls AND India-Pak and North Korea (This might change)

#### Our impact doesn’t rely on bad prediction. It’s empirical and particular. Nations have already used US standards as cover for violence. More is coming.

Daalder ‘2

Ivo H. Daalder is the current President of the Chicago Council on Global Affairs. He was a member of the staff of United States National Security Council (NSC) during the administration of President Bill Clinton. He received his Ph.D in political science from the Massachusetts Institute of Technology. He was fellow at Harvard University's Center for Science and International Affairs and the International Institute for Strategic Studies in London. He received a Pew Faculty Fellowship in International Affairs and an International Affairs Fellowship of the Council on Foreign Relations. Daalder was an associate professor at the University of Maryland, College Park's School of Public Affairs, where he was also director of research at the Center for International and Security Studies. He was a Senior Fellow in foreign policy studies at the Brookings Institution from 1997 to 2009, where he was a specialist in European security, transatlantic relations, and national security affairs.“Policy Implications of the Bush Doctrine on Preemption” November 16, 2002 <http://www.cfr.org/international-law/policy-implications-bush-doctrine-preemption/p5251>

The doctrine of preemption is also strategically imprudent. If taken seriously by others,

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launch a suicidal war that would kill millions of Koreans in the process.

## 1AC – Drones Advantage

### Drones Advantage

#### Contention Two – Drones

#### Lack of a legislative role cedes war-fighting to the executive. This drives secretive policy – including the squo’s *non-transparent* drone policy.

Bacevich 13

[Andrew, professor of history and international relations (Boston University), Ph.D. in American Diplomatic History (Princeton), “Andrew Bacevich, The Eternal War?” The Nation Institute, 5/28, <http://www.tomdispatch.com/blog/175704/>]

Twelve and a half years after Congress didn’t declare war on an organization of hundreds

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Middle East and what’s left of American democracy and liberties are further destabilized.

#### Drones can’t be wished-away – they’ll exist in other nations. Even if Congress did little, public light matters. A more-transparent precedent dissuades global use and halts a *distinct mechanism for violence versus dissent*.

Boyle ‘13

Dr. Michael Boyle has an interdisciplinary background. He is currently an Assistant Professor of Political Science at La Salle University in Philadelphia. He was previously a Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence (CSTPV) at the University of St. Andrews. He holds a Ph.D. from The University of Cambridge, 2005; an M.P.P. from the Kennedy School of Government, Harvard University, 2001; a M.Phil, from the University of Cambridge, 1999 – “The costs and consequences of drone warfare” – International Affairs; 89: 1 (2013) 1–29 – http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89\_1/89\_1Boyle.pdf

An important, but overlooked, strategic consequence of the Obama administra - tion’s embrace

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to shrug off the loss of life that drones inflict on others today.

#### Drones cause deaths. This ev also proves international experiences are a “starting-point boomerang” shaping oppressive domestic practices.

Graham ‘10

STEPHEN GRAHAM is Professor of Cities and Society at Newcastle University and previously taught at Durham and MIT, among other universities. Cities Under Siege: the New Military Urbanism – p. xiii-xvii

Such fantasies of high -tech omnipotence are much more than science fiction. As

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security operations, is the second key feature of the new military urbanism.

**Plan -** The Executive Branch of the United States should not be authorized to initiate offensive military force without prior Congressional authorization.

### Underview – 1AC

#### Contention 3: Underview

#### Macro-Institutional starting points are often critiqued. But micro-starting points of SELF or societal, instead of State, transformation are less effective in this narrow context.

Stuhr ‘8

(John J, Professor of Philosophy and American Studies, and Chair, Department of Philosophy at Emory University“A Terrible Love of Hope”, The Journal of Speculative Philosophy New Series, Volume 22, Number 4, Project Muse)

And then what, now what? What should a meliorist do? Terrible lovers

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peace must be, in the broadest sense of the term, educational.

#### Particularity Thesis. Sweeping claims don’t undercut the Aff. We can advance *contingent* and *particular* knowledge without “Big T” Truths.

PRICE ‘98

(RICHARD PRICE is a former prof in the Department of Anthropology at Yale University. Later, he moved to Johns Hopkins University to found the Department of Anthropology, where he served three terms as chair. A decade of freelance teaching (University of Minnesota, Stanford University, Princeton University, University of Florida, Universidade Federal da Bahia), ensued. This article is co-authored with CHRISTIAN REUS-SMIT – Monash University – European Journal of International Relations Copyright © 1998 via SAGE Publications – http://www.arts.ualberta.ca/~courses/PoliticalScience/661B1/documents/PriceReusSmithCriticalInternatlTheoryConstructivism.pdf)

One of the central departures of critical international theory from positivism is the view that

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violates the interpretive ethos of critical international theory than does critical theory itself.

#### If we lose pre-fiat, then we do nothing. But non-concrete activism is WORSE THAN NOTHING. No Framework QUESTION can veer this round from the NEXUS QUESTION OF CONCRETE ALTS. Without those, we’re awful activists.

Bryant ‘12

(EDITED FOR GENDERED LANGUAGE – the author said “she” and it was replaced with the word “to” – Levi Bryant is currently a Professor of Philosophy at Collin College. In addition to working as a professor, Bryant has also served as a Lacanian psychoanalyst. He received his Ph.D. from Loyola University in Chicago, Illinois, where he originally studied 'disclosedness' with the Heidegger scholar Thomas Sheehan. Bryant later changed his dissertation topic to the transcendental empiricism of Gilles Deleuze, “Critique of the Academic Left”, http://larvalsubjects.wordpress.com/2012/11/11/underpants-gnomes-a-critique-of-the-academic-left/)

I must be in a mood today– half irritated, half amused –because

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. Instead we prefer to shout and denounce. Good luck with that.

#### Even if “fiat’s not real”, and Affs don’t control levers of power today, we advance a *heuristic*. Without this heuristic of fiat, we’ll re-enforce dangerous nihilism.

Hoff ‘6

(et al, Dr. Dianne Hoff, professor in the College of Education and Human Development and president of Faculty Senate, University of Maine, Journal of Educational Administration, 44:3 – available via Emerald Management 120 database).

There is no question that helping educational leadership students become self-analytical and reflect

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. This is an arena from which a new social order can emerge.

#### Our heuristic’s about CONCRETE and Pragmatic ALTS. It’s important regardless of drones or executive power. Helps us learn to check violence.

Small ‘6

(Jonathan, former Americorps VISTA for the Human Services Coalition,“Moving Forward,” *The Journal for Civic Commitment*, Spring, http://www.mc.maricopa.edu/other/engagement/Journal/Issue7/Small.jsp)

What will be the challenges of the new millennium? And how should we equip

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engagement consequently takes on a more specific and political meaning in this context.

#### And, if the debate winds-up a “tie”, presumption should shift in favor of change – best avoids nihilism.

#### Serial Policy Failure wrong and Policy Nihilism Bad.

Tallis ‘97

Raymond Tallis, Professor of Geriatric Medicine at the University of Manchester – Enemies of Hope: A Critique of Contemporary Pessimism, Published by Palgrave Macmillan, ISBN 0312173261, p. 407-409

If we deny or rubbish the progress that mankind has already made, and at

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poverty of spirit and meanness of mind will not have the last word.

#### We’re not pro-State, but we’re “anti-anti State”. Some things can ONLY be solved “through the system”. Lifting *existing* POTUS authority is such an issue:

Barbrook ‘97

(Dr. Richard, School of Westminster, Nettime, “More Provocations”, 6-5, ¶ http://www.nettime.org/Lists-Archives/nettime-l-9706/msg00034.html)

I thought that this position is clear from my remarks about the ultra-left

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can be a fun artistic pose. However, human suffering is not.

#### Drones already exist – a “Hindsight approach” teaches poor activism.

Field ‘12

Jocelyn Field, former fundraiser for the organization “Changing Our World”. Currently affiliated with the non-profit organization SAGE in Ontario – an activist organization designed to defend, advance and communicate the common interests of the Seniors and Retirees of Elliot Lake (a city in Ontario). “We are Elliot Lake” – Dec 21, 2012 – http://werelliotlake.freeforums.net/index.cgi?action=userrecentposts&user=annoyed#ixzz2NJ58DvK0

It appears that it always boils down to the same arguments:¶ "It should

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and a solution, and get our collective heads out of the sand.